

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, December 14, 1990

at 9 A.M., 2 P.M. and 3 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

December 14, 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 November 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, Fornelli, Martin and Moore. Nays- None.

* * * * *

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

APPLICANT: First Corinthian Missionary Baptist Church

CAL. NO. 316-90-S

APPEARANCES FOR:

MAP NO. 18-G

APPEARANCES AGAINST:

MINUTES OF MEETING

December 14, 1990

PREMISES AFFECTED— 7500-18 S. Halsted Street

SUBJECT— Application for the approval of a special use.

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		

APPLICANT: First Corinthian Missionary Baptist Church

CAL. NO. 317-90-S

APPEARANCES FOR:

MAP NO. 18-F

APPEARANCES AGAINST:

MINUTES OF MEETING
December 14, 1990

PREMISES AFFECTED— 7501-07 S. Halsted Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 15, 1990.

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		

APPLICANT: Vincent Incandela, Lori Incandela, & Mary Ann Field

CAL. NO. 318-90-Z

APPEARANCES FOR: Vincent Incandela

MAP NO. 9-M

APPEARANCES AGAINST:

MINUTES OF MEETING

December 14, 1990

PREMISES AFFECTED— 6235 W. Byron Street

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, Vincent Incandela, Lori Incandela & Mary Ann Field, owners, on October 19, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 7.83' x 10' attic dormer to the northwest side of a 1½-story frame single-family residence, whose front yard will be 13.25 feet instead of 20 feet and whose total floor area ratio will be approximately 0.55 instead of 0.50, on premises at 6235 W. Byron Street; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.7-2. §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 December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 26, 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 1½-story frame single-family residence on a 25' x 124.42' lot; that a 7.83' x 10' addition was erected, without the necessary building permit, to the existing attic dormer on the northwest side of the existing residential building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed dormer addition is necessary to provide additional living space for the applicant, his family and his mother-in-law; 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 yard requirements of the district in that it would be economically and architecturally unfeasible to provide the additional living space required by the applicant in any other way; that the said attic dormer addition is not intended to be used as an additional dwelling unit containing kitchen facilities; that the proposed addition is compatible with existing improvements in the block, many of which have attic dormers; and that the variations, if granted,

MINUTES OF MEETING

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Cal. No. 318-90-Z

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 7.83' x 10' attic dormer to the northwest side of a 1½-story frame single-family residence, whose front yard will be 13.25 feet instead of 20 feet and whose total floor area ratio will be approximately 0.55 instead of 0.50, on premises at 6235 W. Byron 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: Juan Guterrez
 APPEARANCES FOR: Juan Guterrez, Ald. Jesus Garcia
 APPEARANCES AGAINST:

CAL. NO. 319-90-Z
 MAP NO. 6-J
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 2857-59 S. Pulaski Road

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, Juan Guterrez, owner, on October 22, 1990, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 1 and 2-story approximately 4,070 sq. ft. store addition to the north and east sides of a 2-story brick store building, with no provision of a 20' x 20' transitional front yard at the northwest corner of the site and with no transitional north side yard instead of 3 feet, such yards required when abutting an R3 General Residence District, on premises at 2857-59 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §8.8-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 a 50' x 125.37' lot improved with a 2-story brick store and apartment building; that on November 16, 1989, the City Council rezoned the northern half of the subject lot from R3 General Residence to B4-2 Restricted Service; that the applicant operates a produce business in the store in the building on the subject site; that the applicant proposes to erect a 1 and 2-story approximately 4,070 sq. ft. store addition to the north and east sides of the existing 2-story brick building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 1 and 2-story addition is necessary to replace an existing refrigeration unit that is being demolished and to provide additional storage space; that the plight of the owner is due to the necessity of erecting an addition which will provide adequate space for the necessary produce refrigeration unit necessary for the applicant's business operation and

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to the code regulations which require transitional front and side yards when abutting a residential district; that the proposed addition will follow the existing north and south building lines of the existing structure which additionally does not provide a front yard setback; that the proposed addition will be compatible with the existing improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1 and 2-story approximately 4,070 sq. ft. store addition to the north and east sides of a 2-story brick store building, with no provision of a 20' x 20' transitional front yard at northwest corner of the site and with no transitional north side yard instead of 3 feet, such yards required when abutting an R3 General Residence District, on premises at 2857-59 S. Pulaski Road, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bickerdike Redevelopment Corp.

CAL. NO. 320-90-S

PEARANCES FOR:

MAP NO. 5-I

APPEARANCES AGAINST:

MINUTES OF MEETING

December 14, 1990

PREMISES AFFECTED— 1615-19 N. Rockwell Street

SUBJECT— Application for the approval of a special use.

