

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County, 118 N. Clark Street on April 15, 1994

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

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

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

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A communication was received from the Hon. Michael A. Wojcik, Alderman of the 35th Ward stating that he was indicated as appearing against the variation application of the Public Building Commission/Chicago Board of Education heard by the Zoning Board on March 18, 1994 for the approval of the erection of a 3-story annex addition to the existing Monroe Elementary School building located at 2634-58 N. Monticello Avenue/2637-59 N. Lawndale Avenue, Calendar No. 48-94-Z. Alderman Wojcik requested that the minutes of the hearing be amended to indicate that he should have been listed as appearing under appearances for the applicant.

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on March 18, 1994, as amended, (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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: Ernest R. Wish  
 APPEARANCES FOR: Ira T. Kaufman, Ernest R. Wish, David E. Wish  
 APPEARANCES AGAINST: Kathy Dzoga, et al.  
 PREMISES AFFECTED— 1111 N. Hoyne Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 87-94-Z  
 MAP NO. 3-H  
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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, Ernest R. Wish, for Cole Taylor Bank, Tr. #94-6017, owner, on February 28, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 22' x 72.75' addition to the rear of a 2-story brick single-family dwelling, with no rear yard instead of 30 feet, on premises at 1111 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 9, 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, §7.9-4, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 79.5' x 103.5' lot improved with a 2-story brick residential building and a vacant fenced lot to the south; that the applicant proposes to erect a 2-story 22' x 72.65' addition to the rear of the existing 2-story brick single-family dwelling which will create an L-shape single-family dwelling to be occupied by the applicant's son and family; 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 rear yard variation requested is necessary to meet the living space requirements of the applicant's son and his family while providing substantial yard space for recreational use; that the plight of the owner is due to the desire to retain yard space in addition to providing additional living space to meet the life-style requirements of the family who will be residing in the existing 2-story single-family dwelling on site; that the proposed addition will not impair an adequate supply of light and air to adjacent property and that with a substantially landscaped front yard, will not alter the essential character of the locality;

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it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation 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 22' x 72.25' addition to the rear of a 1-story brick single-family dwelling, with no rear yard instead of 30 feet, on premises at 1111 N . Hoyne Avenue, upon condition that the aforesaid 2-story addition shall be for the purpose of additional living space only and shall not be used as a separate dwelling unit; that adequate space shall be provided within the proposed addition for garbage receptacles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Dr. Kevin Fagan & Teresa Fagan  
 APPEARANCES FOR: H. Joshua Chaet, Dr. Kevin Fagan  
 APPEARANCES AGAINST:

CAL. NO. 88-94-Z  
 MAP NO. 14-D  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 5708 S. Harper 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, Dr. Kevin Fagan & Teresa Fagan, owners, on March 8, 1994, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1st floor 23.75' x 16.67' addition and a 2nd floor 6' x 11' addition to the rear of a 2-story frame single-family dwelling, whose north side yard is 1.66' instead of 4' and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 5708 S. Harper Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 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, §7.6-2, §7.8-2, §11.7-4(1)(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 a 40' x 126.7' lot improved with a 2-story frame Queen Anne Victorian-style residential building built approximately 1886; that the applicants propose to erect a 1st floor 23.75' x 16.67' addition and a 2nd floor 6' x 11' addition to the rear of the existing building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to provide additional living space to meet the needs of the applicant and family; that the plight of the owner is due to the necessity of providing bedroom, family room and extended kitchen space; that the proposed additions will follow existing building lines 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

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of a 1st floor 23.75' x 16.67' addition and a 2nd floor 6' x 11' addition to the rear of a 2-story frame single-family dwelling, whose north side yard is 1.66' instead of 4' and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 5708 S. Harper 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: Thomas and Diane Dorwart  
 APPEARANCES FOR: Thomas Dorwart, Diane Dorwart  
 APPEARANCES AGAINST: Gerald Fredrickson, Natalie Fredrickson

CAL. NO. 89-94-Z  
 MAP NO. 7-G  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 1052 W. Wrightwood 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
Joseph J. Spingola		X	
Anthony J. Fornelli		X	
LeRoy K. Martin, Jr.		X	
Gigi McCabe-Miele			X
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Thomas and Diane Dorwart, owners, on February 29, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2nd story dwelling unit addition to the rear of an existing 1 and 2-story frame single-family dwelling, whose east side yard will be 1 foot instead of 5 feet and with no rear yard instead of 30 feet, on premises at 1052 W. Wrightwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 10, 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, §7.8-4(1), §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 50' x 125' lot improved with a 1 and 2-story frame single-family dwelling with a garage in the rear; that the applicants propose to erect a 2nd story dwelling unit addition to the rear of the existing single-family dwelling; that the applicants have owned and occupied the premises since 1977 when they purchased it for \$88,000; that the applicants testified that their real estate taxes increased approximately 800% forcing them to seek relief by creating a 2nd rental dwelling unit; that the applicants testified that the property would realize \$400,000 if sold in today's market; that construction of a 2nd dwelling unit would cost approximately \$100,000; that no evidence was presented to indicate that any hardship or unique circumstances exists; that testimony presented indicates that an adequate supply of light and air to abutting properties would be impaired by the erection of the proposed 2nd story dwelling unit; it is therefore

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

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

APPLICANT: Robert Kowalski  
 APPEARANCES FOR: Robert Kowalski  
 APPEARANCES AGAINST: Richard Ursitti

CAL. NO. 90-94-Z  
 MAP NO. 2-H  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 2312-22 W. Flournoy 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 granted.

