

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, February 16, 1990

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

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman

Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

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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 January 19, 1990 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Alakiotou, Caldwell, Fornelli and Moore. Nays- None. Abstain-Spingola

* * * * *

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

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

APPLICANT: Zygmunt Lubowicki, by Derek A. Gilna

CNL NO. 31-90-Z

APPEARANCES FOR: None

MAP NO. 9-0

APPEARANCES AGAINST:

MINUTES OF MEETING

February 16, 1990

PREMISES AFFECTED— 3713 N. Olcott Avenue

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

ACTION OF BOARD—

Case dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Victor Peterson, by M.G. Coan
 APPEARANCES FOR: Michael G. Coan
 APPEARANCES AGAINST:

CAL. NO. 32-90-Z
 MAP NO. 12-K
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 4801 S. Kolin Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Victor Peterson, by M.G. Coan, for Victor Peterson, owner, on December 8, 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 2-dwelling unit building with no north side yard instead of 3 feet, on premises at 4801 S. Kolin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 14, 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(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 February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 corner lot improved with a 2-story frame residential building and garage built to the north lot line; that the applicant also owns the improved lot abutting to the south; that the applicant proposes to demolish the existing structures on the subject site and erect a 2-story 2-dwelling unit building connected by a 1-story open deck structure to a new 1-story garage 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 north side yard variation is necessary to provide more space between the proposed building and the building to the south; that the plight of the owner is due to the desire to situate the proposed building on the lot in a manner most consistent with the improvements in the block; that the proposed location of the 2-story 2-dwelling unit building and garage, which will replace old deteriorating structures, will be compatible with the improvements 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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Cal. No. 32-90-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 2-dwelling unit building with no north side yard instead of 3 feet, on premises at 4801 S. Kolin 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: Mark and Joanne Gross
 APPEARANCES FOR: Douglas B. Gillespie
 APPEARANCES AGAINST:

CAL. NO. 33-90-Z
 MAP NO. 4-K
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 1628 N. Wood Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mark and Joanne Gross, for Harry Jarzembowski, owner, on December 11, 1989, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 3-story brick 2-dwelling unit building whose north side yard will be 10 inches and whose south side yard will be 2.91 feet instead of 6.9 feet each and which expansion will result in a 15% (381 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1628 N. Wood Street; 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, §9.3-1,"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provision of §6.4-2(1)"; that the subject site is improved with a 2-story brick apartment building with a high basement and attic; that the applicants seek to dormer the attic to allow the 2nd floor apartment to be duplexed, which will result in a 15% or 381 sq. ft. increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed

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dormering of the attic is necessary to provide needed additional living space in the 2nd floor dwelling unit; that the plight of the owner is due to unique circumstances in that the existing 2-story 2-dwelling unit building as situated on the subject lot presently violates the side yard requirements of the zoning ordinance which necessitates the requested variation; that the proposed dormering of the attic will be an extension up from the existing building walls and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2-story brick 2-dwelling unit building, whose north side yard will be 10 inches and whose south side yard will be 2.91 feet instead of 6.9 feet each and which expansion will result in a 15% (381 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1628 N. Wood 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: Oakford-Wynn & Associates, Ltd.
 APPEARANCES FOR: Ted Wynn
 APPEARANCES AGAINST:

CAL. NO. 34-90-S
 MAP NO. 9-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 3211 N. Clark Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Oakford-Wynn & Associates, Ltd, for Belmont National Bank, owner, on December 13, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the utilization of an existing off-site accessory bank parking lot as a public fee parking lot to be operated at such times when not in use by the bank, in a B3-3 General Retail District, on premises at 3211 N. Clark Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 on October 17, 1986, the Board approved a special use application by A & B Garage Corp. for the utilization of an existing off-site accessory bank parking lot at the subject site as a public fee parking lot to be operated at such times the premises are not in use by the Belmont National Bank of Chicago, which special use has subsequently lapsed; that the testimony presented in Calendar No. 286-86-S is hereby made part of the record in this case; that the subject site is an improved operating parking lot; that the Belmont National Bank has expanded its existing on-site parking facilities and does not plan to use the subject site for bank parking; that the applicant seeks to operate the subject parking lot as a public fee parking lot; that the proposed use is necessary for the public convenience at this location in that there is a great need for public parking in this high density area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the parking lot which will provide needed parking for businesses in the area; and that the proposed parking lot is a continuation of an existing parking lot and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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Cal. No. 34-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the utilization of an existing off-site accessory parking lot as a public fee parking lot, on premises at 3211 N. Clark Street, upon condition that the existing paving, striping, fencing and lighting shall be maintained by the applicant; that ingress and egress shall be from N. Clark Street; that the lot shall be securely locked when not in use; 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: Redeemed Tabernacle Church of God in Christ

CAL. NO. 35-90-S

APPEARANCES FOR: Vincent Machroli

MAP NO. 4-K

APPEARANCES AGAINST:

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February 16, 1990

PREMISES AFFECTED— 1340-44 S. Pulaski Road

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Redeemed Tabernacle Church of God in Christ, owner, on December 11, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the certification of an existing church in a 2-story brick building, in a C1-2 Restricted Commercial District, on premises at 1340-44 S. 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, §9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-2 Restricted Commercial District; that the subject site is improved with a 2-story brick store and apartment building in which the ground floor is presently in use as a church; that the applicant church has been located at the subject site since 1983; that the applicant church is necessary at the subject site to continue to meet the needs of the congregation who reside in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the said church which provides needed services in the community and which provides adequate off-street parking; that the said church is an improvement in this block which has many vacant lots 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 certify an existing church in a 2-story brick building, on premises at 1340-44 S. Pulaski Road, upon condition that the parking area abutting the building to the south 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; that fencing shall be provided on the periphery of the parking area, excepting the

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driveway; that the driveway shall be constructed in accordance with applicable ordinances; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from S. Pulaski Road; that the alley abutting the site shall not be used for ingress nor for egress; that the parking area shall be securely locked at all times when not in use; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Michael Murray
 APPEARANCES FOR: Sandra Van de Kauter, et al
 APPEARANCES AGAINST: Robert C. Dannon, et al

