

**MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS**

held in Room 569 County Building, August 18, 1995
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
Thomas S. Moore

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Member Fornelli moved that the Board approve the minutes of the proceedings of the regular meeting held on July 21, 1995 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT: Dan & Margaret Ruscitti

CAL. NO. 196-95-Z

APPEARANCES FOR: Margaret Ruscitti

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995.

PREMISES AFFECTED- 1139 W. Altgeld 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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Dan & Margaret Ruscitti, owner, on June 27, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story 4' x 16' addition to the front of an existing 2-story frame coach house on the rear of the lot additionally improved with a 2 1/2 story frame dwelling on the front of the lot, which addition will be located in the required rear yard, on premises at 1139 W. Altgeld Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 1995, 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, Sections 7.3-4, 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 August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; 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 56' x 115' lot improved with a 2 1/2 story frame dwelling on the front of the lot and a 2-story frame coach house at the rear of the lot; that the applicant proposes to erect a 1-story 4' x 16' addition to the front of the existing 2-story coach house; 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 variation requested is necessary to meet the lifestyle requirements of the applicants and their family; that the plight of the owner is due to the desire to provide a private recreational space for the applicants' children which can be monitored at all times from the existing 2-story single-family dwelling located in the front of the lot where the applicants live; that the proposed addition will be compatible with existing 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 erection of a 1-story 4' x 16' addition to the front of an existing 2-story frame coach house on the rear of the lot additionally improved with a 2 ½ story frame dwelling on the front of the lot, which addition will be located in the required rear yard, on premises at 1139 W. Altgeld 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:. Elfer Laguna

CAL. NO. 197-95-Z

APPEARANCES FOR: Elfer Laguna

MAP NO. 18-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3799 W. 76th Street

August 18, 1995

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, Elfer Laguna, owner, on June 20, 1995, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 24.67' x 27.33' addition to a 1-story brick single-family dwelling, whose combined side yards will be 7.45 feet instead of 9.6 feet and whose maximum floor area ratio will be approximately 0.55 instead of 0.50, on premises at 3799 W. 76th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 1995, 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, Sections 7.6-2, 7.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; 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 32.15' x 100.8' lot improved with a 1-story brick single-family dwelling with a 2nd floor dormer addition to the rear of the 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 said 2nd story dormer addition is necessary to provide additional living space to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that additional bedroom space is needed for the applicant's daughter and her family; that the said 2nd story addition is compatible with existing residential improvements in the area, many of which contain second floor additions; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story 24.67' x 27.33' addition to a 1-story brick single-family dwelling, whose combined side yards will be 7.45 feet instead of 9.6 feet and whose maximum floor area ratio will be approximately 0.55 instead of 0.50, on premises at 3799 W. 76th 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: Garrett Kelleher

CAL. NO. 198-95-Z

APPEARANCES FOR: Dennis Aukstik

MAP NO. 5-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2652-66 W. Medill Avenue

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

ACTION OF BOARD--

VARIATION 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, Garrett Kelleher, owner, on June 18, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of 2nd and 3rd floor balconies (14 total) to the front of a 3-story brick 30 dwelling unit building, whose front yard will be 4' instead of 15', on premises at 2652-66 W. Medill Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 10, 1995, 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, Section 7.7-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; 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 April 6, 1995, the City Council rezoned the subject site from C1-1 Restricted Commercial to R5 General Residence specifically for the aforesaid 30-dwelling unit residential development; that the applicant proposes to erect 14 balconies on the 2nd and 3rd floors in the renovation of the subject building to 30 dwelling units; that the proposed balconies will be about 10 feet wide and project 6 feet from the facade of the 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 variation requested is necessary to provide balconies in the renovation of the subject building to loft-style dwelling units, which balconies will project into the required front yard; that the plight of the owner is due to unique circumstances in that the market for loft-style dwelling units requires some form of outdoor space such as balconies; that the proposed balconies will enliven the front elevation of the subject building, lessening its large appearance; that the proposed balconies will be compatible with the mixed residential and commercial improvements in the area; and that

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Cal. No. 198-95-Z

and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of 2nd and 3rd floor balconies (14 total) to the front of a 3-story brick 30 dwelling unit building, whose front yard will be 4' instead of 15', on premises at 2652-66 W. Medill 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: Tom & Diane Dorwart

CAL. NO. 199-95-Z

APPEARANCES FOR: Robert Buono

MAP NO. 7-G

APPEARANCES AGAINST: N. Fredrickson

MINUTES OF MEETING:
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PREMISES AFFECTED- 1052 W. Wrightwood Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS 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, Tom & Diane Dorwart, owner, on June 16, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2nd story dwelling unit above an existing 1-story brick garage and attached to the rear of an existing 2-story frame single-family dwelling, whose west side yard will be 0.89' and whose east side yard will be 1.03' instead of 5 feet each, and with no rear yard instead of 30 feet, on premises at 1052 W. Wrightwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 25, 1995, 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, Sections 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 August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 50' x 125' lot improved with a 2-story frame single-family dwelling with a 1-story brick garage in the rear and which garage spans the entire width of the lot; that the applicants propose to erect a 2nd story dwelling unit above an existing 1-story brick garage and attached to the rear of the existing 2-story frame single-family dwelling, whose west side yard will be 0.89' and whose east side yard will be 1.03' instead of 5' each, and with no rear yard instead of 30 feet at the subject site; that on April 15, 1994, the Board denied the applicants a similar variation request, finding, in part, that no evidence was presented indicating any hardship or unique circumstances existed; that the evidence presented in this case indicates the following: 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 regulations in this district in that the variations

