

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County Building, 119 N. Clark Street on May 20, 1994  
at 9:00 A.M., 2:00 P.M., and 4:00 P.M.

The following members were present and constituted a quorum:

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

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Member Fornelli, moved that the Board approve the minutes of the proceedings of the regular meeting held on April 15, 1994 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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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: Jeff & Kate Boos  
 APPEARANCES FOR: Jeff & Kate Boos, Thomas Buckley  
 APPEARANCES AGAINST:

CAL. NO. 115-95-Z  
 MAP NO. 15-K  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 6142 N. Kedvale 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, Jeff and Kate Boos, owner, on April 4, 1994, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 20' x 27' addition to the rear of a 2-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 9.9 feet and neither side yard less than 3.3 feet, and whose total floor area ratio will be approximately 0.62 instead of 0.50, on premises at 6142 N. Kedvale Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 33' x 124.5' lot improved with a 2-story brick Georgian-style single-family dwelling and a 2-car frame garage located in the rear of the lot; that the applicants propose to erect a 2-story 20' x 27' addition to the rear of the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to meet living space requirements of the applicants and their children; that the plight of the owner is due to the necessity of providing additional kitchen and family room space on the first floor and additional bedroom and bath space on the 2nd floor in the existing single-family dwelling; that the proposed addition will conform to existing building lines; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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May 20, 1994

Cal. No. 115-94-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 20' x 27' addition to the rear of a 2-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 9.9 feet and neither side yard less than 3.3 feet, and whose total floor area ratio will be approximately 0.62 instead of 0.50, on premises at 6142 N. Kedvale 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: Bogdan Klek  
 APPEARANCES FOR: John J. Pikarski, Jr., Bogdan Klek  
 APPEARANCES AGAINST:

CAL. NO. 116-94-Z  
 MAP NO. 9-H  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 3301-05 N. Seeley 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, Bogdan Klek, for Marek Pilip, owner, on April 4, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 4-dwelling unit townhouse building, whose west front yard will be 12 feet instead of 15 feet and whose east rear yard will be 2 feet instead of 30 feet, on premises at 3301-05 N. Seeley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §7.9-3, §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 May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 on April 13, 1994, the City Council rezoned the subject site from R3 General Residence to R4 General Residence, specifically for the proposed residential project; that the subject site is a 50' x 125' lot located at the northeast corner of N. Seeley Avenue and W. School Street and is presently improved with a 2-story frame residential building a frame garage; that the applicant proposes to erect a 3-story 4-dwelling unit townhouse building with two-car garage parking for each dwelling unit at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed 4-dwelling unit townhouse building as designed; that the plight of the owner is due to unique circumstances in that each dwelling unit will front onto W. School Street resulting in a shallow depth to the property necessitating the yard variations requested; that the proposed 4-dwelling unit townhouse 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

MINUTES OF MEETING

May 20, 1994

Cal. No. 116-94-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 4-dwelling unit townhouse building, whose west front yard will be 12 feet instead of 15 feet and whose east rear yard will be 2 feet instead of 30 feet, on premises at 3301-04 N. Seeley Avenue, upon condition that adequate space shall be provided in each dwelling unit's enclosed parking garage for garbage containers; that a 3 foot yard long the W. School Street frontage and a 10 foot north side yard shall be provided; that the Agreement entered into by the applicant and owners of the property and the Newport Neighbors Association and the Roscoe Village Neighbors Association shall be recorded against the subject property with the Office of the Cook County Recorder of Deeds; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Board of Education  
 APPEARANCES FOR: Anne R. Fredd  
 APPEARANCES AGAINST:

CAL. NO. 117-94-Z  
 MAP NO. 20-I  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 8000-24 S. Maplewood Avenue/2535-2625 W. 80th Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on April 5, 1994, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 49,500 sq. ft. annex addition to the west side of an existing elementary school with no through lot rear yard instead of 60 feet, on premises at 8000-24 S. Maplewood Avenue/2535-2625 W. 80th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 5, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.9-2, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 181,711 sq. ft. lot improved with the 1-story brick Rosenwald Elementary School building with a paved parking area along the northeast corner of the property; that the applicant proposes to erect a 2-story 49,500 sq. ft. annex addition to the west side of the existing school building which will serve students in grades one through eight; that the proposed annex addition will include 15 classrooms, a large dining area and full service kitchen which will accommodate both the existing school building and the proposed annex addition, a multi-purpose/gymnasium facility, library, computer room, science lab, music lab, art lab, seminar and special education rooms, 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 due to the small size of the existing school, originally constructed in 1955, students that would attend the Rosenwald School are currently sent to the Carroll School, resulting in severe overcrowding at the Carroll School; that the plight of the

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owner is due to the necessity of providing additional needed school facilities to help alleviate overcrowding at the subject Rosenwald School and Carroll School; that the proposed annex addition will be 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 the erection of a 2-story 49,500 sq. ft. annex addition to the west side of an existing elementary school, with no through lot rear yard instead of 60 feet, on premises at 8000-24 S. Maplewood Avenue/2535-2625 W. 80th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

Special Concurring Opinion of Member McCabe-Miele

I do not oppose the variation requested in order to expand this school. The need for the facility is apparent. However, I strongly urge the principal, the architect and any of the design and planning team to look very closely at the design to insure that it goes beyond the simple goal of adding more space for classrooms, cafeteria, etc. No matter what the budget, there is opportunity for quality spaces than can be fun, colorful and functional at the same time.

Exterior spaces should be analyzed to make certain that they allow for real play -- for the kinds of activities that children in the area and in the age group actually engage in. Moreover, the space needs to be safe at all hours. Courtyards that have limited street visibility can create a place for crime to take place, necessitating lighting and fences to prevent the inevitable. Good planning and thoughtful design can create a building that will be enjoyed for years to come. Responsible planning which includes concern for the community, as well as the school, should be a requirement of the Public Building Commission and the Board of Education and, certainly, a concern of the design team.

