

MINUTES OF A SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS

held in City Council Chambers, 2nd Floor City Hall, 121 N. LaSalle Street
on December 2, 1994 at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

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

MINUTES OF MEETING

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Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on November 18, 1994 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Jehovah's Witnesses, by Elder Tommie Rainey
APPEARANCES FOR: Paul Williams
APPEARANCES AGAINST:

CAL. NO. 342-94-S
MAP NO. 24-E
MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 50 E. 103rd Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

Application denied.

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

THE RESOLUTION:

WHEREAS, Jehovah's Witnesses, by Elder Tommie Rainey, for Jehovah's Witnesses, owner, on September 24, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 1-story 300-seat church, in a B4-1 Restricted Service District, on premises at 50 E. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 6, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 a 36,827 sq. ft. unimproved lot; that no evidence was presented to indicate the necessity of the proposed church at the subject site; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church at the subject site; that no evidence was presented to indicate that the establishment of a church at the subject site would not cause a negative impact on the value of other property in the neighborhood; 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: Jehovah's Witnesses Ogden Park Congregation
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 343-94-S
 MAP NO. 16-G
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 7046 S. Halsted Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jehovah's Witnesses Ogden Park Congregation, for Jehovah's Witnesses, owner, on October 25, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 500-seat church in a proposed 1-story 70' x 137.33' building, in a C1-2 Restricted Commercial District, on premises at 7046 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §9.3-

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 197.92' x 127.6' lot improved with a 1-story commercial building; that it is proposed to erect a 1-story 70' x 137.33' church building containing 500 seats at the subject site; that the proposed building will be used at different times by two Jehovah's Witnesses' congregations in that it is customary for a Jehovah's Witnesses' church to split when membership reaches 250 members; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will meet all building code regulations and which will provide adequate on-site parking spaces to be improved and operated under the conditions hereinafter set forth; and that the proposed use of the subject site for a church will be compatible with the mixed residential and commercial improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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Zoning Administrator is authorized to permit the erection of a 500-seat church in a proposed 1-story 70' x 137.33' building, on premises at 7046 S. Halsted Street, upon condition that the on-site parking areas located north and east of the proposed building 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 a 5 foot high solid wood fence shall be erected on the north, west and south lot lines, excepting the driveway, to screen the facility from other adjacent properties; that a steel beam guard rail shall be erected on the east property line, excepting the driveway; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; that striping shall be provided; that lighting shall be provided directed away from abutting residential property; that the parking areas shall be securely locked at all times when not in use by the applicant congregations; that landscaping shall be installed as indicated on the applicant's landscape plan dated September 6, 1994; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Jehovah's Witnesses Ogden Park Congregation
APPEARANCES FOR: Paul Williams
APPEARANCES AGAINST:

CAL. NO. 344-94-Z
MAP NO. 16-G
MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 7046 S. Halsted Street

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

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
X		

Variation granted.

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

THE RESOLUTION:

WHEREAS, Jehovah's Witnesses Ogden Park Congregation, for Jehovah's Witnesses, owner, on October 25, 1994, filed an application for a variation of the zoning ordinance to permit, in a C1-2 Restricted Commercial District, the erection of a 1-story 500-seat church building with off-street parking for 34 automobiles instead of 42 required, on premises at 7046 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, §9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 16, 1994, the Board approved the applicant's special use application for the establishment of a 500-seat church in a proposed 1-story 70' x 137.33' building at the subject site, in Cal. No. 343-94-S; that the applicant seeks a waiver of 8 off-street parking spaces at the site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed under the regulations in this district in that the variation requested is necessary due to the configuration of the proposed church building as designed on the property which eliminates 8 of the required 42 parking spaces; that the plight of the owner is due to insufficient space on the subject site which can only accommodate 34 automobiles; that the waive of 8 off-street parking spaces will not adversely impact on-street parking 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

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upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 500-seat church building with off-site parking for 34 automobiles instead of 42 required, on premises at 7046 S. Halsted 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: People's Church of God in Christ
 APPEARANCES FOR: E. Wayne Robinson
 APPEARANCES AGAINST:

CAL. NO. 345-94-S
 MAP NO. 2-J
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 3570 W. Fifth Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, People's Church of God in Christ, owner, on October 14, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 300-seat church, in a B4-3 Restricted Service District, on premises at 3570 W. Fifth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 14, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4. §8-4-1(1), §8.11-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact : that the proposed use is to be located in a B4-3 Restricted Service District; that subject site is an irregular shape 25,720 sq. ft. unimproved lot located at the intersection of W. Fifth Avenue and S. Central Park Avenue; that the applicant church has been located at 4244 W. Madison Street for the past 17 years and now seeks to erect a new 300-seat church at the subject site; that the proposed use is necessary for the public convenience at this location to continue to serve the needs of the congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate off-street parking at 3544 W. Fifth Avenue under Cal. No. 346-94-S; that no new business development has occurred in the area for many years and that the establishment of church at the subject site will be an improvement in this area which has many vacant lots; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 300-seat church, on premises

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at 3570 W. Fifth Avenue, upon condition that off-site accessory parking for the proposed church shall be located at 3544 W. Fifth Avenue as provided for in Cal. No. 346-94-S; that all applicable provisions of the Chicago Landscape Ordinance shall be provided for; 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: People's Church of God in Christ
 APPEARANCES FOR: E. Wayne Robinson
 APPEARANCES AGAINST:

CAL. NO. 346-94-S
 MAP NO. 2-J
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 3544 W. Fifth Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

Application approved.

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

THE RESOLUTION:

WHEREAS, People's Church of God in Christ, owner, on October 14, 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 48 automobiles, in an R5 General Residence District, on premises at 3544 W. Fifth Avenue, to fulfill the parking requirement for a proposed 300-seat church at 3570 W. Fifth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 14, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4, §8.4-1(6), §8.11-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on December 15, 1994 the Board approved the applicant's special use application for the erection of a 300-seat church at 3570 W. Fifth Avenue, in Cal. No. 345-94-S; that the subject site is an irregular shape 28,280 sq. ft. unimproved lot located to the east across the public alley from the church site; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for a proposed 300-seat church at 3570 W. Fifth Avenue; 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 parking lot is located directly east of the church site across a public alley and will be an improvement of an existing vacant lot; and that the use of the subject site as an off-site accessory parking lot will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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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 48 automobiles, on premises at 3544 W. Fifth Avenue, to fulfill the parking requirement for a proposed 300-seat church at 3570 W. Fifth Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather 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 the lot shall be enclosed by 2 feet high steel beam guard rails, excepting the driveways; that striping and lighting shall be provided; that ingress and egress to and from the proposed parking lot shall be from W. Fifth Avenue; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; that the lot shall be securely locked when not in use by the applicant church; that a densely planted hedge shall be provided along the subject lot's Fifth Avenue frontage and that all other applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Christ Deliverance Church, by Nellie Brownlow
APPEARANCES FOR: William Price, Nellie Brownlow
APPEARANCES AGAINST:

CAL. NO. 347-94-S
MAP NO. 12-G
MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 1351 W. 51st Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

Application approved.

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

THE RESOLUTION:

WHEREAS, Christ Deliverance Church, by Nellie Brownlow, for Christ Deliverance Church, owner, on October 26, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 100-seat church in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 1351 W. 51st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 6, 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, §8.4-1, §8.11-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 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 a 130' x 125' lot improved with a 1-story brick commercial building occupied by the applicant church; that the proposed church is necessary for the public convenience at this location to meet the needs of the members of the congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will comply with all applicable building code regulations and which will provide adequate off-street parking to be improved and operated under the conditions hereinafter set forth; that the proposed church will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 100-seat church in

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a 1-story brick building, on premises at 1351 W. 51st Street, upon condition that the parking area shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the parking area shall be enclosed by a 6 feet high chain link fence; that striping and lighting shall be provided; that concrete wheel stops shall be provided; that ingress to and egress from the parking area shall be from W. 51st Street; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the public alley abutting the site to the south; that landscaping shall be provided on the periphery of the parking area in accordance with all applicable provisions of the Chicago Landscape Ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Christway Pentecostal Church
 APPEARANCES FOR: Pastor Ronald Todd
 APPEARANCES AGAINST:

CAL. NO. 348-94-S
 MAP NO. 14-M
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 2046 W. 63rd Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
	X	
X		

Application approved.

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

THE RESOLUTION:

WHEREAS, Christway Pentecostal Church, for Pastor Ronald Todd, owner, on November 8, 1994, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 100-seat church in a 1-story brick building in a C1-2 Restricted Commercial District and partly in an M1-2 Restricted Manufacturing District, on premises at 2046 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

WHEREAS, the district maps show that the premises is located in a C1-2 Restricted Commercial District and partly in an M1-2 Restricted 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 a C1-2 Restricted Commercial District and partly in an M1-2 Restricted Manufacturing District; that the subject site is a 100' x 125' lot improved with a 1-story commercial building located in the rear of the lot; that the applicant church has been located at the subject site for approximately one year; that the said use is necessary for the public convenience at this location to continue to serve the members of the congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will comply with all applicable building code regulations and provide adequate off-street parking; that the said use is an improvement in an area having many vacant lots and that the said church at the subject site 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 100-seat church in

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a 1-story brick building, on premises at 2046 W. 63rd Street, upon condition that the parking area located in the front portion of the subject property shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 6 feet high chain link fence shall be erected on the periphery of the parking area; that striping and lighting shall be provided; that concrete wheel stops shall be provided; that ingress to and egress from the site shall be from W. 63rd Street; that the alley abutting the site to the north shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked when not in use by the applicant church; that a densely planted hedge shall be planted along the subject site's W. 63rd Street frontage, excepting the driveway; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Long Yang
 APPEARANCES FOR: Mike Fulton, Long Yang
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 2405-07 N. Milwaukee Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 349-94-S
 MAP NO. 7-I
 MINUTES OF MEETING
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ACTION OF BOARD—

THE VOTE

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

Application denied.

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

THE RESOLUTION:

WHEREAS, Long Yang, for Donald I. Manna, owner, on October 13, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick store building, in a C2-2 General Commercial District, on premises at 2405-07 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 13, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

WHEREAS, the district maps show that the premises is located in a C2-2 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-2 General Commercial District; that no evidence was presented indicating a demonstrated need for the proposed pawn shop at the subject site location; that no evidence was presented indicating that the public health safety and welfare will be adequately protected in the establishment of the proposed pawn shop; and further than no evidence was presented to indicate that the establishment of a pawn shop at the subject site would not be injurious 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 denied.

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

APPLICANT: God's House of All Nations Pentecostal Church, Inc.

CAL. NO. 350-94-S

APPEARANCES FOR: Langdon Neal

MAP NO. 20-C

APPEARANCES AGAINST:

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PREMISES AFFECTED— 8401-25 S. Stony Island Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

Application approved.