THE RESOLUTION:

WHEREAS, Robert Kowalski, owner on March 1, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 15-dwelling unit building, with no side yards instead of 10 feet each, on premises at 2312-22 W. Flournoy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 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, §7.8-5, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 the subject site consists of 5 unimproved zoning lots totalling 12,500 sq. ft.; that the applicant proposes to combine the 5 existing lots into 1 zoning lot and to erect thereon a 3-story 15 rental dwelling unit building with on-site parking for 15 automobiles; 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 side yard variations requested are necessary to provide adequate living space in the proposed 15-dwelling unit building as designed; that the plight of the owner is due to the size of the subject property which necessitates the requested side yard variations; that the proposed 15-dwelling unit building 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

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the

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zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 15-dwelling unit building, with no side yards instead of 10 feet each, on premises at 2312-22 W. Flournoy Street, upon condition that the subject property shall not be sub-divided into 5 individual 20 feet wide lots and deeded as such; that the order granted by the Board in this case shall be recorded with the Office of the Cook County Recorder of Deeds to insure compliance with the aforesaid restriction; that adequate space shall be provided at the rear alley lot line for garbage dumpsters for each dwelling unit; that garbage pickup shall be by a private scavenger firm provided by the applicant; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Public Building Commission of Chicago/  
 Chicago Board of Education  
**APPEARANCES FOR:** Terrance Diamond  
**APPEARANCES AGAINST:**  
**PREMISES AFFECTED—** 4150 W. Dickens Avenue/2100-18 N. Kedvale Avenue & 2121 N. Keeler Ave.  
**SUBJECT—** Application to vary the requirements of the zoning ordinance.  
**ACTION OF BOARD—**

**CAL. NO.** 91-94-Z  
**MAP NO.** 5-K  
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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, The Public Building Commission of Chicago/Chicago Board of Education, for the Public Building Commission of Chicago, owner, on March 9, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story annex addition to the east side of an existing elementary school, with no north side yard instead of 14 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.54 instead of 0.70, on premises at 4150 W. Dickens Avenue/2100-19 N. KEdvale Avenue and 2121 N. Keeler Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 25, 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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 an L-shape 83,449 sq. ft. lot improved with the 3-story Nixon Elementary School; that the applicants propose to erected a 3-story 35,700 sq. ft. annex on the east side of the existing elementary school property which will serve grades preschool through third grade; that the proposed annex addition will contain 13 classrooms, a large dining area and a warm-up kitchen, a multi-purpose gymnasium space, a library, a computer room and administrative spaces; that the proposed annex can function as a part or independently of the existing Nixon school 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 annex is necessary to alleviate overcrowding in the existing school which was originally constructed in 1905; that the plight of the owner is due to the necessity of provided additional needed

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space to help alleviate overcrowding at the aforesaid elementary school; that the proposed annex will be compatible with existing residential improvements in the neighborhood 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 annex addition to the east side of an existing elementary school, with no north side yard instead of 14 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.54 instead of 0.70, on premises at 4150 W. Dickens Avenue/ 2100-18 N. Kedvale Avenue and 2121 N. Keeler Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Board of Education  
 APPEARANCES FOR: Terrance Diamond  
 APPEARANCES AGAINST:

CAL. NO. 92-94-Z  
 MAP NO. 12-H  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 4735-47 S. 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
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 Board of Education, owner, on March 11, 1994, filed, and subsequently amended an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story annex addition to the south side of an existing elementary school, whose front yard will be 4 feet instead of 20 feet, with no rear yard instead of 30 feet, and whose total floor area ratio will be 1.68 instead of 0.70, on premises at 4735-47 S. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 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, §7.9-3, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 57,032 sq. ft. lot improved with the 3-story brick Hedges Elementary School; that the applicant proposes to erect a 3-story annex on the south side of the existing elementary school property which will serve grades preschool through third grade; that the proposed annex addition will contain 17 classrooms, a large dining area and a full service kitchen which will accommodate both the existing school and the annex addition, a science lab, gymnasium, library, computer room and administrative spaces; that the proposed annex addition can function as a part of or independently of the existing school 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 annex is necessary to alleviate severe overcrowding in the Hedges Elementary School which was originally constructed in 1906; that the plight of the owner is due to the necessity of providing additional needed space to help alleviate overcrowding at the aforesaid

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school; that the proposed annex will be compatible with existing residential improvements in the neighborhood 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 annex addition to the south side of an existing elementary school, whose front yard will be 4 feet instead of 20 feet, with no rear yard instead of 30 feet, and whose total floor area ratio will be 1.68 instead of 0.70, on premises at 4735-47 S. Winchester 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 of Chicago/  
Chicago Board of Education  
APPEARANCES FOR: Terrance Diamond  
APPEARANCES AGAINST:

CAL. NO. 93-94-Z  
MAP NO. 5-J  
MINUTES OF MEETING  
April 15, 1994

PREMISES AFFECTED— 2010 N. Central Park 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, the Public Building Commission of Chicago/Chicago Board of Education, for the Public Building Commission of Chicago, owner, on March 14, 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 addition to the west side of an existing elementary school, whose south front yard will be 19 feet instead of 23 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.74 instead of 0.70, on premises at 2010 N. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 14, 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, §7.9-3, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 64,402 sq. ft. lot improved with the 4-story brick Funston Elementary School building; that the applicant proposes to erect a 2-story 35,630 sq. ft. annex to the west side of the existing school building; that the proposed annex will serve grades pre-school through third grade and will include 13 classrooms, a large dining area, a warm-up kitchen, a multi-purpose gymnasium space, a library, computer room, and administrative spaces; that the proposed annex can function as a part of or independently of the existing school 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 annex is necessary to alleviate severe overcrowding at the Funston Elementary School which was originally constructed in 1929; that the plight of the owner is due to the necessity of providing additional needed space to help alleviate overcrowding at the aforesaid school; that the proposed annex will be compatible with existing

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residential improvements in the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story annex addition to the west side of an existing elementary school, whose south front yard will be 19 feet instead of 23 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.74 instead of 0.70, on premises at 2010 N. Central Park Avenue, upon condition that a 10 feet high wrought iron gate shall be erected at the north and south ends of the narrow yard area which will be created between the existing school building and the proposed annex to the west; 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: Wabash Limited Partnership  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 94-94-S  
 MAP NO. 7-E  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 1318-52 S. Wabash 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, Wabash Limited Partnership, owner, on March 1, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 90-dwelling units, in a B4-5 Restricted Service District, on premises at 1318-52 S. Wabash Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 1994; and