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

APPLICANT: Public Building Commission of Chicago/Chicago Board of Education  
 APPEARANCES FOR: Anne R. Fredd  
 APPEARANCES AGAINST:  
 CAL. NO. 118-94-Z  
 MAP NO. 16-I  
 MINUTES OF MEETING  
 May 20, 1994  
 PREMISES AFFECTED— 2935-57 W. 65th Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
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 April 6, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2 and 3-story 74,500 sq. ft. addition to the north side of an existing elementary school, whose west side yard will be 7.5 feet instead of 15 feet and with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be approximately 0.98 instead of 0.70, on premises at 2935-57 W. 65th; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 5, 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(7), §11.7-4(10)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 159,489 sq. ft. lot improved with the 2-story Marquette Elementary School building; that the applicants propose to erect a 2 and 3-story 74,500 sq. ft. annex addition to the north side of the existing school building which will provide all of the educational facilities for approximately 550 students in grades 6,7, and 8; that the the proposed annex addition will be connected to the existing school building with a common area which will contain a lunchroom area, library-media center, computer room; that the proposed annex addition will include 16 classrooms, a large dining area and warm-up kitchen which will serve both facilities, a multi-purpose/gymnasium facility, library, computer lab, science lab, music/assembly area, art room, two special education rooms and administrative space; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2 and 3-story addition is necessary to alleviate substantial

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overcrowding in the Marquette Elementary School which was originally constructed in 1926; that the plight of the owner is due to the necessity of providing additional needed space to help alleviate overcrowding and to provide necessary teaching facilities; that the proposed annex will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 and 3-story 74,500 sq. ft. addition to the north side of an existing elementary school, whose west side yard will be 7.5 feet instead of 15 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be approximately 0.98 instead of 0.70, on premises at 2935-57 W. 65th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jeffrey B. Gelman  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST: Kevin P. Maloney, et al.

CAL. NO. 119-94-Z  
 MAP NO. 5-F  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 2226 N. Lincoln Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations denied.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
		X	
		X	
		X	
		X	
		X	

THE RESOLUTION:

WHEREAS, Jeffrey B. Gelman, owner, on March 28, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 5-story 8-dwelling unit condominium building with required parking in the ground floor garage, with no front yard instead of 13.8 feet, with no side yards instead of 5 feet each, and whose rear yard will be 24 feet instead of 30 feet, on premises at 2226 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 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 May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 applicant proposes to erect a 5-story 8-dwelling unit condominium building with required parking in the ground floor garage; that no evidence was presented that would indicate that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district; that no evidence was presented that would indicate that the plight of the owner is due to any unique hardship or circumstance; and that the granting of the requested variation would alter the essential character of the locality; it is therefore

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

SPECIALLY CONCURRING OPINION

In this case, the Applicant seeks to build a five-story building. The ground floor is

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designed for the parking of automobiles and the four stories above are to be residential condominium dwelling units. Under the Chicago Zoning Ordinance (CZO), the parking is an accessory use for the benefit of the owners of the condominium units. The building is located in a B4-3 zoning district which permits residential uses above the ground floor, but requires a business use on the ground floor.

Essentially, the proposed building is what could be designated a "four-plus-one." Historically, a four-plus-one was a five story building with residential units on four floors and open parking on the ground floor. The only difference in the proposed building is the fact that the ground floor parking is enclosed rather than open.

Prior to 1969, "four-plus-ones" began to proliferate the north side of the City of Chicago. Most were erected on lots as narrow as twenty-five feet and many were located in business zoned districts. In response to criticism that "four-plus-ones" were ugly, cheaply constructed, and detrimental to the surrounding residential and business neighborhoods, the City of Chicago enacted certain amendments to the CZO designed to deter continued construction.

On January 17, 1969, the following Ordinance Amendments became effective:

(1) Sections 8.7, 8.7-1, and 9.7 were amended to provide that all residential buildings in B and C zones which are not totally improved with permitted business uses on the ground floor shall meet the front, side, and rear yard set back requirements of the corresponding residential district.

(2) Sections 7.8-4 and 7.8-5 were amended to provide that side yards equal to 10% of the lot width be required in R-4 and R-5 districts where previously none had been required, unless provided on a voluntary basis.

The application in this case seeks variations from the yard requirements, but does not seek a special use to permit dwelling units on the ground floor as required in Section 8.3-4A. The Zoning Board of Appeals (ZBA) has denied the application for variations for reasons set forth above to which I concur. However, I am concerned with the absence of an application for a special use as provided in Section 8.4-4(3). Since the variation application has been denied, it is not necessary to determine this case based upon the presence or absence of a companion special use application.

When questioned at the hearing of this case, the attorney for the applicant argued that an application for a special use was not needed because the Zoning Administrator did not deny his application for a building permit for lack of a business use on the ground floor. However, the attorney admitted that no business use exists anywhere within the proposed building. The rationale stated is that since no dwelling units are contemplated below the second floor, the applicant need only comply with the front, side and rear yard requirements of the corresponding residential district, in this case R-5. But the applicant seeks a variation to waive these yard set back requirements. Such a request flies in the face of the effort to reduce or eliminate "four-plus-ones" in business and commercial districts. Further, if the construction of the applicable sections are construed in this manner, totally residential buildings from single-family to multiple apartments with accessory uses on the ground floor in compliance with the front, side and rear yard requirements of the corresponding residential district could, as a matter of right, be erected in any Business or Commercial District,

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even in the Loop. Allowing this would certainly be contrary to the Intent and Purpose of the CZO to protect the character and maintain the stability for Business and Commercial areas within the City and to promote the orderly and beneficial development of such areas.

I am concerned that the process used here has somehow found existence. It appears that different sections of the CZO have been interpreted differently from time to time. It appears that a special use to waive the ground floor business requirements has not always been required when parking has been substituted for the business use.

The argument is that parking is an accessory use to the use provided in the upper floors and since accessory uses are permitted in each of the zoning districts, accessory parking to a residential building in a business zone satisfies (or substitutes for) the accessory use permitted in a business zone. An examination of the CZO demonstrates this logic to be faulty.

Each zoning district contains its own list of permitted uses. In each case, the list concludes with the catch-all "accessory uses." This should not be read to mean that a residential accessory use is permitted in some other zone as such a reading would then allow an accessory manufacturing use in a residential zone. The more logical reading is that accessory uses to a list of residential uses means those uses which are accessory to the permitted residential uses, i.e. a coin operated laundry in an apartment building. Similarly, accessory uses included with permitted business uses in a business zone should be read as uses incidental to the business use. The same would apply to accessory uses in commercial zones. Under this analysis, accessory parking to a residential use in a business zone is not an accessory business use and cannot be substituted for a business use.