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
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: William O'Brien
PEARANCES FOR: Gary I. Wigoda
APPEARANCES AGAINST: Falamar Malekfar

CAL. NO. 321-90-S
MAP NO. 3-H
MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 1334 N. Dean Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application 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, William O'Brien, owner, on October 23, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 25' x 100' automobile storage garage, in an R4 General Residence District, on premises at 1334 N. Dean Street, to serve a 5-dwelling unit building located at 1347 N. Dean Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §7.3-4, §7.4-4, §7.8-4, §7.4-4(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 a 25' x 100' unimproved lot; that on September 15, 1989, in Calendar No. 225-89-Z, the Board granted a north side variation and a 10.4% increase in floor area variation to the applicant for the erection of a 2-story addition to the north 1-story portion of an existing 1 and 3-story brick proposed 6-dwelling unit building located at 1347 N. Dean Street; that the proposed parking structure as designed will be a roofed structure enclosed on the southeast and southwest sides by an existing brick wall of an abutting commercial building and by a partial concrete wall on the northeast and northwest sides with a chain link fence connecting these partial concrete walls; that ingress will be from N. Dean Street and egress via the alley abutting the site to the northwest; that the subject parking structure provides 5 parking spaces laid out at a 60° angle and less than 20 feet in width; that the applicant testified that there was some limited parking space available within the residential structure at 1347 N. Dean Street; that the Board finds in this case that the angling of the 5 parking spaces indicates insufficient lot width for automobile turnaround; that a waiver of the alley barrier has not been obtained from the City Council to allow for egress of autos; that the

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establishment of the proposed partially enclosed parking structure is incompatible with the existing improvements in the R4 General Residence District, not necessary for the public convenience at this location and will inhibit future residential development in this block; 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: William O'Brien
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST: Falamar Malekfar

CAL. NO. 322-90-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 1334 N. Dean Street
 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, William O'Brien, owner, on October 23, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 25' x 100' automobile storage garage with no front yard instead of 15 feet and no side yards instead of 2.5 feet each, on premises at 1334 N. Dean Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 on December 14, 1990, the Board denied the applicant's special use application for the approval of the location and the erection of a 25' x 100' automobile storage garage structure at the subject site to serve a 5-dwelling unit building located at 1347 N. Dean Street; that the denial of the special use application, Cal. No. 321-90-S, negates the need for the requested front and side yard variations in the present application; it is therefore

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

APPLICANT: William and Mary Soich
APPEARANCES FOR: Mary Soich, William Kolodziej
APPEARANCES AGAINST:

CAL. NO. 323-90-Z
MAP NO. 9-H
MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 1836 W. Byron Street

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, William and Mary Soich, owners, on October 26, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a 2-story 12' x 13' porch enclosure and open stairway at the northeast corner of a 2-story brick 2-dwelling unit building, whose east side yard is .6 feet instead of 4.5 feet and which enclosure results approximately in an 11% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1836 W. Byron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 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(1), §7.6-3, §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 December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 a 33' x 120.9' lot improved with a brick 2-story 2-dwelling unit building with a 2-story open porch and open stairway at the northeast corner of the building; that the applicants propose to enclose the existing 2nd floor portion of the rear porch which is set out from the existing building at the deck level of the second floor, and which enclosure will be supported by 2' x 12' post supports going down to the ground with center crossbeams; that the remainder of the deck landing and stairs will remain roofed over and in line with the building wall on the east side of the subject site; that no evidence was presented to indicate that the property in question cannot yield a reasonable return without the requested variation; that the Board feels in this case that the applicants could enclose the 2nd story rear porch in a manner that does not constitute a potential safety hazard; that the plight of the owner is self-created; that the existing 2nd story portion of the porch

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already cantilevers over the subject property beyond the building wall into the required east side yard; that the proposed porch enclosure will be an overbuilding of the property; and that the variation, if granted, will alter the essential character of the block; 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: Joan Harris and Clifford Harris
 APPEARANCES FOR: Clifford Harris
 APPEARANCES AGAINST:

CAL. NO. 324-90-Z
 MAP NO. 12-G
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 5133 S. Bishop Street
 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, Joan Harris and Clifford Harris, owners, on October 26, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2½-story frame single-family residence on the front of the lot additionally improved with a 2-story frame residence at the rear, whose front yard is 5 feet instead of 20 feet, whose north side yard is 1.2 feet instead of 2.5 feet and which dormering will result in a 15% (615 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 5133 S. Bishop Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20, 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, §7.7-3, §7.8-3, §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 December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 a 24' x 124.43' lot improved with a 2½-story frame residence on the front of the lot additionally improved with a 2-story frame residence at the rear; that the proposed dormer addition to the attic of the building on the front of the lot has been partially 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 construction of the 615 sq.ft. attic dormer addition to the 2½-story frame residence on the front of the lot exceeds by 15% the amount of floor existing existing prior to the 1957 comprehensive amendment to the zoning ordinance and was begun under a building permit