CAL. NO. 36-90-S
 MAP NO. 9-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 3530 N. Clark Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Michael Murray, for American National Bank, Tr. #10443-05, owner, on December 12, 1989, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the expansion of an existing tavern in a 2-story brick building by erecting a 1-story with basement 30' x 34' addition to the rear thereof, in a B4-2 Restricted Service District, on premises at 3530 N. Clark Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 subject site is improved with a 2-story brick store and apartment building on the front of the lot containing the applicant tavern, known as the "Wild Hare", and a 2-story frame apartment building on the rear of the lot; that it was originally proposed by the applicant to expand the public space in the existing tavern with a 2-story addition and that the existing 2-story delapidated residential building on the rear of the lot was to be demolished and replaced with a new community/art center; that the amended application eliminates the establishment of the community/art center and provides for a 1-story with basement 30' x 34' addition to the rear of the existing 2-story building on the front of the lot; that the subject tavern, fronting on N. Clark Street and W. Eddy Street, is internationally known for its reggae music and is listed in international guidebooks; that the subject tavern is owned by the musicians; that the applicant proposes to expand the first floor of the tavern 30 feet to the rear in order to provide additional space for sound equipment and to improve patron circulation space by relocating the stage area; that the proposed basement area will provide dressing room, storage and additional washroom facilities; that

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the proposed 1-story and basement addition is necessary for the public convenience at this location to enable the subject tavern to better serve its patrons; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed tavern addition which will provide needed expanded washroom facilities for its patrons and improved patron circulation areas in the existing tavern; that the proposed expansion of the tavern will increase the capacity of the tavern by approximately 25 persons; and that the proposed expansion, which re-arranges an existing tavern, will be compatible with the business uses 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 expansion of an existing tavern in a 2-story brick building on the front of the lot by erecting a 1-story with basement 30' x 34' addition to the rear thereof, as indicated in plans submitted dated February 10, 1990, on premises at 3530 N. Clark Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ken Ketter

CAL. NO. 37-90-S

PEARANCES FOR: None

MAP NO. 10-I

APPEARANCES AGAINST:

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February 16, 1990

PREMISES AFFECTED— 2900 W. 40th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case dismissed for
want of prosecution.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

APPLICANT: Vito Cappiello
 APPEARANCES FOR: Richard J. Troy
 APPEARANCES AGAINST:

CAL. NO. 38-90-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 2708 N. Racine Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Vito Cappiello, for First National Bank of Niles, Tr. #408, owner, on December 20, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the horizontal and vertical extension of an existing bay window on the south side of a 2½-story frame single-family residence and the erection of a 3-story open porch and deck to the rear thereof, whose south side yard will be 0.45' and whose north side yard will be 0.5' instead of 2.5 feet each, on premises at 2708 N. Racine Avenue; 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, §7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 said use is located in an R4 General Residence District; that the subject site is a 25' x 124.17' lot improved with a 2½-story frame single-family residence with a recently constructed 3-story open porch and deck to the rear and with a recently extended bay window on the south side of the residence; that the subject property is owned by the First National Bank of Niles, Illinois, under Land Trust No. 408, of which the applicant is one of the beneficiaries; that another member of the trust, James T. Schwab, dealt with the construction details for the rehabilitation of the existing residential structure but did not obtain the necessary building permits for the work; that on January 3, 1989, Mr. Schwab transferred his interest in the land trust to the applicant and to the two other trust beneficiaries; that on October 28, 1989, the beneficiaries entered into a contract to sell the subject property to S. Randolph Kretchmar and Cheryl Berman for \$650,000; that on October 31, 1989, the City of Chicago issued a stop order for the work done without a permit; that the property in question cannot yield a reasonable return nor be put to a

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reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the applicant was unaware that the recent additions were erected illegally and that the variations requested are necessary to correct said condition; that the plight of the owner is due to unique circumstances in that the necessary building permits were not obtained and the applicant has \$690,000 invested in the property and now finds himself in a fait accompli situation; that the subject building is located in a block in which several adjacent residences have similar bay window extensions into their south side yards and that the porch and deck addition is built in line with the north wall of the existing residential structure; and that the variations, if granted, will be compatible with existing improvements in the block and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the horizontal and vertical extension of an existing bay window on the south side of a 2½-story frame single-family residence and the erection of a 3-story open porch and deck to the rear thereof whose south side yard will be 0.45' and whose north side yard will be 0.5' instead of 2.5' each, on premises at 2708 N. Racine 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: Jeffery Bowles and Paul McHugh
 APPEARANCES FOR: Richard J. Troy
 APPEARANCES AGAINST:

CAL. NO. 39-90-Z
 MAP NO. 3-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 923-35 N. Racine Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jeffery Bowles and Paul McHugh, owners, on January 11, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a U-shaped 3-story 16-dwelling unit townhouse building, whose front yard will be 4 feet instead of 12 feet, whose side yards will each be 3 feet instead of 17.5 feet each, whose rear yard will range from 1 foot to 15 feet instead of 30 feet and with two parking spaces located in the required front yard, on premises at 923-35 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 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, §7.7-4, §7.8-4, §7.9-4, §7.12(7), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 on October 20, 1989, in Calendar No. 248-89-Z, the Board denied, for lack of three affirmative votes, an application for a variation by the applicants 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, at the subject site; that on December 15, 1989, the Board granted the applicants the right to file a new variation application based on submitted revised plans showing setbacks from the north and south property lines and an additional setback from the rear property line; that the applicants propose to erect a U-shaped 3-story 16-dwelling unit townhouse building on the subject 17,500 sq. ft. lot, with a courtyard and one off-street parking space for each dwelling unit; that each unit will have its own yard; that there is no alley access at the rear of the site and that the subject lot's rear line coincides with the rear lot lines of property to

