

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

held in Room 569 County Building, on Friday, December 15, 1995
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

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

MINUTES OF MEETING

December 15, 1995

Member Moore moved that the Board approve the minutes of the proceedings of the regular meeting held on November 17, 1995 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele and Moore. Nays- None.

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

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

APPLICANT: R & F Development, Inc. **CAL. NO.** 348-95-Z
APPEARANCES FOR: Bernard I. Citron, Patrick FitzGerald **MAP NO.**
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 4700 N. Hermitage Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION;

WHEREAS, R & F Development, Inc., for Midtown Bank & Trust, Tr. #1996, owner, on November 7, 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 with basement single-family dwelling on a reversed corner lot, whose front yard will be 6.75' instead of 13.59' and whose south side yard will be 3' instead of 5.52', and the erection of a 20' x 20' detached rear garage whose north side yard will be 1.5' instead of 3', on premises at 4700 N. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, Sections 7.7-4, 7.8-4(1)(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 13, 1995, the City Council rezoned the subject site from R3 to R4 General Residence to permit the proposed 2-story with basement single-family dwelling and a 20' x 20' detached rear garage; that the subject site is an unimproved 30.67' x 112.63' reversed corner lot and is part of a proposed 5 separate single-family residences development; 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 a private drive at the rear of the site for access to the proposed garage appropriates usable living space on the site which necessitates the yard variations requested; that the plight of the owner is due to the shallow depth of the subject site and the need to preserve some landscaping on the W. Leland Avenue and N. Hermitage frontages of this reversed corner lot; that the proposed 2-story with basement single-family dwelling will be compatible with existing residential improvements on N. Hermitage Avenue and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 348-95-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 2-story with basement single-family dwelling on a reversed corner lot, whose front yard will be 6.75' instead of 13.50' and whose south side yard will be 3' instead of 5.52', and the erection of a 20' x 20' detached rear garage whose north side yard will be 1.5' instead of 3', on premises at 4700 N. Hermitage Avenue, upon condition that adequate space shall be provided in the proposed rear garage for garbage containers; that an easement providing for the private driveway shall be duly recorded with the Recorder of Deeds of Cook County before a driveway permit is issued: 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: R & F Development, Inc. **CAL. NO.** 349-95-Z
APPEARANCES FOR: Bernard I. Citron, Patrick FitzGerald **MAP NO.** 11-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 4704 N. Hermitage Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, R & F Development, Inc., for Midtown Bank & Trust, Tr. #1996, on November 7, 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 with basement single-family dwelling whose front yard will be 6.75' instead of 13.59', and the erection of a 20' x 20' detached rear garage whose south side yard will be 1.5' instead of 3', on premises at 4707 N. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, Sections 7.7-4, 7.8-4(1)."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 13, 1995, the City Council rezoned the subject property from R3 to R4 General Residence to permit the erection of the proposed 2-story with basement single-family dwelling and a 20' x 20' detached rear garage; that the subject site is a 30.67' x 112.63' unimproved lot and is part of a proposed 5 separate single-family residences development; 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 a private drive at the rear of the site for access to the proposed garage appropriates usable living space on the site which necessitates the yard variations requested; that the plight of the owner is due to the shallow depth of the subject lot and the need to preserve some landscaping on the N. Hermitage Avenue frontage; that the proposed 2-story with basement single-family dwelling will be compatible with existing residential improvements on N. Hermitage Avenue and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 349-95-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 2-story with basement single-family dwelling whose front yard will be 6.75' instead of 13.59', and the erection of a 20' x 20' detached rear garage whose south side yard will be 1.5' instead of 3', on premises at 4707 N. Hermitage Avenue, upon condition that adequate space shall be provided in the proposed rear garage for garbage containers; that an easement providing for the private driveway shall be duly recorded with the Recorder of Deeds of Cook County before a driveway permit is issued; 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: R & F Development, Inc. **CAL. NO.** 350-95-Z
APPEARANCES FOR: Bernard I. Citron, Patrick FitzGerald **MAP NO.** 11-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 4706 N. Hermitage Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, R & F Development, Inc., for Midtown Bank & Trust, Tr. #1996, on November 7, 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 with basement single-family dwelling whose front yard will be 6.75' instead of 13.59', and the erection of a 20' x 20' detached rear garage whose north side yard will be 1.5' instead of 3', on premises at 4706 N. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, Sections 7.7-4, 7.8-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 13, 1995, the City Council rezoned the subject site from R3 to R4 General Residence to permit the proposed 2-story with basement single-family dwelling and a 20' x 20' detached rear garage; that the subject site is an unimproved 30.67' x 112.63' lot and is part of a proposed 5 separate single-family residences development; 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 a private drive at the rear of the site for access to the proposed garage appropriates usable living space on this site which necessitates the yard variations requested; that the plight of the owner is due to the shallow depth of the subject lot and the need to preserve some landscaping on the N. Hermitage Avenue frontage; that the proposed 2-story with basement single-family dwelling will be compatible with existing residential improvements on N. Hermitage Avenue and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 350-95-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 2-story with basement single-family dwelling whose front yard will be 6.75' instead of 13.59', and the erection of a 20' x 20' detached rear garage whose north side yard will be 1.5' instead of 3', on premises at 4706 N. Hermitage Avenue, upon condition that adequate space shall be provided in the proposed rear garage for garbage containers; that an easement providing for the private driveway shall be duly recorded with the Recorder of Deeds of Cook County before a driveway permit is issued; 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: R & F Development, Inc. **CAL. NO.** 351-95-Z
APPEARANCES FOR: Bernard I. Citron, Patrick FitzGerald **MAP NO.** 11-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 1756 W. Leland Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, R & F Development, Inc., for Midtown Bank & Trust, Tr. #1996, owner, on November 7, 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 with basement single-family dwelling whose front yard will be 2.81' instead of 11.04', on premises at 1756 W. Leland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 7.7-4, 7.8-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 13, 1995, the City Council rezoned the subject site from R3 to R4 General Residence to permit the proposed 2-story with basement single-family dwelling; that the applicant also proposes to erect a detached garage at the rear of the site which is a permitted accessory building under the zoning ordinance; that the subject site is a 25' x 92' unimproved lot and is part of a proposed 5 separate single-family residences development; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front yard variation requested is necessary to provide adequate living space in the proposed single-family dwelling as designed; that the plight of the owner is due to the shallow depth of the subject lot which necessitates encroachment into the required front yard; that the proposed single-family dwelling will be compatible with existing residential improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 351-95-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 2-story with basement single-family dwelling whose front yard will be 2.91' instead of 11.04', on premises at 1756 W. Leland Avenue, upon condition that adequate space shall be provided in the detached rear garage 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: R & F Development, Inc. **CAL. NO.** 352-95-Z
APPEARANCES FOR: Bernard I. Citron, Patrick FitzGerald **MAP NO.** 11-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 1758 W. Leland Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, R & F Development, Inc., for Midtown Bank & Trust, Tr. #1996, owner, on November 7, 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 with basement single-family dwelling whose front yard will be 2.81' instead of 11.04' and with no west side yard instead of 2.56', and to permit the existing 24' x 31' garage on the rear of the lot with no east side yard instead of 2.56', on premises at 1758 W. Leland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 7/7-4, 7.8-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 13, 1995, the City Council rezoned the subject site from R3 to R4 General Residence to permit the proposed 2-story with basement single-family dwelling; that the subject site is 25' x 92' lot improved with a 1 and 2 1/2 story frame and brick vacated single-family dwelling and a 3-car brick garage in the rear; that the subject site is part of a proposed 5 separate single-family residences development; that the applicant proposes to demolish the existing 1 and 2 1/2 story residential building on the subject site and retain the existing garage; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front and west side yard variations requested are necessary to provide adequate living space in the proposed single-family dwelling as designed and to allow for a landscaped area between the proposed residence and a proposed similar residence on the abutting lot to the east; that the plight of the owner is due the shallow depth of the subject lot and that the existing 3-car garage in the rear of the lot is located in the required east side yard; that the proposed single-family dwelling is compatible with existing residential improvements