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which has since expired; 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 dormer addition is necessary to provide needed furnace and storage space; that the plight of the owner is due to unique circumstances in that due to the two residential structures on the zoning lot which predate 1957, the allowable floor area exceeds the present code; that the said dormer addition has been constructed following the front and side bearing walls and will not impair an adequate supply of light and air to adjacent properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2½-story frame single-family residence on the front of the lot additionally improved with a 2-story frame residence at the rear, whose front yard is 5 feet instead of 20 feet, whose north side yard is 1.2 feet instead of 2.5 feet and which dormering will result in a 15% (615 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 5133 S. Bishop Street, 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 806

APPLICANT: Edwin Vazquez
APPEARANCES FOR: Bruce Chapman, Edwin Vasquez
APPEARANCES AGAINST:

CAL. NO. 325-90-S
MAP NO. 3-I
MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 2523 W. North 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Edwin Vazquez, for Bruce Chapman, owner, on November 7, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the re-establishment of a tavern in a 2-story brick building, in a B4-2 Restricted Service District, on premises at 2523 W. North Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-4(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 2-story brick store and apartment building; that the subject premises has been occupied by a tavern since 1945; that the last liquor license for the subject premises expired on January 2, 1990; that the applicant seeks to re-establish a tavern at the subject site under a new license; that the proposed use is necessary for the public convenience at this location to continue to serve 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 ordinances of the City of Chicago; that no one appeared in opposition to the proposed tavern use; that the re-establishment of a tavern in the subject premises, which has been occupied by a tavern for the past 44 years, 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 re-establishment of a tavern in a 2-story brick building, on premises at 2523 W. North Avenue, upon condition that the hours of operation shall be limited to the hours between 12:00 P.M. and 2:00 A.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: Helen R. Schuster
HEARANCES FOR: John J. Riley, Helen R. Schuster
APPEARANCES AGAINST:

CAL. NO. 326-90-Z
MAP NO. 9-P
MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 3506 N. Pioneer 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, Helen R. Schuster, onwer, on November 7, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story addition to a 1-story frame single-family residence on the rear of the lot, whose north side yard will be 3.85 feet instead of 4 feet and with no rear yard instead of 30 feet, on premises at 3506 N. Pioneer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 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, §7.8-2, §7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 26, 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 a 45' x 115' lot improved with a 1-story frame single-family residence on the rear of the lot; that the applicant resides at 8200 W. Cornelia (3500 N. Pioneer Avenue) and rents the subject premises for additional income; that the applicant hired a contractor to repair damage to the premises caused by frozen pipes who suggested that the addition of a 2nd floor would improve the existing building with resulting additional income from the property; that the said contractor upon assuring the applicant that all formalities would be taken care of, constructed the said 2nd floor addition without obtaining the necessary building permit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that although the Board finds it distastefully to consider a fait acompli situation, there are practical difficulties in complying with the north side yard and front yard regulations of the district; that due to the configuration of the existing structure on the rear of the lot and an on-site parking space on the south side of the structure, it would be architecturally and economically unfeasible to demolish and relocate the added 2nd floor living space; that

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the plight of the owner is due to unique circumstances in that the said addition was constructed without obtaining the necessary building permit and to the location of the existing residential structure on the rear of the subject lot; that the said 2nd story addition follows the building lines of the existing structure and will not impair an adequate supply of light and air to adjacent properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 heeby is granted to permit the erection of a 2nd story addition to a 1-story frame single-family residence on the rear of the lot, whose north side yard will be 3.85 feet instead of 4 feet and with no rear yard instead of 30 feet, on premises at 3506 N. Pioneer 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: Bank of Commerce & Industry
 APPEARANCES FOR: Michael D. Cotton, Robert J. Zeman
 APPEARANCES AGAINST: Marta Slemmons

CAL. NO. 327-90-S
 MAP NO. 15-N
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 6140 N. Northwest Highway
 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Bank of Commerce & Industry, owner, on November 5, 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 C1-1 Restricted Commercial District, on premises at 6140 N. Northwest Highway, to serve a bank located at 6100 N. Northwest Highway; 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, §8.4-1, §9.4-1, §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 26, 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 the said use is located in a C1-1 Restricted Commercial District; that the applicant bank located at 6100 N. Northwest Highway seeks to legalize the existing off-site accessory parking lot at the subject site; that the proposed accessory parking lot is necessary for the public convenience at this location to provide customer parking for the applicant bank at 6100 N. Northwest Highway; that the public health, safety and welfare will be adequately protected in the design, location and operation of the parking lot to be improved and operated under the conditions hereinafter set forth; and that the parking lot, located approximately 350 feet north of the applicant bank, is compatible with the existing improvements in the block and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 6140 N. Northwest Highway, to serve a bank located at 6100 N. Northwest Highway, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no

