

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, December 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
Gigi McCabe-Miele
Thomas S. Moore

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Member Fornelli moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on November 20, 1992 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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: Bogdan & Dolores Kocur

CAL. NO. 280-92-Z

APPEARANCES FOR: Dolores Kocur

MAP NO. 9-M

APPEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— 6126 W. Berenice Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
January 15, 1993.

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: Joseph P. Mooney
APPEARANCES FOR: Joseph P. Mooney
APPEARANCES AGAINST:

CAL. NO. 281-92-Z
MAP NO. 9-H
MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 3713 N. Hermitage Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
February 19, 1993.

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: John Stancil

CAL. NO. 282-92-Z

APPEARANCES FOR:

MAP NO. 24-H

APPEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— 9954 S. Prospect Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
February 19, 1993.

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: Norman W. DePluzer

CAL. NO. 283-92-Z

APPEARANCES FOR:

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 7536 N. Winchester Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
February 19, 1993.

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: Douglas Ciserella
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 284-92-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 1200 W. Fletcher Street
 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, Douglas Ciserella, for Aetna Bank, Tr. #10-2171, owner, on October 29, 1992, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in a C1-1 Restricted Commercial District (R4 General Residence pending), the erection of a 3-story single-family dwelling whose south front yard will be 5 feet instead of 9 feet and whose north rear yard will be zero feet instead of the required 30 feet, on premises at 1200 W. Fletcher Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 20, 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, §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District (R4 General Residence 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 on November 24, 1992, the City Council rezoned the subject site from C1-1 Restricted Commercial to R4 General Residence specifically for the proposed development; that the subject site is a 41.67' x 75' unimproved reversed corner lot with no alley access; that the applicant proposes to erect a 3-story single-family dwelling with attached garage having access off of N. Racine Avenue at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary in order to erect the proposed 3-story single-family dwelling with attached garage as designed, on this reversed corner lot; that the plight of the owner is due to the narrow depth of the subject site lot which requires intrusion into the front and rear yards; that the proposed single-family dwelling is consistent with the trend of residential development in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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December 18, 1992

Cal. No. 284-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story single-family dwelling whose south front yard will be 5 feet instead of 9 feet and whose northrear yard will be zero feet instead of the required 30 feet, on premises at 1200 W. Fletcher 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: Damen Byron Building Partnership
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 285-92-S
 MAP NO. 9-H
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 3900 N. Damen 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, Damen Byron Building Partnership, owner, on November 12, 1992, filed an application for a special use under the zoning ordinance to permit, in a B3-3 General Retail District (B4-3 Restricted Service District pending), the conversion of existing commercial structures to residential uses, including the ground floor areas, for a total of 39 dwelling units, on premises at 3900 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, §8.3-4(1), §8.4-4(3), §8.6-4(3), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a B3-3 General Retail District (B4-3 Restricted Service 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 on December 15, 1992, the City Council rezoned the subject site from B3-3 General Retail District to B4-3 Restricted Service District specifically for the proposed use; that the subject site is a 124' x 125' lot presently improved with a 2 and 4-story former banquet and meeting hall building; that the applicant proposes to convert the existing commercial structure to residential uses, including the ground floor area for a total of 39 dwelling units with on-site parking spaces; that the proposed use is necessary for the public convenience at this location in that there is no demand for business uses in the area and that the conversion of the existing building to residential uses meets the continuing need for residential units in the 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 which will provide adequate on-site parking spaces to the east and west of the existing buildings; that the proposed use is compatible with the existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

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December 18, 1992

Cal. No. 285-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the conversion of existing commercial structures to residential uses, including the ground floor areas, for a total of 39 dwelling units, on premises at 3900 N. Damen 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: Damen Byron Building Partnership
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 286-92-Z
 MAP NO. 9-H
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 3900 N. Damen 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, Damen Byron Building Partnership, owner, on November 12, 1992, filed an application for a variation of the zoning ordinance to permit, in a B3-3 General Retail District (B4-3 Restricted Service District pending), the conversion of existing commercial structures to residential uses with insufficient lot area of 99.3% of minimum lot area required and to reduce the east side yard to 0'0" to provide space for part of the required accessory parking needed for 39 dwelling units, on premises at 3900 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, §8.3-4(1), §8.6-4(3), §8.7-4, §11.7-4(1), §11.7-4(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a B3-3 General Retail District (B4-3 Restricted Service 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 on December 15, 1992, the City Council rezoned the subject site from B3-3 General Retail District to B4-3 Restricted Service District specifically for the proposed development; that the subject site is a 124' x 125' lot presently improved with a 2 and 4-story former banquet and meeting hall building; that on December 18, 1992, the Board approved the applicant's special use application for the conversion of the existing commercial structure at the subject site to residential uses, including the ground floor areas, for a total of 39 dwelling units; 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 in this district in that the variations requested are necessary to provide adequate living space in the proposed 39 dwelling units and to provide space on the east portion of the subject site lot for access to the required off-street parking spaces; that the plight of the owner is due to the configuration of the existing buildings on the subject lot and the applicant's desire to utilize the building's walls in the conversion of the structure to residential units and the