It is next necessary to examine what is residential parking on the ground floor of a totally residential building. Since the development of suburbs, houses began to include garages within the walls of the building. As personal safety became a greater concern, the trend to provide a garage with a house in a single structure came to the city. Now, developers even include the area of the garage in the advertised square footage of the home. In many townhomes, the ground floor is made up of space for a garage, space for a vestibule, and space for a family room. In condominiums, garage spaces within the same building are sold and deeded in some cases, and, in others, are assigned. In either case the garage area is part of the common elements of the building. It would be illogical to say that the enclosed parking area of a condominium bears any less of a relationship to the dwelling unit than the enclosed parking space of a house. Zoning uses the term "dwelling unit" instead of house or home. In reality there is no distinction. As a result, the enclosed parking area of a condominium is no less a portion of the dwelling unit than the attached garage of a single family home.

Consequently, I would find that the ground floor parking in this case which is proposed to be accessory parking to a totally residential building in a B4-3 zone constitutes an extension of, and is a part of, each dwelling unit. Since dwelling units are prohibited on the ground floor of a building in business and commercial districts, except B1, B2 and B4 districts and then only with a special use, I would require a special use application to waive the business use on the ground floor in all cases where the proposed building is totally residential containing accessory parking or uses on the ground floors in B1, B2 and B4 zones. It would then follow that these types of totally residential buildings are not permitted in any of the other B and C districts. To interpret otherwise creates a loophole that

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could lead to erosion of the City's business and commercial zones. As a result, the ZBA will henceforth require special use applications in all such cases.

Joseph J. Spingola  
Chairman - Zoning Board of Appeals

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

APPLICANT: Harry and Charles Huzenis  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 120-94-Z  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 1745 N. Hermitage 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, Harry and Charles Huzenis, owners, on March 29, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 6-dwelling unit townhouse building, with no front yard instead of 14.71 feet and whose rear yard will be 19 feet instead of 30 feet, on premises at 1745 N. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §7.7-5, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 on March 23, 1994 the City Council rezoned the subject site from R3 General Residence to R4 General Residence specifically for the proposed residential project; that the subject site is a 68.14' x 122.62' unimproved lot and is separated by an alley from a lot to the north which is the subject of a similar variation application in Calendar No. 121-94-Z; that the applicant proposes to erect a 3-story 6-dwelling unit townhouse building with six on-site parking spaces abutting the proposed residential building to the east; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front yard variation requested is necessary in order to provide space for staircases, and that the rear yard variation is necessary to provide adequate space between the proposed townhouse building and the proposed similar townhouse building to be erected north of the subject building in Cal. No. 121-94-Z to allow autos to get to the on-site parking spaces;

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that the proposed use will be compatible with the mixed residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 6-dwelling unit townhouse building, with no front yard instead of 14.71 feet and whose rear yard will be 19 feet instead of 30 feet, on premises at 1745 N. Hermitage Avenue, upon condition that adequate space for garbage containers shall be provided at the rear of the 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: Harry and Charles Huzenis  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 121-94-Z  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 1753 N. Hermitage 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, Harry and Charles Huzenis, owners, on March 29, 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 6-dwelling unit townhouse building, with no front yard instead of 14.73 feet and whose rear yard will be 19 feet instead of 30 feet, on premises at 1753 N. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §7.7-5, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on March 23, 1994, the City Council rezoned the subject site from R4 General Residence to R5 General Residence specifically for the proposed residential project; that the subject site is a 57.19' x 122.78' unimproved lot and is separated by an alley from a lot to the south which is the subject of a similar variation application in Calendar No. 120-94-Z; that the applicant proposes to erect a 3-story 6-dwelling unit townhouse building with six on-site parking spaces abutting the proposed residential building to the east; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front yard variation requested is necessary in order to provide space for staircases, and that the rear yard variation requested is necessary to provide adequate space between the proposed townhouse building and the proposed similar townhouse building to be erected south of the subject building in Cal. No. 120-94-Z to allow autos to get to the on-site parking spaces;

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May 20, 1994

Cal. No. 121-94-Z

that the proposed use will be compatible with the mixed residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 6-dwelling unit townhouse building, with no front yard instead of 14.73 feet and whose rear yard will be 19 feet instead of 30 feet, on premises at 1753 N. Hermitage Avenue, upon condition that adequate space for garbage containers shall be provided at the rear of the subject 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: John Wronkiewicz  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 122-94-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 2245 N. Clybourn Avenue/2237 N. Greenview 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, John Wronkiewicz, owner, on March 31, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence, the erection of a 2-story 8-dwelling unit townhouse building, whose front yard will be 1 foot instead of 14.4 feet and with no rear yard instead of 30 feet, on premises at 2245 N. Clybourn Avenue/ 2237 N. Greenview Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §7.7-5, §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 May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on January 12, 1994, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence; that the subject site is a 9,609 sq. ft. irregular shaped unimproved lot formerly occupied by a filling station; that the applicant proposes to erect a 2-story 8-dwelling unit townhouse building with enclosed garage parking for each dwelling unit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed townhouse dwelling units as designed; that the plight of the owner is due to the irregular pentangle shape of the subject property which necessitates the yard variations requested; that the proposed 8-dwelling unit townhouse building will be compatible with the existing residential improvements in the area, many of which do not conform to the yard requirements of the zoning ordinance; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

**MINUTES OF MEETING**

May 20, 1994

Cal. No. 122-94-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 8-dwelling unit townhouse building, whose front yard will be 1 foot instead of 14.4 feet and with no rear yard instead of 30 feet, on premises at 2245 N. Clybourn Avenue/ 1137 N. Greenview Avenue, upon condition that adequate space for garbage containers shall be provided at the rear of the subject 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: Northwest Investments  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 123-94-Z  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 1738 N. Hoyne 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, Northwest Investments, owner, on March 31, 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 6-dwelling unit townhouse building on an irregular shape through lot with no N. Wilmot Avenue front yard instead of 12 feet and whose north side yard will be 4.75 feet instead of 7.2 feet, on premises at 1738 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §7.7-4, §7.8-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 on February 6, 1991 the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R4 General Residence District; that the subject site is a 6,704 irregular shape through lot with frontages on N. Hoyne Avenue and N. Wilmot Avenue and is presently improved with foundations for a 6-dwelling unit townhouse building; that the applicant proposes to erect a 2-story 6 dwelling unit townhouse building with garage parking; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed 2-story 6-dwelling unit townhouse building; that the plight of the owner is due to the irregular shape of this through lot which requires under the zoning ordinance requirements a front yard on both frontages of the property; that the proposed 6-dwelling unit townhouse 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

MINUTES OF MEETING

May 20, 1994

Cal. No. 123-94-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 6-dwelling unit townhouse building on an irregular shape through lot, with no N. Wilmot Avenue front yard instead of 12 feet and whose north side yard will be 4.75 feet instead of 7.2 feet, on premises at 1738 N. Hoyne Avenue, upon condition that adequate space for garbage containers shall be provided on site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bernt Lewy

