

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

~~held in Room 569 County Building on Friday, March 16, 1990~~

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

The following were present and constituted a quorum:

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

MINUTES OF MEETING
March 16, 1990

Member Caldwell moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on February 16, 1990 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Gary Goodman Realty
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST: Linda Grubbe, et al.

CAL. NO. 66-90-S
 MAP NO. 7-G
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 930 W. George Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application 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, Gary Goodman Realty, for Jefferson State Bank, Tr. #1982, owner, on January 16, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R5 General Residence District, on premises at 930 W. George Street, to serve commercial buildings located at 945 W. George Street and 2835 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 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, §7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 75' x 125' vacant lot fronting on W. George Street, with an east/west public alley on its north lot line, CTA elevated tracks on its west side and a 3-story multi-dwelling unit building on its east lot line; that the applicant seeks to improve the subject lot for off-street accessory parking to serve the tenants of business buildings at 945 W. George Street and 2835 N. Sheffield Avenue; that the business buildings are mainly occupied by medical and social service offices and that the available on-site parking is used by patients and the elderly visiting said offices; that the proposed lot will contain 30-35 spaces to be used exclusively by the tenants of the buildings located at 945 W. George Street and 2835 N. Sheffield Avenue; that the applicant testified that at some point he would like to develop the subject site for multi-unit housing but that at this time is unable to secure adequate financing and that the proposed use would be an interim use of the subject site until such time the economic climate becomes more favorable; that the evidence is insufficient to support the contention that the proposed parking lot is necessary for the public convenience at the subject location in a Residence District; that the proposed use will be an interim use until

MINUTES OF MEETING
March 16, 1990
Cal. No. 66-90-S

such time it becomes economically feasible to develop the site with a permitted residential use; that the existing lot adjacent to the business uses could be improved with a multi-level parking facility which would provide a more adequate and permanent parking arrangement for its tenants and customers; and that the use of the subject site as a parking lot serving a business use would be an intrusion upon the residential character of the block and is not in the public interest at this location; it is therefore

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

APPLICANT: Gary Goodman Realty
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST: Linda Grubbe, et al.

CAL. NO. 67-90-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 930 W. George Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation denied.

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, Gary Goodman Realty, for Jefferson State Bank, Tr. #1982, owner, on January 16, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the establishment of an automobile parking lot whose front yard will be 7.5 feet instead of 15 feet and with no west side yard and whose east side yard will be 3 feet instead of 7.5 feet each, on premises at 930 W. George Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 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, §7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 front and side yard variations are requested in order to fully maximize the use of the subject site as a parking lot; that on March 16, 1990, in Calendar No. 66-90-S, the Board denied the applicant's companion special use application for the establishment of an off-site accessory parking lot at the subject site for the parking of private passenger automobiles, to serve commercial buildings located at 945 W. George Street and 2835 N. Sheffield Avenue; that said denial negates the need for the requested front and side yard variations in this case; it is therefore

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

APPLICANT: Michael Lustig
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 68-90-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 1840 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, Michael Lustig, for American National Bank, Tr. #109523-07, owner, on January 30, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2 and 3-story single-family residence whose front yard will be 7.83 feet to the front of the open stairs that exceed 4 feet in height and 12.83 feet to the face of the building instead of 14.28 feet, with no side yards instead of 2.4 feet each, and with no rear yard instead of 30 feet, on premises at 1840 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 23, 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, §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 March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 frame single-family residence which is to be demolished in order to erect the proposed 2 and 3-story single-family residence; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed single-family residence as designed; that the plight of the owner is due to the narrow size of the subject lot; that an adequate supply of light and air will be provided to the property abutting the subject site to the south by means of a light and air well in the south wall of the proposed building and that buildings on the property abutting to the north are setback from their south property line; and that the variations, if granted, will not alter the essential character of the locality in that the proposed single-family residence will be compatible with the majority of the existing improvements in this block all of which do not

MINUTES OF MEETING

March 16, 1990

Cal. No. 68-90-Z

conform to the yard requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2 and 3-story single-family residence, whose front yard will be 7.83 feet to the front of the open stairs that exceed 4 feet in height and 12.83 feet to the face of the building instead of 14.28 feet, with no side yards instead of 2.4 feet each, and with no rear yard instead of 30 feet, on premises at 1840 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 808

APPLICANT: Frederick Kappel & Doris Kappel

CAL. NO. 69-90-Z

PEARANCES FOR: John Wheeler

MAP NO. 10-F

PEARANCES AGAINST:

MINUTES OF MEETING

PREMISES AFFECTED— 4619 S. Emerald Avenue

March 16, 1990

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Frederick Kappel & Doris Kappel, owners, on January 17, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, an existing detached accessory garage on the rear of a lot improved with a 2-story frame dwelling, which garage exceeds by 3'5" the 15 feet height limit permitted in the required rear yard, on premises at 4619 S. Emerald Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 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, §5.6-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 subject site is improved with a 2-story frame residential building with an existing detached 20' x 24' garage with a height of approximately 18 feet on the rear of the lot; that the portion of the garage that exceeds 15 feet in height is not a permitted obstruction in the required rear yard and therefore becomes a vertical encroachment into the required rear 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 existing 20' x 24' garage was constructed by the prior owner of the property approximately 4 years ago without necessary building permits; that the excess 3'5" of height is utilized as loft storage space; that to remove the existing gable roof of the garage would be architecturally and economically unfeasible for the applicants; that the plight of the owner is due to unique circumstances in that the existing detached garage was constructed without the necessary permit and that the applicants now find themselves in a fait accompli situation; that the existing garage is compatible with improvements in the neighborhood; 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 adjacent property; it is therefore

