

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, August 16, 1991

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

The following members were present and constituted a quorum:

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

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Member Martin moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on July 19, 1991 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Alex B. Galauskas
 APPEARANCES FOR: Alex B. Galauskas
 APPEARANCES AGAINST:

CAL. NO. 177-91-Z
 MAP NO. 11-M
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 6258 W. Cuyler 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, Alex B. Galauskas, owner, on June 10, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 22' x 24' detached accessory parking garage on the rear of a reversed corner lot improved with a 2½-story residence, whose west yard will be 2 feet instead of 13.2 feet and whose north yard will be 1 foot instead of 5 feet, on premises at 6258 W. Cuyler Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.6-4, §7.8-2, §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 30' x 117' reversed corner lot with no alley access and is improved with a 1½-story frame residential building and the said 22' x 24' detached accessory parking garage on the rear of the lot with ingress and egress onto N. Mobile 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 said garage is necessary to provide off-street parking for two automobiles and replaces the former delapidated garage structure located on the rear of the lot; that the plight of the owner is due to unique circumstances in that the subject site is a reversed corner lot with no alley access which necessitates the yard variations requested; that the said garage will not alter the essential character of the locality in that it conforms to the foot-print of the original garage structure and it does not violate the 15 feet height limitation permitted in the required rear yard; 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 22' x 24' detached accessory parking garage on the rear of a reversed corner lot improved with a 1½-story residence, whose west yard will be 2 feet instead of 13.2 feet and whose north yard will be 1 foot instead of 5 feet, on premises at 6258 W. Cuyler Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Wladyslaw Krywult
 APPEARANCES FOR: John J. Pikarski, Jr., Chris Piotrowski
 APPEARANCES AGAINST:

CAL. NO. 178-91-Z
 MAP NO. 7-M
 MINUTES OF MEETING
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PREMISES AFFECTED— 2934 N. Marmora 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, Wladyslaw Krywult, owner, on June 17, 1991, 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 1-story brick single-family residence, whose north side yard will be 2.06 feet and whose south side yard will be 2.91 feet instead of 3 feet each, on premises at 2934 N. Marmora Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 13, 1991, 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, §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 124.33' lot improved with a 1-story brick single-family dwelling with an existing small attic dormer and a larger attic dormer under construction; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in the district in that the said dormering of the attic is necessary to provide additional living space for the applicant and his family; that the plight of the owner is due to unique circumstances in that the side yards established by the first floor of the existing residential building necessitate the side yard variations requested; that the said attic dormer will be compatible with existing improvements in this block, many of which do not conform with the side yard requirements of the zoning ordinance and several of which have similar attic dormer additions; 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

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zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 1-story brick single-family residence, whose north side yard will be 2.06 feet and whose south side yard will be 2.91 feet instead of 3 feet each, on premises at 2934 N. Marmora Avenue, upon condition that no kitchen facility shall be provided in the attic dormer addition; 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: Minas Gorguis
APPEARANCES FOR: Gary I. Wigoda
APPEARANCES AGAINST:

CAL NO. 179-91-Z
MAP NO. 15-J
MINUTES OF MEETING
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PREMISES AFFECTED— 6330 N. Springfield 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, the Minas Gorguis, owner, on June 24, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 25' x 40' 2nd story addition to a 1-story brick single-family dwelling and a 1-story 12' x 14' addition with a 12' x 25' attached garage to the rear southwest side on a triangularly shaped lot with no south side yard instead of 4 feet and whose rear yard will be 3 feet instead of 30 feet, on premises at 6330 N. Springfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 24, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-2, §7.8-2(2), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 a 4,870 sq. ft. triangular-shaped lot with no alley access and improved with a 1-story brick single-family dwelling; that the applicant proposes to erect a 25' x 40' 2nd story addition and a 12' x 14' 1-story kitchen addition with roof deck and 12' x 25' garage addition to the rear southwest side of the existing residential structure; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to meet the needs of the applicant and his extended family; that the plight of the owner is due to the triangular shaped lot which necessitates the south side yard and rear yard variations requested; that the proposed additions will not impair an adequate supply of light and air to adjacent property and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 25' x 40' 2nd story addition to a 1-story brick single-family dwelling and a 1-story 12' x 14' addition with a 12' x 25' attached garage to the rear southwest side on a triangularly shaped lot, with no south side yard instead of 4 feet and whose rear yard will be 3 feet instead of 30 feet, on premises at 6330 N. Springfield 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 606

APPLICANT: Michael Raitzik
 APPEARANCES FOR: Jordan R. Garelick
 APPEARANCES AGAINST:

CAL. NO. 180-91-Z
 MAP NO. 15-J
 MINUTES OF MEETING
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PREMISES AFFECTED-- 6154 N. Central Park 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, Michael Raitzik, owner, on July 2, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 4.33' x 19.5' 2nd floor addition to the northeast side and a 7.65' x 12.4' 1st floor and 12' x 28' 2nd floor addition to the rear of a 2-story brick single-family dwelling, whose north side yard will be 1.82 feet and whose south side yard will be 3 feet instead of combined side yards of 9.84 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6154 N. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 17, 1991, 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(13). §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 a 32.82' x 127.54' reversed corner lot improved with a 2-story brick Georgian-style brick single-family dwelling; that the applicant proposes to erect a 4.33' x 19.5' 2nd floor addition to the northeast side and a 7.65' x 12.4' 1st floor and 12' x 28' 2nd floor addition to the rear of the existing 2-story single-family dwelling and whose total floor area ratio will be 0.65 instead of 0.50; 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 additions as proposed is the only economical way the applicant can use his property to best advantage; that the plight of the owner is due to unique circumstances in that the applicant has a large family, consisting of a wife and 8 children and needs additional living space to accommodate the needs of his family; that no one appear in opposition to the applicant's proposal; that the proposed

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additions will not alter the front facade of the existing single-family dwelling and will follow the existing north building line; 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 district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4.33' x 19.5' 2nd floor addition to the northeast side and a 7.65' x 12.4' 1st floor and 12' x 28' 2nd floor addition to the rear of a 2-story brick single-family dwelling, whose north side yard will be 1.82 feet and whose south side yard will be 3 feet instead of combined side yards of 9.84 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6154 N. Central Park 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: Avrohom Chesney
 APPEARANCES FOR: Jerome R. Garelick
 APPEARANCES AGAINST: James Skoubis, et al.