MINUTES OF MEETING

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Cal. No. 352-95-Z

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

RESOLVED. 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 with basement single-family dwelling whose front yard will be 2.81' instead of 11.04' and with no west side yard instead of 2.56', and to permit the existing 24' x 31' garage on the rear of the lot with no east side yard instead of 2.56', on premises at 1758 W. Leland Avenue, upon condition garbage containers shall be kept in the existing garage prior to collection; 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: Robert Mosky **CAL. NO.** 353-95-Z
APPEARANCES FOR: Bernard I. Citron, Robert Mosky **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 2843 N. Lincoln Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Robert Mosky, owner, on October 25, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 23-condominium dwelling unit building, with no front yard instead of 15 feet, with no side yards instead of 12.5 feet each, and whose rear yard will be 2' instead of 30', on premises at 2843 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 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 7.7-5, 7.8-5, 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 8, 1995, the City Council rezoned the subject site from C1-2 Restricted Commercial to R5 General Residence to permit the proposed 4-story 23-condominium dwelling unit building; that the subject site is a 125' x 125' unimproved lot; that the applicant proposes to erect a 4-story 23-condominium dwelling unit building with a 38-space interior underground parking garage; that on November 30, 1995 the applicant entered into a Declaration of Restrictive Covenant with the community; 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 without the requested front, rear and side yard variations it would be economically and architecturally unfeasible to construct the 4-story 23-condominium dwelling unit building as designed; that the plight of the owner is due to unique circumstances in that conformance with the yard setbacks required under the zoning ordinance would negatively affect 80% of the proposed 23 condominium dwelling units by making the project economically unfeasible; that adequate light and air to adjacent properties will not be impaired by the proposed residential development which is compatible with the mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential

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December 15, 1995

Cal. No. 353-95-Z

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 4-story 23 condominium dwelling unit building, with no front yard instead of 15 feet, with no side yards instead of 12.5 feet each, and whose rear yard will be 2 feet instead of 30 feet, on premises at 2843 N. Lincoln Avenue, upon condition that 38 interior underground parking spaces shall be provided in the proposed building; that the proposed building shall be built in substantial conformance with the Plans submitted and attached to the Declaration of Restrictive Covenant and identified as Ivy Lane General Floor Plans dated November 20, 1995 prepared by Fred Frank Architects; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Dr. Alphonse Curatolo

CAL. NO. 354-95-Z

APPEARANCES FOR: Dr. Alphonse Curatolo

MAP NO. 13-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5525 N. Virginia Avenue

December 15, 1995

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 16, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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: John A. Horwath **CAL. NO.** 355-95-Z

APPEARANCES FOR: John A. Horwath, Steven Horwath **MAP NO.** 13-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 2600 W. Carmen Avenue December 15, 1995

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, John A. Horwath, for Albany Bank & Trust Co., Tr. #11-3008, owner, on October 31, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of an attic dormer and change of the roof pitch of a 3 ½ story frame 2-dwelling unit building, whose east side yard will be 3.6' and whose west side yard will be 0.79' instead of 7.4' each, and which dormer and roof pitch change will result in a 7.2% (247 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2600 W. Carmen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 22, 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 7.6-3, 7.8-3(2), 11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 3 ½ story frame 2-dwelling unit residential building and a 2-car garage in the rear; that the building was building in 1900 and has been in the applicant's family since 1920; that the applicant's uncle took over the building in the 1940's and lived in it until his death, after which the applicant inherited it; that the applicant testified that the building was a 2 dwelling unit building at the time of his uncle's death; that the applicant seeks to erect an attic dormer and repair and change the pitch of the roof in order to increase headroom and create a more efficient use of the existing attic space; that the applicant testified that he does not live in the subject building; that his son, who is the architect of the remodeling project, will purchase the building when the remodeling is complete and will live in one unit and rent out the other dwelling unit; that no evidence was presented to indicate that the applicant cannot obtain a reasonable return on the subject property under the conditions allowed by the regulations in the district in which it is located; that the plight

MINUTES OF MEETING
December 15, 1995
Cal. No. 355-95-Z

of the owner is not due to unique circumstances but merely a desire to make more money from the property; it is therefore

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

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

APPLICANT: The Karaly Group, Ltd.

CAL. NO. 356-95-S

APPEARANCES FOR: Robert Buono

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1703-09 N. Clybourn Avenue

December 15, 1995

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

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Karaly Group, Ltd., for John McEnery, owner, on October 27, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in a proposed 4-story 9-dwelling unit building, in a B2-2 Restricted Retail District, on premises at 1703-09 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 8.3-2, 8.6-2, 8.7-2.a"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on May 2, 1995, the City Council rezoned the subject site from Restricted Manufacturing to B2-2 Restricted Retail to permit the establishment of dwelling units on the ground floor in a proposed 4-story 9-condominium dwelling unit building to be erected at the subject site; that the subject site is a 75' x 100' unimproved lot abutting C.T.A. elevated railroad tracks to the north; that the proposed use is necessary for the public convenience at this location in that there is a demand for condominium dwelling units in this mixed business and residential area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide 15 on-site parking spaces and which will comply with all applicable building code regulations; that the proposed 4-story 9-condominium dwelling unit building with dwelling units on the ground floor will be compatible with existing improvements in the area which contain both business uses and dwelling units; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 356-95-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 dwelling units on the ground floor in a proposed 4-story 9-dwelling unit building, on premises at 1703-09 N. Clybourn 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: The Karaly Group, Ltd.