MINUTES OF MEETING

March 16, 1990

Cal. No. 69-90-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 existing detached accessory garage on the rear of a lot improved with a 2-story frame dwelling, which garage exceeds by 3'5" the 15 feet height limit permitted in the required rear yard, on premises at 4619 S. Emerald 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: Jeremy Levin
 APPEARANCES FOR: Monte Viner
 APPEARANCES AGAINST:

CAL. NO. 70-90-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 1818 N. Fremont 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Jeremy Levin, for Susan Loudjjeff-Levin, owner, on January 19, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, a 1-story addition to the rear of a 3-story brick single-family residence on the front of a lot additionally improved with a 2-story brick and frame single-family residence at the rear, which addition will provide no north side yard instead of 2.4 feet and will result in a 7.25% (270 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 10, 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, §7.6-4, §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 March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 3-story brick single-family residence on the front of the lot which is additionally improved with a 2-story brick and frame single-family coach-house residence at the rear; that on October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)."; that the applicant seeks to erect a 270 sq. ft. one-story with basement and deck addition to the rear of the existing 3-story brick building and connecting with the rear building, which will exceed by 7.25% 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

MINUTES OF MEETING

March 16, 1990

Cal. No. 70-90-Z

the conditions allowed by the regulations in this district in that the proposed addition is necessary to meet the life-style needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that the configuration of the two existing residential structures on this 24 foot wide lot necessitates the north side yard variation requested; that the proposed addition will follow the north building line of the existing 3-story structure; and that the variations, if granted, will be compatible with the majority of the improvements in this block which do not comply with the north side yard requirements of the zoning ordinance 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 a 1-story addition to the rear of a 3-story brick single-family residence on the front of a lot additionally improved with a 2-story brick and frame single-family residence at the rear, which addition will provide no north side yard instead of 2.4 feet and will result in a 7.25% (270 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1818 N. Fremont Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jack Berger
 HEARINGS FOR: Richard J. Troy, Jack Berger
 APPEARANCES AGAINST:

CAL. NO. 71-90-Z
 MAP NO. 3-G
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 1103 W. Chestnut 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, Jack Berger, for Mr. and Mrs. Van Salmans, owners, on January 26, 1990, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story single-family residence, whose front yard will be 10 feet instead of 12.1 feet and whose east side yard will be 7 inches instead of 2.4 feet, on premises at 1103 W. Chestnut Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, §7.7-4, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 1990; and

WHEREAS, the district maps show that the premises is located in an R4 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 R4 General Residence District; that the subject site is a 24.03' x 100.84' lot improved with a delapidated 2-story with basement frame residence; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front and east side yard variations requested are necessary to provide adequate living space in the proposed 2-story single-family residence as designed in the plans submitted, dated February 29, 1990; that the plight of the owners is due to limited dimensions of the lot; that the proposed 2-story residence will not impair an adequate supply of light and air to the abutting property to the east which the applicant also owns; that the proposed single-family residence will be compatible with the existing residential improvements in the block which contains many vacant properties; 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

MINUTES OF MEETING

March 16, 1990

Cal. No. 71-90-Z

upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story single-family residence whose front yard will be 10 feet instead of 12.1 feet and whose east side yard will be 7 inches instead of 2.4 feet as indicated in the plans submitted, dated February 29, 1990, on premises at 1103 W. Chestnut 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: Paul J. Reilly, owner
 APPEARANCES FOR: Gary Wigoda
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 927 N. Winchester Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.
 ACTION OF BOARD—

CAL. NO. 72-90-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 March 16, 1990

Variations granted.

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, Paul J. Reilly, contact purchaser, for Walter B. Krych, owner, on February 2, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 2-dwelling unit building with attached breezeway and garage, whose front yard will be 6.5 feet instead of 15 feet and whose north side yard will be 6 inches instead of 2.5 feet, on premises at 927 N. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 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, §7.8-4(1), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 applicant proposes to erect on the subject lot a 2-story 2-dwelling unit building with 1-story attached breezeway and garage; 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 requested are necessary in order to provide adequate room size and living space in the proposed dwelling units; that the plight of the owner is due to the narrow width of the lot and that the proposed 2-story 2-dwelling unit building would be inadequate in size if built in compliance with the front and side yard set back requirements of the zoning ordinance; that the proposed residential building, with the attached breezeway indented 2.5 feet, will not impair an adequate supply of light and air to the residential building located immediately north of the subject site; that the proposed 2-story 2-dwelling unit building will be compatible with the existing improvements in the block, all of which provide similar front and north side yards; and that the variations, excepting the attached breezeway, if granted, will not alter the essential

MINUTES OF MEETING

March 16, 1990
Cal. No. 72-90-Z

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 2-story 2-dwelling unit building with attached breezeway and garage, whose front yard will be 6.5 feet instead of 15 feet and whose north side yard will be 6 inches instead of 2.5 feet, on premises at 927 N. Winchester Avenue, upon condition that the breezeway portion of the building shall be set back 2.5 feet from the north lot line; 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: Isidoro Topete
 APPEARANCES FOR: Joan Ferraro
 APPEARANCES AGAINST:

CAL. NO. 73-90-Z
 MAP NO. 5-I
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 2445 W. Cortland Street
 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, Isidoro Topete, owner, on January 30, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of an attic dormer to the west side of a 3-story frame 4-dwelling unit building, which expansion will result in a 7.1% (340 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 2445 W. Cortland Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 30, 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, §7.6-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 2-story with high basement frame 4-dwelling unit building; that on October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)."; that the applicant seeks to erect a 340 sq. ft. attic dormer on the west side of the subject 2-story with high basement frame 4-dwelling unit building which will exceed by 7.1% the amount of floor area existing in the building prior to the passage of 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 attic dormer is necessary to provide additional living space in the applicant's dwelling unit; that the plight of the owner is due to the need for