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

THE RESOLUTION:

WHEREAS, God's House of All Nations Pentecostal Church, Inc., owner, on November 1, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 1-story addition to the south side of an existing 1-story church building to contain 530 seats, in a B4-2 Restricted Service District, on premises at 8401-25 S. Stony Island Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 21, 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)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 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 a 33,250 sq. ft. lot improved with a 1-story brick church building with parking areas to the rear and south of the existing building; that on January 19, 1979 the Board approved the establishment of the applicant church in a 1-story brick building at the subject site; that on April 15, 1988 the Board approved the applicant's special use application for the erection of a 1-story addition to the south side of an existing 1-story church building to contain 770 seats at the subject site; that the testimony presented in Calendar Nos. 2-79-S and 57-88-Z is hereby made part of the record in this case; that the proposed 1-story addition to the south side of the existing church building is necessary at this location to provide a larger 530-seat sanctuary and classrooms to accommodate the needs of the expanding congregation and its ministry; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed addition which will meet all building code regulations and which will provide adequate off-street parking on-site and at 8435-47 S. Stony Island Avenue; and that the proposed addition will be compatible with existing mixed business and residential improvements in the area and will not cause substantial

MINUTES OF MEETING

December 16, 1994

Cal. No. 350-94-S

injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and is hereby approved and the Zoning Administrator is authorized to permit the erection of a 1-story addition to the south side of an existing 1-story church building to contain 530 seats, on premises at 8401-25 S. Stony Island Avenue, upon condition that parking for 8 automobiles shall be provided on-site, as indicated on the site plan submitted, and parking for 37 automobiles shall be provided at 8435-47 S. Stony Island Avenue, as indicated in Cal. No. 351-94-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: God's House of All Nations Pentecostal Church, Inc.

CAL. NO. 351-94-S

APPEARANCES FOR: Langdon Neal

MAP NO. 20-C

APPEARANCES AGAINST:

MINUTES OF MEETING

December 16, 1994

PREMISES AFFECTED— 8435-47 S. Stony Island Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, God's House of All Nations Pentecostal Church, Inc., owner, on November 1, 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 37 automobiles on a lot containing a 1-story brick day-care center, in a B4-2 Restricted Service District, on premises at 8435-47 S. Stony Island Avenue, to fulfill the parking requirement for an addition to an existing church for a total of 530 seats at 8401-25 S. Stony Island Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 21, 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)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 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 an 18,750 sq. ft. lot improved with a 1-story brick day-care center building and play lot; that on December 16, 1994, the Board approved the applicant's special use application for the erection of a 1-story addition to the south side of an existing 1-story church building to contain 530 seats, on premises at 8401-25 S. Stony Island Avenue, in Cal. No. 350-94-S; that on April 15, 1988 the Board approved the applicant's special use application for the establishment of an off-site accessory parking lot for 28 automobiles on a lot containing a 1-story brick day-care center, at the subject site, to satisfy the parking requirement for a proposed 770-seat church building at 8401-25 S. Stony Island Avenue; that the testimony presented in Cal. No. 58-88-S is hereby made part of the record in this case; that the time period permitted under the zoning ordinance for the establishment of the off-site accessory parking lot at the subject site, approved in Cal. No. 58-88-S, has expired and that the applicant now seeks in the instant application to establish the subject parking lot; that the proposed parking lot is necessary for the public convenience at this

MINUTES OF MEETING

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Cal. No. 351-94-S

location to fulfill the parking requirement for an addition to an existing church for a total of 530 seats at 8401-25 S. Stony Island Avenue; that the expansion of the existing church site leaves insufficient land area on site to meet the zoning ordinance parking requirement; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 37 automobiles on a lot containing a 1-story brick day-care center, on premises at 8435-47 S. Stony Island Avenue, to fulfill the parking requirement for an addition to an existing church for a total of 530 seats at 8401-25 S. Stony Island Avenue, 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 parking area shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the parking area shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 2 feet high steel beam guard rail shall be erected on the periphery of the parking area, excepting the driveway; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress to and egress from shall be from S. Stony Island Avenue; that there shall be no ingress nor egress via the public alley abutting the site to the east; that the driveway shall be constructed in accordance with applicable ordinances; that a security gate shall be provided; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and §5.8-5 of the zoning ordinance.

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

APPLICANT: St. Elizabeth the Catholic Worker

CAL. NO. 352-94-S

APPEARANCES FOR:

MAP NO. 20-H

APPEARANCES AGAINST:

MINUTES OF MEETING

December 16, 1994

PREMISES AFFECTED-- 8025 S. Honore Street

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

ACTION OF BOARD--

THE VOTE

Case continued to
January 20, 1995.

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: Greer's Residential Center
 APPEARANCES FOR: Gregory A. Papiernik
 APPEARANCES AGAINST: Hon. Thomas Murphy

CAL. NO. 353-94-S
 MAP NO. 20-I
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED-- 8038-42 S. Western Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Greer's Residential Center, for Dr. A.C. Larcher, owner, on October 18, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 16-bed transitional residence primarily for pregnant teens who are wards of the state in a proposed 2-story building, in a B2-1 Restricted Retail District, on premises at 8038-42 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 7, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-2, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is an 8,250 sq. ft. unimproved lot; that the applicant proposes to establish a 16-bed transitional residence primarily for pregnant teens who are wards of the state in a proposed 2-story building at the subject site; that the applicant will also accept teen-age girls who are already mothers; that the age of the clients are from 16 to 19 years of age and will reside at the proposed transitional residence facility up to 18 months; that the proposed facility will have a total of 23 staff personnel of which 12 people will be on site at any one time; that the clients are provided with a 24-hour structured living environment which will include counselling and therapy, parenting classes and educational services; that on-site 24-hour security will be provided; that the establishment of a transitional residence is necessary for the public convenience at this location in that there is a need in the community for transitional residences for pregnant teens and teen mothers; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use under the conditions hereinafter set forth and that the proposed use will meet all applicable state and city ordinances governing the establishment and operation of transitional

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residences; that the subject site is located on the fringe of this S. Western Avenue business area on a block which also contains a convalescent home; and that the proposed use 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 16-bed transitional residence primarily for pregnant teens who are wards of the state in a proposed 2-story building, on premises at 8038-42 S. Western Avenue, upon condition that professional staff personnel shall be on-site 24-hours daily; that 24-hour security service shall be provided daily; that all applicable state and City of Chicago ordinances governing the establishment and operation of transitional residences shall be complied with before a permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a transitional residence shelter primarily for pregnant teens who are wards of the state, but also including teen mothers, or any increase in beds, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Genesis Day School Central

CAL. NO. 354-94-S

APPEARANCES FOR:

MAP NO. 18-J

APPEARANCES AGAINST:

MINUTES OF MEETING

December 16, 1994

PREMISES AFFECTED— 7831 S. Lawndale Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 20, 1995.

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: Apna Ghar, Inc.
 APPEARANCES FOR: David Reifman, Radthka Sharma
 APPEARANCES AGAINST: Patricia Sullivan Losos, Joseph Mackin

CAL. NO. 355-94-S
 MAP NO. 11-G
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 4722 N. Winthrop Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, Apna Ghar, Inc., for Lisa Ginzel & Roy Thomas Byrd, owners, on October 25, 1994, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional residence for battered Asian women in a 2½-story frame building, in an R4 General Residence District, on premises at 4722 N. Winthrop Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-4, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 4,717 sq. ft. lot improved with a 2½-story frame Victorian-style residential building; that the applicant is a non-profit social service agency serving the needs of Asian women and children seeking protection from domestic violence and offers shelter, counseling, legal and social service advocacy and education services; that the applicant seeks to establish a transitional residence for 12 persons at the subject site; that clients to be served are referred to the applicant by other social service agencies and are screened for admittance to the residential facility at the applicant's offices at 4753 N. Broadway; that no drugs or alcohol is permitted at the subject site; that the transitional residence's activities will be monitored by 7 full-time, 2 part-time staff and volunteer staff personnel; that all residents must adhere to strict rules and regulations which includes prohibition of the residence's location; that the applicant organization is funded in part by the Illinois Department of Public Aid, the Attorney General's office, and the City of Chicago Department of Human Services; that the proposed use is necessary for the public convenience at this location to meet the needs of Asian-American women seeking protection from domestic violence;

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Cal. No. 355-94-S

who reside within the Uptown, Rogers Park and Albany Park communities; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which emphasizes anonymity in the community; that the proposed use will conform with all applicable state and city ordinances governing the establishment and operation of transitional residence facilities; that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that there is a significant amount of vacant lots in the area which indicates little demand for land use in the area and that the use will be compatible with the existing mixed residential improvements in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 12-bed transitional residence for battered Asian women in a 2½-story frame building, on premises at 4722 N. Winthrop Avenue, upon condition that the building is brought into compliance with all applicable building code requirements; that the premises shall not be used as a transitional residence until the building complies with all applicable code regulations; that no drugs or alcohol shall be permitted on the premises; that there shall be professional staff personnel on the premises at all times to monitor the shelter's activities; that 24 hour security shall be provided on a daily basis; that there shall be no signage on site advertising the use of the premises as a transitional residence for battered women; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a transitional residence for battered Asian women (and their children), or any increase in beds or the number of clients to be served, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Karen P. Slimmon
 APPEARANCES FOR: Karen P. Slimmon
 APPEARANCES AGAINST: Bernard I. Citron

CAL. NO. 356-94-A
 MAP NO. 5-F
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 1900 N. Burling 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, Karen P. Slimmon, owner of the property located at 1902 N. Burling Street, on November 9, 1994, filed an appeal from the decision of the Office of the Zoning Administrator which granted an Exception permitting the erection of a 3-story 22.5' x 75' single-family dwelling, whose front yard will be 7.5 feet instead of 15 feet and whose side yards will be 1 foot 3 inches each instead of 2½ feet each, in an R4 General Residence District, on premises at 1900 N. Burling Street; and

WHEREAS, on October 20, 1994, the Department of Zoning granted the Exception request of Jay Metzler, owner of the subject site property at 1900 N. Burling Street permitting a 7'6" reduction of the front yard, and a 1'3" reduction of the north and south side yards in order to allow the construction of a 22.6" x 75'0" 3-story single-family residence. The front yard requirement is 15'0" and the proposed is 7'6" to stairs at a 4'0" height and 12'0" to the front of the building. The side yard required is 2'6" north and south and the proposed is 1'3" north and south; and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence district; that the subject site lot is approximately 24.96' x 130.75' and is improved with the foundation of a proposed 3-story 22.5' x 75' single-family residence under construction; that appellant's property at 1902 N. Burling Street is improved with a 2-story single-family dwelling with ground floor interior parking garage; that the appellant testified that she and her husband purchased their single-family dwelling in July of 1994 and that their residence was built with windows and skylights along the south wall for maximum south sunlight; that their main objection was the granting of the north side yard variation of 1'3" to the property owner of 1900 N. Burling Street which affects their south side elevation; that the appellant stated that their residence will be completely overshadowed by the height and depth of the proposed residence and that the overall quality of their lives in their new house will be impaired;

