

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, November 16, 1990
at 9:00 A.M., 2:00 P.M. and 3:00 P.M.

The following members were present for all or part of the meeting
and constituted a quorum:

Joseph J. Spingola
Chairman

Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

MINUTES OF MEETING
November 16, 1990

Member Alakiotou moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on October 19, 1990 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas-Spingola, Alakiotou, Fornelli, Martin 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 808

APPLICANT: Alan Murow
 APPEARANCES FOR: Barry Ash
 APPEARANCES AGAINST:

CAL. NO. 292-90-Z
 MAP NO. 7-H
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 2501-03 N. Marshfield Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Alan Murow, for American National Bank & Trust Company of Chicago, Tr. #104317-08, owner, on September 7, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 5-dwelling unit townhouse building, whose front yard will be 5 feet instead of 15 feet and whose rear yard will be 20 feet instead of 30 feet, on premises at 2501-03 N. Marshfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 15, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §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 November 16, 1990 after due notice thereof by publication in the Chicago Tribune on October 29, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District on a 5,875 sq. ft. lot; that on October 3, 1990, the City Council rezoned the subject site from R3 to R4 General Residence specifically for the proposed 3-story 5-dwelling unit townhouse building; that the design of the proposed townhouse dwelling units includes attached automobile garage parking at the rear; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 5-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to the contemporary design, which includes garage parking, necessary to make the proposed development viable and that the proposed 3-story 5-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the front and rear yards than would a yard conforming multi-story apartment building; that the erection of the proposed 5-dwelling unit townhouse building on the subject site lot will be an improvement of the subject site lot which has been used for the dumping of garbage and abandoned

MINUTES OF MEETING

November 16, 1990

Cal. No. 292-90-Z

automobiles; and that the variation, if granted, will be compatible with existing improvements on the block and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 5-dwelling unit townhouse building, whose front yard will be 5 feet instead of 15 feet and whose rear yard will be 20 feet instead of 30 feet, on premises at 2501-03 N. Marshfield Avenue, upon condition that the plans shall designate an area on the rear of the subject site for location of trash receptacles; 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: Maranatha Revival Center
 APPEARANCES FOR: Ben Applegate
 APPEARANCES AGAINST:

CAL. NO. 293-90-S
 MAP NO. 7-K
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4301 W. Diversey Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Maranatha Revival Center, for American National Bank & Trust Company of Chicago, Tr. #103321-04, owner, on September 11, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 600-seat church in a 2-story brick commercial building, in a C1-1 Restricted Commercial District, on premises at 4301 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 1990, reads:

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

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on October 3, 1990, the City Council rezoned the subject site from M1-1 to C1-1 Restricted Commercial specifically for the proposed use; that the applicant church has been located at 3909 W. North Avenue for over 15 years; that a church is necessary at the subject site to continue to meet the needs of the church congregation, the majority of which resides in the neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed 600-seat church which will comply with all applicable building code regulations and which will provide adequate off-street parking across the street at 4308-24 W. Diversey Avenue; and that the proposed church, to be located in a vacant commercial building across a public alley from a residential area, will be an improvement in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 600-seat church in a 2-story brick commercial building, on premises at 4301 W. Diversey Avenue, upon condition

MINUTES OF MEETING

November 16, 1990

Cal. No. 293-90-S

that the subject site building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; that the required parking for said church shall be established in an existing parking lot at 4308-24 W. Diversey Avenue, as provided in Calendar Nos. 294-90-S and 295-90-Z; that the requisite parking facilities for the church shall be required at all times pursuant to Section 5.8-5 of the zoning ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Maranatha Revival Center
APPEARANCES FOR: Ben Applegate
APPEARANCES AGAINST:

CAL. NO. 294-90-S
MAP NO. 7-K
MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4308-24 W. Diversey Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Maranatha Revival Center, for Wells-Gardner Corporation, owner, on September 11, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of an existing 75-space parking lot for the parking of private passenger automobiles, in an M1-1 Restricted Manufacturing District, to satisfy the parking requirement for a proposed 600-seat church at 4301 W. Diversey Avenue, on premises at 4308-24 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 28, 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, §10.4-1(2)."