MINUTES OF MEETING

March 16, 1990

Cal. No. 73-90-Z

additional living space for the applicant and his family; that the proposed attic dormer addition will not impair an adequate supply of light and air to the abutting property to the west and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of an attic dormer to the west side of a 2-story frame 4-dwelling unit building, which expansion will result in a 7.1% (340 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 2445 W. Cortland Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Faith Pentecostal Holiness Church
 APPEARANCES FOR: Gerald Hall
 APPEARANCES AGAINST: Helen Lange
 PREMISES AFFECTED— 8044 S. Racine Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 74-90-S
 MAP NO. 20-G
 MINUTES OF MEETING
 March 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
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Faith Pentecostal Holiness Church, for Elder C.L. Jackson, owner, on January 26, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the legalization of an existing church in a 1-story brick building, in a C2-2 General Commercial District, on premises at 8044 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 26, 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, §9.3-2, §9.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 1990; and

WHEREAS, the district maps show that the premises is located in a C2-2 General-Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C2-2 General Commercial District; that the subject site is improved with a 1-story brick building with on-site parking to the south of the building; that the 150-member church has occupied the subject premises for the past 19 years; that the applicant was informed when it purchased the site for a church in 1971 that the site was properly zoned for church use; that the said use is necessary for the public convenience at the subject site to continue to serve the members of its congregation who reside in the area; that the public health, safety and welfare will be adequately protected in the continued operation of the church which provides adequate off-street parking; that there has been no new commercial development in this area of S. Racine Avenue which has many vacant lots; and that the existing church will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to legalize an existing church in a 1-story brick building, on premises at 8044 S. Racine Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with.

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

APPLICANT: Paul Kulas
 APPEARANCES FOR: Julian Kulas
 APPEARANCES AGAINST:

CAL. NO. 75-90-S
 MAP NO. 3-H
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 937 N. Western 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, Paul Kulas, for Cosmopolitan National Ban, Tr. #29046, owner, on January 30, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 3-story brick building, in a B4-2 Restricted Service District, on premises at 937 N. Western Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 3-story store and apartment building; that a tavern has occupied the store portion of the building on the subject site for 30 years; that City of Chicago records indicate that a liquor license issued to the previous owner expired April 30, 1989; that the applicant purchased the subject property in April, 1989 after the previous owner died and now seeks to re-establish the tavern on the premises under a new license; that the tavern's patron's will come from the local neighborhood and that the re-establishment of the tavern at this location is necessary for the public convenience; that the applicant proposes to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; and that the proposed tavern will be compatible with the existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is hereby authorized to permit the establishment of a tavern in a 3-story brick building, on premises at 937 N. Western 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: Monserrate Ramos

CAL. NO. 76-90-S

APPEARANCES FOR: Joan Ferraro

MAP NO. 3-I

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 2403 W. North 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Monserrate Ramos, for Irwin Morris, owner, on January 30, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in conjunction with a hall including entertainment in a 3-story brick building, in a B4-2 Restricted Service District, on premises a 2403 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 26, 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 March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 3-story brick building located on the southwest corner of W. North Avenue and Western Avenue and has been used as a social hall for the past 50 years; that the applicant has operated and managed the Spanish American Theatre Academy which is located on the 3rd floor of the subject building for the past 21 years; that the said organization provides social and cultural activities for its 300 members; that only the members of the said organization are allowed to use the subject hall; that the applicant is seeking a liquor license in order to serve liquor to the members of the said organization during parties, wedding receptions, etc. only, and is not seeking to establish or operate a full-time tavern at the subject location; that the proposed use is necessary for the public convenience at this location to provide an additional service to the members of the said organization; that the public health, safety and welfare will be adequately protected in that the premises is occupied as a social and cultural organization and not as a full time tavern and operates only after regular business hours; that liquor will be served only during parties and receptions, etc.; that no one appeared in opposition to the applicant's special use request; that the subject

MINUTES OF MEETING

March 16, 1990

Cal. No. 76-90-S

premises is located in a building which has been used as a social hall for the past 50 years and that the service of liquor during evening and other special events will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit issuance of a liquor license in conjunction with a hall including entertainment in a 3-story brick building, on premises at 2403 W. North Avenue, upon condition that the building complies with all building and fire code regulations for such use; and that all other 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: Federal Sign Co.
 APPEARANCES FOR: Richard Fendrick
 APPEARANCES AGAINST:

CAL. NO. 77-90-S
 MAP NO. 11-J
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 3436 W. Wilson 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, Federal Sign Co. for Chicago Board of Education, owner, on January 31, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the installation of a 6' x 8' illuminated high school bulletin board on a 10' high pole at the southeast corner of the Roosevelt High School premises, in an R4 General Residence District, on premises at 3436 W. Wilson Avenue; 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, §7.4-1(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 the campus of Roosevelt High School; that the applicant proposes to install a 6' x 8' double-faced interior illuminated bulletin board facing north and south on a 10 feet high pole at the southeast corner of the high school campus at the intersection of W. Wilson Avenue and N. Kimball Avenue; that the proposed use is necessary for the public convenience at this location to provide a means of advising the community of school and community events and activities; that the public health, safety and welfare will be adequately protected in the design and location of the proposed illuminated bulletin board in that it will be located on a 10' high pole and by being interior illuminated and facing north and south, will not have a glaring effect on any residential properties; that the proposed bulletin board is compatible with the existing school facility and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the installation of a 6' x 8' double-faced interior illuminated high school bulletin board on a 10' high pole at the southeast corner of the Roosevelt High School premises, on premises at 3436 W. Wilson 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: Stanley C. Thon