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that evidence presented by counsel for the subject site property owner indicates that the proposed 3-story single-family dwelling will be consistent with the majority of the buildings in the block which are built to their north lot lines and that only a small center penthouse portion of the proposed structure will be higher than the appellant's residence but will not seriously impair sunlight to their residence; that the Board finds that the testimony presented by the appellant does not sufficiently prove that the Zoning Administrator erred in his determination granting an Exception permitting the erection of the 3-story single-family dwelling at 1900 N. Burling Street; 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: Alejo Vasquez
 APPEARANCES FOR: Larry Saska
 APPEARANCES AGAINST:

CAL. NO. 357-94-A
 MAP NO. 28-E
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 162 E. Kensington Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Alejo Vasquez, owner, on November 18, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing automobile repair shop in a 1-story brick former service station building on a lot additionally improved at the rear with two residential buildings, in an R3 General Residence District, on premises at 162 E. Kensington Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 9, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 1-story former gasoline service station building containing two auto repair bays; that the appellant purchased the subject property in 1982 at which time it was being used as an automobile repair shop including the sale of gasoline; that the appellant ceased selling gasoline in 1986 and has since operated as an automobile repair shop only; that the appellant does no engine rebuilding or body work; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing automobile repair shop in a 1-story brick former service station building on a lot additionally improved at the rear with two residential buildings, on premises at 162 E. Kensington Avenue, upon condition that no engine rebuilding or body repair work shall be done at the subject site; that all repair work shall be done within the existing 1-story brick building formerly occupied by a service station; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Cesar Aguilera
 APPEARANCES FOR: None
 APPEARANCES AGAINST:

CAL. NO. 358-94-A
 MAP NO. 9-J
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 3319 N. Pulaski Road

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
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: The Clare Group Ltd. c/o Creative Construction
 APPEARANCES FOR: Robert Buono
 APPEARANCES AGAINST:

CAL. NO. 359-94-S
 MAP NO. 7-G
 MINUTES OF MEETING
 December 16, 1994

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

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Clare Group Ltd. c/o Creative Construction, owner, on November 17, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor of a proposed 3-story 26-dwelling unit townhouse building, in a B4-3 Restricted Service District, on premises at 2701-19 N. Lincoln Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(3), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 23,730 sq. ft. unimproved lot; that on February 18, 1993, the Board denied for lack of three affirmative votes the applicant's special use application for the establishment of dwelling units on the ground floor of a proposed 3-story 23-dwelling unit townhouse building at the subject site, in Cal. No. 367-93-S; that the applicant has now filed a new special use application for the establishment of dwelling units on the ground floor of a proposed 3-story 26-dwelling unit townhouse building, at the subject site; that garage parking spaces for 33 automobiles will be provided; that testimony presented indicates that the establishment of dwelling units on the ground floor of the proposed 26-dwelling unit townhouse building will be consistent with the primarily residential character of N. Lincoln Avenue in this area and is necessary for the public convenience at the subject site location; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use in that a small set back has been provided in the new project plans that eliminates prior projections over the N. Lincoln Avenue public way; that on-site interior garage parking spaces for 33 automobiles has been provided; that the

MINUTES OF MEETING

December 16, 1994

Cal. No. 359-94-S

proposed use is compatible with the predominantly residential character of N. Lincoln Avenue 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 dwelling units on the ground floor of a proposed 3-story 26-dwelling unit townhouse building, on premises at 2701-19 N. Lincoln Avenue, upon condition that the stairway connections to each of the three buildings, as indicated on the site plans submitted, shall be enclosed in some manner in order to connect the three buildings; that adequate space shall be provided on site for garbage containers; that garbage collection shall be by private scavenger service; 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: The Clare Group Ltd. c/o Creative Construction **CAL. NO.** 360-94-Z
APPEARANCES FOR: Robert Buono **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING**
 December 16, 1994
PREMISES AFFECTED— 2701-19 N. Lincoln 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, The Clare Group Ltd. c/o Creative Construction, owner, on November 17, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 3-story 26-dwelling unit townhouse building, with no front yard, no north side yard and no rear yard instead of 14.4 feet, 20 feet, and 30 feet respectively, on premises at 2701-19 N. Lincoln Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(3), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 23,730 sq. ft. unimproved lot; that on February 18, 1993 the Board denied for lack of three affirmative votes the applicant's application for a variation of the zoning ordinance permitting the erection of a 3-story 23-dwelling unit townhouse building with no front yard, no north side yard and no rear yard instead of 14.4 feet, 20 feet and 30 feet respectively, at the subject site, in Cal. No. 368-93-Z; that on December 16, 1994 the Board approved the applicant's special use application for the establishment of dwelling units on the ground floor of a proposed 3-story 26-dwelling unit townhouse building, at the subject site, in Calendar No. 359-95-S; that the applicant proposes to erect a 3-story 26-dwelling unit townhouse building with interior garage parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to construct the proposed 26-dwelling unit townhouse building as designed; that the purchase cost of the land, including demolition of previous structures is \$1.2 million, the cost of construction is \$3.4 million; that the cost

MINUTES OF MEETING

December 16, 1994

Cal. No. 360-94-Z

of fees and incidental expenses is \$1.3 million; that the sale cost of each unit is approximately \$300,000; that the plight of the owner is due to unique circumstances in that the resulting depth and width of the subject property without the proposed yard variations would make it extremely difficult to construct the proposed townhouse dwelling units as designed and to provide on-site parking and green areas; that the proposed townhouse dwelling units will be consistent with the 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 3-story 26-dwelling unit townhouse building, with no front yard, no north side yard and no rear yard instead of 14.4 feet, 20 feet and 30 feet respectively, on premises at 2701-19 N. Lincoln 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: Colmar, Inc.

CAL. NO. 85-94-A

APPEARANCES FOR: None

MAP NO. 22-B

APPEARANCES AGAINST:

MINUTES OF MEETING
December 16, 1994

PREMISES AFFECTED— 8847 S. Commercial 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
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: Amer-Tel, Inc.

CAL. NO. 86-94-A

APPEARANCES FOR: None

MAP NO. 12-G

APPEARANCES AGAINST:

MINUTES OF MEETING
December 16, 1994

PREMISES AFFECTED— 4804 S. Throop Street

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

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: 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

December 16, 1994

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

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
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: Robert L. Athey and David B. Salyers
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 269-94-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 1822 N. Sheffield 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, Robert L. Athey and David B. Salyers, for Ironmonger, Inc., owner, on September 13, 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 9-dwelling unit condominium building, whose front yard will be 6 feet instead of 15 feet and whose south side yard will be 3 feet instead of 10 feet, on premises at 1822 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 13, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is an irregular shaped 9,185 sq. ft. lot improved with a non-conforming 1-story brick office/warehouse-type building and which is abutted by alleys on the northwest and southwest lot lines; that the applicant proposes to erect a 3-story 9 dwelling unit condominium building with garage parking for 12 automobiles 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 due to the irregular shape of the subject lot the project would not be economically feasible without the front and side yard variations requested; that it would be impossible to provide 3 of the total 9 dwelling units due to the irregular shape of the lot and in keeping within the price range in which the dwelling units would sell for based on land and construction costs; that the plight of the owner is due to the irregular shape of the subject property and also to the applicant giving up 6 feet of the property in order to make an abutting alley more usable; that the proposed 9-dwelling unit condominium building will be compatible with existing residential improvements in the area; and that the variations, if granted will

MINUTES OF MEETING

December 16, 1994

Cal. No. 269-94-Z

not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 9-dwelling unit condominium building, whose front yard will be 6 feet instead of 15 feet and whose south side yard will be 3 feet instead of 10 feet, on premises at 1822 N. Sheffield 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: Kevin Dermody
 APPEARANCES FOR: John J. Pikarski, Jr., Kevin Dermody
 APPEARANCES AGAINST: Stephan Cole

CAL. NO. 270-94-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED-- 2000-10 W. Potomac Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

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

Variations granted.

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

THE RESOLUTION:

WHEREAS, Kevin Dermody, for Benjamin Wiess and Harriet Nega, owners, on September 13, 1994, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 4-dwelling unit townhouse building, whose west side yard will be 5.5' instead of 8.4', whose east side yard will be 0' instead of 3.99' and whose rear yard will be 16' instead of 30', on premises at 2000-10 W. Potomac Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 26, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is an 84' x 64' unimproved lot; 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 to erect less than the proposed 4-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the cost of the land and construction of each dwelling unit is \$171,000 and that the average sale price of each unit is \$200,000; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for attached single-family townhomes, which arrangement requires greater horizontal land coverage and encroachment into the required side yards and rear yard; that the proposed 2-story 4-dwelling unit townhouse building is compatible with the majority of the existing improvements in the area which do not comply with 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

December 16, 1994

Cal. No. 270-94-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 4-dwelling unit townhouse building, whose west side yard will be 5.5' instead of 8.4', whose east side yard will be 0' instead of 3.99', and whose west rear yard will be 16' instead of 30', on premises at 2000-10 W. Potomac Avenue, upon condition that adequate space shall be provided on site for garbage containers; that garbage collection shall be by a private scavenger service; 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: Kevin Dermody
 APPEARANCES FOR: John J. Pikarski, Jr., Kevin Dermody
 APPEARANCES AGAINST: Stephan Cole

CAL. NO. 271-94-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 1306-12 N. Damen Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Kevin Dermody, for Benjamin Weiss and Harriet Nega, owners, on September 13, 1994, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 4-dwelling unit townhouse building, with no south side yard instead of 6.8' and whose rear yard will be 17.5' instead of 30', on premises at 1306-12 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §.7.9-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times of September 26, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 68' x 66.5' unimproved lot; that the applicant proposes to erect a 2-story 4-dwelling unit townhouse building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 4-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the cost of the land and construction of each dwelling unit is \$171,000 and the average sale price of each unit is \$200,000; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for attached single-family townhomes, which arrangement requires greater horizontal land coverage and encroachment into the required yard setbacks on this lot having a shallow depth; that the proposed 2-story 4-dwelling unit townhouse building is compatible with the majority of the existing improvements in the area which do not comply with the yard setback 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

December 16, 1994

Cal. No. 271-94-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 4-dwelling unit townhouse building, with no south side yard instead of 6.8' and whose rear yard will be 17.5' instead of 30', on premises at 1306-12 N. Damen Avenue, upon condition that adequate space shall be provided on the site for garbage containers; that garbage collection shall be by a private scavenger service; 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: David L. Travis
 APPEARANCES FOR: David L. Travis, Tom Jolie
 APPEARANCES AGAINST:

CAL. NO. 273-94-A
 MAP NO. 1-F
 MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 660 W. Lake Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, David L. Travis, for Lake & Union Restaurant, owner, on August 12, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing advertising sign painted on the west wall of a 3-story brick building due to its location within 500 feet of the Kennedy Expressway and visible therefrom, in a C3-5 Commercial-Manufacturing District, on premises at 660 W. Lake Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 11, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.10."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994; and

WHEREAS, the district maps show that the premises is located in a C3-5 Commercial-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 a C3-5 Commercial-Manufacturing District; that the subject site is improved with a 3-story brick commercial building; that an approximately 10' x 35' painted advertising sign is located on the west wall of the existing building; that that evidence presented indicates that a painted wall sign or signs have existed on the west wall of the building at the subject site since prior to the beginning of the construction of the Kennedy Expressway in 1960; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing advertising sign painted on the west wall of a 3-story brick commercial building located within 500 feet of the Kennedy Expressway and visible therefrom, on premises at 660 W. Lake 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: Sims Property Development & Management, Inc.
APPEARANCES FOR: Osborne K. Sims, III, Gary I. Wigoda
APPEARANCES AGAINST: Barbara Lynne, et al.
PREMISES AFFECTED— 26 E. 14th Place & 1424-48 S. Wabash Avenue
SUBJECT— Application for the approval of a special use.
ACTION OF BOARD—

CAL. NO. 296-94-S
MAP NO. 4-E
MINUTES OF MEETING
 December 16, 1994

THE VOTE

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

Application denied.