and

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

WHEREAS, the district maps show that the premises is located in an M1-1 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-1 Restricted Manufacturing District; that the subject site is an improved 75-space accessory parking lot approved by the Board on December 6, 1955, in Calendar No. 624-55-S; that on November 16, 1990, in Calendar No. 293-90-S, the Board approved the establishment of a 600-seat church in a 2-story brick commercial building at 4301 W. Diversey Avenue; that the applicant proposes to lease the said parking lot; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the applicant church; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility; that the said parking lot will be leased to the applicant church for a period commencing January 1, 1991 through December 31, 2001 with an option to renew for one additional 10-year term; that the said parking lot is located directly across the street from the applicant church and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

November 16, 1990

Cal. No. 294-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of an existing 75-space parking lot for the parking of private passenger automobiles, on premises at 4308-24 W. Diversey Avenue, to satisfy the parking requirement for a proposed 600-seat church at 4301 W. Diversey Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Maranatha Revival Center
 APPEARANCES FOR: Ben Applegate
 APPEARANCES AGAINST:

CAL. NO. 295-90-Z
 MAP NO. 7-K
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4308-24 W. Diversey Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Maranatha Revival Center, for Wells-Gardner Corporation, owner, on September 11, 1990, filed an application for a variation of the zoning ordinance to permit, in an M1-1 Restricted Manufacturing District, an existing 75-space parking lot accessory to an electronics business located at 2701 N. Kildare Avenue to be used collectively as required parking for a proposed 600-seat church at 4301 W. Diversey Avenue, on premises at 4308-24 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 28, 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, §11.7-4(3)."

and

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

WHEREAS, the district maps show that the premises is located in an M1-1 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-1 Restricted Manufacturing District; that on November 16, 1990, in Calendar No. 294-90-S, the Board approved the leasing of the existing 75-space parking lot at the subject site for the parking of private passenger automobiles to satisfy the parking requirement for a proposed 600-seat church at 4301 W. Diversey Avenue; that the subject parking lot is presently used by an electronics business located at 2701 N. Kildare Avenue; 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 collective use of the subject site parking lot by the applicant church and the electronics business is necessary to fulfill the parking needs for both parties; that the plight of the applicant is due to unique circumstances in that the church property has no parking space and that the subject lot is the only site available within the maximum 500 feet distance for establishment of off-site required parking; that the applicant church will utilize the existing subject parking lot substantially at different hours of the day than does the electronics business, specifically during the evening hours and Sundays,

MINUTES OF MEETING

November 16, 1990

Cal. No. 295-90-Z

and that the variation for collective use, 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 an existing 75-space parking lot accessory to an electronics business located at 2701 N. Kildare Avenue to be used collectively as required parking for a proposed 600-seat church at 4301 W. Diversey Avenue, on premises at 4308-24 W. Diversey Avenue.

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

APPLICANT: Tomasz Adamski
 APPEARANCES FOR: Jess E. Forrest, Tomasz Adamski
 APPEARANCES AGAINST:

CAL. NO. 296-90-Z
 MAP NO. 7-N
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 3012 N. Natchez Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Tomasz Adamski, owner, on September 24, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, a 2-story 22' x 24.18' addition to the rear of a 2-story frame building to be deconverted from two dwellings to a single-family dwelling, whose north side yard is 3.39 feet and whose south side yard is 2.42' instead of combined side yards of 9 feet and whose total floor area ratio is 0.65 instead of 0.50, on premises at 3012 N. Natchez Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.6-2, §7.8-2(2), §11.7-4(1), §11.7-4(13)."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 2-story frame residential building including the subject 2-story 22' x 24.18' addition to the rear and with front exit staircase from the 2nd floor; 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 said 22' x 24.18' addition is necessary to provide additional living space for the applicant's family and relations; that the plight of the owner is due to unique circumstances in that the applicant was assured when he purchased the building that it was a legal 2-dwelling unit building and that in order to comply with building code regulations he must now deconvert the existing building to a single-family residence in order to legalize the already constructed 2-story addition; that the said addition will not impair an adequate supply of light and air to adjacent properties; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 16, 1990