CAL. NO. 78-90-S

APPEARANCES FOR: Robert Best

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 5926 S. Kedzie 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Stanley C. Thon, for American National Bank & Trust Co. of Chicago, Tr. #109942-00, owner, on February 2, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a self-service laundrette in a 1-story brick building, in a B2-1 Restricted Retail District, on premises at 5926 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 30, 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, §8.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick recently renovated building with the rear section occupied by a motor vehicle repair shop accessible via an overhead doorway on the south wall near the alley; that the applicant proposes to lease the front 2,358 sq. ft. in the building to Coin-O-Matic Corporation for the proposed self-service laundrette; that the proposed use is necessary for the public convenience at this location to provide a needed service for the residents of the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed self-service laundrette which will be monitored by on-site personnel during all hours of operation and which will also provide adequate off-street parking; that the proposed laundrette will be compatible with the mixed business and residential uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

March 16, 1990

Cal. No. 78-90-S

Zoning Administrator is authorized to permit the establishment of a self-service laundrette in a 1-story brick building, on premises at 5926 S. Kedzie Avenue, upon condition that the laundry machines shall not exceed 16 pounds in capacity; that an employee shall be at the subject site during all hours of operation; 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: Pulaski Savings and Loan Association
 APPEARANCES FOR: Randolph E. Ruff
 APPEARANCES AGAINST:

CAL. NO. 79-90-S
 MAP NO. 8-G
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 3152 S. Morgan 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, Pulaski Savings and Loan Association, owner, on February 9, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through banking facility next to the north side of an existing savings and loan building, in a B4-2 Restricted Service District, on premises at 3152 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 26, 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, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 vacant 2-story brick building which the applicant proposes to demolish to erect a drive-through banking addition to the north side of the existing savings and loan building; that the proposed use is necessary for the public convenience at this location to provide a necessary service prevalent in today's banking operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility to be improved and operated under the conditions hereinafter set forth; and that the proposed use will be compatible with the existing business uses on S. Morgan Street and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit a drive-through banking facility next to the north side of an existing savings and loan building, on premises at 3152 S. Morgan Street, upon condition that the surface of the lot shall be improved with a compacted macadam base,

MINUTES OF MEETING

March 16, 1990

Cal. No. 79-90-S

not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails approximately 2 feet in height shall be erected along the north property line and along the building wall line; that lighting shall be provided; that ingress and egress to the drive-through banking facility shall be from S. Morgan Street and egress shall be via the alley abutting the property to the west onto W. 32nd Street; that a lighted "Enter Only" sign shall be erected at the drive-through entrance on S. Morgan Street; that a lighted "Left Turn Only" sign shall be erected at the exit by the abutting alley; that the driveway on S. Morgan Street shall be constructed in accordance with all applicable ordinances; that the drive-through facility shall be locked at all times when not in operation; 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: Pulaski Savings and Loan Association
 HEARANCES FOR: Randolph E. Ruff
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- 1001-1003 W. 32nd Street and 3208 S. Morgan Street
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 80-90-S
 MAP NO. 8-G
 MINUTES OF MEETING
 March 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
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Pulaski Savings and Loan Association, owner, on February 9, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-2 Restricted Service District, on premises at 1001-1003 W. 32nd Street and 3208 S. Morgan Street, to satisfy the parking requirement for a savings and loan located at 3254-56 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 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, §8.4-4, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 presently improved with a delapidated vacant 3-story brick store and apartment building which will be demolished in order to establish the proposed parking lot; that in conjunction with its proposed drive-through banking facility, the applicant proposes to abandon the parking spaces presently located on the bank site and to establish a parking lot with a capacity of 12 vehicles at the subject site; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the applicant savings and loan located at 3154-46 S. Morgan Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use at the subject site will be compatible with the existing business uses on S. Morgan Street 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

MINUTES OF MEETING

March 16, 1990

Cal. No. 80-90-S

Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1001-1003 W. 32nd Street and 3208 S. Morgan Street, to satisfy the parking requirement for a savings and loan located at 3154-56 S. Morgan Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicle shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails approximately 2 feet in height shall be erected on the periphery of the lot, excepting the driveways; that lighting shall be provided which shall be directed away from abutting residential property; that striping and concrete wheel stops shall be provided; that ingress to the parking lot shall be from W. 32nd Street and egress from the lot shall be from S. Morgan Street; that the driveways shall be constructed in accordance with applicable ordinances; that the alley abutting the site to the south shall not be used for ingress nor for egress; that the lot shall be secured with an appropriate device when not in use by the savings and loan; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and §5.8-5 of the zoning ordinance.

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

APPLICANT: Manucor Properties, Inc.

CAL. NO. 81-90-Z

PEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 1445-57 W. Diversey Parkway

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

ACTION OF BOARD—

Case continued to
May 18, 1990.

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 808

APPLICANT: Cornerstone Community Outreach

CAL. NO. 82-90-S

PEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 4628 N. Clifton Avenue

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Marcey Limited Partners, an Illinois Limited Partnership

CAL. NO. 83-90-S

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

PREMISES AFFECTED— 1780 N. Marcey 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
X		
X		
X		
X		
X		

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

APPLICANT: McNair Grant
 APPEARANCES FOR: McNair Grant
 APPEARANCES AGAINST:

CAL. NO. 84-90-A
 MAP NO. 18-E
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 552 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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, McNair Grant, owner, on February 7, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an office in a 2-story brick store and apartment building, in an R3 General Residence District, on premises at 552 E. 73rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 26, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3, §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 March 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 2-story store and apartment building containing a dry cleaning drop-off station at 556 E. 73rd Street and the subject premises at 552 E. 73rd Street; that the subject non-conforming store was previously occupied by a grocery store; that the appellant proposes to establish an office providing educational, legal and other professional services to the immediate community; that a professional office is a less intensive use of the subject premises than that of a grocery store in terms of pedestrian traffic, hours of operation, noise, deliveries, etc.; and that the change of use to a professional office 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 an office in a 2-story brick store and apartment building, on premises at 522 E. 73rd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John Vlahos

CAL. NO. 85-90-A

APPEARANCES FOR:

MAP NO. 12-M

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 5101 S. Merrimac Avenue

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

ACTION OF BOARD—

Case continued to
May 18, 1990.