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Cal. No. 39-90-Z

the east fronting on N. Elston Avenue; that the applicants now seek a front yard variation to 4 feet for the two dwelling units closest to Racine Avenue, a reduction of the side yards to 3 feet each, with 6 parking spaces located in the required front yard and a reduction of the rear yard requirement as follows: the center 4 units would be built 9 feet from the rear yard lot line, units 5 and 12 would be situated 15 feet from the rear yard lot line and units 6 and 11 would be 1 foot from the rear lot line; 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 district regulations in that to be economically feasible, the proposed yard variations are necessary to erect a townhouse building which provides adequate living space and also provides some yard space for each dwelling unit with a safe centralized parking area, and that the request for 6 parking spaces in the required front yard is necessitated by the need to utilize the available space, as designed, for parking; that the plight of the owners is due to the lack of alley access which requires centralized parking spaces in an inner courtyard area; that the proposed 3-story 16-dwelling unit townhouse development will be an improvement in a neighborhood in which there are many vacant lots and deteriorated buildings and that the variations, if granted, will not alter the essential character of the locality nor impair an adequate supply of light and air to adjoining property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a U-shaped 3-story 16-dwelling unit townhouse building, whose front yard will be 4 feet instead of 12 feet, whose side yards will each be 3 feet instead of 17.5 feet each, whose rear yard will range from 1 foot to 15 feet instead of 30 feet and with 6 parking spaces located in the required front yard, on premises at 923-35 N. Racine 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: Ameritech Mobile Communications, Inc.
 APPEARANCES FOR: Richard Riley
 APPEARANCES AGAINST:

CAL. NO. 40-90-S
 MAP NO. 9-F
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 3410 N. Lake Shore Drive
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

Application approved.

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Ameritech Mobile Communications, Inc., for American National Bank & Trust Company, Tr. #12274, owner, on December 28, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the installation of cellular antennae on the roof of a 19-story apartment building and electronic telephone equipment within for the use of a mobile telephone service business, in an R7 General Residence District, on premises at 3410 N. Lake Shore Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, §7.3-7, §7.4-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; and

WHEREAS, the district maps show that the premises is located in an R7 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 R7 General Residence District; that the applicant provides cellular mobile telephone service to the greater Chicago Metropolitan area; that cellular systems are laid out in a grid pattern and the spacing and location of the component cells is critical for successful operation of the system; that the proposed use is necessary for the public convenience at this location to improve performance of transmission within the N. Lake Shore Drive and Belmont Harbor area to meet the public demand for mobile communication systems; that the public health, safety and welfare will be adequately protected in the proposed use which will be operated in compliance with the regulations of the Federal Communications Commission and that the operation of the 7 proposed antennae and ancillary equipment will not interfere with other public transmissions or home electrical systems in the neighborhood; that the 18" x 30" antennae attached to the sides of roof penthouses will be hardly noticeable and will not cause substantial injury to the value of other property in the area; it is therefore

MINUTES OF MEETING

February 16, 1990

Cal. No. 40-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the installation of cellular antennae on the roof of a 19-story apartment building and electronic telephone equipment within for the use of a mobile telephone service business, on premises at 3410 N. Lake Shore Drive, upon condition that the telephone equipment and antennae shall be serviced and maintained in a manner to preclude any problems of interference with other public and private transmissions; that the proposed transmission equipment and antennae and the use thereof shall be operated in compliance with the regulations of the Federal Communications Commission; 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: Tabernacle of Life in Holiness Church, by Gregory McClure
 APPEARANCES FOR: Gregory McClure
 APPEARANCES AGAINST: Anna R. Langford

CAL. NO. 41-90- Z
 MAP NO. 14-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 1440 W. 61st Street

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

ACTION OF BOARD—

Variations denied.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
		X	
X			
		X	
		X	
X			

THE RESOLUTION:

WHEREAS, Tabernacle of Life in Holiness Church, by Gregory McClure, for Tabernacle of Life in Holiness Church, owner, on January 5, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 180-seat church building, whose front yard will be 1 foot instead of 20 feet, whose east side yard will be 6 feet instead of 12 feet and whose rear yard will be 13 feet instead of 30 feet, on premises at 1440 W. 61st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, §7.7-3, §7.8-3(4), §7.9-3, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; and

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

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 it is proposed to erect a 1-story 180-seat church building at the subject site; that a church is a permitted use in an R3 General Residence District; that no testimony was presented by the applicant indicating that the proposed church could not be erected in compliance with the yard setback requirements of the zoning ordinance; that no testimony was presented by the applicant indicating any hardship would result in complying with the setback requirements of the zoning ordinance; and that the applicant did not meet the standards for variations required under §11.7-3 of the zoning ordinance; it is therefore

RESOLVED, that the application for a variation be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

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

APPLICANT: Premier Ventures, by Bernard I. Citron
 HEARANCES FOR: Bernard I. Citron
 HEARANCES AGAINST:

CAL. NO. 42-90-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 1749-51 N. Cleveland Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Premier Ventures, by Bernard I. Citron, for American National Bank, Trust No. 109084-08, owner, on January 11, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story single-family residence, with no front yard instead of 8.64 feet, with no north side yard and whose south side yard will be 3 feet instead of 5 feet each and whose rear yard will be 15 feet instead of 30 feet, on premises at 1749-51 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §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 February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 a 50' x 72.2' lot improved with a 2-story frame residence; that the applicant proposes to demolish the existing residential structure and erect a 3-story single-family residence at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed yard variations are necessary to construct the proposed single-family residence as designed on this 50' x 72.2' lot; that the plight of the owner is due to the shallow depth of the lot; that the proposed single-family residence will be compatible with the existing improvements in this block, many of which do not comply with the yard requirements of the zoning ordinance; that the proposed building, which provides a 6 feet front yard setback with only the staircase projecting to the front lot line, will not impair an adequate supply of light and air to adjacent properties, and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