CAL NO. 181-91-Z
 MAP NO. 16-J
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED-- 6216 N. Monticello 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, Avrohom Chesney, owner, on June 19, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story addition to the rear of a 2-story brick single-family residence, whose north side yard will be 3.42 feet and whose south side yard will be 2.81 feet instead of combined side yards of 9.3 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6216 N. Monticello Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 16, 1991, 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), §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 a 31' x 127.34' lot improved with a 2-story brick Georgian-style single-family dwelling; that the applicant proposes to erect a 2-story addition to the rear of the existing residential building which will result in a floor area ratio of 0.65 instead of 0.50; 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 2-story addition as proposed is necessary to provide additional living space in the existing 2-story single-family dwelling; that the plight of the owner is due to unique circumstances in that the applicant has a wife and 7 children and are expecting another child and needs additional living space to accommodate the needs of his family; that the proposed addition, which will follow the side walls of the existing residential building, will not substantially 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

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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 2-story addition to the rear of a 2-story brick single-family residence, whose north side yard will be 3.42 feet and whose south side yard will be 2.81 feet instead of combined side yards of 9.3 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6216 N. Monticello 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: Solomon & Sarah Newmark
 APPEARANCES FOR: Solomon Newmark
 APPEARANCES AGAINST:

CAL. NO. 182-91-Z
 MAP NO. 15-J
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 6335 N. Monticello 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, Solomon & Sarah Newmark, owners, on June 12, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story addition to the rear of a 2-story brick single-family dwelling, whose side yards will each be 2.96 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6335 N. Monticello Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 30, 1991, 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), §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 a 30' x 126.53' lot improved with a 1 and 2-story brick Georgian-style single-family dwelling; that the applicant proposes to remove the east side walls of the existing residence and the south wall of the existing 1-story addition and erect a 2-story addition which will extend 19 feet into the east rear yard; that the 2-story addition as proposed will follow the existing north and south building walls; 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 2-story addition, consisting of an extended kitchen and den on the first floor and 2 bedrooms and bath on the second floor, is necessary to meet the needs of the applicant and family; that the plight of the owner is due to unique circumstances in that the applicant has a large family consisting of 2 adults and 6 children and needs additional living space to accommodate their needs; that no one appeared in opposition to the applicant's proposal; that the proposed addition will not impair an adequate supply of light and air to adjacent properties

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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 2-story addition to the rear of a 2-story brick single-family dwelling, whose side yards will each be 2.96 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6335 N. Monticello 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: Betty Davenport
 APPEARANCES FOR: Betty Davenport, Sylvester Wilson
 APPEARANCES AGAINST:

CAL. NO. 183-91-Z
 MAP NO. 24-G
 MINUTES OF MEETING
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PREMISES AFFECTED— 10227 S. Peoria 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
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Betty Davenport, owner, on June 24, 1991, 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 24' x 43' addition to a 1-story brick single-family dwelling, whose north side yard will be 2.83 feet and whose south side yard will be 3.17 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 10227 S. Peoria Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 14, 1991, 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(1)(11)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 123.25' lot improved with a 1-story brick single-family dwelling and a partially completed 24' x 43' 2nd floor addition; that the applicant hired a carpenter to straighten the roof of her residence after it was damaged by a fallen tree; that the carpenter persuaded the applicant to add a second floor to her existing 1-story dwelling; that the carpenter did not obtain the proper building permit for the construction work; that the carpenter testified that he holds no professional or city license and that his work consists of "straightening out plans architects mess up"; that the applicant has already spent \$28,000 for the existing construction work with aluminum siding and gutter work to be completed; 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 applicant, who is legally blind and has a mentally ill adult daughter residing with her, requires the additional second floor living space consisting of two bedrooms a sitting room and bath, to satisfy additional living space requirements; that the plight of the owner is due to unique circumstances in that due to amount of money already spent on

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the construction work, it would be economically and architecturally unfeasible to remove the second floor addition as it presently exists; that no one appeared in opposition to the applicant's proposal; that the said addition follows the existing building lines of the first floor 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 erection of a 2nd story 24' x 43' addition to a 1-story brick single-family dwelling, whose north side yard will be 2.83 feet and whose south side yard will be 3.17 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 10227 S. Peoria Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: David J. Dubin
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 184-91-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 1750 W. Julian 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
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, David J. Dubin, for Colonial Bank, Tr. #1776, owner, on June 7, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 40.33' x 98' six-dwelling unit building on a reversed corner lot, with no south front yard instead of 5.76 feet, whose west side yard will be 2 feet instead of 6 feet and whose north rear yard will be 7.67 feet instead of 30 feet, on premises at 1750 W. Julian Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 28, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 on June 12, 1991, the City Council rezoned the subject site from R4 to R5 General Residence specifically for the proposed 3-story 6-dwelling unit building; that the subject site is a 48.04' x 100' reversed corner lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 6 dwelling unit building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that while the proposed 6-dwelling units are less than the amount permitted in the district, the proposed 3-story building requires greater land coverage on this 4,804 sq. ft. lot with encroachment into the required yards that would a yard conforming multi-story rental apartment building; that the proposed 3-story 6-dwelling unit building with on-site garage parking for each dwelling unit is compatible with existing improvements in the area and will not alter the essential character of the locality; it is therefore

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Cal. No. 184-91-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 40.33 x 98' six-dwelling unit building on a reversed corner lot, with no south front yard instead of 5.76 feet, whose west side yard will be 2 feet instead of 6 feet and whose north rear yard will be 7.67 feet instead of 30 feet, on premises at 1750 W. Julian Street, upon condition that a recessed 2½' x 4' trash receptacle area shall be provided in each of the dwelling unit's parking garage; 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: David J. Dubin
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 185-91-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 AUGUST 16, 1991