Cal. No. 296-90-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 a 2-story 22' x 24.18' addition to the rear of a 2-story frame building to be deconverted from two dwellings to a single-family dwelling, whose north side yard is 3.39 feet and whose south side yard is 2.42 feet instead of combined side yards of 9 feet and whose total floor area ratio is 0.65 instead of 0.50, on premises at 3012 N. Natchez Avenue, upon condition that the use of the entire building is limited to that of a single-family dwelling; 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: Gregory Ozag
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 297-90-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 2723 N. Seminary Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Gregory Ozag, owner, on September 25, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of an attic dormer addition on the south side of a 2½-story frame 2-dwelling unit building on a through lot additionally improved with a 1½-story frame residence, which addition will result in a 3% (179 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2723 N. Seminary Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.6-4, §11.7-4(7)."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 25' x 120' through lot and is improved with a 2½-story frame 2-dwelling unit building on the N. Seminary Avenue frontage and a 1½-story frame residence on the N. Kenmore Avenue frontage; 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 percent 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 erected, without obtaining necessary building permits, a 179 sq. ft. attic dormer addition on the south side of the 2½-story frame 2-dwelling unit building on the N. Seminary Avenue frontage of this through lot, which addition exceeds by 3% the amount of floor area existing 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

MINUTES OF MEETING

November 16, 1990

Cal. No. 297-90-Z

use if permitted to be used only under the conditions allowed by the regulations in this district in that the said dormer addition is necessary to provide a dwelling unit with adequate living space; that the plight of the owner is due to unique circumstances in that due to the two residences on the zoning lot which predate 1957, the allowable floor area exceeds the present code; that the said dormer addition will not impair an adequate supply of light and air to adjacent properties and that the variation, if granted, will not alter the essential character of the locality which is characterized by many lots having more than one principal use and structures of varying heights; 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 addition on the south side of a 2½-story frame 2-dwelling unit building on a through lot additionally improved with a 1½-story frame residence, which addition will result in a 3% (179 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2723 N. Seminary Avenue, upon condition that the said building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Frank J. & Cheryl S. McEneaney
 APPEARANCES FOR: Cheryl S. McEneaney
 APPEARANCES AGAINST:

CAL. NO. 298-90-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 610 W. Kemper Place
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Frank J. & Cheryl S. McEneaney, for American National Bank, Tr. #62894, owner, on October 3, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2nd story addition to the rear of a 1 and 2-story frame single-family residence, which addition will be located in the required rear and east side yards, on premises at 610 W. Kemper Place; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-5, §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 November 16, 1990 after due notice thereof by publication in the Chicago Tribune on October 29, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R5 General Residence District; that the subject site is a 20' x 40' lot improved with a 1 and 2-story frame single-family residence; that the applicants' building contractor constructed the 2nd story addition to the rear of the existing single-family residence without obtaining necessary building permits; 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 said addition, consisting of bedroom, bath and sun deck, is necessary to meet the needs of the applicants; that the plight of the owners is due to unique circumstances in that the variation requested is necessary due to the site being an extremely small lot; that the said addition will not impair an adequate supply of light and air to adjacent properties; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd

MINUTES OF MEETING

November 16, 1990

Cal. No. 298-90-Z

story addition to the rear of a 1 and 2-story frame single-family residence, which addition will be located in the rear and east side yards, on premises at 610 W. Kemper Place, 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: Lee Chong Hoon

CAL. NO. 299-90-S

PEARANCES FOR:

MAP NO. 15-K

APPEARANCES AGAINST:

MINUTES OF MEETING

November 16, 1990

PREMISES AFFECTED— 5943 N. Rogers Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 18, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

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

APPLICANT: John F. Malone
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST: Lois M. Stewart et al.

