

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

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held in Room 569 County Building, on Friday, April 19, 1996  
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**

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Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on March 15, 1996 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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

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

**APPLICANT:** Hopewell 13th Street M.B. Church **CAL. NO.** 38-96-S

**APPEARANCES FOR:** Norman A. Cohen **MAP NO.** 2-H

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 2306-10 W. Harrison 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, Hopewell 13th Street M.B. Church, owner, on December 15, 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 on the ground floor of an existing 2-story brick building, in a C1-3 Restricted Commercial District; on premises at 2306-10 W. Harrison Street; 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 9.3-1, 9.11-2(1)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C1-3 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 C1-3 Restricted Commercial District; that the subject site is a 300' x 125' lot currently improved with a 2-story brick store and apartment building and a 2-story brick former business building, and two fenced paved parking areas; that the applicant church has been located at 2322-24 W. Harrison Street since 1970 and now seeks to relocate to the 2-story brick business building at the subject site and use its former premises as a fellowship hall; that the proposed use is necessary for the public convenience at this location in that the growth of the congregation and church activities requires larger facilities; that the public health, safety and welfare will be adequately protected in the design and location of the proposed church which will comply with all applicable building code regulations and that the on-site parking areas will be improved and operated under the conditions hereinafter set forth; that the applicant church has been located on this block of W. Harrison Street for 26 years and that the establishment of the church at the subject site will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator authorized to permit the establishment of a 240-seat church on the ground floor of an existing 2-story brick building, premises at 2306-10 W. Harrison Street, upon condition that the parking areas located east and west of the proposed church building shall used solely for the parking of private passenger automobiles only; that the parking areas shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the parking lots which shall be connected by drainage tiles to an established City of Chicago sewer; that chain link fencing shall be provided on the west, east and south lot lines excepting the driveway of the 7-car parking lot located west of the proposed church building; that chain link fencing shall be provided on the north, east and south property lines excepting the driveway of the 13-car parking lot abutting the proposed church building to the east; that striping shall be provided; that lighting shall be provided in the parking lot west of the church building which is directed away from abutting residential property to the west; that ingress and egress shall be from W. Harrison Street; that the alley abutting the parking lots to the north shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; that the lots shall be securely locked when not in use by the applicant church; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the parking areas continually in conformance with the provisions and standards hereby established under this order.

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

**APPLICANT:** Urbanscape, Inc. **CAL. NO.** 42-96-Z  
**APPEARANCES FOR:** Gary I. Wigoda **MAP NO.** 5-H  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
 April 19, 1996  
**PREMISES AFFECTED-** 1832-44 N. Wilmot Avenue  
**SUBJECT-** Application to vary the requirements of the zoning ordinance.  
**ACTION OF BOARD--**

**VARIATIONS GRANTED.**

**THE VOTE**

	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, Urbanscape, Inc., owner, on January 5, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 7-dwelling unit townhouse building, whose front yard will be 8' instead of 12', whose north side yard will be 6' and whose south side yard will be 3' instead of 13' each, and to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1832-44 N. Wilmot Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1996, 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 5.6-2, 7.7-4, 7.8-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; 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 M1-2 Restricted Manufacturing to R4 General Residence specifically for the proposed residential development; that the subject site is a 130' x 100' zoning lot and is part of a parcel of land that has been divided into three zoning lots and is currently improved with a 2-story brick manufacturing building; that the applicant proposes to demolish the existing manufacturing building and erect a 2-story 7-dwelling unit townhouse building and seeks to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum; 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 requested 7-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed 2-story 7-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the side yards than would a yard conforming multi-story rental apartment building; that the front yard variation requested is necessary due to the design

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of the proposed 2-story 7-dwelling unit townhouse building which provides staggered front bays; that it is necessary to occupy 70% of the required rear yard in order to provide on-site parking on this zoning lot which is only 100 feet deep; that the proposed 2-story 7-dwelling unit townhouse building will be compatible with the existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 7-dwelling unit townhouse building whose front yard will be 8' instead of 12', whose north side yard will be 6' and whose south side yard will be 3' instead of 13' each, and to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1832-44 N. Wilmot 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:** Urbanscape, Inc. **CAL. NO.** 43-96-Z  
**APPEARANCES FOR:** Gary I. Wigoda **MAP NO.** 5-H  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 1846-60 N. Wilmot Avenue  
**SUBJECT-** Application to vary the requirements of the zoning ordinance.  
**ACTION OF BOARD--**  
**VARIATIONS GRANTED.**