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 808

APPLICANT: William Thomas Burke
 APPEARANCES FOR: William Thomas Burke
 APPEARANCES AGAINST: Warren Weaver, et al.

CAL. NO. 86-90-A
 MAP NO. 11-L
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 4357 N. Milwaukee Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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, William Thomas Burke, for William Burke, owner, on January 17, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a tattoo parlor in a 3-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 4357 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 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, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 3-story brick store and apartment building; that the subject store was previously occupied by a silk-screening business; that the appellant is seeking to establish a tattoo parlor at the subject site, as well as air brushing of T-shirts, and other art work; that the tattoo parlor requires at least B4 zoning; that under §8.3-2 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Oren Stembel
 HEARANCES FOR: Oren Stembel
 HEARANCES AGAINST:

CAL. NO. 87-90-A
 MAP NO. 7-N
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 3132 N. Natchez 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, Oren Stembel, 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 1-story brick building as two dwelling units, in an R2 Single-Family Residence District, on premises at 3132 N. Natchez 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, §7.3-2, §7.5-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 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 evidence presented indicates that the 2-story brick building on the subject site has been occupied as two dwelling units since prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance, at which time the site was zoned for apartments which could have permitted more than one dwelling unit; that the appellant has a right to continue the occupancy of the building as two 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 1-story brick building, on premises at 3132 N. Natchez Avenue, as two dwelling units, upon condition that the building shall be brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Anthony Ted Wilson
 APPEARANCES FOR: Anthony Ted Wilson
 APPEARANCES AGAINST:

CAL. NO. 88-90-A
 MAP NO. 12-E
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 624 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, Anthony Ted Wilson, for David Gratton, owner, on January 26, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a hardware and supply store in a 1-story brick multi-store building, in an R5 General Residence District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 26, 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 March 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, a grocery store and a variety store, all non-conforming B1 and B2 uses; that the appellant proposes to establish a hardware and supply store, a non-conforming B2 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 hardware and supply store in a 1-story brick multi-store building, on premises at 624 E. 50th Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Gabriel Viento
 APPEARANCES FOR: Gabriel Viento
 APPEARANCES AGAINST:

CAL. NO. 89-90-A
 MAP NO. 3-K
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 1444 N. Keating 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, Gabriel Viento, owner, on January 29, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a motor vehicle repair shop in a 1-story frame accessory garage at the rear of a lot improved with a non-conforming principal residential building, in an M2-2 General Manufacturing District, on premises at 1444 N. Keating Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 19, 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, §5.5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-2 General Manufacturing District; that the subject site is improved with a legal non-conforming 2-story frame residence on the front of the lot and a detached accessory frame garage on the rear of the lot; that the site is owned and occupied by the appellant; that the appellant has operated a motor vehicle repair business in the garage at the rear of the lot for the past 6 years; that the said motor vehicle repair shop is the appellant's only means of support for himself and his family due to severe multiple health problems; that the motor vehicle repair business allows him to work at his own pace; that mechanical repair work only is done at the site; that motor vehicle repair is a permitted use in the subject site's manufacturing zoning; that the Zoning Administrator's Office has determined the motor vehicle repair business conducted by the appellant in the garage on the rear of the lot as being a principal use and that due to the non-conforming residence on the front of the lot violates Section 5.5, which prohibits any other principal building on a zoning lot containing a principal residential building; that the appellant's use of his garage for motor vehicle repair, as conducted, is a permitted accessory use as defined in Section 3.2; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

MINUTES OF MEETING

March 16, 1990

Cal. No. 89-90-A

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 a motor vehicle repair shop, as an accessory use only, in a 1-story frame accessory garage on the rear of a lot improved with a non-conforming principal residential building, on premises at 1444 N. Keating Avenue, upon condition that no body and fender work, spray painting or engine rebuilding shall be done on the premises; that all repair work shall be done within the garage premises; that no vehicles that have been repaired or are awaiting repairs shall be parked in the alley; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Andy & Halina Kolasa

CAL. NO. 90-90-A

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 1741 W. Division Street

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

ACTION OF BOARD—

Case continued to
May 18, 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 808

APPLICANT: Carolina Barrera
 HEARINGS FOR: Isaac Shapiro
 APPEARANCES AGAINST: Cynthia Martin-McMahon

CAL. NO. 91-90-A
 MAP NO. 28-E
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 644-46 E. 113th 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
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Carolina Barrera, owner, on February 2, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a video store in a 3-story brick former store and apartment building, in an R3 General Residence District, on premises at 644-46 E. 113th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 13, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 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 former double store front and apartment building; that the subject property was purchased by Adolfo E. Barrera, the appellant's husband, in 1973; that testimony presented indicates that at one time the prior use of the store portion of the premises was a tavern; that on December 18, 1981, in Calendar No. 392-81-A, the Board sustained an appeal by Adolfo E. Barrera, legalizing the 3-story brick building on the subject site a 6-dwelling units, finding in part, that the building had been occupied as 6 dwelling units prior to the time of the 1942 comprehensive amendment to the zoning ordinance; that the east store unit is now an apartment; that although the west store unit was never formally converted to an apartment, its business use has been discontinued well over 10 years and has since been used periodically as a bedroom by the appellant's family; that Section 6.5-2 of the zoning ordinance provides "If a non-conforming use of a building or structure, all or subsequently all of which building or structure is designed or intended for a use permitted in the district in which it is located, is discontinued for a period of six (6) consecutive months, it shall not be renewed and any subsequent use of the building or structure shall conform to the use regulations of the district in which the premises are located."; that the non-conforming business use of the subject building has been discontinued for over 10 years

