

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, Friday, February 18, 1994

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 January 21, 1994 and the special meeting held on February 4, 1994 (as submitted by the Secretary) as the minutes of said meetings.

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: Edward Eshaya, by Michael G. Coan
 APPEARANCES FOR: Michael G. Coan, Edward Eshaya
 APPEARANCES AGAINST:

CAL. NO. 23-94-Z
 MAP NO. 17-H
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 6429 N. Claremont Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

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

Variation granted.

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

THE RESOLUTION:

WHEREAS, Edward Eshaya, by Michael G. Coan, for Edward Eshaya, owner, on December 14, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the reduction of required off-street parking spaces by one space in order to establish a fourth dwelling unit in an existing 3-dwelling unit building, on premises at 6429 N. Claremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 1993, 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, §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is a 30' x 124.55 lot improved with a 3-story with basement brick residential building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances in that the existing property does not provide sufficient space for a fourth parking space; that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the reduction of required off-street parking spaces by one space in order to establish a fourth dwelling unit in an existing 3-dwelling unit building, on premises at 6429 N. Claremont 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: Christian Fellowship Free Church, by Carl Radtke
 APPEARANCES FOR: Michael P. Mosher, Carl Radtke
 APPEARANCES AGAINST:

CAL. NO. 24-94-Z
 MAP NO. 9-H
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 3421 N. Damen 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, Christian Fellowship Free Church, by Carl Radtke, for Christian Fellowship Free Church, owner, on December 22, 1993, filed and was subsequently amended, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story with basement addition to a 1-story with basement church building whose front yard will be 0.01' instead of 20', whose south side yard will be 5.0 feet instead of 12 feet required and to allow an increase in the floor area ratio to .85 instead of the .7 floor area ratio permitted, on premises at 3421 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 19, 1993, 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, §7.6-3, §7.7-3, §7.8-3(4), §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 74.24' x 125' lot improved with a 1-story with basement church building on the front of the lot and a 1½-story frame residential building in the rear of the lot; that the applicant proposes to erect a 2-story with basement addition to the south side of the existing 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 addition is necessary to meet the expanding needs of the congregation for additional classrooms, modern washrooms and a warming kitchen; that the plight of the owner is due to unique circumstances in that the front yard variation is necessary in order to connect rooms and passageways at the basement, first floor and second floor levels with the existing church building facilities; that the south side yard variation is necessary to provide adequate sized rooms for church activities; that the requested increase in floor area ratio is necessary to allow a second floor to the new addition; that the proposed

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2-story addition will be consistent with the front and rear building lines of the existing church building; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story with basement addition to a 1-story with basement church building whose front yard will be 0.01' instead of 20', whose south side yard will be 5.0 feet instead of 12 feet required and to allow an increase in the floor area ratio to .85 instead of the .7 floor area ratio required, on premises at 3421 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: Marycrest Construction Co., by Richard Drew
 APPEARANCES FOR: Richard Drew
 APPEARANCES AGAINST:

CAL. NO. 25-94-Z
 MAP NO. 20-J
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 3304 W. 86th 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Marycrest Construction Co., by Richard Drew, for Ironwood Development Co., owner, on January 12, 1994, 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 brick and frame single-family dwelling with an attached 2-car garage with a rear yard of 10 feet instead of 30 feet required, on premises at 3304 W. 86th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1994, 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, §7.9-2, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 an 80' x 123' irregular shape unimproved lot; that the applicant proposes to erect a 2-story brick and frame single-family dwelling with attached 2-car accessory garage 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; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story brick and frame single-family dwelling with an attached 2-car garage with a rear yard of 10 feet instead of 30 feet required, on premises at 3304 W. 86th 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: William Siegel/1144 W. Newport Partners
 APPEARANCES FOR: William Siegel
 APPEARANCES AGAINST:

CAL. NO. 26-94-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 1144 W. Newport Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

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

Variations denied.

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

THE RESOLUTION:

WHEREAS, William Siegel/1144 W. Newport Partners, for William Canellas, owner, on January 10, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 3-dwelling unit addition to an existing 1½-story with basement single-family dwelling, whose west side yard will be 0' instead of 10% of the lot width and whose rear yard will be 0' instead of the 30' required, for a total of 4 dwelling units, on premises at 1144 W. Newport Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 1993, 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, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a triangular 7,125 sq. ft. parcel of land improved with a 1½ story frame residential building with a brick garage located in the rear of the lot; that the applicant proposes to erect a 3-story 3-dwelling unit addition to rear of the existing building and along the rear property line which will create an L-shaped residential building; that the applicant's testimony did not meet the applicable standards for a variation of the zoning ordinance; that the Board feels that the proposed 3-story frame 3-dwelling unit building is overbuilding on this 7,125 sq. ft. triangular shaped lot; it is therefore

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

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

APPLICANT: Enterprise Development Co.
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 27-94-Z
 MAP NO. 3-E
 MINUTES OF MEETING
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PREMISES AFFECTED— 932 N. Rush Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.
 ACTION OF BOARD—

THE VOTE

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

Variation granted.