CAL. NO. 300-90-Z
 MAP NO. 11-M
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4235 N. Mobile Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations denied.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
	X	
X		

THE RESOLUTION:

WHEREAS, John F. Malone, for Parkway Bank & Trust Co., Tr. #9747, owner, on October 9, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story 2-dwelling unit building, whose north side yard will be 2.5 feet and whose south side yard will be 3 feet instead of 6 feet each, on premises at 4235 N. Mobile Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 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, §7.8-3(2), §11.7-4(1)."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a subdivided 31.5' x 299.5' lot and was rezoned by the City Council on July 7, 1990 from R2 Single-Family Residence to R3 General Residence specifically for the proposed 3-story 2-dwelling unit building; that the subject site has no alley access; that the applicant testified that due to the width of the lot and no alley access, the required parking has to be on the ground floor thereby necessitating a 26' wide - 29'6" high 3-story building for the proposed two dwelling units; that he also testified that due to the \$70,000 cost of the land a reasonable return can not be gained without the requested variations; that the Board finds that the proposal is an overbuilding of the subject site; that although the site was rezoned to permit two dwelling units, the proposed 3-story 2-dwelling unit building is out of character with the improvements in the immediate area, most of which are 1-story single-family residences; and that the proposed building would impair an adequate supply of light and air to the 1-story single-family residence abutting the site to the south; it is therefore

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

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

APPLICANT: Maria and Encarnicion Aldaco
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 301-90-S
 MAP NO. 3-G
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 1245-47 N. Ashland Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Maria and Encarnicion Aldaco, owners, on October 9, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an existing tavern in a 3-story brick building at 1247 N. Ashland Avenue into the adjoining 3-story brick building at 1245 N. Ashland Avenue, in a B5-2 General Service District, on premises at 1245-57 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 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(6), §8.4-5, §11.10-5."

and

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

WHEREAS, the district maps show that the premises is located in a B5-2 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-2 General Service District; that the subject site is improved with a 3-story brick building at 1247 N. Ashland Avenue containing a legal pre-existing tavern; that the subject property at 1245 N. Ashland Avenue is a vacant and deteriorating 3-story commercial building; that the applicants have operated the existing tavern at 1247 N. Ashland Avenue since 1982 and are seeking to expand the business into the adjoining 3-story commercial building at 1245 N. Ashland Avenue; that the proposed use is necessary for the public convenience at this location to provide expanded tavern facilities for the existing tavern patrons who reside in the neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations; that the expansion of the existing tavern into the building at 1245 N. Ashland Avenue will be an improvement of a vacant deteriorating building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

November 16, 1990

Cal. No. 301-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of an existing tavern in a 3-story brick building at 1247 N. Ashland Avenue into the adjoining 3-story brick building at 1245 N. Ashland Avenue upon condition that the building at 1245 N. Ashland Avenue shall be brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John J. Duffy
 APPEARANCES FOR: John J. Duffy
 APPEARANCES AGAINST:

CAL. NO. 302-90-Z
 MAP NO. 14-M
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 6122 S. Meade Avenue

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

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, John J. Duffy, for John and Janice Duffy, owners, on October 10, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 24' x 35' 2nd story addition to a 1-story brick single-family residence, whose side yards will each be 3 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.56 instead of 0.50, on premises at 6122 S. Meade Avenue; and

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

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the applicant constructed a 24' x 35' 2nd story addition to his 1-story brick single-family residence without obtaining the necessary building permits and now seeks a variation to permit said addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the additional 2nd floor living space is necessary to meet the needs of the applicant and his family and relations; that although the Board finds it distasteful to consider a fait accompli situation created by the owner, it does find that there are practical difficulties in complying with the side yard regulations of the district in that the applicant would have had to indent the 2nd floor addition 1½ feet from the side bearing walls which would be economically and architecturally unfeasible; that the said 2nd story addition is compatible with existing improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 16, 1990

