

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County Building, on Friday, September 18, 1992

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

The following members were present and constituted a quorum:

Joseph J. Spingola  
Chairman  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

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Member Martin moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on August 21, 1992 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin, McCabe-Miele and Moore. Nays- None.

\* \* \* \* \*

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

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

APPLICANT: Jerry Hamburg  
 APPEARANCES FOR: Jerry Hamburg  
 APPEARANCES AGAINST:

CAL. NO. 199-92-Z  
 MAP NO. 13-I  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 2432 W. Carmen Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jerry Hamburg, owner, on July 16, 1992, 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 2-story frame 2-dwelling unit building, which dormers will encroach into the required front and side yards and will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2432 W. Carmen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 29, 1992, 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 the City of Chicago, specifically, §7.6-3, §7.7-3, §7.8-3, §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 September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; 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 25' x 109.8' lot improved with a 2-story frame 2 dwelling unit building; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in an 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 Section 6.4-2(1)"; that the applicant proposes to dormer the attic of the 2-story frame 2-dwelling unit building which will encroach into the required front and side yards and which will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return or be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed attic dormer is necessary to provide additional living space for the applicant's daughter and her family who reside in the 2nd floor dwelling

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unit; that the plight of the owner is due to unique circumstances in that the existing 2-story building, as built, is located in the required front and side yards and that the expansion of the 2nd floor dwelling unit in any other manner is economically unfeasible due to the necessity of retaining the 1st floor dwelling unit for rental income; that no one appeared in opposition to the applicant's proposal; that the proposed attic dormer is compatible with existing residential improvements in this block, some of which have dormer additions and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the 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, which dormers will encroach into the required front and side yards and will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2432 W. Carmen 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: Jay and Cynthia Meystel  
 APPEARANCES FOR: Jay and Cynthia Meystel  
 APPEARANCES AGAINST:

CAL. NO. 200-92-Z  
 MAP NO. 17-I  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 2901 W. Estes Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jay and Cynthia Meystel, owners, on July 17, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story and attached garage addition to the rear of a 2-story brick single-family dwelling, whose rear yard will be 20.8 feet instead of 30 feet and whose total floor area ratio will be 0.60 instead of 0.50, on premises at 2901 W. Estes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 8, 1992, 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 the City of Chicago, specifically, §7.6-2, §7.9-2, §11.7-4(1)(13)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; 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 67.04' x 123.32' lot situated on the southwest corner of W. Estes Avenue and N. Francisco Avenue and is improved with a 2-story Georgian-style single-family dwelling with attached garage; that the applicants propose to erect a new 2-story with attached 1-story garage at the rear of the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2-story addition to the existing single-family is necessary to provide additional living space for the applicants and their 12 children; that the plight of the owner is due to the need for additional bedroom space for the applicant's children; that the proposed 2-story addition with attached 1-story garage will not impair an adequate supply of light and air to adjacent property and will be compatible with existing improvements in the block; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story and attached garage addition to the rear of a 2-story brick single-family dwelling, whose rear yard will be 20.8 feet instead of 30 feet and whose total floor area ratio will be 0.60 instead of 0.50, on premises at 2901 W. Estes 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: Maria Guerrero  
 APPEARANCES FOR: Madeline Rodriguez  
 APPEARANCES AGAINST:

CAL. NO. 201-92-Z  
 MAP NO. 6-J  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 3008 S. Hamlin Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Maria Guerrero, owner, on July 28, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of two 22.5' x 35.22' dormers to the attic of a 1-story brick single-family dwelling, whose front yard will be 14.75 feet instead of 20 feet and whose north side yard will be 1.5 feet instead of 3 feet, on premises at 3008 S. Hamlin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 26, 1992, 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 the City of Chicago, specifically, §7.8-3, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; 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 29' x 125.33' lot improved with a 1-story brick single-family dwelling with the subject 22.5' x 35.22' attic dormers; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said dormer additions are necessary to provide addition living space for the applicant and her family; that the plight of the owner is due to unique circumstances in that the applicant's contractor did not obtain the required building permit and that the applicant now seeks to legalize the two existing attic dormers; that the variations, if granted, will not alter the essential character of the locality in that the said attic dormers do not extend beyond the north and south side walls of the existing single-family dwelling and will not impair an adequate supply of light and air to adjacent properties; it is therefore

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

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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 two 22.5' x 35.22' dormers to the attic of a 1-story brick single-family dwelling, whose front yard will be 14.75 feet instead of 20 feet and whose north side yard will be 1.5 feet instead of 3 feet, on premises at 3008 S. 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: Karla Sanders  
 APPEARANCES FOR: Fred Sanders  
 APPEARANCES AGAINST:

CAL. NO. 202-92-Z  
 MAP NO. 5-F  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 2347 N. Geneva Terrace  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation denied.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola		X	
Anthony J. Fornelli		X	
LeRoy K. Martin, Jr.		X	
Gigi McCabe-Miele		X	
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Karla Sanders, for Anne Burger, owner, on August 10, 1992, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the establishment of an accessory parking space in the required 15 feet front yard of a 2-story frame single-family dwelling, on premises at 2347 N. Geneva Terrace; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1992, 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 the City of Chicago, specifically, §7.7-5, §7.12(5), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 3400 sq. ft. lot with no alley access and is improved with a 2-story frame single-family dwelling which sits back 17 feet from the street; that the single-family dwelling is occupied by Anne Burger, the applicant's 75 year old grandmother who suffers from severe arthritis, varicose veins and osteoporosis; that the applicant is seeking to provide an accessory off-street parking space for her grandmother's handicapped-licensed compact Nissan motor vehicle in order to make accessibility to the vehicle easier for her grandmother; that testimony presented indicates that the proposed accessory off-street parking space will be located on the north side of the single-family dwelling in space between the residential building and an apartment building to the north which is presently an area containing shrubbery, rather than in the required 15 feet front yard as the application for a variation originally proposed; that existing stairs on the north side of the single-family dwelling would be removed to accommodate the parking space; that testimony presented indicates that the applicant wants to eventually extend the proposed driveway or parking space into the basement of the existing single-family dwelling; that the Alderman of the ward testified to his willingness

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to provide a designated on-street handicapped parking space in front of the single-family dwelling for the applicant's grandmother's motor vehicle; that the accessory off-street parking space as proposed by the applicant necessitates a curb cut onto N. Geneva Terrace; that the Board feels that such a curb cut constitutes a potential safety hazard to the community and recommends that the establishment of an on-street handicapped parking space in front of the residence as proposed by the Alderman of the Ward is a reasonable solution to the applicant's desire for an easily accessible parking space; 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: Richard Folmer, by Robert J. Weber  
 APPEARANCES FOR: Robert J. Weber  
 APPEARANCES AGAINST:

CAL. NO. 203-92-Z  
 MAP NO. 9-P  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 3644 N. Page Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richard Folmer, by Robert J. Weber, for Richard Folmer, owner, on July 20, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 24.08' x 34.08' 2nd story addition and a 12.33' x 18.17' 2-story rear addition to a 1-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.58 instead of 0.50, on premises at 3644 N. Page Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 1992, 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 the City of Chicago, specifically, §7.6-2, §7.9-2(2)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 124.19' lot improved with a 1-story brick single-family dwelling with a 24.08' x 34.08' 2nd story addition and a 12.33' x 18.17' 2-story rear 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 said 2nd and 2-story additions are necessary to meet the living space requirements of the applicant and his family; that the plight of the owner is due to property's pre-existing side yards and the applicant's need to legalize the additions which were constructed by the applicant's contractor without obtaining the required building permit; that the variations, if granted, will not alter the essential character of the locality in that the said additions will not impair an adequate supply of light and air to adjacent properties and will be compatible with existing residential improvements in the area, some of which have 2nd story dormers; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 24.08' x 34.08' 2nd story addition and a 12.32' x 18.17' 2-story rear addition to a 1-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.58 instead of 0.50, on premises at 3644 N. Page 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: Richard Callahan  
 APPEARANCES FOR: Gary I. Wigoda, Richard Callahan  
 APPEARANCES AGAINST: C. Vena-Gust