WHEREAS, the district maps show that the premises is located in a B4-5 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-5 Restricted Service District; that the subject site is an irregular shape 41,309 sq. ft. lot presently improved with a 3 and 10-story vacant commercial building; that on August 16, 1992 the Board approved the applicant's special use application for the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 103 dwelling units at the subject site; that the applicant was unable to commence the use permitted within 12 months of the adoption of the resolution in Cal. No. 192-91-S nor within a 1 year time extension granted July 17, 1992; that the applicant is now seeking special use approval for the establishment of dwelling units on the ground floor in the renovation of the subject building into 90-dwelling units with 100 on-site parking spaces; that the testimony presented in Cal. No. 192-91-S is hereby made part of the record in this case; that the proposed use is necessary for the public convenience at this location due to the lack of demand for ground floor business space in this neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations, provide adequate off-street parking and retain existing loading dock facilities; that due to the Landmark status of the existing 10-story

MINUTES OF MEETING

April 15, 1994  
Cal. No. 94-94-S

building at 1322-30 S. Wabash Avenue which is the former Coco Cola headquarters building, the exterior facade must remain; that the proposed use of the property for dwelling units will be compatible with the renovation trend in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 90 dwelling units, on premises at 1318-52 S. Wabash Avenue, upon condition 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.

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

APPLICANT: Patrick Carroll  
 APPEARANCES FOR: Thomas F. Courtney  
 APPEARANCES AGAINST:

CAL. NO. 95-94-S  
 MAP NO. 9-H  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 3936 N. Ashland 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, Patrick Carroll, for Hermes J. Leyva, Sandra Leyva, Margarita Leyva, owners, on March 11, 1994, filed an application for the approval of the location and the establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building, in a B2-2 Restricted Retail District, on premises at 3936 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 22, 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, §8.3-2B, §8.4-2(2), §8.7, §11-1(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is a 25' x 115' unimproved lot; that the applicant proposes to erect a 3-story 3-dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for ground floor business space in this neighborhood; that there is a demand 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 provide adequate off-street parking space; that the proposed use of the property for dwelling units 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 establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building, on premises at 3936 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: Chicago Transit Authority  
 APPEARANCES FOR: Donald J. Vogel  
 APPEARANCES AGAINST: Uylaine Enghram-Barringer

CAL. NO. 96-94-S  
 MAP NO. 12-E  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 4710-12 S. Calumet 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
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 Transit Authority, for City of Chicago, owner, on March 11, 1994 filed an application for a special use under the zoning ordinance for the approval of the location and the erection of an electric sub-station, in an R5 General Residence District, on premises at 4710-12 S. Calumet Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 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, §7.3-5, §7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 the subject site is a 50' x 128' unimproved lot; that CTA elevated train tracks abut the subject site to the west; that the applicant proposes to erect an approximately 33' x 72' electric substation facility at the subject site; that the proposed use is necessary for the public convenience at this location due to the elevated track configuration and requirement for providing power to the CTA Green Line trains; that electric sub-stations are required every mile of tracks and must abut said tracks; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be enclosed by security fencing and which will be continuously monitored from the CTA Command Center at the Merchandise Mart; that to the east, west and south of the subject site are all vacant parcels of land and that the proposed use will be compatible with existing business uses to the north of the site and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING  
April 15, 1994  
Cal. No. 96-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of an electric sub-station, on premises at 4710-12 S. Calumet Avenue, upon condition that the subject site shall be enclosed, except for a gate permitting rear entry to the site for regular maintenance purposes, by a 6 feet high chain link fence; 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.

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

APPLICANT: Chicago Transit Authority  
 APPEARANCES FOR: Donald J. Vogel  
 APPEARANCES AGAINST:

CAL. NO. 97-94-S  
 MAP NO. 14-E  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 5909-11 S. Prairie 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
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 Transit Authority, for City of Chicago, owner, on March 11, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of an electric sub-station, in an R5 General Residence District, on premises at 5909-11 S. Prairie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 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, §7.3-4, §7.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 the subject site is a 50' x 160' unimproved lot situated below elevated train tracks; that the applicant proposes to erect an approximately 33' x 72' electric sub-station facility at the subject site; that the proposed use is necessary for the public convenience at this location due to the elevated track configuration and requirement for providing power to the CTA Green Line trains; that electric sub-stations are required every mile of tracks and must abut said tracks; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be enclosed by security fencing and which will be continuously monitored from the CTA Command Center at the Merchandise Mart; that the subject site is located on unimproved land located below existing elevated tracks and that the proposed use will be compatible with existing residential 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

April 15, 1994

Cal. No. 97-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of an electric sub-station, on premises at 5909-11 S. Prairie Avenue, upon condition that the subject site shall be enclosed, except for a gate permitting entry to the site for regular maintenance purposes, by a 6 feet high chain link fence; 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.

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

APPLICANT: The Second Birth Baptist Church  
 APPEARANCES FOR: Major E. Robinson  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 7252-58 S. Racine Avenue  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 98-94-S  
 MAP NO. 18-G  
 MINUTES OF MEETING  
 April 15, 1994

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, The Second Birth Baptist Church, owner, on February 17, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 276-seat church and community center in a 1 and 2-story brick building, in a B2-1 Restricted Retail District, on premises at 7252-58 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 14, 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, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 1994; and

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

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 B2-1 Restricted Retail District; that the subject site is a 125' x 125' lot improved with a 2-story brick building occupied by the Second Birth Christian Community Center and which is attached to a 1-story brick building; that the applicant has been located at the subject site since 1973; that the proposed use is necessary for the public convenience at this location to continue to meet the needs of the congregation and residents of the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations and which will provide adequate on-site parking; that the said use is an improvement in a block containing many vacant lots, and that the use of the site by a church and community center 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 276-seat church and