CAL. NO. 357-95-Z

APPEARANCES FOR: Robert Buono

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1703-09 N.. Clybourn Avenue

December 15, 1995

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, The Karaly Group, Ltd., for John McEnery, owner, on October 27, 1995, filed an application for a variation of the zoning ordinance to permit, in a B2-2 Restricted Retail District, the erection of a 4-story 9-dwelling unit building, with no front yard instead of 12 feet, with no side yards instead of 7.5 feet each, whose rear yard will be 18 feet instead of 30 feet, and whose lot area is 7,500 sq.ft. instead of 8,100 sq.ft. required, on premises at 1703-09 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 8.3-2, 8.6-2, 8.7-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that on December 15, 1995, the Board approved the establishment of dwelling units on the ground floor in a proposed 4-story 9-dwelling unit building at the subject site, in Cal. No. 356-95-S; that the subject site is a 75' x 100' unimproved lot which abuts C.T.A. elevated tracks to the north; 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 and reduction of the minimum lot area per dwelling unit requirement are necessary because strict adherence to the aforesaid requirements would greatly reduce the feasibility of constructing residential units on the property; that the plight of the owner is due to unique circumstances in that the shallow depth of the subject lot and its proximity to C.T.A. elevated tracks necessitates the variations requested in order to construct livable dwelling units; that the proposed 9-dwelling unit building will be compatible with the mixed business and residential improvements in the area,

MINUTES OF MEETING

December 15, 1995

Cal. No. 357-95-Z

many of which do not conform with the yard setback requirements of the zoning ordinance and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story 9 dwelling unit building, with no front yard instead of 12 feet, with no side yards instead of 7.5 feet each, whose rear yard will be 18 feet instead of 30 feet, and whose lot area is 7,500 sq.ft. instead of 8,100 sq.ft. required, on premises at 1703-09 N. Clybourn Avenue, upon condition that adequate space shall be provided on the first floor of the proposed building 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: Lewis Kostiner **CAL. NO.** 358-95-S
APPEARANCES FOR: Gary I. Wigoda, Lewis Kostiner **MAP NO.** 1-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 17 N. Loomis Street
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Lewis Kostiner, owner, on October 30, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in the conversion of a 4-story brick former factory building to 42 dwelling units, in a B4-4 Restricted Service District, on premises at 17 N. Loomis Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 Section 8.3-4A(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1995; and

WHEREAS, the district maps show that the premises is located in a B4-4 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 B4-4 Restricted Service District; that on October 2, 1995, the City Council rezoned the subject site from C3-3 Commercial-Manufacturing to B4-4 Restricted Service specifically for the proposed conversion of an existing 4-story brick former factory building to 42 dwelling units; that the subject site is improved with a 4-story brick former factory building undergoing renovation; that the applicant is seeking approval for the establishment of dwelling units below the 2nd floor in the conversion of the aforesaid building to dwelling units; that the proposed use is necessary for the public convenience at this location in that there is little demand for retail business uses in the area and a continuing demand for residential improvements; that the public health, safety and welfare will be adequately protected in the design and location of the proposed residential development which will have on-site garage parking for 20 automobiles and additional off-site accessory parking at One N. Loomis Street, as provided for in companion application 359-95-S and that all applicable building code regulations will be complied with in the conversion of the former factory building at the subject site; that the area in which

MINUTES OF MEETING

December 15, 1995

Cal. No. 358-95-S

the subject site is located is undergoing gentrification and that the proposed 42 dwelling unit building will be compatible with the existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor in the conversion of a 4-story brick former factory building to 42 dwelling units, on premises at 17 N. Loomis Street, upon condition that adequate space shall be provided in the basement parking garage area for garbage containers; that additional required off-street parking shall be located at One N. Loomis Street as provided for in companion application 359-95-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Lewis Kostiner

CAL. NO. 359-95-S

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

December 15, 1995

PREMISES AFFECTED- One N. Loomis Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Lewis Kostiner, owner, on October 30, 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 69 private passenger automobiles, in a B4-4 Restricted Service District, on premises at One N. Loomis Street, to fulfill the parking requirement for 42 dwelling units to be established in a 4-story brick building at 17 N. Loomis Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, Section 8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1995; and

WHEREAS, the district maps show that the premises is located in a B4-4 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 B4-4 Restricted Service District; that on December 15, 1995, the Zoning Board of Appeals approved the establishment of dwelling units below the 2nd floor in the conversion of a 4-story brick former factory building to 42 dwelling units with on-site garage parking for 20 automobiles on premises at 17 N. Loomis Street, in Cal. No. 358-95-S; that the subject site is a 115.9' x 190.4' unimproved lot located directly south of the proposed residential development across a public alley; that the applicant proposes to establish a 69 space off-site accessory parking lot at the subject site of which 22 spaces are required to fulfill the parking requirement for the 42 dwelling units to be established at 17 N. Loomis Street; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for 42 dwelling units to be established at 17 N. Loomis Street and to provide additional voluntary off-site accessory parking; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed off-site accessory parking lot will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the

MINUTES OF MEETING

December 15, 1995

Cal. No. 359-95-S

neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 69 private passenger automobiles, on premises at One N. Loomis Street, of which 22 spaces are required to fulfill the parking requirement for 42 dwelling units to be established in a 4-story brick building at 17 N. Loomis Street, 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 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, property graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway by 6 feet high steel chain link fencing; that lighting and striping shall be provided; that ingress and egress shall be via the public alley provided the applicant obtains a waiver from the City Council of the alley barrier regulation; that an appropriate security gate shall be provided at the entryway of the parking lot; that all applicable ordinances of the Chicago Landscape Ordinance shall be complied with; that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and that a true and complete copy of this resolution shall be recorded against the title of the subject site property in the office of the Cook County Recorder of Deeds in order to insure that the 22 parking spaces required for the 42 dwelling units at 17 N. Loomis Street are available at all times as required under Section 5.8-5 of the zoning ordinance.