MINUTES OF MEETING

March 16, 1990

Cal. No. 91-90-A

and that the proposed use is not a use permitted in an R3 General Residence District; 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: Sylvia DeLisa
 APPEARANCES FOR: Sylvia DeLisa
 APPEARANCES AGAINST:

CAL. NO. 92-90-A
 MAP NO. 30-F
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 12019 S. Eggleston 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, Sylvia DeLisa, owner, on February 2, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as 4-dwelling units, in an R3 General Residence District, on premises at 12019 S. Eggleston Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 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 subject site is improved with a 2-story frame residential building; that the appellant purchased the building in August, 1988 from the Veterans Administration who represented the building as an existing 4-dwelling unit building; that on December 16, 1976, in Calendar No. 332-76-A, the Board sustained an appeal legalizing the use of the subject building as 3 dwelling units, finding, in part, that the said building had been occupied as 3 dwelling units since prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance; that a permit was issued November 7, 1977, to deconvert the building from 4 to 3 dwelling units; that the appellant testified that said deconversion never took place; that notwithstanding said permit or the Board's findings in Calendar No. 332-76-A, no evidence was presented that would indicate 4 dwelling units have existed in the building prior to the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to occupy the building as 3 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 808

APPLICANT: George W. Craven and Jane A. Gallery

CAL. NO. 93-90-A

APPEARANCES FOR:

MAP NO. 7-F

APPEARANCES AGAINST:

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED-- 2469 N. Geneva Terrace

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		

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

APPLICANT: Peter S. Willmott
 APPEARANCES FOR: Jack Guthman
 APPEARANCES AGAINST: Richard Backhus

CAL. NO. 94-90-Z
 MAP NO. 3-E
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED-- 1400 N. Astor 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Peter S. Willmott, for Northern Trust Bank, Lake Forest, Tr. #8813, owner, on February 6, 1990, filed an subsequently amended a variation of the zoning ordinance to permit, in an R5 General Residence District, the renovation of an existing 3½-story brick proposed single-family residence by replacing the attached rear coach house with a new addition, with no rear yard instead of 30 feet and which renovation will result in a 3% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1400 N. Astor Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 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, §7.6-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)."; that the subject site is an L-shape lot improved with a 3½-story brick Victorian residential building constructed approximately 1882 and currently divided into three dwelling units, with an attached 2-story coachhouse/garage at the rear; that the applicant seeks to renovate the existing building and deconvert it back to its original single-family residential use and to replace the existing coachhouse/garage structure with a 2½-story with turret addition, as per submitted renderings identified as A1, A6 and A7, which will result in a 3% increase in the amount of floor area existing in

APPLICANT: Peter S. Willmott
 APPEARANCES FOR: Jack Guthman
 APPEARANCES AGAINST: Richard Backhus

CAL NO. 94-90-Z

MAP NO. 3-E

MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 1400 N. Astor 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Peter S. Willmott, for Northern Trust Bank, Lake Forest, Tr. #8813, owner, on February 6, 1990, filed an subsequently amended a variation of the zoning ordinance to permit, in an R5 General Residence District, the renovation of an existing 3½-story brick proposed single-family residence by replacing the attached rear coach house with a new addition, with no rear yard instead of 30 feet and which renovation will result in a 3% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1400 N. Astor Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 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, §7.6-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)."; that the subject site is an L-shape lot improved with a 3½-story brick Victorian residential building constructed approximately 1882 and currently divided into three dwelling units, with an attached 2-story coachhouse/garage at the rear; that the applicant seeks to renovate the existing building and deconvert it back to its original single-family residential use and to replace the existing coachhouse/garage structure with a 2½-story with turret addition, as per submitted renderings identified as A1, A6 and A7, which will result in a 3% increase in the amount of floor area existing in

MINUTES OF MEETING

March 16, 1990

Cal. No. 94-90-Z

the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the amended reduction in floor area was accomplished by reducing the addition in order to provide an 8 foot setback from the south property line, in accordance with the desires of the property owners directly across the alley to the west and with the State/Astor Street Neighborhood Organization; 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 deconversion and renovation with the proposed 2½-story addition is necessary to meet the lifestyle needs of the applicant and his family and to better reflect the historic architectural character of the original building; that the plight of the owner is due to unique circumstances in that the location of the existing building within the Astor Street Historic District limits the nature of the renovation that can be undertaken; that the existing coachhouse/garage portion of the structure is aesthetically inconsistent with the original building and that the proposed addition will be in greater harmony with the historic architectural character of the original building and the district; that the proposed addition will be compatible with the surrounding improvements 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 renovation of an existing 3½-story brick proposed single-family residence by replacing the attached rear coachhouse with a new addition, as per the renderings identified as A1, A6, and A7, with no rear yard instead of 30 feet and which renovation will result in a 3% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1400 N. Astor Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

CORRECTED COPY

MINUTES OF MEETING
 March 16, 1990
 Cal. No. 94-90-Z

the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the amended reduction in floor area was accomplished by reducing the addition in order to provide an *3 foot setback from the south property line, in accordance with the desires of the property owners directly across the alley to the west and with the State/Astor Street Neighborhood Organization; 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 deconversion and renovation with the proposed 2½-story addition is necessary to meet the lifestyle needs of the applicant and his family and to better reflect the historic architectural character of the original building; that the plight of the owner is due to unique circumstances in that the location of the existing building within the Astor Street Historic District limits the nature of the renovation that can be undertaken; that the existing coachhouse/garage portion of the structure is aesthetically inconsistent with the original building and that the proposed addition will be in greater harmony with the historic architectural character of the original building and the district; that the proposed addition will be compatible with the surrounding improvements 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 renovation of an existing 3½-story brick proposed single-family residence by replacing the attached rear coachhouse with a new addition, as per the renderings identified as A1, A6, and A7, with no rear yard instead of 30 feet and which renovation will result in a 3% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1400 N. Astor Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Typing error correction made 7/24/90.
 3 foot in lieu of 8 foot, pursuant to
 setback dimension depicted on approved
 site plan rendering identified in Resolution
 as A1.