MINUTES OF MEETING

April 15, 1994

Cal. No. 98-94-S

community center in a 1 and 2-story brick building, on premises at 7252-58 S. Racine Avenue, upon condition that the parking area abutting the premises to the north shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be enclosed with a 6 feet high chain link fence, excepting the driveway; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from S. Racine Avenue; that the alley abutting the site to the north shall not be used for ingress nor egress; that a landscape screen and two parkway trees shall be installed along the Racine Avenue parking lot frontage; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain 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: Greater Rock M.B. Church, by Rev. Floyd D. James CAL. NO. 99-94-Z  
 APPEARANCES FOR: Bernard I. Citron MAP NO. 2-J  
 APPEARANCES AGAINST: MINUTES OF MEETING  
 April 15, 1994  
 PREMISES AFFECTED— 718 S. Independence Boulevard  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Greated Rock M.B. Church, by Rev. Floyd D. James, for Greater Rock M.B. Church, owner, on March 9, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story with basement 156-seat church building, whose rear yard will be 17 feet instead of 30 feet, on premises at 718 S. Independence Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 10, 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, §7.9-5. §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 the subject site is a 107' x 140' unimproved lot located at the northwest corner of S. Independence Boulevard and W. Lexington Street; that the applicant proposes to erect a 1-story with basement 156-seat church 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 the rear yard variation requested is necessary to erect a church of sufficient size to meet the needs of the congregation; that the plight of the owner is due to insufficient space in the applicants present facility to house their current and expanding ministries; that the proposed use will not impair an adequate supply of light and air to adjacent property 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

MINUTES OF MEETING

April 15, 1994

Cal. No. 99-94-Z

zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story with basement 156-seat church building, whose rear yard will be 17 feet instead of 30 feet, on premises at 718 S. Independence Boulevard, upon condition that off-street parking shall established at 734-36 S. Independence Boulevard, as provided for in companion application 100-94-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Greater Rock M.B. Church, by Rev. Floyd D. James

CAL. NO. 100-94-S

APPEARANCES FOR: Bernard I. Citron

MAP NO. 2-J

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED— 734-36 S. Independence Boulevard

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

Application approved.

Joseph J. Spingola

Anthony J. Fornelli

LeRoy K. Martin, Jr.

Gigi McCabe-Miele

Thomas S. Moore

THE RESOLUTION:

WHEREAS, Greater Rock M.B. Church, by Rev. Floyd D. James, for Greater Rock M.B. Church, owner, on March 9, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R5 General Residence District, on premises at 734-36 S. Independence Boulevard, to satisfy the parking requirement for a proposed 156-seat church at 718 S. Independence Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 10, 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, §7.4-5, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 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 the subject site is a 50' x 150' unimproved lot at the southwest corner of S. Independence Boulevard and W. Lexington Street; that on April 15, 1994, the Board approved the applicant's application for a variation to permit the erection of a 1-story with basement 156-seat church building whose rear yard will be 17 feet instead of 30 feet, on premises at 718 S. Independence Boulevard, in Cal. No. 99-94-Z; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the aforesaid proposed 156-seat church at 718 S. Independence Boulevard; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be improved and operated under the conditions hereinafter set forth; that the proposed use is an improvement of an otherwise vacant and derelict parcel of land and that the establishment of an off-site accessory parking lot will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

April 15, 1994

Cal. No. 100-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is hereby authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 734-36 S. Independence Boulevard, to satisfy the parking requirement for a proposed 156-seat church at 718 S. Independence Boulevard, upon condition that no use shall be made of the site 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 completely enclosed with a 6 feet high chain link fence, excepting the driveway; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that concrete wheel stops shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from W. Lexington Street; that the driveway shall be constructed in compliance with applicable ordinances; that there shall be no ingress nor egress from the public alley abutting the site to the west; that landscaping shall be provided as proposed on the applicant's Driveway and Landscape Plan; 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 and §5.8-5 of the zoning ordinance.

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

APPLICANT: Won Buddhism of America, Inc.

CAL. NO. 101-94-S

APPEARANCES FOR:

MAP NO. 15-L

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED— 6330 N. Cicero Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
July 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: Fenton Booth  
 APPEARANCES FOR: Fenton Booth  
 APPEARANCES AGAINST: Virginia Peters, Gary Fencik

CAL. NO. 102-94-S  
 MAP NO. 7-G  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 1122 W. Schubert Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
X		
	X	

THE RESOLUTION:

WHEREAS, Fenton Booth, for William Ballantyne, owner, on March 16, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor in the conversion of a 1-story brick former storage building which with a proposed 2nd story addition will be used as a single-family dwelling, in a B4-3 Restricted Service District, on premises at 1122 W. Schubert Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 9, 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, §8.7-4, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 1994; 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 2,450 sq. ft. irregular shape parcel of land with street frontage on W. Schubert Avenue and which is also located directly behind a White Hen Pantry convenience store that fronts on N. Lincoln Avenue; that although the premises has frontage on Schubert Avenue it can be accessed only from an alley abutting the site to the west; that the applicant proposes to convert the existing building which with a proposed 2nd story addition will be used as a single-family dwelling; that testimony presented indicates that the present owner of the subject property used the building as storage and work space for his pesticide business; that no evidence was presented that would indicate that the proposed use is necessary for the public convenience at this location; that the establishment of the proposed residential building on this very limited size parcel of land located directly behind business uses and abutting an alley would be an inappropriate use in this business zone; that the

MINUTES OF MEETING

April 15, 1994

Cal. No. 102-94-S

public health, safety and welfare would not be adequately protected by the establishment of the proposed use at the subject site in that the proposed residence at this location would be out of character with the business uses in this business district; that no evidence was presented to indicate that the establishment of residential use at the subject site would not cause substantial injury to the value of other property in the area; that the proposed use is not in the public interest in this viable business area of N. Lincoln Avenue; 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: Fenton Booth  
 APPEARANCES FOR: Fenton Booth  
 APPEARANCES AGAINST: Virginia Peters, Gary Fencik

CAL. NO. 103-94-Z  
 MAP NO. 7-G  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 1122 W. Schubert Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations denied.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Fenton Booth, for William Ballantyne, owner, on March 16, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 2nd story addition to a 1-story brick building on an irregular shape lot all of which will be used as a single-family dwelling, with a south front yard of 1 foot instead of 15 feet, with no west side yard and a 1 foot east side yard instead of 4.7 feet each, and with no rear yard instead of 30 feet, on premises at 1122 W. Schubert Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 9, 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, §8.7-4, §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 April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on March 28, 1994; 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 on April 15, 1994, the Board denied the applicant's special use application for approval of the establishment of residential use on the ground floor in the conversion of a 1-story brick former storage building which with a proposed 2nd floor addition will be used as a single-family dwelling, at the subject site; that the proposed use would alter the essential character of this business district; and that the denial of the applicant's request in Cal. No. 103-94-S negates the need for the variations requested in the instant application; it is therefore

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

APPLICANT: Sheffield Properties

CAL. NO. 104-94-S

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED— 1623 N. Sheffield Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
June 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: Trampa, Inc., By Timothy J. Fitzgerald  
APPEARANCES FOR:  
APPEARANCES AGAINST:

CAL. NO. 105-94-S  
MAP NO. 7-F  
MINUTES OF MEETING  
April 15, 1994

PREMISES AFFECTED— 2868 N. Broadway  
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
June 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: John Reilly

CAL. NO. 106-94-A

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING  
April 15, 1994

PREMISES AFFECTED— 1150 N. LaSalle Street

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

ACTION OF BOARD—

Appeal withdrawn upon  
motion of appellant.