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applicant's need to provide required accessory parking spaces; that the proposed conversion of the building to residential units will be compatible with the existing mixed residential and business improvements in the area and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the conversion of existing commercial structures to residential uses with insufficient lot area of 99.3% of minimum lot area required and to reduce the east side yard to 0'0" to provide space for part of the required accessory parking needed for 39 dwelling units, on premises at 3900 N. Damen 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: South Park Baptist Church
 APPEARANCES FOR: Rev. E.R. Williams, Jr.
 APPEARANCES AGAINST:

CAL. NO. 287-92-Z
 MAP NO. 8-E
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 3722 S. King Drive
 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, South Park Baptist Church, owner, on November 13, 1992, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, a 2-story addition of 63' x 122' to an existing church with a north side yard of zero feet instead of 15 feet and a rear yard of zero feet instead of 7 feet, on premises at 3722 S. King Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.8-5, §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 December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 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 150' x 132'4" lot improved with an existing 1 and 2-story church building built approximately 1900; that the subject site is a thru lot fronting on S. Calumet Avenue to the west; that the applicant proposes to replace the existing 2-story portion of the existing building with the proposed 2-story 63' x 122' 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 yard variations requested are necessary to erect an addition to provide additional Sunday School rooms, meeting rooms and other facilities for church and community activities; that the plight of the owner is due to the configuration of the existing 1-story portion of the church building on the subject site lot and the applicant's desire to provide an interior court yard area between the existing church structure and the proposed 2-story addition; that the proposed addition will conform with building lines of structures located on S. Calumet Avenue; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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December 18, 1992

Cal. No. 287-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a 2-story brick addition of 63' x 122' to an existing church with a north side yard of zero feet instead of 15 feet and a rear yard of zero feet instead of 7 feet, on premises at 3722 S. King Drive upon condition that off-site accessory parking for 57 private passenger automobiles shall be provided at 3800 S. King Drive, under Calendar No. 288-92-S, to satisfy the parking requirements for the aforesaid church addition at 3722 S. King Drive; 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: South Park Baptist Church
 APPEARANCES FOR: Rev. E.R. Williams, Jr.
 APPEARANCES AGAINST:

CAL. NO. 288-92-S
 MAP NO. 8-E
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 3800 S. King Drive
 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, South Park Baptist Church, owner, on November 13, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 57 private passenger automobiles, in an R5 General Residence District, on premises at 3800 S. King Drive, to satisfy the parking requirements for a proposed church addition at 3722 S. King Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 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 on December 18, 1992, the Board granted a variation to the applicant to permit a 2-story brick addition of 63' x 122' to an existing church with a north side yard of zero feet instead of 15 feet and a rear yard of zero feet instead of 7 feet, on premises at 3722 S. King Drive, in Calendar No. 287-92-Z; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirements for the proposed church addition at 3722 S. King Drive; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site accessory parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of 57 private passenger automobiles, on premises at 3800 S. King

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Drive, to satisfy the parking requirements for a proposed church addition at 3722 S. King Drive, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot, which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails, 2 feet high, shall be erected on the east and south lot lines; that striping shall be provided; that lighting shall be provided directed away from adjacent residential properties; that ingress and egress shall be from E. 38th Street; that there shall be no ingress nor egress via the abutting public alley; that the driveways shall be constructed in accordance with applicable ordinances; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that the parking lot shall be securely locked at all times when not in use by the applicant church; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

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

APPLICANT: Ricardo Quinones
 APPEARANCES FOR: David A. Grossberg, Ricardo Quinones
 APPEARANCES AGAINST: Dan Donley, et al.