Cal.No. 301-90-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 24' x 35' 2nd story addition to a 1-story brick single-family residence, whose side yards will each be 3 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.56 instead of 0.50, on premises at 6122 S. Meade Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: The Beacon of Sheridan Park Joint Venture
 APPEARANCES FOR: Dennis Aukstik
 APPEARANCES AGAINST:

CAL. NO. 303-90-S
 MAP NO. 11-G
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4620-24 N. Beacon Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, The Beacon of Sheridan Park Joint Venture, owner, on October 10, 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 R4 General Residence District, on premises at 4620-24 N. Beacon Street, to serve an 18-dwelling unit building at 4601 N. Beacon Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 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. §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 November 16, 1990 after due notice thereof by publication in the Chicago Tribune on October 29, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 75' x 178.77' unimproved lot; that the proposed off-site accessory parking lot at this location is necessary for the public convenience to provide secure parking facilities for residents of an 18-dwelling unit condominium building at 4601 N. Beacon Street and to reduce parking congestion in this densely populated neighborhood; that the parking spaces in the subject parking lot will be deeded to the owners of the aforesaid condominium dwelling units with the balance of the spaces leased on an individual basis within the neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot with provisions for lighting, fencing and landscaping 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
November 16, 1990
Cal. No. 303-90-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 4620-24 N. Beacon Street, to serve an 18-dwelling unit building at 4601 N. Beacon 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 vehicles shall be parked upon said lot at any time; that a strip of land 15 feet wide along the east lot line, excepting the portion used as a driveway, shall be landscaped with grass and trees; that a 6 foot high decorative wrought iron fence shall be erected on the west side of the landscaped area; that a 7 foot high slatted fence shall be erected on the north, south and west lot lines so as to screen the lot from adjoining residences; that the balance of the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the parking stalls shall be designed in accordance with the regulations of the Department of Public Works-Bureau of Traffic Engineering and Operations; that striping shall be provided; that lighting shall be provided directed away from abutting residential properties; that ingress and egress shall be from N. Beacon Street; that an electronically controlled slide security gate shall be provided; that the driveway shall be constructed in accordance with applicable ordinances; that the alley abutting the site to the west shall not be used for ingress nor for egress; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: The Beacon of Sheridan Park Joint Venture
 APPEARANCES FOR: Dennis Aukstik
 APPEARANCES AGAINST:

CAL. NO. 304-90-Z
 MAP NO. 11-G
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4620-24 N. Beacon Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, The Beacon of Sheridan Park Joint Venture, owner, on October 10, 1990 filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the parking of automobiles in the required 7.5 feet side yards of a proposed parking lot, on premises at 4620-24 N. Beacon Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 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. §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 November 16, 1990 after due notice thereof by publication in the Chicago Tribune on October 29, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on November 16, 1990, in Calendar No. 303-90-S, the Board approved a special use application for the establishment of an off-site accessory parking lot for the parking of private passenger automobiles at the subject site to serve an 18-dwelling unit building at 4601 N. Beacon Street; 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 side yard variations requested are necessary to fully utilize the subject site for off-street parking spaces; that the plight of the owner is due to the applicant's desire to provide needed off-street parking spaces in this densely populated neighborhood; that with provision for fencing, lighting and landscaping as provided in Calendar No. 303-90-S, the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the parking of automobiles in the required 7.5 feet side yards of a proposed parking lot, on premises at 4620-24 N. Beacon Street.

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

APPLICANT: Jay Reed
PEARANCES FOR: Felicia Reed
APPEARANCES AGAINST: Ald. Roman C. Pucinski, et al.