THE RESOLUTION:

WHEREAS, Sims Property Development & Management, Inc., for The Townhomes on Wabash at 14th Place, Inc., owner, on September 22, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor of a proposed five-level 32 dwelling unit townhouse building, in a B4-3 Restricted Service District, on premises at 26 E. 14th Place and 1424-48 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 21, 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, §8.4-4(3), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on October 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 41,752 sq. ft. unimproved lot abutting C.T.A. elevated railroad tracks on its west property line; that the applicant proposes to erect a 5-story townhouse building with 32 dwelling units and interior garage parking and with no front yard, north side yard and no west rear yard; that on October 5, 1994 the City Council rezoned the subject site from C3-5 Commercial-Manufacturing to B4-3 Restricted Service zoning; that no evidence was presented to indicate that the proposed 32-dwelling unit townhouse building is necessary for the public convenience at this location; that the residential development as designed creates pedestrian safety hazards due to 16 curb cuts located on the Wabash Avenue facade and is therefore detrimental to the public health, safety and welfare; that the design of the proposed building with residential use on the ground floor and excessive curb cuts on Wabash Avenue would be disruptive to the community and is not in the public interest at this location; it is therefore

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

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

APPLICANT: Sims Property Development & Management, Inc.
APPEARANCES FOR: Osborne K. Sims, III, Gary I. Wigoda
APPEARANCES AGAINST: Barbara Lynne et al.

CAL. NO. 297-94-Z
MAP NO. 4-E
MINUTES OF MEETING
 December 16, 1994

PREMISES AFFECTED— 26 E. 14th Place & 1424-48 S. Wabash Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

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

Variations denied.

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

THE RESOLUTION:

WHEREAS, Sims Property Development & Management, Inc, for The Townhomes on Wabash at 14th Place, Inc., owner, on September 22, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a five-level 32-dwelling unit townhouse building, with no east front yard, no north side yard and no west rear yard instead of 15 feet, 20 feet and 30 feet respectively, on premises at 26 E. 14th Place & 1424-48 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 21, 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, §8.4-4(3), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on October 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 41,752 sq. ft. unimproved lot abutting C.T.A. elevated railroad tracks on its west property line; that the applicant proposes to erect a 5-story townhouse building with 32 dwelling units and interior garage parking at the site and with no front yard, north side yard and west rear yard; that on December 16, 1994 the Board denied the applicant's special use application in Calendar No. 296-94-S for the establishment of dwelling units on the ground floor in the aforesaid townhouse building; that the said denial of the special use negates the need for the requested variations and further found in this case that no evidence was presented that would indicate that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations of the district and that the plight of the owner is not due to any unique circumstances; and that the development, as proposed, would alter the essential character of the locality; it is therefore

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

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

APPLICANT: Vincent Barry Cassilly
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST: Anthony McCoy, Edward Stefaniak
 PREMISES AFFECTED— 2224 W. Potomac Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 309-94-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 November 18, 1994 and
 December 16, 1994

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Vincent Barry Cassilly, for Vincent Barry Cassilly and Maya Salafi, owners, on October 12, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District (rezoning to R5 pending), the erection of a 2nd story addition to an existing 1 and 2-story brick stores and apartment building all of which will be used as 6 dwelling units, with no south side yard instead of 6 feet and whose north rear yard will be 4.5 feet instead of 30 feet, on premises at 2224 W. Potomac Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its meetings held on November 18, 1994 and December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times on October 31, 1994; and

WHEREAS, the district maps show that the premises are located in an R3 General Residence District (rezoning to R5 pending); and

WHEREAS, the Zoning Board of appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on November 30, 1994, the City Council rezoned the subject site from R3 General Residence to R5 General Residence specifically for the proposed residential project; that the subject site is a 50' x 125' lot improved with a vacant 1 and 2-story brick building with ground floor storefronts and 2nd floor dwelling units; that the applicant proposed to erect a 2nd floor addition to the existing building, all of which will be used as 6 duplex condominium dwelling units; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the south and rear yard variations requested are necessary due to the applicant's desire to preserve as much of the existing building's facade as possible in the erection of the proposed 2nd story addition and conversion of the existing building to 6 condominium dwelling units; that testimony indicated that the cost of the land and existing building was \$150,000, that construction costs are conservatively estimated at \$570,000; that the applicant proposes to sell 2 dwelling units for \$170,000 each and the 4 smaller units at \$125,000 each totalling \$840,000; that the plight of the owner is due to

MINUTES OF MEETING

November 18, 1994 and

December 16, 1994

Cal. No. 309-94-Z

unique circumstances in that the existing building covers almost the entire subject site lot which necessitates the requested side and rear yard variations; that the proposed 2nd story addition will conform with existing building lines and will be compatible with existing residential improvements in this area which do not comply with yard setback requirements of the zoning ordinance; that the neighborhood in which the subject site is located is undergoing major rehabilitation and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story addition to an existing 1 and 2-story brick stores and apartment building all of which will be used as 6 dwelling units, with no south front yard instead of 6 feet and whose north rear yard will be 4.5 feet instead of 30 feet, on premises at 2224 W. Potomac Avenue, upon condition that 6 off-site parking spaces located at 2215-25 W. Potomac Avenue shall be leased from St. Mary of Nazareth Hospital to satisfy the parking requirement for 6 dwelling units at the subject site, as provided for in Cal. No. 310-94-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: Vincent Barry Cassilly
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST: Anthony McCoy, Edward Stefaniak

CAL. NO. 310-94-S
 MAP NO. 3-H
 MINUTES OF MEETING
 November 18, 1994 and
 December 16, 1994

PREMISES AFFECTED— 2215-25 W. Potomac Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Vincent Barry Cassilly, for St. Mary of Nazareth Hospital, owner, on October 12, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of 6 leased spaces in St. Mary of Nazareth Hospital's existing parking lot as off-site accessory parking, in an R4 General Residence District, on premises at 2215-25 W. Potomac Avenue, to satisfy the parking requirement for 6 dwelling units proposed at 2224 W. Potomac Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 7, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-4, §7.4-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on November 18, 1994 and December 16, 1994 after due notice thereof by publication in the Chicago Sun-Times of October 31, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on December 16, 1994 the Board granted the applicant's application for variations of the zoning ordinance permitting the erection of a 2nd story addition to an existing 1 and 2-story brick stores and apartment building all of which will be used as 6 dwelling units, with no south front yard instead of 6 feet and whose north rear yard will be 4.5 feet instead of 30 feet, on premises at 2224 W. Potomac Avenue, in Cal. No. 309-94-Z; that the subject site in this application is an approximately 400' x 260' unimproved portion of an existing parking lot operated by St. Mary of Nazareth Hospital which will be fully developed as a parking lot by said hospital; that the applicant has entered into an agreement with St. Mary of Nazareth Hospital to lease 6 parking spaces in the subject site parking lot commencing October 1, 1994 and expiring September 30, 2004 in order to provide the required off-street parking for the 6 dwelling units proposed in his building at 2224 W. Potomac Avenue; that the designated 6 parking spaces are located directly south across the street from the applicant's building at 2224 W. Potomac Avenue within the row of parking spaces fronting on W. Potomac Avenue,

MINUTES OF MEETING

November 18, 1994 and
December 16, 1994
Cal. No. 310-94-S

as shown on the submitted parking diagram/landscape plan for the subject site dated August 3, 1994; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the aforesaid proposed 6 dwelling units at 2224 W. Potomac Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed 6 leased parking spaces within a portion of St. Mary of Nazareth Hospital's parking lot in that the 6 parking spaces designated for use by the applicant's tenants at 2224 W. Potomac Avenue are located directly south across the street within the row of parking spaces fronting on W. Potomac Avenue and that the applicant will install a pedestrian gate at this location to provide for safe and easy access by said tenants; that the leasing of 6 parking spaces in a portion of an existing parking lot 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 6 leased spaces in a presently unimproved portion of St. Mary of Nazareth Hospital's existing parking lot as off-site accessory parking, on premises at 2215-25 W. Potomac Avenue, to satisfy the parking requirement for 6 dwelling units proposed at 2224 W. Potomac Avenue, upon condition that the presently unimproved portion of the aforesaid existing parking lot shall be fully improved in compliance with all applicable ordinances of the City of Chicago; that the proposed 6 parking spaces shall be located directly south across W. Potomac Avenue within the row of parking spaces fronting on W. Potomac Avenue; that the applicant shall install a pedestrian gate at this location as provided for in the lease; that no Certificate of Occupancy shall issue until the aforesaid 6 parking spaces are fully improved; and be it further

RESOLVED, that the lease for the 6 parking spaces located in St. Mary of Nazareth Hospital's existing parking lot, as delineated above, shall be recorded against the property at 2224 W. Potomac Avenue, in the Office of the Cook County Recorder of Deeds; and be it further

RESOLVED, that the 6 leased parking spaces shall be maintained and operated in conformance with provisions herein stated and with §5.8-5 of the zoning ordinance.

MINUTES OF MEETING

December 16, 1994

Cal. No. 262-93-Z

Michael Coan, for Robin G. MUNDIN, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2-story 9' x 22' addition to the rear of a 2½-story brick single-family dwelling, with no rear yard instead of 30 feet and which addition will result in a 15% (396 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 2140 N. Bissell Street, which variation was granted by the Zoning Board of Appeals on September 17, 1993, in Cal. No. 262-93-Z.

Mr. Coan stated that he has finally been able to select a contractor for the building construction, that a contract has been signed and he is ready to begin the permit processing.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to March 17, 1995. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 16, 1994

Cal. No. 369-93-S

Mr. Daniel L. Houlihan, for Land & Lakes Company, applicant, presented a written request for an extension of time in which to allow completion of permit processing and commencement of construction of a material recovery and recycling facility-waste transfer station (MRRF) on a parcel of land, known as Parcel I, approximately ten acres, commonly known as 1300 E. 138th Street, which use was approved by the Zoning Board of Appeals, under certain conditions, on December 20, 1993, in Cal. No. 369-93-S as part of an application also seeking deletion of a condition in the Board's resolution of August 20, 1993, Cal. No. 231-93-S.