CAL. NO. 289-92-S
 MAP NO. 22-B
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 9270 S. South Chicago 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, Ricardo Quinones, owner, on October 16, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a Class II Recycling Facility, in a C2-2 General Commercial District, on premises at 9270 S. South Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 3, 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, §9.3-2, §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a C2-2 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 said use is located in a C2-2 General Commercial District; that the subject site is a 25' x 130' lot improved with a 2-story frame commercial building which has been occupied on the first floor by the said recycling facility for the past 5 years; that the applicant buys metal cans and other metals from the public, sorts the metals and put them in boxes to be picked up for transportation to other sites for compacting and further processing; that the said use is necessary for the public convenience at this location to provide a necessary service in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said use which will provide only minimal processing of recyclable metals as defined in the zoning ordinance for a Class II Recycling Facility and that no toxic or hazardous materials will be handled at the site, and that the said use will comply with all applicable ordinances of the Department of the Environmental of the City of Chicago and all other applicable City ordinances; that the said use is compatible with existing commercial improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

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Zoning Administrator is authorized to permit the establishment of a Class II Recycling Facility, on premises at 9270 S. South Chicago Avenue, upon condition that only minimal processing of recyclable metals as defined in the zoning ordinance for a Class II Recycling Facility shall be done at the site; that there shall be no coated-wire processing by burning or burning of materials of any kind done at the site in the conduct of the recycling operation; that all recycling operations shall be conducted within the building on the site; that the existing business sign shall be repaired or replaced; that the applicant shall obtain all necessary permits and licenses from the Department of Environment of the City of Chicago; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the approval granted herein is only for the minimal processing of recyclable materials as defined in the zoning ordinance for the Class II Recycling Facility; that there shall be no coated-wire processing by burning or burning of materials of any kind done at the site in the conduct of the Class II Recycling Facility operation; and that any violation of this order shall immediately render the special use granted herein null and void.

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

APPLICANT: Richard Kranicke
 APPEARANCES FOR: Richard A. Hirschenbein
 APPEARANCES AGAINST:

CAL. NO. 290-92-Z
 MAP NO. 9-P
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 8320 W. Belmont Avenue
 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
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Richard Kranicke, for Columbia National Bank of Chicago, Tr. #3741, owner, on October 30, 1992, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 11-dwelling unit condominium building on an irregular shape lot with a front yard of 1'10" instead of 15', a rear yard of 20' instead of 30', a west side yard of zero feet instead of 10% of the lot width, an east side yard of 4 feet instead of 10% of the lot width, a reduction to 95.1% of the required lot area and with no loading berth instead of the one required, on premises at 8320 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 20, 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, §7.11(4), §8.4-4(3), §8.6-4(2), §8.7-4, §8.10-4, §11.7-4(1)(2)(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on July 7, 1992, the City Council rezoned the subject site from B1-1 Local Retail to B4-2 Restricted Service expressly for the proposed development; that on April 20, 1990, the Board granted variations to the applicant for the erection of a 3-story 10-dwelling unit building, with no west front yard instead of 15 feet, whose north side yard will be 8 ft instead of 13.4 feet, and whose rear yard will be approximately 16 feet instead of 30 feet, on premises at 3207 N. Pontiac and 8324 W. Belmont Avenue, in Calendar No. 111-90-Z; that the subject site is an approximately 9,415 sq. ft. triangular shaped lot which abuts the aforesaid residential development to the northwest, city limits to the south and commercial property to the east; that there is a small portion of the site which abuts public alleys to the north and east of the site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions

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Cal. No. 290-92-Z

allowed by the regulations in this district in that to erect less than the proposed 11 dwelling units would be economically unfeasible; that the plight of the owner is due to the triangular configuration of the subject lot which necessitates the requested yard variations; that the waiver of the one required loading berth in this district will not cause any detrimental effect in the neighborhood; and that the proposed 3-story 11-dwelling unit building will be compatible with the existing business and residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 11-dwelling unit condominium building on an irregular shape lot with a front yard of 1'10" instead of 15', a rear yard of 20' instead of 30', a west side yard of zero feet instead of 10% of the lot width, an east side yard of 4 feet instead of 10% of the lot width, a reduction to 95.1% of the required lot area and with no loading berth instead of the one required, on premises at 8320 W. Belmont 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 Kranicke
 APPEARANCES FOR: Richard A. Hirschenbein
 APPEARANCES AGAINST:

CAL. NO. 291-92-S
 MAP NO. 9-P
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 8320 W. Belmont 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, Richard Kranicke, for Columbia National Bank of Chicago, Tr. #3741, owner, on October 30, 1992, filed an application for a special use under the zoning ordinance for the approval of the erection of a 3-story 11 dwelling unit condominium building with residential use on the ground floor, in a B4-2 Restricted Service District, on premises at 8320 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 20, 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, §8.4-4(3), §8.6-4(2), §8.7-4, §8.10-4, §7.11-(4), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on July 7, 1992, the City Council rezoned the subject site from B1-1 Local Retail to B4-2 Restricted Service expressly for the proposed development; that on April 20, 1990, the Board approved a special use filed by the applicant for the approval of the location and the establishment of residential use on the ground floor of a proposed 3-story 10-dwelling unit building, on premises at 3207 N. Pontiac Avenue and 8324 W. Belmont Avenue, in Calendar No. 110-90-S; that on December 18, 1992, the Board granted a variation to the applicant to permit the erection of a 3-story 11-dwelling unit condominium building on an irregular shape lot with a front yard of 1'10" instead of 15', a rear yard of 20' instead of 30', a west side yard of zero feet instead of 10% of the lot width, an east side yard of 4 feet instead of 10% of the lot width, a reduction to 95.1% of the required lot area and with no loading berth instead of the one required, at the subject site, in Calendar No. 290-92-Z; that the subject site is an approximately 9,415 sq. ft. triangular-shaped lot which abuts the residential development located at 3207 N. Pontiac Avenue and 8324 W. Belmont Avenue to the northwest, city limits to the south and commercial property to the east; that there is a small portion of the site

MINUTES OF MEETING

December 18, 1992

Cal. No. 291-92-S

which abuts public alleys to the north and east of the site; that the proposed use is necessary for the public convenience at this location in that there is little demand for business improvements in the area; that the trend of development in the area is toward residential uses, particularly apartment and condominium units; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use which will provide adequate off-street parking and open space; and that the proposed use will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 3-story 11 dwelling unit condominium building with residential use on the ground floor, on premises at 8320 W. Belmont Avenue, upon condition that a landscaped buffer shall be provided along the eastern property line adjacent to the drive-through bank; that alley access to the site shall be approved as required by the Chicago Municipal Code; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Matthew Jaffe by Robert M. Scios
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 292-92-Z
MAP NO. 9-G
MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 3918 N. Greenview Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
February 19, 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: Matthew Jaffe by Robert M. Scios
APPEARANCES FOR:
APPEARANCES AGAINST:

PREMISES AFFECTED— 3918 N. Greenview Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

CAL. NO. 293-92-S
MAP NO. 9-G
MINUTES OF MEETING
December 18, 1992

THE VOTE

Case continued to
February 19, 1993.

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: Robert Hughs, Sr.
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 294-92-S
 MAP NO. 16-D
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 845 E. 63rd 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, Robert Hughs, Sr. owner, on November 12, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B5-3 General Service District, on premises at 845 E. 63rd Street, for use by an office building located at 915 E. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 21, 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, §8.4-4(7), §8.4-4(1), §8.4-5 §8.11-(b), §8.11-2."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a B5-3 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises hereby makes the following findings of fact: that the proposed use is to be located in a B5-3 General Service District; that the subject site is a 31,059.42 sq. ft. irregular shaped lot presently improved with a 1 and 2-story brick store and former movie theater; that the applicant proposes to demolish the existing buildings and establish a parking lot at the site; that the proposed use is necessary for the public convenience at this location to provide off-site accessory parking for an office building to be occupied by the Illinois Department of Public Aid at 915 E. 63rd Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

December 18, 1992

Cal. No. 294-92-S

Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 845 E. 63rd Street, for use by an office building located at 915 E. 63rd Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveways, with a 6 foot high solid wood fence; that a 2 foot high steel beam guard rail shall be provided on the east, west and north lot lines outside of the solid wood fencing; that lighting shall be provided; that striping shall be provided; that ingress and egress shall be from E. 63rd Street; that the alleys abutting the site to the west and east shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinance; 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 property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Chicago Transit Authority
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 295-92-Z
MAP NO. 1-G
MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 120 N. Racine Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
February 19, 1993.

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		

APPLICANT: Chicago Transit Authority
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 296-92-S
MAP NO. 1-G
MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 105 N. Racine Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 19, 1993.

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: Chicago Transit Authority

CAL. NO. 297-92-S

APPEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 115 N. Racine Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 19, 1993.

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		

APPLICANT: Chicago Transit Authority

CAL. NO. 298-92-S

APPEARANCES FOR:

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— 133 N. Racine Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
February 19, 1993.