CAL. NO. 305-90-Z
MAP NO. 19-O
MINUTES OF MEETING
November 16, 1990

PREMISES AFFECTED— 7405 N. Odell Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
December 14, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Jose Valencia
 APPEARANCES FOR: Laura Gonzalez, Jose Valencia
 APPEARANCES AGAINST:

CAL. NO. 306-90-Z
 MAP NO. 17-H
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 1812 W. Estes Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Jose Valencia, owner, on October 15, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, dormer additions to the attic of a 2-story frame building to be deconverted from 3 to 2-dwelling units on the front of the lot additionally improved with a 1-story frame residence on the rear, whose west side yard will be 5.42 feet instead of 6.25 feet and which addition will result in a 15% (487 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1812 W. Estes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 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, §7.9-3, §7.7-3, §11.7-4(1), §11.7-4(7)."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 30' x 170' lot improved with a 2-story with attic residential building on the front of the lot additionally improved with a 1-story frame residence on the rear; that the proposed dormer additions to the attic have already been constructed; that on October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under Section 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 to the zoning ordinance notwithstanding the provisions of Section 6.4-2(1);" that the applicant seeks to deconvert the existing 2-story building on the front of the lot from 3 to 2 dwelling units and permit the erected 487 sq. ft. dormer additions to the attic of the aforesaid building which exceeds by 15% the amount of floor area existing prior to the

MINUTES OF MEETING

November 16, 1990

Cal. No. 306-90-Z

1957 comprehensive amendment to the zoning ordinance; that the said dormer additions do not exceed the height of the existing residential building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said dormer additions to the attic of the residential building on the front of the lot are necessary to meet the storage needs of the applicant; that the plight of the owner is due to the narrow width of the lot; that in order to comply with building code regulations the applicant must deconvert the existing building from 3 to 2 dwelling units; that the said dormer additions are within the perimeter of the existing residential building and will not impair an adequate supply of light and air to adjacent properties; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit dormer additions to the attic of a 2-story frame building to be deconverted from 3 to 2-dwelling units on the front of the lot additionally improved with a 1-story frame residence on the rear, whose west side yard will be 5.42 feet instead of 6.25 feet and which addition will result in a 15% (487 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1812 W. Estes Avenue, upon condition that the building shall be brought into compliance with applicable 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 806

APPLICANT: Consolidated Processing Service, Inc.

CAL. NO. 307-90-S

APPEARANCES FOR:

MAP NO. 6-H

APPEARANCES AGAINST:

MINUTES OF MEETING

November 16, 1990

PREMISES AFFECTED— 2553-2701 S. Hoyne Avenue, accessed from 2600 S. Damen Avenue.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 18, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Falew, Inc.

CAL. NO. 308-90-A

APPEARANCES FOR: None

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING
November 16, 1990

PREMISES AFFECTED— 171 W. Van Buren Street

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

ACTION OF BOARD—

Appeal dismissed for
want of prosecution.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

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

APPLICANT: Empire Iron and Steel Co., Inc.
APPEARANCES FOR: Bruce Robbins
APPEARANCES AGAINST: Clydie Green

CAL. NO. 309-90-A
MAP NO. 30-G
MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 1515 W. 122nd 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 RESOLUTION:

WHEREAS, Empire Iron and Steel Co., Inc., owner, on October 12, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing non-conforming junk yard, in an M1-1 Restricted Manufacturing District, on premises at 1515 W. 122nd Street; and

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

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

and

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

WHEREAS, the district maps show that the premises is located in an M1-1 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M1-1 Restricted Manufacturing District; that the subject site has been zoned Manufacturing since the adoption of the 1923 zoning ordinance; that the appellant has operated the existing junk yard at the subject site since 1948 as evidenced by the appellant's State of Illinois Articles of Incorporation dated October 27, 1948, an agreement between the appellant and the abutting Chicago, Rock Island and Pacific Railroad Company dated October 28, 1948 for use of a side track in the conduct of their scrap metal business, and various affidavits; that a junk yard was a permitted use in a manufacturing district prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the subject site junk yard is a pre-existing legal non-conforming use; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing non-conforming junk yard, on premises at 1515 W. 122nd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Dawn Pharmaceuticals