February 16, 1990

Cal. No. 42-90-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story single-family residence, with no front yard instead of 8.64 feet, with no north side yard and whose south side yard will be 3 feet instead of 5 feet each, and whose rear yard will be 15 feet instead of 30 feet, on premises at 1749-51 N. Cleveland 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: Stein & Company Federal Center, Inc.
 HEARINGS FOR: Mark Gershon
 HEARINGS AGAINST:
 PREMISES AFFECTED— 77 W. Jackson Boulevard & 301 S. Clark Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 43-90-S
 MAP NO. 2-F
 MINUTES OF MEETING
 February 16, 1990

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Stein & Company Federal Center, Inc., owner, on January 11, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a day care center in the 2-story annex of a 27-story office building presently under construction, in a B6-7 Restricted Central Business District, on premises at 77 W. Jackson Boulevard and 301 S. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is improved with a multi-story office building under construction, which will be occupied by the General Services Administration of the federal government; that the General Services Administration has been given authority by the U.S. Congress to establish day care centers in federally-owned and leased buildings; that the centers are allowed free rent and services, but that tuition for the day care services is paid by the parent(s) to meet the center's operating costs; that the subject day care center will be located in a 2-story annex on the south end of the proposed office building with entrance to the facility from W. Van Buren Street; that the facility will provide activity and sleep areas, classrooms and an outdoor courtyard play area; that the proposed facility will be operated under the direction of Supertots, Inc., a subsidiary of Ogden Allied Services Corporation, which operates a nationwide network of child development centers; that the day-to-day operations of the facilities are maintained by established independent professional child care firms; that the proposed facility is designed to serve 60 children

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ranging from infants to 4 year old's; that the children are brought to the facility via the Van Buren Street entrance by their parent(s) and are signed in on a time basis; that breakfast for early arrivers, lunch and snacks are provided; that the proposed hours of operation of the center are from 6:30 A.M. to 6 P.M.; that the parent(s) may visit their children at any time during the day; that staff members stay on the premises until all children are picked up by the parent(s); that security systems are provided; that the ratio of professional adult staff to infants is 1:4, toddlers 1:5, 2 year old's 1:8 and 3-4 year old's 1:10; that the proposed use is necessary for the public convenience at this location in that there is a great need for quality day care services for workers in the proposed multi-story office building and other buildings in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility which will comply with all city and state ordinances governing the establishment and operation of day care facilities; and that the proposed day care center will not be visible from the street and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a day care center in the 2-story annex of a 27-story office building presently under construction, on premises at 77 W. Jackson Boulevard and 301 S. Clark Street, upon condition that all city and state ordinances governing the establishment and operation of day care centers shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Jerry A. Manheim
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 44-90-Z
 MAP NO. 11-L
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 5529 W. Hutchinson Street
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jerry A. Manheim, for Jerry A. Manheim and Linda M. Manheim, owners, on December 29, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of 2nd floor dormer additions to the rear 24 feet of a 1-story brick single-family residence, whose east side yard will be 2.98 feet and whose west side yard will be 2.20 feet instead of combined side yards of 9 feet, on premises at 5529 W. Hutchinson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 24, 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, §7.8-2(2), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 the subject site is improved with a 1-story brick single-family residence with partially completed 2nd floor dormer additions to the rear 24 feet of the existing structure; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions would have to be reduced in width in order to comply with the side yard requirements of the zoning ordinance which would reduce the usable interior of the residence, create an unsightly indentation of the building, and would be economically unfeasible for the applicant; that the plight of the owner is due to unique circumstances in that the applicant was repairing the roof of the building which was leaking and proceeded to start constructing the 2nd floor dormer additions without obtaining the necessary building permits and is now seeking to legalize the construction; that the variations, if granted, will not alter the essential character of the locality in that the 2nd floor dormer additions follow

MINUTES OF MEETING

February 16, 1990

Cal. No. 44-90-Z

the walls of the existing building and is barely visible from the street and is compatible with the existing residential improvements in the area, several of which have 2nd floor additions; 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 2nd floor dormer additions to the rear 24 feet of a 1-story brick single-family residence, whose east side yard will be 2.98 feet and whose west side yard will be 2.20 feet instead of combined side yards of 9 feet, on premises at 5529 W. Hutchinson Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Larry Garland
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 45-90-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 400 W. Webster Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Larry Garland, owner, on January 12, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a garage attached to the rear of a 2-story brick single-family residence, with no east side yard instead of 7.5 feet, on premises at 400 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 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, §7.8-5, §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 February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 a 20.5' x 62.57' reversed corner lot improved with a 2-story brick row house and abuts N. Sedgwick Street to the east; that the applicant proposes to remove an existing 6 feet high brick fence and erect an attached 2-car garage to the rear of the existing 2-story brick single-family residence on the site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested east side yard variation is necessary so that the applicant may construct an attached garage needed for safety and security reasons; that the plight of the owner is due to the unique size of the subject lot which has only a 20 foot depth off of N. Sedgwick Street; that the proposed attached garage will be constructed of the same materials and in the same design as the existing residence; and that the proposed garage will not impair an adequate supply of light and air to abutting properties and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

February 16, 1990

Cal No. 45-90-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a garage attached to the rear of a 2-story brick single-family residence, with no east side yard instead of 7.5 feet, on premises at 400 W. Webster Avenue, upon condition that the garage shall be of brick construction that matches the brickwork of the residence; that the garage door shall be painted to match the brick color as closely as possible; that the driveway shall not exceed 10 feet in width; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Wladyslaw Piowowarczyk
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 46-90-Z
 MAP NO. 6-K
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED--- 2801 S. Kedvale Avenue
 SUBJECT--- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD---

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
Abstain		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Wladyslaw Piowowarczyk, owner, on January 12, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, an addition to the front of the 2nd floor in line with the front of the 1st floor of a 2-story frame building to be rehabilitated into 5-dwelling units, whose front yard is 6 feet instead of 15 feet, on premises at 2801 S. Kedvale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1990 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, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 on January 19, 1990, the City Council rezoned the subject site from R3 General Residence to R4 General Residence expressly for the proposed development; that in renovating the subject building into 5-dwelling units, the applicant raised the roof line by vertically extending the 1st floor walls in order to provide more living space in the 2nd floor units; 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 the district in that it is not economically feasible to remove the front of the 2nd floor and move it back 9 feet to meet the 15 feet front yard code requirement; that the plight of the owner is due to the subject building having been originally constructed with a 6 foot front yard which pre-dates the code and the necessity of having adequate living space in the desirable front 2nd floor dwelling unit; that the subject building, as renovated, is an improvement in an area comprised of older buildings and that the variation, if granted, will not alter the essential character of the neighborhood and, by being on a corner lot, will not impair an adequate supply of light and air to adjoining property; it is therefore