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: Frank J. Ochal
 APPEARANCES FOR: Frank J. Ochal, Larry Cohen
 APPEARANCES AGAINST: Alan P. Kurti

CAL. NO. 299-92-S
 MAP NO. 11-G
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 4509 N. Sheridan Road
 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, Frank J. Ochal, for Bank of Ravenswood, Tr. #25-9596, owner, on November 6, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick building, in a B4-4 Restricted Service District, on premises at 4509 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, §8.4-4(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on December 3, 1992; and

WHEREAS, the district maps show that the premises is located in a B4-4 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 B4-4 Restricted Service District; that the subject site is improved with a strip shopping mall containing 8 stores with off-street parking located in front of the stores; that the applicant proposes to establish a pawn shop in a 1,400 sq. ft. store premises in the said shopping mall; that the applicant testified that the proposed pawn shop activity will be about 75% of the total business operation at the site and that the retail sale of forfeited merchandise will constitute the remaining 25% of the business activity; that the proposed pawn shop use is necessary for the public convenience at this location to provide a service in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed pawn shop in that daily reports of all merchandise received are filed with the district police command to insure against receipt of stolen property and that the proposed pawn shop will be operated in compliance with all applicable city and state regulations governing the operation of pawn shops; that the proposed pawn shop is compatible with existing building improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; and therefore

MINUTES OF MEETING

December 18, 1992

Cal. No. 299-92-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 pawn shop in a 1-story brick building, on premises at 4509 N. Sheridan Road, upon condition that reports of all merchandise received shall be filed daily with the district police command; that all applicable provisions of city and state ordinances governing the operation of pawn shops shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Gary Herbert

CAL. NO. 300-92-A

APPEARANCES FOR:

MAP NO. 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— 3243 W. Lawrence Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
February 19, 1993.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

APPLICANT: Stanley Stawski, by William F. Marutsky
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 301-92-A
MAP NO. 3-G
MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 1521 W. Haddon Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to
February 19, 1993.

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: Planned Realty Group, Inc., d/b/a Planned Property Management
 APPEARANCES FOR: Bernard I. Citron, Jane Canepa
 APPEARANCES AGAINST:

CAL. NO. 302-92-A
 MAP NO. 5-F
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 1940 N. Lincoln 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, Planned Realty Group, Inc., d/b/a Planned Property Management, for Lincoln Apartments, owner, on October 26, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a ticket broker agency business office in an 8-story apartment building, in an R5 General Residence District, on premises at 1940 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 11, 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, §7.3-5, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 18, 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 said use is located in an R5 General Residence District in a store located on the ground floor of an 8-story brick apartment building; that the subject store was previously occupied by a beauty shop, a B1 use; that the Lessee of the store, Jane Canepa, d/b/a The Eventors, Inc., operates a special events coordinator/public relations business at the subject site; that the said use consists of primarily telephone work; that no tickets for any events are sold at the subject site nor is any retail business conducted at the site; that the said use is similar to a general business office use; that the change of use from a beauty shop to an office use 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 office in a store on the ground floor of an 8-story apartment building, on premises at 1940 N. Lincoln Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays, through Fridays; 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: Salvador Torres
 APPEARANCES FOR: Salvador Torres
 APPEARANCES AGAINST:

CAL. NO. 303-92-A
 MAP NO. 4-H
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 1759 W. 21st 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, Salvador Torres, owner, on October 19, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story brick building as a store and 4-dwelling units on the front of a lot additionally improved with a 1-story single-family dwelling at the rear of the lot, due to insufficient lot size as well as no off-street parking facilities, in a B4-2 Restricted Service District, on premises at 1759 W. 21st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.6-2(2), §8.11-1(7), §11.8-1."

and

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

WHEREAS, the district maps show that the premises is located in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the evidence presented indicates that the 3-story brick building on the front of a lot additionally improved with a 1-story single-family dwelling at the rear of the lot has been occupied as a store and 4-dwelling units on a lot containing insufficient square footage and no off-street parking spaces since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building on the front of the lot as a store and 4 dwelling units with no on-site parking spaces and insufficient lot size, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of the 3-story brick building on the front of a lot additionally improved with a 1-story single-family dwelling, on premises at 1759 W. 21st Street, as a store and 4-dwelling units,

MINUTES OF MEETING

December 18, 1992

Cal. No. 303-92-A

on a lot of insufficient size and with no on-site parking spaces required, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Elizabeth Nazarian

CAL. NO. 304-92-A

APPEARANCES FOR:

MAP NO. 7-J

APPEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— 3037 N. Milwaukee Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
February 19, 1993.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