THE RESOLUTION:

WHEREAS, Enterprise Development Co., owner, on January 18, 1994, filed an application for a variation of the zoning ordinance to permit, in a B7-6 General Central Business District, the erection of a 1 and 2-story 9,661 sq. ft. commercial building without the required one loading berth for a single retail tenant, on premises at 932 N. Rush Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 17, 1994, 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, §8.10-7, §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-6 General Central Business District; that on August 17, 1990 the Board granted a variation for the erection of a 3-story retail and office building at the subject site with no provision for one loading berth, in Calendar No. 233-90-Z and on January 18, 1991 granted the applicant in the aforesaid case an extension of time to August 17, 1991 to obtain the necessary building permits; that due to market conditions the development did not go forward and the validity period for the variation requested expired; that the testimony presented in Calendar No. 233-90-Z is hereby made part of the record in this case; that the subject site is an irregular 7,482 sq. ft. lot with no alley access; that the applicant proposes to erect a 1 and 2-story commercial building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that provision of a loading berth in the proposed building would have a detrimental impact on the economic viability and flow of the 1st floor retail space; that the plight of the owner is due to unique circumstances in that the subject lot is land-locked on 3 sides and the only available access to a loading

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berth would be via a Rush Street curb cut and driveway across the public sidewalk which would create an unsafe situation in this congested area; that the proposed building containing a single retail use would require minimum deliveries most of which would be made during before business early hours and as such will be compatible with existing uses in the block; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one and two-story 9,661 sq. ft. commercial building without the required one loading berth for a single retail tenant, on premises at 932 N. Rush Street, upon condition that no tavern or restaurant use shall be established in the proposed building; that a garbage room shall be provided in the proposed building for the collection of garbage prior to pick-up; 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: 1830 N. Winchester Partners
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST: Karen Sandler, Ken Goldberg

CAL. NO. 28-94-Z
 MAP NO. 5-H
 MINUTES OF MEETING
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PREMISES AFFECTED— 1830 N. Winchester 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, 1830 N. Winchester Partners, owner, on September 30, 1994, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 45 condominium dwelling unit building, whose front yard will be zero feet instead of 15 feet, whose side yards will be zero feet each instead of 12.5 feet each, whose rear yard will be zero feet instead of 30 feet, on premises at 1830 N. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 30, 1993, 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, §7.7-5, §7.8-5, §7.9-5, §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 November 5, 1993 the Council rezoned the subject property from M1-2 Restricted Manufacturing to R5 General Residence specifically for the proposed residential project; that the subject site is a 33,185 sq. ft. lot improved with a 1 and 3-story brick factory building; that the applicant proposes to construct a 45 condominium dwelling unit building with on-site parking 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 variations requested are necessary to construct the proposed 45-dwelling unit building as designed; that the plight of the owner is due to the building's design including courtyard access to on-site parking which necessitates the variations requested; that the proposed residential development is compatible with the predominantly residential improvements located north of the subject site; 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 45 condominium dwelling unit building, whose front yard will be zero feet instead of 15 feet, whose side yards will be zero feet each instead of 12.5 feet each, whose rear yard will be zero feet instead of 30 feet, on premises at 1830 N. Winchester Avenue, upon condition that adequate space for garbage containers shall be provided on the north side of the proposed building abutting the public alley; 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 Community Kolliel
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 29-94-Z
 MAP NO. 17-I
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 6506 N. California 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, Chicago Community Kolliel, owner, on January 13, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 1-story institutional building for religious studies (similar to a college) with no north side transitional yard instead of a 15' x 20' required yard and no transitional front yard instead of a 15' x 20' required yard, when abutting a residential district, on premises at 6506 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1994, 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, §8.8-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 was rezoned on October 3, 1990 by the City Council from R4 General Residence to B4-2 restricted Service; that the subject site is a 98' x 125' lot improved with a 1-story frame institutional building on the northeast corner and a 3-story brick former institutional building with recent fire damage; that the applicant proposes to erect a 1-story institutional building similar to a college for advance Torah studies 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; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a

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1-story institutional building for religious studies (similar to a college) with no north side transitional yard instead of a 15' x 20' required yard and no transitional front yard instead of a 15' x 20' required yard, when abutting a residential district, on premises at 6506 N. California 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: Public Building Commission and The Board of Education

CAL. NO. 30-94-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 9-J

APPEARANCES AGAINST:

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PREMISES AFFECTED— 3301 N. Lawndale Avenue and 3650 W. School 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, Public Building Commission and The Board of Education, for Public Building Commission, owner, on January 18, 1994 filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story annex to an existing public school which addition will cause the total floor area on campus to be increased to 1.07 instead of 0.70, and whose south side yard will be 9' instead of 10' and whose rear yard will be 0' instead of 60', on premises at 3301 N. Lawndale Avenue and 3650 W. School Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 18, 1994, 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, §7.6-3, §7.8-3(4), §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 109,354 sq. ft. lot improved with the 3-story brick Reilly Elementary School building which was originally constructed in 1914; that the applicants propose to erect a 37,000 sq. ft. annex which will contain 15 classrooms, a large dining area and warm-up kitchen, a multi-purpose gymnasium, library, computer room and administrative 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 due to the age of the existing facility it cannot accommodate all of the children that live in the area; that the plight of the owner is due to unique circumstances in that the variations requested are necessary to construct an annex containing the necessary teaching facilities; that the proposed annex will be compatible with existing residential improvements 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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Cal. No. 30-94-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 2-story annex to an existing public school which addition will cause the total floor area on campus to be increased to 1.07 instead of 0.70, and whose south side yard will be 9' instead of 10' and whose rear yard will be 0' instead of 60', on premises at 3301 N. Lawndale Avenue and 3650 W. School 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: Michael G. Flannery
 APPEARANCES FOR: William J. Hennessy. Michael J. Flannery
 APPEARANCES AGAINST:

CAL. NO. 31-94-Z
 MAP NO. 8-G
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 1145 W. 31st Place
 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, Michael G. Flannery, for Marquette National Bank, Tr. #1014, owner, on January 20, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District (proposed R4 General Residence District), the certification of a 3-story 5-dwelling unit townhouse building on a reverse corner lot, whose front yard is zero feet instead of 5.76 feet, whose rear yard is 16 feet instead of 30 feet, and whose side yard along the street side lot line is zero feet instead of 50% of the adjoining front yard requirement, on premises at 1145 W. 31st Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 29, 1993, 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, §7.804, §7.9-4, §7.7-4, §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District (proposed 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 R3 General Residence District (proposed R4 General Residence District); that the subject site is a 48' x 124' reverse corner lot improved with the almost completed 3-story 5-dwelling unit townhouse building; that each townhouse dwelling unit has a two-car enclosed garage on the ground floor level; that the said 5-dwelling unit townhouse building was erected by the applicant in 1993; that the applicant has filed for rezoning of the subject site from R3 to R4 General Residence; that the property in question cannot yield a reasonable return nor be put to reasonable use under the conditions allowed by the regulations in this district due to the shallow depth of the subject lot which necessitates the requested yard variations; that the plight of the owner is due to unique circumstances in that the City stopped construction of the said townhouse building in 1993 because of improper zoning and the absence of necessary building permits and that the variations requested are necessary to the issuance of a zoning certificate; that the said 5-dwelling unit townhouse building is compatible with the mixed residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

February 18, 1994

Cal. No. 31-94-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 certification of a 3-story 5-dwelling unit townhouse building on a reverse corner lot, whose front yard is zero feet instead of 5.76 feet, whose rear yard is 16 feet instead of 30 feet, and whose side yard along the street side lot line is zero feet instead of 50% of the adjoining front yard requirement, on premises at 1145 W. 31st Place, upon condition that the proposed R4 General Residence District zoning shall be approved by the City Council; that adequate space for garbage containers shall be provided on site and that all garbage shall be collected from the rear of the townhouse buildings via the public alley abutting the site to the east; 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: Austin Square Limited Partnership
 APPEARANCES FOR: Kevin J. Rielley
 APPEARANCES AGAINST: Virginia Forsythe, Willis F. Jones, et al.

CAL. NO. 32-94-S
 MAP NO. 1-L
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 5000-20 W. Madison 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, Austin Square Limited Partnership, for American National Bank, Trust No. 115421-07, owner, on January 8, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in the proposed renovation of a 3-story 26-dwelling unit building with stores on the ground floor to stores and 14 dwelling units, in a B4-2 Restricted Service District, on premises at 5000-20 W. Madison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 22, 1993, 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, §8.3-4A(1), §8.4-4(3), §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 60' x 200' lot improved with a 3-story brick store and apartment building; that the applicant proposes to renovate the existing building from a 26-dwelling unit building with stores on the ground floor to a 14 dwelling unit building with some retail store space on the ground floor; that two dwelling units for mobility-impaired individuals will be provided on the ground floor in the southwest corner of the building; that the proposed use is necessary for the public convenience at this location to provide ground floor dwelling units for the disabled as required by the government when using federal funds for such a residential project as the subject building; 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 off-street parking spaces at the rear of the property; that the proposed use is similar to but reduced in number of dwelling units to the previous residential and retail use at the site and will not cause substantial injury to the value of other