PREMISES AFFECTED— 1751 W. Julian 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
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, David J. Dubin, for Suburban Trust and Savings, Tr. #4352, owner, on June 7, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 42' x 98' six-dwelling unit building on a reversed corner lot, with no front yard instead of 8.4 feet, whose west side yard will be 2 feet instead of 6 feet and whose south rear yard will be 28 feet instead of 30 feet, on premises at 1751 W. Julian Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 28, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 on June 12, 1991, the City Council rezoned the subject site from R4 to R5 General Residence specifically for the proposed 3-story 6-dwelling unit building; that the subject site is a 70.06' x 100' reversed corner lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 6 dwelling unit building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that while the proposed 3-story 6 dwelling units are less than the amount permitted in the district, the proposed 3-story building requires greater land coverage with encroachment into the required yards than would a yard conforming multi-story rental apartment building; that the proposed 3-story 5-dwelling unit building with on-site garage parking for each dwelling unit is compatible with existing improvements in the area and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1991

Cal. No. 185-91-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 42' x 98' six-dwelling unit building on a reversed corner lot, with no front yard instead of 8.4 feet, whose west side yard will be 2 feet instead of 6 feet and whose south rear yard will be 28 feet instead of 30 feet, on premises at 1751 W. Julian Street, upon condition that a recessed 2½' x 4' trash receptacle area shall be provided in each of the dwelling unit's parking garage; 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: Kenwood Manors, Ltd., by Schema Design Group, Ltd.
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 186-91-Z
MAP NO. 12-D
MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 4926 S. Blackstone Avenue.

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

ACTION OF BOARD—

Case continued to
October 18, 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 806

APPLICANT: South Woodlawn Limited Partnership
 APPEARANCES FOR: David Reifman
 APPEARANCES AGAINST:

CAL. NO. 187-91-S
 MAP NO. 16-D
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 1500-02 E. 67th 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, South Woodlawn Limited Partnership, for American National Bank & Trust Company of Chicago, Tr. #110859-09, owner, on June 27, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit on the ground floor of a 3-story and basement brick building to be converted from 11 dwelling units and 2-stores to 12 dwelling units, in a B4-3 Restricted Service District, on premises at 1500-02 E. 67th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1991, 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(3), §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 the subject site is a 50' x 126.6' lot improved with a vacant and vandalized 3-story brick building containing 11 dwelling units and two retail stores on the ground floor level; that the applicant proposes to rehabilitate and develop the subject property into low to moderate income housing and eliminate the two ground floor retail stores for a fully handicapped-accessible dwelling unit for a mobility impaired individual; that a portion of the project funding will be through public sources such as the Department of Housing Community Block Grant funds and Illinois Housing Trust Fund which gives preferential treatment to projects which provide handicapped-accessible dwelling units; that the proposed ground floor dwelling unit is necessary for the public convenience at this location in that most of the financing for the proposed 12-dwelling unit building is from federal housing programs which funding would not be available to the applicant if retail uses were continued on the ground floor level; 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;

MINUTES OF MEETING

August 16, 1991

Cal. No. 187-91-S

that the rehabilitation of this vacant and delapidated building into low and moderate income housing with the subject ground floor handicapped-accessible dwelling unit fulfills a need for such housing in the community 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 dwelling unit on the ground floor of a 3-story and basement brick building to be converted from 11 dwelling units and 2 stores to 12 dwelling units, on premises at 1500-02 E. 67th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: South Woodlawn Limited Partnership
 APPEARANCES FOR: David Reifman
 APPEARANCES AGAINST:

CAL NO. 188-91-Z
 MAP NO. 16-D
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED-- 1500-02 E. 67th 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, South Woodlawn Limited Partnership, for American National Bank & Trust Company of Chicago, Tr. #110859-09, owner, on June 27, 1991, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the conversion of a 3-story and basement building from 11 dwelling units and 2 stores to 12 dwelling units, with no provision for 1 parking space for the additional dwelling unit, on premises at 1500-02 E. 67th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.11-2(3), §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 subject site is located in a B4-3 Restricted Service District; that on August 16, 1991, the Board approved the applicant's special use application for the approval of the establishment of a dwelling unit on the ground floor of a 3-story and basement brick building to be converted from 11 dwelling units and 2-stores to 12 dwelling units, at the subject site, in Calendar No. 188-91-S; 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 no off-street parking is currently provided for the existing building at the subject which is built substantially lot line to lot line and that to provide an off-street parking space on this property for the additional dwelling unit would require the alteration of exterior building walls and reduction of space available for the proposed dwelling units; that the plight of the owner is due to unique circumstances in that the building on the subject site was erected prior to the passage of the 1957 comprehensive amendment to the zoning ordinance, at which time no off-street parking spaces were required under the zoning ordinance for the building's dwelling units and retail space; that

MINUTES OF MEETING

August 16, 1991

Cal. No. 188-91-Z

the variation, if granted, will not alter the essential character of the locality in that the waiver of one off-street parking space will not materially affect off-street parking in the neighborhood; 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 conversion of a 3-story and basement building from 11 dwelling units and 2 stores to 12 dwelling units, with no provision for 1 parking space for the additional dwelling unit, on premises at 1500-02 E. 67th 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: Peter and Benita Levy
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 189-91-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 1874 N. Howe 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
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Peter and Benita Levy, owners, on July 1, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story with basement single family dwelling, whose front yard will be 6.4 feet instead of 15 feet and whose north side yard will range from zero to 1.5 feet instead of 2.6 feet, on premises at 1874 N. Howe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 26' x 125' lot improved with a 2-story brick 2-dwelling unit building on the front of the lot and a frame garage at the rear; that the north wall of the existing residential building is located on the north lot line; that the applicant proposes to demolish the existing residential building and erect a 3-story single-family residence with partial basement and which will be connected to a new accessory parking garage in 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 the north side yard variation requested is necessary to construct the single-family dwelling with habitable rooms and that to conform with the front-yard set back requirement of the zoning ordinance would eliminate the use of the back yard area between the proposed residential building and the garage; that the plight of the owner is due to unique circumstances in that the applicant desires to use as much of the foundation of the original building as possible and the inability to obtain a construction easement from the property owners to the north which necessitates the north side yard set-back variation; that the proposed variations, if

MINUTES OF MEETING

August 16, 1991

Cal. No. 189-91-Z

granted, will not alter the essential character of the locality in that the proposed 3-story single-family dwelling will be compatible with existing residential improvements in the block, many of which do not comply with the north side yard and front yard set-back requirements of the zoning ordinance and will not impair an adequate supply of light and air to adjacent properties; 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 with partial basement single-family dwelling, whose front yard will be 6.4 feet instead of 15 feet and whose north side yard will range from zero to 1.5 feet instead of 2.6 feet, on premises at 1874 N. Howe Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Public Building Commission and the Board of Education