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

APPLICANT: John Mullins **CAL. NO.** 360-95-S

APPEARANCES FOR: John J. Pikarski, Jr., John Mullins **MAP NO.** 5-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 2039-43 W. Webster Avenue December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, John Mullins, for State Bank of Countryside, Tr. #94-1405, owner, on November 6, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in a proposed 3-story 4-dwelling unit townhouse building, in a B4-2 Restricted Service District, on premises at 2039-43 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 72' x 76'3' unimproved lot; that the applicant is seeking approval for dwelling units on the ground floor of a proposed 3-story 4-townhouse dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential uses, particularly townhouse dwelling units, in the Bucktown area of the city; that the public health, safety and welfare will be adequately protected in the design and location of the proposed development which will provide on-site parking garages; that the proposed development will be compatible with the predominantly residential character of the area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 360-95-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 dwelling units on the ground floor in a proposed 3-story 4-dwelling unit townhouse building, on premises at 2039-43 W. Webster 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: John Mullins **CAL. NO.** 361-95-Z
APPEARANCES FOR: John J. Pikarski, Jr., John Mullins **MAP NO.** 5-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 2039-43 W. Webster Avenue
SUBJECT- .Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, John Mullins, for State Bank of Countyside, Tr. #94-1405, owner, on November 6, 1995, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 4-dwelling unit townhouse building, whose side yards will be 3.66' each instead of 7.2' each and whose rear yard will be 16.9' instead of 30', on premises at 2039-43 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 8.3-4, 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 on December 15, 1995, the Zoning Board of Appeals approved the establishment of dwelling units on the ground floor in a proposed 3-story 4-dwelling unit townhouse building at the subject site, in Cal. No. 360-95-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 4-dwelling unit townhouses at the subject site would prove economically unfeasible; that the plight of the owner is due to the shallow depth of the subject lot and that the proposed 4-dwelling unit townhouse building requires greater land coverage with encroachment into the required side yards that would a yard conforming multi-story rental apartment building; that the proposed 4-dwelling unit townhouse building is compatible with the existing improvements in this predominantly residential 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 the essential character of the locality; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 361-95-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 3-story 4-dwelling unit townhouse building, whose side yards will be 3.66' each instead of 7.2' each and whose rear yard will be 16.9' instead of 30', on premises at 2039-43 W. Webster 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: The Congregation of Meditation Quan Am of Chicago, Inc. **CAL. NO.** 362-95-S

APPEARANCES FOR:

MAP NO. 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

December 15, 1995

PREMISES AFFECTED- 5545 N. Broadway

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 16, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

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: Lorraine Woods

CAL. NO. 363-95-S

APPEARANCES FOR:

MAP NO. 20-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1441 W. 79th Street

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 16, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

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: Sword of the Spirit Ministries, Inc. **CAL. NO.** 364-95-S
APPEARANCES FOR: Fred M. Caplan **MAP NO.** 16-E
APPEARANCES AGAINST:
PREMISES AFFECTED- 6637-43 S. Dr. Martin Luther King, Jr. Drive
SUBJECT- Application for the approval of a special use.

MINUTES OF MEETING:
December 15, 1995

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, Sword of the Spirit Ministries, Inc., owner, on October 31, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 240-seat church in a 1-story brick building, in a C1-2 Restricted Commercial District, on premises at 6636-43 S. Dr. Martin Luther King, Jr. Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 9.3-1, 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 December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a 1 and 2-story brick building occupied by the applicant church; that the church has been located at the subject site since 1988; that the said use is necessary for the public convenience at this location to continue to serve the needs of its congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will provide adequate off-street parking to be located in an existing parking lot at 408 E. Marquette Road in companion application 365-95-S; that the said church, located directly west of a residential neighborhood, is compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 240-seat church in 1-story brick building, on premises at 6637-43 S. Dr. Martin Luther King, Jr. Drive, upon condition that off-site accessory parking shall be located in an existing parking lot at 408 E. Marquette Road, as provided for in companion application 365-95-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sword of the Spirit Ministries, Inc.

CAL. NO. 365-95-S

APPEARANCES FOR: Fred M. Caplan

MAP NO. 16-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
December 15, 1995

PREMISES AFFECTED- 408 E. Marquette Road

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Sword of the Spirit Ministries, Inc., for Williams Clinic, Ltd., owner, on October 31, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of 22 parking spaces in an existing parking lot for the use as off-site accessory parking, in a C1-2 Restricted Commercial District, on premises at 408 E. Marquette Road, to satisfy the parking requirement for a 240-seat church located at 6637-43 S. Dr. Martin Luther King, Jr. Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 9.3-1, 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 December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that on December 15, 1995, the Board approved a special use application by the applicant for the establishment of a 240-seat church at 6637-43 S. Dr. Martin Luther King, Jr. Drive, in Calendar No. 364-95-S; that the subject site is an existing parking lot for Williams Medical Clinic; that the applicant has entered into a lease with the Clinic for the use of 22 parking spaces on Wednesday evenings and Sundays, the days of the church's activities; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the 240-seat church located at 6637-43 S. Dr. Martin Luther King, Jr. Drive; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site parking spaces leased to the applicant for a period commencing November 30, 1995 until October 31, 2015; that the use of 22 parking spaces by the applicant church on Wednesday evenings and Sundays when not in use by the medical clinic is compatible with its existing use as a parking lot and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 365-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of 22 parking spaces in an existing parking lot for use as off-site accessory parking, on premises at 408 E. Marquette Road, to satisfy the parking requirement for a 240-seat church at 6637-43 S. Dr. Martin Luther King, Jr. Drive, upon condition that the 22 leased parking spaces shall be maintained and operated in conformance with Section 5.8-5 of the zoning ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Evangelistic Crusaders Church

CAL. NO. 366-95-S

APPEARANCES FOR: Ira I. Silverstein

MAP NO. 22-E

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 9046 S. Cottage Grove Avenue

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Evangelistic Crusaders Church, owner, on November 8, 1995, filed an application for a special use under the zoning ordinance for the approval of the expansion of an existing church (approved by the Board on 4/23/76 in Calendar No. 78-76-S) by the erection of a 2-story 50' x 125' addition to the south side, in a B4-2 Restricted Service District, on premises at 9046 S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 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 8.3-4, 11.10-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 improved with a 1 ½ story church building; that on April 23, 1976, the Board approved the establishment of a church in a 1-story brick building at the subject site; that the testimony presented in Cal. No. 78-76-S is hereby made part of the record in this case; that the applicant seeks to expand the existing church by the erection of a 2-story 50' x 125' addition to the south side; that the proposed use is necessary for the public convenience at this location to provide offices and meeting rooms to serve the congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed addition which will comply with all applicable building code regulations; that the proposed addition located on the south side of the existing church building will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 366-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of an existing church by the erection of a 2-story 50' x 125' addition to the south side, on premises at 9046 S. Cottage Grove Avenue, upon condition that landscaping shall be installed consistent with the landscape plan dated July 26, 1995 and approved by the Bureau of Forestry on October 10, 1995; that off-site parking for 38 private passenger automobiles shall be located at 9027 S. Cottage Grove Avenue as provided for in application No. 367-95-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Evangelistic Crusaders Church