Mr. Houlihan stated that although the applicant has diligently pursued its plans for the intended use and has engaged necessary professional personnel to prepare the necessary plans and specifications, the applicant has been delayed in processing permit applications because of the extensive time and personnel commitments by the applicant attendant to certain litigation entitled Land and Lakes Co., et al. vs. Henry L. Henderson et al., 94 CH 2093, commencing March 8, 1994 and extending through September 27, 1994, when the Circuit Court of Cook County entered judgement, among other findings, invalidating the permitting authority of the Department of Environment of the City of Chicago relative to transfer stations and other facilities, and which judgement the Appellate Court of Illinois on November 28, 1994, declined to stay pending appeal of the decision. Mr. Houlihan also stated that the applicant has prepared and submitted foundation permit applications to the Department of Buildings of the City of Chicago and on December 9, 1994, said foundation permits were issued, but that notwithstanding the issuance of the foundation permits, construction pursuant thereto is necessarily precluded prior to the issuance by the Illinois Environmental Protection Agency (IEPA) of a development and construction permit. Application for the construction and development IEPA permit was made on December 5, 1994, and it is anticipated that the review process thereof will require a minimum of ninety days. The applicant will finalize City of Chicago construction permits upon receipt of the IEPA development and construction permit.

Chairman Spingola moved that the request be granted and the time in which to complete the permit process and commence construction of a material recovery and recycling facility-waste transfer station (MRRF) on a parcel of land known as Parcel I, approximately ten acres, commonly known as 1300 E. 138th Street, be extended to December 20, 1995. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 16, 1994

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

The motion prevailed and the Board adjourned to meet in regular meeting on January 20, 1995.

Marion Reel
Secretary

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

APPLICANT: James Martin, Jr.
 APPEARANCES FOR: James Martin, Jr.
 APPEARANCES AGAINST:

CAL. NO. 312-94-Z
 MAP NO. 30-F
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 12214 S. Princeton 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, James Martin, Jr., owner, on October 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 25.1' x 30' 2nd story addition to a 1-story brick single-family dwelling, whose north side yard will be 2.5 feet and whose south side yard will be 5.8 feet instead of combined side yards of 10.05 feet and neither side yard less than 3 feet, and whose total floor area ratio will be 0.55 instead of 0.50, on premises at 12214 S. Princeton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 12, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §7.6-2, §7.8-2(2)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties, and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 33.5' x 123.28' lot improved with a 1-story brick single-family residence with a new 25.1' x 30' 2nd story frame dormer addition; that the property in question can not yield a reasonable return nor be put to reasonable use if permitted to be used only the conditions allowed by the regulations in this district in that the said dormer addition is necessary to provide additional bedrooms to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that the proposed dormer addition was constructed without necessary permits while in the process of repairing attic fire damage; that the proposed dormer addition is compatible with existing residential improvements in the block, some of which have dormer additions; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

December 2, 1994
Cal. No. 312-94-Z

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 25.1' x 30' 2nd story dormer addition to a 1-story brick single-family dwelling, whose north side yard will be 5.8 feet instead of combined side yards of 10.05 feet and neither side yard less than 3 feet, and whose total floor area ratio will be 0.55 instead of 0.50, on premises at 12214 S. Princeton 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: Jose A. Torreblanca & Gregorio Torreblanca CAL. NO. 313-94-Z
 APPEARANCES FOR: Evelia Marten MAP NO. 5-N
 APPEARANCES AGAINST: MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 2319 N. Natchez Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jose A. Torreblanca and Gregorio Torreblanca, owners, on October 13, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2nd story 18.4' x 43.7' addition to a 1-story frame single-family dwelling situated on the rear of the lot, whose rear yard is 5.46 feet instead of 30 feet, on premises at 2319 N. Natchez Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 the Chicago, specifically, §7.8-3(1)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 30' x 144' lot improved with a 1-story frame residential building located in the rear of the lot and having a partially completed 18.4' x 43.7' 2nd story dormer addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd story dormer addition is necessary to provide additional living space for the applicants and their extended family; that the plight of the owner is due to unique circumstances in that the existing building is already located within the required rear yard setback; that the proposed 2nd story addition will not impair an adequate supply of light and air to adjacent properties; 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

MINUTES OF MEETING

December 2, 1994

Cal. No. 313-94-Z

upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story 18.4' x 43.7' addition to a 1-story frame single-family dwelling situated on the rear of the lot, whose rear yard is 5.46 feet instead of 30 feet, on premises at 2319 N. Natchez 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: Sonia Soto
APPEARANCES FOR: Nicholas P. Black, Sonia Soto
APPEARANCES AGAINST:

CAL. NO. 314-94-Z
MAP NO. 5-H
MINUTES OF MEETING
December 2, 1994

PREMISES AFFECTED— 1858 W. Armitage Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Sonia Soto, owner, on October 28, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2nd story 20' x 38' addition to a 1-story brick single-family dwelling situated on the rear of the lot, with no east side yard and no rear yard instead of 2.4 feet and 30 feet respectively, on premises at 1858 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 24' x 125' lot improved with a 1-story brick single-family dwelling located in the rear of the lot; that the applicant proposes to erect a 2nd story 20' x 38' addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd story 20' x 38' addition is necessary to provide additional living space to meet the needs of the applicant and her family; that the plight of the owner is due to unique circumstances in that the existing residential building is already located in the required rear yard set back; that the proposed 2nd story addition will follow existing building lines and will be compatible with existing residential improvements in the area which do not comply with yard setbacks; 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

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December 2, 1994

Cal. No. 314-94-Z

it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story 20' x 38' addition to a 1-story brick single-family dwelling situated on the rear of the lot, with no east side yard and no rear yard instead of 2.4 and 30 feet respectively, on premises at 1858 W. Armitage 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: Landie C. Parr
APPEARANCES FOR: Landie C. Parr
APPEARANCES AGAINST:

CAL. NO. 315-94-Z
MAP NO. 18-G
MINUTES OF MEETING
December 2, 1994

PREMISES AFFECTED— 7806 S. May Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Landie C. Parr, owner, on November 8, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 452 sq. ft. dormer with a bay window on the south side of the attic of a 2½-story frame two dwelling unit building, which dormer will be located in the required south side yard and will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 7806 S. May Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 13, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §7.6-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 full heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 30' x 124.45' lot improved with a 2½-story frame residential building with the subject 452 sq. ft. dormer with a bay window on the south side of the attic of the existing two dwelling unit building; that the said dormer addition results in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in the question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 452 sq. ft. dormer addition is necessary to provide needed storage space; that the plight of the owner is due to unique circumstances in that the applicant can no longer use his basement for storage due to unsatisfactory environmental conditions in the basement and that the additional attic dormer area is necessary to provide for additional long term storage space; that the subject attic dormer is located within the perimeter of the existing residential building; and that the

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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 452 sq. ft. dormer with a bay window on the south side of the attic of a 2½-story frame two dwelling unit building, which dormer will be located in the required south side yard and will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 7806 S. May 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: Ken Ide and Charlotte Ide
 APPEARANCES FOR: Monte Viner
 APPEARANCES AGAINST: Richard Rydzinski

CAL. NO. 316-94-Z
 MAP NO. 13-O
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 7432 W. Gregory Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation 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, Ken Ide and Charlotte Ide, owners, on October 7, 1994, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 11.75' x 24' garage attached to the east side of a 2-story brick single-family dwelling, with no east side yard instead of 4 feet required, on premises at 7432 W. Gregory Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 13, 1994, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §7.8-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 5,000 sq. ft. lot improved with a 2-story brick single-family dwelling and a 1-car brick garage located in the rear of the lot; that the applicant proposes to erect a 1-story 11.75' x 24' garage attached to the east side of the existing residential building and located in the existing driveway leading to the garage at the rear of the site; that although the applicant testified that they wish to attach the garage to the existing single-family dwelling in order to minimize snow removal in front of the existing garage and to provide a direct entry from the garage to the residence, no evidence was presented to indicate that a hardship exists; that the proposed garage could be located further back on the lot and still be connected to the existing residence; that testimony presented by the property owner at 7428 W. Gregory Avenue indicates that the proposed garage will be located directly abutting the bedroom windows of his building and would impair light and air to his property; that the proposed garage would not be compatible with the existing character of this block of W. Gregory Avenue; it is therefore

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

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

APPLICANT: Ernest R. Wish
 APPEARANCES FOR: Gary I. Wigoda, David Wish
 APPEARANCES AGAINST:

CAL. NO. 317-94-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 1111 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
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Ernest R. Wish, for Cole-Taylor Bank, Tr. #94-6017, owner, on October 17, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the extension of a previously approved (4/15/94-Cal. No. 87-94-Z) 2-story 22' x 72.75' addition to the rear of a 2-story brick single-family dwelling by expanding said 2-story addition 15.67' x 30' at the southwest side creating a U-shape addition, which expansion will reduce the south side yard to 1 foot instead of 7.5 feet required and will be located in the required 30 feet rear yard, on premises at 1111 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 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 the Chicago, specifically, §7.8-4, §7.9-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 finding of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 75' x 103.5' lot improved with a 2-story brick single-family dwelling currently under renovation and with a rear L-shape addition under construction; that on April 15, 1994 the Board granted a variation to the applicant to permit the erection of a 2-story 22' x 72.25' addition to the rear of a 2-story brick single-family dwelling at the subject site, with no rear yard instead of 30 feet; that the testimony presented in Calendar No. 87-94-Z is hereby made part of the record in this case; that the applicant proposes to extend the previously approved 2-story addition to the rear of the existing 2-story single-family dwelling by expanding the aforesaid addition 15.67' x 30' at the southwest side hereby creating a U-shape addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the now proposed 2-story 15.67' x 30' addition

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Cal. No. 317-94-Z

is necessary to provide additional family living and storage space; that the plight of the owner is due to the configuration of the existing 2-story building and the previously approved 2-story addition that is presently under construction on the lot which necessitates encroachment into the south side yard and into the required rear yard in order to be attached to the addition under construction; that the proposed 2-story addition will follow the south building line of the previously approved addition; 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 extension of a previously approved (4/15/94-Cal. No. 87-94-Z) 2-story 22' x 72.75' addition to the rear of a 2-story brick single-family dwelling by expanding said 2-story addition 15.67' x 30' at the southwest side creating a U-shape addition, which expansion will reduce the south side yard to 1 foot instead of 7.5 feet required and will be located in the required 30 feet rear yard, on premises at 1111 N. Hoyne 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: Linda J. Green
 APPEARANCES FOR: Linda J. Green
 APPEARANCES AGAINST:

CAL. NO. 318-94-Z
 MAP NO. 2-H
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 2016 W. Adams 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, Linda J. Green, for Chicago Title & Trust, Tr. #1-1099207, owner, on November 4, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, three dwelling units in an existing 3-story brick building, with two on-site parking spaces instead of 3 required, on premises at 2016 W. Adams Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 the Chicago, specifically, §7.12-2."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 21.17' x 125' lot improved with a deteriorated 3-story brick row-type residential building with two on-site parking spaces in the rear; 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 three dwelling units are necessary to generate the kind of income necessary to carry the loan amount needed to rehab the subject building and generate enough positive cash flow to provide for the necessary maintenance of the property; that the plight of the owner is due to unique circumstances in that the subject building is the only one of the three existing buildings on the north side of this block of W. Adams Street that lacks legality for a third dwelling unit; that there is insufficient parking space at the rear of the property for a third parking space; that a three-dwelling unit building will be an improvement in this block which has many vacant lots and that the waiver of one parking space will not detrimentally affect on-street parking in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation of the zoning ordinance and that a variation be and it hereby is granted to permit three dwelling units in an existing 3-story brick building, with two on-site parking spaces instead of three required, on premises at 2016 W. Adams 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: Henry A. Peterson
 APPEARANCES FOR: Henry A. Peterson
 APPEARANCES AGAINST:

CAL. NO. 319-94-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 3233 N. Clifton 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, Henry A. Peterson, for LaSalle National Bank, Tr. #43956, owner, on October 24, 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 masonry porch enclosure in place of the existing enclosed frame porch at the rear of a 3-story brick three-dwelling unit building on the front of the lot and the raising of the rear 1-story frame dwelling 5 feet in order to provide 2 enclosed parking spaces, which rear building is located in the required north side and rear yards and which renovation will result in a 15% (827 sq. ft.) increase in the amount of floor area existing at the site prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3233 N. Clifton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 the Chicago, specifically, §7.6-4, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 5,567.77 sq. ft. lot improved with a 3-story brick three-dwelling unit building on the front of the lot and a 1-story frame dwelling in the rear of the lot; that the applicant proposes to replace the existing 3-story frame porch at the rear of the 3-story brick three-dwelling unit building with a 3-story masonry porch enclosure and to raise the rear 1 story frame dwelling 5 feet in order to provide 2 enclosed parking spaces, which renovation will result in an 827 sq. ft. or 15% increase in the amount of floor area existing at the site prior to the adoption of 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

MINUTES OF MEETING

December 2, 1994

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in this district in that the applicant seeks to upgrade and modernize the building on the front of the lot by replacing the rear frame porch which has been enclosed since 1923 with a masonry porch which will add additional living space to the dwelling units and that adding two parking spaces by raising the rear building 5 feet will improve the rentability of the property; that the plight of the owner is due to unique circumstances in that the increase of 827 sq. ft. in the floor area is due solely to the desire to create two parking spaces on site; that the renovation of the frame rear porch to a masonry rear porch does not increase the floor area existing; that proposed 2 parking space garage to be created by raising the rear building 5 feet will follow the existing footprint of the rear building; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story masonry porch at the rear of a 3-story brick three-dwelling unit building on the front of the lot and the raising of the rear 1-story frame dwelling 5 feet in order to provide 2 enclosed parking spaces, which rear building is located in the required north side and rear yards and which renovation will result in a 15% (827 sq. ft.) increase in the amount of floor area existing at the site prior to the adoption of the 1957 comprehensive amendment) the zoning ordinance, on premises at 3233 N. Clifton 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: Herbert Saywitz
 APPEARANCES FOR: David Reifman
 APPEARANCES AGAINST:

CAL. NO. 320-94-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 3119-59 N. Clark 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, Herbert Saywitz, for NBD Trust Company of Illinois, Tr. #3680 and Belmont National Bank, owners, on September 29, 1994, filed an application for a variation of the zoning ordinance to permit, in a B3-2 General Retail District, the erection of a 2-story and basement 86,184 sq. ft. retail space building and 2 levels of parking above on a triangular lot, with 175 parking spaces instead of 205 required, on premises at 3119-59 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 29, 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 the Chicago, specifically, §8.11-1(21)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

WHEREAS, the district maps show that the premises is located in a B3-2 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is a 38,985 sq. ft. triangular shape lot currently improved with several one and two story brick commercial buildings; that on July 13, 1994 the City Council rezoned the site from B4-2 Restricted Service to B3-2 General Retail; that the applicant intends to redevelop the subject property with new construction of a 2-story and basement 86,184 sq. ft. retail space building with 2 upper levels of 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 triangular shape of the subject lot and the proposed retail space building as designed on the site necessitates locating the required off-street parking within the subject building; that the plight of the owner is due to unique circumstances in that required off-street parking must be located on two upper levels of the building because the basement area which could be used for off-street parking is to be leased as active retail space; that the proposed use involves the addition of 175 parking spaces on a site which previously provided no parking spaces, thus alleviating on-street parking and improving traffic conditions on surrounding streets; and

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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 and basement 86,184 sq. ft. retail space building and 2 levels of parking above on a triangular lot, with 175 parking spaces instead of 205 required, on premises at 3119-59 N. Clark 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: McGee Temple Church of God in Christ
 APPEARANCES FOR: Samuel K. Bell
 APPEARANCES AGAINST:

CAL. NO. 321-94-Z
 MAP NO. 12-E
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 4946 S. Vincennes 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, McGee Temple Church of God in Christ, owner, on September 30, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story 36' x 71' auxillary use addition to the rear of a 1-story church building, with no north side yard instead of 6.4 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 4946 S. Vincennes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 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 the Chicago, specifically, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is an 8,896 sq. ft. lot improved with a 1-story brick church building with a 1-story frame addition in the rear; that the applicant proposes to erect a 1-story 36' x 71' auxillary use addition to the rear of the existing church building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide needed space to better serve the congregation as well as provide facilities for community-oriented programs; that the plight of the owner is due inadequate space in the existing church building to meet the program needs of the church; that the proposed 1-story addition will following existing building lines; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 36' x 71' auxillary use addition to the rear of a 1-story church building, with no north side yard instead of 6.4 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 4946 S. Vincennes 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: Robert T. Clark
APPEARANCES FOR: Ted Karavidas
APPEARANCES AGAINST:

CAL. NO. 322-94-Z
MAP NO. 5-F
MINUTES OF MEETING
December 2, 1994

PREMISES AFFECTED— 823 W. Armitage Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Robert T. Clark, for Robert T. Clark and Peter Foley, owners, on September 30, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the expansion of an existing 2-story brick 12' x 29' dwelling unit on the rear of the lot into a 3-story 20' x 29' dwelling unit connecting the front 4-story brick store and two dwelling unit building, which expansion is located in the required 30 feet rear yard, on premises at 823 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 the Chicago, specifically, §8.7-4, §8.8-1(1)(2)(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 31.17' x 100' lot with no alley access and currently improved with a new building under construction in the front of the lot and the partial remains of a brick building in the rear of the lot; that the applicant seeks to erect a new four story brick store and two dwelling unit building on the front of the lot which will be connected to a new 3-story 20' x 29' dwelling unit to be located at the rear of the lot; 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 revenues from the store fronts and dwelling units in the building on the front of the lot are necessary to make the project economically viable and that the expansion of the rear 1-story brick dwelling unit on the rear of the lot is necessary to provide adequate living space in this dwelling unit whose interior dimensions are currently less than 27' wide by 10' deep; that the plight of the owner is due to unique circumstances in that the entire

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rear dwelling unit and proposed additions lie within the rear yard making it impossible to add the needed additional space without the requested rear yard variation; that the proposed development will be consistent with the existing mixed retail and residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the expansion of an existing 2-story brick 12' x 29' dwelling unit on the rear of the lot into a 3-story 20' x 29' dwelling unit connecting the front 4-story brick store and two dwelling unit building, which expansion is located in the required 30 feet rear yard, on premises at 823 W. Armitage Avenue, upon condition that the garbage containers shall be stored under the rear building's stairs; 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: Ana Berger, by Martin Sass
 APPEARANCES FOR: Richard J. Troy
 APPEARANCES AGAINST:

CAL. NO. 323-94-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 2212 W. Augusta Boulevard
 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, Ana Berger, by Martin Sass, for Ana Berger, owner, on October 28, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the reconstruction of a 2-story brick single-family dwelling on the front of a lot improved additionally with a brick coachhouse at the rear, whose front yard is 10.67 feet instead of 14.97 feet and whose east side yard is 4 inches instead of 2.4 feet, on premises at 2212 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 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 the Chicago, specifically, §7.7-4, §7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 24' x 127.79' lot improved with a 2-story brick residential building that was under construction but has subsequently caved-in and the remains of a 1-story brick coachhouse at the rear of the lot; that the applicant was issued a permit for repairs and renovations to the buildings; that upon commencement of the rehab work on the front building it was learned that the walls were structurally unsound; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide the room space necessary to meet the needs of the applicant; that the plight of the owner is due to the need to repair the deterioration of the existing construction; that the footprint of the existing front building will be maintained in its renovation; that the 2-story brick single-family dwelling on the front of the lot will be consistent with existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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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 reconstruction of a 2-story brick single-family dwelling on the front of a lot improved additionally with a brick coachhouse at the rear, whose front yard is 10.67 feet instead of 14.97 feet and whose east side yard is 4 inches instead of 2.4 feet, on premises at 2212 W. Augusta Boulevard, 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:

Rene Dayan

CAL. NO. 324-94-Z

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

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December 2, 1994

PREMISES AFFECTED—

1324 N. Dearborn Street

SUBJECT—

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
February 17, 1995.

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: Garth and Sue Taylor

CAL. NO. 325-94-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING

December 2, 1994

PREMISES AFFECTED— 2334 N. Geneva Terrace-Unit C

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

ACTION OF BOARD—

Case continued to February 17, 1995, upon the Board's own motion.

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: Philip L. Goldberg, by Barry Ash

CAL. NO. 326-94-Z

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING

December 2, 1994

PREMISES AFFECTED— 1468-72 N. Paulina Street

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

ACTION OF BOARD—

Case continued by motion of the Board to January 20, 1995.

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: Alexander Dobroveanu
 APPEARANCES FOR: Peter C. Wachowski
 APPEARANCES AGAINST: Teresa Potempa, et al.

