

MINUTES OF THE SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, October 11, 1991

at 9:00 A.M.

The following members were present and constituted a quorum:

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

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

APPLICANT: Waste Management of Illinois, Inc.

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

HEARINGS FOR: Daniel L. Houlihan

MINUTES OF MEETING
October 11, 1991

APPEARANCES AGAINST:

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

Application for the approval of a special use.

ACTION OF BOARD—

Case continued for status to April 17, 1992.

Order of the Board:

During the pendency of the instant application, the current use termination date of December 1, 1991 is hereby extended to June 1, 1992 to allow the applicant to continue operation, subject to all applicable governmental regulations applying to the conduct of the business at the subject location. For this purpose, the Board's rule under Article VI, paragraph 3, is hereby extended to June 1, 1992.

THE VOTE

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

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

MINUTES OF MEETING

October 11, 1991

Member Moore moved that the Board do now adjourn.

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

Marian Rest
Secretary

COPY

MINUTES OF THE SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, October 11, 1991
at 9:00 A.M.

The following members were present and constituted a quorum:

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

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

APPLICANT: Waste Management of Illinois, Inc.

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

APPEARANCES FOR: Daniel L. Houlihan

MINUTES OF MEETING
October 11, 1991

APPEARANCES AGAINST:

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

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued for status to April 17, 1992.

Order of the Board:

During the pendency of the instant application, the current use termination date of December 1, 1991 is hereby extended to June 1, 1992 to allow the applicant to continue operation, subject to all applicable governmental regulations applying to the conduct of the business at the subject location. For this purpose, the Board's rule under Article VI, paragraph 3, is hereby extended to June 1, 1992.

COPY

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		

COPY

MINUTES OF MEETING

October 11, 1991

Member Moore moved that the Board do now adjourn.

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

Marian Rest
Secretary

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held on Room 569 County Building, on Friday, October 18, 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
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

MINUTES OF MEETING

October 18, 1991

Member Alakiotou moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on September 20, 1991 and of the special meeting held on October 11, 1991 (as submitted by the Secretary) as the minutes of said meetings.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Henry Peters
APPEARANCES FOR: Henry Peters
APPEARANCES AGAINST:

CAL. NO. 239-91-Z
MAP NO. 6-G
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2989 S. Lyman 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, Henry Peters, owner, on August 12, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a 10.15' x 31.29' attic dormer to a 2½-story frame 2-dwelling unit building, whose front yard is 3.78 feet instead of 16 feet and whose east side yard is 3.23 feet instead of 6 feet, on premises at 2989 S. Lyman Street; 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 the City of Chicago, specifically, §7.7-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 25' x 100' lot improved with a 2½-story frame 2-dwelling unit building with a 10.15' x 31.29' attic dormer on the east side of the roof; 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 attic dormer is necessary to provide additional living space for the applicant and his family who intend to live in the 2nd floor dwelling unit; that the plight of the owner is due to unique circumstances in that the said dormer was constructed without necessary permits several years ago when the fire damaged roof was rebuilt; that the said attic dormer is compatible with the existing residential improvements in this block and will not alter the essential character of the locality in which many of the existing improvements do not comply with the front and east side yard requirements of the zoning ordinance; it is therefore

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

MINUTES OF MEETING

October 18, 1991

Cal. No. 239-91-Z

it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a 10.15' x 31.29' attic dormer to a 2½-story frame 2-dwelling unit building, whose front yard is 3.78 feet instead of 16 feet and whose east side yard is 3.23 feet instead of 6 feet, on premises at 2989 S. Lyman 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: Paul Ankin
APPEARANCES FOR: Randy S. Gussis, Paul Ankin
APPEARANCES AGAINST:

CAL. NO. 240-91-Z
MAP NO. 5-G
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2230 N. Southport 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, Paul Ankin, for Chicago Title & Trust Company, Tr. #109206-6, owner, on August 7, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of an 18.06' x 20.58' 2-story with improved attic addition to the rear of a 2½-story brick single-family residence, with a north side yard of 1 foot and a south side yard of 3.42 feet instead of 5 feet each, on premises at 2230 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 31, 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 the City of Chicago, specifically, §7.8-3(2), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 25' x 128' lot improved with an existing 2½-story brick single-family dwelling with an 18.06' x 20.58' 2-story with improved attic addition at the rear; that the plight of the owner is due to unique circumstances; that the applicant testified that he invested his money with and trust in two partners in the renovation of the subject residential building; that unknown to the applicant, his partners, one of whom acted as general contractor, proceeded to perform the renovation work on the subject building without obtaining a building permit; that at no time did the applicant have any input or control over the building process; that in an effort to settle disputes over the renovation project, the applicant took title of the property and only became aware of zoning violations as a result of entering into a contract for the sale of the property which was subsequently terminated by the contract buyer when the zoning violations were discovered; that at the present time, the applicant has an investment of

MINUTES OF MEETING

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Cal. No. 240-91-Z

\$280,000 in the property and that to remove the said addition would be an economic hardship; that the said addition follows existing building lines 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 an 18.06' x 20.58' 2-story with improved attic addition to the rear of a 2½-story brick single-family residence, with a north side yard of 1 foot and a south side yard of 3.42 feet instead of 5 feet each, on premises at 2230 N. Southport 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: Marek Krajewski
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST: Joseph E. DeKiel

CAL. NO. 241-91-Z
MAP NO. 11-M
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 6051 W. Giddings Street

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

ACTION OF BOARD—

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Marek Krajewski, for Marek Krajewski and Klara Krajewski, owners, on August 27, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 19' x 22.42' addition to the rear of a 1 and 1½-story frame single-family residence, whose rear yard will be 0.94 feet instead of 30 feet, on premises at 6051 W. Giddings Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 the City of Chicago, specifically, §7.9-2, §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 October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 60' x 150' lot improved with a 1 and 1½-story frame building containing two dwelling units and a detached 2-car frame garage; that the applicant, a carpenter, purchased the subject site about a year and a half ago and subsequently erected the proposed 1-story 19' x 22.42' addition to the rear of the rear 1-story portion of the subject building, without obtaining the necessary building permit; that the applicant now seeks an authorized variation due to the addition being located in the required 30 feet rear yard; that although the subject building is presently occupied by the applicant and his related family, the building has been used as 2 dwelling units since 1939 and is a pre-existing non-conforming use; that the applicant testified that the addition is necessary to provide additional bedroom space for his family; that the rear of the subject site abuts property which is improved with a 1-story condominium building and parking garage; that a few other buildings in this block encroach into the required rear yard; that the adjoining neighbor to the east, appearing as an objector, testified that the applicant is also using the property for truck and material

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Cal. No. 241-91-Z

storage for his siding business and that from 3 to 5 trucks are parked on the lot nightly; he further testified that the present use and condition of the property will have a detrimental effect upon the sale of his property; that the Board finds that although the subject building is occupied by related persons, it is a two-dwelling unit building located in a single-dwelling unit district and that the proposed addition constitutes a structural alteration to a non-conforming use which is prohibited under Sections 6.4-1 and 6.4-6 of the zoning ordinance; that the applicant is a carpenter who should have known that he needed a permit to erect the proposed addition and that any alleged difficulty or hardship is self-created, and that it is evident that the applicant is using the property additionally for business purposes and that these actions demonstrate a disregard for the city's zoning ordinances; it is therefore

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

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

APPLICANT: John Pierce, by Nancy Mason
APPEARANCES FOR: Dana Blay, John Pierce
APPEARANCES AGAINST:

CAL. NO. 242-91-Z
MAP NO. 9-H
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 3652 N. Paulina Street

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

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, John Pierce, by Nancy Mason, for John Pierce, owner, on September 9, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 9.88' x 12.89' enclosed porch addition to the rear of a 2-story frame 2-dwelling unit building, whose north side yard will be 10 inches instead of 3 feet and which addition will result in a 3.8% (127 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 3652 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 9, 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 the City of Chicago, specifically, §7.6-3, §7.8-3, §11.7-4(7)(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 25' x 124.6' lot improved with a 2-story frame 2-dwelling unit building including the subject 9.88' x 12.89' 1-story enclosed porch addition at the rear; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant constructed a 1-story 9.88' x 12.89' enclosed porch addition at the rear of the existing 2-story 2-dwelling unit building the northwest corner of the rear of the building totalling 127 sq. ft. which exceeds by 3.8% the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return