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requested are necessary to provide a dwelling unit for a senior family member; that the plight of the owner is due to unique circumstances in that the existing 2-story dwelling cannot be expanded vertically due to its frame construction and that the only feasible location for an additional dwelling unit is at the rear and above the existing garage; that many properties in the same block as the subject property are improved with buildings which do not comply with the required yard setbacks and contain a dwelling unit in the rear yard; 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 dwelling unit addition above an existing 1-story brick garage and attached to the rear of an existing 2-story frame single-family dwelling, whose west side yard will be 0.89' and whose east side yard will be 1.03' instead of 5 feet each, and with no rear yard instead of 30 feet, on premises at 1052 W. Wrightwood 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: Jeffery B. Gelman

CAL. NO. 200-95-Z

APPEARANCES FOR:

MAP NO. 7-H

APPEARANCES AGAINST:

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PREMISES AFFECTED- 2429 N. Clybourn Avenue

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

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 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: 1801 N. Diversey LLC

CAL. NO. 201-95-Z

APPEARANCES FOR: William J. Hennessy

MAP NO. 7-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
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PREMISES AFFECTED- 1827-39 W. Diversey Parkway/2767-85 N. Wolcott Avenue

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

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, 1801 W. Diversey LLC, for Menard, Inc., owner, on June 27, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2 and 3-story 20 dwelling unit building addition, with no front yard, no east side yard and no rear yard instead of 15', 20', and 30', respectively and with no provision for one 10' x 25' loading berth, on premises at 1827-39 W. Diversey Parkway/2767-85 N. Wolcott Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 26, 1995, 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, Sections 7.7-4, 7.9-4, 7.11-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on March 23, 1994, the City Council rezoned the subject site from M3-3 Heavy Manufacturing to R4 General Residence specifically for the proposed residential project; that the subject site is a 28,200 sq. ft. unimproved lot; that on August 19, 1994, the Board approved the erection of a 3-story 43-dwelling unit building with garage and courtyard parking and the waiver of one 10' x 25' loading berth, on premises at 1775-1825 W. Diversey Parkway, in Cal. No. 180-94-Z which abuts the subject site to the east; that the applicant proposes to erect, as the second phase of its Diversey Parkway residential development, a 2 and 3-story 20-dwelling unit addition with courtyard entrance, garage parking for each unit and 16 exterior parking spaces 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 erect the 20-dwelling unit building as designed, including open courtyard

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garages and exterior parking spaces; that to erect a mid-rise dwelling unit building conforming to required yard setbacks would prove economically unfeasible; that the proposed development at the site consists of attached single family dwellings and has no need for a 10' x 25' loading berth; that the plight of the owner is due to the design of the development which in order to provide a courtyard entrance and exterior parking necessitates encroachment into required yard setbacks; that the proposed residential development is located in a redeveloping area and will be compatible with existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2 and 3-story 20-dwelling unit building addition, with no front yard, no east side yard and no rear yard instead of 15', 20, and 30' respectively, and with no provision for one 10' x 25' loading berth, on premises at 1827-39 W. Diversey Parkway/2767-85 N. Wolcott Avenue, upon condition that adequate space for garbage dumpsters shall be provided on site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Roy Warner, Jr.

CAL. NO. 202-95-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2502 N. Sheffield Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
OCTOBER 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: Kevin Dermody

CAL. NO. 203-95-Z

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 3-H

APPEARANCES AGAINST: Mary Lou Bakker

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2000-06 W. Potomac Avenue

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

ACTION OF BOARD--

VARIATION 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, Kevin Dermody, for Chicago Title & Trust Co., Tr. No. 1100911, owner, on June 27, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the division of a zoning lot improved with a 2-story 4-dwelling unit townhouse building, with no west side yard instead of 5.5 feet granted by the Board on December 16, 1994 in Cal. No. 270-94-Z; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 21, 1995, 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, Section 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 August 18, 1995 after due notice thereof by publication in the Chicago Sun Times on July 31, 1995; 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 variations to the applicant for the erection of a 2-story 4-dwelling unit townhouse building, whose west side yard will be 5.5' instead of 8.4', whose ease side yard will be 0' instead of 3.99', and whose rear yard will be 16' instead of 30', at the subject site which was the 1st phase of a larger development; that the testimony presented in Cal. No. 270-94-Z is hereby made part of the record in this case; that the applicant now seeks to divide the subject zoning lot improved with the aforesaid 2-story 4-dwelling unit building in order to dedicate the previously granted 5.5' west side yard to the adjoining property at 2008 A-E W. Potomac Avenue (rear) for a proposed 2-story 5-dwelling unit townhouse building to be erected at that 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 of this district in that the variation requested is necessary to provide needed street access for the aforesaid 2-story 5-dwelling unit townhouse building to be erected at 2008 A-E W. Potomac Avenue (rear); that the plight of the owner is due to unique circumstances in that the variation requested is needed in order to obtain a street address for the adjoining property required

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by the City of Chicago Department of Maps and Plats; 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 division of a zoning lot improved with a 2-story 4-dwelling unit townhouse building, with no west side yard instead of 5.5 feet granted by the Board on December 16, 1994 in Cal. No. 270-94-Z, on premises at 2000-06 W. Potomac 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

CAL. NO. 204-95-Z

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 3-H

APPEARANCES AGAINST: Mary Lou Bakker

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PREMISES AFFECTED- 2008 A-E W. Potomac Avenue (rear)

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, Kevin Dermody, for Chicago Title & Trust Co., Tr. No. 1100911, owner, on June 27, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 5-dwelling unit townhouse building, with no side yards and no rear yard instead of 9.45' each and 30' respectively, on premises at 2008-A-E W. Potomac (rear); and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 21, 1995, 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, Sections 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 August 16, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

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

WHEREAS, the Zoning Board of Appeal, 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 variations to the applicant 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, which site abuts the subject site in the instant case to the east; that the testimony presented in Cal. No. 271-94-Z is hereby made part of the record in this case; that on August 18, 1995, the Board granted a variation to the applicant for the division of a zoning lot improved with a 2-story 4-dwelling unit townhouse building with no west side yard instead of 5.5 feet granted by the Board on December 16, 1994, in Cal.No. 270-94-Z, for the purpose of granting 5.5 feet to the subject property; that the applicant proposes to erect in the instant case a 2-story 5-dwelling unit townhouse building at the subject site, with no side yards and no rear yard instead of 9.45' each and 30' respectively; that the subject site is presently an unimproved lot and alley; that the vacation of the abutting alley is scheduled for action by