CAL. NO. 367-95-S

APPEARANCES FOR: Ira I. Silverstein

MAP NO. 22-D

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 9027 S. Cottage Grove Avenue

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Evangelistic Crusaders Church, owner, on November 8, 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 38 private passenger automobiles, in a B4-1 Restricted Service District, on premises at 9027 S. Cottage Grove Avenue, to fulfill the parking requirement for a church and proposed addition located at 9046 S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 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 8.11-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that on December 15, 1995, the Board approved the expansion of the existing applicant church by the erection of a 2-story 50' x 125' addition to the south side, on premises at 9046 S. Cottage Grove Avenue in Cal. No. 366-95-S; that the applicant proposes to establish an off-site accessory parking lot for 38 private passenger automobiles at the subject site to provide for required off-street parking spaces displaced by the proposed 2-story addition; that the proposed use is necessary for the public convenience at the subject site to satisfy the parking requirement for the church and the proposed addition located at 9046 S. Cottage Grove Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 367-95-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 38 private passenger automobiles, on premises at 9027 S. Cottage Grove Avenue, to fulfill the parking requirement for a church and proposed addition located at 9046 S. Cottage Grove Avenue, upon condition that no use shall be made 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 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that wrought-iron fencing shall be provided on the east and west lot lines, excepting the driveway; that lighting and striping shall be provided; that ingress and egress shall be from S. Cottage Grove Avenue; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the lot shall be securely locked at all times when not in use by the applicant church; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: New Zion Grove Baptist Church

CAL. NO. 368-95-S

APPEARANCES FOR: Valda Staton

MAP NO. 16-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1930 W. 64th Street

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, New Zion Grove Baptist Church, owner, on October 20, 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 private passenger automobiles, in an R3 General Residence District, on premises at 1930 W. 64th Street, to serve a church located at 1900 W. 64th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 18, 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 7.4-1, 7.12-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 an 11,750 sq.ft. lot located on the northeast corner of the intersection of W. 64th Street and S. Winchester Avenue across a public alley to the west of the applicant church and is improved with a playground area and a parking area; that the proposed parking lot is necessary for the public convenience at this location to provide off-street parking for the applicant church located at 1900 W. 64th Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed off-site parking lot will help alleviate on-street parking congestion in the area, particularly on Sundays, and with fencing and landscaping will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for private passenger automobiles, on premises

MINUTES OF MEETING

December 15, 1995

Cal. No. 368-95-S

at 1930 W. 64th Street, to serve a church located at 1900 W. 64th Street, 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 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that wrought-iron fencing shall be provided on the south lot line, excepting the driveway and on the east and west lot lines; that a 5 to 7 feet high solid wood fence shall be provided on the north lot line to screen the parking facility from abutting residential property; that ingress and egress shall be from W. 64th Street; that the driveway shall be constructed in accordance with applicable ordinances; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the lot shall be securely locked when not in use by the applicant church; that landscaping shall be provided as indicated on the site plan dated October 18, 1995; 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: Vanderwood Realty

CAL. NO. 369-95-S

APPEARANCES FOR: Sheila Beary

MAP NO. I-K

APPEARANCES AGAINST:

MINUTES OF MEETING:

December 15, 1995

PREMISES AFFECTED- 440-42 N. Kilbourn Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Vanderwood Realty, owner, on October 19, 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 private passenger automobiles, in an M2-2 General Manufacturing District, on premises at 440-42 N. Kilbourn Avenue, to serve a beer distributorship located at 441 N. Kilbourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, Section 10.16-2.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 44,662 sq.ft. lot currently in use as a parking lot; that the proposed use is necessary for the public convenience at this location to provide secured parking for customers and employees of Chicago Beverage, Inc., who is an affiliate of the applicant and operates a beer distributorship located at 441 N. Kilbourn Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the manufacturing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED; that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the established of an off-site accessory parking lot for private passenger automobiles, on premises at

MINUTES OF MEETING

December 15, 1995

Cal. No. 369-95-S

440-42 N. Kilbourn Avenue, to serve a beer distributorship located at 441 N. Kilbourn Avenue, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a macadam base, not less than 4 inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway, with new 6 feet high chain link fencing; that lighting shall be provided; that striping shall be provided; that ingress and egress shall be from N. Kilbourn Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that an appropriate security gate shall be provided and that the parking lot shall be securely locked at all times when not in use by the applicant; that landscaping shall be provided as indicated on the landscape plan dated September 11, 1995; 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: A. Jay Gallagher

CAL. NO. 370-95-S

APPEARANCES FOR: Steven J. Fink

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 4032-36 N. Kenmore Avenue

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, A. Jay Gallagher, for Chrysalis, LLC, owner, on November 3, 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 18 private passenger automobiles, in an R4 General Residence District, on premises at 4032-36 N. Kenmore Avenue, to serve owners of condominiums located at 4003-09 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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' by 110.6' unimproved lot abutting C.T.A. elevated tracks to the west; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to provide voluntary off-street parking spaces to serve the owners of condominiums located at 4003-09 N. Kenmore Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot will help alleviate on-street parking congestion in the area and with fencing and landscaping will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 18 private passenger automobiles, on premises

MINUTES OF MEETING

December 15, 1995

Cal. No. 370-95-S

at 4032-36 N. Kenmore Avenue, to serve owners of condominiums located at 4003-09 N. Kenmore 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 belonging to owners of condominiums located at 4003-09 N. Kenmore Avenue and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that 5' to 7' high solid wood privacy fencing shall be provided on the north and south lot lines as indicated in the site plan submitted, dated September 15, 1995; that striping shall be provided; that security lighting shall be provided directed away from abutting residential properties; that ingress and egress shall be determined by the Department of Transportation, Bureau of Inspection; that the driveway(s) shall be constructed in accordance with applicable ordinances; that an appropriate security gate system shall be provided; that landscaping shall be provided as indicated on the landscape plan dated September 15, 1995 and approved by the Bureau of Forestry on September 19, 1995; 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: Shred-All Recycling Systems, Inc.