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nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said addition is necessary to provide storage space for the applicant and his family; that the plight of the owner is due to unique circumstances in that the applicant was told by his contractor, now deceased, that the said addition met all code requirements and that the applicant is now seeking to legalize the said porch addition; that the said addition follows the existing building line on the north side and is compatible with existing residential improvements in the block; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 9.88' x 12.89' enclosed porch addition to the rear of a 2-story frame 2-dwelling unit building, whose north side yard will be 10 inches instead of 3 feet and which addition will result in a 3.8% (127 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 3652 N. Paulina 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: Phillip and Laura Hinkes
APPEARANCES FOR: Laura Hinkes
APPEARANCES AGAINST:

CAL. NO. 243-91-Z
MAP NO. 7-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2717 N. Hamlin 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, Phillip and Laura Hinkes, owner, on August 19, 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 2½-story frame 2-dwelling unit building, whose front yard will be 14.65 feet instead of 20 feet, with no north side yard and with a south side yard of 6.4 feet instead of side yards of 7.4 feet each, and which addition will result in a 10% (266 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2717 N. Hamlin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 7, 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 the City of Chicago, specifically, §7.5-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 proposed use is to be located in an R3 General Residence District; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant resides in the second floor dwelling unit and proposes to dormer the existing attic to provide a new energy efficient heating system, bedroom, living area and full bath totaling 266 sq. ft. which exceeds by 10% the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the regulations in this district in that the proposed attic dormer is necessary to meet additional space needs of the applicant and family who reside in the 2nd floor dwelling unit; that the plight of the

MINUTES OF MEETING

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Cal. No. 243-91-Z

owner is due to unique circumstances in that the applicant is required under current zoning regulations to include in his floor area ratio calculations all of his uninhabited and unfinished basement area because more than 50% of it is above grade level and the necessity of providing additional living space for himself and his family's use; that the proposed use is compatible with the existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2½-story frame 2-dwelling unit building, whose front yard will be 14.65 feet instead of 20 feet, with no north side yard and with a south side yard of 6.4 feet instead of side yards of 7.4 feet each, and which addition will result in a 10% (266 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2717 N. Hamlin 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: Tom Settepani
APPEARANCES FOR: Tom Settepani
APPEARANCES AGAINST:

CAL. NO. 244-91-Z
MAP NO. 15-M
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 5744 N. Melvina 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, Tom Settepani, owner, on August 26, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 22.7' x 36.36' 2nd story addition to a 1-story frame single-family residence, whose north side yard will be 3.79 feet and whose south side yard will be 3.51 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.60 instead of 0.50, on premises at 5744 N. Melvina Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 15, 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 the City of Chicago, specifically, §7.6-2, §7.7-2, §7.8-2(2), §11.7-4(1), §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 123.83' lot improved with a 1 and 2-story frame residence; that a 2nd story approximately 14' x 32.7' addition located at the rear of the existing building was erected at sometime prior to the applicant's purchase of the property; that the applicant seeks to erect a 22.7' x 36.36' 2nd story addition which will extend the existing 2nd floor to the front of the building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd floor addition is necessary to provide needed additional bedroom space for the applicant and his family; that the plight of the owner is due to the unique construction of the existing building which presently provides only a portion of a 2nd floor; that the variations, if granted, will not alter the essential character of the locality in that the proposed addition will follow existing building lines and will not impair an adequate supply of light and air to adjacent properties; it is therefore

MINUTES OF MEETING

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Cal. No. 244-91-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 22.7' x 36.36' 2nd story addition to a 1-story frame single-family residence, whose north side yard will be 3.79 feet and whose south side yard will be 3.51 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.60 instead of 0.50, on premises at 5744 N. Melvina 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: Arlene Friedman
APPEARANCES FOR: Arlene Friedman
APPEARANCES AGAINST:

CAL. NO. 245-91-Z
MAP NO. 17-I
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 6742 N. Whipple 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, Arlene Friedman, owner, on August 29, 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 22.37' x 24.3' addition on the rear portion of a 1-story brick single-family residence, whose north side yard will be 3 feet and whose south side yard will be 2.7 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.56 instead of 0.50, on premises at 6742 N. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 the City of Chicago, specifically, §7.6-2, §7.8-2(2), §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 115.6' lot improved with a 1-story brick single-family dwelling; that the applicant proposes to erect a 2nd story 22.37' x 24.3' addition on the rear portion 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 addition consisting of 2 bedrooms and a bathroom, is necessary to meet additional living space needs of the applicant and her family; that the plight of the owner is due shallow depth of the subject lot which necessitates adding the needed living space by means of a 2nd floor addition; that the proposed second floor addition will be in direct alignment over the current structure and will not impair an adequate supply of light and air to adjacent properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

October 15, 1991

Cal. No. 245-91-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 2nd story 22.37' x 24.3' addition on the rear portion of a 1-story brick single-family residence, whose north side yard will be 3 feet and whose south side yard will be 2.7 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.56 instead of 0.50, on premises at 6742 N. Whipple 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: Clark Umentum
APPEARANCES FOR: Gary Osborne, Clark Umentum
APPEARANCES AGAINST:

CAL. NO. 246-91-Z
MAP NO. 9-G
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED-- 3615 N. Wayne Avenue
SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

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		

Variations granted.

THE RESOLUTION:

WHEREAS, Clark Umentum, owner, on August 2, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the dormering of the attic of a 2-story frame 2-dwelling unit building situated on the rear of the lot and the erection of a 2-story 20.39' x 24' front addition, whose north side yard will be 0.61' instead of 2.4' and whose rear yard will be 7 feet instead of 30 feet, on premises at 3615 N. Wayne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 23, 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 the City 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 October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 24' x 123' lot improved with a 2-story 2-dwelling unit building on the rear of the lot; that the applicant proposes to dormer the attic and erect a 2-story 20.39' x 24' front addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed dormer and 2-story addition is necessary to provide adequate living space in the 2-dwelling units; that the plight of the owner is due to unique circumstances in that the existing building already violates the required north and rear yard setback requirements having been originally constructed in the 1900's; that the proposed 2-story addition will follow existing building lines as will the proposed dormer addition 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

MINUTES OF MEETING

October 18, 1991

Cal. No. 246-91-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 dormering of the attic of a 2-story frame 2-dwelling unit building situated on the rear of the lot and the erection of a 2-story 20.39' x 24' front addition, whose north side yard will be 0.61' instead of 2.4' and whose rear yard will be 7 feet instead of 30 feet, on premises at 3615 N. Wayne 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: Marek Frackiel

CAL. NO. 247-91-Z

APPEARANCES FOR:

MAP NO. 11-M

APPEARANCES AGAINST:

MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED-- 6021 W. Giddings Avenue

SUBJECT-- Application to vary the requirements of the zoning ordinance

ACTION OF BOARD--

Case continued to
December 13, 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: Ray Capitanini
 HEARINGS FOR: Gary I. Wigoda
 HEARINGS AGAINST: Gregory H. Furda

CAL. NO. 248-91-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2219 N. Fremont Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Alternative 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, Ray Capitanini, owner, on August 8, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of an extension from an existing 3-story brick single-family residence to connect the structure to a proposed garage on the rear of the lot with no north side yard instead of 3 feet; or in the alternative, the erection of a 594 sq. ft. detached accessory garage which will occupy 66% of the required 30 feet rear yard instead of the maximum 60%, on premises at 2219 N. Fremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 29, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §5.6-2, §7.8-4, §11.7-4(1), §11.7-4(11)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 30' x 124.17' lot improved with a 3 and partial 4th story with basement brick single-family residence which has been extensively rehabbed; that the applicant has partially erected a 13.3' high brick extension wall on the north lot line, open on one side, which connects the existing residential building with a garage, for which a permit was issued but subsequently revoked; that the applicant seeks a variation to permit the extension wall with no north side yard instead of 3 feet; that the purpose of the extension is to provide protection from the weather for the applicant and family in going from the existing residential building to the garage and that the top of said extension wall also provides a pathway to a proposed roof garden to be located on the top of the garage; which pathway will be used only by the gardener for access to the roof top garden; that no evidence was presented to indicate that