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Cal.No. 204-95-Z

the City Council on September 13, 1995; 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 5-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the cost of the land and construction of each dwelling unit is \$191,000 and the average sale price of each unit is \$225,000; 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 town homes, 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 5-dwelling unit townhouse building is compatible with the existing improvements in the area many of which do not comply with the yard setback requirements of the zoning ordinance and abuts other buildings in this overall development to the south and east, a 16' public alley to the north and the rear yard of the property to the west and will not impair an adequate supply of light and air to adjoining properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 5-dwelling unit townhouse building, with no side yards and no rear yard instead of 9.45' each and 30' respectively, on premises at 2008 A-E W. Potomac Avenue (rear), upon condition that adequate space shall be provided on site for garbage containers; 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

CAL. NO. 205-95-Z

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 3-H

APPEARANCES AGAINST: Mary Lou Bakker

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 2010 A-D W. Potomac Avenue

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

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
 ANTHONY J. FORNELLI
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION

WHEREAS; Kevin Dermody, for Chicago Title & Trust Co., Tr. No. 1100911, owner, on June 27, 1995, filed 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 front yard will be 6.16' instead of 7.8', with no side yards instead of 7.7' each, and whose rear yard will be 17' instead of 30', on premises at 2010 A-D W. Potomac Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 21, 1995, reads:
 "Application not approved. Requested certification doe not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 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 hearing held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; 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 presently a 77' x 65' unimproved lot and alley; that the vacation of the abutting alley is scheduled for action by the City Council on September 13, 1995; 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 at the subject site would prove economically unfeasible; 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 town homes, 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 many of which do not comply with the yard setback requirements of the zoning ordinance; and that the variations, if granted, will not alter

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

MINUTES OF MEETING

August 18, 1995

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the essential character of the locality nor impair an adequate supply of light and air to adjoining properties, 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 4-dwelling unit townhouse building, whose front yard will be 6.16' instead of 7.8', with no side yards instead of 7.7' each, and whose rear yard will be 17' instead of 30', on premises at 2010 A-D W. Potomac Avenue, upon condition that adequate space shall be provided on site for garbage containers; 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: Karla A. Koulogeorge-Lauer

CAL. NO. 206-95-Z

APPEARANCES FOR:

MAP NO. 17-N

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 6466 N. Sayre Avenue

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

ACTION OF BOARD--

CASE CONTINUED TO
DECEMBER 15, 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: Martha Harris

CAL. NO. 207-95-Z

APPEARANCES FOR:

MAP NO. 22-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 8832 S. Wood Street

August 18, 1995

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
SEPTEMBER 15, 1995.

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: Community Savings Bank, a State Savings Bank

CAL. NO. 208-95-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 9-L

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 4814-24 W. Belmont 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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION;

WHEREAS, Community Savings Bank, a State Savings Bank, for Schadig Corp. Inc., owner, on June 27, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a C1-1 Restricted Commercial District, on premises at 4814-24 W. Belmont Avenue, to serve a bank located at 4801 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 23, 1995, 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, Section 9.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is a 116' x 125' lot improved with a vacant 1-story brick commercial building; that the applicant proposes to demolish the existing 1-story building and establish an off-site accessory parking lot at the subject site; that the proposed use is necessary for the public convenience at this location to provide customer parking for the applicant bank located at 4801 W. Belmont Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed off-site accessory parking lot will help alleviate the heavy street parking in this area where many of the businesses have little or no off-street parking facilities and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 18, 1995

Cal. No. 208-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 4814-24 W. Belmont Avenue, to serve a bank located at 4801 W. Belmont 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 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 wrought iron fencing shall be provided on the north, east and south lot lines, excepting driveways; that striping and lighting shall be provided; that concrete wheel stops shall be provided; that ingress and egress shall be from driveways located on W. Belmont Avenue; that the driveways shall be construction in accordance with applicable ordinances; that there shall be no ingress nor egress via public alleys abutting the site to the north and east; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that the lot shall be securely locked at all times when not in use by the applicant bank; 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: Midwest Bank & Trust Co.

CAL. NO. 209-95-S

APPEARANCES FOR: Stephen Dorfman

MAP NO. 9-O

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 7217 W. Addison Street

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, Midwest Bank & Trust Company, for Itasca Bank & Trust Co., Tr. No. 10590, owner, on June 29, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed bank, in a B4-2 Restricted Service District, on premises at 7217 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 1995, 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, Section 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 August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; 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 131' x 119' lot improved with a 1-story brick business building; that the applicant proposes to establish a drive-through facility in conjunction with a proposed bank at the subject site; that the proposed use is necessary for the public convenience at this location to provide a service necessary in today's banking operations; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed use which will be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the existing business improvements on W. Addison Street 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

MINUTES OF MEETING

August 18, 1005

Cal. No. 209-95-S

authorized to permit the establishment of a drive-through facility in conjunction with a proposed bank, on premises at 7217 W. Addison Street, upon condition that lighted "Stop- Do Not Enter" signs shall be erected at the northeast and northwest exits; that ingress to the drive-through facility shall be from N. Oconto Street via the driveway located in the southwest corner of the site and that the proposed bank drive-in and parking sign at this location shall not be illuminated; that a solid wood fence not less than five nor more than seven feet in height shall be provided along the south property line except for the west 41 feet to screen the facility from adjacent residential improvements; that the lot shall be improved and landscaped as indicated in the site plan presented and identified as applicant's Exhibit #2; 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 in conformance with the conditions and standards hereby established under this order.