MINUTES OF MEETING

February 16, 1990

Cal. No. 46-90-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit an addition to the front of the 2nd floor in line with the front of the 1st floor of a 2-story frame building to be rehabilitated into 5-dwelling units, whose front yard is 6 feet instead of 15 feet, on premises at 2801 S. Kedvale Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: David W. Neiman
 HEARANCES FOR: John J. Pikarski, Jr.
 HEARANCES AGAINST: Elmer Miller, Robert Chupick

CAL. NO. 47-90-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED--- 2127 N. Lakewood Avenue
 SUBJECT--- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD---

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, David W. Neiman, for American National Bank, Tr. #1091215-05, owner, on December 29, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story single-family residence with attached 1-story garage, whose side yards will each be 1.5 feet instead of 2.5 feet each and whose rear yard will be 22 feet instead of 30 feet, on premises at 2127 N. Lakewood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, §7.8-4(1), §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 25' x 125' lot; that the applicant proposes to erect a 3-story single-family residence with a 1-story garage attached to the residence by a 1-story passageway connection; that the original plans submitted indicated the proposed 1-story passageway connection to be located in the north side yard; that the applicant agrees to alter his plans and place the 1-story passageway connection in the south side yard; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations are necessary to provide adequate living space in the proposed 3-story single-family residence and to provide a safe and convenient access to the residence from the proposed garage for the applicant and his family; that the plight of the owner is due to the narrow lot width and the desire of the applicant to provide an attached garage by means of an enclosed passageway connection to the residence; and that the variations, if granted, will be compatible with the existing improvements in this block many of which do not comply

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Cal. No. 47-90-Z

with the yard requirements of the zoning ordinance and will not alter the essential character of the locality nor impair an adequate supply of light and air to adjoining property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit, the erection of a 3-story single-family residence with attached 1-story garage whose side yards will each be 1.5 feet instead of 2.5 feet each and whose rear yard will be 22 feet instead of 30 feet, on premises at 2127 N. Lakewood Avenue, upon condition that the 1-story passage-way connection to the proposed garage shall be located in the south side yard; 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: Dr. and Mrs. Henry B. Betts
 APPEARANCES FOR: Daniel L. Houlihan
 APPEARANCES AGAINST:

CAL. NO. 48-90-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 1727 N. Orleans Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola		X	
Roula Alakiotou	X		
James E. Caldwell		X	
Anthony J. Fornelli	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Dr. and Mrs. Henry B. Betts, owner, on January 5, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story 27' x 30' addition to the south side of a 2-story single-family residence, with no front yard instead of 7.5 feet, with no south side yard instead of 5.7 feet and without the one required off-street parking space, on premises at 1727 N. Orleans Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 2, 1990 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, §7.7-2, §7.8-5, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 on May 17, 1985, the Board granted a variation to the applicants for the erection of a 13'7" x 23'3" 2nd story addition over the existing 1-story portion of a 1 and 2-story attached single-family residence, whose rear yard will be 10.10 feet instead of 30 feet, at the subject site, in Calendar No. 154-85-Z; that said addition did not go forward due to the neighbor's concern regarding its height; that the subject premises is one unit of a building originally constructed as four attached units and subsequently subdivided into four individual town-house dwelling units located on individual lots; that the applicants have resided in the subject building since 1973 and now seek to construct a 1-story 27' x 30' addition to the south side of the existing 2-story single-family residence, within the required front and south side yards; that the property in question cannot yield a reasonable return nor be put to a reasonable use under the conditions allowed by the regulations in this district in that the proposed addition, consisting of a library/study, is necessary to meet the needs of the

MINUTES OF MEETING

February 16, 1990

Cal. No. 48-90-Z

applicants; that the plight of the owner is due to the configuration of the existing building on this 57' x 62.75' lot which is built to the north and front lot lines and that the short lot depth precludes any practical addition to the rear; that the applicants never had off-street parking due to the availability of on-street parking space; that the proposed addition will be compatible with the existing residential improvements in the area which do not conform with the front and side yard requirements of the zoning ordinance; that the waiver of one on-site parking space will not materially affect parking in the block; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 27' x 30' addition to the south side of a 2-story single-family residence, with no front yard instead of 7.5 feet and no south side yard instead of 5.7 feet, and without the one required off-street parking space, on premises at 1727 N. Orleans Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Magnimet Corp., A Delaware Corporation

CAL. NO. 49-90-S

APPEARANCES FOR:

MAP NO. 26-B

APPEARANCES AGAINST:

MINUTES OF MEETING

February 16, 1990

PREMISES AFFECTED— 3024 E. 104th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
April 20, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

APPLICANT: The John Buck Company
 APPEARANCES FOR: Daniel L. Houlihan
 APPEARANCES AGAINST:

CAL. NO. 50-90-S
 MAP NO. 1-E
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 37-65 E. Grand Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The John Buck Company, for American National Bank & Trust Company, Trust No. 109865-03, owner, on January 4, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of 80 off-site parking spaces in an existing five-deck parking garage, in a C3-6 Commercial-Manufacturing District, to satisfy the parking requirement for a proposed 29-story office building at 1-29 E. Grand Avenue, on premises at 37-65 E. Grand Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 4, 1990 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, §9.11-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; and