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commercial vehicles shall be parked upon said lot at any time; that the lot shall be surfaced with asphaltic concrete or some comparable all-weather dustless material and re-graded so as to properly drain to a centrally located sewer or sewers within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that there shall be no run-off onto adjoining properties; that steel beam guard rails, approximately 2 feet high, shall be erected on the periphery of the applicant's property, excepting driveways; that stripings shall be provided; that lighting shall be provided; that ingress and egress shall be from N. Northwest Highway; that the driveway(s) shall be constructed in accordance with applicable ordinances; that the parking lot shall be securely locked at all times when not in use by the applicant bank; 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: Mathew Jaffee
 HEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 328-90-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 3918 N. Greenview 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
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Mathew Jaffee, by Bernard I. Citron, for Mathew Jaffee, owner, on November 6, 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 3-dwelling unit townhouse building whose rear yard will be 19 feet instead of 30 feet, on premises at 3918 N. Greenview Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 a 25' x 164.5' lot which is bordered by public alleys on the west and south sides and N. Greenview Avenue on the east side and residential improvements on the north side; that the applicant seeks to erect a 3-story 3-dwelling unit townhouse building with enclosed garage parking on the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the rear yard variation requested is necessary to allow construction of the 3-story 3-dwelling unit townhouse building with enclosed garage parking as designed; that the plight of the owner is due to unique circumstances in that the 3-dwelling unit townhouse building requires greater encroachment into the required rear yard that would a yard conforming multi-unit apartment building; that four dwelling units could be constructed on the subject site; that the proposed townhouse development will be an improvement of a vacant lot which is an eyesore in the block; and that the variation, if granted, will be compatible with existing improvements in the block and will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 3-dwelling unit townhouse building whose rear yard will be 19 feet instead of 30 feet, on premises at 3918 N. Greenview Avenue, upon condition that an area for refuse collection receptacles shall be provided at the northwest corner of the subject site property; 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: Mathew Jaffee
APPEARANCES FOR: Bernard I. Citron
APPEARANCES AGAINST:

CAL. NO. 329-90-S
MAP NO. 9-G
MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED-- 3918 N. Greenview 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Mathew Jaffee, by Bernard I. Citron, for Mathew Jaffee, owner, on November 6, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of 4 of the 12 garage parking spaces in a proposed 3-dwelling unit townhouse building as off-site accessory parking to fulfill the parking requirement for the 6 dwelling units in the adjoining two structures at 3920 N. Greenview Avenue, in an R4 General Residence District, on premises at 3918 N. Greenview Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.4-4, §7.4-1(G)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 on December 14, 1990, in Calendar No. 328-90-Z, the Board granted a variation permitting the erection of a 3-story 3-dwelling unit townhouse building on the subject site whose rear yard will be 19 feet instead of 30 feet; that the applicant is seeking a special use to allow a minimum of 4 to a maximum of 6 parking spaces of the 12 parking spaces in the aforesaid 3-dwelling unit building as off-site accessory parking to fulfill the parking requirements for the 6 dwelling units in the adjoining two structures at 3920 N. Greenview Avenue which are also owned by the applicant; that the proposed use is necessary at the subject site to fulfill the parking requirement for the 6-dwelling units in the adjoining two structures at 3920 N. Greenview Avenue; that the 4 to 6 parking spaces located at 3918 N. Greenview Avenue are also necessary to make the dwelling units in the 2 structures at 3920 N. Greenview marketable as condominium dwelling units in this neighborhood which has a lack of off-street parking

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

APPLICANT: Philip and Vassa Neimark
 APPEARANCES FOR: William J. Hennessey, Vassa Neimark
 APPEARANCES AGAINST:

CAL. NO. 330-90-S
 MAP NO. 5-F
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 1925 N. Halsted 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, Philip and Vassa Neimark, owners, on November 9, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling space on the 1st floor in the renovation of the front 2-story portion of a 2 and 1-story brick building into a single-family dwelling with the rear 1-story portion to be used as a professional business office, in a B4-3 Restricted Service District, on premises at 1925 N. Halsted Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 26, 1990; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that on June 27, 1990 the City Council rezoned the subject site from R4 General Residence to B4-3 Restricted Service specifically for the establishment of a billard hall which development was abandoned and the subject property was subsequently conveyed to the applicants; that the subject site is improved with a 2 and 1-story brick commercial building constructed approximately 1910; that the applicants propose to renovate the building to provide a 2-story single-family residence in the front portion of the building and business offices in the one-story rear portion to be used for the applicants' business activities (financial analyst and interior designer); that no retail business will be conducted at the site; that the proposed use of the subject building, which was a nuisance and problem in the community, as a single-family dwelling with business offices, is in accordance with community wishes; that the public health safety and welfare will be adequately protected in the proposed use which will comply with all applicable building code regulations and which will provide on-site parking for the applicants' automobiles in a parking garage to be located south of the existing building; that

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that although the subject site was rezoned to B4-3, the improvements in this block are predominantly residential in character and that the renovation of the existing building at an investment of approximately \$750,000 to a single-family residence with office space 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 dwelling space on the 1st floor in the renovation of the front 2-story portion of a 2 and 1-story brick building into a single-family dwelling with the rear 1-story portion to be used as professional business offices, on premises at 1925 N. Halsted Street, 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 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: Marvin D. Smith, Jr.
 APPEARANCES FOR: Marvin D. Smith, Jr., Gerald L. Eisel
 APPEARANCES AGAINST:

CAL. NO. 331-90-Z
 MAP NO. 7-F
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 519 W. Wellington 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, Marvin D. Smith, Jr., owner, on November 13, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of an attached 2-story 24' x 25' x 21' high accessory building on the rear of the lot containing parking on the ground floor and storage/work room above of which the 2nd story portion will encroach vertically into the required rear yard, on premises at 519 W. Wellington Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.7-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990 after due notice thereof by publication in the Chicago Tribune on November 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 25' x 140' lot improved with a 2½-story brick residential building on the front of the lot and a partially constructed 1-story brick garage building on the rear of the lot; that a former 2-story garage structure was destroyed by fire in July of 1990 and that subsequently construction was begun on a new garage building; that the applicant originally filed an application for a variation to permit the erection of a garage with a full 2nd story containing a hobby workroom and storage area; that the ground floor garage portion of the building was erected under a separate building permit and is allowed on the subject site as a permitted obstruction in the required rear yard; that the applicant now seeks to erect a 2nd floor hobby workroom and storage addition to the existing structure which will conform to the north, south and east building lines of the newly constructed garage portion of the building but will end 5 feet from the west lot line leaving room for an enclosed walk-way on the west side of the garage building and accessibility, if necessary to the east wall of the abutting 3½-story brick apartment building; that the south facade of the garage building at the ground floor level will extend all the way to the west lot line and will have a

MINUTES OF MEETING

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separate entrance, as indicated in revised plans submitted, dated December 3, 1990, and hereby made part of the record in this case; 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 attached 2-story accessory building is necessary to provide off-street parking spaces and a workroom/storage area to meet the needs of the applicant; that the plight of the owner is due to the code requirement of a variation for any accessory building which exceeds the 15 feet height limitation; that the proposed 2-story accessory building will not impair an adequate supply of light and air to adjacent properties and is compatible with abutting improvements in the block which are located in the required rear yard; 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 an attached 2-story 24' x 25' x 21' high accessory building on the rear of the lot containing parking on the ground floor and storage/work room above, as designed in revised plans submitted, dated December 3, 1990, and part of the record of this case, of which the 2nd story portion will encroach vertically into the required rear yard, on premises at 519 W. Wellington Avenue, upon condition that an area be provided for refuse collection receptacles at the southwest corner of the subject site property and upon further condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Rosario Carrasco

CAL. NO. 332-90-A

APPEARANCES FOR:

MAP NO. 2-M

APPEARANCES AGAINST:

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December 14, 1990

PREMISES AFFECTED— 1116 S. Monitor Avenue

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
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: Jose & Hector Canales
 APPEARANCES FOR: Fernando Chavarria, Hector Canales
 APPEARANCES AGAINST:

CAL. NO. 333-90-A
 MAP NO. 12-I
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 2441-45 W. 47th Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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 & Hector Canales, owners, on November 1, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an automobile repair shop which includes body repair and painting in a 2-story brick building, in a B4-1 Restricted Service District, on premises at 2441-45 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 29, 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, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that evidence presented indicates that the subject premises has been occupied by commercial uses since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance, the last use having been a wood cabinet and counter manufacturing operation, a C use; that the change of use to an automobile repair shop, including body and fender work and spray painting, is a proper substitution of 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 of the Zoning Administrator be and it hereby is reversed and he is authorized to permit an automobile repair shop which includes body repair and painting in a 2-story brick building, on premises at 2441-45 W. 47th Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 4:30 P.M., Mondays through Fridays and from 8 A.M. to 2 P.M., Saturdays; that all repair work and painting shall be done within the subject premises; that no vehicles that have been repaired or are awaiting repair shall be stored on the city streets; 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: Francisco, Maria & Gloria Ruiz
 APPEARANCES FOR: Gloria Ruiz
 APPEARANCES AGAINST:

CAL. NO. 334-90-A
 MAP NO. 7-I
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 2925 N. Sacramento 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
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Francisco, Maria & Gloria Ruiz, owners, on November 6, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 3-dwelling units, in an R3 General Residence District; on premises at 2925 N. Sacramento Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-3, §7.12-1(4), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 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 evidence presented indicates that the 2-story brick building on the subject site has been occupied as 3-dwelling units since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellants have a right to continue the occupancy of the building as 3 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 2-story brick building as 3-dwelling units, on premises at 2925 N. Sacramento Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: D. Doyal
 APPEARANCES FOR: Stuart Edelstein, D. Doyal
 APPEARANCES AGAINST:

CAL. NO. 335-90-A
 MAP NO. 16-D
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 1360-74 E. 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, D. Doyal, owner, on November 13, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a laundrette in a 1-story brick store building, in an R4 General Residence District, on premises at 1360-74 E. 70th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 13, 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 December 14, 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 in a 1-story brick multi-store building occupied by an auto repair business at 1360-62 and a coin-operated laundromat at 1365-68 E. 70th Street; that on December 17, 1982, the Board sustained an appeal by the appellant permitting the establishment of a laundrette and dry cleaning pickup station in the 1-story brick building at the subject site, in Calendar No. 349-82-A; that the building on the subject site was severely damaged by fire in early 1989; that in June of 1989 the appellant applied to the Chicago Facade Rebate Program for funds to rehab the subject premises because his insurance payment was insufficient to cover the rehab work; that the appellant's rehab plans were approved and he began the rehab work; that the appellant was not able to obtain the requested rebate program funds and that subsequently the repair work on the building took more than a year to complete; that the appellant is now seeking to establish an automatic coin-operated laundrette and dry cleaning drop off/pick up station at the subject premises; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; that the use of the subject premises as an automatic laundrette and dry cleaning station is a proper use of the premises under Section 6.4-7 of the zoning ordinance; it is therefore

MINUTES OF MEETING

December 14, 1990

Cal. No. 335-90-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 permit the establishment of a launderette and drop-off/pick-up dry cleaning station in a 1-story brick multi-store building, on premises at 1360-74 E. 70th Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 9 P.M.; that at least one attendant shall be on the premises during all hours of operation; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Scandron Outdoor Advertising

CAL. NO. 336-90-A

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
December 14, 1990

PREMISES AFFECTED-- 350 W. Ontario Street

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

ACTION OF BOARD--

Appeal withdrawn upon motion of appellant.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

APPLICANT: Walter Swieton
 APPEARANCES FOR: Walter Swieton
 APPEARANCES AGAINST:

CAL. NO. 337-90-A
 MAP NO. 5-I
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 2342-46 N. California 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Walter Swieton, owner, on October 23, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit outdoor storage and display of merchandise in conjunction with a second-hand business, in a C1-1 Restricted Commercial District, on premises at 2342-46 N. California Avenue; 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, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 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 the said use is located in a C1-1 Restricted Commercial District; that the subject site is a portion of an irregular shaped lot improved with a 2-story brick commercial building on the south end and a frame shed open on three sides on the otherwise unimproved portion of the site; that the appellant operates a resale shop on the 1st floor of the 2-story building selling used furniture, appliances, etc.; that the vacant portion of the site is used for storage and display of additional resale items and is fenced; that second-hand and rummage shops are permitted uses in a C1-1 Restricted Commercial District provided all business, servicing or processing is conducted within completely enclosed buildings; that the appellant has a right to conduct a second-hand business in the 2-story building on the site; that under Section 9.3-1(4) of the zoning ordinance the Board has no authority to permit the outdoor storage and display of merchandise to be sold in conjunction with the existing business at the site; it is therefore

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

APPLICANT: Hal O. Chaney **CAL. NO.** 338-90-A
APPEARANCES FOR: Hal O. Chaney **MAP NO.** 18-E
APPEARANCES AGAINST: **MINUTES OF MEETING**
December 14, 1990
PREMISES AFFECTED— 7239 S. Calumet 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Hal O. Chaney, owner, on October 26, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a dwelling unit for the appellant's mother in the basement of a 2-story brick 2-dwelling unit building, in an R3 General Residence District, on premises at 7239 S. Calumet Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 18, 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, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 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 brick 2-dwelling unit building with a basement approximately 4 feet above curb level; that the appellant is seeking to establish a dwelling unit in the basement of the existing building on the subject site for his mother who is now in an out-of-state nursing home with Lou Gehrig's disease and whose medical benefits will soon expire; that a "dwelling unit" as defined in the zoning ordinance "consists of one or more rooms which are arranged, designed or used as living quarters for one family only, individual bathrooms are not necessarily provided, but complete single kitchen facilities, permanently installed, shall always be included for each dwelling unit"; that Section 7.5-3 of the zoning ordinance provides that in an R3 General Residence District, there shall not be less than 2,500 sq. ft. of lot area per dwelling unit; that the subject site lot is 5,280 sq. ft. and that in this case, 7,500 sq. ft. of lot area is required for 3 dwelling units; that the appellant has a right to duplex the basement space without the installation of separate kitchen facilities in order to provide living accommodations for his mother but is not permitted to establish a "dwelling unit" as defined in the zoning ordinance; 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: Willie Mango
PEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 339-90-A
MAP NO. 14-F
MINUTES OF MEETING
December 14, 1990

PREMISES AFFECTED— 5610 S. State Street

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

ACTION OF BOARD—

Case dismissed for
want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPLICANT: Jay Reed
 APPEARANCES FOR: Gary I. Wigoda, Felicia Reed
 APPEARANCES AGAINST: Alderman Roman C. Pucinski, et al.