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

APPLICANT: Michael C. Johnson

CAL. NO. 210-95-S

APPEARANCES FOR: Steve Gartski

MAP NO. 9-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3635 N.Kedzie Avenue

August 18, 1995

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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Michael C. Johnson, for Irwin Beller & Betty Beller, owner, on July 5, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a Car Wash for hand washing of motor vehicles in a 1-story brick building, in a C1-1 Restricted Commercial District, on premises at 3635 N. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 27, 1995, 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, Section 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 August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is a 100.02' x 125.37' lot improved with a 1-story brick commercial building with two large overhead doors along N. Kedzie Avenue; that the applicant proposes to establish a car wash for the hand washing and detailing of motor vehicles at the subject site; that the proposed use is necessary for the public convenience at this location to provide a necessary service to the public; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable city ordinances; that the proposed use will be compatible with the mixed commercial 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 Car Wash for hand washing of motor vehicles in a 1-story brick building, on premises at 3635 N. Kedzie 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: Church of God in Christ-Prayer Mission

CAL. NO. 211-95-S

APPEARANCES FOR: Samuel Bell

MAP NO. 18-C

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 7739 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, Church of God in Christ-Prayer Mission, owner, on June 16, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 42-seat church in a 2-story brick building, in a C2-2 General Commercial District, on premises at 7739 S. Stony Island Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 7, 1995, 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, Section 9.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C2-2 General Commercial District; that the subject site is a 25' x 108' lot improved with a 2-story brick building in the process of renovation; that the applicant church has been located at the subject site for the past 25 years; that the said use is necessary for the public convenience at this location to continue to serve the members of its congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said use which will comply with all applicable building code regulations; that although the subject church is located in a commercial district, it is directly across an alley from an R4 General Residence District; and that the said 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

MINUTES OF MEETING

August 18, 1995

Cal. No. 211-95-S

authorized to permit the establishment of a 42-seat church in a 2-story brick building, on premises at 7739 S. Stony Island Avenue, upon condition that the church provide the required off-street parking for 3 automobiles at the rear of the lot by demolishing the existing 2-car garage and paving the area; 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: Patrick Hughes

CAL. NO. 212-95-S

APPEARANCES FOR: Laurie A. Taylor

MAP NO. 2-K

APPEARANCES AGAINST: Diane Karat

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 4422 W. Roosevelt Road

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

ACTION OF BOARD--

APPLICATION DENIED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Patrick Hughes, for Patrick Hughes & Shamrock Recycling, Inc., owner, on June 15, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a junk yard, in an M2-2 General Manufacturing District, on premises at 4422 W. Roosevelt Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 1995, 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, Section 10.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 31, 1995; and

WHEREAS, the district maps show that the premises is located in an M2-2 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-2 General Manufacturing District; that the subject site is a 12, 497 sq. ft. lot improved with a 1-story brick building along W. Roosevelt Road and a 1-story brick building at the northeast corner of the site; that the applicant purchased the subject in January, 1994 and is presently operating as an aluminum can recycler; that the applicant proposes to expand the operation to that of a junk yard; that the subject site is located on W. Roosevelt Road, a major thoroughfare; that the applicant stated in his application that the subject property is located on W. Roosevelt Road, a major thoroughfare with regular bus service on it; that the applicant further stated that "according to Section 4-216-060 of the City of Chicago Municipal Code, a junk dealer may not be located on a street with bus service on it"; that no evidence was presented to indicate that the proposed use is necessary for the public convenience at this location, nor that the establishment of a junk yard 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 denied.

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

APPLICANT: David Ito

CAL. NO. 213-95-A

APPEARANCES FOR: David Ito

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2008 W. Concord Place

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

ACTION OF BOARD--

APPEAL SUSTAINED AND THE
DECISION OF THE OFFICE OF THE
ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION;

WHEREAS, David Ito, for David Ito and Karen Ito, owner, on June 22, 1995, filed, and subsequently amended, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 3rd floor addition to an existing 2 ½ story brick non-conforming 2 dwelling unit building, in an M1-2 Restricted Manufacturing District, on premises at 2008 W. Concord Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1995, 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, Section 10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

WHEREAS, the district maps show that the premises is located 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 proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is a 24'x100' lot improved with a 2 ½ story brick 2 dwelling unit building approximately 100 years old and a 2-car garage in the rear; that the appellant seeks to erect a third floor addition to the existing building by removing the existing gable roof, increase the height of the existing side walls and erect a flat roof to provide additional living space for the applicant's duplexed 2nd floor dwelling unit; that the character of the neighborhood is residential although it has been zoned Commercial since 1923 until 1957 when it was zoned M1-2 Restricted Manufacturing; that although the subject site's manufacturing zoning renders the 2 dwelling unit building non-conforming, such residential structure is exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and the proposed addition are well below the permitted floor area ratio for the site; 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

MINUTES OF MEETING

August 18, 1995

Cal. No. 213-95-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a 3rd floor addition with a flat roof to an existing 2 ½ story brick non-conforming 2-dwelling unit building, on premises at 2008 W. Concord Place, 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: Gloria Roldan

CAL. NO. 214-95-A

APPEARANCES FOR: Gloria Roldan

MAP NO. 8-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 928 W. 37th Place

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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Gloria Roldan, owner, on July 6, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 2nd story dormer addition to a 1-story brick non-conforming single-family dwelling, in an M1-2 Restricted Manufacturing District, on premises at 928 W. 37th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 1995, 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, Section 10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

WHEREAS, the district maps show that the premises is located 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 proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is a 25' x 147' lot improved with a 1-story brick single-family dwelling; that the appellant proposes to erect a 2nd floor dormer addition to provide additional bedrooms and bath to meet the needs of her extended family; that the character of the block is residential although it has been zoned Commercial since 1923 until 1957 when it was zoned M1-2 Restricted Manufacturing; that although the subject site's manufacturing zoning renders the single-family dwelling non-conforming, such residential structure is exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and the proposed addition are well below the permitted floor area ratio for the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a 2nd story dormer addition to a 1-story brick single-family dwelling, on premises at 928 W. 37th Place, 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: Javier Velasquez & Mae Velasquez

CAL. NO. 215-95-A

APPEARANCES FOR: None

MAP NO. 10-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 4615 S. Hermitage Avenue

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

ACTION OF BOARD--

APPEAL DISMISSED FOR
WANT OF PROSECUTION.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT:. Rosendo Salazar

CAL. NO. 216-95-A

APPEARANCES FOR: None

MAP NO. 8-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3201-03 S. Pulaski Road

August 18, 1995

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: Alicja Jonik-Bowling

CAL. NO. 217-95-A

APPEARANCES FOR: Alicja Jonik-Bowling

MAP NO. 9-0

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3916 N. Osceola Avenue

August 18, 1995

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

ACTION OF BOARD--

APPEAL WITHDRAWN.