CAL. NO. 204-92-Z  
 MAP NO. 4-G  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 974 W. Cullerton Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Richard Callahan, owner, on August 14, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 4th story addition to a 3-story brick 4-dwelling unit building, whose front yard will be 9.85 feet instead of 12 feet and whose east side yard will be 3 feet instead of 5 feet, on premises at 974 W. Cullerton Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 5, 1992, 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 the City of Chicago, specifically, §7.7-4, §7.8-4(1), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 50.08' x 100' lot improved with a rehabbed 4-story brick 4-dwelling unit building which includes the subject 4th story addition; that the applicant obtained a building permit to rehab the original 3-story building but proceeded to add a 4th story by raising the building's roof and adding exterior walls; that the property in question cannot yield a reasonable return not 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 make the building more marketable and economically feasible; that the plight of the owner is due to unique circumstances in that the existing building's front and east side yards do not meet present code requirements and that the requested variation is necessitated because of a pre-existing condition; that the said 4-story building is identical to a 4-story 4-dwelling unit building west of the subject site (which was rehabbed under an Exception granted by the Department

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of Zoning) and that the variations, if granted, will not alter the essential character of the locality in that the subject building is located in a neighborhood which is undergoing extensive rehabilitation; 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 4th story addition to a 3-story brick 4-dwelling unit building, whose front yard will be 9.85 feet instead of 12 feet and whose east side yard will be 3 feet instead of 5 feet, on premises at 974 W. Cullerton 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: Old Path Church of God in Christ, by Paul D. Lachcik  
 HEARANCES FOR: Paul D. Lachcik, Charles Benton  
 APPEARANCES AGAINST:

CAL. NO. 205-92-Z  
 MAP NO. 1-L  
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PREMISES AFFECTED— 5000 W. Ohio Street  
 SUBJECT— Application to vary the rquirements of the zoning ordinance

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Old Path Church of God in Christ, by Paul D. Lachcik, for Old Path Church of God in Christ, owner, on August 7, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of 2-story additions to the front and rear of a 2-story frame church building, with no front yard instead of 19.2 feet, whose east side yard will be 1 foot and with no west side yard instead of side yards of 12 feet each, and whose total floor area ratio will be 1.299 instead of 0.70, on premises at 5000 W. Ohio Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 2, 1992, 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 the City of Chicago, specifically, §7.6-3, §7.7-3, §7.8-3, §11.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; 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 25' x 120' corner lot improved with a 2-story frame church building built approximately 1904; that the applicant church has been located at the subject site for the past 23 years; that the applicant proposes to erect 2-story additions to the front and rear of the subject church 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 additions are necessary to provide additional space to meet the needs of the expanding congregation; that the plight of the owner is due to to the configuration of the pre-code church building within the required front and side yard set backs, which necessitates the variations requested; that only three off-street motor vehicle parking spaces are required due to the pre-existing status of the building; that the variations, if granted, will not alter the essential character of the locality in that

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the proposed 2-story additions will follow the existing south front wall and east and west side walls and will not impair an adequate supply of light and air to adjacent property, 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 2-story additions to the front and rear of a 2-story frame church building which will increase the seating capacity by 36 seats, with no front yard instead of 19.2 feet, whose east side yard will be 1 foot and with no west side yard instead of side yards of 12 feet each, and whose total floor area ratio will be 1.299 instead of 0.70, and with only three off-street parking spaces required, on premises at 5000 W. Ohio 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: First Korean United Methodist Church  
 APPEARANCES FOR: Alfred Aspengren  
 APPEARANCES AGAINST: Ed Tienzer

CAL. NO. 206-92-Z  
 MAP NO. 13-J  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 4844-50 N. Bernard Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, First Korean United Methodist Church, owner, on August 11, 1992, filed an application for a variation of the zoning ordinance to permit, in R3 and R4 General Residence Districts, for the erection of a 3-story 40' x 100.25' addition to the south side of a 3-story brick church building, with no rear yard instead of 30 feet and whose total floor area ratio will be 1.75 instead of 0.70, on premises at 4844-50 N. Bernard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 4, 1992, 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 the City of Chicago, specifically, §7.6-3, §7.9-3, §11.7-4(1), §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in R3 and R4 General Residence Districts; 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 R3 and R4 General Residence Districts; that the subject site is a 174.48' x 125.25' lot improved with a 3-story brick building occupied by the applicant church with an on-site parking area and a residential building on the south end of the property; that the applicant proposes to erect a 3-story 40' x 100.25' addition to the south side of the existing church building where existing parking spaces are located and that the parking will subsequently be relocated to where the residential building is situated; that the proposed addition will be used for enlarged Sunday School facilities; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the applicant is seeking a rear yard variation in order to construct the 3-story addition in alignment with the existing church building which has a zero rear yard setback; that the plight of the owner is due to the applicant's need to expand their Sunday School facility and the existing zero rear yard setback of the existing church building; that the variations, if granted, will not alter the essential character of the locality in that the proposed addition

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Cal. No. 206-92-Z

will be compatible with existing improvements in the block and will not impair an adequate supply of light and air to adjacent property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 40' x 100.25' addition to the south side of a 3-story brick church building, with no rear yard instead of 30 feet and whose total floor area ratio will be 1.75 instead of 0.70, on premises at 4844-50 N. Bernard Street, upon condition that the said 3-story addition shall be used for a Sunday School only and not for a daily school or day care center; that the parking area located at the south end of the property shall be for staff parking only and shall include a designated handicap parking space; that the parking area shall be improved with a compacted macadam base, not less than 4 inches thick and 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 a decorative solid wood fence shall be erected on the south lot line to screen the parking area from abutting residential property; that concrete wheel stops shall be provided; that lighting shall be provided directed away from abutting residential property; that striping shall be provided; that ingress shall be from N. Bernard Street; that egress shall be via the alley abutting the property to the west; that a "Right Turn Only" sign shall be erected at the alley exit; that the driveway on N. Bernard Street shall be constructed in compliance with applicable ordinances; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that a small fenced enclosure at the west end of the parking area abutting the alley shall be provided for refuse containers; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the parking area in conformance with the conditions and standards hereby established under this order.

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

APPLICANT: Thomas LoPresti and Patti Malk  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 207-92-Z  
 MAP NO. 7-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 2849-51 N. Southport Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Thomas LoPresti and Patti Malk, owners, on August 12, 1992, filed an application to permit, in a B2-2 Restricted Retail District (R5 General Residence District pending), the erection of a 3-story 10-dwelling unit building, with no front yard instead of 14.4 feet, whose side yards will be 1.5 feet each instead of 5.2 feet each and whose rear yard will be 20 feet instead of 30 feet, on premises at 2849-51 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 1992, 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 the City of Chicago, specifically, §7.7-5, §7.8-5, §7.9-5, §11.7-4(1)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a B2-2 Restricted Retail District (R5 General Residence District pending); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on September 17, 1992, the City Council rezoned the subject site from B2-2 Restricted Retail to R5 General Residence; that the subject site is a 52' x 120' unimproved lot; that the applicants propose to erect a 3-story 10 dwelling unit building with 14 on-site parking spaces; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to construct the 3-story 10-dwelling unit building as designed with on-site parking and interior courtyard for maximum light and ventilation for interior dwelling units; that the plight of the owner is due to unique circumstances in that the proposed 3-story 10-dwelling unit building requires greater land coverage and encroachment into the front and side yards that would a yard conforming multi-story apartment building; that the front yard variation is necessary to provide adequate on-site parking space both at the front and rear of the proposed building; that the proposed residential building will be compatible with existing residential improvements in the area and that the variations, if granted, will not