CAL. NO. 327-94-Z
 MAP NO. 13-L
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED-- 5121 W. Strong Street
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Alexander Dobroveanu, owner, on October 20, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 12' x 20.33' 1st story rear addition and a 50' x 20.33' 2nd story addition to a 1-story frame single-family dwelling, whose front yard is 5.38' instead of 20' and whose west side yard is 1.25' instead of 2.5', on premises at 5121 W. Strong Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §7.7-3, §7.8-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 25.3' x 126.09' lot; that the applicant purchased the subject site in early Spring of this year; that the site contained a small 1-story frame single-family dwelling on the front of the lot and a small coachhouse at the rear; that both buildings were in poor condition; that the applicant was issued a permit to construct the requested rear and 2nd story additions to the front building, the shell of which is almost completed; that the permit was subsequently revoked; that the building will contain a living and dining room and kitchen on the 1st floor and 3 bedrooms on the 2nd floor and that the rear coachhouse will be used as a garage; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to meet the applicant's family needs; that the plight of the owner is due to the permit being revoked; and that the variations, if granted, will not alter the essential character of the locality in that the additions follow the footprint of the front and side walls of the original building and that the subject building is sufficiently

MINUTES OF MEETING

December 2, 1994

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removed from surrounding buildings and will not impair an adequate supply of light and air to adjacent property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 12' x 20.33' 1st story rear addition and a 50' x 20.33' 2nd story addition to a 1-story frame single-family dwelling, whose front yard is 5.38' instead of 20' and whose west side yard is 1.25' instead of 2.5', on premises at 5121 W. Strong Street, upon condition that the occupancy of the building shall be limited to single-family only and that there shall be no kitchen facilities on the 2nd floor; that the use of the rear building shall be limited to that of an accessory garage; 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: Illinois Masonic Medical Center
 APPEARANCES FOR: Sandra Hebenstreit
 APPEARANCES AGAINST:

CAL. NO. 328-94-S
 MAP NO. 7-G
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 3026 N. Sheffield Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Illinois Masonic Medical Center, owner, on September 30, 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 102 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 3026 N. Sheffield Avenue, to serve an ambulatory care center and its expansion at 3044-48 N. Wilton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 6, 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 the Chicago, specifically, §8.3-4, §8.4-1(6), §8.11-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 212.5' x 135' lot in use as a fully improved parking lot; that the proposed use is necessary for the public convenience at the site to provide off-site accessory employee parking for an ambulatory care center and its expansion at 3044-48 N. Wilton Avenue; that the public health, safety and welfare will be adequate protected in the design, location and operation of the proposed parking lot to be operated and maintained under the standards and conditions hereinafter set forth; that the use of an existing improved parking lot to provide off-site accessory parking for employees of the applicant medical center is a continuation of its previous use as a parking lot 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 for 102 private passenger automobiles, on premises at 3026 N. Sheffield Avenue, to serve

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an ambulatory care center and its expansion at 3044-48 N. Wilton Avenue, upon condition that the existing paving, striping, lighting, steel beam guard rails, fencing and drainage shall be continuously maintained by the applicant; that landscaping shall be installed consistent with the landscaping plans prepared by Warman, Olsen and Warman dated October 14, 1994; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Assumption Greek Orthodox Church
 APPEARANCES FOR: Timothy Kantz
 APPEARANCES AGAINST:

CAL. NO. 329-94-S
 MAP NO. 2-L
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 527 S. Central Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Assumption Greek Orthodox Church, for Shell Oil Company and LaSalle National Bank, Tr. #21361, owners, on October 5, 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 47 private passenger automobiles, in a C1-2 Restricted Commercial District, on premises at 527 S. Central Avenue, to serve a church located at 601 S. Central Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 the Chicago, specifically, §9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 141' x 118.6' paved parking lot located directly across W. Harrison Street from the applicant church; that the proposed use is necessary for the public convenience at this location to serve a church located at 601 S. Central 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 maintained under the conditions hereinafter set forth; that the use of an existing parking lot for accessory parking spaces by the applicant church 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 Zoning Administrator is authorized to permit the establishment of an off-site accessory

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parking lot for 47 private passenger automobiles, on premises at 527 S. Central Avenue, to serve a church located at 601 S. Central Avenue, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the existing paving, fencing and guard rails shall be continuously maintained by the applicant; that striping shall be provided; that lighting shall be provided directed away from abutting residential property; that landscaping shall be provided as indicated on the applicant's landscape plan dated December 2, 1994; 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 standards hereby established under this order.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: The Lunar Cabaret, Inc.
APPEARANCES FOR: Michael Greenberg
APPEARANCES AGAINST:

CAL. NO. 330-94-S
MAP NO. 7-G
MINUTES OF MEETING
December 2, 1994

PREMISES AFFECTED— 2816-24 N. Lincoln Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, The Lunar Cabaret, Inc., for Stamelos Building Account, owner, on October 18, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of 6 leased spaces in an existing parking lot as off-site accessory parking, in a C1-2 Restricted Commercial District, on premises at 2816-24 N. Lincoln Avenue, to satisfy the parking requirement for a public place of amusement license (PPA) for a restaurant at 2827 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 the Chicago, specifically, §9.11."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 presently improved with a paved parking lot for approximately 17 automobiles located across N. Lincoln Avenue from the applicant restaurant; that the applicant seeks to lease 6 parking spaces at the subject site; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for a public place of amusement license for the applicant restaurant at 2827 N. Lincoln Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which 6 parking spaces will be leased to the applicant by Stamelos Building Account, lessor for a term beginning October 28, 1994 and expiring November 1, 1999 with a 3 year renewal option; that the leasing of 6 parking spaces in an existing parking lot will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

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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 6 leased parking spaces in an existing parking lot as off-site accessory parking, on premises at 2816-24 N. Lincoln Avenue, to satisfy the parking requirement for a public place of amusement license (PPA) for a restaurant at 2827 N. Lincoln Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the 6 leased parking spaces shall be maintained and operated in conformance with §5.8-5 of the zoning ordinance.

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

APPLICANT: Neomedica, Inc.
 APPEARANCES FOR: Patrick E. Brady
 APPEARANCES AGAINST:

CAL. NO. 331-94-S
 MAP NO. 18-B
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 2434 E. 79th Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Neomedica, Inc., owner, on October 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 approximately 25 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 2434 E. 79th Street, to serve a medical clinic proposed at 2420 E. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 the Chicago, specifically, §8.4-4(1), §8/4-1(6)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 an 82.21' x 125' unimproved lot located directly across S. Phillips Street from the site where the applicant medical clinic is being constructed; that the proposed use is necessary for the public convenience at this location to serve a medical clinic proposed at 2420 E. 79th Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for approximately 25 private passenger automobiles, on premises at 2434 E. 79th Street, to serve a medical clinic proposed at 2420 E. 79th Street, upon condition that no use

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shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveways, with a 7 feet high solid wood fence along the north lot line, a 2 feet high steel beam guard rail along the east lot line, and an 8 feet high chain link fence along the west and south lot lines; that striping and wheel stops shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from driveways located on S. Philips Avenue and E. 79th Street; that the alley abutting the site to the north shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; that sliding security gates shall be provided at the established entrance/exits; that the hours of operation of the lot shall be limited to the hours of operation of the medical clinic and that the lot shall be securely locked at all other times; that landscaping shall be provided as indicated on the applicant's site plan, dated August 24, 1994; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Juan and Cristina Rodriguez
APPEARANCES FOR: Juan Rodriguez
APPEARANCES AGAINST:

CAL. NO. 332-94-A
MAP NO. 7-M
MINUTES OF MEETING
December 2, 1994

PREMISES AFFECTED-- 2653 N. Moody Avenue
SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Juan and Cristina Rodriguez, owners, on September 28, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building on the front of the lot as two dwelling units and a 1-story frame building on the rear of the lot as a single-family dwelling, in an R3 General Residence District, on premises at 2653 N. Moody Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 11, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §7.5-3, §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story frame residential building on the front of the lot and a 1-story frame building on the rear of the lot; that Board of Election records indicate the existence of three dwelling units at the site prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellants have a right to continue the occupancy of the 2-story building on the front of the lot as two dwelling units and the one-story building at the rear of the lot as 1 dwelling unit, provided the buildings are brought into compliance with all applicable building code regulations; it is therefore

RESOLVED; that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story frame building on the front of the lot as two dwelling units and a 1-story frame building on rear of the lot as a single-family dwelling, on premises at 2653 Moody Avenue, upon condition that both buildings are brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bickerdike Redevelopment Corp.
 APPEARANCES FOR: Greg Olson
 APPEARANCES AGAINST:

CAL. NO. 333-94-A
 MAP NO. 5-I
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED-- 1655-57 N. Washtenaw Avenue
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, Bickerdike Redevelopment Corp., for Nick Hanna and Simon Rodriguez, owners, on November 1, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing dwelling unit in a former storefront in a 3-story brick 16-dwelling unit building, in an R3 General Residence District, on premises at 1655-57 N. Washtenaw Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 the Chicago, specifically, §7.5-3. §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 3-story brick residential building with a former storefront at the corner of W. Wabansia Avenue and N. Washtenaw Avenue; that the subject building is to be rehabilitated as part of an affordable housing development that will be partially funded by the City of Chicago's Department of Housing; that the appellant testified that the non-conforming storefront was converted to a dwelling unit in 1989/1990; that the subject site has been zoned for residential use since the adoption of the zoning ordinance in 1923; that the conversion of the non-conforming storefront to a conforming dwelling unit was a proper substitution of use 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 its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify existing dwelling unit in a former storefront in a 3-story brick 16 dwelling unit building, on premises at 1655-57 N. Washtenaw Avenue, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Leonardo Vargas
 APPEARANCES FOR: Leonardo Vargas
 APPEARANCES AGAINST:

CAL. NO. 334-94-A
 MAP NO. 6-J
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 3248 W. 25th Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Leonardo Vargas, owner, on October 27, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing second-hand appliance store in a 2-story brick store and apartment building, in an R4 General Residence District, on premises at 3248 W. 25th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 the Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 2-story brick store and apartment building with an attached garage; that on May 16, 1980 the Board sustained an appeal permitting the establishment of a second-hand store in the first floor store in the subject building, in Cal. No. 109-80-A; that the appellant seeks to continue to operate the second-hand business, including the second-hand sale of appliances at the subject site; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing second-hand store, including the sale of appliances, in a 2-story brick store and apartment building, on premises at 3248 W. 25th Street, upon condition that all merchandise shall be displayed and sold within the store premises and that no merchandise shall be displayed on the public sidewalk; that the hours of operation shall be limited to the hours between 10 A.M. and 6 P.M. Mondays through Fridays and from 10 A.M. and 5 P.M., Saturdays and Sundays; 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: REMAR-USA
 APPEARANCES FOR: Alexandro Botelho
 APPEARANCES AGAINST:

CAL. NO. 335-94-A
 MAP NO. 6-I
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 3102 W. 25th 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, REMAR-USA, owner, on October 12, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand store in a 1 and 2-story brick store and apartment building, in an R4 General Residence District, on premises at 3102 W. 25th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 7, 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 the Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 2-story brick store and apartment building; that on June 18, 1993 the Board sustained the appellant's appeal permitting the establishment of a restaurant in the store premises at the subject site, in Cal. No. 204-93-A; that the restaurant use did not open for lack of funds; that the appellant, a Christian outreach ministry, now seeks to establish a second-hand store, a B4 use, at the subject site to raise funds for their outreach ministry; that under Section 6.4-7 of the zoning ordinance, the proposed second-hand store is a more intensive use than the prior approved restaurant, a B2 use; that the subject premises has been vacant and unoccupied for more than a year and that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the use requested; 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.