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: Juventino Martin

CAL. NO. 218-95-A

APPEARANCES FOR: Juventino Martin

MAP NO. 1-G

APPEARANCES AGAINST: Jeff Poczatek

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 1223 W. Erie Street

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

ACTION OF BOARD--

APPEAL DENIED AND THE
DECISION OF THE OFFICE OF THE
ZONING ADMINISTRATOR AFFIRMED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Juventino Martin, owner, on July 7, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a recently constructed detached 18' x 39' accessory garage with an enclosed patio on the rear of the lot additionally improved with a 3-story brick 3-dwelling unit building on the front of the lot, which accessory building exceeds the maximum 60% coverage of the required 30 feet rear yard, in an R4 General Residence District, on premises at 1223 W. Erie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 5, 1995, 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, Section 5.6-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises hereby makes the following findings of fact; that the said use is located in an R4 General Residence District; that the subject site is a 3,000 sq. ft. lot improved with a 3-story brick 3-dwelling unit building on the front of the lot and a recently constructed detached 18' x 39' or 702 sq. ft. accessory garage building with an enclosed patio on the rear of the lot; that the accessory building exceeds the maximum 60% coverage of the required 30 feet rear yard; that the patio measures 8' x 18'; that the accessory garage foundation and floor was laid while the appellant was obtaining the required permit; that testimony presented indicates that the appellant did not submit plans showing the enclosed patio; that records of the City of Chicago indicate that the appellant was issued a permit for a 26' x 18' accessory garage building; that the Board finds that the appellant has erected an accessory garage building that exceeds the maximum 60% coverage of the required 30 feet rear yard; and that under Section 5.6-2 of the zoning ordinance has no authority to permit the existing garage building at the subject site; it is therefore

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

MINUTES OF MEETING

August 18, 1995

Cal. No. 218-95-A

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: Tony L. Wakefield

CAL. NO. 219-95-A

APPEARANCES FOR: Tony L. Wakefield

MAP NO. 18-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 7323 S. Halsted 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, Tony L. Wakefield, for Thomas D. Aprile, owner, on July 10, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a non-conforming auto repair shop in a 1-story brick garage building, in a B2-2 Restricted Retail District, on premises at 7323 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 1995, 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, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District in a one story brick garage building; that testimony presented indicates that the subject site has been occupied as an automobile repair shop for the past 30 years; that the rezoning of the site from C1-2 Restricted Commercial to B2-2 Restricted Retail by the City Council on September 26, 1979 made the use at the site non-conforming; 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 permit the establishment of a non-conforming auto repair shop in a 1-story brick garage building, on premises at 7323 S. Halsted Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Stanley Bell

CAL. NO. 220-95-A

APPEARANCES FOR:

MAP NO. 18-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 2701 W. 71st Street

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

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 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: James Parker

CAL. NO. 221-95-A

APPEARANCES FOR: James Parker

MAP NO. 28-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 11325 S. Michigan Avenue

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

ACTION OF BOARD--

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, James Parker, owner, on June 8, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a second-hand dealer license for sale of used furniture in an existing new and used furniture store in a 2-story brick building, in a B3-2 General Retail District, on premises at 11325 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 6, 1995, 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, Section 8.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

WHEREAS, the district map 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 in a 2-story brick building operating as L & J Furniture; that the appellant has been operating at the subject site for the past 9 years selling new and used furniture; that the major part of the business at the site is the sale of new furniture; that the sale of used furniture may be considered an accessory use to the major retail sales activity; 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 approve a second-hand dealer license for the sale of used furniture as an accessory use only in an existing new and used furniture store in a 2-story brick building, on premises at 11325 S. Michigan Avenue, upon condition that all display and sale of furniture shall be within the store building at the subject site; 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: N. Fagin Books

CAL. NO. 222-95-A

APPEARANCES FOR: Nancy L. Fagin

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 1039 W. Grand Avenue

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

ACTION OF BOARD--

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, N. Fagin Books, for James Mancinelli, owner, on June 21, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a second-hand dealer license for an existing new and used book store in a 4-story brick commercial building, in an M2-2 General Manufacturing District, on premises at 1039 W. Grand Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1995, 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, Section 10.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

WHEREAS, the district maps show that the premises is located in a n M2-2 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M2-2 General Manufacturing District; that the subject site is improved with a 4-story brick commercial building with the subject business occupying a ground floor store premises; that the appellant has been located at the subject site since 1988 selling new and used scientific books and monographs; that licensing requirements have cause the case to be filed; that the sale of used books is an accessory use to the sale of new books; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her 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 reversed and he is authorized to approve a second-hand dealer license for an existing new and used book store in a 4-story brick commercial building, on premises at 1039 W. Grand 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: G & S Records, Inc., d/b/a Dr. Wax Records

CAL. NO. 223-95-A

APPEARANCES FOR: David Reifman

MAP NO. 7-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2523 N. Clark Street