CAL. NO. 305-90-Z
 MAP NO. 19-O
 MINUTES OF MEETING

PREMISES AFFECTED-- 7405 N. Odell 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
Joseph J. Spingola		X	
Roula Alakiotou		X	
Anthony J. Fornelli		X	
LeRoy K. Martin, Jr.		X	
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Jay Reed, owner, on October 12, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 26' x 42' addition to a 1-story brick single-family residence, whose north side yard will be 1.81 feet and whose south side yard will be 1.99 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.57 instead of 0.50, on premises at 7405 N. Odell Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.8-2, §11.7-4(13)(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 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 proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a 1-story brick single-family residence on a 3,744 sq. ft. lot; that the applicant proposes to erect a 2nd story 26' x 42' addition to the existing brick single-family residence on the subject site; that no evidence was presented to indicate that the property in question cannot yield a reasonable return nor be put to reasonable use without the requested variations; that the Board finds in this case that the applicant could expand the residence in compliance with the floor area ratio and yard requirements of the zoning ordinance; that the Board would be more amenable to granting the applicant's proposal if the proposed addition followed the existing building wall lines; that the plight of the owner is self created; that the proposed variations will adversely affect an adequate supply of light and air to the 1½-story residence abutting the subject site to the north; that the proposed addition will alter the essentially 1-story residence character of the block on this side of N. Odell Avenue and is not in the public interest; 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: Porky's, Inc.
PEARANCES FOR: William D. Dallas
APPEARANCES AGAINST:

CAL. NO. 271-90-S
MAP NO. 15-H
MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED— 5954 N. Paulina 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Porky's, Inc., owner, on August 31, 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, to serve an existing restaurant located at 5970 N. Ridge Avenue, on premises at 5954 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 8, 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(5), §7.7-4, §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 December 14, 1990 after due notice thereof by publication in the Chicago Tribune on October 1, 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 12,760 sq. ft. irregular shaped lot which fronts on N. Paulina Street and is bordered by public alleys on the north and west property lines and a multi-unit apartment building on its south property line; that the applicant corporation owns Carson's Ribs restaurants; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to provide employee and patron valet parking for a Carson's Ribs restaurant located at 5970 N. Ridge Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot will help alleviate traffic and parking congestion 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 an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 5954 N. Paulina

MINUTES OF MEETING

December 14, 1990

Cal. No. 271-90-5

Street, to serve an existing restaurant located at 5970 N. Ridge Avenue, upon condition that no use shall be made of the site for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of employee automobiles and valet parking of patron automobiles; and that no commercial vehicles shall be parked upon said lot at any time; that a 15 feet landscaped front yard shall be provided on the east side of the lot and shrubbery planted in a three foot south side yard; that a 5 foot high wood fence shall be erected on the west lot line, the northeast lot line, excepting the entrance/exit and behind the landscaped areas on the east and south sides of the subject lot, as indicated in the plan submitted, dated August 8, 1990; 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 lighting shall be provided directed away from abutting residential property; that striping shall be provided; that ingress and egress shall be from the public alley abutting the site to the northeast upon passage by the City Council of an ordinance allowing ingress and egress via the public alley; that the parking lot shall be open until 11:00 P.M. on weekdays, Midnight on Saturdays and 10:00 P.M. on Sundays; that the parking lot shall be monitored by the applicant corporation/restaurant during all hours of operation; that the lot shall be securely locked at all times when not in use by the restaurant; 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.

APPLICANT: Porky's, Inc.
APPEARANCES FOR: William D. Dallas
APPEARANCES AGAINST:
PREMISES AFFECTED— 5954 N. Paulina Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 272-90-Z
MAP NO. 15-H
MINUTES OF MEETING
 December 14, 1990

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

THE RESOLUTION:

WHEREAS, Porky's, Inc., owner, on August 31, 1990, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the establishment of an automobile parking lot with a south side yard of 3 feet, on premises at 5954 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 8, 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(5), §7.7-4, §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 December 14, 1990 after due notice thereof by publication in the Chicago Tribune on October 1, 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 December 14, 1990, in Cal. No. 271-90-S, the Board approved, under certain conditions, the establishment of an off-site accessory parking lot for the parking of private passenger automobiles at the subject site, to serve an existing restaurant located at 5970 N. Ridge 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 parking lot layout, as designed in new plans submitted, dated August 8, 1990, necessitates the requested 3 foot side yard variation; that the plight of the owner is due to the desire to comply with the request of the homeowners in the community to provide a landscaped buffer between the said parking lot and the residential improvements located immediately south of the subject parking lot; that with the provision of a landscaped 3 foot south side yard, the said off-site accessory employee and customer valet parking lot 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

December 14, 1990
Cal. No. 272-90-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 establishment of an automobile parking lot with a south side yard of 3 feet, on premises at 5954 N. Paulina Street, upon condition that the parking lot shall be designed in accordance with new plans submitted, dated August 8, 1990, indicating a 3 foot south side yard with landscaping and in compliance with the standards and conditions set forth in Calendar No. 271-90-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Christina Szombathy
 APPEARANCES FOR: Howard Kilberg
 APPEARANCES AGAINST: James Hulbert, et al.