MINUTES OF MEETING

December 18, 1992

Cal. No. 232-92-Z

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 legalization of a 2-story open porch and stair to the front of a 2½-story brick 2-dwelling unit building, whose front yard is 9 feet instead of 20 feet, on premises at 2821 S. Ridgeway 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: Guy Aitchison
 APPEARANCES FOR: Guy Aitchison
 APPEARANCES AGAINST: Nancy Isaac

CAL. NO. 250-92-A
 MAP NO. 7-G
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 3105 N. Lincoln 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, Guy Aitchison, for Shel Bleiweis, owner, on August 31, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit tattooing as an accessory use to a merchandising business featuring artwork of the proprietor in a store in a 2-story brick building, in a B3-3 General Retail District, on premises at 3105 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §8.4-3, §11.8-1."

and

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

WHEREAS, the district maps show that the premises is located in a B3-3 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-3 General Retail District; that the subject site is improved with a 3-story brick multi-store commercial building; that the applicant proposes to establish a merchandise store selling tee-shirts, posters, screen-printed hats, etc. featuring his artwork, with tattooing as an accessory activity; that the subject store premises is approximately 900 sq. ft. and that the proposed tattooing activity will occupy approximately 105 sq. ft. of the total premises and will be located in the rear of the premises; that there will be no advertising in the storefront to indicate that tattooing is done on the premises; that the subject tattooing activity, limited and subordinate in space to the principal merchandising business at the premises, is an accessory use to the aforesaid merchandising business; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit tattooing as an accessory use only to a merchandising business featuring artwork of the proprietor in a store in a 2-story brick building, on premises at 3105 N. Lincoln Avenue,

MINUTES OF MEETING

December 18, 1992

Cal. No. 250-92-A

upon condition that the hours of operation shall be limited to the hours between noon and 9:00 P.M., daily; that there shall be no advertising in the storefront to indicate tattooing is done on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Outdoor, Inc., by James M. Hoelterhoff

CAL. NO. 252-92-A

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 1816 N. Clark Street

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
X		
X		
		X
X		
X		

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

APPLICANT: American National Bank, Tr. #100532-05, by Wigoda & Wigoda

CAL. NO. 167-92-A

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 444 W. Grand 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
X		
X		
		X
X		
X		

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

APPLICANT: King Jewelry & Watch, Inc., an Illinois Corp.
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 219-92-A
MAP NO. 4-F
MINUTES OF MEETING
December 18, 1992

PREMISES AFFECTED— 1217 S. Halsted Street

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

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola
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: His Word to All Nations Full Gospel Church of Chicago, by
Virginia Kantor

CAL. NO. 140-92-S

APPEARANCES FOR:

MAP NO. 8-H

APPEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— 1616 W. Pershing Road

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 19, 1993.

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		

MINUTES OF MEETING

December 18, 1992

Cal. No. 92-85-S

Thomas J. Boyle, for Irish American Heritage Center, applicant, presented a written request for an amendment to a resolution adopted by the Zoning Board of Appeals, on March 15, 1985, in Calendar No. 92-85-S for the approval of the location and the establishment of an Irish-American social-cultural community center in a 2 and 3-story former school building, on premises at 4600-58 N. Knox Avenue and 4601-59 N. Kilpatrick Avenue.

The amendment requested is to delete the condition made by the Board in the aforesaid resolution for the provision of densely planted compact hedges not less than five feet nor more than seven feet in height shall be provided within the fenced area so as to effectively screen the parking areas from the surrounding residential district.

Mr. Boyle stated that the basis for this requested amendment is a commercial physical security survey conducted by the Chicago Police Department, Preventive Programs Division which recommends against the installation of hedges from a crime prevention approach.

Chairman Spingola moved that the amendment requested be denied due to Section 11.10-1 of the zoning ordinance, which states, in part, -- that a change from those conditions specified by the Zoning Board of Appeals at the time of approval, shall constitute and be considered the same as a new and distinct special use, and as such shall be subject to the procedures for application, hearing, review and approval by the Zoning Board of Appeals --, and that the applicant will have to file a new special use application in order to change any condition imposed in Resolution 92-85-S. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 18, 1992

Cal. No. 8-92-S

Joseph P. Gattuso, for Pencil Factory Limited Partnership (Roscoe Village Lofts) applicant, presented a written request for an extension of time in which to establish and improve an off-site accessory parking lot for the parking of private passenger automobiles in a B1-4 Local Retail District, on premises at 1801-07 W. Newport Avenue, to serve a 5-story 139-dwelling unit building located at 1800-50 W. Roscoe Street, approved by the Board on January 17, 1992, in Calendar No. 8-92-S.