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

APPLICANT: The Children's Place Association
 HEARANCES FOR: Langdon D. Neal
 HEARANCES AGAINST:

CAL. NO. 95-90-S
 MAP NO. 3-I
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 3057-59 W. Augusta Boulevard
 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 Children's Place Association, for Peter and Athena Karabatsos, owners, on February 6, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a residential care home for children ages 0-6 who are suspected of being infected with the HIV (AIDS) virus in a 1 and 2-story brick residential and office building, in an R5 General Residence District, on premises at 3057-59 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 1, 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, §7.4-4(8), §7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 improved with a 1 and 2-story brick structure; that the applicant, an Illinois not-for-profit corporation, was created in 1989 to provide temporary residential care to children aged 0 through 6 who are suspected of being infected with the HIV (AIDS) virus and to provide support services to the families of those children; that the proposed facility will house a maximum of 10 children at one time; that the length of stay will be approximately 90 days; that the facility will be staffed with professional Department of Children and Family Services personnel and a professional nurse 24 hours daily; that the facility will provide case management services focusing on family stabilization and reunification, programs responsive to the medical, psychosocial, developmental and recreational needs of the children, and parenting classes to those who will be caring for the children on an on-going basis; that the children will be admitted to the facility by post-hospitalization referrals or from other social service agencies and will be accepted based on pre-admission evaluation recommendations; that the proposed facility is necessary for the public convenience at this location in that

MINUTES OF MEETING

March 16, 1990

Cal. No. 95-90-S

there are no such facilities available at this time in the City of Chicago for children suspected of being infected with the HIV (AIDS) virus; that present statistics indicate that many of Chicago's women infected with the HIV virus and, therefore, with children at risk, live within the immediate area of the subject site; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility which will meet all building code regulations and all applicable provisions of the municipal ordinance governing the establishment and operation of residential care facilities; that the proposed use of the building on the subject site as a residential care facility fulfills a great need in the community and is not inconsistent with the prior use of the premises as a residential and office building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a residential care home limited to 10 beds for children aged 0-6 who are suspected of being infected with the HIV (AIDS) virus in a 1 and 2-story brick residential and office building, on premises at 3057-59 W. Augusta Boulevard, upon condition that the building is brought into compliance with all applicable building code regulations; that the premises shall not be used as a residential care home until the building complies with all applicable code regulations; and that all other applicable ordinances of the City of Chicago shall be complied with before permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a residential care home for children aged 0-6 who are suspected of being infected with the HIV (AIDS) virus, or the number of children to be served, as stated herein by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: SM Venture
 APPEARANCES FOR: John Tuchan
 APPEARANCES AGAINST: Lee Artoe

CAL. NO. 96-90-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 1300 W. Belmont 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell		x	
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, SM Venture, owner, on February 1, 1990, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, an 11% reduction of the parking spaces required for the conversion of a 5-story brick building to retail and office space, on premises at 1300 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 1, 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, §5.8-2(3), §8.11-1. §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on February 26, 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 5-story brick commercial building being converted to retail use on the 1st floor and office use on the 2nd through 5th floors; that the applicant is seeking to reduce the required off-street parking spaces located on the west side of the building from 19 to 17 spaces; 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 11% reduction in parking is necessary in order to provide two 10' x 25' loading dock areas in the northeast corner of the parking area for the proposed retail and office building at the subject site; that the plight of the owner is due to the conversion of the building to retail and office use which necessitates both required off-street parking and loading facilities; that the variation, if granted, will not alter the essential character of the locality in that the elimination of two parking spaces will not materially affect street parking in the area; it is therefore

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

MINUTES OF MEETING

March 16, 1990

Cal. No. 96-90-Z

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 11% reduction of the parking spaces required for the conversion of a 5-story brick building to retail and office use, on premises at 1300 W. Belmont Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Randy Alexander
 APPEARANCES FOR: Ronald Primack
 APPEARANCES AGAINST:

CAL. NO. 6-90-S
 MAP NO. 30-D
 MINUTES OF MEETING
 March 16, 1990

PREMISES AFFECTED— 11900 S. Doty 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Randy Alexander, for American National Bank of Lansing, Tr. #2040-702, owner, on October 26, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the continuance of an existing junk yard, in an M3-3 Heavy Manufacturing District, on premises at 11900 S. Doty Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 2, 1990; and

WHEREAS, the district maps show that the premises is located in an M3-3 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M3-3 Heavy Manufacturing District; that the subject site is a 341,000 sq. ft. parcel of land which comprises 7.8 acres and has been occupied by a junk yard for the past 35 years; that the applicant has operated an auto wrecking junk yard at the site for the past 5 years; that the said use serves 10 to 20 customers a day and has parking space on-site for 40 customer vehicles; that the applicant removes 10 to 30 junk vehicles a day from city streets; that after usable vehicle parts are removed for retail sale, the junk vehicles are sent to a shredding company for final disposal; that the said use is necessary for the public convenience at this location to continue to provide a needed service in the city; that the public health, safety and welfare will be adequately protected in the location and operation of the said junk yard which is entirely fenced, with access from S. Doty Avenue only, and which will be operated in compliance with all city and state ordinances governing the establishment and operation of junk yards; that the said use is located in an area containing many other junk yards and similar uses and that the continuance of an existing junk yard at the subject site will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