CAL. NO. 124-94-Z

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 1320 N. Hoyne Avenue

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

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

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: County of Cook, by Dominique Martin, A.S.A.  
 APPEARANCES FOR: Dominique Martin, A.S.A.  
 APPEARANCES AGAINST:

CAL. NO. 125-94-S  
 MAP NO. 6-K  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 2424 S. Pulaski Road  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, County of Cook, by Dominique Martin, A.S.A., for Hispanic Housing Development Corporation, owner, on March 31, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a government operated health center in a 2-story brick building, in a C1-2 Restricted Commercial District, on premises at 2424 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1994, reads:

) "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §9.3-4, §9.4-1(1), §11.1(12)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

WHEREAS, the district maps show that the premises is located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is a 50' x 115'+ lot improved with a 2-story brick vacant commercial building; that the applicant proposes to establish a Cook County operated family health center in the 2-story building at the subject site; that the proposed use, the Jorge Prieto Health Center, is presently located at 2611 S. Lawndale Avenue and that due to having outgrown the said premises, seeks to relocate to the subject site property; that the proposed use is necessary for the public convenience at this location due to the specific location and its excellent accessibility by public transit and the need to provide health services to the immediate community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will conform to all applicable building code regulations and which will provide adequate off-street parking for 14 automobiles at a site located at 2401-03 S. Pulaski Road, as provided for in companion application No. 127-94-S; that the proposed use will be compatible with existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

MINUTES OF MEETING

May 20, 1994

Cal. No. 125-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a government operated health center in a 2-story brick building, on premises at 2424 S. Pulaski Road, upon condition that off-street parking for 14 automobiles shall be located at 2401-03 S. Pulaski Road, as provided for in companion application No. 127-94-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: County of Cook, by Dominique Martin, A.S.A. CAL. NO. 126-94-Z  
 APPEARANCES FOR: Dominique Martin, A.S.A. MAP NO. 6-K  
 APPEARANCES AGAINST: MINUTES OF MEETING  
 May 20, 1994  
 PREMISES AFFECTED— 2424 S. Pulaski Road  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, County of Cook, by Dominique Martin, A.S.A., for Hispanic Housing Development Corporation, owner, on March 31, 1994, filed an application for a variation of the zoning ordinance to permit, in a C1-2 Restricted Commercial District, the establishment of a government operated health center in a 2-story brick building with a reduction of 20% of the required off-street parking and a waiver of one loading berth, on premises at 2424 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §9.10-1(13), §9.11-1(12), §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

WHEREAS, the district maps show that the premises is located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is a 50' x 115'+ lot improved with a 2-story brick vacant commercial building; that on May 20, 1994, the Board approved the applicant's application for a special use for the establishment of a government operated health center in the said 2-story brick building at the subject site is Cal. No. 125-94-S; that the applicant seeks a reduction of 20% in the required off-street parking and a waiver of one loading berth; 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 subject site does not allow for a loading berth or on-site parking as the building thereon occupies the entire lot; that the plight of the owner is due to unique circumstances due to the subject lot size; that the reduction of 20% of the required off-street parking will not materially affect street parking in the area in that an off-street parking facility for 14 automobiles located at 2401-03 S. Pulaski Avenue has been provided for by the applicant

MINUTES OF MEETING

May 20, 1994

Cal. No. 126-94-Z

in companion application No. 127-94-S and that the majority of people attending the health care center will use public transportation or walk to the site, and that the waiver of one loading berth will not materially affect traffic congestion in the area in that deliveries to the site will be mainly by parcel service; 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 establishment of a government operated health center in a 2-story brick building with a reduction of 20% of the required off-street parking and a waiver of one loading berth, on premises at 2424 S. Pulaski Road, 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: County of Cook, by Dominique Martin, A.S.A.  
 APPEARANCES FOR: Dominique Martin, A.S.A.  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 2401-03 S. Pulaski Road  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 127-94-S  
 MAP NO. 6-J  
 MINUTES OF MEETING  
 May 20, 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		
A	b	s t a i n
x		

THE RESOLUTION:

WHEREAS, County of Cook, by Dominique Martin, A.S.A., for Rudolpho Mesa, owner, on March 31, 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 14 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 2401-03 S. Pulaski Road, to satisfy the parking requirement for a proposed government operated health center at 2424 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §8.3-4, §8.4-4(1), §8.11-1(11)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 60' x 75'+ lot improved with a 1-story garage located in the rear of the property; that on May 20, 1994 the Board approved applications filed by the applicant for the establishment of a government operated health center in a 2-story brick building, on premises at 2424 S. Pulaski Road, and a reduction of 20% of the required off-street parking and waiver of one loading berth in Calendar Numbers 125-94-S and 126-94-Z respectively; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the government operated health clinic located at 2424 S. Pulaski Road; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

May 20, 1994

Cal. No. 127-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of 14 private passenger automobiles, on premises at 2401-03 S. Pulaski Road. to satisfy the parking requirement for a proposed government operated health center at 2424 S. Pulaski Road, upon condition that no use shall be made of the property for the purpose requested until the following conditions shall be complied with: that the proposed parking lot shall be limited to the parking of private passenger automobiles only and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails shall be erected on the periphery of the lot, excepting the driveway; that concrete wheel stops shall be provided; that lighting shall be provided directed away from abutting residential property; that striping shall be provided; that ingress and egress shall be from S. Pulaski Avenue; that the alley abutting the site shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that the hours of operation for the parking lot shall be limited to the hours of operation of the health center and that the parking lot shall be securely locked when not in use by the health center; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and under Section 5.8-5 of the zoning ordinance.