MINUTES OF MEETING

October 18, 1991

Cal. No. 248-91-Z

the proposed brick connector wall/walkway is necessary to obtain a reasonable return on the property nor that any unique hardship exists; that the proposed connector wall/walkway will impair light and air to adjoining property, and is an overbuilding on a lot already improved with a very large 4-story single-family residence and garage; that this variation requested for the erection of the aforesaid extension wall will alter the essential character of the locality, and it hereby is denied; that in the alternative, the applicant seeks a variation to permit a 594 sq. ft. new detached accessory garage, which occupies 66% of the required 30 feet rear yard instead of the maximum 60%; that this variation requested is necessary to erect a garage of sufficient size to contain, in addition to automobile parking space, adequate space to contain the air conditioning and heating systems for the single-family residence building; that the plight of the owner is due to the necessity of erecting the proposed garage in approximately the same location as the existing garage; that the variation, if granted, will not alter the essential character of the locality in that the proposed garage will be compatible with other detached garages in the neighborhood, many of which are beyond the size permitted in the required rear yard; 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 594 sq. ft. detached accessory garage only which will occupy 66% of the required 30 feet rear yard instead of the maximum 60%, on premises at 2219 N. Fremont Street, upon condition that the partially erected 13.3' high brick extension wall on the north lot line shall be removed or reduced to a height permitted by the Code; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Puerto Rico Enterprises, Ltd.
APPEARANCES FOR: Scott M. Beller
APPEARANCES AGAINST: Christina Butler

CAL. NO. 249-91-S
MAP NO. 7-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 3446 W. Fullerton Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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, Puerto Rico Enterprises, Ltd., for Albany Bank & Trust Co., Tr. #114536, owner, on August 6, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the re-establishment of a tavern in a 1-story brick store building, in a B4-1 Restricted Service District, on premises at 3446 W. Fullerton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 26, 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 the City of Chicago, specifically, §8.3-4, §8.4-4(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

WHEREAS, the district maps show that the premises is located in 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 1-story brick multi-store building; that the subject store was previously occupied by a tavern and liquor store; that the applicant, who also owns and operates a restaurant in the same multi-store building, seeks to re-establish a tavern in the subject store premises; that there are other taverns in the immediate neighborhood, specifically at 3433 and 3425 W. Fullerton Avenue; that the Board takes judicial notice of Municipal Code Ordinance 4-172-020 which prohibits the issuance of a new tavern license in B4 or B5 districts if the premises sought to be licensed is within 400 feet of an existing licensed tavern; that the establishment of the proposed tavern at the subject site is not in the public interest at this location; that no evidence was presented to indicate that the proposed tavern 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 denied.

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

APPLICANT: Perry Levenstein
VARANCES FOR: Robert A. Lewinthal, Perry Levenstein
APPEARANCES AGAINST:
PREMISES AFFECTED— 3411-15 W. North Avenue
SUBJECT— Application for the approval of a special use.

CAL. NO. 250-91-S
MAP NO. 3-J
MINUTES OF MEETING
 October 18, 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, Perry Levenstein, for Harris Trust and Savings Bank, Tr. #34115, owner, on August 14, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in conjunction with a jewelry shop in a 3-story brick building, in a B4-1 Restricted Service District, on premises at 3411-15 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 29, 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 the City of Chicago, specifically, §8.4-1,"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 1 and 3-story brick commercial building; that the applicant seeks to establish a jewelry and pawn shop business at the subject site; that the applicant testified that the primary business at the site will be the retail sale of jewelry with 70% of the premises used for that purpose; that items accepted as pawn items will be similar in nature to the items sold as new in the jewelry shop portion of the premises; that the applicant's current pawn shop operation at 1555 W. 47th Street is reported to be in compliance with the requirements of the Chicago Police Department for the operation of such use; that all pawn transactions are reported on a daily basis to the Police Department; that the applicant is prohibited from accepting pawn items from minors; that the proposed use is necessary for the public convenience at this location to provide a service for neighborhood residents; 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 city and state ordinances pertaining to the establishment and operation of pawn shops; that the proposed pawn shop

MINUTES OF MEETING

October 18, 1991

Cal. No. 250-91-S

operation is subordinate and accessory to the retail jewelry store business and is compatible with existing business uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a pawn shop in conjunction with a jewelry shop in a 3-story brick building, on premises at 3411-15 W. North Avenue, upon condition that the applicant shall not install any electronic neon signage on the premises advertising the pawn shop operation; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Center for New Horizons, Inc.
APPEARANCES FOR: Sokoni Karanja
APPEARANCES AGAINST:

CAL. NO. 251-91-S
MAP NO. 12-F
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 5120 S. Federal Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Center for New Horizons, Inc. for Chicago Housing Authority, owner, on September 6, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a day care center as an accessory use to an existing community center in a 2-story brick building, in an M1-2 Restricted Manufacturing District, on premises at 5120 S. Federal Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 22, 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 the City of Chicago, specifically, §10.3-1, §10.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

WHEREAS, the district maps show that the premises is located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is improved with a 2-story brick building located at the west end of the Robert Taylor Homes project and is presently in use as a boys and girls club, a branch library and for other community services; that the subject site has been occupied as a community center for the past 20 years; that it is proposed to establish a Head Start day care center at the subject site; which use will be accessory to the principal community center operations; that the proposed use is necessary for the public convenience at this location to provide a necessary service in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be operated in compliance with all applicable federal, state and city ordinances governing the establishment and operation of day care centers; that the proposed use will be operated in conjunction with an existing community center and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 251-91-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 a day care center as an accessory use to an existing community center in a 2-story brick building, on premises at 5120 S. Federal Street, upon condition that all applicable federal, state and city ordinances governing the establishment and operation of day care centers shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Pentecostal Temple Church of God in Christ

CAL. NO. 252-91-S

APPEARANCES FOR:

MAP NO. 28-F

APPEARANCES AGAINST:

MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 415 W. 111th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
December 13, 1991

THE VOTE

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

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

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

APPLICANT: Sephardic Community Shaare Mizrah
APPEARANCES FOR: Jeffrey Brochin
APPEARANCES AGAINST:

CAL. NO. 253-91-S
MAP NO. 15-I
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2919 W. Devon Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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, Sephardic Community Shaare Mizrah, for James and Maria Fortsas, owners, on September 23, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 36-seat church (synagogue) in a 1-story brick store building, in a B3-2 General Retail District, on premises at 2919 W.Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 9, 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 the City of Chicago, specifically, §8.4-3, §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 October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

WHEREAS, the district maps show that the premises is located in a B3-2 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is improved with a 1-story brick store building containing a restaurant and the subject synagogue premises; that the applicant is an Orthodox Jewish congregation organized in order to meet the needs of those members of Chicago's Jewish community who follow the Sephardic Jewish traditions; that for the past three years the 25-member congregation has been meeting in space provided in a neighborhood synagogue building and which is now no longer available; that the proposed use is necessary for the public convenience at this location in that the synagogue must be within walking distance for the members of the congregation all of whom reside in the neighborhood; that the applicant has been granted a one-year lease of the premises with a one-year renewal option; 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 building code requirements pertaining to the establishment and operation of religious institutions; that the proposed use of the premises will be primarily for Sabbath and Holiday services and that such use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 253-91-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 a 36-seat church (synagogue) in a 1-story brick store building, in a B3-2 General Retail District, on premises at 2919 W. Devon Avenue, upon condition that no use shall be made of the premises for the purpose requested until the premises complies with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit issued; and be it further

RESOLVED, that the special use granted herein shall run for a period of three years until October 18, 1994 and shall be null and void thereafter.

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

APPLICANT: North Park College
APPEARANCES FOR: Sarah Nadelhoffer
APPEARANCES AGAINST:

CAL. NO. 254-91-S
MAP NO. 13-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED-- 5130 N. Spaulding Avenue
SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

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

Application approved.