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

ACTION OF BOARD--

APPEAL SUSTAINED AND THE
DECISION OF THE OFFICE OF THE
ZONING ADMINISTRATOR REVERSED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, G & S. Records, Inc., d/b/ a Dr. Wax Records, for Margro Realty, owner, on June 28, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a second-hand dealer license for the sale of used records, tapes and compact discs in conjunction with an existing business selling similar new items in a 2-story brick multi-store and apartment building, in a B3-2 General Business District, on premises at 2523 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 16, 1995, 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, Section 8.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B3-2 General Business District; that the subject site is improved with a 2-story brick multi-store and apartment building; that the applicant has been located in the subject building for 7 years and at the subject store for one year; that the applicant primarily sells new compact discs, tapes and records; that the sale of used compact discs, tapes and records may be considered an accessory use to the principal business operation; 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 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 approve a second-hand dealer license for the sale of used records, tapes and compact discs in conjunction with an existing business selling similar new items in a 2-story brick multi-store and apartment building, on premises at 2523 N. Clark Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Francisco Carapia

CAL. NO. 224-95-S

APPEARANCES FOR: Gabriel Garcia

MAP NO. 4-H

APPEARANCES AGAINST: Anthony Sutor

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 1732 W. 19th Street

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

ACTION OF BOARD--

APPEAL DENIED AND THE
DECISION OF THE OFFICE OF THE
ZONING ADMINISTRATOR AFFIRMED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Francisco Carapia, owner, on June 28, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand dealer in a 1-story brick non-conforming store building, in an R4 General Residence District, on premises at 1732 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 27, 1995, 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, Section 7.3-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is improved with a vacant one-story brick commercial building and a garage in the rear; that the appellant has owned the building for one month; that the subject non-conforming building was previously occupied by a tavern which ceased operation approximately 10 years ago; that the store premises was subsequently converted to a dwelling unit, a permitted use in the R4 General Residence District; that second-hand stores are first permitted in a B4 Restricted Service Districts; that the Zoning Board of Appeals, under Sections 6.4-5 and 6.4-7 of the zoning ordinance, has no authority to permit the establishment of a non-conforming use in a non-conforming building once that building or premises has been occupied by a use permitted under the district's zoning classification; 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: Irene Rodriguez

CAL. NO. 225-95-A

APPEARANCES FOR: Irene Rodriguez

MAP NO. 6-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2901 W. 25th Street

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

ACTION OF BOARD--

APPEAL DENIED AND THE
DECISION OF THE OFFICE OF THE
ZONING ADMINISTRATOR AFFIRMED.

THE VOTE

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Irene Rodriguez, for Masedonia Segura, owner, on June 20, 1995, filed, and subsequently amended, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a general merchandise store in a 1-story brick non-conforming store building, in an R4 General Residence District, on premises at 2901 W. 25th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 19, 1995, 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, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 1-story brick non-conforming store building; that the subject premises was previously occupied by a tavern; that the appellant seeks to establish a general merchandise store, a B2 use, in the subject non-conforming store building; that testimony presented indicates that the prior tavern use ceased operation more than a year ago; that Section 6.4-5 of the zoning ordinance states that "A building, structure or portion thereof, all of substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use regulations of the district in which it is located."; that the Zoning Board of Appeals has no authority, under Section 6.4-5 of the zoning ordinance, to permit the establishment of the use requested at the subject site; it is therefore

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

MINUTES OF MEETING

August 18, 1995

Cal. No. 225-95-A

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: Debra D. Watson

CAL. NO. 226-95-A

APPEARANCES FOR: Debra D. Watson

MAP NO. 22-D

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 9158 S. Greenwood 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, Debra D. Watson, for Ozzie L. Watson, owner, on June 20, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery/candy store in a 2-story brick non-conforming store and apartment building, in an R3 General Residence District, on premises at 9158 S. Greenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 14, 1995, 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, Section 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 August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeal, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick non-conforming store and apartment building; that the subject store premises has been previously occupied by business uses, the last use have been a variety store, which use ceased in 1993; that the appellant's mother, who owns the premises, has tried on several occasions to rent the subject store premises but as that she has been unsuccessful in these attempts, decided that family members would try operating a business at the site; that the appellant seeks to operate a grocery/candy and school supplies store at the premises; that the change of use from a variety store to a grocery/candy and school supplies store is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

MINUTES OF MEETING

August 18, 1995

Cal. No. 226-95-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery/candy and school supplies store in a 2-story brick non-conforming store and apartment building, on premises at 9158 S. Greenwood Avenue, upon condition that the hours of operation shall be limited to the hours between 7:00 A.M. to 7:00 P.M., daily; that no alcoholic beverages shall be sold on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Panagiota Gavaris, Polyzoos Gavaris, Georgia Gavaris

CAL. NO. 227-95-A

APPEARANCES FOR: Polyzoos Gavaris, Georgia Gavaris

MAP NO. 13-I

APPEARANCES AGAINST: Andrew Pavlatos

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 5217-21 N. California 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, Panagiota Gavaris, Polyzoos N. Gavaris & Georgia Gavaris, owner, on July 10, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery/delicatessen store in a 1-story brick non-conforming store building, in an R3 General Residence District, on premises at 5217-21 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 20, 1995, 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, Section 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 August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 1-story non-conforming store building containing a vacant store at 5219-21 and an operating medical office at 5217 N. California Avenue; that testimony presented indicates that the subject store at 5217 N. California was previously occupied by a drug store, which use ceased operation 3 years ago; that the appellant seeks to establish a grocery/delicatessen store, a use first permitted in a B1 zoning District, in the subject store premises; that Article 6.4-5 of the zoning ordinance states that "A building, structure or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use regulations of the district in which it is located."; that the Zoning Board of Appeals has no authority under Section 6.4-5 of the zoning ordinance in this case to permit the establishment of the use requested; it is therefore