MINUTES OF MEETING

February 18, 1994

Cal. No. 32-94-S

property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it is hereby approved and the Zoning Administrator is authorized to permit the establishment of residential use below the 2nd floor in the proposed renovation of a 3-story 26-dwelling unit building with stores on the ground floor to stores and 14 dwelling units, in a B4-2 General Service District, on premises at 5000-20 W. Madison 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: Jim Yamamoto
APPEARANCES FOR: Adrienne M. Geary, Jim Yamamoto
APPEARANCES AGAINST:

CAL. NO. 33-94-S
MAP NO. 16-I
MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 2901-05 W. 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, Jim Yamamoto, for Marquette National Bank, Tr. #1494, owner, on January 10, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a coin operated laundry in an existing 1-story masonry commercial building, in a B2-1 Restricted Retail District, on premises at 2901-05 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 30, 1993, 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, §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 a 29' x 125' lot improved with a 1-story brick commercial building; that the applicant proposes to establish a coin-operated laundry business having 100 machines in the subject building; that the proposed use is necessary for the public convenience at this location to provide a necessary service for neighborhood residents; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate off-street parking; that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a coin operated laundry in an existing 1-story masonry commercial building, on premises at 2901-05 W. 63rd Street, upon condition that the applicant installs a landscape screen along the 63rd Street and Francisco frontages; 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: Morgan Park Seventh-Day Adventist Church

CAL. NO. 34-94-S

APPEARANCES FOR:

MAP NO. 26-H

APPEARANCES AGAINST:

MINUTES OF MEETING

February 18, 1994

PREMISES AFFECTED— 11000 S. Vincennes Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 18, 1994.

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: Rosita Cruz
 APPEARANCES FOR: Rene E. Celis, Rosita Cruz
 APPEARANCES AGAINST:

CAL. NO. 35-94-S
 MAP NO. 5-K
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 4321-25 W. Armitage Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

Application denied.

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

THE RESOLUTION:

WHEREAS, Rosita Cruz, for Community National Bank of Berwyn, Trust #880-220, owner, on December 30, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 44-seat church in a 2-story brick former funeral home building, in a C1-1 Restricted Commercial District, on premises at 4321-25 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 16, 1993, 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, §9.3-1, §9.4-1(1), §9.11-1(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is improved with a 2-story brick funeral home building with dwelling units above and 3-car and 2-car garages in the rear; that the applicant proposes to establish a 44-seat church in the 2-story brick former funeral home building at the site; that the applicant testified that the five on-site garage parking spaces will be for use only by the proposed church; that no testimony was provided that indicated that the establishment of the proposed church at the subject site will not cause substantial injury to the value of other property in the neighborhood; that the use of the five on-site parking spaces by the church eliminates the required off-street parking for the residential units on the 2nd story of the subject building; 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: Methodist Youth Services, Inc.
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 36-94-S
MAP NO. 17-H
MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 1737 W. Touhy Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—
Case continued to
March 18, 1994.

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: Bobbie Carter

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED— 220 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
May 20, 1994.

CAL. NO. 37-94-S

MAP NO. 18-E

MINUTES OF MEETING
February 18, 1994

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: R.I. Busse, Inc.

CAL. NO. 38-94-S

APPEARANCES FOR:

MAP NO. 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 4550 W. 26th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
April 15, 1994,
for status.

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 H. Widmar
 APPEARANCES FOR: John H. Widmar
 APPEARANCES AGAINST:

CAL. NO. 39-94-A
 MAP NO. 11-F
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 4250 N. Marine Drive

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, John H. Widmar, for Sam Chung/Golden Dynasty, owner, on January 11, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the licensing of a video rental and sales/audio-video repair shop in a commercial space on the second floor of the north tower of a 29-story 864-unit condominium building, in an R6 General Residence District, on premises at 4250 N. Marine Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1994, 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, §7.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994; and

WHEREAS, the district maps show that the premises is located in an R6 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 R6 General Residence District in a commercial space on the second floor of the north tower of a 29-story 864-unit condominium building at the subject site; that the appellant proposes to establish a video rental and sales/audio-video repair shop in the subject commercial space; that the actual audio-video repair work will be conducted off-site; that the said commercial space has always contained businesses operated for the convenience of the building tenants, such as a beauty shop, tanning salon, health spa, travel bureau, restaurant, etc.; that said commercial space is privately owned and not under the management of the condominium board of directors; that the use of the subject commercial space for video rental and sales and as a drop off site for audio and video repair may be considered an accessory use in that it contributes to the convenience and comfort of residents of the building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has establishment of 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 certify the licensing of a video rental and sales/audio-video repair shop in a commercial space on the second floor of the north tower of a 29-story 864-unit condominium building, on premises at 4250 N. Marine Drive, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is