CAL. NO. 371-95-S

APPEARANCES FOR: John J. George

MAP NO. 10-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 4242 S. Racine Avenue

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, Shred-All Recycling Systems, Inc., for Fred B. Barbara, owner, on October 27, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of an adjoining waste transfer station (approved by the Board on May 16, 1986-Cal. No. 102-86-S) by the use of a 1 and 2-story brick building for the purpose of salvaging recyclable materials from solid waste, in an M3-5 Heavy Manufacturing District, on premises at 4242 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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, Section 10.4-2(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 the proposed use is to be located in an M3-5 Heavy Manufacturing District; that the subject site is a 24,075 sq.ft. lot improved with a 1 and 2-story brick building and is located just east of an existing waste transfer station; that on May 16, 1986 the Board approved the establishment of said waste transfer and recycling facility, on premises at 1231 W. 42nd street, in Cal. No. 102-86-S; that the applicant seeks to expand the existing approved waste transfer station by the use of a 1 and 2-story brick building at the subject site for the purpose of salvaging recyclable materials from solid waste; that waste material will be transported from the adjoining waste transfer station into the existing 1 and 2-story brick building on the subject premises by conveyor; that after sorting, the remaining waste will be conveyed back to the transfer station for transport to final disposal; that the following exhibits submitted are hereby made part of the record in this case: Exhibit 3- Environmental Impact Study of 4242 S. Racine Avenue by Bert Fowler, Exhibit 7-Traffic Impact Study by Rolf Kilian, Exhibit 9-Zoning Analysis/Valuation by George Baker; that the proposed use is necessary for the public convenience at this location in that it is an expansion of an existing adjoining

MINUTES OF MEETING

December 15, 1995

Cal. No. 371-95-S

waste transfer facility and will serve to reduce waste removal otherwise being transported to area landfills; that the public health, safety and welfare will be protected in the design, location and operation of the proposed use which will comply with all applicable regulations of the federal and state environmental protection agencies and the City of Chicago Department of Environment; that the proposed expansion of an adjoining waste transfer station by the use of an existing 1 and 2-story brick building for salvaging recyclable materials from solid waste conforms to the nature of the surrounding industrial land uses and will not cause substantial injury to the value of other property; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is hereby authorized to permit the expansion of an adjoining waste transfer station (approved by the Board on May 16, 1986-Cal. No. 102-86-S) by the use of a 1 and 2-story brick building for the purpose of salvaging recyclable materials from solid waste, on premises at 4242 S. Racine Avenue, upon condition that all applicable regulations of the federal, state environmental protection agencies and the City of Chicago Department of Environment shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Shred-All Recycling Systems, Inc.

CAL. NO. 372-95-S

APPEARANCES FOR: John J. George

MAP NO. 10-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1230 W. 42nd Street

December 15, 1995

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Shred-All Recycling Systems, Inc., for Eugene Kohn, owner, on October 27, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transfer station in conjunction with the recycling of construction/demolition materials and tires, in an M3-5 Heavy Manufacturing District, on premises at 1230 W. 42nd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 the proposed use is to be located in an M3-5 Heavy Manufacturing District; that subject site is a 44,935 sq.ft. unimproved lot known as "Parcel 4" and is located approximately 100 feet west and directly north of a waste transfer station operated by the applicant; that the applicant proposes to utilize the subject site as a transfer station for the recycling of asphaltic pavement, brick and concrete from demolition sites within the City and the shredding of tires; that these materials presently pass through the applicant's solid waste transfer station which adjoins the subject site and is located at 1231 W. 42nd Street; that at the subject site the materials will be moistened, screened and taken to an off-site crushing facility; that on October 5, 1995, a permit was granted to the applicant by the City of Chicago Department of Environment to operate the proposed transfer station facility on the subject site as referenced on the Plat of Survey, dated August 15, 1995; that the following exhibits submitted are hereby made part of the record in this case: Exhibit A-Environmental Impact Study of 1230 W. 42nd Street by Bert Fowler, Exhibit 7-Traffic Impact Study by Rolf Kilian, Exhibit 9-Zoning Analysis/Valuation by George Baker; that the proposed use is necessary for

MINUTES OF MEETING

December 15, 1995

Cal. No. 372-95-S

the public convenience at this location in that the proposed use of the site for the recycling of construction/demolition materials and the shredding of tires is an expansion of related recycling activities which serves to reduce waste removal being transported to area landfills and will also help in the elimination of fly dumping in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable regulations of federal and state environmental protection agencies and with the City of Chicago Department of Environment; that the proposed use conforms with the nature of surrounding industrial land uses 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 transfer station in conjunction with the recycling of construction/demolition materials and tires, on premises at 1230 W. 42nd Street, upon condition that all applicable regulations of federal and state environmental protection agencies and the City of Chicago Department of Environment shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Community Counseling Centers of Chicago

CAL. NO. 373-95-A

APPEARANCES FOR:

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
December 15, 1995

PREMISES AFFECTED- 1447 W. Montrose Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MARCH 15, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE NEGATIVE ABSENT

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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: Jose Riesco

CAL. NO. 374-95-A

APPEARANCES FOR: Jose Riesco

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 543 N. Noble Street

December 15, 1995

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MARCH 15, 1996.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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: Maria Hurtado

CAL. NO. 375-95-A

APPEARANCES FOR: Maria Hurtado

MAP NO. 5-K

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1622 N. Keystone Avenue

December 15, 1995

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

ACTION OF BOARD---

THE VOTE

CASE CONTINUED TO
FEBRUARY 16, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Jose Capistran

CAL. NO. 376-95-A

APPEARANCES FOR: Jose Capistran

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5546 W. Parker Avenue

December 15, 1995

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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jose Capistran, owner, on November 6, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1-story frame building as 2 dwelling units, in an R3 General Residence District, on premises at 5546 W. Parker Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 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 said use is located in an R3 General Residence District; that the subject site is improved with a 1 story with basement frame residential building and a 2-car garage in the rear of the lot; that the appellant testified that the 1-story frame residential building at the subject site contained four dwelling units two years ago at the time of purchase and that a rear coach house dwelling unit had been converted to a garage; that the appellant deconverted the four dwelling units in the subject building into two dwelling units - a first floor dwelling unit and a basement dwelling unit; that the appellant testified that he does not live at the subject site but that the building is occupied by relatives; that records of the City of Chicago indicate that as of March 27, 1954 there was a dwelling unit on the first floor of the subject building and a dwelling unit in the building on the rear of the lot and that there was no garage on the site; that no evidence was presented to indicate that the subject 1-story building was occupied by two dwelling units prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that under Section 7.5-3 of the zoning ordinance, the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Richard Smith