March 16, 1990

Cal. No. 6-90-S

the Zoning Administrator is authorized to permit the continuation of an existing junk yard, on premises at 11900 S. Doty Avenue, upon condition that all applicable city and state ordinances governing the establishment and operation of junk yards shall be complied with; and that all other 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: Janina Rodriguez
 APPEARANCES FOR: Louis Ellovitz
 APPEARANCES AGAINST: Gary Wigoda, Terry M. Gabinski
 PREMISES AFFECTED— 814 N. Paulina Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 10-90-S
 MAP NO. 3-H
 MINUTES OF MEETING
 March 16, 1990

ACTION OF BOARD—

Application 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, Janina Rodriguez, for Roman Mazurczyk, owner, on November 22, 1989, filed an application for a special use under the zoning ordinance for the approval of the change of licensee and continued operation of an existing tavern in a 3-story brick building, in an R4 General Residence District, on premises at 814 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 26, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §6.5-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 16, 1990 after due notice thereof by publication in the Chicago Tribune on January 2, 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 improved with a 3-story brick building with the subject tavern located on the first floor and dwelling units on the 2nd and 3rd floors; that city records indicate the last liquor license, issued to the Alley Saloon, Inc., expired on April 30, 1989; that on April 1, 1987, the City Council passed an ordinance requiring a special use for the approval of a change of licensee of an existing tavern located in a Residence District; that the alderman of the ward testified that he was the author of said ordinance and that its intent is to allow for community response and approval of new liquor licensees for taverns in residential districts; that he also testified that many of his constituents were opposed to the reissuance of a tavern license at this location due to numerous problems arising from previous operations and that many taverns exist in the vicinity; that no evidence was presented to indicate that the continued operation of a tavern is necessary for the public convenience at this location in a residential district in that the area south of the subject site on Chicago Avenue in a General Commercial zone contains many taverns at the present time; that the continued operation of a

MINUTES OF MEETING

March 16, 1990

Cal. No. 10-90-S

tavern at the subject site would be injurious to the public health, safety and welfare in that tavern operations at this site have a history of complaints and problems in the neighborhood; and that the continued operation of a tavern at the subject site is not in the public interest in that property values and future development in this residential district would be negatively affected; it is therefore

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

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

APPLICANT: John and Jean Nee and the Edison Park Community Council

CAL. NO. 26-90-A

APPEARANCES FOR: Thomas Allison

MAP NO. 19-0

APPEARANCES AGAINST: Thomas King

MINUTES OF MEETING

March 16, 1990

PREMISES AFFECTED— 7218 N. Oriole 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 and Jean Nee and the Edison Park Community Council, on November 6, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in approving a building permit for a 2nd story addition to a 1-story brick single-family dwelling, in an R2 Single-Family Residence District, on premises at 7218 N. Oriole Avenue, which alleges that said addition does not meet the requirements of the zoning ordinance; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 124' lot with an area of 3,730 sq. ft. and improved with a 2-story single-family residence; that the 2nd story was recently erected pursuant to a building permit issued on October 10, 1989, for which the Department of Zoning gave its approval on September 29, 1989; that the north and south side yard setback of the building at ground level is 3'1" and 2'9" respectively, but that the newly constructed 2nd story addition has side yard setbacks of 4½ feet each; and

WHEREAS, the appellant argues that the Zoning Administrator erred in issuing zoning approval for the erection of the aforesaid 2nd story addition in that Section 3.2, under Yard definitions, and Section 7.8 provide that side yards shall be unobstructed from the ground level up and that although the 2nd story level of the addition provides side yards of 4½ feet each in compliance with the combined side yard requirement of Section 7.8-2, the ground floor level does not meet this requirement, and that the side yards must be measured at the ground level to be in compliance with Sections 3.2 and 7.8, and therefore, there is no way the subject building as existing can comply with the side yard requirement of the ordinance; that the appellant further contends that the subject site does not meet the minimum lot area requirement of at least 3,750 sq. ft. as provided in Section 7.5-2 and that any addition to the subject building would be contrary to Section 7.5(3) as being in further conflict with the minimum lot area per dwelling unit requirement of the R2 district; and

WHEREAS, the Zoning Administrator testified that his approval of the 2nd story addition to the subject building was based upon the provisions of Section 6.4-2, which he determines allows an addition to a building that is only non-conforming as to bulk, provided such addition is made to conform to the regulations of the district including maximum floor area ratio; he stated that the 2nd story addition was made to conform with the side yard requirement of Section 7.8-2 by providing combined side yards of 9 feet at the 2nd floor level, and that the existing building and the addition thereto complied with the maximum floor area ratio

MINUTES OF MEETING

March 16, 1990

Cal. No. 26-90-A

of the R2 Single-Family District; that in response to the appellant's allegation that Sections 7.5-2 and 7.5(3) prevent an addition to the subject building, he stated the subject building was in compliance with Section 7.5(2) which provides that a single-family dwelling may be erected on a lot of record regardless of size and that Section 7.5(3) relates to multiple dwelling buildings, not single-family dwellings, and that these cites are not applicable in this case and therefore did not enter into his decision in approving the 2nd story addition; and

WHEREAS, the Board finds that the Zoning Administrator as director of the Department of Zoning is vested with the authority to enforce the provisions of the Zoning Ordinance and in the exercise of that authority has the discretion to interpret its provisions and their application; that his decision in this case to approve the 2nd story addition to the subject building was based upon his determination that Section 6.4-2 permitted the addition due to its compliance with the side yard requirement at the 2nd floor level; that the appellant's interpretation would prohibit any addition to most existing residences, even though the addition is made to comply with the present yard requirements; that the Board believes that the code was not intended to be so unyielding and that the Zoning Administrator's determination that Section 6.4-2 permitted the said addition is reasonable; and that the Board finds Section 6.4-2 was aptly and correctly applied and concur in the Zoning Administrator's decision that the 2nd story addition to the subject building complies with the applicable regulations of the R2 Single-Family Residence District; 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.

MINUTES OF MEETING

March 16, 1990

Member Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on April 20, 1990.

Marvin Rest
Secretary