THE VOTE

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

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

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

APPLICANT: Alicja Strojewska

CAL. NO. 107-94-A

APPEARANCES FOR:

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED— 5557 W. Belmont Avenue

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

ACTION OF BOARD—

Case continued to  
June 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: Armitage Antique Gallery  
 APPEARANCES FOR: Diana Smuda, Donna Murphy  
 APPEARANCES AGAINST:

CAL. NO. 108-94-A  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED-- 1529 W. Armitage 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, Armitage Antique Gallery, for Centerstreet Partnership, owner, on March 10, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing consignment antiques gallery in a 2-story brick building, in Planned Manufacturing District #2, on premises at 1529 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 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, Chapter 16-8, Chapter 194-D."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994; and

WHEREAS, the district maps show that the premises is located in Planned Manufacturing District #2; 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 Planned Manufacturing District #2; that the subject site is improved with a 2-story brick warehouse-type building which also contains other business uses; that the applicant business is a consignment antique gallery which stores and sells merchandise to a wholesale and retail market and has been located at the subject site since February, 1989 prior to the area being rezoned from M3-3 Heavy Manufacturing to Planned Manufacturing District #2 on December 5, 1990; that new licensing requirements due to the rezoning to PMD #2 have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing consignment antiques gallery in a 2-story brick building, on premises at 1529 W. Armitage 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: Ed's Food & Liquor  
 APPEARANCES FOR: Eddie Gaddis, Bahtiar Hoxha  
 APPEARANCES AGAINST:

CAL. NO. 109-94-A  
 MAP NO. 20-G  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 1421-25 W. 79th 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, Ed's Food & Liquor, for Eddie Gaddis, owner, on March 16, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a music and dance license for an existing tavern in a 1-story brick building, in a B2-1 Restricted Retail District, on premises at 1421-25 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 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, §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 April 15, 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 in a 1-story brick building occupied by an existing tavern and liquor store; that the appellant desires to provide live entertainment consisting of two to three member music combos for his tavern patrons on Friday and Saturday nights only; that the appellant does not intend to expand his existing business or his existing business hours which are from 10 A.M. to 2 A.M. Sundays through Fridays and to 3 A.M. Saturdays; that licensing requirements have caused the case to be filed; that live music entertainment in an existing tavern may be considered an accessory use if subordinate in scope to the principal tavern operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a music and dance license as an accessory use only for an existing tavern in a 1-story brick building, on premises at 1421-25 W. 79th Street, upon condition that the hours of operation of the existing tavern shall remain from 10 A.M. to 2 A.M. Sundays through Fridays and to 3 A.M. Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: John A. Brown

CAL. NO. 110-94-A

APPEARANCES FOR:

MAP NO. 7-F

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED— 2518 N. Clark Street

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

ACTION OF BOARD—

Case continued to  
June 17, 1994.

THE VOTE

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

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

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

APPLICANT: Clarence Zuchal  
 APPEARANCES FOR: Clarence Zuchal  
 APPEARANCES AGAINST:

CAL. NO. 111-94-A  
 MAP NO. 9-H  
 MINUTES OF MEETING  
 April 15, 1994

PREMISES AFFECTED— 3350 N. Natchez 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, Clarence Zuchal, owner, on March 1, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1½-story frame building as 4-dwelling units, in an R2 Single-Family Residence District, on premises at 3350 N. Natchez Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 28, 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, §7.5-2, §11.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 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 said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1½-story frame residential building; that evidence presented indicates that the City Water Department records show that the subject building contained 4 dwelling units in 1952; that subsequent to the public hearing, the appellant provided records from the Board of Election Commissioners that indicates that 4 families were registered to vote from the subject building in 1941, prior to the adoption of the 1942 zoning ordinance; that the appellant has a right to continue the occupancy of the 1½-story frame building as 4 dwelling units provided the building is brought into compliance with all applicable 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 a 1½-story frame building as 4 dwelling units, on premises at 3550 N. Natchez Avenue, upon condition that the building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Tadeusz and Danuta Dabal  
APPEARANCES FOR:  
APPEARANCES AGAINST:

CAL. NO. 112-94-A  
MAP NO. 14-N  
MINUTES OF MEETING  
April 15, 1994

PREMISES AFFECTED— 5536 S. Oak Park Avenue  
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal withdrawn upon  
motion of appellants.

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: Lucille O'Neill  
 APPEARANCES FOR: Lucille O'Neill, Evelyn Yore  
 APPEARANCES AGAINST: Victor Lazzeroni  
 PREMISES AFFECTED— 7819 W. Summerdale Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 113-94-A  
 MAP NO. 13-O  
 MINUTES OF MEETING  
 April 15, 1994

ACTION OF BOARD—

Appeal denied and the decision of the Office 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
Joseph J. Spingola		X	
Anthony J. Fornelli		X	
LeRoy K. Martin, Jr.		X	
Gigi McCabe-Miele			X
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Lucille O'Neill, for her mother, Evelyn Yore, owner of the property at 7817 W. Summerdale Avenue, on March 3, 1994, filed an appeal from the decision of the Office of the Zoning Administrator which granted an Exception permitting the erection of a 2-story 25.5' x 28' addition to the rear of an attached 2-story brick single-family dwelling with no west side yard instead of 3 feet required, with an east side yard of 3.5 feet instead of 3 feet, in an R3 General Residence District, on premises at 7819 W. Summerdale Avenue; and