MINUTES OF MEETING

September 18, 1992

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alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 10-dwelling unit building, with no front yard instead of 14.4 feet, whose side yards will be 1.5 feet each instead of 5.2 feet each and whose rear yard will be 20 feet instead of 30 feet, on premises at 2849-51 N. Southport Avenue, upon condition that there shall be a designated area at the rear of the property for garbage receptacles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued

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

APPLICANT: Keith M. Rudman  
 APPEARANCES FOR: William S. Singer, Keith M. Rudman  
 APPEARANCES AGAINST:

CAL. NO. 208-92-Z  
 MAP NO. 5-F  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 1740 N. Cleveland Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Keith M. Rudman, owner, on August 14, 1992, filed an application for a variation to permit, in an R5 General Residence District, the erection of a 2nd story family room addition above the garage and a connecting 2-story addition to the rear of a 2-story single-family dwelling, with no rear yard instead of 30 feet, on premises at 1740 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 7, 1992, 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 the City of Chicago, specifically, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 48.04' x 125.65' lot improved with a 2-story residential building; that on March 18, 1988, the Board granted a variation to the applicant for the erection of a 2-story residential building with attached 1-story garage, at the subject site, whose north side yard will be 1 foot instead of 4.8 feet and which portion attached to the garage will be located in the required rear yard, in Calendar No. 37-88-Z; that the applicant proposes to erect a 2nd story family room addition above the garage and a connecting 2-story addition to the rear of the existing building; that the existing residence was designed to be used by a single individual but that the applicant now seeks to sell the property; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to construct the proposed additions in order to make the existing residential building marketable as a family residence, and to erect the additions as designed without destroying a landscaped courtyard area; that the plight of the owner is due to

## MINUTES OF MEETING

September 18, 1992

Cal. No. 208-92-Z

unique circumstances in that the property was originally developed for single person occupancy and that after trying to sell the property for over a year without success the applicant was advised that in order to sell it at a reasonable price a family room addition was necessary to make it a marketable family residence; that the residential building as proposed is consistent with size and location of adjoining buildings and is located in a block in which most of the improvements do not comply with the side and rear yard requirements; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story family room addition above the garage and a connecting 2-story addition to the rear of a 2-story single-family dwelling, with no rear yard instead of 30 feet, on premises at 1740 N. Cleveland Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John Kamysz  
 APPEARANCES FOR: John J. Pikarski, Jr., John Kamysz  
 APPEARANCES AGAINST: Amanda Toney  
 PREMISES AFFECTED— 5917-25 W. North Avenue  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 209-92-S  
 MAP NO. 3-M  
 MINUTES OF MEETING  
 September 18, 1992

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, John Kamysz, owner, on August 7, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the renovation of a former automatic auto laundry building into a 7-bay self-service auto laundry facility, in a B4-1 Restricted Service District (C1-1 Restricted Commercial District proposed), on premises at 5917-25 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 1992, 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 the City of Chicago, specifically, §9.4-1(2), §11.10."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a B4-1 Restricted Service District (C1-1 Restricted Commercial District proposed);

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that on September 16, 1992, the City Council rezoned the subject site from B4-1 Restricted Service to C1-1 Restricted Commercial specifically for the proposed use; that the subject site is a 107' x 125' lot improved with an abandoned 1-story brick 7-bay auto repair garage converted to an automatic auto laundry; that the applicant proposes to renovate the building into a 24-hour 7-bay self-service auto laundry facility; that the proposed use is necessary for the public convenience at this location to provide a service to residents of the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the renovation and use of the former automatic auto laundry facility as a self-service auto laundry 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

September 18, 1992

Cal. No. 209-92-S

Zoning Administrator is authorized to permit the renovation of a former automatic auto laundry building to a 7-bay self-service auto laundry facility, on premises at 5917-25 W. North Avenue, upon condition that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails 2 feet high shall be erected on the west, north and east lot lines, excepting the driveway(s); that a 6 feet high decorative solid wood fence shall be erected on the south lot line abutting the alley to screen the facility from residential property; that ingress to the facility shall be from W. North Avenue at the northeast corner of the site; that egress from the facility shall be onto N. Mason Avenue at the southwest corner of the site upon condition that the alderman of the ward shall obtain an ordinance making N. Mason Avenue a 2-way street up to the alley directly abutting the site on the south lot line; that a new driveway shall be provided at the southwest corner for egress from the facility; that said driveway shall be angled 45° northwest so as to discourage left turns; that a "Right Turn Only" sign shall be erected at said exit; that failing passage of the aforesaid ordinance, all ingress and egress shall be from W. North Avenue; that the applicant shall erect signs prohibiting loitering and the playing of loud music at the site; that lighting shall be provided which is screened and reflects away from residential property; that an attendant shall be on duty for at least a minimum of 8 hours daily; that security checks shall be made on a regular basis during the remaining hours of operation; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the site continuously in compliance with the conditions and standards hereby established under this order.

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

APPLICANT: J & W. Investment, Inc., an Illinois Corp.  
 APPEARANCES FOR: Joan Ferraro  
 APPEARANCES AGAINST:

CAL. NO. 210-92-S  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 3129 W. Armitage Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
		x
x		
A b s t a i n		
x		
x		

THE RESOLUTION:

WHEREAS, J & W Investment, Inc., an Illinois Corp. for L. Copeland Enterprises, Inc., a Texas Corp., owner, on July 14, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and establishment of a drive-through facility in conjunction with a Rally's Hamburgers Restaurant to be constructed at the site, in a B4-1 Restricted Service District, on premises at 3129 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1992, 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 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 September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 19,350 sq. ft. lot previously improved with a Church's Fried Chicken drive through restaurant which is presently boarded and vacant; that it is proposed to construct a Rally's Hamburgers Restaurant at the subject site and to provide drive-through service in conjunction with said use; that the proposed drive-through service is necessary for the public convenience at this location to provide an additional service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility to be improved and operated under the conditions hereinafter set forth; and that the use of the subject site for a restaurant with drive-through facilities is similar to the previous use of the property 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

## MINUTES OF MEETING

September 18, 1992

Cal. No. 210-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a drive-through facility in conjunction with a Rally's Hamburgers Restaurant to be constructed at the site, on premises at 3129 W. Armitage Avenue, upon condition that the ingress and egress curb cut located on the northwest corner of the site at the intersection of N. Kedzie Avenue and W. Armitage Avenue shall be eliminated; that ingress to the drive-through portion of the site shall be from N. Kedzie Avenue at the southwest corner of the site; that egress from the drive-through portion of the site shall be from the northeast corner of the property onto W. Armitage Avenue; that lighted directional signs shall be erected at the established entrance and exit on the site; that a 6 feet high chain link fence shall be erected on the south and east lot lines; that there shall be no ingress nor egress from the alley abutting the site to the south; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that a suitable garbage dumpster area shall be provided at the southeast corner of the site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ameritech Mobile Communications, Inc.  
 APPEARANCES FOR: Richard Connor Riley  
 APPEARANCES AGAINST:

CAL. NO. 211-92-S  
 MAP NO. 5-F  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 2144 N. Lincoln Park West  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Ameritech Mobile Communications, Inc., for 2144 Lincoln Park West Condominium Association, owner, on July 21, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 18' x 22.5' cellular telephone switching equipment building and installation of necessary antennae on the roof of a 26-story condominium building for use by a mobile telephone service business, in an R7 General Residence District, on premises at 2144 N. Lincoln Park West; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 7, 1992, 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 the City of Chicago, specifically, §7.3-7, §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 September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in an R7 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 R7 General Residence District; that the subject site is improved with a 26-story condominium building; that the applicant proposes to erect a 18' x 22.5 cellular telephone switching equipment building and install nine 1' x 2' panel-style antennae on the roof of the said condominium building; that cellular telephone systems are laid out on a grid pattern and the spacing and location of the component cells is critical for successful operation of the system; that the proposed use is necessary for the public convenience at this location to allow the cell site to function as an integral unit in the system without interfering with existing cell sites in the area; that the public health, safety and welfare will be adequately protected in the proposed use which will be constructed and operated in compliance with the regulations of the Federal Communications Commission; that the operation of the proposed antennae will not interfere with other public transmissions in the neighborhood; that the proposed use, with the stipulations hereinafter set forth, will be compatible with the existing residential improvements in the neighborhood and will not cause substantial injury to the value of other property in the area; it is therefore

MINUTES OF MEETING

September 18, 1992

Cal. No. 211-91-S

RESOLVED; that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 18' x 22.5' cellular telephone switching equipment building and the installation of 9 antennae on the roof of a 26-story condominium building for use by a mobile telephone service business, on premises at 2144 N. Lincoln Park West, upon condition that the existing concrete penthouse shall be repainted and that the metal panels of the proposed equipment building shall be painted with a color matching as close as possible the repainted penthouse; that the applicant shall install new matching gravel stop at the roof edge of the existing penthouse and around the proposed building and having a typical height; that the proposed transmission equipment building and antennae and the use thereof shall be constructed and operated in compliance with the regulations of the Federal Communications Commission; 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:

Excellent Way Church of God in Christ and  
The Excellent Way Urban Outreach Ministry

CAL. NO. 212-92-S

APPEARANCES FOR:

MAP NO. 18-B

APPEARANCES AGAINST:

MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 2510 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
November 20, 1992.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Excellent Way Church of God in Christ and  
The Excellent Way Urban Outreach Ministry

APPEARANCES FOR:

APPEARANCES AGAINST:

CAL. NO. 213-92-S  
MAP NO. 18-B  
MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 2418-22 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
November 20, 1992.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Intercommunity Charitable Trust  
 APPEARANCES FOR: William J. Hennessey  
 APPEARANCES AGAINST:

CAL. NO. 214-92-S  
 MAP NO. 15-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 6259 N. Broadway  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Intercommunity Charitable Trust, owner, on July 17, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 1,075-seat church in a 1 and 2-story brick building, in a C2-3 General Commercial District, on premises at 6259 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 14, 1992, 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 the City of Chicago, specifically, §§8.4-1(1), §9.4-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a C2-3 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-3 General Commercial District; that the subject site is an 81.4' x 150' lot improved with a 1 and 2-story brick building; that the applicant is a religious and fraternal organization created to advance the religious, educational, cultural and charitable interests of its membership who adhere to the Ismaili branch of the Islamic faith; that the applicant proposes to establish a 1,075-seat place of worship in a portion of the subject building; that the remaining portion of the building will be used as the Ismaili Community Center, a permitted use in this C2-3 zoning district; that the proposed use is necessary for the public convenience at this location to meet the needs of its congregation, many of whom reside in the immediate area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations and that adequate off-street parking will be provided in an existing parking lot at 6301-13 N. Broadway, in Calendar No. 216-92-S, which off-site parking lot will be used collectively by applicant with the community center, as provided for in Calendar No. 217-92-Z; that the renovation of the subject building for use as a place of worship and the permitted community center use will be an improvement of the building in the neighborhood and will not cause substantial injury to the value of other

MINUTES OF MEETING

September 18, 1992

Cal. No. 214-92-S

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 1,075 seat church in a 1 and 2-story brick building, on premises at 6259 N. Broadway, upon condition that the hours of operation shall be limited to the hours of 6 A.M. to 6:30 A.M. and 7:30 P.M. to 8:30 P.M., weekdays and 6 A.M. to 6:30 A.M. and 7 P.M. to 8 P.M. Saturday and Sunday; that off-street parking shall be provided in an existing parking lot at 6301-13 N. Broadway under Calendar No. 216-92-S which parking lot will be used collectively with the permitted community center use under Calendar No. 217-92-Z; 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: Intercommunity Charitable Trust  
 APPEARANCES FOR: William J. Hennessey  
 APPEARANCES AGAINST:

CAL. NO. 215-92-Z  
 MAP NO. 15-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 6259 N. Broadway  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Intercommunity Charitable Trust, owner, on July 17, 1992, filed an application for a variation of the zoning ordinance to permit, in a C2-3 General Commercial District, the establishment of a 1,075-seat church with off-street parking space for 75 automobiles instead of 90 required, on premises at 6259 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 14, 1992, 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 the City of Chicago, specifically, §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a C2-3 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-3 General Commercial District; that the subject site is an 81.4' x 150' lot improved with a 1 and 2-story brick building and which occupies the entire site; that on September 18, 1992, the Board approved the establishment of a 1,075-seat house of worship to be used by the Ismaili branch of the Islamic faith, in Cal. No. 214-92-S; that the applicant seeks to provide off-street parking for the said house of worship in an existing 75-space parking lot located directly north of the subject site across N. Rosemont Avenue; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested waiver of 15 off-street parking spaces is necessary due to the size of the existing parking lot the applicant seeks to use and which only contains 75 parking spaces instead of the 90 required by the applicant; that the plight of the owner is due to the necessity of providing off-street parking as required under the zoning ordinance and that there is no available space on the subject property for off-street parking; that the variation, if granted, will not alter the essential character of the locality that the waiver of 15 off-street parking spaces will not materially affect off-street parking

MINUTES OF MEETING

September 18, 1992

Cal. No. 215-92-Z

in the neighborhood during the hours when religious services are being held by the applicant; 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 establishment of a 1,075-seat church with off-street parking space for 75 automobiles instead of 90 required, on premises at 6259 N. Broadway, 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: Intercommunity Charitable Trust  
 APPEARANCES FOR: William J. Hennessey  
 APPEARANCES AGAINST:

CAL. NO. 216-92-S  
 MAP NO. 15-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 6301-13 N. Broadway  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Intercommunity Charitable Trust, owner, on July 17, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an existing 75-space parking lot as off-site parking, in a C2-3 General Commercial District, on premises at 6301-13 N. Broadway, to satisfy the parking requirement for a proposed 1,075-seat church at 6259 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 14, 1992, 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 the City of Chicago, specifically, §8.4-1(7), §9.4-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a C2-3 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-3 General Commercial District; that the subject site is a 150' x 150' lot improved and occupied as an accessory off-street parking lot; that the applicant owns the parking lot site; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for a proposed 1,075-seat house of worship used by the Ismaili branch of the Islamic faith located at 6259 N. Broadway; that the establishment of the aforesaid house of worship was approved by the Board on September 18, 1992 in Calendar No. 214-92-S; that the said parking lot contains 75 spaces; that the Board on September 18, 1992 granted the waiver of 15 of the 90 parking spaces required by the applicant under the zoning ordinance, in Calendar No. 215-92-Z; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the aforesaid 1,075-seat house of worship located at 6259 N. Broadway; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said parking lot which is located directly north across W. Rosemont Avenue from the house of worship and which will be improved and operated under the conditions hereinafter set forth; that the use of the existing parking lot by the applicant