CAL. NO. 310-90-A

APPEARANCES FOR:

MAP NO. 5-M

APPEARANCES AGAINST:

MINUTES OF MEETING
November 16, 1990

PREMISES AFFECTED— 2100 N. Marmora Avenue

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

ACTION OF BOARD—

Case continued to
March 22, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou			X
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Alfonso De La Luz
 APPEARANCES FOR: Ramon Cervantes, Alfonso De La Luz
 APPEARANCES AGAINST:

CAL. NO. 311-90-A
 MAP NO. 10-H
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 4400 S. Honore Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Alfonso De La Luz, for Stefan Toporkiewicz, owner, on September 25, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 3-story brick store and apartment building, in an R3 General Residence District, on premises at 4400 S. Honore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §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 November 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 store has been previously occupied by business uses, including a tavern and an ice cream shop; that there has been no intent to abandon the use of the premises for business purposes, the counters, shelves and refrigeration equipment having remained in place during the interim period; that the establishment of a grocery store in the subject store premises is a proper change of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a 3-story brick store and apartment building, on premises at 4400 S. Honore Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., daily; that no alcoholic beverages shall be sold on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Pat Hilliard
 APPEARANCES FOR: Pat Hilliard
 APPEARANCES AGAINST:

CAL. NO. 312-90-A
 MAP NO. 16-G
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 1011 W. 70th 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Pat Hilliard, owner, on September 27, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 3-story brick store and apartment building on the rear of the lot additionally improved with a 3-story brick apartment building at the front, in an R4 General Residence District, on premises at 1011 W. 70th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 24, 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, §7.3-3."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on November 18, 1983 the Board approved the re-establishment of a grocery store by the appellant in the non-conforming store in the 3-story brick store and apartment building on the rear of the lot additionally improved with a 3-story brick apartment building on the front, in Calendar No. 359-83-A; that the appellant did not open the said grocery store due to financial problems; that the subject store premises has been used during the interim period for storage and as a polling place; that the appellant now seeks to re-establish a grocery store in the subject store premises; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal and has the right to re-establish a grocery store in the store at the subject site; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a grocery store in a 3-story brick store and apartment building on the rear of the lot additionally improved with a 3-story brick apartment building on the front of the lot, on premises at 1011 W. 70th Street, upon condition that the hours of operation shall

MINUTES OF MEETING

November 16, 1990

Cal. No. 312-90-A

be limited to the hours between 9 A.M. and 9 P.M., Monday through Saturday; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Rev. Ernest Smith

CAL. NO. 313-90-A

PEARANCES FOR:

MAP NO. 18-G

APPEARANCES AGAINST:

MINUTES OF MEETING

November 16, 1990

PREMISES AFFECTED— 7356 S. Morgan Street

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

ACTION OF BOARD—

Case continued to
February 15, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Paul M. Kimco
 APPEARANCES FOR: Paul M. Kimco
 APPEARANCES AGAINST:

CAL. NO. 314-90-A
 MAP NO. 16-I
 MINUTES OF MEETING
 November 16, 1990

PREMISES AFFECTED— 6740-56 S. Western 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Paul M. Kimco, owner, on September 27, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a spray painting booth in conjunction with a store fixtures assembly and restoration business in two 1-story brick buildings, in a B2-2 Restricted Retail District, on premises at 6740-56 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 25, 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, §11.8-2."

and

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

WHEREAS, the district maps show that the premises is located in a B2-2 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the subject site is improved with two 1-story brick store buildings with an opened fenced area between; that the subject site was previously occupied by an automobile body shop including spray painting; that on March 8, 1978 the City Council rezoned the site to B2-2 Restricted Retail which made the former automobile body shop use non-conforming; that the appellant's business operation has been located at the subject site since 1982 and consists of the restoration of store fixtures and equipment, which work requires cleaning and painting which is done in the said spray painting booth and is an integral part of the business; that the opened fenced area between the buildings on the subject site is used for storage of parts used in the repair of store fixtures due to the shortage of storage space in the existing buildings; that the use of a spray painting booth on the premises in conjunction with an existing store fixtures assembly and restoration business is a proper use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