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

APPLICANT: Marion Perry, d/b/a A New Leaf, Inc.
 APPEARANCES FOR: Marion Perry
 APPEARANCES AGAINST: Lisa Volpe, Frank Kamberos

CAL. NO. 40-94-A
 MAP NO. 5-F
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 1645 N. Wells 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, Marion Perry, d/b/a A New Leaf, Inc., for Marion Parry, owner, on January 11, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a wholesale license in conjunction with the operation of a retail florist business in a 4-story brick store and apartment building, in a B2-3 Restricted Retail District, on premises at 1645 N. Wells Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 12 1994, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994; and

WHEREAS, the district maps show that the premises is located in a B2-3 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 B2-3 Restricted Retail District; that the subject site is improved with a 4-story brick and store building containing the subject retail florist business in a store on the ground floor; that the applicant has operated the retail florist business at the subject site for over 20 years; that three delivery vehicles are utilized in the business operation; that the appellant is seeking a wholesale license only for the purpose of buying flowers in larger volume for later retail sale; that the proposed wholesale operation would constitute approximately 15% of the total business operation; that limited wholesale activity subordinate to the principal retail activity may be considered an accessory use to the retail operation; 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 wholesale license in conjunction with the operation of a retail florist business in a 4-story brick store and apartment building, on premises at 1645 N. Wells Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Robert T. Clark and Ronald Sorce

CAL. NO. 41-94-A

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 1056 W. Webster Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
April 15, 1994.

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: Stephen Alport, et al
 APPEARANCES FOR: Thomas J. Murphy
 APPEARANCES AGAINST: Rolando R. Acosta

CAL. NO. 42-94-A
 MAP NO. 3-E
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 1401 N. Astor Street and 38 E. Schiller Street
 SUBJECT— Appeal from the Zoning Administrator's approval of a building permit application.

ACTION OF BOARD—

Appeal denied and the decision of the Zoning Administrator affirmed.

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, Dr. Bruce R. Tizes, owner, on November 12, 1993, filed an application for a building permit, in an R5 General Residence District, to consolidate two 3 story masonry residential buildings into one single family residence, and to construct a masonry addition and attached masonry garage to the rear thereof, whose total floor area will be 7,804 square feet, whose east side yard will be 4.75 feet for the new construction, whose west side yard will be 7.5 feet for the new construction and whose new masonry garage will be set back 10 feet from the west property line within 15 feet of the adjacent property to the rear, on premises at 1401 N. Astor Street and 38 E. Schiller Street; and

WHEREAS, said building permit application was reviewed by the Zoning Administrator and was approved by the Zoning Administrator as being in full compliance with all applicable requirements of the Chicago Zoning Ordinance on January 4, 1994; and

WHEREAS, on January 4, 1994, Appellants filed an appeal from the Zoning Administrator's decision to approve said building permit application with the Zoning Board of Appeals pursuant to Article 11.8-1 of the Zoning Ordinance; and

WHEREAS, based upon said building permit application, the Department of Buildings issued building permit number B780352 on January 6, 1994; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a regular meeting held on February 18, 1994; and

MINUTES OF MEETING

February 18, 1994

Cal. No. 42-94-A

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 Board has no authority under Article 11.3 or Article 11.8 of the Chicago Zoning Ordinance to review decisions made by the Commission on Chicago Landmarks pursuant to the landmark protection provisions of the Municipal Code of Chicago nor to review decisions made by the Department of Planning and Development pursuant to the provisions of the Lake Michigan and Chicago Lakefront Protection Ordinance and that therefore, such matters are not properly before the Board; that the proposed improvements do not violate the intent and purpose section of the Zoning Ordinance because they comply with the specific, precise regulations contained in the Zoning Ordinance which further and accomplish the intent and purpose section; that the area of the private way at the rear of the subject property was properly included in the lot area calculation of the subject property as it is private property owned or controlled by Dr. Tizes; that the proof presented indicates that the basement of the subject buildings was properly excluded from the floor area ratio calculations because less than $\frac{1}{2}$ of the basement height is above curb level; that Dr. Tizes is permitted to join the two properties together to create one zoning lot, and that no side yards are required between the two properties so joined; that appellants have misconstrued Article 5.7-5(3) by arguing that said Article imposes an 8 foot height limit on garage structures because said Article actually limits the horizontal projection of a garage roof over an open patio to 8 feet; that the Zoning Ordinance imposes no height limit on attached garage structures; that because the term "alley" is defined in the Zoning Ordinance as being a public right-of-way, the requirement of Article 7.9 that no structure be nearer the center line of an alley than 8 feet does not apply to the subject property, which has a 9 foot private way at the rear thereof; that the proposed one story bay window at the rear of the proposed addition projecting 3 feet into the required rear yard is a permitted obstruction in said rear yard pursuant to Article 5.7-5(3), which finding is unaffected by the fact that the rear glass panels of the bay window may be opened and may function as doors; that the proposed 4.75 foot east side yard is unobstructed from ground level to sky notwithstanding the fact that the level of said side yard setback is lower than that of the remainder of the subject property; that the proposed 12 foot driveway provides safe and efficient access to the proposed garage; that the approved plans reflect sufficient space within the proposed garage for at least one standard size parking space and one handicapped-accessible parking space, which exceeds the requirement of one parking space