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

APPLICANT: County of Cook, by Dominique Martin, A.S.A. CAL. NO. 128-94-Z  
 APPEARANCES FOR: Dominique Martin, A.S.A. MAP NO. 6-J  
 APPEARANCES AGAINST: MINUTES OF MEETING  
 May 20, 1994  
 PREMISES AFFECTED— 2401-03 S. Pulaski Road.  
 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		
A	b	s t a i n
x		

THE RESOLUTION:

WHEREAS, County of Cook, by Dominique Martin, A.S.A, for Rudolpho Mesa, owner, on March 31, 1994, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the establishment of an accessory parking lot whose north side yard will be 3 feet instead of 5 feet, on premises at 2401-03 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §8.3-4, §8.11-1(11), §8.11(6) (b)(i)(ii)(b), §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 May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 60' x 75'+ lot improved with a 1-story garage building located in the rear of the lot; that on May 20, 1994, the Board approved the applicant's special use application for the establishment of an off-site accessory parking lot for the parking of 14 private passenger automobiles, on premises at 2401-03 S. Pulaski Road, to satisfy the parking requirement for a proposed government operated health center at 2424 S. Pulaski Road, in Calendar No. 127-94-S; 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 variation requested is necessary to permit maximum use of the property for off-street parking spaces; that the plight of the owner is due to the necessity of providing 14 parking spaces to fulfill the parking requirement for the proposed health center located at 2424 S. Pulaski Road; that the proposed parking lot will be compatible with existing improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 20, 1994

Cal. No. 128-94-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the establishment of an accessory parking lot whose north side yard will be 3 feet instead of 5 feet, on premises at 2401-03 S. Pulaski Road, upon condition that the aforesaid accessory parking shall be improved and maintained in conformance with the conditions and standards established in companion application Calendar No. 127-94-S; and that all other applicable ordinances of the City of Chicago shall be complied with before permit is issued.

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

APPLICANT: Lazaro Nodarse  
 APPEARANCES FOR: Lazaro Nodarse  
 APPEARANCES AGAINST: Lillian Robert, et al.

CAL. NO. 129-94-S  
 MAP NO. 5-I  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 2143-49 N. Bingham Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, Lazaro Nodarse, owner, on March 21, 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 R3 General Residence District, on premises at 2143-49 N. Bingham Street, to serve a restaurant located at 2148 N. Milwaukee 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, §7.4-3, §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 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 75' x 124' unimproved lot which is separated from the site to be served by elevated train tracks long the northeastern edge of the subject site; that the proposed use is necessary for the public convenience at this location to provide off-site accessory parking for the applicant's restaurant/banquet hall located at 2148 N. Milwaukee Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions herein-after set forth; that the proposed parking lot will be an improvement of a vacant lot abutting elevated railroad tracks and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 2143-49 N. Bingham Street, to serve a restaurant/banquet hall located at 2148 N. Milwaukee Avenue;

## MINUTES OF MEETING

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that no use shall be made of the property for the purpose requested until the following conditions shall have been complied with: that the proposed parking lot shall be limited solely to the parking of private passenger automobiles belonging to patrons of the applicant's banquet hall at 2148 N. Milwaukee Avenue; that that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that 5 feet setbacks on the N. Bingham Street and W. Francis Place property lines shall be landscaped and planted with hedges; that a 6 foot high decorative solid wood fence shall be provided on the southeast property line to screen the parking lot from abutting residential property; that a metal guard rail 2 feet high shall be provided on the property line abutting the public alley and elevated railroad tracks; that concrete wheel stops shall be provided; that striping shall be provided; that lighting directed away from abutting residential property shall be provided; that ingress and egress shall be from W. Francis Place; that the alley abutting the site shall not be used for ingress nor egress; that the driveway shall be constructed in compliance with applicable ordinances; that the hours of operation of the parking lot shall be limited to the hours of banquet hall activities; that the parking lot shall be securely locked at all times when not in use by the banquet hall; that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Angelo Pagni  
 APPEARANCES FOR: John J. Pikarski, Jr., Angelo Pagni  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 4463-71 W. Irving Park Road  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 130-94-S  
 MAP NO. 9-K  
 MINUTES OF MEETING  
 May 20, 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, Angelo Pagni, for LaSalle National Trust, Tr. #10-7312-60, filed, and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-1 Restricted Service District, on premises at 4463-71 W. Irving Park Road, to serve a restaurant at 4441 W. Irving Park Road and other neighborhood businesses; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §8.4-1(6), §8.4-4, §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 15,000 sq. ft. unimproved lot; that the applicant proposes to establish an off-site accessory parking lot to serve his restaurant located at 4441 W. Irving Park Road and a funeral home business and an auto dealership business located in the immediate neighborhood; that the proposed use is necessary for the public convenience at this location to provide additional parking for the applicant's restaurant and to help alleviate on-street parking in the neighborhood by providing off-street parking for the aforesaid businesses located in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot, which will be an attendant parking lot, 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

MINUTES OF MEETING

May 20, 1994

Cal. No. 130-94-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 4463-71 W. Irving Park Road, to serve a restaurant at 4441 W. Irving Park Road and other neighborhood businesses, upon condition that no use shall be made of the property for the purpose requested until the following conditions shall have been complied with: that the proposed parking lot shall be limited to the parking of private passenger automobiles only and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material; that steel beam guard rails, 2 feet high, shall be erected on the periphery of the lot, excepting the driveway(s); that concrete wheel stops shall be provided; that lighting shall be provided directed away from abutting residential property; that striping shall be provided; that ingress and egress shall be determined by the Bureau of Street Traffic Operations; that the hours of operation of the parking lot shall be limited to the hours of the restaurant operation, 10 A.M. to 2 A.M., daily; that the alley abutting the site shall not be used for ingress nor for egress; that the driveway(s) shall be constructed in accordance with applicable ordinances; that the parking lot shall be securely locked after the applicant's restaurant is closed; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Reverend Marcus Summers

CAL. NO. 131-94-S

APPEARANCES FOR:

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 8001-03 S. Racine Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued upon motion of the Board to August 19, 1993.

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: New Life Evangelist Church

CAL. NO. 132-94-S

APPEARANCES FOR:

MAP NO. 18-F

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 7424 S. Vincennes 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: New Life Evangelist Church

CAL. NO. 133-94-S

APPEARANCES FOR:

MAP NO. 18-F

APPEARANCES AGAINST:

MINUTES OF MEETING  
May 20, 1994

PREMISES AFFECTED— 7520-28 S. Yale 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: Logos Baptist Church  
 APPEARANCES FOR: Janette C. Wilson  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 10825-33 S. Halsted Street  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 134-94-S  
 MAP NO. 26-F  
 MINUTES OF MEETING  
 May 20, 1994

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, Logos Baptist Church, Wanland and Associates, owner, on March 18, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 420-seat church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 10825-33 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-1(1), §8.4-4(1), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 1-story brick commercial building; that no evidence was presented to indicate that the establishment of a church is necessary at the subject site; that no evidence was presented to indicate that the establishment of a church at this location would not cause substantial injury to the value of other property in the neighborhood; that the proposed use is not in the public interest in that the economic viability and future development of permitted uses in this area of S. Halsted Street would be impaired; 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: Francisco Alejandro  
APPEARANCES FOR: None  
APPEARANCES AGAINST:

CAL. NO. 135-94-A  
MAP NO. 14-K  
MINUTES OF MEETING  
May 20, 1994

PREMISES AFFECTED— 6019 S. Kolin Avenue  
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Mary Sandoval  
 APPEARANCES FOR: Mary Sandoval, Michael Sandoval  
 APPEARANCES AGAINST:

CAL. NO. 136-94-A  
 MAP NO. 1-H  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 1959 W. Huron Street  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

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, Mary Sandoval, owner, on April 5, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery store in a 2-story brick and frame store and apartment building, in an R3 General Residence District, on premises at 1959 W. Huron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 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, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 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 improved with a 2-story brick and frame store and apartment building; that testimony presented indicates that the store premises was previously occupied as a grocery store operated by the applicant until 1975 when the use ceased due to the death of the applicant's husband; that in the interim 19 years the store premises was used for "storage"; that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the re-establishment of a non-conforming grocery store at this location in an R3 General Residence District; 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: Ernest Wish  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST:

CAL. NO. 137-94-A  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 1166-70 N. Milwaukee Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
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 Wish, for First Chicago Trust Company of Chicago, Tr. #RV01546, owner, on April 19, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a brick 7-story former hotel apartments building into retail space on the first floor and 37-dwelling units above, in a B5-2 General Service District, on premises at 1166-70 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 19, 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, §8.6-5(2), §8.6-1(2), §8.10-5, §8.11-1(7), §11,8-1."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994; and

WHEREAS, the district maps show that the premises is located in a B5-2 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-2 General Service District; that the subject site is a 50' x 125' lot improved with a non-conforming 7-story gutted hotel building; that the testimony presented indicates that the subject building is non-conforming as to bulk and with no off-street parking, and formerly contained a non-conforming hotel with approximately 78 apartments hotel units and a bowling alley in the basement; that the appellant proposes to renovate the building to contain permitted retail space on the 1st floor and 35 one and two-bedroom dwelling units in the above 6 floors with provision for 12 parking spaces in the basement; that the proposal represents a proper substitution of non-conforming use permitted under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the

MINUTES OF MEETING

May 20, 1994

Cal. No. 137-94-A

Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a 7-story former hotel apartments building into retail space on the first floor and 35 dwelling units above, on premises at 1166-70 N. Milwaukee Avenue, upon condition that 12 parking spaces be established in the basement of the subject building; 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: Albert H. Miller

CAL. NO. 66-94-A

APPEARANCES FOR:

MAP NO. 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 3830-48 S. Emerald Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
July 15, 1994.

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

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

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

APPLICANT: Amadeo Mendez  
 APPEARANCES FOR: Bruce Dickman, Amadeo Mendez  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 3148 S. Harding Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 46-94-Z  
 MAP NO. 8-J  
 MINUTES OF MEETING  
 May 20, 1994

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, Amadeo Mendez, for Jorge Basca, owner, on February 2, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a 3rd floor 22' x 40' dormer addition to a 2-story brick two-dwelling unit building, whose north side yard is 3 feet and whose south side yard is 5 feet instead of 6 feet each and which dormer addition results in a 15% (434 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 3148 S. Harding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 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, §7.8-3(2), §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on February 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 improved with a 2-story brick two-dwelling unit building including the proposed 3rd floor attic dormer addition; that the 3rd floor attic dormer addition results in a 434 sq. ft. or 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the dormer addition is necessary to provide additional living space in applicant's duplexed second floor dwelling unit; that the plight of the owner is due to the need to provide additional bedroom space for the applicant and his family; that the said attic dormer addition 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

MINUTES OF MEETING

May 20, 1994

Cal. No. 46-94-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a 3rd floor 22' x 40' dormer addition to a 2-story brick two-dwelling unit building, whose north side yard is 3 feet and whose south side yard is 5 feet instead of 6 feet each and which dormer addition results in a 15% (434 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 3148 S. Harding Avenue, upon condition that no kitchen facility shall be installed in the said attic dormer addition; 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: Bobbie Carter

CAL. NO. 37-94-S

APPEARANCES FOR:

MAP NO. 18-E

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 220 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

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: Colmar, Inc.

CAL. NO. 85-94-A

APPEARANCES FOR:

MAP NO. 22-B

APPEARANCES AGAINST:

MINUTES OF MEETING  
May 20, 1994

PREMISES AFFECTED— 8847 S. Commercial Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
August 19, 1994

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

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

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

APPLICANT: Ameri-Tel, Inc.

CAL. NO. 86-94-A

APPEARANCES FOR:

MAP NO. 12-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
May 20, 1994

PREMISES AFFECTED— 4804 S. Throop Street

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

ACTION OF BOARD—

Case continued to  
August 19, 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: Mark Barats & John Floyd  
 APPEARANCES FOR: Askia K. Abdullah, Mark Barats, John Floyd  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 5900 W. Fullerton Street  
 SUBJECT— Application for the approval of a special use.

CAL. NO. 57-94-S  
 MAP NO. 7-M  
 MINUTES OF MEETING  
 May 20, 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, Mark Barats & John Floyd, for Jorge De La Torre, owner, on December 30, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 2-story brick commercial building, in a B4-2 Restricted Service District, on premises at 5900 W. Fullerton Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1993, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(8), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on February 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 2-story brick multi-store building with dwelling units above; that the applicants propose to establish a pawn shop business at the site which will deal mainly with jewelry and electronics; that the proposed pawn shop use is necessary for the public convenience at this location to provide a service to residents in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable city and state ordinances governing the establishment and operation of pawn shops; that the proposed use will be compatible with mixed business and residential improvements on W. Fullerton Street in this area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a pawn shop in a

MINUTES OF MEETING

May 20, 1994

Cal. No. 57-94-S

2-story brick commercial building, on premises at 5900 W. Fullerton Street, upon condition that daily merchandise intake reports shall be filed with the commander of the local Chicago Police Department district; that the hours of operation shall be limited to the hours between 10 A.M. and 6 P.M., Mondays through Saturdays; and that all applicable city and state ordinances governing the establishment and operation of pawn shops and all other applicable City of Chicago ordinances shall be complied with before a permit is issued.

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

APPLICANT: Nationwide Church

CAL. NO. 51-94-S

APPEARANCES FOR:

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 7919 S. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
July 15, 1994.

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

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

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

APPLICANT: Nationwide Church

CAL. NO. 52-94-S

APPEARANCES FOR:

MAP NO. 20-H

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 7930 S. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
July 15, 1994.