MINUTES OF MEETING

December 16, 1994

Member Martin moved that the Board approve the minutes of the proceedings of the special meeting held on December 2, 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.

* * * * *

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: Marquette Athletic Club, Inc.
PEARANCES FOR: Richard N. Kaplan, Raudel Valdez
PEARANCES AGAINST:

CAL. NO. 336-94-A
MAP NO. 16-I
MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 6553 S. Kedzie Avenue

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, Marquette Athletic Club, Inc., for Raudel Valdez, owner, on October 18, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit live entertainment and dancing in an existing non-conforming tavern in a 1-story brick building, in a B2-1 Restricted Retail District, on premises at 6553 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 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 the Chicago, specifically, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building occupied by an existing non-conforming tavern; that the applicant has operated the tavern at the site since 1987 and is now seeking to use a portion of the premises for live entertainment and dancing; that the requested use constitutes an expansion of an existing non-conforming use in this B2-1 Restricted Retail District and that under Section 6.4-6 of the zoning ordinance the Board has no authority to permit the expansion of the existing non-conforming use at the site by the addition of live entertainment and dancing; 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: Refreshing Spring Missionary Baptist Church, by Rev. James E. Marshall
 APPEARANCES FOR: John R. Plante
 APPEARANCES AGAINST:

CAL. NO. 337-94-S
 MAP NO. 2-L
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 400 S. Cicero Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Refreshing Spring Missionary Baptist Church, by Rev. James E. Marshall, for Refreshing Spring Missionary Baptist Church, owner, on October 6, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 150-seat church in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 400 S. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 6, 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 the Chicago, specifically, §8.3-4. §8.4-1(1), §8.11-1(4)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 1-story brick building in disrepair and containing three vacant store premises; that the applicant church presently holds services at a local Quality Inn motel; that the proposed use is necessary for the public convenience at the subject site location to meet the needs of the church congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations and which will provide adequate off-street parking at 4817 W. Van Buren St. as provided for in Cal. No. 338-94-S; that the establishment of a church at the subject site will improve a deteriorating building and will be compatible with existing mixed residential and business improvements 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

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December 2, 1994

Cal. No. 337-94-S

Zoning Administrator is authorized to permit the establishment of a 150-seat church in a 1-story brick building, on premises at 400 S. Cicero Avenue, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; that off-street parking shall be located at 4817 W. Van Buren Street as provided for in Cal. No. 338-94-S; 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: Refreshing Spring Missionary Baptist Church, by Rev. James E. Marshall
 APPEARANCES FOR: James R. Plante
 APPEARANCES AGAINST:
 CAL. NO. 338-94-S
 MAP NO. 2-L
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 4817 W. Van Buren Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, Refreshing Spring Missionary Baptist Church, by Rev. James E. Marshall, for City of Chicago, owner, on October 6, 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 12 private passenger automobiles, in an R3 General Residence District, on premises at 4817 W. Van Buren Street, to satisfy the parking requirement for a proposed 150-seat church at 400 S. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 6, 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 the Chicago, specifically, §7.3-3, §7.4-1(4), §7.12-1(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 30' x 125' unimproved lot located east across a public alley from the subject church premises at 400 S. Cicero Avenue; that the proposed use is necessary for the public convenience at the subject site to satisfy the parking requirement for a proposed 150-seat church at 400 S. Cicero Avenue; 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 with provision of privacy fencing and a 20 feet landscaped front yard setback the proposed parking lot for 12 automobiles 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 of-site accessory parking

MINUTES OF MEETING

December 2, 1994

Cal. No. 338-94-S

lot for 12 private passenger automobiles, on premises at 4817 W. Van Buren Street, to satisfy the parking requirement for a proposed 150-seat church at 400 S. Cicero Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base not less than four inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 6 feet tall solid wood fence shall be provided on the west and south lot lines to screen the facility from adjacent property; that the 20 feet frontage on W. Van Buren Street shall be planted with shrubbery in compliance with applicable provisions of the Chicago Landscape Ordinance; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided directed away from adjacent residential property; that ingress and egress shall be via the alley abutting the subject site to the east provided a waiver of the alley barrier is obtained from the City Council; that the public alley abutting the site to the south shall not be used for ingress nor for egress; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

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

APPLICANT: Church Extension Board of the Presbytery of Chicago
 APPEARANCES FOR: Charles L. Byrum
 APPEARANCES AGAINST: William A. Torok
 PREMISES AFFECTED— 534-58 E. 103rd Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 339-94-S
 MAP NO. 24-E
 MINUTES OF MEETING
 December 2, 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, Church Extension Board of the Presbytery of Chicago, for Joseph Walan and Alexander Allen, III, owners, on October 14, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 540-seat church in a proposed 2-story with basement building, in a B4-1 Restricted Service District, on premises at 534-58 E. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of the Chicago, specifically, §8.4-1(1), §8.11-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 a 240' x 120' unimproved lot; that the applicant is an Illinois not-for-profit corporation and is the contract purchaser of the subject property for the benefit of and use by Pullman Presbyterian Church; that the proposed use is necessary for the public convenience at this location to allow Pullman Presbyterian Church to continue to conduct religious services and educational services in the community in which they have been established for 115 years; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate off-street parking at 543-603 E. 103rd Street, as provided for in Cal. No. 340-94-S; that the proposed use will be compatible with the 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

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

MINUTES OF MEETING

December 2, 1994

Cal. No. 339-94-S

the Zoning Administrator is authorized to permit the establishment of a 540-seat church in a proposed 2-story with basement building, on premises at 534-58 E. 103rd Street, upon condition that off-street parking shall be located at 543-603 E. 103rd Street as provided for in Cal. No. 340-94-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: Church Extension Board of the Presbytery of Chicago

CAL. NO. 340-94-S

APPEARANCES FOR: Charles L. Byrum

MAP NO. 24-E

APPEARANCES AGAINST: William A. Torok

MINUTES OF MEETING
December 2, 1994

PREMISES AFFECTED-- 543-603 E. 103rd Street

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

ACTION OF BOARD--

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, Church Extension Board of the Presbytery of Chicago, for Joseph Walan and Alexander Allen, III, owners, on October 14, 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 40 private passenger automobiles, in a B4-1 Restricted Service District, on premises at 543-603 E. 103rd Street, to fulfill the parking requirement for a 540-seat church proposed at 534-58 E. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 30, 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 the Chicago, specifically, §8.4-1(1), §8.4-1(6), §8.11-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 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 on December 2, 1994, the Board approved the applicant's special use application for the establishment of a 540-seat church in a proposed 2-story with basement building to be located at 534-58 E. 103rd Street, in Cal. No. 339-94-S; that the subject site is a 300' x 120' unimproved lot; that the applicant proposes to establish an off-site accessory parking lot on the west 125 feet of the lot and a community center building, a permitted use in the B4-1 Restricted Service District, on the balance of the lot; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to fulfill the parking requirement for the 540-seat church proposed at 534-48 E. 103rd Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that proposed parking lot, located directly across E. 103rd Street from the proposed church site, is 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

MINUTES OF MEETING

December 2, 1994

Cal. No. 340-94-S

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 40 private passenger automobiles, on premises at 543-603 E. 103rd Street, upon condition that the parking area shall be located on the west 125 feet of the subject property, the balance of the property being use for the establishment of a permitted community center to be operated by the Pullman Presbyterian Church; that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the parking area shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 2 feet high steel beam guard rail shall be provided on the west and south lot lines; that striping shall be provided; that lighting shall be provided directed away from adjacent residential properties; that ingress and egress shall be from E. 103rd Street; that the alley abutting the site to the south shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked at all times when not in use by the church or community center; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

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

APPLICANT: Robert Woolf
 APPEARANCES FOR: Michael S. Mandell, Robert Woolf
 APPEARANCES AGAINST:

CAL. NO. 341-94-S
 MAP NO. 4-F
 MINUTES OF MEETING
 December 2, 1994

PREMISES AFFECTED— 647 W. Roosevelt 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, Robert Woolf, for Hyman Sachs, owner, on October 13, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick store building, in a C2-4 General Commercial District, on premises at 647 W. Roosevelt Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 29, 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, §9.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; and

WHEREAS, the district maps show that the premises is located in a C2-4 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C2-4 General Commercial District; that the subject site is improved with a one-story brick commercial building; that the applicant has been operating at the subject site as Aaba Jewellery and Resale since July, 1994; that the applicant previously operated a pawn shop at 1555 W. 47th Street; that the proposed pawn shop is necessary for the public convenience at this location to provide a service in the local community; that the proposed use will be subject to all state and local laws governing the establishment and operation of a pawn shop and that with the conditions hereinafter set forth, the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the 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 1-story

MINUTES OF MEETING

December 2, 1994

Cal. No. 341-94-S

brick store building, on premises at 647 W. Roosevelt Road, upon condition that all applicable state and city ordinances shall be complied with before a permit is issued; and be it further

RESOLVED, that the subject site building abuts the exit ramp of the Dan Ryan Expressway and is in close proximity to said expressway with its west and south walls visible therefrom and that in order to secure the objectives of Section 9.9(5) and (6) of the zoning ordinance and to protect the public health, safety and welfare in the granting of this special use, the approval granted herein is conditioned upon the applicant having no business or advertising signage upon the west or south walls of the subject building and that all of the applicant's existing signage on said walls shall be removed.

MINUTES OF MEETING

December 2, 1994

Cal. No. 30-94-Z

Terry L. Diamond, for the Public Building Commission of Chicago and the Chicago Board of Education, applicants, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2-story annex to an existing public school (Reilly School) which addition will cause the total floor area on campus to be increased to 1.07 instead of 0.70, and whose south side yard will be 9' instead of 10' and whose rear yard will be 0' instead of 60', on premises at 3301 N. Lawndale Avenue and 3650 W. School Street, which addition was approved by the Zoning Board of Appeals on February 18, 1994, in Cal. No. 30-94-Z.

Ms. Diamond stated that although a building permit has been applied for the plans have not yet been approved due to changes requested by the Building Department and the Bureau of Fire Prevention.

Chairman Spingola moved that the request be granted and the time in which to obtain necessary building permits be extend to February 18, 1995. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 2, 1994

Cal. No. 91-94-Z

Terry L. Diamond, for the Public Building Commission of Chicago and the Chicago Board of Education, applicants, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 3-story annex addition to the east side of an existing elementary school (Nixon School), with no north side yard instead of 14 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.54 instead of 0.70, on premises at 4150 W. Dickens Avenue/2100-18 N. Kedvale Avenue and 2121 N. Keeler Avenue, which addition was approved by the Zoning Board of Appeals on April 15, 1994, in Cal. No. 91-94-Z.

Ms. Diamond stated that although building permits have been applied for, the plans have not yet been approved due to changes requested by the Building Department and the Bureau of Fire Prevention.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to April 15, 1995. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 2, 1994

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on December 16, 1994.

Marian Rest
Secretary

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, December 16, 1994
at 9:00 A.M. and 2:00 P.M.

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

Joseph J. Spingola
Chairman

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