CAL. NO. 377-95-A

APPEARANCES FOR:

MAP NO. 18-D

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 7610 S. Avalon Avenue

December 15, 1995

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 16, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Donna M. Johnson **CAL. NO.** 378-95-A
APPEARANCES FOR: Donna M. Johnson **MAP NO.** 12-E
APPEARANCES AGAINST: **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 616 E. 50th 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Donna M. Johnson, for David Gratton, owner, on November 1, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store and deli in a 1-story brick non-conforming multi-store building, in an R5 General Residence District, on premises at 616 E. 50th Street; and

WHEREAS, the decision of the office of the Zoning Administrator rendered October 30, 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 7.3-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 1-story brick non-conforming multi-store building; that on September 16, 1994 the Board sustained an appeal by Josephine McCoy-Jones (the appellant's grandmother) permitting the establishment of a variety/candy store as an expansion of an existing beauty shop also operated by Ms. McCoy-Jones in a store in the subject building, addressed as 618 E. 50th Street; that the appellant testified that she has been managing the variety shop for her grandmother and now seeks to move the variety/candy store activity to neighboring premises in the same one-story brick non-conforming store building at 616 E. 50th Street and to add retail sale of fruits, vegetables, deli and grocery items; that the subject store premises was previously occupied by a barber shop; that the change of use from a barber shop, a B1 use to a grocery and deli, a B1 use, is a proper substitution of use under Section 6.4-7 of the zoning ordinance; 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 grocery store and deli in a 1-story brick

MINUTES OF MEETING

December 15, 1995

Cal. No. 378-95-A

non-conforming multi-store building, on premises at 616 E. 50th Street, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 6 P.M., daily; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold 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: Billy H. Ricks

CAL. NO. 379-95-A

APPEARANCES FOR: None

MAP NO. 18-E

APPEARANCES AGAINST:

MINUTES OF MEETING:

December 15, 1995

PREMISES AFFECTED- 7556 S. Champlain Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL DISMISSED FOR
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

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: Stanislaw and Malgorzata Gusiak **CAL. NO.** 380-95-Z
APPEARANCES FOR: Mark J. Kupiec, Stanislaw Gusiak **MAP NO.** 12-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 5302 S. Mozart Street December 15, 1995
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Stanislaw and Malgorzata Gusiak, owners, on November 8, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 10.65' x 11.05' addition to the front of a 1 ½ story frame single-family dwelling, whose front yard will be 2.5 feet instead of 20 feet, on premises at 5302 S. Mozart Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 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 7.7-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 said use is located in an R3 General Residence District; that the subject site is a 30' x 125' lot improved with a 1 ½ story frame single-family dwelling; that the applicant purchased the subject property in 1984; that in 1991 the applicant was informed of code violations regarding the existing front porch; that the applicant subsequently enclosed the front porch as a protection from inclement weather; that in 1991 the applicant's father-in-law came to live with the applicant and used the basement as living quarters; that the applicant constructed a front entry to the basement but did not finish the basement dwelling unit due to the death of his father-in-law in 1991; 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 1-story 10.65' x 11.05' entry way is necessary for entry into the storage area that is located under the front porch; that the plight of the owner is due to the existing entry way being located in the required 20 feet front yard; that the said addition will not impair an adequate supply of light and air to adjacent properties and that the variation, if granted, will not substantially alter the essential character of the locality; it is therefore

MINUTES OF MEETING

December 15, 1995

Cal. No. 380-95-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 1-story 10.65' x 11.05' addition to the front of a 1 ½ story frame single-family dwelling, whose front yard will be 2.5 feet instead of 20 feet, on premises at 5302 S. Mozart Street, upon condition that no dwelling unit shall be established in the basement of the subject building; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: E-Z Pawn Shop, Inc. **CAL. NO.** 381-95-S
APPEARANCES FOR: Michael J. Wilson, A.J. Baba **MAP NO.** 12-G
APPEARANCES AGAINST: Robert Foster, Jr. **MINUTES OF MEETING:**
December 15, 1995
PREMISES AFFECTED- 5019 S. Ashland Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, E-Z Pawn Shop, Inc., for Random Corp., owner, on October 19, 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 1-story brick building, in a B4-2 Restricted Service District, on premises at 5019 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 15, 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 December 15, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 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 improved with a vacant 1-story brick store building; that the applicant proposes to establish a pawn shop at the subject site; that the proposed use is necessary for the public convenience at this location to provide a service for residents of the neighboring residential community; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed pawn shop which will comply with all state and city ordinances governing the establishment and operation of pawn shops; that reports of all items taken in for loans are filed daily with the district police commander; that the use of the subject premises for a pawn shop will be an improvement of a dilapidated building in this block of S. Ashland Avenue which contains many vacant store premises 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

December 15, 1995

Cal. No. 381-95-S

authorized to permit the establishment of a pawn shop in a 1-story brick building, on premises at 5019 S. Ashland Avenue, upon condition that all applicable state and city ordinances governing the establishment of pawn shops shall be complied with; that reports of all items taken in for loans shall be filed daily with the district police commander; 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: Ravenswood Disposal Service, Inc.

CAL. NO. 60-94-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 1-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

December 15, 1995

PREMISES AFFECTED- Area bounded by: W. Fulton St., N. Talman Ave., W. Lake St., and N. Washtenaw Ave., known as 200-70 N. Talman Avenue.

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Sorieda J. Derrick

CAL. NO. 165-95-Z

APPEARANCES FOR: None

MAP NO. 34-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
December 15, 1995

PREMISES AFFECTED- 314 E. 138th Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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: Roy Warner, Jr.