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

MINUTES OF MEETING

August 18, 1995

Cal. No. 227-95-A

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: Gabriel Garcia

CAL. NO. 228-95-A

APPEARANCES FOR: Gabriel Garcia

MAP NO. 12-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 1445 W. 48th 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, Gabriel Garcia, owner, on June 28, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 2-story brick non-conforming store and apartment building, in an R3 General Residence District, on premises at 1445 W.48th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 26, 1995, 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, Section 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 August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick non-conforming store and apartment building; that the appellant, who is the owner of the subject premises, testified that the subject premises was originally built as a funeral home on the ground floor and apartments above; that the ground floor contains two store fronts, one that has been converted to apartments and the other, the subject store in this case, was previously occupied by a church, a permitted use in the district; that the appellant now seeks to establish a beauty salon business in the store previously occupied by the church; that the ground floor business use has been converted to permitted residential uses; that under Section 7.3-3 of the zoning ordinance, the Board has no authority to permit the re-establishment of any business use at the subject site; 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: Iris B. Burgos

CAL. NO. 229-95-A

APPEARANCES FOR: Iris B. Burgos

MAP NO. 7-1

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 18, 1995

PREMISES AFFECTED- 3101 W. Diversey 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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE			X
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Iris B. Burgos, owner, on July 3, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 2-story brick non-conforming store and apartment building, in an R3 General Residence District, on premises at 3101 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1, 1995, 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, Section 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 August 18, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick non-conforming store and apartment building; that the subject non-conforming store has been occupied by a beauty salon for the past 50 years; that the appellants purchased the building at the subject site one year ago with the beauty shop equipment in place; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellants has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 2-story brick non-conforming store and apartment building, on premises at 3101 W. Diversey Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: American Jewelers, Inc.

CAL. NO. 148-95-S

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 962 W. Belmont Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.		X	
GIGI McCABE-MIELE			X
THOMAS S. MOORE		X	

THE RESOLUTION:

WHEREAS, American Jewelers, Inc., for Maywood Proviso Bank, Trust No. 4289, owner, on April 20, 1995, filed application for the approval of the location and the establishment of a pawn shop in a 1-story brick store building, in a B4-2 Restricted Service District, on premises at 962 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 20, 1995, 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, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on May 30, 1995; 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 located in a 1-story brick multi-store building; that the applicant has a lease for the corner store and adjoining store, which are presently vacant; that on March 18, 1994, the Board denied the applicant's special use application for the approval of the location and the establishment of a pawn shop in the double store premises of the building at the subject site at 962-64 W. Belmont Avenue, in Cal. No. 58-94-S; that the applicant filed for Administrative Review in the Circuit Court of Cook County, 94 CH 4677, on May 23, 1994; that on April 5, 1995 the Circuit Court upheld the Board's decision in Cal. No. 58-94-S; that in the instant case the applicant now proposes to move his existing pawnshop located at 946 W. Belmont Avenue to the subject site in the 962 W. Belmont Avenue store and will sublet the corner store; that the subject site is located within 150 feet of its 946 W. Belmont Avenue location; that the Board finds in this case that no substantial new evidence was presented to indicate that the proposed use is necessary for the public convenience at the subject site nor that the public health, safety and welfare will be adequately protected in the design, location and operation

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

APPLICANT: Quality Jewelry & Loan Co., Inc.

CAL. NO. 164-95-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 3-H

APPEARANCES AGAINST: Hon. Jesse D. Granato, et al.

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 2001 W. North Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

JOSEPH J. SPINGOLA
ANTHONY J. FORNELLI
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
	X	
	X	X
	X	

THE RESOLUTION:

WHEREAS, Quality Jewelry & Loan Co., Inc., for Devon Bank & Trust Co. Tr. No. 1788, owner, on May 16, 1995, 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 3-story brick building, in a B4-2 Restricted Service District, on premises at 2001 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 5, 1995, 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, Section 8.4-4(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

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

WHEREAS, absent Member McCabe-Miele subsequently reviewed the transcript of the proceedings in this case; 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 3-story brick store and apartment building; that on October 18, 1991 the Board approved the establishment of a pawn shop in a 1-story brick building at 2007 W. North Avenue next door to the subject premises; that the testimony presented in Cal. No. 227-91-S is hereby made part of the record in this case; that the applicant proposes to establish a pawn shop business at the subject site of which 80 to 90% of the proposed business activity is to be the retail sale of jewelry and that 90% of the loan business will deal with jewelry; that no testimony was presented to indicate that the proposed use is necessary for the public convenience at the subject site; that testimony presented by community opposition indicates that there are 10 jewelry stores and 4 resale shops within a 5 block area on N. Milwaukee Avenue which diagonally abuts the subject site; that no evidence was presented to indicate that the establishment of the

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

MINUTES OF MEETING

August 18, 1995

Cal. No. 164-95-S

proposed use at the subject site would not be injurious to the value of other property in the neighborhood; and that the proposed use 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: Patricia Thomas

CAL. NO. 151-95-S

APPEARANCES FOR:

MAP NO. 1-1

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 33 N. Kedzie Avenue

August 18, 1995

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

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 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: Tabernacle #1 God's Church of Holiness in Christ, Inc.

CAL. NO. 153-95-Z

APPEARANCES FOR: Fred Sentman

MAP NO. 26-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1151 W. 103rd Street

August 18, 1995

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, Tabernacle #1 God's Church of Holiness in Christ, Inc., owner, on May 18, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2nd story addition and a 2 story rear addition to a 1-story church building, whose front yard will be 4.16 feet instead of 20 feet, with no west side yard instead of 12 feet, and whose rear yard will be 6.83 feet instead of 30 feet, on premises at 1151 W. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 1995, 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, Sections 7.7-3, 7.8-3, 7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on May 30, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 1-story brick building occupied by the applicant church and an improved on-site parking lot to the east; that the applicant proposes to erect a 2nd story addition and a 2-story rear addition to the existing church building; that the property in question cannot yield a reasonable return nor be put to a 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 erect additions to meet the needs of the growing church congregation; that the plight of the owner is due to the lack of adequate space in the existing 1-story building for church services and activities; that the proposed additions will not impair an adequate supply of light and air to adjacent properties and will be compatible with existing improvements in the area; and that the variations if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 18, 1995