WHEREAS, the district maps show that the premises is located in a C3-6 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 C3-6 Commercial-Manufacturing District; that on June 17, 1988, in Calendar No. 112-88-S, the Board granted a special use to the MKDG/Buck 123 Partnership to permit the establishment of an off-site 2-level accessory parking facility, on premises at 2-30 E. Illinois Street, to satisfy the parking requirement for a proposed 28-story office building at 1-29 E. Grand Avenue, upon condition that the said parking must be maintained for the life of the building served unless it shall be approved for replacement at another location by the Board or incorporated at another location within a Planned Development Amendment approved by the City Council; that the applicant now proposes the establishment of 80 off-site parking spaces in an existing 5-deck former City of Chicago parking garage at the subject site, which the applicant acquired title to in 1989, to satisfy the parking requirement for the proposed 29-story office building at 1-29 E. Grand Avenue, in lieu of the previously approved special use granted in Calendar No. 112-88-S; that the existing 5-story parking garage has a capacity for 870 automobiles; that the

MINUTES OF MEETING

February 16, 1990

Cal. No. 50-90-S

applicant's proposal is for the reservation of 80 parking spaces within the facility for the exclusive use of the occupants of the said office building at 1-29 E. Grand Avenue; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the proposed 29-story office building at 1-29 E. Grand Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which is located across the street from the principal use; and that the proposed use located in an existing parking garage is compatible with the existing business and commercial improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of 80 off-site parking spaces in the existing 5-deck parking garage, on premises at 37-65 E. Grand Avenue, to satisfy the parking requirement for a proposed 29-story office building at 1-29 E. Grand Avenue, upon condition that the said parking must be maintained for the life of the building to be served unless it shall be approved for replacement at another location by the Board or incorporated at another location within a Planned Development Amendment approved by the City Council; 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: John Konsor
 APPEARANCES FOR: John Konsor
 APPEARANCES AGAINST: Thomas W. Cullerton

CAL. NO. 51-90-A
 MAP NO. 11-M
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 4231 N. Meade Avenue

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, John Konsor, owner, on October 4, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1-story frame building as 2-dwelling units, in an R2 Single-Family Residence District, on premises at 4231 N. Meade Avenue; 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, §7.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 the subject site is improved with a 1-story residential building with high basement and attic dormer; that records of the City of Chicago indicate that on July 7, 1989, the appellant was issued a permit to erect 2nd story dormers to a single-family residence; that said permit could not have been issued if the subject building was 2 dwelling units due to §6.4-2 of the zoning ordinance, which prohibits the structural expansion of a non-conforming building; that the appellant is seeking to reinstate a basement apartment which existed prior to the year 1957 but which had to be removed in order to permit the dormer addition; that under §7.3-2 of the zoning ordinance, the Board has no authority to certify the use of the existing building as 2 dwelling units; it is therefore

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

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

APPLICANT: Ceramic Expressions, by Janice Elsenbach
 APPEARANCES FOR: Janice Elsenbach
 APPEARANCES AGAINST:

CAL. NO. 52-90-A
 MAP NO. 7-L
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 3035 N. Laramie Avenue

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

ACTION OF BOARD--

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Ceramic Expressions, by Janice Elsenbach, for George Elsenbach, Jr., owner, on December 11, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a ceramics business including teaching of same as a craft in the basement store of a 2-story brick apartment building, in an R3 General Residence District, on premises at 3035 N. Laramie Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 improved with a 3-story brick apartment building with a basement-level store; that the appellant proposes to establish a retail ceramics business including teaching of ceramics as a craft; that the prior use of the store premises was for a maintenance service business employing 15-20 persons with business hours between 11:00 A.M. and Midnight, 6 days a week, which ceased operation in May, 1989; that the appellant will hold ceramics classes for approximately 5 persons on two different evenings; that the change of use from a maintenance service business, a C use, to a retail ceramics business including teaching of same as a craft, a B4 use, is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a ceramics business including teaching of same as a craft in the basement store of a 2-story brick apartment building, on premises at 3035 N. Laramie Avenue, upon

MINUTES OF MEETING

February 16, 1990

Cal. No. 52-90-A

condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays and Fridays, 9 A.M. and 4 P.M. and 7:30 P.M. and 9:30 P.M. (for classes) on Tuesdays and Thursdays; and 9 A.M. and 3 P.M. on 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: Josefina Cruz
 APPEARANCES FOR: Peter Garza
 APPEARANCES AGAINST:
 PREMISES AFFECTED--- 3234 W. 23rd Street
 SUBJECT--- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 53-90-A
 MAP NO. 6-J
 MINUTES OF MEETING
 February 16, 1990

ACTION OF BOARD---

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Josefina Cruz, owner, on December 11, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a banquet hall in a 2-story brick building, in an R4 General Residence District, on premises at 3234 W. 23rd 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, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 2-story brick building containing a former tavern and banquet hall on the 1st floor and apartments above; that the business uses ceased operation about 3 years ago; that the appellant purchased the building around that time with the intention of re-opening the banquet hall but with no sale of liquor; that there was no intent by the appellant to abandon the premises for business purposes, the original fixtures having remained in tact during the interim period; that the appellant proposes to re-establish a banquet hall with no bar facility or the sale of alcoholic beverages at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a banquet hall in a 2-story brick building, on premises at 3234 W. 23rd Street, upon condition that there shall be no bar facility on the premises and that no alcoholic beverages shall be sold on the premises; that the hours of operation shall be limited to the hours between 6 P.M. and 12 A.M., Fridays and Saturdays and between 6 P.M. and 12 A.M. on weekdays if necessary for special occasions; and that all applicable ordinances of the City of Chicago shall be complied with **PAGE 42 OF MINUTES** before a permit is issued.

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

APPLICANT: Gino's Italian Imports, Ltd. d/b/a Pasta Fresh
 HEARANCES FOR: Mark J. Ballard
 HEARANCES AGAINST:

CAL. NO. 54-90-A
 MAP NO. 9-0
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 3418-20 N. Harlem 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.