CAL. NO. 202-95-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2502 N. Sheffield Avenue

December 15, 1995

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Karla Ann Koulogeorge-Lauer

CAL. NO. 206-95-Z

APPEARANCES FOR:

MAP NO. 17-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
December 15, 1995

PREMISES AFFECTED- 6466 N. Sayre Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Thomas & Caren Casa **CAL. NO.** 312-95-Z
APPEARANCES FOR: Wallace Moy, Thomas Casa **MAP NO.** 8-F
APPEARANCES AGAINST: Valarie Beesley **MINUTES OF MEETING:**
PREMISES AFFECTED- 3421 S. Union Avenue October 20, 1995 and
December 15, 1995
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
	X	

THE RESOLUTION:

WHEREAS, Thomas & Caren Casa, owner, on September 8, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a recently constructed 2-story 20.8' x 60' single-family dwelling on a 25' x 125' lot, whose front yard is 8.73' instead of 10' and whose south side yard ranges from 1.24' at the front of the building down to 0.94' at the rear of the building instead of 1'4" pursuant to granted Exception; on premises at 3421 S. Union Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 30, 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(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on October 20, 1995 and December 15, 1995, after due notice thereof by publication in the Chicago Sun-Times on October 2, 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 said use is located in an R3 General Residence District; that the subject site is a 25' x 125' lot improved with a recently constructed 2-story 20.8' x 60' single family dwelling with some interior and exterior work to be completed; that the applicant was granted an Exception, No. 95-106-ZE, by the Office of the Zoning Administrator, reducing the front yard requirement from 20' to 10' and the south side yard requirement from 2.5' to 1'4"; that a permit was issued and construction of the said single-family dwelling commenced approximately April 17, 1995; that the framing of the foundation of the proposed single-family dwelling was supervised by the architect when the boxing of the foundation walls was put in place by the contractor; that both the architect and contractor approved the foundation location prior to pouring of the concrete; that subsequently a survey was made of the location of the improvements on the lot which revealed that the front wall of the foundation was 8.73' or 8 feet 8-3/4 inches from the front lot line and the south wall ranged from 1.24' or 1 foot 2-7/8 inches at the front down to 0.94' or 11-1/4 inches at the rear from

MINUTES OF MEETING

December 15, 1995

Cal. No. 312-95-Z

the south lot line which led to the building being constructed 1 foot 3-3/4 inches nearer to the front lot line and 1-1/8 inches at the front down to 4-3/4 inches at the rear nearer to the south lot line than what was approved by the Exception; 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 correct this existing condition so as to conform to the zoning requirements would necessitate moving the existing foundation and walls which would cause extensive structural damage to the single-family dwelling and be cost prohibitive; that the plight of the owner is due to unique circumstances in that the applicant relied upon the expertise of the architect and the contractor, both of whom were cognizant of the Exception granted, but that due to errors by the architect and/or contractor the foundation and walls were poured and constructed wrongly, going beyond the yards allowed by the Exception; that the existing 2-story with basement single-family dwelling is compatible with the existing mixed residential improvements in the area, many of which do not conform with the front and side yard setback requirements of the zoning ordinance and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a recently constructed 2-story 20.8' x 60' single-family dwelling on a 25' x 125' lot, whose front yard is 8.73' instead of 10' and whose south side yard ranges from 1.24' at the front of the building down to 0.94' at the rear of the building instead of 1'4" pursuant to granted Exception, on premises at 3421 S. Union 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: BBI Enterprises, Inc. d/b/a Top Shelf

CAL. NO. 303-93-S

APPEARANCES FOR: Reed Lee

MAP NO.

APPEARANCES AGAINST:

MINUTES OF MEETING:
December 15, 1995

PREMISES AFFECTED- 660 N. Orleans Street

SUBJECT- Remand of the Circuit Court in BBI Enterprises, Inc. v. Zoning Board of Appeals, et al., No. 93 CH100018.

ACTION OF BOARD--

THE VOTE

MATTER DISMISSED IN THE
CIRCUIT COURT ON DECEMBER 1,
1995, THEREBY RENDERING THE
COURT'S REMAND ORDER MOOT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

MINUTES OF MEETING

December 15, 1995

Cal. No. 291-95-Z

Shelley J. Orbach, for Tom and Mary Sajdak, applicant, presented a written request for an amendment to the resolution in Cal. No. 291-95-Z which granted the erection of a 2-story and basement addition of which the 1st story and basement will be 7' x 21.08' and the 2nd story will be 14' x 21.08' to the rear of a 1 ½ story and basement frame 2-dwelling unit building, whose north side yard will be 1.95' and whose south side yard will be 2.85' instead of 6.2' each and which addition will result in a 15% (442 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 4146 N. Bell Avenue, which variations were granted by the Zoning Board of Appeals on October 20, 1995.

Mr. Orbach stated that the resolution granting a requested variation at 4146 N. Bell Avenue correctly states the proposed addition as being 21.08' in width, but incorrectly states the proposed side yards as being 1.95' and 2.85'. Mr. Orbach further stated that these side yards should be 1.5' and 2.42' respectively, and that the total width of the lot is 25.0'.

Chairman Spingola stated that the side yards granted by the Board in Cal. No. 291-95-Z are in agreement with the side yards stated in the Zoning Department's written denial but that the plans filed with the case show that the north side yard is 1.45' and the south side yard is 2.38'. The Chairman then moved that resolution 291-95-Z be amended to provide for a north side yard of 1.45' and a south side yard of 2.38' as reflected in the plans submitted with the case. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 15, 1995

Cal. No.142-95-Z

David A. Grossberg, for Bejco Development Corporation, applicant, submitted a written request for an extension of time in which to obtain necessary building permits for the erection of a 3-story 3-dwelling unit townhouse condominium building, whose west front yard will be 6.5 feet instead of 13.15 feet, whose north side yard will be 2 feet instead of 3.1 feet, and with no east rear yard instead of 30 feet, on premises at 1605 N. Sedgwick Street and 340 W. North Avenue, which variations were granted by the Zoning Board of Appeals on June 16, 1995.

Mr.Grossberg stated that the subject property is owned by the City of Chicago and the negotiation of the Redevelopment Agreement has taken longer than anticipated by either of the parties. The applicant expects to have the Redevelopment Agreement finalized within the next few weeks and anticipates an acquisition closing on the property and the obtaining of a building permit during the next six months.

Chairman Spingola moved that the request for an extension of time be granted and the time extended to June 16, 1996 in which to obtain necessary building permits. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

December 15, 1995

Cal. No. 353-94-S

Gregory A. Papiernik, for Greer's Residential Center, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the establishment of a 16-bed transitional residence primarily for pregnant teens who are wards of the state in a proposed 2-story building, on premises at 8038-42 S. Western Avenue, approved by the Zoning Board of Appeals, on December 16, 1994, in Cal. No. 353-94-S.

Mr. Papiernik stated that the applicant has received loan commitment funds for this project from Harris Bank and the Illinois Facilities Fund, subject to the issuance of building permits. An application for a building permit is pending and construction will begin as soon as the permit is issued.

Chairman Spingola moved that the request for an extension of time be granted and the time for obtaining necessary building permits be extended to December 16, 1996. The motion prevailed by yeas and nays as follows:

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

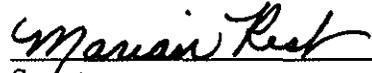
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

December 15, 1995

Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on January 19, 1996.


Secretary