CAL. NO. 289-90-A
 MAP NO. 5-G
 MINUTES OF MEETING
 December 14, 1990

PREMISES AFFECTED-- 1822 N. Sheffield 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Christiana Szombathy, for John Hurst, owner, on September 19, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a dog training center in a portion of a non-conforming 1-story brick building containing a non-conforming light assembly and ware house use, in an R4 General Residence District, on premises at 1822 N. Sheffield 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, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 14, 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 in a portion of a non-conforming 1-story brick building containing a non-conforming light assembly and ware house use, on the subject site; that on August 2, 1961 the Board sustained an appeal permitting issuance of a certificate of occupancy for a machine shop in the 1-story brick building at the subject site, in Calendar No. 408-61-A; that the appellant is the tenant of the entire 1-story non-conforming building at the subject site and operates an iron mongering use in the basement area of said building; that the appellant seeks to establish a dog obedience training center in the portion of the building previously occupied by the light assembly and ware house use; that licensing requirements have caused the case to be filed; that the applicant's proposed operation consists of obedience classes taught by two instructors subcontracted by the appellant; that each class period handles from 5 to 7 dogs; that no dogs are boarded overnight; that the former light assembly and ware house use operated five days a week during normal business hours and sometimes on Saturday; that the proposed use would operate from 7 P.M. to 9 P.M., Monday through Thursday and from 11 A.M. to 5 P.M., Saturday; that testimony presented by parties in opposition to the appeal indicates that the subject premises is not fenced on the N. Maud Street frontage and that an entry door is left open; that classes often last later than 9 P.M. on week nights; that some dogs are being

MINUTES OF MEETING

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Cal.No. 289-90-A

trained as security dogs; that the Board finds that the change of use from a light assembly and ware house use operated during day time hours only to a dog obedience training center operated 4 days a week during evening hours and on Saturdays from 11 A.M. to 5 P.M. is more intense in nature and that increased vehicle traffic would be brought to the neighborhood causing increased parking congestion in the block if the proposed use were permitted to operate; that under Section 6.4-7 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.

APPLICANT: Edward Kaloo

CAL. NO. 129-88-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING

December 14, 1990

PREMISES AFFECTED— 4750 N. Hermitage Avenue

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator
Circuit Court Remand, R3: White v. ZBA, No. 88CH8096

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		

MINUTES OF MEETING

December 14, 1990

Cal. No. 209-90-Z

Ms. Susan M. Langlotz, for Jerome Pott, owner, presented a written request for and extension of time in which to obtain necessary building permit for the erection of 1st and 2nd story additions to a 1-story brick single-family residence, whose north side yard will be 6 inches instead of 5 feet, on premises at 6949 N. Medford Avenue, which variation was granted by the Board on July 20, 1990, in Calendar No. 209-90-Z.

Ms. Langlotz stated that Mr. Pott was unexpectedly laid off from his job shortly before the variation was granted and was not able to secure new employment until mid-October. Consequently he was unable to proceed with the financing arrangements made in conjunction with the said additions to the single-family residence.

Chairman Spingola moved that the request be granted and the time extended to July 20, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
December 14, 1990
Cal. No. 276-89-S

Mr. Frank Lyons, owner, presented a written request for an extension of time in which to obtain necessary building permit for the erection of an auto laundry consisting of 6 self-service bays and 2 automatic bays, on premises at 18-30 N. Laramie Avenue, which special use was approved by the Zoning Board of Appeals on November 17, 1989, in Calendar No. 276-89-S.

Mr. Lyons stated that he was unable to start the project within the one year term of the special use because of a family medical crisis and that with a one year extension of time will be able to complete the project because he has now hired a professional architect and general contractor to obtain the necessary building permits, etc.

Chairman Spingola moved that the request be granted and the time extended to November 17, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 14, 1990

Cal. No. 115-90-Z

Mr. J.B. Landaker, Architect, for Chaim Kiffel, owner, presented a written request for an extension of time in which to obtain necessary building permit for the erection of a 2-story addition and enclosed foyer to the southwest side of a 2-story brick single-family residence, whose west side yard will be 3.88 feet instead of 4.65 feet and whose total floor area ratio will be 0.54 instead of 0.50, on premises at 2915 W. Fargo Avenue, granted by the Zoning Board of Appeals on April 20, 1990, in Calendar No. 115-90-Z.

Mr. Landaker stated that the request for an extension of time is necessary due to the amount of time needed to finish their drawings, bidding and securing the right general contractor. Mr. Landaker also stated that during the bidding process there was a necessity to reduce the size of the proposed addition and submitted revised plans, dated October 25, 1990.

Chairman Spingola moved that the request be granted and the time extended until November 20, 1991 for obtaining necessary building permits for the proposed 2-story addition and enclosed foyer upon condition that the addition shall be constructed according to revised plans submitted, dated October 25, 1990. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 14, 1990

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on January 18, 1991.

Marian Rest
Secretary