WHEREAS, on January 21, 1994, the Department of Zoning granted the Exception request of Victor Lazzeroni, the owner of the subject site property for a 3'0" reduction of the west side yard in order to allow the construction of a 25'6" x 28'0" rear 2-story addition to an existing single-family residence and that the side yards required are 3'0" and that the proposed side yards are zero on the west and 3'6" on the east; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 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 said use is located in an R3 General Residence District; that the subject site is a 29' x 122.25' lot improved with a 2-story brick single-family dwelling with a 2-story rear addition currently under construction and a 2-car garage located in the rear of the lot; that the appellant objects to the granting of the exception by the Zoning Administrator because no consideration was given to the impact of water runoff which will run onto the property owned by her mother at 7817 W. Summerdale Avenue which water runoff and flooding will cause injury to the said property; that no evidence was presented to indicate that runoff water will cause flooding to the property at 7817 W. Summerdale Avenue; that the Board finds that the appellant's argument is insufficient basis for prohibiting the erection of the 2-story addition to the rear of the 2-story single-family dwelling at the subject site and that the Zoning Administrator did not err in his granting of the Exception permitting the erection of the aforesaid 2-story addition; it is therefore

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

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

APPLICANT: Mark Jasiuk  
 APPEARANCES FOR: Mark Jasiuk  
 APPEARANCES AGAINST: James and Cheryl Riga, Ken Alberts  
 PREMISES AFFECTED— 6217 N. Melvina Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 114-94-A  
 MAP NO. 15-M  
 MINUTES OF MEETING  
 April 15, 1994

ACTION OF BOARD—

Appeal denied and the decision of the Office 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
Joseph J. Spingola		X	
Anthony J. Fornelli		X	
LeRoy K. Martin, Jr.		X	
Gigi McCabe-Miele			X
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Mark Jasiuk, owner of the property located at 6221 N. Melvina Avenue, on March 14, 1994, filed an appeal from the decision of the Office of the Zoning Administrator which granted an Exception permitting the erection of a 2nd story 24' x 42' addition to a 1-story brick single-family dwelling whose north side yard will be 3.01' and whose south side yard will be 2.81' instead of combined side yards of 9 feet and neither side yard less than 3 feet, in an R2 Single-Family Residence District, on premises at 6217 N. Melvina Avenue; and

WHEREAS, on January 28, 1994, the Department of Zoning granting the Exception request of James and Cheryl Riga, owners of the subject site property at 6217 N. Melvina Avenue permitting a .2' reduction of the south side yard and a 3.18' reduction of the total side yard combination requirement in order to allow the construction of a 24' 0" x 42' 0" second story addition to an existing single-family residence; that the required side yards are 3' 0" on the north and south and proposed (side yards) are 3' 0" on the north and 2.8' on the south; that the total side yard combination requirement is 9' 0" and proposed is 5.82" and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 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 said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 130' lot improved with a 1-story brick single-family dwelling with a recently completed 2nd floor frame addition, enclosed rear porch and a 2-car garage located in the rear of the lot; that the appellant testified that the appellant's "Zoning Information Sheet" submitted to the Department of Zoning contains erroneous and misleading information concerning the enclosed rear porch which he believes results in a floor area ratio in excess of 0.5 allowed for an R2 zoning district and that the north side yard was inaccurately measured; that the said zoning information sheet was approved by the Department of Zoning on January 28, 1994 as being in conformance with the Chicago Zoning Ordinance; that the appellant also testified that the said 2nd story addition will eliminate loss of view of the skyline from the south elevation windows of the 6221 N. Melvina Avenue structure, impair

MINUTES OF MEETING

April 15, 1994

Cal. No. 114-94-A

light to the south side of the building and adversely impact on the Melvina Avenue street-scape, all of which will have a detrimental effect on the value of his property; that the appellant testified that he does not reside at the 6221 N. Melvina Avenue property and that it is presently vacant; that the Board finds that the testimony presented does not sufficiently prove that the Zoning Administrator erred in his determination granting an Exception permitting the aforesaid 2nd story addition to the single-family dwelling located at 6217 N. Melvina Avenue; 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: Robert T. Clark and Ronald Sorce  
 APPEARANCES FOR: Theodore Karavidas  
 APPEARANCES AGAINST: Langdon Neal, Tom Green  
 PREMISES AFFECTED— 1056 W. Webster Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 41-94-A  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 APRIL 15, 1994

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, Robert T. Clark and Ronald Sorce, for Robert T. Clark and Susan B. Clark, owners, on December 22, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment and licensing of a gourmet coffee shop as a substitution of a non-conforming use in a 1-story brick store building, in an R4 General Residence District, on premises at 1056 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 23, 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, §7.3-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 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 improved with a 1-story vacant non-conforming store building previously occupied by Zizzi's Restaurant; that on August 21, 1992 the Board sustained an appeal permitting authorization of a liquor license for liquor service accessory and incidental to the sale of food in an existing non-conforming restaurant (Zizzi's) in the subject 1-story brick building in Calendar No. 192-92-A; that Zizzi's food dispenser license expired on June 30, 1993 and its liquor license expired October 31, 1992; that in February, 1993 the appellant, Robert T. Clark purchased the subject building and in June 30, 1993 a lease was executed between the appellant and Gloria Jean's for the use of the subject building as a gourmet coffee shop; that Gloria Jean's was unable to commence the new use which resulted in the building being unoccupied for more than a year; that there was never any intent by the owner or lessee to abandon the business use of the property in that the lease agreed to by the appellant and Gloria Jean's is for a period of ten years; that in determining whether the proposed substitution of a non-conforming use is similar to or more restrictive than that of the prior non-conforming use at the site, pursuant to Section 6.4-7 of zoning ordinance, evaluation shall be made of the hours of operation, vehicular