THE RESOLUTION:

WHEREAS, North Park College, owner, on September 11, 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 at the rear of a 3-story library building, in an R4 General Residence District, on premises at 5130 N. Spaulding Avenue, to satisfy the parking requirements for a college music hall and proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 4, 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 the City of Chicago, specifically, §7.4-4(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 October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 proposed off-site accessory parking lot for 22 automobiles is located at the rear of an existing 3-story library building on the North Park College campus; that the applicant intends to construct a new 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue which will be connected to an existing college music hall; that the proposed 22-space parking lot is necessary for the public convenience at the subject site to partially satisfy the parking requirements for the aforesaid chapel and music hall building; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot which will be improved and operated under the conditions herein-after set forth; and that the proposed parking will be an integral component of the college campus and will not cause substantial injury to the value of other properties in the neighborhood; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 254-91-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 at the rear of a 3-story library building, on premises at 5130 N. Spaulding Avenue, to satisfy the parking requirements for a college music hall and proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue, 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 parking lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that lighting and striping shall be provided; that concrete bumper stops shall be provided; that access to the parking spaces shall be via the abutting public alleys to the north and west; and that all 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 said parking lot in conformance with the provisions and standards hereby established under this order and Section 5.8-5 of the zoning ordinance.

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

APPLICANT: North Park College
APPEARANCES FOR: Sarah Nadelhoffer
APPEARANCES AGAINST:

CAL. NO. 255-91-S
MAP NO. 13-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 3212-18 W. Foster 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, North Park College, owner, on September 11, 1991, filed an application 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 B2-2 Restricted Retail District, on premises at 3212-18 W. Foster Avenue, to satisfy the parking requirement for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 4, 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 the City of Chicago, specifically, §8.4-1(6), §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 October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is a 75' x 125' lot improved with a 1-story brick building with loading and parking at the rear and on the west side of the building; that the subject site contains 24 parking spaces used as faculty parking; that the proposed use is necessary for the public convenience at this location to partially satisfy the parking requirements for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue; that the Board also approved the establishment of an off-site accessory parking lot for the parking of private passenger automobiles at the rear of the 3-story college library building, on premises at 5130 N. Spaulding Avenue, Cal. No. 254-91-S, to partially fulfill the parking requirements for the aforesaid chapel building; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot which is located within 500 feet walking distance of the use served and which will be improved and operated under the conditions hereinafter set forth; that the proposed use of the site which is an existing parking

MINUTES OF MEETING

October 18, 1991

Cal. No. 255-91-S

lot, will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 3212-18 W. Foster Avenue, to satisfy the parking requirement for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that a 6 foot high chain link fence shall be erected on the north property line abutting a public alley; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from W. Foster Avenue; that there shall be no ingress nor egress via the public alley abutting the site to the north; 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 said parking lot in accordance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: North Park College
APPEARANCES FOR: Sarah Nadelhoffer
APPEARANCES AGAINST:

CAL. NO. 256-91-S
MAP NO. 13-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 5214 N. Kedzie 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, North Park College, owner, on September 20, 1991, filed an application for a special use under the zoning ordinance for the approval of location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B2-2 Restricted Retail District, on premises at 5214 N. Kedzie Avenue, to satisfy the parking requirement for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 the City of Chicago, specifically, §8.4-1(6), §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 October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is a 37.5' x 124.26' existing parking lot on N. Kedzie Avenue immediately north of a public alley; that the subject parking lot contains 13 parking spaces; that on October 18, 1991 the Board approved the establishment of off-site parking lots at 5130 N. Spaulding Avenue, in Calendar No. 254-91-S and at 3212-18 W. Foster Avenue, in Calendar No. 255-91-S, for use by the applicant; that the establishment of an off-site accessory parking lot is necessary for the public convenience at this location as a partial fulfillment of the parking requirements for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the establishment of a parking lot at the subject

MINUTES OF MEETING

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site will be 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 lot for the parking of private passenger automobiles, on premises at 5124 N. Kedzie Avenue, to satisfy the parking requirement for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue, upon condition 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 6 foot high chain link fencing shall be erected on the north and west property lines; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that concrete wheel stops shall be provided; that lighting shall be provided; that ingress and egress shall be via the east/west public alley 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 said parking lot in accordance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: North Park College
APPEARANCES FOR: Sarah Nadelhoffer
APPEARANCES AGAINST:

CAL. NO. 257-91-Z
MAP NO. 13-J
MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 5214 N. Kedzie Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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, North Park College, owner, on September 20, 1991, filed an application for a variation of the zoning ordinance to permit, in a B2-2 Restricted Retail District, an off-site accessory parking lot to be located 625 feet from the principal use instead of the maximum 500 feet, on premises at 5214 N. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 the City of Chicago, specifically, §8.11-1, §11.7-4(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that on October 18, 1991, the Board approved the establishment of an off-site accessory parking lot for the parking of private passenger automobiles at the subject site as a partial fulfillment of the parking requirement for a proposed 550-seat chapel at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue in Cal. No. 256-91-S; that the subject site is located 625 feet from the principal use, the proposed 550-seat chapel building to be located at 3225 W. Foster Avenue and 5137 N. Spaulding Avenue, instead of the maximum 500 feet; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under conditions allowed by the regulations in this district in that the proposed parking lot is necessary to fulfill parking requirements for the aforesaid proposed chapel building; that the plight of the owner is due to the zoning ordinance requirement that off-site accessory parking lots shall be located a maximum 500 feet from the principal use served; that although the subject parking lot is located 625 feet from the proposed chapel building, it is located near other college property, and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 257-91-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 an off-site accessory parking lot to be located 625 feet from the principal use instead of the maximum 500 feet, on premises at 5124 N. Kedzie 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: Chicago Board of Education and the Public Building Commission **CAL. NO.** 258-91-Z

APPEARANCES FOR: Terrance Diamond

MAP NO. 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 2510 S. Kildare Avenue

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

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, the Board of Education and the Public Building Commission, for Public Building Commission, owner, on August 15, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 5,687 sq. ft. 1-story lunchroom and kitchen facility addition to the east side of a 4-story brick elementary school, whose total floor area ratio will be 0.77 instead of 0.70, on premises at 2510 S. Kildare Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 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 the City of Chicago, specifically, §7.6-3, §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 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 proposed use is to be located in an R3 General Residence District; that the subject site is a 96,648 sq. ft. lot improved with the 4-story Corkery public elementary school and ancillary buildings; that the applicant proposes to erect a 1-story addition which will abut the existing school building on the north and east sides; that the existing school building was constructed in 1911; 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 because there is no kitchen or lunchroom, the students eat their lunches, which are frozen pre-packaged meals delivered to the school and warmed in convection ovens, in the existing gymnasium; that it can take several hours to feed the students daily; that the plight of the owner is due to unique circumstances in that the existing school was designed and constructed at a time when students went home for lunch and that today children are required to eat at the school; that the proposed 1-story lunchroom and kitchen facility will follow existing east and north building lines; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 258-91-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 5,687 sq. ft. 1-story lunchroom and kitchen facility addition to the east side of a 4-story brick elementary school, whose total floor area ratio will be 0.77 instead of 0.70, on premises at 2510 S. Kildare 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: Eileen Perrino
 APPEARANCES FOR: Eileen Perrino
 APPEARANCES AGAINST:

CAL. NO. 259-91-A
 MAP NO. 9-M
 MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 6128 W. Henderson Street

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

ACTION OF BOARD—

Appeal sustained.

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, Eileen Perrino, owner, on August 12, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1-story brick building as 3-dwelling units, in an R2 Single-Family Residence District, on premises at 6128 W. Henderson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 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, §7.3-2, §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 October 18, 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 25' x 125' lot improved with a dormered 1-story brick residential building with kitchen facilities on the 1st floor, 2nd floor and in the basement; that the appellant has owned and lived in the subject building for the past 35 years and has occupied the premises as related living under a common household; that at the present time the appellant's grandson, his wife and child also reside in the building; that the basement dwelling unit is unoccupied; that the district in which the subject site is located has been zoned Single Family since the time of the passage of the 1942 comprehensive amendment to the ordinance; that the appellant purchased the subject building as a 3-dwelling unit building; that the appellant has a right to maintain the 3 kitchen facilities in the subject building upon condition that the building shall at all times be occupied by blood-related persons living together in the subject site building as a single-family dwelling and maintaining a common household and provided the building is in compliance with applicable building code regulations; that the appellant does not have the right under Section 7.3-2 of the zoning ordinance to use the subject building as dwelling units occupied by unrelated persons in an R2 Single-Family Residence District; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 259-91-A

RESOLVED, that the appeal be and it hereby sustained and the Zoning Administrator is hereby authorized to certify the use of the subject site building as a single-family dwelling containing kitchen facilities on the 1st floor, 2nd floor and in the basement, on premises at 6128 W. Henderson Street, upon condition that the occupants of the building shall at all times be blood-related persons living together as a single-family dwelling and maintained as a common household; and that all applicable building code regulations shall be complied with before a permit is issued; and be it further

RESOLVED, that the 1-story building at the subject site shall not be used at any time as 3 separate dwelling units occupied by unrelated persons.