MINUTES OF MEETING
February 18, 1994
Cal. No. 42-94-A

for the proposed use established by the Zoning Ordinance; and that no evidence was presented that would require reversal of the Zoning Administrator's decision; it is therefore

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

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

APPLICANT: Public Building Commission/Chicago Board of Education

CAL. NO. 43-94-Z

APPEARANCES FOR: Terrance Diamond

MAP NO. 5-J

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 2230 N. 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
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Public Building Commission/Chicago Board of Education, for Public Building Commission, owner, on January 24, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of an elementary school annex addition which erection will increase the maximum floor area ration of .7 to 1.2 and reduced the north side yard to zero feet instead of 12 ft. required to allow a loading berth, and to reduce the midway rear yard on this through lot to zero feet and reduce the west front yard from 23 ft. to 12.08 ft., on premises at 2230 N. Hamlin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 20, 1994, 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, §7.6-3, §7.7-3, §7.8-3, §7.9-3, §7.11(1), §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 31, 1994; 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 99,858 sq. ft. lot improved with the 1 and 3-story brick Mozart public elementary school; that the applicant proposes to construct a 35,630 sq. ft. annex addition on the north side of the existing school building which will contain 13 new classrooms, dining area and warm-up kitchen, a multi-purpose gymnasium space, a library, computer room and administrative spaces; that the new annex addition can function as part of or independently from the existing school building; that the new annex facility will be for the use of pre-school children, kindergarten children and first through third grade children; 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 existing school, constructed in 1911, cannot accommodate the educational and social needs of the children that live in the area; that the plight of the owner is due to unique circumstances

MINUTES OF MEETING

February 18, 1994

Cal. No. 43-94-Z

in that due to the age of the existing Mozart school it cannot satisfy all of the current program requirements nor can it provide all of the classrooms and classroom facilities required today; that the proposed annex addition will eliminate the need for six mobile modular units that are located on the site and will be architecturally compatible with the existing school building; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of an elementary school annex addition which erection will increase the maximum floor area ratio of .7 to 1.2 and reduce the north side yard to zero feet instead of 12 feet required to allow a loading berth, and to reduce the midway rear yard on this through lot to zero feet and reduce the west front yard from 23 feet to 12.08 feet, on premises at 2230 N. Hamlin Avenue, upon condition that all applicable ordinances of the City of Chicago are complied with before a permit is issued.

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

APPLICANT: Mint Pawnners & Jewelers, by Susan G. Connelly

CAL. NO. 274-93-S

APPEARANCES FOR:

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 1901-09 W. Howard Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
April 15, 1994.

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: Thomas J. Walsh

CAL. NO. 361-93-A

APPEARANCES FOR:

MAP NO. 7-I

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 2737 W. Diversey Street

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

ACTION OF BOARD—

THE VOTE

Appeal withdrawn upon motion of the 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: Larry Mansfield

CAL. NO. 316-93-Z

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED— 2140 N. Winchester Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
April 15, 1994.

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: Belgravia Group, Ltd.
 APPEARANCES FOR: Robert Buono, William Singer
 APPEARANCES AGAINST:

CAL. NO. 340-93-Z
 MAP NO. 5-E
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 433-45 W. Armitage 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, Belgravia Group, Ltd., for LaSalle National Bank, Tr. #15789, owner, on October 25, 1993, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 7-dwelling unit townhouse building, with no front yard instead of 5.76 feet, with no east side yard instead of 7.6 feet, and whose south rear yard will be 10.5 feet instead of 30 feet, on premises at 433-45 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 15, 1993, 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, §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 February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 30, 1993; 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' x 125' corner lot situated at the intersection of W. Armitage Avenue and N. Hudson Street, formerly occupied by a gasoline filling station; that the applicant proposes to erect a 4-story 7-dwelling unit townhouse building with enclosed 2-car garage for each dwelling unit; 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 front, side and rear yard variations requested are necessary to erect affordable single-family townhouse dwelling units with adequate living space; that the plight of the owner is due to unique circumstances in that if the front, side and rear yard requirements of the zoning ordinance were strictly adhered to the resulting depth and width of the property would make the proposed townhouse project economically infeasible; that the variations, if granted, will not alter the essential character of the locality in that the proposed 7-dwelling unit townhouse building will be compatible with existing residential improvements in the area, many of which do not comply with the yard requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