## MINUTES OF MEETING

September 18, 1992

Cal. No. 216-92-S

during the hours of religious services 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 existing 75-space parking lot as off-site parking, on premises at 6301-13 N. Broadway, to satisfy the parking requirement for a proposed 1,075 seat church at 6259 N. Broadway, upon condition that the parking lot shall be used solely for the parking of private passenger automobiles; 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 and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails, 2 feet high, shall be erected on the periphery of the lot, excepting the driveways; that striping and lighting shall be provided; that ingress and egress shall be from N. Broadway; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the use of the subject parking lot shall be limited to the hours when religious services are held by the house of worship; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the said parking lot under the conditions 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 806

APPLICANT: Intercommunity Charitable Trust  
 APPEARANCES FOR: William J. Hennessey  
 APPEARANCES AGAINST:

CAL. NO. 217-92-Z  
 MAP NO. 15-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 6301-13 N. Broadway

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

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Intercommunity Charitable Trust, owner, on July 17, 1992, filed an application for a variation of the zoning ordinance to permit, in a C2-3 General Commercial District, the use of an existing 75 space parking lot, on premises at 6301-13 N. Broadway, to be used collectively as required parking for a religious and fraternal institution at 1124-30 W. Rosemont Avenue and a proposed 1,075-seat church at 6259 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 14, 1992, 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 the City of Chicago, specifically, §11.7-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a C2-3 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-3 General Commercial District; that on September 18, 1992, the Board approved the established of an existing 75-space off-site accessory parking lot at the subject site to satisfy the parking requirement for a proposed 1,075 seat house of worship at 6259 N. Broadway, in Calendar No. 216-92-S; that the subject site parking lot presently provides off-street parking for the adjoining property at 1124-30 W. Rosemont Avenue which is owned by the applicant and is the headquarters of the applicant organization; that the subject parking lot is used by the applicant during the hours of 9 A.M. and 6 P.M., weekdays and 12 Noon and 6 P.M., Saturday and Sunday; that the house of worship located at 6259 N. Broadway proposes to use the parking lot during the hours of 6 A.M. to 6:30 A.M. and 7:30 P.M. to 8:30 P.M., weekdays and 6 A.M. to 6:30 A.M. and 7 P.M. to 8 P.M., Saturday and Sunday; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the collective use of the existing parking lot by the applicant and the Ismaili house of worship is necessary in order to satisfy the office-street parking requirements of both organizations; that the plight of the owner is

## MINUTES OF MEETING

September 18, 1992

Cal. No. 217-92-Z

due to the lack of off-street parking facilities in the area which could be used by the aforesaid house of worship for their required off-street parking and which necessitates the variation requested; that the variation, if granted, will not alter the essential character of the locality in that the collective use of the subject parking lot by the applicant charitable organization and the house of worship during the hours cited above, will not cause substantial parking congestion in the area; 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 use of a existing 75-space parking lot, on premises at 6301-13 N. Broadway to be used collectively as required parking for a religious and fraternal institution headquarters at 1124-30 W. Rosemont Avenue and a proposed 1,075-seat house of worship at 6259 N. Broadway, upon condition that the use of the site by the religious and fraternal institution shall be limited to the hours between 9 A.M. and 6 P.M., weekdays and 12 Noon and 6 P.M., Saturday and Sunday; that the use of the site by the house of worship shall be limited to the hours between 6 A.M. and 6:30 A.M. and 7:30 P.M. and 8:30 P.M., weekdays and 6 A.M. and 6:30 A.M. and 7 P.M. and 8 P.M., Saturday and Sunday; 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: Old Reliable Pawnbrokers, Inc.

CAL. NO. 218-92-S

APPEARANCES FOR:

MAP NO. 10-E

APPEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1992

PREMISES AFFECTED— 330 E. 47th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
November 20, 1992.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: King Jewelry and Watch. Inc., an Illinois Corp.

CAL. NO. 219-92-A

APPEARANCES FOR:

MAP NO. 4-F

APPEARANCES AGAINST:

MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 1217 S. Halsted Street

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

ACTION OF BOARD—

Case continued to  
December 18, 1992.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Impact Media, Inc.

CAL. NO. 220-92-A

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1992

PREMISES AFFECTED— 1025 W. Addison Street

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Ben and Araceli Montoya, by George Svoboda  
 APPEARANCES FOR: Araceli Montoya  
 APPEARANCES AGAINST:

CAL. NO. 221-92-A  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 2335 N. Elston 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  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Gigi McCabe-Miele	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Ben and Araceli Montoya, by George Svoboda, for Ben and Araceli Montoya, owners, on July 14, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a 20.35' x 38.42' 2nd story addition to a brick 1-story non-conforming single-family dwelling, in an M3-3 Heavy Manufacturing District, on premises at 2335 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 9, 1992, 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 the City of Chicago, specifically, §6.4-2, §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 September 18, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M3-3 Heavy Manufacturing District; that the subject site is a 25' x 125' lot improved with a 1-story brick non-conforming single-family dwelling; that the appellants propose to erect a 20.35' x 38.42' 2nd story addition containing three bedrooms and a powder room; that the existing single-family dwelling presently contains only 1 bedroom; that the appellants have two children and require bedroom space for them in this existing small non-conforming single-family dwelling; that the proposed addition totals 935 sq. ft. and is well below the allowable floor area ratio permitted in this M3-3 zoning district; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their 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 20.35' x 38.42' 2nd story addition to a brick 1-story non-conforming single-family dwelling, on premises at 2335 N. Elston 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: Winston H. Cristancho  
 APPEARANCES FOR: Winston H. Cristancho  
 APPEARANCES AGAINST:

CAL. NO. 222-92-A  
 MAP NO. 13-L  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 5301 N. Central 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  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Winston H. Cristancho, for Rudy Rakovic, owner, on July 31, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a business for the sale and rental of cellular phones and pagers in a store on the 1st floor of a 2-story brick store and apartment building, in an R3 General Residence District, on premises at 5301 N. Central Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1992, 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 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 September 18, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick store and apartment building; that on April 13, 1984 the Board sustained an appeal permitting a food purveyor license for an existing candy store in the store in the building on the subject site, in Calendar No. 138-84-A; that the appellant has occupied the store premises since December, 1991 for the purpose of selling and renting cellular phones and pagers and their accessories along with services to the community such as mail box service, U.P.S. service, and fax and copy services; that licensing requirements have caused the case to be filed; that the change of use to the aforesaid business is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a business for the sale and rental of cellular phones and pagers along with mail box, U.P. S., fax and copy services in a store on the 1st floor of a 2-story brick store and apartment building on premises at 5301 N. Central Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Monday through Friday and 11 A.M. and 2 P.M., Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Zulma Colon  
 APPEARANCES FOR: Zulma Colon, Madeline Rodriguez  
 APPEARANCES AGAINST:

CAL. NO. 223-92-A  
 MAP NO. 8-I  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 2559 W. 38th 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  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Zulma Colon, for Armando Reyes, owner, on August 4, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store on the 1st floor of a 2-story frame store and apartment building, in an R3 General Residence District, on premises at 2559 W. 38th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 1992, 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 the City of Chicago, specifically, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story frame store and apartment building; that the store in the subject building has been previously occupied by business uses, the last use having been a tailor shop, a B2 use; that the appellant proposes to establish a grocery store, a B1 use, in the store premises; that the change of use to a grocery store is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store on the 1st floor of a 2-story frame store and apartment building, on premises at 2559 W. 38th Street, upon condition that no liquor shall be sold on the premises; that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ken and Charlotte Ide

CAL. NO. 224-92-A

APPEARANCES FOR:

MAP NO. 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 4630-32 N. Drake Avenue

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

ACTION OF BOARD—

THE VOTE

Appeal withdrawn upon  
motion of appellant.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Myron E. Hazen

CAL. NO. 225-92-Z

APPEARANCES FOR:

MAP NO. 28-E

APPEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1992

PREMISES AFFECTED— 645 E. 113th Street

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

ACTION OF BOARD—

THE VOTE

Case continued to  
November 20, 1992.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Lawrence Warshaw  
 APPEARANCES FOR: Lawrence Warshaw  
 APPEARANCES AGAINST:

CAL. NO. 226-92-A  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 3635 N. Ashland 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  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Lawrence Warshaw, owner, on August 4, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the expansion of the ground floor rear non-conforming dwelling unit into the vacant store space in a 2-story frame store and 2-dwelling unit building, in a C1-2 Restricted Commercial District, on premises at 3635 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 29, 1992, 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 the City of Chicago, specifically, §9.3-1, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992; 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 proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a 2-story frame store and 2-dwelling unit building; that the appellant seeks to expand the ground floor rear non-conforming dwelling unit into the vacant store space; that the subject site has been zoned Commercial since the adoption of the zoning ordinance in 1923, and the apartment at the rear of the store has existed prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that under Section 6.4-6 of the zoning ordinance the non-conforming apartment use in the building may be extended throughout the building; 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 the Zoning Administrator is authorized to permit the expansion of the ground floor rear non-conforming dwelling unit into the vacant store space in a 2-story frame store and 2-dwelling unit building, on premises at 3635 N. Ashland 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: Maria R. Godinez and Jose M. Godinez  
 APPEARANCES FOR: Maria R. Godinez  
 APPEARANCES AGAINST:

CAL. NO. 227-92-Z  
 MAP NO. 4-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 1946 S. Racine 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  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Maria R. Godinez and Jose M. Godinez, owners, on August 10, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the expansion of the ground floor rear non-conforming dwelling into the vacant store space in a 4-story brick store and 9 dwelling unit building, in a C1-2 Restricted Commercial District, on premises at 1946 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 10, 1992, 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 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 September 18, 1992; 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 proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a 4-story brick store and 9 dwelling unit building; that the subject store premises was previously occupied by a tavern until 1991; that the area has subsequently been designated a "dry" area; that the appellant testified that over 50% of the ground floor has been a dwelling unit and that she now wishes to expand the dwelling unit into the vacant store space; that the subject site has been zoned Commercial since the adoption of the 1923 zoning ordinance and that the rear dwelling unit has been a pre-existing non-conforming use since the adoption of the 1957 comprehensive amendment to the zoning ordinance that under Section 6.4-6 of the zoning ordinance the non-conforming use of a part of a building may be extended throughout the building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her 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 expansion of the ground floor rear non-conforming dwelling into the vacant store space in a 4-story brick store and 9 dwelling unit building, on premises at 1946 S. Racine 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: Willie F. Byrd  
 APPEARANCES FOR: Sydney Sherman, Willie F. Byrd  
 APPEARANCES AGAINST:

CAL. NO. 228-92-S  
 MAP NO. 18-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 7152-58 S. Halsted Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Willie F. Byrd, for Chicago City Bank & Trust Co., Tr. #10942, owner, on July 14, 1992, filed an application under the zoning ordinance for the approval of the location and the establishment of a self-service laundrette in a proposed 1-story 40' x 90' building, in a B2-2 Restricted Retail District, on premises at 7152-58 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 28, 1992, 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 the City of Chicago, specifically, §8.3-4, §8.4-2(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; 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 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 73.72' x 121' vacant lot on the northwest corner of W. 72nd Street and S. Halsted Street; that the subject site lot is one of three off-site parking lots approved by the Board on July 27, 1984, in Cal. No. 235-84-S, to satisfy the parking requirement for a church located at 7138-40 S. Halsted Street; that the lot was never improved by the church for off-street parking; that the applicant testified that he has owned the subject site lot for the past 15 years; that the applicant's special use application indicates he is the beneficial owner of the property under Chicago City Bank and Trust Co. Trust No. 10942, rather than the church in Calendar No. 235-84-S as stated in that special use application; that the applicant in this case seeks to erect a 1-story 40' x 90' building for use as a self-service laundrette; that the proposed use is necessary for the public convenience at this location to fulfill a need for residents in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use under the conditions hereinafter set forth; that the proposed use will be an improvement in this block and an incentive for other business construction in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

## MINUTES OF MEETING

September 18, 1992

Cal. No. 228-92-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 self-service launderette in a proposed 1-story 40' x 90' building, on premises at 7152-58 S. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 6:30 A.M. and 10:00 P.M., Mondays through Saturday; that there shall be an employee on duty at the site during all hours of operation; that the off-street parking area located to the south and west of the proposed building shall be improved with a compacted macadam base, four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails, two feet high, shall be erected on the periphery of the parking area, excepting the driveway; that the driveway shall be located on W. 72nd Street; that the driveway shall be constructed in compliance with applicable ordinances; that the alley shall not be used for ingress nor for egress; that striping shall be provided; that lighting shall be provided directed away from residential property; and landscaping shall be provided in compliance with applicable provisions of the Chicago Landscape Ordinance; that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the parking area in compliance with all conditions and standards hereby established under this order.

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

APPLICANT: Queen of Angels Parish  
 APPEARANCES FOR: Michael V. Casey, et al.  
 APPEARANCES AGAINST:

CAL. NO. 229-92-S  
 MAP NO. 11-I  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 4412-14 N. Western Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
A	b	s t a i n

THE RESOLUTION:

WHEREAS, Queen of Angels Parish, for Catholic Bishop of Chicago, a corporation sole, owner, on July 22, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a temporary overnight shelter in an existing 2-story brick community center building, in a C1-2 Restricted Commercial District, on premises at 4412-14 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 8, 1992, 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 the City of Chicago, specifically, §8.4-1(15), §9.4-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; 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 proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a 2-story brick community center building; that on October 21, 1983 the Board sustained, under certain conditions, an appeal by the applicant in this case permitting the remodeling of the south 1st floor portion of a 1 and 2-story accessory gymnasium building at the subject site for use as a banquet facility and the erection of a 2nd floor 49' x 104' addition for use as a community center and bingo hall, in Calendar No. 322-83-A; that the applicant proposes to establish a temporary overnight shelter for a maximum 25 homeless men in one of its meeting rooms on the 2nd floor of the said 2-story building known as The Guild Hall; that the proposed shelter will be operated under joint sponsorship of seven community churches; that the proposed shelter will be operated between November 1 and April 1, Monday through Friday from 9:30 P.M. to 7:00 A.M.; that a hot meal will be provided to residents; that the shelter will be staff by volunteers from the seven community churches; that 5 volunteer staff persons will be on duty during the hours of operation; that access to the proposed 2nd floor shelter will be from N. Western Avenue; that persons under the influence of alcohol or drugs will not be allowed access to the proposed facility; that no

## MINUTES OF MEETING

September 18, 1882  
Cal. No. 229-92-S

weapons will be allowed on premises; that no loitering around the community center building will be allowed; that the proposed use is necessary for the public convenience at this location to provide overnight shelter for the homeless in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed shelter under the conditions hereinafter set forth and that the facility will meet all applicable provisions of the municipal ordinances governing the establishment & operation of temporary overnight shelter facilities; and that the establishment of the proposed overnight shelter facility at the subject site fulfills a need in the community and the operation of such facility under the supervision of seven community churches 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 temporary overnight shelter for homeless men limited to 25 beds in a room on the second floor of a 2-story brick community center building, on premises at 4412-14 N. Western Avenue, upon condition that no other portion of the building shall be used as an overnight shelter facility; that security staff of the shelter shall use all reasonable efforts to prevent loitering in the area outside the building; that entrance to the shelter shall be located on N. Western Avenue only; that no sign shall be installed identifying the building as an overnight shelter for the homeless; that the shelter operation shall be limited to November 1 to April 1 and shall only be open Monday through Friday from 9:30 P.M. to 7:00 A.M.; that persons under the influence of alcohol or drugs shall not be admitted to the shelter; that there shall be no weapons allowed at the site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a temporary overnight shelter facility or any increase in beds or the number of persons to be served, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void; and be it further

RESOLVED, that the applicant shall be responsible for establishing an advisory council made up of representatives of the sponsoring churches and neighborhood organizations who will monitor the operations of the aforesaid shelter and suggest changes that improve its operations and management.