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Gino's Italian Imports, Ltd., d/b/a Pasta Fresh, for Parkway Bank and Trust Co., Tr. #8836, owner, on January 17, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing retail food shop in a 2-story brick store building, in a B4-1 Restricted Service District, on premises at 3418-20 N. Harlem Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 17, 1990 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 store is located in a strip shopping center and is occupied by a retail Italian food speciality shop; that the said food shop has been located in the subject store for the past 11 years; that the appellant is seeking a wholesale license to sell its pasta to neighborhood restaurants; that the appellant projects that the proposed wholesaling will constitute no more than 20% of its business; that wholesale activity on a limited basis may be considered accessory to the primary retail sales operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit wholesaling only as an accessory use in conjunction with an existing retail food shop in a 2-story brick store building, on premises at 3418-20 N. Harlem Avenue, upon condition 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: Larry Davis
 APPEARANCES FOR: David L. Gratton
 APPEARANCES AGAINST:

CAL. NO. 55-90-A
 MAP NO. 12-E
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 614 E. 50th 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

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Larry Davis, for David L. Gratton, owner, on December 15, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a variety store in a 1-story brick multi-store building, in an R5 General Residence District, on premises at 614 E. 50th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.3-5

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 store is a unit in a 1-story non-conforming multi-store building containing other business uses including a notions store, a barber shop, a beauty shop and a grocery store, all B1 uses; that the applicant proposes to establish a variety store in the subject store unit selling school supplies, pop, candy, etc., a B1 use; that under §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 variety store in a 1-story brick multi-store building, on premises at 614 E. 50th Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Larry Davis
 APPEARANCES FOR: David L. Gratton
 APPEARANCES AGAINST:

CAL. NO. 56-90-A
 MAP NO. 2-E
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 610 E. 50th 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

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Larry Davis, for David L. Gratton, owner, on December 15, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a candy and general merchandise store in a 1-story brick multi-store building, in an R5 General Residence District, on premises at 610 E. 50th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 7, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 store is a unit in a 1-story brick non-conforming multi-store building containing other business uses including a beauty aids/jewelry store and a restaurant, which are B2 uses; that the appellant proposes to establish a candy and general merchandise business, a B2 use, in the subject store premises; that under §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 candy and general merchandise store in a 1-story brick multi-store building, on premises at 610 E. 50th Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 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 806

APPLICANT: A & R Wholesale Meats

CAL. NO. 57-90-A

APPEARANCES FOR:

MAP NO. 7-I

APPEARANCES AGAINST:

MINUTES OF MEETING

February 16, 1990

PREMISES AFFECTED— 3034 N. California Avenue

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

ACTION OF BOARD—

Case continued to
April 20, 1990.

THE VOTE

Joseph J. Spingola

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Gediminas Indreika
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 58-90-A
MAP NO. 16-I
MINUTES OF MEETING
February 16, 1990

PREMISES AFFECTED— 2440 W. Lithuanian Plaza Court (W. 69th Street)
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPLICANT: Charlie G. Witas
 APPEARANCES FOR: Charlie G. Witas
 APPEARANCES AGAINST: Tad Helin

CAL. NO. 59-90-A
 MAP NO. 9-L
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 4825 W. Byron Street

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola		X	
Roula Alakiotou		X	
James E. Caldwell		X	
Anthony J. Fornelli		X	
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Charlie G. Witas, owner, on January 5, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the storage of a B-license plate truck on the rear of a lot improved with a 2-story frame residence, in an R3 General Residence District, on premises at 4825 W. Byron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 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(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 25' x 125' lot improved with a 2-story frame residence and a concrete parking pad at the rear of the lot; that testimony presented indicates that the garage was removed in April of 1989 after it collapsed; that the appellant owns a 1989-model pickup truck with B-license plates and that said vehicle also has a snow-plow blade hookup; that the appellant uses the pickup truck for personal use and work-related uses and parks it on the concrete pad at the rear of the lot; that the Zoning Administrator found that the vehicle was a truck and not a personal private passenger automobile; that §7.12 of the zoning ordinance provides that accessory off-street parking facilities provided for permitted residential uses shall be solely for the parking of passenger automobiles of the occupants of such uses; that the parking of a truck is not permitted in a residential district; that the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Mary J. Lyle
 APPEARANCES FOR: Mary J. Lyle
 APPEARANCES AGAINST:

CAL. NO. 60-90-A
 MAP NO. 18-B
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 2531 E. 73rd 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

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Mary J. Lyle, for Sack Realty, owner, on January 8, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty shop in a store in the basement of a 3-story brick apartment building, in an R4 General Residence District, on premises at 2531 E. 73rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1990 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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 in the basement of a 3-story brick apartment building was previously occupied by a beauty salon, which use ceased operating a year ago; that the appellant proposes to establish a beauty salon in the subject store; 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 permit the establishment of a beauty shop in a store in the basement of a 3-story brick apartment building, on premises at 2531 E. 73rd Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Tuesdays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

APPLICANT: Don J. Benson
 APPEARANCES FOR: Don J. Benson
 APPEARANCES AGAINST:

CAL. NO. 61-90-A
 MAP NO. 7-I
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED-- 2434 N. Rockwell 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

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Michael A. Bland, for Don J. Benson, owner, on January 18, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story brick building as 4-dwelling units, in an R3 General Residence District, on premises at 2434 N. Rockwell Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1990 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-3, §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990; 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; that the 3-story brick building on the subject site has been occupied as 4-dwelling units for at least 40 years, prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 4-dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 3-story brick building as 4-dwelling units with no additional on-site parking, on premises at 2434 N. Rockwell Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: William B. Taylor

CAL NO. 62-90-A

APPEARANCES FOR: None

MAP NO. 17-H

APPEARANCES AGAINST:

MINUTES OF MEETING
February 16, 1990

PREMISES AFFECTED— 2039 W. Touhy Avenue

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

ACTION OF BOARD—

Case dismissed for
want of prosecution.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

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

APPLICANT: Jose Quiroz

CAL. NO. 63-90-A

APPEARANCES FOR:

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING

February 16, 1990

PREMISES AFFECTED— 3802 W. 59th Street

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

ACTION OF BOARD—

Case continued to
April 20, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

APPLICANT: Robert Laughlin
 APPEARANCES FOR: Peter Mayer
 APPEARANCES AGAINST:

CAL. NO. 64-90-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 1846 N. Cleveland Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Robert Laughlin, for Robert and Jean Laughlin, owner,s on January 12, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story single-family residence, whose front yard will be 5.85 feet instead of 14.28 feet and with no north side yard and whose south side yard will be 2 feet instead of 2.4 feet each, on premises at 1846 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1990 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §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 February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 a 24' x 119' lot improved with a 2-story brick residence on the front of the lot and a 1 and 2-story frame coach house building on the rear of the lot; that the front structure is built to the north lot line and within 5.85 feet of the front lot line; that the applicant proposes to demolish both buildings and erect a 22' x 64' 2-story with English basement single-family residence at approximately the same location of the existing front building and a detached 2-car garage on the rear of the lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to obtain the desired 4,000 sq. ft. of living space in the proposed residence and still have some backyard open space between the structures; that the plight of the owners is due to the unusual width and depth of the subject lot; that the subject site abuts a park to the north and that the proposed building will be situated at about the same location as the existing front residence and will not impair an adequate supply of light

MINUTES OF MEETING

February 16, 1990

Cal. No. 64-90-Z

and air to adjoining property; and that the variations, if granted, will be consistent with the location of the improvements in the block most of which are built to their north lot line and many of which have non-conforming front yards; 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 3-story single-family residence, whose front yard will be 5.85 feet instead of 14.28 feet and with no north side yard and whose south side yard will be 2 feet instead of 2.4 feet each, on premises at 1846 N. Cleveland Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Albert and Anna Walus
 APPEARANCES FOR: Steven J. Della Rose
 APPEARANCES AGAINST:

CAL. NO. 65-90-S
 MAP NO. 16-N
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 6501 W. 63rd Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Albert and Anna Walus, owners, on January 23, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the re-establishment of a tavern in a 2-story brick building, in a B4-1 Restricted Service District, on premises at 6501 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 12, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 29, 1990; 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 tavern and apartment building; that the subject tavern has existed for over 40 years; that approximately 15% of the building was destroyed by a fire on September 12, 1988; that the applicants purchased the property on November 17, 1988 and have expended approximately \$120,000 in the interim period rehabilitating the building; that the applicants propose to re-establish and operate the tavern under a new license; that the majority of the tavern's patrons came from the local neighborhood and that the re-establishment of the tavern at this location is necessary for the public convenience; that the applicant's propose to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; and that the re-establishment of a tavern which has existing for over 40 years at the subject site 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 re-establishment of a tavern in a 2-story brick building, on premises at 6501 W. 63rd Street, upon condition 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: Juan Diaz
 APPEARANCES FOR: Juan Diaz
 APPEARANCES AGAINST:

CAL. NO. 28-90-A
 MAP NO. 4-G
 MINUTES OF MEETING
 February 16, 1990

PREMISES AFFECTED— 1806 S. Allport 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

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Juan Diaz, for gricelda Alarcon, owner, on November 7, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 4-story brick building as a store and 5-dwelling units, in a C1-2 Restricted Commercial District, on premises at 1806 S. Allport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, §9.6-1(2), §9.11-1(8), §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 February 16, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-2 Restricted Commercial District; that the subject site is improved with a 4-story brick store and apartment building; that the appellant is seeking to legalize the existing building as 5-dwelling units by retaining 2-dwelling units on the 2nd and 3rd floors and converting the 4th floor to 1-dwelling unit; that records of the City of Chicago indicate that the building on the subject site was occupied as a 5-dwelling unit building since 1926, prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as a store and 5-dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 4-story brick building as a store and 5-dwelling units, on premises at 1806 S. Allport Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ron Vila

CAL. NO. 266-89-A

APPEARANCES FOR:

MAP NO. 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING

February 16, 1990

PREMISES AFFECTED— 3420 S. Parnell Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Joseph J. Spingola

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPLICANT: 326 South Wells Corporation

CAL. NO. 310-89-S

APPEARANCES FOR:

MAP NO. 3-E

APPEARANCES AGAINST:

MINUTES OF MEETING
February 16, 1990

PREMISES AFFECTED— 40-52 E. Chicago Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

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

CAL. NO. 260-89-S

PEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 9-G

PEARANCES AGAINST: Marvin Green, et al.

MINUTES OF MEETING

February 16, 1990

PREMISES AFFECTED-- 3900 N. Broadway

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

ACTION OF BOARD--

Application approved.

THE VOTE

Joseph J. Spingola

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, A Deal Pawn & Loan, Gold & Diamond Exchange, Inc., for Ruth Sugarman, owner, on September 5, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick store building, in a B5-4 General Service District, on premises at 3900 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 21, 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, §8.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 16, 1990 after due notice thereof by publication in the Chicago Tribune on September 25, 1989; and

WHEREAS, the district maps show that the premises is located in a B5-4 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-4 General Service District; that the subject site is improved with a 1-story brick store building located at the northwest corner of N. Broadway and W. Sheridan Road; that the applicant has been located for the past 7 years at 3920 N. Broadway and due to an expanding volume of business is seeking to relocated to the subject site premises; that the subject premises has been vacant for the past 2 years; that the establishment of a pawn shop at this location is necessary for the public convenience to continue to serve its clientele, most of whom come from the local area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which is located in an intensive zoning district both in terms of permitted uses and volume of building size, and which will comply with all city and state regulations governing the establishment and operation of pawn shops; and that the proposed use is compatible with the existing business uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

February 16, 1990

Cal. No. 260-89-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a pawn shop in a 1-story brick store building, on premises at 3900 N. Broadway, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Mondays through Fridays, 9 A.M. and 5 P.M., Saturdays, and 10 A.M. and 4 P.M., Sundays; that the size of the glass store windows currently existing on the W. Sheridan Road facade shall be maintained and not increased in size; that all signage along W. Sheridan Road shall be located within the eastern one-third of the subject premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING
February 16, 1990

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on March 16, 1990.

Marian Rest

Secretary