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

MINUTES OF MEETING

November 16, 1990

Cal. No. 314-90-A

of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a spray painting booth in conjunction with a store fixtures assembly and restoration business in two 1-story brick buildings, on premises at 6740-56 S. Western Avenue, upon condition that an 8 foot high decorative solid fence including gates shall be erected between the two buildings at the front and rear of the site to screen the parts storage area from the public view; 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: Eusebio Soto

CAL. NO. 315-90-A

PEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING

November 16, 1990

PREMISES AFFECTED— 2335 W. Moffat Street

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

ACTION OF BOARD—

Case continued to
January 18, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Joseph Matiello

CAL. NO. 255-90-S

MAP NO. 4-H

APPEARANCES FOR:

MINUTES OF MEETING

APPEARANCES AGAINST:

November 16, 1990

PREMISES AFFECTED— 1335-57 S. Damen Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 18, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Waste Management of Illinois, Inc.

CAL. NO. 290-90-S
32-D, 32-C
MAP NO. 34-C

PEARANCES FOR: Daniel L. Houlihan

MINUTES OF MEETING

APPEARANCES AGAINST:

November 16, 1990

PREMISES AFFECTED— Area bounded by E. 130th Street on the north, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, commonly known as 13001-13745 S. Calumet Express-
SUBJECT— Way

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to January 18, 1991, for status of motion.

Order of the Board:

During the pendency of the instant application, the current use termination date of January 1, 1991 is hereby extended to May 1, 1991 to allow the applicant to continue operation, subject to all applicable governmental regulations applying to the conduct of the business at the subject location. For this purpose, the Board's rule under Article VI, paragraph 3, is hereby extended to May 1, 1991.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Land and Lakes Company
PEARANCES FOR: Daniel L. Houlihan
APPEARANCES AGAINST:

CAL. NO. 291-90-S
MAP NO. 34-D
MINUTES OF MEETING:
 November 16, 1990

PREMISES AFFECTED— Area bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, commonly known as 1000-1220 E. 138th Street.
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to January 18, 1991, for status of motion.

Order of the Board:

During the pendency of the instant application, the current use termination date of January 1, 1991 is hereby extended to May 1, 1991, to allow the applicant to continue operation, subject to all applicable governmental regulations applying to the conduct of the business at the subject location. For this purpose, the Board's rule under Article VI, paragraph 3, is hereby extended to May 1, 1991.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Edward Kaloo

CAL. NO. 129-88-A

PEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING
November 16, 1990

PREMISES AFFECTED— 4750 N. Hermitage Avenue

SUBJECT— Circuit Court Remand, Re: White v. ZBA, No. 88CH8096
Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to
December 14, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

MINUTES OF MEETING

November 16, 1990

Mr. Gary I. Wigoda, for Nancy and Sam Peltzman, owners, presented a written request for an extension of time in which to obtain necessary building permits and commence construction of a 1 and 2-story addition to the rear of a 2½-story frame single-family residence, whose north side yard will be 2.54 feet instead of 3.5 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 5743 S. Harper Avenue, which variations were granted by the Zoning Board of Appeals on May 18, 1990, in Calendar No. 170-90-Z.

Mr. Wigoda stated that the property owners are reviewing final bids of the property and expect to shortly sign contracts for the construction work, but that due to the additional time necessary after this to obtain a building permit and to the possibility that construction cannot commence until the spring, an extension of time is necessary.

Chairman Spingola moved that the request be granted and the time extended to May 18, 1991 to obtain necessary building permits. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

November 16, 1990

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on December 14, 1990.

Marion Rest
Secretary