Mr. Gattuso stated that the applicant has been unable to take the steps necessary to improve the property and establish its use as an off-site accessory parking lot, mainly due to economic reasons. It is anticipated that the improvement of the lot will commence sometime in the spring of 1993.

Chairman Spingola moved that the request be granted and that the time in which to establish and improve an off-site accessory parking lot be extended to January 17, 1994. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 18, 1992

Cal. No. 125-92-Z

Saul R. Wexler, for Lance Stokes, owner, presented a written request for an extension of time in which to obtain necessary building permits for the legalization of an existing 2-story addition attached to the north side of a 2-story brick single-family dwelling, whose front yard is 9.2 feet instead of 12 feet and whose north side yard is 1.37 feet instead of 5.3 feet, on premises a 1455-57 N. Wieland Avenue, which variations were granted by the Board on June 19, 1992, in Calendar No. 125-92-Z.

Mr. Wexler stated that the extension request is necessitated by the owner's inability to locate the architect who had previously prepared and certified the plans until recently. Mr. Wexler further stated that upon submission of the plans to the City of Chicago, the Department of Buildings listed several plan corrections to be effected before permits will be issued. Some of these corrections, if they stand, require substantial work. While these corrections can be either cured or modified in due course, they cannot be effected so that permits can issue within the remaining time frame of the variation.

Chairman Spingola moved that the request be granted and the time extended to June 19, 1993 in order to obtain the necessary building permits. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: B & D Liquor & Lounge
APPEARANCES FOR: Drago Tubic
APPEARANCES AGAINST:

CAL. NO. 310-92-A
MAP NO. 16-J
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 6600 S. Kedzie Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, B & D Liquor & Lounge, for Drago Tubic, owner, on November 12, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit live entertainment and dancing in an existing non-conforming tavern in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 6600 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 8, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-2, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story store building occupied by a tavern and packaged liquor store; that the business at the subject site has been owned and operated by the appellant for the past 6 years; that the appellant is seeking to use a small area in the rear portion of the premises used as a tavern, approximately 15 feet by 20 feet, as an area for dancing and live music; that the appellant stated that a pool table occupied the space in previous years; that the area proposed for music and dancing is very small and is subordinate and accessory to the principal tavern and package liquor store operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit live entertainment and dancing as an accessory use only in an existing non-conforming tavern in a 1-story brick store building, on premises at 6600 S. Kedzie Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Paxton Landfill Corporation

CAL. NO. 168-92-S

APPEARANCES FOR: Thomas Murphy

MAP NO. 28-C

PEARANCES AGAINST:

MINUTES OF MEETING

December 18, 1992

PREMISES AFFECTED— Area bounded by E. 116th Street, S. Oglesby Ave.,
E. 117th St., S. Yates Ave., E. 119th St., and S. Paxton Ave., commonly
SUBJECT— known as 11601 S. Paxton Avenue.

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued for status
to January 15, 1993.

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

APPEARANCES FOR: Bridget O'Keefe, Rev. Christine Harrington

APPEARANCES AGAINST: Ald. William Beavers, et al.

PREMISES AFFECTED— 2510 E. 79th Street

SUBJECT— Application for the approval of a special use.

CAL. NO. 212-92-S

MAP NO. 18-B

MINUTES OF MEETING
November 20, 1992 and
December 18, 1992

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, Excellent Way Church of God in Christ and The Excellent Way Urban Outreach Ministry, for Excellent Way Church of God in Christ, owner, on August 10, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church and transitional shelter facility in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 2510 E. 79th Street; 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, §8.4-1(1)(15), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on November 20, 1992 and December 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 B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is improved with a 1-story brick commercial building; that the applicant church has been in operation at the subject site since July, 1980 and has a congregation of approximately 25 members at this time; that the said church has never been a legally established use at the subject site location; that the applicant proposes to renovate the existing 1-story building to provide for a 6,000 sq. ft. church and a transitional shelter facility for 40 women and children; that the existing building has been used as a winter emergency warming center since 1990, which is a permitted use in the B4-2 Restricted Service District; that the applicant proposes to lease 2 parking spaces from the Tasker Funeral Home located at 2418-22 E. 79th Street to fulfill the parking requirement for the proposed church and transitional shelter; that testimony by the Alderman of the Ward in opposition to the proposed uses indicates that the applicant church has never been a legal use at the subject site, that no services are being held at the site; that the 7th Ward already has 6 other shelter facilities and that the proposed transitional shelter is not needed in this community, and that the proposed shelter would have a negative impact on the existing business uses in the area; that a local business owner in the block testified that the existing facilities, which are already being used as a transitional shelter are inadequate to handle the residents, citing loitering in his business;