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

APPLICANT: John Hancock Mutual Life Insurance Co.  
 APPEARANCES FOR: Earl L. Neal, John J. George, Peter A. Sarasek  
 APPEARANCES AGAINST:

CAL. NO. 230-92-S  
 MAP NO. 3-E  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 875 N. Michigan Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, John Hancock Mutual Life Insurance Co., owner, on July 10, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of accessory and non-accessory parking in lieu of the retail space on the 4th and 5th floors of the John Hancock Building, in a B6-6 Restricted Central Business District, on premises at 875 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 7, 1992, 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 the City of Chicago, specifically, §8.4-1(7), §8.4-6(1), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 31, 1992; and

WHEREAS, the district maps show that the premises is located in a B6-6 Restricted Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-6 Restricted Central Business District; that the subject site is improved with the John Hancock Center building; that on July 20, 1972, the Board approved a special use filed by the applicant for the establishment of 650 accessory and non-accessory parking spaces to be located on floors 6 through 12 of the John Hancock Center, at the subject site; that the testimony presented in Calendar No. 59-70-S is hereby made part of the record in this case; that the applicant proposes to establish accessory and non-accessory parking on floors 4 and 5 of the Hancock Center building, which floors were formerly occupied as retail space by Bonwit Teller; that the proposed reconfiguration of the 4th and 5th floors from retail use to parking spaces would increase the total number of parking spaces from 650 to 774; that the proposed use is necessary for the public convenience at this location in that residential, retail and commercial uses in the immediate vicinity have increased substantially, thereby causing traffic congestion and elimination of on-street parking spaces; that the additional parking spaces requested will accommodate building residents, shoppers and users of the commercial spaces in the immediate area; that the public health,

MINUTES OF MEETING

September 18, 1992

Cal. No. 230-92-S

safety and welfare will be adequately protected in the design, location and operation of the proposed use which is designed so as to reduce traffic congestion in the area and which will be operated in accordance with all applicable provisions of the municipal ordinances governing operation of automobile parking facilities; that the establishment of 124 additional accessory and non-accessory parking spaces on the 4th and 5th floors of the Hancock Center building will not cause substantial injury to the value of other property in the area in that said parking spaces will help reduce traffic and parking congestion in the area and make the use of the residential, retail and commercial facilities in the vicinity easier and more convenient; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of accessory and non-accessory parking in lieu of the retail space on the 4th and 5th floors of the John Hancock Building, on premises at 875 N. Michigan Avenue, which parking totals 174 additional spaces and increases the total parking spaces located on floors 4 through 12, inclusive, to 774 spaces, 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: Henry Jennings

CAL. NO. 133-92-A

PEARANCES FOR:

MAP NO. 10-E

PEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1992

PREMISES AFFECTED— 4239 S. Dr. Martin Luther King, Jr. Drive

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

ACTION OF BOARD—

Case continued to  
November 20, 1992.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: MGA Enterprises, Ltd.

CAL. NO. 138-92-A

APPEARANCES FOR:

MAP NO. 2-L

APPEARANCES AGAINST:

MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 750 S. Cicero 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  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: American National Bank, Tr. #100532-05  
APPEARANCES FOR:  
APPEARANCES AGAINST:

CAL. NO. 167-92-A  
MAP NO. M2-5  
MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 444 W. Grand Avenue

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

ACTION OF BOARD—

Case continued to  
December 18, 1992.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Christ Center  
 APPEARANCES FOR: Richard C. Baker  
 APPEARANCES AGAINST: Mort Gordon, et al.

CAL. NO. 50-92-S  
 MAP NO. 2-G  
 MINUTES OF MEETING  
 September 18, 1992

PREMISES AFFECTED— 1139-49 W. Madison Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Christ Center, for Bank of the North Shore, Tr. #1028 and First Bank of Oak Park, Tr. #1524, owners, on January 21, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 500-seat church in a 2 and 3-story brick building, in a C2-3 General Commercial District, on premises at 1139-49 W. Madison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1992, 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 the City of Chicago, specifically, §9.4-2, §9.11-2(1), §9.10-1(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on March 2, 1992; and

WHEREAS, the district maps show that the premises is located in a C2-3 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-3 General Commercial District; that the subject site is improved with a 2 and 3-story brick commercial building; that the applicant proposes to establish a 500-seat church in the building on the subject site; that evidence presented indicates that Madison Street in this area is an economically viable street; that the subject site is located in a designated City Planned area under the Madison-Racine Redevelopment Plan, which, in part, limits uses within the redevelopment area to commercial and light industrial uses and that any other use must be auxiliary and subordinate to the primary commercial uses; that no evidence was presented to indicate that the proposed use would not be injurious to the value of other property in the area; that the proposed establishment of a church at the subject site is inconsistent with the trend of commercial and industrial growth the area and is not in the public interest at this location; it is therefore

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

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

APPLICANT: Faith Cathedral Ministries, Inc., Contract Purchaser

CAL. NO. 152-92-S

APPEARANCES FOR:

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING  
September 18, 1992

PREMISES AFFECTED— 2424 W. 69th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
November 20, 1992.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Faith Cathedral Ministries, Inc., Contract Purchaser

CAL. NO. 153-92-S

APPEARANCES FOR:

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1992

PREMISES AFFECTED— 6841-45 S. Artesian Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
November 20, 1992.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Carl Federici  
 APPEARANCES FOR: John Ambrose  
 APPEARANCES AGAINST: James J. Sullivan

CAL. NO. 79-92-S  
 MAP NO. 16-I  
 MINUTES OF MEETING  
 May 14, 1992 and  
 September 18, 1992

PREMISES AFFECTED— 6633 S. Kedzie Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Carl Federici, owner, on March 3, 1992, filed, and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the erection of an auto laundry facility consisting of 6 self-service bays and 3 automatic bays, in a C1-1 Restricted Commercial District, on premises at 6633 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 1992, 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 the City of Chicago, specifically, §9.3-1, §9.4-1(2), §9.11-1."

and

WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at a special meeting held on May 14, 1992 and its regular meeting held on September 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on March 30, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that on September 11, 1991, the City Council rezoned the site from B2-4 Restricted Service to C1-1 Restricted Commercial specifically for the proposed use; that the subject site is a 225' x 125' vacant lot; that the applicant proposes to erect as indicated in revised plans dated June 8, 1992, an auto laundry facility containing 6 self-service bays and 3 automatic bays; that the proposed use is necessary for the public convenience at this location to fulfill a need for such a facility in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use constructed in accordance with the aforesaid revised plans submitted and with appropriate landscaping will not cause substantial injury to the value of other property in the neighborhood; it is there-

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

## MINUTES OF MEETING

May 14, 1992 and September 18, 1992

Cal. No. 79-92-S

and the Zoning Administrator is authorized to permit the erection of an auto laundry facility containing 6 self-service bays and 3 automatic bays, on premises at 6633 S. Kedzie Avenue, upon condition that the proposed use shall be erected in conformity with the revised plans submitted, dated June 8, 1992; that the entire car wash structure shall be setback a minimum of 56 feet from the front property line in order to provide adequate car stacking space; that the hours of operation shall be limited to the hours between 6 A.M. and 12 Midnight; that the surface of the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some other 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 a 6 feet high solid wood fence shall be erected on the east, north and south lot lines; that striping shall be provided for designated parking spaces on site; that lighting shall be provided which shall be directed away from residential property; that ingress and egress shall be limited to two driveways only located on S. Kedzie Avenue; that the driveways shall be constructed in compliance with applicable ordinances; that there shall be no ingress nor egress via the alley located east of the subject site; that all applicable provisions of the City of Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the site in compliance with the conditions and standards hereby established under this order.