CAL NO. 190-91-Z

APPEARANCES FOR: Terry Diamond

MAP NO. 19-H

APPEARANCES AGAINST: Irene Trion

MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 7400-28 N. Wolcott 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, the Public Building Commission and the Board of Education, for Public Building Commission, owner, on June 27, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story elementary school building, with a floor area ratio of approximately 1.47 instead of the maximum 1.40, on premises at 7400-28 N. Wolcott Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-4, §7.12-1, §11.7-4)." and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 45,095 sq. ft. vacant reversed corner lot; that the applicant proposes to construct an approximately 29,085 sq. ft. elementary school building at the subject site to accommodate 676 students in pre-school through 8th grade; that the proposed school building will contain the following facilities: 19 classrooms, 2 special education rooms, 3 kindergarten and 2 pre-school rooms, computer and science labs, library center, art room, full service kitchen, student dining room, an administrative suite, gymnasium and a multi-purpose room which will serve as an auditorium and meeting room during and after school hours; that the property in question in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the regulations in this district in that the floor area ratio variation requested is necessary to provide separate classrooms and recreational areas for the pre-school and kindergarten children and the aforesaid multi-purpose meeting room, as designed, on the first floor of the proposed school building; that the plight of the owner is due to the necessity of providing a modern, functional school building, as designed, to help alleviate overcrowding at the Gale and

MINUTES OF MEETING

August 16, 1991

Cal. No. 190-91-Z

Armstrong schools; that the proposed elementary school located across W. Fargo Street from Pottawattomie Park is compatible with existing residential improvements in the neighborhood and with adequate off-street parking provided for at 1827 W. Birchwood Avenue in Calendar No. 191-91-S, 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 elementary school building, with a floor area ratio of approximately 1.47 instead of the maximum 1.40, on premises at 7400-28 N. Wolcott Avenue, upon condition that off-street parking shall be located at 1827 W. Birchwood Avenue as provided for in Calendar No. 191-91-S; 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: Public Building Commission and the Board of Education

CAL. NO. 191-91-S

VARIANCES FOR: Terry Diamond

MAP NO. 19-H

VARIANCES AGAINST: Irene Trion

MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 1827 W. Birchwood 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, the Public Building Commission and the Board of Education, for Public Building Commission, owner, on June 27, 1991, 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 1827 W. Birchwood Avenue, to satisfy the parking requirement for a proposed elementary school at 7400-28 N. Wolcott Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1991, 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, §7.12-2, §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; and

WHEREAS, the district maps show that the premises is located in 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 14,373 sq. ft. parcel of land currently improved with a vacant 2-story frame residential building; that on August 16, 1991, the Board granted the applicant's variation application to permit the erection of a 3-story elementary school building, with a floor area ratio of approximately 1.47 instead of the maximum 1.40, on premises at 7400-28 N. Wolcott Avenue; that the applicant proposes to demolish the existing residential building and establish an off-site accessory parking lot at the subject for use by school staff; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the elementary school to be located at 7400-28 N. Wolcott Avenue, approximately a half block west of the subject site; that the public health, safety and welfare will be adequately protected in the design, location and operation of the off-site accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that the parking lot is abutted by railroad tracks to the east and public alleys to the west and south; it is therefore

MINUTES OF MEETING

August 16, 1991

Cal. No. 191-91-S

RESOLVED. that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1827 W. Birchwood Avenue, to satisfy the parking requirement for a proposed elementary school at 7400-28 N. Wolcott Avenue, 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 belonging to the aforesaid elementary school staff and that no commercial vehicles shall be parked upon said lot at any time; that landscaping and trees shall be provided on the east and west sides of the lot as indicated in Plan A-1 submitted, dated May 20, 1991; that the balance of the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material 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 concrete wheel stops shall be provided; that lighting shall be provided directed away from residential property located across the alley to the west; that ingress and egress to the site shall be from W. Birchwood Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress from the public alleys abutting the site; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and §5.8-5 of the zoning ordinance.

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

APPLICANT: Wabash Limited Partnership
APPEARANCES FOR: Gary I. Wigoda
APPEARANCES AGAINST:

CAL. NO. 192-91-S
MAP NO. 4-E
MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 1318-52 S. Wabash 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, Wabash Limited Partnership, owner, on June 18, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 103 dwelling units, in a B4-5 Restricted Service District, on premises at 1318-52 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 18, 1991, 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, §8.3-4A(1), §8.4-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; and

WHEREAS, the district maps show that the premises is located in a B4-5 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 B4-5 Restricted Service District; that on June 12, 1991, the City Council rezoned the subject site from C3-5 Commercial-Manufacturing to B4-5 Restricted Service specifically for the proposed residential development; that the subject site is improved with several old vacant commercial buildings, one of which is the 10-story former Coca Cola headquarters building at 1322-30 S. Wabash Avenue and a 3-story building at 1332-34 which will be rehabbed to the proposed 103-dwelling unit building and buildings at 1318 and 1320 S. Wabash Avenue which will be demolished for off-street parking space; that the proposed use is necessary for the public convenience at this location due to the lack of demand for ground floor business space in this 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, provide adequate off-street parking and retain existing loading dock facilities; that due to the Landmark status of the existing 10-story former Coca Cola building, the exterior facade must remain; that the proposed use of the property for dwelling units will be compatible with the renovation trend in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 16, 1991

Cal. No. 192-91-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 103 dwelling units, on premises 1318-52 S. Wabash 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: Action Iron & Metal, Inc.

CAL. NO. 193-91-S

APPEARANCES FOR:

MAP NO. 8-J

APPEARANCES AGAINST:

MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 3315 W. 31st Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
October 18, 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: International Double Drive Thru, Inc.
VARANCES FOR: James M. Kane
APPEARANCES AGAINST: Allan Streeter, et al.
PREMISES AFFECTED— 36-48 W. 79th Street
SUBJECT— Application for the approval of a special use.

CAL. NO. 194-91-S
MAP NO. 18-F
MINUTES OF MEETING
 August 16, 1991

ACTION OF BOARD—

Application approved.