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

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

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

APPLICANT: Nationwide Church

CAL. NO. 53-94-S

APPEARANCES FOR:

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED— 1547 W. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
July 15, 1994.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT:

Ravenswood Disposal Service, Inc.

CAL. NO. 60-94-S

APPEARANCES FOR:

MAP NO. 1-I

APPEARANCES AGAINST:

MINUTES OF MEETING

May 20, 1994

PREMISES AFFECTED—

Area bounded by W. Fulton St., N. Talman Ave.,  
W. Lake St., & N. Washtenaw Ave., known as 200-70 N. Talman Ave.

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
August 19, 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: Deja Vu, Inc., by Victor Lazzaroni  
APPEARANCES FOR:  
APPEARANCES AGAINST:

CAL. NO. 62-94-S  
MAP NO. 4-E  
MINUTES OF MEETING  
May 20, 1994

PREMISES AFFECTED— 2135-41 S. Indiana Avenue  
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

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: Sacramento Crushing Corp.  
 APPEARANCES FOR: Bernard I. Citron  
 APPEARANCES AGAINST: Kevin P. Burke, et al.

CAL. NO. 138-94-S  
 MAP NO. 1-I  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 445 N. Sacramento Boulevard  
 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, Sacramento Crushing Corp., for National Boulevard Bank, Tr. #8368, owner, on March 17, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a reprocessible construction/demolition material facility on a 20-acres site, in an M2-2 General Manufacturing District, on premises at 445 N. Sacramento Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 17, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.4-2(11)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

WHEREAS, the district maps show that the premises is located in an M2-2 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 M2-2 General Manufacturing District; that on June 23, 1993, the City Council passed an ordinance authorizing the establishment and operation of facilities for the reprocessing and recycling of construction and demolition materials; that the subject site is approximately 20 acres located on the east side of N. Sacramento Boulevard; that the applicant has been located at the subject site since 1986; that the frontage of the site contains a 2-story brick building which will be renovated and used as offices for the applicant; that the actual reprocessible construction/demolition material operation takes place about 300 feet east of the frontage building; that vehicular ingress and egress to the site is from N. Sacramento Boulevard via driveways located just north and south of the building; that trucks entering the site proceed to an area where the load is inspected for non-recyclable materials at which time the driver receives a ticket for the material needed to be dumped in a specified area and then exits the facility in a one-way traffic flow; that trucks picking up materials proceed to the weighing scale to record empty weight then proceed to the end-market stock pile area for loading and then return to the weighing scale to record final weight; that the maximum number of trucks handled per day is 350 while the average is

MINUTES OF MEETING

May 20, 1994

Cal. No. 138-94-S

approximately 200 per day; that more than ample space exists at the site for the stacking of both inbound and outbound trucks; that dust and noise emission control systems are employed at the site; that the proposed use is necessary for the public convenience at this location in that the site is in a central location within the City which reduces truck travel time and provides services and construction filler for City and State public works projects; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said construction/demolition material recycling facility operated under the conditions hereinafter set forth and which must be operated in compliance with all applicable standards of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency and the City of Chicago Department of Environment, and in compliance with the performance standards established under Article 10 of the zoning ordinance; that the said use will not cause substantial injury to the value of other property in the area in that the site abuts industrial uses and that the nearest residential improvements are located approximately one-half mile from the central portion of the processing center and that the 2-story frontage building will screen the operation from Sacramento Boulevard; 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 reprocessable construction/demolition material facility on a 20-acre site, on premises at 445 N. Sacramento Boulevard, upon condition that the 2-story frontage building proposed for offices shall be renovated so as to be eye-pleasing; that additional landscaping shall be planted in the property in front of the frontage building and also in the parkway; that solid or slated ) feet high fencing and gates shall be provided at the entrance/exit driveways north and south of the frontage building to screen the reprocessable operation from N. Sacramento Boulevard; and that following conditions shall be complied with at all times during the operations:

1. Construction materials and debris shall be processed only during the hours between 6 A.M. and 7 P.M.;
2. All operations, equipment and material storage piles shall be set back at least 10 feet from any of the facility's property lines thereby creating a buffer to adjoining properties;
3. The applicant shall include sprinkler systems as part of the crushing equipment to control dust as a result of rock crushing and shall maintain a water truck or other watering system on site to control dust from storage piles;
4. The height of material storage piles shall not exceed 30 feet above grade unless an exception is granted by the Commissioner of the Department of the Environment;
5. The applicant shall maintain a street sweeper on site and sweep the entrance and the frontage road along Sacramento Boulevard daily to removed any dirt and mud associated with the reprocessable operations;

and all applicable standards of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency and the City of Chicago Department of Environment and the performance standards established under Article 10 of the zoning 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: Reliable Materials Corp./Reliable Asphalt Corp.  
 APPEARANCES FOR: George Maurides  
 APPEARANCES AGAINST:

CAL. NO. 139-94-S  
 MAP NO. 8-J & 8-K  
 MINUTES OF MEETING  
 May 20, 1994

PREMISES AFFECTED— 3741 S. Pulaski Road  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Reliable Materials Corp./Reliable Asphalt Corp., for Metropolitan Water Reclamation District of Greater Chicago, owner, on March 18, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a reprocessible construction/demolition material facility on a rectangular 11-acres site separated by S. Pulaski Road, in an M3-3 and M3-4 Heavy Manufacturing District, on premises at 3741 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 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, §3-2, §10.3-3, §10.4-2(11), §10.4-3(10)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 20, 1994 after due notice thereof by publication in the Chicago Sun-Times on April 25, 1994; and

WHEREAS, the district maps show that the premises is located in M3-3 and M3-4 Heavy Manufacturing Districts; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in M3-3 and M3-4 Heavy Manufacturing Districts; that on June 23, 1993, the City Council passed an ordinance authorizing the establishment and operation of facilities for the reprocessing and recycling of construction and demolition materials; that the subject site is a rectangular 11-acres site consisting of an east parcel of approximately 8 acres, separated by S. Pulaski Road, from an approximately 3-acres parcel; that the asphalt operation of Reliable Asphalt is located on the eastern three-quarters of the east parcel and consists of the various manufacturing components of asphalt production; that this east portion of the subject site is bordered on the south by railroad tracks and the Stevenson Expressway, on the north by the Chicago Sanitary and Ship Canal Waterway, on the west by vacant land consisting of a 30-foot high berm, and on the east by industrial improvements; that the actual reprocessing operations take place on the west 3-acres parcel of land; that ingress to and egress from the facility is via S. Pulaski Road; that the Stevenson Expressway just south