February 18, 1994

Cal. No. 340-94-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 4-story 7-dwelling unit townhouse building, with no north front yard instead of 5.76 feet, with no east side yard instead of 7.6 feet, and whose south rear yard will be 10.5 feet instead of 30 feet, on premises at 433-45 W. Armitage Avenue, upon condition that the City Council shall approve an ordinance permitting the sale of the air rights over the public way for the purpose of construction of two bay windows of the N. Hudson Avenue public way and one bay window over the north/south public alley; 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: Uptown Habitat for Humanity
 APPEARANCES FOR: Mark Sargis
 APPEARANCES AGAINST:

CAL. NO. 344-94-S
 MAP NO. 19-G
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 7405-11 N. Ashland Avenue
 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
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Uptown Habitat for Humanity, owner, on December 28, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit on the ground floor in the renovation of a 4-story brick building into 12 dwelling units, in a B2-3 Restricted Retail District, on premises at 7405-11 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 22, 1993, 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, §8.4-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 30, 1993; and

WHEREAS, the district maps show that the proposed use is to be located in a B2-3 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 B2-3 Restricted Retail District; that the subject site is a triangular 7,753 sq. ft. lot improved with a 4-story brick building; that the applicant proposes to renovate the said building into 12 dwelling units; that the proposed use is necessary for the public convenience at this location to provide one dwelling unit with handicapped access on the ground floor in the proposed renovation of the subject building; 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; that the proposed use 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 a dwelling unit on the ground floor in the renovation of a 4-story brick building into 12 dwelling units, on premises at 7405-11 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: International Double Drive-Thru, Inc.
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 11447-57 S. Halsted Street/746-56 W. 115th Street
 SUBJECT— Application for the approval of a special use.
 ACTION OF BOARD--

CAL. NO. 351-93-S
 MAP NO. 28-F
 MINUTES OF MEETING
 February 18, 1994

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, International Double Drive-Thru, Inc., for Jefferson State Bank, Trust No. 1728, owner, on October 6, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of drive-through facilities in conjunction with a proposed Checkers Restaurant (site approved previously for a Burger King Restaurant on August 20, 1993, in Cal. No. 255-93-S), in a B4-1 Restricted Service District, on premises at 11447-57 S. Halsted Street/746-56 W. 115th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 6, 1993, 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, §8.3-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 30, 1993; 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 the B4-1 Restricted Service District; that on August 20, 1993, the Board approved a special use application for the establishment of drive-through facilities in conjunction with a proposed Burger King restaurant at the subject site, in Calendar No. 255-93-S; that the testimony presented in Calendar No. 255-93-S is hereby made part of the record in this case; that the subject site is a 15,000 sq. ft. lot situated on the northeast corner of the intersection of S. Halsted Street and W. 115th Street and is improved with a 1-story brick building; that the applicant proposes to construct a Checkers Restaurant on the subject site and to provide double drive-thru service in conjunction with said restaurant; that the proposed use is necessary for the public convenience at this location to provide a service to the community which is 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 use to be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

February 18, 1994

Cal. No. 351-93-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 drive-through facilities in conjunction with a proposed Checkers Restaurant (site approved previously for a Burger King Restaurant on August 20, 1993 in Cal. No. 255-93-S), on premises at 11447-57 S. Halsted Street/746-56 W. 115th Street, upon condition that no use shall be made of the premises for the use requested until the following conditions have been complied with: that the site plan presented to the Zoning Administrator shall be the site plan dated February 17, 1994; that all access to and egress from the site shall be as noted on the site plan dated February 17, 1994; that a 6 foot high solid wood fence shall be erected on the east property line to screen the facility from residential property located across the abutting alley; that the hours of operation shall be limited to the hours between 7 A.M. and 1 A.M. Monday through Thursday and 7 A.M. to 2 A.M. Friday through Sunday; that on-site security personnel shall be provided during Friday, Saturday and Sunday hours of operation after 12 A.M.; that no music shall be broadcast on site; 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 permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: The Clare Group, Ltd.
 APPEARANCES FOR: Robert Buono, William S. Singer
 APPEARANCES AGAINST: Matthew Piers, et al.

CAL. NO. 367-93-S
 MAP NO. 7-G
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 2701-19 N. Lincoln Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application denied.