COPY

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, International Double Drive Thru, Inc., for Al Copeland Enterprises, owner, on June 21, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed restaurant, in a B4-2 Restricted Service District, on premises at 36-48 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 19, 1991, 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(5)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 an approximately 13,500 sq. ft. irregularly shaped lot currently used as a parking lot for a fast food restaurant located at 56 W. 79th Street; that the applicant proposes to construct a Checkers Restaurant with outdoor patio and table area on the subject site and to provide double drive-through service in conjunction with said use; that the proposed drive-through facility is necessary for the public convenience at this location to provide an additional service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility with provision of the following: directional ingress and egress signs, ingress to the drive-through portion of the site from the existing driveways on S. Lafayette Avenue and W. 79th Street, egress from the drive-through portion of the site from a new driveway located at the southwest corner of the site onto W.79th Street, a 6 feet high board and batten fence on the north lot line to screen the drive-through facility from residential properties located across the alley, prohibition of any outside music broadcasting, outdoor

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

APPLICANT: Allright Parking Chicago, Inc.
APPEARANCES FOR: James M. Kane
APPEARANCES AGAINST:

CAL. NO. 195-91-S
MAP NO. 1-F
MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 530-48 N. State St., 2-36 W. Grand Ave., 531-51 N. Dearborn St. and
SUBJECT— 1-35 W. Ohio St.
 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, Allright Parking Chicago, Inc., for the American Medical Association, owner, on June 24, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a non-accessory public parking lot for the parking of private passenger automobiles, in B7-5 and B7-6 General Central Business Districts, on premises at 530-48 N. State Street, 2-36 W. Grand Avenue, 531-51 N. Dearborn Street and 1-35 W. Ohio Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 18, 1991, 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, §8.4-7(3), §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; and

WHEREAS, the district maps show that the premises is located in a B7-5 and a B7-6 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-5 and a B7-6 General Central Business District; that the subject site is a 359' x 218' lot improved with a 12-story hotel building on W. Ohio Street and a 4-story brick store and apartment building at the southeast corner of W. Ohio and N. State Streets; that the applicant proposes to demolish the existing buildings and establish a non-accessory public parking lot at the site; that the proposed parking lot is necessary for the public convenience at this location in that this is a high density area with a great need for public parking; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot, with a terminal date of August 16, 1996, will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

August 16, 1991

Cal. No. 195-91-S

Zoning Administrator is authorized to permit the establishment of a non-accessory public parking lot for the parking of private passenger automobiles, on premises at 530-48 N. State Street, 2-36 W. Grand Avenue, 531-51 N. Dearborn Street and 1-35 W. Ohio Street, upon condition that no use shall be made of the property 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 the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material 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 lot shall be enclosed, excepting driveways, with a 2 feet high steel beam guard rail; that ingress shall be from W. Ohio Street, N. State Street and N. Dearborn Street; that egress shall be onto N. State Street and N. Dearborn Street; that lighted directional ingress and egress signs shall be provided at the established entrances and exits; that lighting and striping shall be provided; that the parking lot shall comply with applicable provisions of the Urban Design Guidelines: A Vision for North State Street, the River North Urban Design Plan, and City of Chicago Landscape Ordinance, and all other applicable ordinances of the City of Chicago; that the use of the premises as a public parking lot shall terminate five years from the date hereof, on August 16, 1996. 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:

First Chicago Trust of IL., Tr. #25-11017 and
Devon Bank, Tr. #'s 1446-5, 5077, 5100

CAL. NO. 196-91-S

VARANCES FOR:

Mark J. Ballard

MAP NO. 15-J

VARANCES AGAINST:

MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED—

south of the alley at the rear of 3925-39 W. Devon 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, First Chicago Trust of IL, Tr. #25-11017 and Devon Bank, Tr. #'s 1446-5, 5077, 5100, owner, on July 3, 1991, 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 south of the alley at the rear of 3925-39 W. Devon Avenue, to serve an existing restaurant and proposed banquet facility at 3935 and 3939 W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1991, 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, §9.11-1(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is an irregularly-shaped 29,945 sq. ft. lot located just south of the alley south of West Devon Avenue; that the property in question is necessary for the public convenience at this location to serve Monastero's Restaurant at 3935 W. Devon Avenue as well as a proposed banquet facility to be operated at 3939 W. Devon 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 located across an alley from the restaurant's existing parking lot is compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking

MINUTES OF MEETING
August 16, 1991
Cal. No. 196-91-S

lot for the parking of private passenger automobiles, on premises south of the alley at the rear of 3935 and 3939 W. Devon Avenue, to serve an existing restaurant and proposed banquet facility at 3935 and 3939 W. Devon Avenue, 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 the lot shall be enclosed with a steel beam guard rail 2 feet in height except at the entrance/exit to the north of the site abutting the east/west alley; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from W. Devon Avenue across the east/west alley at the rear of the restaurant's existing parking lot; that an ordinance shall be passed by the City Council waiving the alley barrier requirements; that all applicable provisions of the new City of Chicago Landscape Ordinance shall be complied with; 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: William J. Weimholt
 APPEARANCES FOR: Warren J. Spitz, William J. Weimholt
 APPEARANCES AGAINST:

CAL. NO. 197-91-A
 MAP NO. 5-I
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 2900 W. Palmer 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, William J. Weimholt, owner, on June 11, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story frame building as 4-dwelling units, in an R4 General Residence District, on premises at 2900 W. Palmer Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 3, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-4, §7.12-1(9), §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 August 16, 1991; 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 evidence presented indicates that the 3-story frame building on the subject site has been occupied by 4 dwelling units prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 4 dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and the Zoning Administrator is authorized to certify the use of a 3-story frame building as 4-dwelling units, on premises at 2900 W. Palmer Street, upon condition that the building is brought into compliance with 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: Silvino Ricardez
 APPEARANCES FOR: Silvino Ricardez
 APPEARANCES AGAINST:

CAL. NO. 198-91-A
 MAP NO. 6-J
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 2433 S. Central Park 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, Silvino Ricardez, owner, on June 26, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail food store in a 1-story brick store building, in an R4 General Residence District, on premises at 2433 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 18, 1991, 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, §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 August 16, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the non-conforming 1-story brick store building at the subject site has been previously occupied by a grocery store for at least 10 years; that licensing requirements have caused the case to be filed; that the establishment of a grocery store in the non-conforming 1-story brick building at the subject site 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 that 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 retail food store in a 1-story brick store building, on premises at 2433 S. Central Park Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 10 P.M. daily; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Toledo Restaurant, Inc., d/b/a 1935 Jazz Cafe
 APPEARANCES FOR: Dennis J. Aukstik, Daniel Dolan, et al.
 APPEARANCES AGAINST:

CAL NO. 199-91-A
 MAP NO. 5-F
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 1935 N. Sedgwick 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, Toledo Restaurant, Inc., d/b/a 1935 Jazz Cafe, for First Illinois Bank of Wilmette, Tr. #TWB-0773, owner, on June 18, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a Music and Dance License for an existing non-conforming restaurant in a 4-story brick building, in an R5 General Residence District, on premises at 1935 N. Sedgwick Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 21, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-5, §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 August 16, 1991; 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 in a 4-story brick building occupied by an existing non-conforming restaurant on the first floor; that the appellant, 1935 Jazz Cafe, has occupied the restaurant premises since September 1989; that testimony presented indicates that the subject premises has been occupied since the early 1940's by various restaurant and lounge tenants, all of which provided live entertainment; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a Music and Dance License for an existing non-conforming restaurant in a 4-story brick building, on premises at 1935 N. Sedgwick Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Gail Eastman
APPEARANCES FOR: Timothy Murtaugh
APPEARANCES AGAINST:

CAL. NO. 200-91-A
MAP NO. 17-G
MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 7007 N. Sheridan Road
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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, Gail Eastman, for Capstone Partners, owner, on June 16, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant including liquor service in a 4-story brick multi-store and apartment building, in an R4 General Residence District, on premises at 7007 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 18, 1991, 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 August 16, 1991; 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 4-story brick multi-store and apartment building; that the subject store premises was previously occupied by business uses, the last use having been office space, a B2 use; that the appellant proposes to establish a restaurant which will also serve gourmet coffees and a variety of other beverages; that all liquor served with be beer, wine and/or specialty liquors; that restaurant seating capacity will be approximately 25 tables; that the change of use to a restaurant with liquor service incidental to the serving of food as the principal activity is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a restaurant including liquor service in a 4-story brick multi-store and apartment building, on premises at 7007 N. Sheridan Road, upon condition that the serving of liquor shall be limited to table service only in conjunction with the serving of food as its principal activity; that only a service bar may be permitted, provided that there shall be no seating at said service bar; that the hours of operation shall be limited to the hours between 12 Noon and 12 Midnight, Sunday through Thursday and from 12 Noon to 2 A.M., Friday and Saturday; 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: Don's Auto Parts, Inc.
 APPEARANCES FOR: Donald Rollheiser
 APPEARANCES AGAINST:

CAL. NO. 201-91-A
 MAP NO. 24-B
 MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 9503 S. Torrence 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, Don's Auto Parts, Inc., for Midwest Bank & Trust, Tr. #81-01-3541, owner, on June 19, 1991, 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 9503 S. Torrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 11, 1991, 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, §10.4-1, §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 August 16, 1991; 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 is a 3,510 sq. ft. lot presently occupied by an auto parts recycling business; that the applicant purchased the property in 1975 at which time the site was used as an auto recycling business; that junk yards were permitted in Manufacturing Districts prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that evidence presented, specifically the Chicago Classified Telephone Directory of December, 1955, indicates that the subject site was occupied by Standard Auto Parts & Wreckers, Inc. prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; 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 9503 S. Torrence Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Thomas Sherwood

CAL. NO. 202-91-A

PEARANCES FOR:

MAP NO. 13-G

PEARANCES AGAINST:

MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 4923 N. Clark Street

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

ACTION OF BOARD—

Case continued to
October 18, 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 806

APPLICANT: Kirt Summerville
APPEARANCES FOR: Joel L. Greenblatt
APPEARANCES AGAINST: Rochelle Fleming, et al.

CAL. NO. 203-91-S
MAP NO. 30-F
MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED-- 635-41 W. 119th 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, Kirt Summerville, owner, on June 6, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 2-story brick building, in a B4-1 Restricted Service District, on premises at 635-41 W. 119th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 30, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 2-story brick store and apartment building containing a grocery and package liquor store at 635-37 W. 119th Street; that the applicant has operated the grocery and package liquor store at the subject site since July, 1977 and proposes to establish a tavern with food service at 641 W. 119th Street; that the proposed tavern will contain a small bar area and approximately 10 tables; that the proposed use is necessary for the public convenience at this location; that the applicant proposes to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; and that the establishment of a tavern at the site will be an improvement in an area having many vacant stores and lots and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a tavern in a 2-story brick building, on premises at 635-41 W. 119th Street, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 9:00 P.M.; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Defenders of the Christian Faith Church, Inc.
APPEARANCES FOR: Jorge E. Fatardo
APPEARANCES AGAINST:

PREMISES AFFECTED— 2421-23 W. Division Street
SUBJECT— Application for the approval of a special use.

CAL. NO. 204-91-S
MAP NO. 3-I
MINUTES OF MEETING
 August 16, 1991

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, Defenders of the Christian Faith Church, Inc., owner, on June 26, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 48-seat church in a 2-story brick building, in a C1-2 Restricted Commercial District, on premises at 2421-23 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 25, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-1, §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said church is located in a C1-2 Restricted Commercial District; that the subject site is a 48' x 120' lot improved with a 2-story brick building which is occupied by the applicant church; that construction and rehab work was done on the building without the necessary building permits; that the said church is necessary for the public convenience at this location to continue serving the 50-member congregation who reside in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will comply with all applicable building code regulations and which provides adequate off-street parking within the subject building; that the said use is compatible with the mixed business and residential improvements in the neighborhood and will not cause substantial injury to other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 48-seat church in a 2-story brick building, on premises at 2421-23 W. Division 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: Fernwood Congregation of Jehovah's Witnesses, by Elder Riley
APPEARANCES FOR: Paul Williams January
APPEARANCES AGAINST:
CAL. NO. 205-91-S
MAP NO. 24-G
MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 10134 S. Vincennes 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, Fernwood Congregation of Jehovah's Witnesses, owner, on June 28, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 1-story 480-seat church building, in a C1-1 Restricted Commercial District, on premises at 10134 S. Vincennes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 27, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-1, §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is an approximately 26,250 sq. ft. irregularly shaped parcel of land currently improved with a 1-story brick church building and an improved parking area south of the building; that the applicant proposes to demolish the existing church building and erect a new 1-story 480-seat church building with additional on-site parking area located north of the proposed building; that the proposed use is necessary for the public convenience at this location to continue to serve the members of the church who have outgrown the existing building at the subject site; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will comply with all applicable building code regulations and which will provide adequate off-street parking spaces to be improved and maintained under the conditions hereinafter set forth; that the proposed use, which replaces an existing church building, is compatible with the predominantly residential character of the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