## MINUTES OF MEETING

May 20, 1994

Cal. No. 139-94-S

of the facility is the main route used by the facility's customers and is easily accessible by the S. Pulaski Road exits; that all process equipment, water storage tanks, piles of unprocessed construction/demolition debris and finished product will be stored on the west parcel; that the reprocessing facility will process only loads consisting of curb, gutter, sidewalk, roadway concrete and asphalt and base materials; that upon entering the facility all truck loads are inspected for non-compatible or hazardous materials; that if the customer's load is not accepted, the customer is instructed to leave the facility; that the facility's finished product is stored at various locations on-site in piles that will not exceed 30 feet; that dust and noise emission control systems will be provided at the site; that the said use is necessary for the public convenience at this location to provide a necessary service in the community and to help accomplish the goals and mandates of the City of Chicago, State of Illinois and Environmental Protection Agencies related to the recycling of disposable materials; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said facility which will be operated under the conditions hereinafter set forth and which must be operated in compliance with all applicable standards of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency and the City of Chicago Department of Environment, and in compliance with the performance standards established under Article 10 of the zoning ordinance; that the said use of the site as a construction/demolition material reprocessing facility is compatible with existing manufacturing 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 reprocessible construction/demolition material facility on a rectangular 11-acres site separated by S. Pulaski Road, on premises at 3741 S. Pulaski Road, upon condition that

1. Construction materials or debris shall be processed only during the hours between 6 A.M. and 7 P.M.;
2. All operations, equipment and material storage piles shall be setback at least 60 feet from the Chicago Ship and Sanitary Canal thereby creating a buffer to the waterway;
3. The applicant shall obtain the necessary modifications to their permit for use of the property from the Metropolitan Water Reclamation District of Greater Chicago and complies with all standards of operation established in said permit;
4. The applicant shall include sprinkler systems as part of the crushing equipment to control dust as a result of rock crushing and shall maintain a water truck or other watering system on site to control dust from storage piles;
5. The height of the material storage piles shall not exceed 30 feet above grade unless an exception is granted by the City of Chicago Department of Environment;
6. The site shall be secured from unauthorized entry by pedestrians, automobiles and trucks;

**MINUTES OF MEETING**

May 20, 1994

Cal. No. 139-94-S

that all applicable standards of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency and the City of Chicago Department of Environment and the performance standards established under Article 11 of the zoning 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: Harris Bank Barrington, N.A. - Tr. #11-4343/Plote, Inc. CAL. NO. 140-94-S

APPEARANCES FOR:

MAP NO. 13-S

APPEARANCES AGAINST:

MINUTES OF MEETING  
May 20, 1994

PREMISES AFFECTED— 11601 W. Touhy Avenue/11600 W. Higgins Road

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
July 15, 1994.

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

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

MINUTES OF MEETING

May 20, 1994

Cal. No. 152-93-S

Bruce B. Jackson, for Crown Recycling & Transfer, Inc., applicant, presented a written request for an extension of time in which to obtain necessary permits for the establishment of a waste transfer station in a proposed 55,000 sq. ft. building, in an M3-3 Heavy Manufacturing District, and application under the Municipal Code for a waste handling facility operating permit, on premises in an area bounded by S. Torrence Avenue on the west, the Cargil operation on the east, between E. 116th Street on the north and E. 124th Street on the south, commonly known as 11801 S. Torrence Avenue, approved by the Board on April 23, 1993, in Calendar No. 152-93-S.

Mr. Jackson stated that subsequent to the approval of the applicant's special use application by the Zoning Board of Appeals on April 23, 1993, an application was submitted to the City of Chicago Department of Environment for permits to operate the aforesaid solid waste handling transfer station which has not yet been approved. The extension of time requested is necessary to allow more time to acquire the required permits for operation of the said transfer station.

Chairman Spingola moved that the request be granted and that the time for obtaining necessary permits be extended to April 23, 1995. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

May 20, 1994

Cal. No. 55-93-S

Darline Foreman, for Love and Unity Prayer Circle, applicant, presented a written request for an extension of time in which to comply with conditions set forth in the resolution approved by the Zoning Board of Appeals on June 18, 1993, in Calendar No. 55-93-S, for the establishment of a 129-seat church in a 1-story brick building on premises at 1153 E. 82nd Street.

Ms. Foreman stated that due to financial problems, an extension of time is requested to meet the demands of the Board.

Chairman Spingola moved that the request for an extension of time be granted and the time extended to June 18, 1995 in which to comply with the conditions set forth in Calendar No. 55-93-S. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

May 20, 1994

Cal. No. 302-91-S

James H. Austin, for B & L Realty for Full Gospel Church, applicant, requested a transfer of the approval of the establishment of the aforesaid church in a 1-story brick building on premises at 615-21 W. 103rd Street, by the Zoning Board of Appeals on December 13, 1991, in Calendar No. 302-91-S, to the Tabernacle of Faith Church.

Mr. Austin stated that Tabernacle of Faith Church is the owner of the subject property and was renting to the Full Gospel Church. Tabernacle of Faith Church has another church in Milwaukee, Wisconsin and at this time needs the subject premises at 615-21 W. 103rd Street for their headquarters and operational facility.

Chairman Spingola moved that the request for a transfer of the special use granted to Full Gospel Church on December 13, 1991 be transferred to Tabernacle of Faith Church. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**  
May 20, 1994  
Cal. No. 131-93-S

Devereux Bowly, for Good Samaritan Community Services, applicant, presented a written request for an extension of time in which to obtain necessary permits for the establishment of overnight and transitional shelters for homeless men, women and children on the 2nd floor of a 2 and 3-story brick building on premises at 3553-59 W. Roosevelt Road and 1207 S. Central Park Avenue, approved by the Zoning Board of Appeals on April 16, 1993, in Calendar No. 131-93-S.

Mr. Bowly stated that delays by various reasons in establishing the aforesaid shelters, necessitates the request for the extension of time in which to obtain the necessary permits.

Chairman Spingola moved that the request be granted and the time extended to April 16, 1995 in order to obtain the necessary permits. The motion prevailed by yeas and nays as follows:

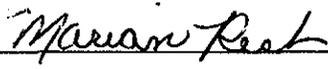
Yeas- Spingola, Fornelli, Martin, McCabe-Miele and Moore. Nays- None.

MINUTES OF MEETING

May 20, 1994

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

The motion prevailed and the Board adjourned to meet in regular meeting on June 17, 1994.

  
\_\_\_\_\_  
Secretary

June