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

APPLICANT: W.B. Tenort

CAL. NO. 260-91-A

APPEARANCES FOR:

MAP NO. 20-D

A. APPEARANCES AGAINST:

MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 8400-02 S. Dante Avenue

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

ACTION OF BOARD—

Case continued to
December 13, 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: Henryk Kruzel
VARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST:

CAL. NO. 261-91-A
MAP NO. 10-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 3820 W. 46th Place

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Henryk Kruzel, owner, on August 21, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 2-dwelling unit structure on a 30' x 126.32' (3,789 sq. ft.) lot of record after the demolition of the existing 1-story frame single-family dwelling, in an R3 General Residence District, on premises at 3820 W. 46th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 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 the City of Chicago, specifically, §7.5(2), §7.5(5), §7.5-3."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 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 proposed use is to be located in an R3 General Residence District; that the subject site is a 30' x 126.32' lot of record improved with a 1-story frame dwelling located in the rear of the lot; that the appellant seeks to demolish the existing 1-story frame single-family dwelling and erect a 2-dwelling unit structure on the subject lot; that the subject lot is presently a lot of record containing 3,789 sq. ft.; that by demolishing the existing 1-story structure the lot becomes an unimproved lot of record and that under §7.5(2) of the zoning ordinance, a 2-dwelling unit may be established on a lot if the gross lot area is at least 3,750 sq. ft.; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the rection of a 2-dwelling unit structure on a 30' x 126.32' (3,789 sq. ft.) lot of record after the demolition of the existing 1-story frame single-family dwelling, on premises at 3820 W. 46th Place, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Algirdas A. Krasauskas
APPEARANCES FOR: Steven Hernandez
APPEARANCES AGAINST:

CAL. NO. 262-91-A
MAP NO. 16-I
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2515 W. 69th Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Algirdas A. Krasauskas, owner, as subsequently amended, on August 28, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern/theater in a 1 and 2-story brick building, in a B2-1 Restricted Retail District, on premises at 2515 W. 69th Street, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 the City of Chicago, specifically, §8.3-2, §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 October 18, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building; that the subject store premises was previously occupied by a tavern/theater, which use ceased operation in March of 1992; that the appellant is seeking to re-establish the tavern/theater at the subject site; that the proposed use will provide members of Chicago's Lithuanian community facilities for social and cultural activities, in addition to the tavern operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a tavern/theater in a 1 and 2-story brick building, on premises at 2515 W. 69th Street, upon condition that the hours of operation shall be limited to the hours between 8 P.M. and 2 A.M., Wednesday through Sunday and 8 P.M. and 3 A.M., Saturday; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit issued.

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

APPLICANT: Jai-Hind Foods, Inc. and Vallabh Patel
APPEARANCES FOR: Ariel Weissberg, Vallabh Patel
APPEARANCES AGAINST:

CAL. NO. 263-91-A
MAP NO. 17-I
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 2658 W. Devon Avenue

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

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Roula Alakiotou
 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, Jai-Hind Foods, Inc. and Vallabh Patel for Vallabh Patel, Lilavati Patel, Jasu Patel and Rashmilla Patel, owners, on August 26, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with the existing retail sale of spices, pastries, nuts, grains and various merchandise in a 1-story brick store building, in a B3-2 General Retail District, on premises at 2658 W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 2, 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 the City of Chicago, specifically, §8.3-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991; and

WHEREAS, the district maps show that the premises is located in a B3-2 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is improved with a 1-story brick commercial building containing an Indian grocery store; that the appellant, Vallabh Patel, also sells in addition to Indian food products, spices, nuts, grains, pastries, cooking utensils, pots and pans, imported Indian items, jewelry and video movie rental and sales; that the appellant is seeking a wholesale license; that the proposed wholesaling activity will consist mainly of taking orders over the telephone and having the merchandise delivered to customers directly from the applicant's suppliers; that the proposed wholesaling activity is approximately 15% of the total business activity at the subject site and is subordinate and accessory to the total retail business operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

MINUTES OF MEETING

October 18, 1991

Cal. No. 263-91-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit wholesaling as an accessory use only in conjunction with the existing sale of spices, pastries, nuts, grains and various merchandise in a 1-story brick store building, on premises at 2658 W. Devon 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 806

APPLICANT: A T & D's

CAL. NO. 264-91-A

APPEARANCES FOR:

MAP NO. 18-C

APPEARANCES AGAINST:

MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 2253 E. 73rd Street

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

ACTION OF BOARD—

Case continued to
December 13, 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: Benito Cuate
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 265-91-A
MAP NO. 4-H
MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 2143 W. 18th Street

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

ACTION OF BOARD—

Case dismissed for
want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Michael Morton
APPEARANCES FOR: Mark Barnett, Michael Morton
APPEARANCES AGAINST:

CAL. NO. 266-91-A
MAP NO. 7-G
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 1248 W. George Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Michael Morton, owner, on September 11, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a Public Place of Amusement License for the establishment of a dance floor on the 2nd floor of an existing restaurant and tavern in a 1 and 2-story brick building, in an M1-2 Restricted Manufacturing District, on premises at 1248 W. George Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 the City of Chicago, specifically, §10.3-1, §11.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991; and

WHEREAS, the district maps show that the premises is located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is improved with a 1 and 2-story brick commercial building occupied by an existing restaurant/tavern; that the appellant owns and operates the restaurant/tavern at the subject site and has been at the site since December, 1990; that the appellant is seeking a Public Place of Amusement License in order to provide music and dancing for his customers while they are waiting for restaurant seating on the first floor; that the proposed dance floor area is 15' x 20'; that the music and dancing will be provided on Friday and Saturday only; that the proposed music and dancing activity is subordinate in scope and accessory to the principal restaurant/tavern activity; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a Public Place of Amusement License for the establishment of a dance floor as an accessory use only on the 2nd floor of an existing restaurant and tavern in a 1 and 2-story brick building, on premises at 1248 W. George 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: Ted's Auto Parts, Inc.

CAL. NO. 267-91-A

APPEARANCES FOR:

MAP NO. 18-D

APPEARANCES AGAINST:

MINUTES OF MEETING

October 18, 1991

PREMISES AFFECTED— 7349 S. South Chicago Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
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: Ted's Auto Parts, Inc.
APPEARANCES FOR: Michael Donahue, Ted Adams
APPEARANCES AGAINST:

CAL. NO. 64-91-A
MAP NO. 18-D
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 7440 S. South Chicago 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, Ted's Auto Parts, Inc, owner, on January 4, 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 M1-2 Restricted Manufacturing District, on premises at 7440 S. South Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 20, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of the City 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 October 18, 1991; and

WHEREAS, the district maps show that the premises is located in an M1-2 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 M1-2 Restricted Manufacturing District; that the subject site is a 100' x 250' parcel of land used for the storage of used autos for the retail sale of used auto parts; that the subject site was zoned Manufacturing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance and which zoning classification permitted a junk yard at the subject site; that evidence presented indicates that the subject site was owned prior to 1957 by Dreyfuss Metal Company until 1962 when the appellant purchased the site; that the appellant has continued to use said property and operate as a junk yard for the retail sale of used auto parts; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; that the appellant has a right to continue the operation of a junk yard, provided the yard is operated in compliance with applicable city ordinances; 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 7440 S. South Chicago Avenue, upon condition that all storage of material and business activities shall be confined to the subject site; that there shall be no accumulation of material or refuse on the public property; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Action Iron & Metal Inc.
APPEARANCES FOR: Daniel L. Houlihan
APPEARANCES AGAINST:

CAL. NO. 193-91-S
MAP NO. 8-J
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 3315 W. 31st Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

Application approved.