August 16, 1991

Cal. No. 205-91-S

Zoning Administrator is authorized to permit the erection of a 1-story 480-seat church building, on premises at 10134 S. Vincennes Avenue, upon condition that a 6-foot high chain link fence shall be erected on the south, west and north lot lines; that the parking areas shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided directed away from abutting residential properties; that ingress and egress to the parking areas shall be from S. Vincennes Avenue; that the alleys abutting the site to the west and south shall not be used for ingress nor for egress; that the new driveway located at the northeast corner of the subject site shall be constructed in accordance with applicable ordinances; that landscaping shall be provided in accordance with applicable provisions of the new City of Chicago Landscape Ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Larry and Velma Genous & Alexander Allen.
APPEARANCES FOR: Jordan T. Hoffman
APPEARANCES AGAINST:

CAL. NO. 206-91-S
MAP NO. 18-H
MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 7816-46 S. 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, Larry and Velma Genous & Alexander Allen, owners, on July 1, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 10-bay self-service auto laundry facility, in a C1-1 Restricted Commercial District, on premises at 7816-46 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 1991, 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(2), §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on July 22, 1991; 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 proposed use is to be located in a C1-1 Restricted Commercial District; that on November 7, 1990, the City Council rezoned the subject site from B2-1 Restricted Retail to C1-1 Restricted Commercial; that the subject site is a 275' x 107' lot presently improved for use as a parking lot; that the applicants propose to construct a 10-bay self-service auto laundry at the subject site; that the proposed use is necessary for the public convenience at this location in that there is a need for such a facility in the local area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed auto laundry which will be improved and operated under the conditions hereinafter set forth; that the proposed auto laundry will be an improvement in this block which has many vacant lots and business buildings and will not cause substantial injury to the value of other properties 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 10-bay self-service auto laundry facility, on premises at 7816-46 S. Ashland Avenue, upon condition that

MINUTES OF MEETING

August 16, 1991

Cal. No. 206-91-S

8 feet high chain link fencing shall be provided on the west, north and south lot lines and 4 feet high chain link fencing on the west lot line, excepting driveways; that 2 feet high steel beam guard rails shall be erected on the periphery of the lot within the fencing; that ingress and egress shall be from S. Ashland Avenue; that there shall be no ingress nor egress via the alley abutting the site to the west; that lighted directional signs shall be provided at the established entrances and exits; that the proposed auto laundry may be operated 24 hours a day with attendants on duty at all times; that all applicable ordinances of the City of Chicago Landscape Ordinance shall be complied with; 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: Northside Ecumenical Night Ministry

CAL. NO. 207-91-S

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING
August 16, 1991

PREMISES AFFECTED— 3262 N. Clark Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
September 20, 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 806

APPLICANT: Kevin M. Nagle
APPEARANCES FOR: Kevin M. Nagle
APPEARANCES AGAINST:

CAL. NO. 79-91-S
MAP NO. 16-J
MINUTES OF MEETING
 August 16, 1991

PREMISES AFFECTED— 11055 S. Hamlin 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, Kevin Nagle, owner, on MArch 1, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building, in a B4-1 Restricted Service District, on premises at 11055 S. Hamlin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1991, 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(3), §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 August 16, 1991 after due notice thereof by publication in the Chicago Tribune on April 1, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 40' x 125' unimproved corner lot; that the applicant proposes to erect a 3-story 3-dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for ground floor business uses in the area due to the proximity of the Chicago Ridge Shopping Mall; 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 and which will provide three on-site parking spaces at the rear of the property; that the proposed use, located across W. 111th Street from a high school and a public park, will be compatible with the mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building, on premises at 11055 S. Hamlin Avenue, upon condition that an area for trash receptacles shall be provided at the rear of the site; 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: Edward Kaloo
VARANCES FOR: Thomas Johnson, et al
VARANCES AGAINST: Mark Kupiec, et al

CAL. NO. 129-88-A
MAP NO. 11-H

COPY

MINUTES OF MEETING
 January 18, February 15,
 March 22, April 19,
 June 28, & August 16,
 1991

PREMISES AFFECTED— 4750 N. Hermitage Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator
 Circuit Court Remand, Re: White v. ZBA, No. 88CH8096
ACTION OF BOARD—

UPON REMAND

Decision rendered July 15, 1988 vacated and the instant 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, Edward Kaloo, owner, on April 22, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an automobile repair shop in a 1-story brick garage building on the rear of a lot improved additionally with a 1½-story frame residence, in an R4 General Residence District, on premises at 4750 N. Hermitage Avenue; and

WHEREAS, the Zoning Board of Appeals heard said case on July 15, 1988 and entered a resolution sustaining the appeal in its Calendar No. 129-88-A, finding, in part, that the proposed use is located in an R4 General Residence District in a non-conforming commercial garage structure at the rear of the lot additionally improved with a 1½-story residence; that the subject site has been zoned residential since the time of the passage of the 1923 zoning ordinance and that the subject building was continuously occupied by a refuse disposal company from 1923 until 1986, a Commercial Use; that minor repair work on the trucks was conducted at the site; that the last use of the premises was by a painting contractor business, also a Commercial use, which use ceased operation in October of 1987 when the appellant purchased the property; that the appellant does automobile mechanical repair work only; that no body repair, fender work or painting is done at the site; that such an operation constituted a B4 use and that under §6.4-7 of the zoning ordinance, the automobile repair shop use conducted in the subject site garage in lieu of its previous uses was a proper use, provided that the hours of operation were similar to the hours of operation of previous uses and that all work and storage was done completely within the building; that there shall be no outdoor storage of vehicles that have been repaired or are awaiting repairs on the balance of the subject property nor on city streets, alleys or sidewalks; that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M.; and that no body work, spray painting, or engine rebuilding shall be done at the subject site; and