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, The Clare Group, Ltd., for The Diversey Store Fixture Co., owner, on November 12, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor of a proposed 3-story 23-dwelling unit townhouse building, in a B4-3 Restricted Service District, on premises at 2701-29 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 10, 1993, 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, §8.4-2(3), §8.7-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 29, 1993; and

WHEREAS, the district maps show that the premises are located in a B4-3 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 23,730 sq. ft. lot improved with three brick and one frame store and apartment buildings; that the applicant proposes to erect three 3-story detached townhouse buildings containing a total of 23 dwelling units, with interior parking garages at the site and with no front, side or rear yards; that a portion of the proposed development projects over N. Lincoln Avenue and has access off of N. Lincoln Avenue, N. Seminary Avenue and the public alley at the rear to the inclosed parking garages; and

WHEREAS, upon being put to a vote, Chairman Spingola found that the applicant failed to meet its burden of proof that the proposed use is necessary for the public convenience at this location, that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected, and that the proposed use will not cause substantial injury to the value of other property in the neighborhood and voted to deny the application for the following reasons:

MINUTES OF MEETING

February 18, 1994

Cal. No. 367-94-S

1. that the use and design of the proposed building with residential use on the ground floor would be disruptive to the business continuity of the street;
2. that the plan provides for three detached residential buildings on one zoning lot which is not permitted under the zoning code;
3. that no evidence was presented that would indicate the applicant has the legal authority to project portions of the proposed buildings over the public way as depicted in the plans;
4. that all parking is contained within each townhouse and that with no provision for any guest off-street parking, any increase in street parking on Lincoln Avenue caused by the proposed development would have a negative impact on street parking for the business users;

Member McCabe-Miele concurred; Members Fornelli and Moore found that the applicant satisfactorily met the required standards as presented and voted to approve the special use application; it is therefore

RESOLVED, that the application for a special use be and it hereby is denied due to lack of three affirmative votes.

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

APPLICANT: The Clare Group, Ltd.
 APPEARANCES FOR: Robert Buono, William S. Singer
 APPEARANCES AGAINST: Matthew Piers, et al.

CAL. NO. 368-94-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 February 18, 1994

PREMISES AFFECTED— 2701-19 N. Lincoln Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations 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, The Clare Group, Ltd., for The Diversey Store Fixture Co., owner, on November 12, 1993, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 3-story 23-dwelling unit townhouse building, with no front yard, no north side yard and no rear yard instead of 14.4 feet, 20 feet and 30 feet respectively, on premises at 2701-29 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 10, 1993, 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, §8.4-2(3), §8.7-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 18, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 29, 1993; and

WHEREAS, the district maps show that the premises is located in a B4-3 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 23,730 sq. ft. lot improved with three brick and one frame store and apartment buildings; that the applicant proposes to erect three 3-story detached townhouse buildings containing a total of 23 dwelling units, with interior parking garages at the site and with no front, side or rear yards; that a portion of the proposed development projects over N. Lincoln Avenue and has access off of N. Lincoln Avenue, N. Seminary Avenue and the public alley at the rear to the inclosed parking garages; and

WHEREAS, upon being put to a vote Chairman Spingola found that the denial of the special use application in Calendar No. 367-94-S for the establishment of dwelling units on the ground floor in the aforesaid townhouse buildings negates the need for the requested variations and further found in this case that no evidence was presented that would indicate that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district and that the plight of the

MINUTES OF MEETING

February 18, 1994

Cal. No. 368-94-Z

owner is not due to any unique circumstances, and that the development, as proposed, would alter the essential character of the block; Member McCabe-Miele concurred;

Members Fornelli and Moore found that the applicant satisfactorily met the required standards as presented and voted to grant the variation application; it is therefore

RESOLVED, that the application for a variation be and it hereby is denied due to lack of three affirmative votes.

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

APPLICANT: The Niagara Group

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED— 4617 W. Division Street/4621 W. North Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
April 15, 1994.

CAL. NO. 229-93-S

MAP NO. 3-K

MINUTES OF MEETING
February 17, 1994

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: The Niagara Group

CAL. NO. 334-93-S

APPEARANCES FOR:

MAP NO. 3-K

APPEARANCES AGAINST:

MINUTES OF MEETING

February 18, 1994

PREMISES AFFECTED— 4617 W. Division Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
April 15, 1994.

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: Marlboro, Inc.

CAL. NO. 374-93-S

APPEARANCES FOR:

MAP NO. 18-I

APPEARANCES AGAINST:

MINUTES OF MEETING
February 18, 1994

PREMISES AFFECTED—

Area bounded by the C.&W.I. Railroad, vacated S. Sacramento Ave., a line 174' north of W. 77th St., S. Albany Ave., W. 76th St., and vacated S. Troy St., known as 7601 S. Albany Ave.

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
April 15, 1994.

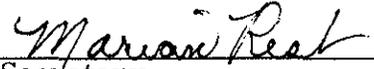
Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

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

MINUTES OF MEETING
February 18, 1994

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

The motion prevailed and the Board adjourned to meet in regular meeting on March 18, 1994.


Secretary

larch