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

THE RESOLUTION:

WHEREAS, Action Iron & Metal Inc., owner, on June 14, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the legalization of an existing junk yard in conjunction with a retail auto parts business, in an M3-4 Heavy Manufacturing District, on premises at 3315 W. 31st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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 the City of Chicago, specifically, §10.4-3, §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 October 18, 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 M3-4 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M3-4 Heavy Manufacturing District; that the subject site is an irregular shaped parcel of land of 6.5 acres; that the applicant receives junked autos, dismantles them for resale to wholesale dealers and crushes the remaining unusable portions of the autos; that the applicant has operated the existing junk yard and auto parts business at the subject site for approximately 11 years and employs 12 persons in the operation; that the hours of operation are from 7 A.M. to 7 P.M., daily; that recent licensing requirements have caused the application to be filed; that the said use is necessary for the public convenience at this location to provide a necessary service for the disposal of junked automobiles; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said use which will conform to all applicable city and state ordinances pertaining to the operation of automobile junk yards; that the said use is compatible with the existing manufacturing and industrial 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

October 18, 1991

Cal. No. 193-91-S

Zoning Administrator is authorized to permit the legalization of an existing junk yard in conjunction with an auto parts business, on premises at 3315 W. 31st Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: S.L. Vander Zanden

CAL. NO. 145-91-S

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

October 18, 1991

PREMISES AFFECTED— 2724 N. Lincoln Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
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: Juicy Fruit Enterprises, Inc.
APPEARANCES FOR: Richard A. Martens, Samuel Davis
APPEARANCES AGAINST: Robert deGraff, et al. (July 19, 1991)
PREMISES AFFECTED— 1400 S. Michigan Avenue
SUBJECT— Application for the approval of a special use.

CAL. NO. 165-91-S
MAP NO. 4-E
MINUTES OF MEETING
 July 19, 1991 and
 October 18, 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, Juicy Fruit Enterprises, Inc., for B & W Investment Properties, Inc., owner, on May 29, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the sub-leasing of off-site parking spaces in an existing parking lot, in a C3-5 Commercial-Manufacturing District, on premises at 1400 S. Michigan Avenue, to satisfy the parking requirement for a proposed juice bar and dancing amusement establishment at 1347 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 12, 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, §9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1991 and October 18, 1991, after due notice thereof by publication in the Chicago Tribune on July 1, 1991; and

WHEREAS, the district maps show that the premises is located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the subject site is a 170' x 170' parcel of land currently in use as an improved parking lot for a hand car wash facility, known as "We'll Clean, Inc."; that the hand car wash facility leases the subject property from B & W Investment Properties, Inc. and that their current lease terminates May 31, 1993; that the applicant and B & W Investment Properties, Inc. have entered into a new lease agreement for the subject site in the event that the current lessee, "We'll Clean, Inc.", does not exercise its renewal option, however, counsel for the applicant emphasized that all leases are cancelable upon sale of the property and that this term could not be negotiated; that the proposed use is necessary for the public convenience at this location in that the sub-leasing of the off-site parking spaces in the existing parking lot is necessary to satisfy the parking requirement for a proposed juice bar and dancing amusement establishment at 1347 S. Michigan Avenue; that the public health, safety and welfare will be adequately protected in the location and operation of the off-site

MINUTES OF MEETING

July 19, 1991 & October 18, 1991

Cal. No. 165-91-S

parking lot which will be patrolled by security guards provided by the proposed juice bar establishment; that the parking spaces will be used by the applicant only during the hours of operation of the juice bar establishment; that said juice bar will operate 3 days a week; that the sub-leasing of the existing parking lot by the applicant will not cause substantial injury to the value of other property in the neighborhood in that it is a continuing use of an existing parking lot; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the sub-leasing of off-site parking spaces in an existing parking lot, on premises at 1400 S. Michigan Avenue, to satisfy the parking requirement for a proposed juice bar and dancing amusement establishment at 1347 S. Michigan 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: Kenwood Manors, Ltd., by Schema Design Group, Ltd.

CAL NO. 186-91-Z

APPEARANCES FOR:

MAP NO. 12-D

APPEARANCES AGAINST:

MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 4926 S. Blackstone Avenue

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

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

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: Thomas Sherwood
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST:

CAL. NO. 202-91-A
MAP NO. 13-G
MINUTES OF MEETING
 October 18, 1991

PREMISES AFFECTED— 4923 N. Clark 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, Thomas Sherwood, for American National Bank, Tr. #109525-05, owner, on May 8, 1991, filed an appeal from the Zoning Administrator's issuance of a zoning violation notice for operating an Adult Use (videos) on the 3rd floor of a 3-story brick building, in a C1-2 Restricted Commercial District, on premises at 4923 N. Clark Street, which alleges is a permitted accessory use; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1991, reads, in part:

"WHEREAS, an inspection of the above-referenced premises made by this Office on December 28, 1990, found that the use of the said premises as (specific description) Adult Use in violation of permitted uses in C1-2 zoning district and that such use of the said premises is illegal and contrary to the applicable provisions of the Chicago Zoning Ordinance, specifically Article 9:3-2, Chapter 194A of the Municipal Code of Chicago."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 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 use is located in a C1-2 Restricted Commercial District; that the subject site is improved with a 3-story brick building containing a bar on the first floor, a video rental store on the 2nd floor and 3 video viewing areas on the 3rd floor; that each of the three video viewing areas is equipped with a television screen upon which screens customers of the video rental store, upon paying a fee and renting a video, either preview the video or view it in its entirety; that only one screen is allowed to be used for the purposes of viewing adult-oriented videos; that the said video viewing areas are separated by 18' x 20' partitions and can each accommodate 15 persons at one time, all of whom would pay the aforesaid viewing fee; that the appellant contends that the use of the three television viewing screens on the 3rd floor is an amusement establishment as permitted under §9.3-1(B), (3) of the zoning ordinance and that the use of one of the television screens is an accessory use to the 2nd floor video rental store; that Section 3.2 of the zoning ordinance defines

MINUTES OF MEETING

October 18, 1991

Cal. No. 202-91-A

accessory use, in part, as a use which is subordinate to and serves the principal building or principal use and is subordinate in area, extent or purpose to the principal building or principal use served.....(and which) contributes to the comfort, convenience or necessity of the occupants of the principal building or principal use served, and is located on the same zoning lot as the principal building or principal use served"; that the evidence presented indicates that the use of the three television screens, of which not more than one screen can be used for the viewing of adult-oriented videos, is subordinate to the principal video tape rental business on the 2nd floor of the subject premises; that the evidence presented indicates that the video viewing area on the 3rd floor, including the one screen used for viewing adult-oriented videos, is accessory to the principal video rental business located on the 2nd floor of the premises; that no violation of the zoning ordinance exists and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained that the Zoning Administrator's issuance of a zoning violation notice for operating an Adult Use (videos) on the 3rd floor of a 3-story brick building, on premises at 4923 N. Clark Street, was in error and that the use as stated and delineated above is a permitted accessory use, upon condition that there shall be no neon signage indicating said accessory use at the site; and that all other applicable ordinances of the City of Chicago shall be complied with.

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

October 18, 1991

PREMISES AFFECTED— 4142 W. Lawrence Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
October 25, 1991.

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
October 18, 1991
Cal. No. 32-90-Z

Mr. Victor Peterson, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2-story 2-dwelling unit building with no north side yard instead of 3 feet, on premises at 4801 S. Kolin Avenue, approved by the Zoning Board of Appeals on February 16, 1990, in Calendar No. 32-90-Z.

Mr. Peterson stated that due to the economy and interest rates he has not been able to start the building of the 2-story 2 dwelling unit building at the subject site.

Chairman Spingola moved that the request be granted and the time extended to February 16, 1992. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 18, 1991

Cal. No. 53-91-Z

Mr. M.A. Coan, for Alex Anagnostopoulos, owner, presented a written request for an extension of time in which to obtain building permits for the erection of a 2-story 6-dwelling unit townhouse building, whose east front yard will be 1 foot instead of 14.4 feet and whose west rear yard will be 20 feet instead of 30 feet, on premises at 2500 N. Greenview Avenue, which was approved, with certain conditions, by the Zoning Board of Appeals on April 19, 1991, in Calendar No. 53-91-Z.

Mr. Coan stated that testing revealed soil problems which have caused the structure and cost to be reanalyzed but that he feels the project could be started in the spring of 1991.