MINUTES OF MEETING

November 20, 1992 and
December 18, 1992
Cal. No. 212-93-S

premises by many of the shelter's residents and that there is no place for the children to safely play; that the Board takes judicial notice of statutes in effect under which the liquor license of a permitted business located within 100 feet of the subject church could be put into jeopardy by the establishment of a church at this subject site; that the Board finds that no evidence was presented to indicate that the establishment of a transitional shelter is necessary for the public convenience at this location; that no evidence was presented to indicate that the establishment of the proposed church and the proposed transitional shelter would not negatively affect the value of other property in the area; and that the proposed establishment of a church and a transitional shelter 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: Excellent Way Church of God in Christ and
The Excellent Way Urban Outreach Ministry

APPEARANCES FOR: Bridget O'Keefe, Rev. Christine Harrington

APPEARANCES AGAINST: Ald. William Beavers, et al.

PREMISES AFFECTED— 2418-22 E. 79th Street

SUBJECT— Application for the approval of a special use.

CAL. NO. 213-92-S

MAP NO. 18-B

MINUTES OF MEETING
November 20, 1992 and
December 18, 1992

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, Excellent Way Church of God in Christ and The Excellent Way Urban Outreach Ministry, for South Chicago Savings Bank, Tr. #11-1982, owner, on August 10, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of 2 parking spaces in an existing parking lot, in a B4-2 Restricted Service District, on premises at 2418-22 E. 79th Street, to satisfy the parking requirement for a proposed church and transitional shelter facility at 2510 E. 79th Street; 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, §8.4-1(6), §8.11-1."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on November 20, 1992 and December 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 B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is an existing parking lot located about one-half block from the proposed church and transitional shelter facility at 2510 E. 79th Street; that the applicant proposes to lease 2 parking spaces in the parking lot from Tasker Funeral Home to satisfy the parking requirement for the proposed church and transitional shelter facility; that on December 18, 1992, the Board denied, in Calendar No. 212-92-S, the establishment of a church and a transitional shelter facility in a 1-story brick building at 2510 E. 79th Street, finding, in part, that the proposed shelter facility would have a negative impact on the existing business uses in the area and would negatively affect the value of other property in the area; and that the proposed establishment of a church and a transitional shelter is not in the public interest at the that location; that the denial of the special use application Calendar No 212-92-S for the establishment of a church and a transitional shelter in a 1-story brick building at 2510 E. 79th Street negates the need for the leasing of 2 parking spaces at the subject site; 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: Shakir Nasir & Nimeh Nasir
 APPEARANCES FOR: Steven Bernstein, Shakir Nasir
 APPEARANCES AGAINST:

CAL. NO. 232-92-Z
 MAP NO. 6-J
 MINUTES OF MEETING
 December 18, 1992

PREMISES AFFECTED— 2821 S. Ridgeway Avenue
 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Shakir Nasir and Nimeh Nasir, for Alejandro Lepe and Martha Lepe, owners, on August 19, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the legalization of a 2-story open porch and stair to the front of a 2½-story brick 2-dwelling unit building, whose front yard is 9 feet instead of 20 feet, on premises at 2821 S. Ridgeway Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 23, 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, §7.7-3, §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 December 18, 1992 after due notice thereof by publication in the Chicago Sun-Times on September 28, 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 27' x 125' lot improved with a 2-story 2-dwelling unit building with a recently added 2-story iron porch and staircase on the front of the building; that the applicants are the former owners of the subject property; that the applicants entered into an agreement with a contractor to replace a deteriorating interior staircase at the site and to make other improvements on the property; that under the agreement the contractor was responsible for procuring required building permits; that permits were taken out for all work other than for the new exterior porch and staircase; 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 without the variation requested the existing iron staircase and porch would have to be removed, along with the improvements made to the interior of the premises, so that a conforming staircase could be reconstructed inside the premises; that the plight of the owner is due unique circumstances in that the existing iron porch and staircase on the front of the premises was done without necessary building permits and that the applicant now seeks to legalize the work; that the existing iron porch and front staircase is compatible with existing improvements in the block and that the variation, if granted, will

MINUTES OF MEETING

December 18, 1992

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting
(in January) 15, 1993.

Marianne Rest
Secretary