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April 15, 1994

Cal. No. 41-94-A

traffic and noise levels generated by the use, the number of people reasonably expected to be attracted to the premises and other factors affecting other property or uses in the neighborhood in which it is located; that the hours of operation of the former restaurant use, as indicated in the Board's resolution in Cal. No. 192-92-A were limited to the hours of 11 A.M. to 11 P.M. Mondays through Thursdays, 8 A.M. to Midnight, Fridays and Saturdays, 8 A.M. to 9 P.M., Sundays; that testimony presented indicates that the hours of operation for the proposed coffee shop will be from 6 A.M. to 11 P.M. Mondays through Sundays with perhaps an 8 A.M. opening on Sundays; that the subject site is located in the De Paul University neighborhood; that traffic generated by the proposed use is more likely to be pedestrian traffic composed of persons purchasing coffee to and from work than vehicular generated customers; that although there will be some table service at the site, the volume of such service will be less than that of a restaurant with liquor service; that the noise level, material deliveries to the site, and garbage generated by the proposed use will be significantly less than that produced by a restaurant; that the Board finds, based on the criteria stated in Section 6.4-7 of the zoning ordinance, that the substitution of a gourmet coffee shop for the prior restaurant with liquor service is a proper substitution of use in the 1-story brick non-conforming store building at the subject site; 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 licensing of a gourmet coffee shop as substitution of use in a 1-story brick store building, on premises at 1056 W. Webster Street, upon condition that the hours of operation shall be limited to the hours between 6 A.M. and 11 P.M. Mondays through Sundays; that sufficient space shall be provided on the property for garbage containers; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Colmar, Inc.

CAL. NO. 85-94-A

APPEARANCES FOR:

MAP NO. 22-B

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED— 8847 S. Commercial Avenue

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

ACTION OF BOARD—

Case continued to  
May 20, 1994.

THE VOTE

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

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

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

APPLICANT: Larry Mansfield

CAL. NO. 316-93-Z

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
April 15, 1994

PREMISES AFFECTED— 2140 N. Winchester Avenue

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

ACTION OF BOARD—

Case continued to  
June 17, 1994.

THE VOTE

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

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

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

**APPLICANT:** Norman Holland CAL. NO. 20-94-Z  
**APPEARANCES FOR:** Dennis J. Aukstik, Norman Holland MAP NO. 28-J  
**APPEARANCES AGAINST:** John K. Holden, Daniel Coffman MINUTES OF MEETING  
January 21, 1994 and  
April 15, 1994  
**PREMISES AFFECTED—** 3306 W. 114th 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, Norman Holland, owner, on November 18, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story single-family dwelling whose east side yard is 9 inches instead of 3 feet, on premises at 3306 W. 114th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 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, §7.8-4, §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 January 21, 1994 and April 15, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 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 said use is located in an R4 General Residence District; that the subject site is a 30' x 125' lot improved with a new 2-story brick single-family dwelling with attached garage in the front; that on June 22, 1992 the Department of Zoning granted the applicant an exception permitting a 1'6" reduction of the east side yard in order to allow the construction of a 24'0" x 68'0" two-story single-family residence with an attached garage at the subject site; that testimony was presented that the the concrete foundation contractor did not pour the foundation within the specifications granted by the Exception which resulted in the foundation set too close to the east property line; that the applicant did not learn of this error until February, 1993; that as a result of the foundation error various building encroachments occurred to the abutting property at 3300 W. 114th Street; that the applicant testified that a Plat of Survey dated February, 1993 indicates that these window, eave, meter and pipe encroachments were removed; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the

MINUTES OF MEETING

April 15, 1994

Cal. No. 20-94-Z

conditions allowed by the regulations in this district in that the east side yard variation requested is necessary due to the dimensions of the subject lot; that the plight of the owner is due to unique circumstances in that the error in the pouring of the concrete foundation necessitates the additional east side yard variation requested; that the said 2-story single-family dwelling is compatible with existing residential improvements in the area 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 an existing 2-story single-family dwelling whose east side yard is 9 inches instead of 3 feet, on premises at 3306 W. 114th Street, upon condition that the gutter downspout existing on the east wall at the rear of the building shall either be removed or shall be re-configured in a manner that will prevent any drainage of water onto the adjoining neighbor's property; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Archie Humbert  
 APPEARANCES FOR: Lester L. Barclay, Archie Humbert  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED-- 6100-6258 S. State Street  
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 32-93-S  
 MAP NO. 14-F  
 MINUTES OF MEETING  
 April 15, 1994

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

THE RESOLUTION:

WHEREAS, Archie Humbert, for Carrie Bowdry, owner, on January 14, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a Junk Yard, in an M2-1 General Manufacturing District, on premises at 6100-6258 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1992, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.3-2, §10.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1994, after due notice thereof by publication in the Chicago Sun-Times on January 31, 1993; and

WHEREAS, the district maps show that the premises is located in an M2-1 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M2-1 General Manufacturing District; that the subject site is a narrow irregular-shape parcel of land located between railroad land and tracks to the west and manufacturing and commercial uses to the east; that the applicant has operated a junk yard at the subject site since 1989 dealing in junked automobiles and plumbing parts; that the said use is necessary for the public convenience at this location to provide a needed 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 at the subject site to which various improvements have been made during the interim and which will be continued to be operated under the conditions hereinafter set forth; that the said use is compatible with existing manufacturing and railroad 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

MINUTES OF MEETING

April 15, 1994

Cal. No. 32-93-S

the Zoning Administrator is authorized to permit the establishment of a Junk Yard, on premises at 6100-6258 S. State Street, upon condition that the all sheds and junkyard materials are kept off of the public right-of-way; that a solid fence is maintained in a manner that totally obscures the automobiles parts and junk stored on site, and that said fence must be kept painted in a single, neutral color and that it must be kept free of graffiti; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that all applicable provisions of the permit and licensing requirements of the Department of Environment shall be complied with; 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 resolution hereby approved by the Zoning Board of Appeals authorizing the use of the subject site as a Junk Yard shall expire on April 15, 1999 at which time the applicant shall be required to renew the special use authorization.

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

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

CAL. NO. 274-83-S

APPEARANCES FOR:

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING

APRil 15, 1994

PREMISES AFFECTED— 1901-09 W. Howard Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
June 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: R.I. Busse, Inc.

CAL. NO. 38-94-S

APPEARANCES FOR:

MAP NO. 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING

April 15, 1994

PREMISES AFFECTED-- 4550 W. 26th Street

SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Case continued to  
July 15, 1994 for status.