Chairman Spingola moved that the request be granted and the time in which to obtain building permits be extended to April 19, 1992. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: North Star Pawners & Jewelry Co.
APPEARANCES FOR: Bernard I. Citron, Bruce Lewis
APPEARANCES AGAINST: Gary I. Wigoda

CAL. NO. 227-91-S
MAP NO. 3-H
MINUTES OF MEETING
October 18, 1991

PREMISES AFFECTED— 2007 W. North Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, North Star Pawners, & Jewelry Co., subsequently amended to North Star Jewelers & Collateral Co., for Mer-Car Corp., owner, on July 19, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 2007 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 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 the City of Chicago, specifically, §8.3-4, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 1991 after due notice thereof by publication in the Chicago Tribune on September 3, 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 improved with a 1-story brick building; that the applicant proposes to establish a business at the subject site offering for sale jewelry, watches, electronics, musical instruments, etc.; that the applicant is seeking a pawnbrokers license to provide loans to customers; that the applicant's family have been licensed pawnbrokers in Chicago since the early 1900's; that testimony presented indicates that the average person who utilizes a pawn shop is a working person who needs a temporary loan, who will pawn an item or items 2 to 5 times a year for a period of 30 to 60 days; that such items are generally redeemed at 95% of value; that 75% of the merchandise sold at the premises is new goods and that 95% of all pawned items are redeemed; that the proposed use is necessary for the public convenience at this location to provide a needed service to the public by making loans available to persons using their articles of value as collateral; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use in that all pawn transactions must be reported on a daily basis to the Chicago Police Department; that

MINUTES OF MEETING

October 18, 1991

Cal. No. 227-91-S

pawn shop operators are prohibited from accepting items for pawn from minors; that pawn shops are required under state and city statutes to be bonded and insured; that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a pawn shop in a 1-story brick building, on premises at 2007 W. North Avenue, upon condition that there shall be no signage of any kind protruding from the subject premises over the public sidewalk; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

October 18, 1991

Cal. No. 267-91-S

Abundant Life Missionary Baptist Church, owner, presented a written request for an extension of time to obtain necessary permits for the expansion of an existing 1-story church building at 2306 W. 69th Street, approved by the Board on March 23, 1984 in Calendar No. 72-84-S, by the erection of a 1-story 24' x 59' addition to the east connecting the 2-story building at 2300 W. 69th Street, on premises at 2300-06 W. 69th Street, which was approved by the Zoning Board of Appeals on October 19, 1990, in Calendar No. 267-90-S.

Chairman Spingola moved that the request be granted and the time extended to October 19, 1992 in which to obtain necessary permits and erect the aforesaid 1-story addition. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 18, 1991

Cal. No. 282-90-Z

Mr. Gary I. Wigoda, for Raymond S. Cahmann, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2-story with penthouse single-family residence, whose front yard will be 7.5 feet instead of 15 feet, whose north side yard will be 4 feet and with no south side yard instead of 4.1 feet each, and with no rear yard instead of 30 feet, on premises at 1937 N. Howe Street, granted by the Board on October 19, 1990, in Calendar No. 282-90-Z, and for which an extension of time was granted May 17, 1991 to October 19, 1991.

Mr. Wigoda stated that at this time the architect is preparing the final drawings for submission to the city and that it is expected that these drawings will be submitted shortly. Mr. Wigoda further stated that there have been delays on finalizing the drawings due to the nature of the project.

Chairman Spingola moved that the request be granted and the time extended to January 1, 1992 to obtain necessary building permits. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

October 18, 1991

Cal. No. 80-91-Z

Mr. Gregory H. Furda, for Stephan P. Durchslag, owner, presented an written request for an extention of time in which to obtain necessary building permits and commence construction of a 3-story single-family residence on a L-shaped through lot, whose front yard along N. Lakeview Avenue will be 11.38 feet and whose front yard along W. Roslyn Place will be 8.5 feet instead of 15 feet each, and with no unobstructed open space along all other adjacent lot lines instead of 6 feet each, on premises at 2474-76 N. Lakeview Avenue and 411 W. Roslyn Place, which was approved by the Zoning Board of Appeals on April 19, 1991 in Calendar No. 80-91-Z.

Mr. Furda submitted with his request a letter from Lohan Associates, the architects for the applicant, outlining the problems relating to the delay of the issuing of the permit for the foundation.

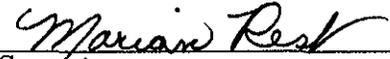
Chairman Spingola moved that the request be granted and the time extended to April 19, 1992 in which to obtain necessary permits. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
October 18, 1991

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on October 25, 1991.


Secretary

MINUTES OF THE SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, October 25, 1991

at 9:00 A.M. and 1:00 P.M.

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

Joseph J. Spingola
Chairman

Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.

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

APPLICANT: C. Groot Automatic Disposal Company
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 268-91-S
 MAP NO. 13-S
 MINUTES OF MEETING
 October 25, 1991

PREMISES AFFECTED— 6747 N. Elmhurst Road, Chicago, Illinois
 SUBJECT— (mailing address - 1759 N. Elmhurst Road, Elk Grove Village, Illinois)
 Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

Application approved.

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

THE RESOLUTION:

WHEREAS, C. Groot Automatic Disposal Company, owner, on September 10, 1991, filed an application for a special use under the zoning ordinance for the expansion of an existing waste transfer station including recycling facilities, in an M3-2 Heavy Manufacturing District, on premises at 6747 N. Elmhurst Road, Chicago, Illinois (mailing address-1759 N. Elmhurst Road, Elk Grove Village, Illinois); and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 10, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.4-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on October 25, 1991 after due notice thereof by publication in the Chicago Tribune on October 7, 1991 and the Elk Grove Times, DesPlaines Times, Mt. Prospect Times and the Rosemont Times on October 9, 1991; and

WHEREAS, the district maps show that the premises is located in an M3-2 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M3-2 Heavy Manufacturing District; that the subject site is an irregularly shaped parcel of land consisting of 6.5 acres located on the east side of Elmhurst Road, south of Lunt Avenue, north of Pratt Avenue and west of the Chicago and Northwestern Railroad; that the subject property is located along the western boundary of O'Hare International Airport and is within a large industrial area; that to the south, west, and north of the subject property are intense industrial uses, including a concrete batch plant and asphalt facility; that the subject property is improved with a waste transfer station which has been operated by the applicant since 1983 without complaint and in accordance with all state and local regulations; that there are currently two buildings on the property, the transfer facility itself and an office and maintenance building for the collection and transfer trucks; that the applicant proposes a three-phase modernization and expansion; that Phase I will entail the construction of an interim transfer station building at the east end of the site and an expansion to the office facilities in the existing maintenance building; that the purpose of