APPLICANT: Land & Lakes Company CAL. NO. 291-90-S  
 APPEARANCES FOR: Daniel L. Houlihan MAP NO. 34-D  
 APPEARANCES AGAINST: None MINUTES OF MEETING  
 August 10, 1992  
 & Sept. 18, 1992

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

SUBJECT- Application for a Special Use  
 THE VOTE

ACTION OF BOARD-

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Land and Lakes Company, for MCM Land Corporation, an Illinois Corporation, owner, on July 26, 1990, filed an application for the continuance of a special use under Article 11.10-5 of the zoning ordinance for the continued operation of an existing sanitary landfill and a special use for the related uses of a transfer station, material recovery and recycling facility and a methane gas resource recovery facility, in an M3-2 Heavy Manufacturing District, on premises bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, and commonly known as 1000-1220 E. 138th Street; and

WHEREAS, the current special use for sanitary landfill on the subject property has a termination date of October 1, 1992, pursuant to the Board's resolution of May 14, 1992 under its Calendar No. 291-90-S; and

WHEREAS, after due notice a public hearing was held on this application by the Zoning Board of Appeals at its special meetings held on August 10, 1992 and September 18, 1992; and

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

MINUTES OF MEETING

August 10, 1992 & September 18, 1992  
Cal. No. 291-90-S

WHEREAS, the Zoning Board of Appeals, having fully heard and considered the testimony, exhibits and arguments of the parties and being fully advised in the premises, finds:

1. That the subject property, consisting of approximately 72 acres of land, is bounded generally by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, and is commonly known as 1000-1220 E. 138th Street.

2. That Land and Lakes Company, an Illinois Corporation, the applicant herein, has operated the subject property as a sanitary landfill, including liquid waste handling pursuant to prior Resolutions authorized by the Zoning Board of Appeals in Cal. No. 233-73-S, 97-80-S, 323-85-S, 291-90-S and subsequent extensions thereof.

3. That the May 14, 1992 Resolution under Calendar No. 291-90-S extended the existing special use to October 1, 1992.

4. That the applicant herein requests the continuation of the aforesaid sanitary landfill and requests use authorization for the related uses of a transfer station, material recovery and recycling facility ("MRRF") and a methane gas resource recovery facility.

5. That the subject site serves the City of Chicago as a waste deposit site pursuant to contracts by and between the Department of Streets and Sanitation of the City of Chicago, and other public agencies, and Land and Lakes Company.

6. That the use of the site for sanitary landfilling is nearing completion and, by terms of the Illinois Environmental Protection Agency Supplemental Permit No. 1992-086-SP issued on June 17, 1992, all sanitary landfilling operations must cease by October 9, 1993.

7. That the related uses of a transfer station, material recovery and recycling facility ("MRRF") and a methane gas resource recovery facility are not similarly limited in time but are logical extensions of the long-established sanitary landfill use of this site, are appropriate land uses during and following the closure and post-closure monitoring periods of the sanitary landfill, and are in accord with the siting goals set forth in the Solid Waste Management Plan of the City of Chicago, adopted March 25, 1992, which emphasizes the potential of existing solid waste management sites to provide such facilities.

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8. That the applicant's proposed use of the subject property is necessary for the public convenience at this location in that it will continue to provide within the City of Chicago a solid waste management facility to serve the continuing need for such facilities to accommodate the anticipated volumes of refuse generated within the City of Chicago.

9. That the site is so designed, located and proposed to be operated so that public health, safety and welfare will be protected in that:

(a) it is located outside the boundary of the 100-year flood plain;

(b) it is operated by a highly experienced applicant company which has plans and facilities in place to minimize the danger to the surrounding area from fires, spills or other operational accidents;

(c) it is located in a heavy manufacturing district in which the dominant land use is completed or current sanitary landfill facilities, including an existing 53-acre sanitary landfill owned and operated by the applicant and situated directly south of the subject site and within the Village of Dolton;

(d) it is so designed and located so as to minimize the impact on existing traffic flow in the surrounding area, given its proximate expressway access via industrial streets, its location at the termination point of South Cottage Grove Avenue, its sole user status of East 138th Street and its on-site staging and parking facilities to serve all described uses; and

(e) is designed and proposed to be operated so as to minimize adverse impacts on air, land and water quality by using the best commercially available pollution control technology and by being subject to the approval and regulations of the Department of Environment of the City of Chicago, the Illinois Environmental Protection Agency and the Army Corps of Engineers.

10. That the applicant's use of the property will not cause substantial injury to the value of other property in the neighborhood in which it is to be located in that:

(a) the uses are in harmony with the dominant land usage of sanitary landfilling in this heavy industrial district;

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(b) the economic development potential of the area will be enhanced by the new energy source for proximate industrial uses of the methane gas resource recovery facility;

(c) the transfer station and material recovery and material recovery and recycling facility ("MRRF") will ensure industrial site viability during and following closure and post-closure of the sanitary landfill; it is therefore

RESOLVED, that the application for special use be and hereby is approved and the Zoning Administrator is authorized to approve the continuation of the current sanitary landfill, which use currently has a termination date of October 1, 1992, pursuant to the Board's Resolution of May 14, 1992, under its Calendar No. 291-90-S, and is further authorized to approve the use of a transfer station, material recovery and recycling facility ("MRRF") and a methane gas resource recovery facility on premises in an area bounded generally by the Little Calumet River on the north and east, City Limits on the south and the extension of South Cottage Grove on the west, and commonly known as 1000-1220 E. 138th Street, upon the following conditions:

(1) Landfilling, waste transfer, gas recovery and other related facilities shall be located only on the 72-acre site.

(2) All sanitary landfilling operations shall cease by October 9, 1993, as provided by Supplemental Permit No. 1992-086-SP issued on June 17, 1992, by the Illinois Environmental Protection Agency.

(3) At the time sanitary landfilling operation ceases, the applicant shall perform with due diligence all environmental protection and site security measures identified in their post-closure plan as submitted to the Illinois Environmental Protection Agency and Chicago Department of Environment. In addition, the applicant shall give reasonable consideration to the inclusion of native prairie grass species as final vegetative cover, especially along the Little Calumet River frontage of the site.

(4) Uses of the site after termination of landfilling operations shall be limited to permitted uses authorized in the M3-2 Heavy Manufacturing district, including composting, and the special uses hereby approved by the Zoning Board of Appeals of a waste transfer station, Material Recovery Recycling Facility ("MRRF") and methane gas resource recovery facility.

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(5) Prior to any application for a building permit for a waste transfer facility and Material Recovery and Recycling Facility ("MRRF"), the applicant shall submit for review by the Chicago Department of the Environment a plan for the secure removal of waste from the building site to the extent such removal may be incident to any construction. The applicant shall also submit a plan for review by the Chicago Department of Transportation, Bureau of Traffic Engineering for traffic circulation and parking at the proposed waste transfer facility.

(6) All new buildings and parking facilities shall be designed and constructed consistent with the Chicago Landscape Ordinance.

(7) The applicant shall obtain all permits and licenses required under the Chicago Municipal Code or State or Federal law for all landfilling, waste transfer, materials processing and recycling and gas recovery operations.

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Member McCabe-Miele moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on November 20, 1992.

*Marian Rest*  
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Secretary