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

April 15, 1994

PREMISES AFFECTED— Area bounded by the C.&W.I. Railroad, vacated S.Sacramento Ave., a line  
SUBJECT— 174' north of W. 77th St., S. Albany Ave.' W. 76th St.; and vacated S.  
Troy St., known as 7601 S. Albany Ave.  
ACTION OF BOARD— Application for the approval of a special use.

Case continued to  
July 15, 1994.

THE VOTE

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

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

MINUTES OF MEETING

April 15, 1994

Cal. No. 160-93-S

Carol Rubin, for Illinois Facilities Fund, applicant presented a written request to amend the resolution approved by the Zoning Board of Appeals, on May 21, 1993, in Calendar No. 160-93-S for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R4 General Residence District, on premises at 710-14 N. Monticello Avenue, to fulfill the parking requirement for a day care center at 722-44 N. Monticello Avenue.

The amendments requested are to delete from the resolution the condition "that steel beam guard rails be erected on the west, south and east lot lines, excepting the driveway" and replace with "that a 5-foot high black vinyl-coated chain link fence shall be erected on the west, south and east lot lines, excepting the driveway." Ms. Rubin stated that as safety is a major concern in this area, they believe that a 5-foot high fence will provide more protection for the cars than low steel beam guard rails, and further that the space around this parking lot is limited and providing a fence rather than steel beam guard rails allows the applicant to provide adequate landscaping.

The applicant further requests that "ingress and egress shall be from North Monticello Avenue and that the alley abutting the site to the west shall not be used for ingress nor for egress" be deleted. Ms. Rubin stated that in order to fit the number of required parking spaces onto the lot, the space was designed so that cars do exit through the alley. Alderman Percy Giles introduced an ordinance to waive the alley barrier requirement which passed the City Council on June 9, 1993. The condition stated above is herein amended to "ingress and egress shall be via the alley abutting the site to the west."

Chairman Spingola moved that the requested amendments as stated herein, be approved. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING  
April 15, 1994  
Cal. No. 178-93-A

Gary I. Wigoda, for Waterfront Ventures, Inc., applicant, presented a written request for an amendment to the appeal sustained by the Zoning Board of Appeals permitting the re-establishment of a non-conforming tavern and restaurant in a 1-story brick building, in Planned Manufacturing District No. 2, on premises at 1177 N. Elston Avenue, on May 21, 1994, in Calendar No. 178-93-A.

The amendment requested is to allow the outdoor service of food and liquor (in effect, a beer garden) at the subject site. Mr. Wigoda stated that at all times during the hearing on Cal. No. 178-93-A, and on the site plan submitted to the Board, it was clearly indicated that a substantial portion of the property had been used for outdoor service of food and liquor, and that the applicant's request included this continued use.

Chairman Spingola moved that the request to amend the resolution in Calendar No. 178-93-A be amended to allow the outdoor service of food and liquor in conjunction with the re-establishment of a non-conforming tavern and restaurant at 1177 N. Elston Avenue.

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

April 15, 1994

Cal. No. 235-93-Z

Gary I. Wigoda, for Linden Partners, owner, presented a written request to amend the resolution granted by the Zoning Board of Appeals permitting the erection of a U-shape 2-story and garden level 9-dwelling unit townhouse building, whose front yard will be 8 feet instead of 13.2 feet, whose south side yard will be 2.4 feet instead of 7.2 feet and with no rear yard instead of 30 feet, in an R5 General Residence District, on premises at 1956 N. Seminary Avenue, on August 20, 1993, in Calendar No. 235-93-Z.

Mr. Wigoda stated that the Resolution approved by the Board on August 20, 1993 included a condition "that one of the proposed additional parking spaces within the connecting link at the rear of the property shall instead be designated as the area for storage of the units' garbage receptacles.

The amendment requested is to delete the aforesaid condition and allow this space to be used for parking as originally intended. Mr. Wigoda stated that the space required to be devoted to garbage storage is unused and not needed and will continue to remain unused. This is due to the inconvenience it creates to the unit owners, and to the ease of storage and ample space for storage within each units' garage. The requirement that this space be devoted to garbage storage is working a severe hardship on the developer by making it impossible to sell this last unit.

Chairman Spingola moved to deny the requested amendment to remove the aforesaid condition in Calendar No. 235-93-Z and stated that the applicant must file a new application to change or eliminate a condition imposed by the Board.

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING  
April 15, 1994  
Cal. No. 4-94-Z

Gary I, Wigoda, for Henry Huzenis, owner, presented a written request to amend the resolution granted by the Board permitting, in an R5 General Residence District, the erection of a 3-story 6-dwelling unit townhouse building, whose south side yard will be 2 feet instead of 12 feet and whose west rear yard will be 11 feet instead of 30 feet, on premises at 2250 W. Shakespeare Avenue, in Cal. No. 4-94-Z, on January 21, 1994.

Mr. Wigoda stated that the subject site was a vacant parcel which was rezoned by the City Council prior to the January 21, 1994 Zoning Board of Appeals hearing. At the time of the application for rezoning the address of 2250 W. Shakespeare Avenue was used for convenience on the rezoning application because since the property was vacant no official address had at that time been designated for the property. This address was also used for the application before the Zoning Board and is so indicated in the Board's resolution. The resolution also identifies the property correctly as an "unimproved lot located on the northwest corner of N. Bell Avenue and W. Shakespeare Avenue."

Mr. Wigoda further stated that the Bureau of Maps and Plats at this time has determined that the address of the subject property should be 2230 W. Shakespeare Avenue for official purposes and that he is therefore requesting that the records of the Zoning Board of Appeals be amended to reflect the official address of 2230 W. Shakespeare Avenue.

Chairman Spingola moved that the request to amend the resolution in Cal. No. 4-94-Z be granted and that records be changed to indicate that the official address of the subject site in said resolution be that of 2230 W. Shakespeare Avenue in lieu of 2250 W. Shakespeare Avenue.

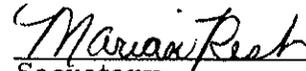
The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING  
April 15, 1994

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on  
May 20, 1994.

  
Secretary

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Me