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October 25, 1991

Cal. No. 268-91-S

Phase I is to allow the continued operation of the facility during demolition required in Phase II; that Phase II will entail demolition of the existing waste transfer building and its replacement with a state of the art waste diversion, recycling and transfer building; that Phase III will consist of modifying the interim Phase I building by adding modern refuse baling equipment; that the applicant proposes to accept up to 1,500 tons of waste and recyclable material per day; that the facility will operate from 5:00 A.M. on Mondays through 5:00 P.M. on Saturdays; that only residential, commercial and non-special industrial solid waste, construction and demolition debris, and recyclable materials will be accepted at the facility; that the following specific waste will be excluded from the facility - industrial process waste, special waste, hazardous waste, liquid waste, medical waste, and lead-acid batteries; that all transfer, sorting and recycling operations will be conducted within the proposed structures; that recyclable materials will be removed from the refuse materials brought to the site, sorted into different classes of material and shredded, crushed or baled; that the remaining solid waste will be gathered and transferred to disposal facilities; that the proposed site plan includes adequate parking and provisions for ingress and egress so designed as to minimize the impact on existing traffic flow in the area; that the proposed waste transfer station and recycling facility is necessary for the public convenience at this location in that there is a critical need for such a facility providing affordable refuse collection and processing service to a large segment of Chicago and the surrounding metropolitan area; that the existing transfer station currently serves the City of Chicago which has adopted a moratorium on new landfills; that continued control of the City's solid waste mandates expanded transfer station capability for the future; that the public health, safety and welfare will be adequately protected in the design, location and operation of the facility, which operations will be conducted within enclosed buildings, located outside the boundary of the 100-year flood plain as determined by the Illinois Department of Transportation, will employ the best available pollution control technology to minimize any adverse effects upon the surrounding area, and will be operated in compliance with the applicable rules and regulations of the State and City of Chicago agencies and the performance standards established under Article 10 of the Zoning Ordinance; that the facility is designed to minimize the danger to the surrounding area from fires, spills or other operational accidents; that the proposed facility is compatible with the surrounding property uses and zonings; that the establishment of the proposed transfer station and recycling facility will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of an existing waste transfer station including recycling facilities, on premises at 6747 N. Elmhurst Road, Chicago, Illinois (mailing address-1759 N. Elmhurst Road, Elk Grove Village, Illinois), upon condition that no industrial process waste, special waste, hazardous waste, liquid waste, medical waste, or lead-acid batteries shall be permitted at the subject site; that all operations shall be conducted within the proposed buildings; that the proposed use shall be conducted in compliance with the requirements of the Illinois Environmental Protection Agency and the City of Chicago Environmental Protection Division of the Department of Consumer Services and the performance standards established under Article 10 of the Zoning Ordinance; that landscaping shall be installed and maintained at the principal entrance-way to the facility; that a minimum 10-foot landscaped setback shall be provided along the Elmhurst Road frontage and that the parking lot visible from Elmhurst Road shall be screened and landscaped consistent with the Chicago Landscape Ordinance; that all other departures from the Chicago Landscape Ordinance are justified by the public health, safety and welfare; that the applicant shall retain a certified pest control service to assist in the preparation of final site plans and to inspect the completed development regularly

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and bait and trap as conditions warrant; that the applicant shall meet with representatives of the City's Bureau of Rodent Control to develop a plan for rodent control; that the time limitation of Section 11.10-5 of the Zoning Ordinance shall be deemed satisfied if applicant obtains a building permit for Phase I of the facility within 12 months of the date of this order; that all applicable development ordinances of the City of Chicago shall be complied with before a permit is issued; and that all necessary state and city operating permits shall be obtained before waste is accepted at the facility.

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

APPLICANT: Marcey Limited Partners, an Illinois Limited Partnership
APPEARANCES FOR: Gregory H. Furda
APPEARANCES AGAINST: Martin J. Oberman

CAL. NO. 83-90-S
MAP NO. 5-G
MINUTES OF MEETING
 October 25, 1991

PREMISES AFFECTED— 1780 N. Marcey Street

SUBJECT— Circuit Court Remand: Re: A. Finkl & Sons, Inc., et al. v. ZBA
 No. 90CH12650 - Application for the approval of a special use.

ACTION OF BOARD—

Additional evidence found in favor of Applicant-Defendant.

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*		x

THE RESOLUTION:

WHEREAS, Marcey Limited Partners, an Illinois Limited Partnership, for American National Bank & Trust Co., Tr. #109779-08 (the owner, also known as the "Applicant-Defendant"), on February 1, 1990, filed and subsequently amended an application for a special use under the Chicago Zoning Ordinance and Chapter 194D for the approval of the location and the establishment of retail and service uses in a proposed 2-story building, in the Clybourn Corridor Planned Manufacturing District, on premises located at 1780 N. Marcey Street; and

WHEREAS, on December 6, 1990, the Zoning Board of Appeals approved the special use application authorizing specific enumerated uses in a proposed maximum 62,000 s.f. building and in an existing 10,000 s.f. building subject to certain restrictions governing authorized uses, traffic and parking; and

WHEREAS, on December 31, 1990, a lawsuit (90 CH 12650) was filed by A. Finkl & Sons Company, General Iron Industries, Inc., Republic Pipe & Supply Company, and the LEED Council (collectively known as the "Objectors-Plaintiffs") in the Circuit Court of Cook County ("Court") challenging the Zoning Board of Appeals decision approving the special use application; and

WHEREAS, on June 28, 1991, the Court remanded this matter to the Zoning Board of Appeals to examine two issues: First, the impact of traffic generated by the proposed project on surrounding existing businesses; and second, the effect of dust and pollution currently in the area on shopping mall workers and customers to the mall; and

WHEREAS, on October 25, 1991, in response to the Court's directive, the Zoning Board of Appeals held a special hearing to receive testimony and examine evidence introduced to address these two issues; and

WHEREAS, at the special hearing, the Applicant-Defendant introduced into evidence the testimony and traffic report of David Miller, President of Metro Transportation Group, Inc., the testimony and environmental assessment report of Alan Jirik, the Divisional Director of Environmental Assessment and Compliance of Versar, Inc., an environmental reconnaissance report and well installation and integrity tank testing conducted by STS Consultants Ltd., and a video presentation prepared by Metro Transportation Group, Inc. The Objectors-Plaintiffs introduced into evidence the testimony of Gerald Lingren, a traffic consultant with Barton-Aschman Associates, Inc., a re-affirmation of prior testimony by Nicholas Trkla, a

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planner with the firm of Trkla, Pettigrew, Allen & Payne, and certain excerpts taken from the video prepared by Metro Transportation Group, Inc.; 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 further study and analysis of traffic conditions at the subject site and on surrounding streets by Applicant-Defendant's expert traffic witness confirm that the surrounding streets and the intersections of Clybourn/Willow/Sheffield, Willow/Marcey, Marcey/Sheffield and Sheffield/North have sufficient reserve capacity to handle traffic generated by the proposed project; that the traffic generated by the proposed use will not affect surrounding existing businesses because of sufficient reserve capacity; that, even if all retail projects planned for the surrounding area are built and fully leased, the above intersections (as improved pursuant to the recommendations of Barton-Aschman Associates, Inc.) will only be near capacity, according to Objectors-Plaintiff's own traffic witness; that the right turn prohibition from the project's parking structure onto Willow Street from 7:00 a.m.-5:00 p.m. on weekdays will minimally impact the surrounding streets and intersections due to existing excess capacity on those streets to handle traffic diverted from Kingsbury Street; that traffic generated by the proposed project will have a negligible impact, if any, on the operations of the Soo Line Railroad (which did not participate in the hearing) on Kingsbury Street and that operation of the trains will have a negligible impact, if any, on the people who go to the site because: (1) existing traffic on Kingsbury prior to 5 p.m. is very low; (2) the right turn prohibition from the site until 5:00 p.m. will prevent site traffic from traveling north on Kingsbury at the time the train travels on that street; (3) there are only three trains which travel on Kingsbury weekly and these travel at the very low speed of 5 mph or less; and (4) the train does not cross the Willow/Kingsbury intersection on Saturdays; that sufficient evidence supporting the above findings was introduced into the record to meet the standards outlined in Chapter 194A and 194D of the Chicago Municipal Ordinance involving traffic; that an environmental study was conducted which included a physical examination of the site and surrounding area and an on-site OSHA air sampling to quantify current ambient dust levels; that the research and sampling indicated that the dust levels present at the site are not excessive and were found to be levels viewed as being acceptable by the U.S. Environmental Protection Agency and in compliance with the standards of the Occupational Safety and Health Administration; that the sampling indicated that the air quality environment of the site is comparable to that of nearby residences and is not distinctly different from other existing shopping malls in the Chicago area; and that additional protection will be afforded the site patrons and employees by modern HVAC systems, providing additional protection from any airborne pollution that could travel to the site; it is therefore

RESOLVED, that on remand by order of the Court, with respect to the two issues raised by the Court, the Zoning Board of Appeals finds in favor of the Applicant-Defendant, Marcey Limited Partners, because it was found that there will be no adverse impact on surrounding existing businesses caused by traffic generated by the proposed project and that existing dust and pollution currently in the Clybourn area will not adversely affect shopping mall workers and customers to the mall.

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

APPLICANT: Uk Jung Chang
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST: Theodore Karavidas, Joseph Cicero, et al.
PREMISES AFFECTED— 4142 W. Lawrence Avenue
SUBJECT— Application for the approval of a special use.

CAL. NO. 166-91-S
MAP NO. 11-K
MINUTES OF MEETING
October 25, 1991

ACTION OF BOARD—

Case continued to
November 8, 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
October 25, 1991

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on November 8, 1991.

Marian Rest
Secretary