Cal. No. 153-95-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 2nd story addition and a 2-story rear addition to a 1-story church building, whose front yard will be 4.16 feet instead of 20 feet, with no west side yard instead of 12 feet, and whose rear yard will be 6.83 feet instead of 30 feet, on premises at 1151 W. 103rd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: William Gurtz

CAL. NO. 154-95-S

APPEARANCES FOR: John J. Pikarski

MAP NO. 10-G

APPEARANCES AGAINST: H. Joshua Chaet

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 3920 S. Loomis Street

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, William Gurtz, for Michael Vanek, d/b/a Vanek Brothers Trucking Co., owner, on May 1, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an auto salvage junk yard on an approximately 6 acres site, in an M3-5 Heavy Manufacturing District, on premises at 3920 S. Loomis Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 14, 1995, 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, Section 10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 18, 1995 after due notice thereof by publication in the Chicago Sun-Times on May 30, 1995; and

WHEREAS, the district maps show that the premises is located in an M3-5 Heavy 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 proposed use is to be located in a M3-5 Heavy Manufacturing District; that the subject site is an approximately 6 acres fenced parcel of land along the Pershing Road overpass; that the applicant proposes to establish an auto junk salvage yard which will handle newer model automobiles; that the automobiles will be brought to the site by trucks entering by a driveway near the building on the western boundary of the site; that the automobiles will be dismantled inside the building and all liquids will be drained from the vehicle; that the automobile skeleton will remain in the yard area for approximately 90 days until sold for shredding; that the applicant will employ 15-20 persons; that the hours of operation will be from 8 A.M to 5 P.M. on weekdays and from 8 A.M. to 4 P.M. on Saturdays; that there is sufficient space on the site for all truck maneuvering; that the proposed use is necessary for the public convenience at the subject site to provide a necessary service in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be operated in compliance with the requirements of the City of Chicago Department of Environment, the Illinois and United States Environmental Protection

MINUTES OF MEETING

August 18, 1995

Cal. No. 154-95-S

Agencies; that the said use shall be operated in compliance with the performance standards established under Article 10 of the zoning ordinance for the M3 District; that the subject site is located in an area which was been zoned Manufacturing since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance and is compatible with the existing railroad and manufacturing improvements in the area; 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 an auto salvage junk yard on an approximately 6 acres site, on premises at 3920 S. Loomis Street, upon condition that no hazardous liquids shall be stored on site; that the hours of operation shall be limited to the hours between 8 A.M. and 5 P.M. Monday through Friday and from 8 A.M. to 4 P.M. Saturday; that the proposed use shall be operated in compliance with the requirements of the City of Chicago Department of Environment, the Illinois and United States Environmental Protection Agencies and in compliance with the performance standards established under Article 10 of the zoning ordinance for the M3 District; 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: Virtuous Adolescent Home

CAL. NO. 156-95-S

APPEARANCES FOR:

MAP NO. 24-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 9523 S.Wentworth Avenue

August 18, 1995

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

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 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		

MINUTES OF MEETING

August 18, 1995

Cal. No. 24-94-Z

Carl Radtke, for Christian Fellowship Free Church, owner, presented a written request for a further extension of time to obtain necessary permits for the erection of a 2-story with basement addition to a 1-story with basement church building whose front yard will be 0.01' instead of 20', whose south side yard will be 5.0' instead of 12' required and to allow an increase in the floor area ratio to .85 instead of the .7 floor area ratio permitted, on premises at 3421 N. Damen Avenue, granted by the Board on February 18, 1994, in Cal. No. 24-94-Z, and for which extensions of time were granted by the Board on July 15, 1994 and February 17, 1995.

Mr. Radtke stated that the plan examination is complete except for the ventilation and refrigeration approval stating that the heating units specified on the drawings must be changed from residential type to commercial type. The mechanical contractor has filed a work order with Commonwealth Edison Co. to determine if the church can obtain 3-phase 230V power for the commercial units. The church is presently waiting for Commonwealth Edison's reply and will then re-submit the construction drawings for ventilation and refrigeration approval.

Chairman Spingola moved that the request be granted and the time be extended to February 18, 1996 in which to obtain the necessary permits. The motion prevailed by yeas and nays as follows:

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

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

MINUTES OF MEETING

August 18, 1995

Cal. No. 130-94-S

John J. Pikarski, Jr., for Angelo Pagni, applicant, presented a written request for an extension of time in which to make the necessary improvements to an off-site accessory parking lot for the parking of private passenger automobiles on premises at 4463-71 W. Irving Park Road to serve a restaurant at 4441 W. Irving Park Road and other neighborhood businesses, approved by the Zoning Board of Appeals on May 20, 1994, in Cal. No. 130-94-S.

Mr. Pikarski stated that the applicant has been unable, to date, to do those things necessary, as enumerated in the aforesaid resolution, to use the site in question as an accessory parking lot, but feels that within the next several months the use will commence.

Chairman Spingola moved that the request be granted and the time be extended to May 20, 1996 in order to make the necessary improvements to aforesaid off-site parking lot at 4463-71 W. Irving Park Road. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: BBI Enterprises, Inc. d/b/a Top Shelf

CAL. NO. 303-93-S

APPEARANCES FOR: Reed Lee

MAP NO. I-F

APPEARANCES AGAINST: Joseph Potasiak

MINUTES OF MEETING:
August 18, 1995

PREMISES AFFECTED- 660 N. Orleans Street

SUBJECT-- Remand of the Circuit Court.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 20, 1995, WITH
PROCEDURAL DIRECTION.

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		

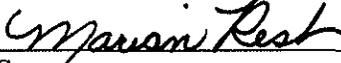
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

August 18, 1995

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on September 15, 1995.


Secretary