WHEREAS, Elizabeth White et al, filed suit in the Circuit Court of Cook County, No. 88CH8096, asking the Court to judicially review the record and reverse the order of the Board entered on July 15, 1988; and

WHEREAS, on October 15, 1990, Judge Arthur Dunne issued an order reversing the Board's decision and remanded the case for a new hearing with directions that a full evidentiary evaluation be conducted in conformity with §6.4-7 of the Zoning Ordinance of the City of Chicago; and

COPY

MINUTES OF MEETING

January 18, February 15, March 22,
 April 19, June 28, & August 16, 1991
 Cal. No. 129-88-A

WHEREAS, pursuant to said court remand, public hearings were held by the Zoning Board of Appeals on January 18, 1991, February 15, 1991, March 22, 1991, April 19, 1991, June 28, 1991 and August 16, 1991; 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 subject site is a 35' x 160' lot improved with a 1½-story frame single-family residence on the front of the lot and a 30' x 50' 1-story brick commercial garage building on the rear of the lot; that the subject site has been zoned Residential since the time of the passage of the 1923 zoning ordinance; that the subject building was continuously occupied by a non-conforming refuse disposal company from 1923 until 1986, a Commercial use, for storage and occasional repair of 3 large and 1 small garbage-pickup trucks; that the trucks accessed the subject property through the alley via Leland Avenue; that the hours of operation were approximately 6 A.M. to 4:30 P.M.; that the last use of the subject property, prior to purchase of the site by the appellant in October of 1987, was by a painting contractor, also a Commercial use; that the said business used 3 trucks in the business operation; that the hours of operation were approximately 7 A.M. to 5:30 P.M. weekdays and occasionally on weekends but varied with the type of painting job; that 3 persons were employed in the business operation who would come to the subject site garage building to collect painting equipment before going to a job site; that a spray compressor machine was occasionally stored at the subject site; that the appellant testified that he does automobile mechanical repair work only at the subject site, a B4 use; that the hours of operation are approximately 8 A.M. to 5:30 P.M.; that the appellant has one tow truck and also uses an air compressor machine; that the appellant also has a license to operate a used car lot on Cicero Avenue; that testimony and evidence presented by community residents indicates that the following has occurred in the conduct of the appellant's use of the subject site; that the alley has been blocked by autos; that the tow truck has been illegally parked on different occasions on the street or in the alley; that the appellant has on numerous occasions worked on autos in the alley; that auto parts are stacked up in the appellant's back yard and not contained in the subject garage building; that repair work has been performed in violation of the stated business hours; that autos being repaired or awaiting repairs have been parked and worked on in off-site parking lots belonging to a nearby Dunkin' Donuts and a Golden Nugget Restaurant; that there has been open spray painting of vehicles and body work at the site; that the Board finds that, comparatively, the appellant's non-conforming use of the subject building for automobile repair as conducted and operated in lieu of the prior apparently innocuous truck storage use, is more active and intense in terms of hours of operation, vehicular traffic and noise levels generated, the number of people attracted to the premises and nuisance factors, all of which adversely affect the neighboring residential community; that the appellant's non-conforming use of the subject building as conducted and operated in a residential district unfairly infringes upon the health, safety and welfare of the residents in the community; that the appellant's non-conforming use of the subject building is not similar to or more restrictive in nature than the prior non-conforming use at the site and under §6.4-7 of the zoning ordinance does not constitute a proper substitution of non-conforming use; it is therefore

RESOLVED, that pursuant to the order of the Circuit Court of Cook County, the Board's decision rendered on July 15, 1988 is vacated, and the instant appeal in this case be and it hereby is denied and that the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

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

APPLICANT: Marcey Limited Partners, an Illinois Limited Partnership

CAL. NO. 83-91-S

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1991

PREMISES AFFECTED— 1780 N. Marcey Street

SUBJECT— Application for the approval of a special use.

Circuit Court Remand, Re: A. Finkl & Sons, Inc., et al. v. ZBA #90CH12650

ACTION OF BOARD—

Case continued to
October 25, 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: Uk Jung Chang

CAL. NO. 166-91-S

APPEARANCES FOR:

MAP NO. 11-K

APPEARANCES AGAINST:

MINUTES OF MEETING

August 16, 1991

PREMISES AFFECTED— 4142 W. Lawrence Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
October 18, 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		

MINUTES OF MEETING
August 16, 1991
Cal. No. 39-88-Z

Ms. Janice Agnew, for Morgan Park C.H. Church, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of additions to the north and east sides of a 1-story frame church building to contain 120 seats, whose west side yard will be 8.8 feet instead of 12 feet and whose south rear yard will be 2.16 feet instead of 30 feet, on premises at 1357 W. 107th Street, which variations were granted by the Board on March 18, 1988, in Calendar No. 39-88-Z.

Ms. Agnew stated that due to the illness of the pastor of the church and an additional lack of financing, the church was not able to go ahead with their planned additions but that they now have the financing and community support to complete the project.

Chairman Spingola stated that although he sympathizes with the applicant church's unfortunate problems, an inordinate amount of time has passed since the six-month validity period of the variations granted by the Board and moved that the request for the extension of time be denied due to the time lapse. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

August 16, 1991

Cal. No. 68-90-Z

Mr. Michael Lustig, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2 and 3-story single-family residence whose front yard will be 7.83 feet to the front of the open stairs that exceed 4 feet in height and 12.83 feet to the face of the building instead of 14.28 feet, with no side yards instead of 2.4 feet each, and with no rear yard instead of 30 feet, on premises at 1840 N. Cleveland Avenue, which variations were granted by the Board on March 16, 1990 and for which an extension of time was granted on January 18, 1991 to April 16, 1991, in Calendar No. 68-90-Z.

Mr. Lustig stated the previously granted extension of time was due to the financial difficulties he was experiencing at that time and that although the bank agreed to close the loans within that time, they could not finish documentation and approval of the loan as promised. Mr. Lustig has now made the final arrangements with the bank and is requesting a further extension of time to complete the permit drawings and obtain the building permit.

Chairman Spingola stated that too much time has elapsed since the granting of the variations requested by the applicant on March 16, 1990 and the extension of time granted January 18, 1991 and moved that the request in this instance be denied. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

August 16, 1991

Member Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on September 20, 1991.

Marianne Reed
Secretary