**THE VOTE**

	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, Urbanscape, Inc., owner, on January 5, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 9-dwelling unit townhouse building, whose front yard will be 8' instead of 12', whose side yards will be 6' each instead of 16.2' each, and to permit nine 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1846-60 N. Wilmot Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1996, 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 5.6-2, 7.7-4, 7.8-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; 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 M1-2 Restricted Manufacturing to R4 General Residence specifically for the proposed residential development; that on April 19, 1996, the Board granted variations to the applicant in a companion application for the erection of a 2-story 7-dwelling unit townhouse building, on premises at 1832-44 N. Wilmot Avenue, whose front yard will be 8' instead of 12', whose north side yard will be 6' and whose south side yard will be 3' instead of 13' each, and to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, in Cal. No. 42-96-Z; that the subject site is a 162' x 100' zoning lot and is part of a parcel of land that has been divided into three zoning lots and is currently improved with a 2-story brick manufacturing building; that the applicant proposes to demolish the existing manufacturing building and erect a 2-story 9-dwelling unit townhouse building and seeks to permit nine 2-car garages to occupy 70% of the required rear yard instead of 60% maximum; 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

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that to erect less than the requested 9-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed 2-story 9-dwelling unit townhouse building requires greater land coverage and encroachment into the side yards than would a yard conforming multi-story rental apartment building; that the front yard variation is necessary due to the design of the proposed 2-story 9-dwelling unit townhouse building which provides staggered front bays; that it is necessary to occupy 70% of the required rear yard in order to provide on-site parking on this zoning lot which is only 100 feet deep; that the proposed 2-story 9-dwelling unit townhouse building will be compatible with the existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 9-dwelling unit townhouse building, whose front yard will be 8' instead of 12', whose side yards will be 6' each instead of 16.2' each, and to permit nine 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1846-60 N. Wilmot 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:** Urbanscape, Inc.

**CAL. NO.** 44-95-Z

**APPEARANCES FOR:** Gary I. Wigoda

**MAP NO.** 5-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

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**PREMISES AFFECTED-** 1862-78 N. Wilmot 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, Urbanscape, Inc, owner, on January 5, 1996, filed an application for a variation to permit, in an R4 General Residence District, the erection of a 2-story 7-dwelling unit townhouse building on an irregularly shaped lot, whose front yard will be 6' instead of 12', whose south side yard will be 6' instead of 13', and to permit five 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1862-78 N. Wilmot Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1996, 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 5.6-2, 7.7-4, 7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996, after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; 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 M1-2 Restricted Manufacturing to R4 General Residence specifically for the proposed residential development; that on April 19, 1996, the Board granted variations to the applicant for two other similar townhouse buildings, on premises at 1832-44 N. Wilmot and 1846-60 N. Wilmot, in Cal. Nos. 42-96-Z and 43-96-Z, respectively; that the subject site is an irregularly shaped 13,300 sq.ft. zoning lot and is part of a parcel of land that has been divided into three zoning lots and is currently improved with a 2-story brick manufacturing building; that the applicant proposes to demolish the existing building and erect a 2-story 7-dwelling unit townhouse building and seeks to permit five 2-car garages to occupy 70% of the required rear yard instead of 60% maximum; 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 requested 9-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed 2-story 7-dwelling unit townhouse building requires greater land coverage and encroachment into required yards on this irregularly shaped lot than would a yard

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conforming multi-story rental apartment building; that the front yard variation is necessary due to the design of the proposed 2-story 7-dwelling unit townhouse building which provides staggered front bays; that it is necessary to occupy 70% of the required rear yard in order to provide on-site garage parking on this irregularly shaped lot; that the proposed 2-story 7-dwelling unit townhouse building will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 7-dwelling unit townhouse building on an irregularly shaped lot whose front yard will be 6' instead of 12', whose south side yard will be 6' instead of 13', and to permit five 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1862-78 N. Wilmot Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Robert L. Dyer

**CAL. NO.** 49-96-S

**APPEARANCES FOR:**

**MAP NO.** 18-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 641 E. 75th Street

April 19, 1996

**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: Josan Limited Partnership

CAL. NO. 51-96-S

APPEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1546-66 W. Carroll Avenue

April 19, 1996

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: Josan Limited Partnership

CAL. NO. 52-96-S

APPEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1549-67 W. Arbour Place

April 19, 1996

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: Josan Limited Partnership

CAL. NO. 53-96-S

APPEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1549-67 W. Arbour Place

April 19, 1996

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:** Scarlett's G.P., Inc.  
**APPEARANCES FOR:** Mark A. Vajdik, Burton F. Natarus  
**APPEARANCES AGAINST:** William J. Hennessy, et al.  
**PREMISES AFFECTED-** 750 S. Clinton Street  
**SUBJECT-** Application for the approval of a special use.  
**ACTION OF BOARD--**

**CAL. NO.** 54-96-S

**MAP NO.** 2-F

**MINUTES OF MEETING:**  
April 19, 1996

CASE CONTINUED TO  
SPECIAL MEETING ON  
APRIL 26, 1996.

**THE VOTE**

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:** Carmelo Atilles **CAL. NO. 60-96-A**

**APPEARANCES FOR:** Carmelo Atilles **MAP NO. 5-J**

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 3581 W. Belden Avenue

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

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Carmelo Atilles, owner, on January 8, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 1-story brick building, in an R3 General Residence District, on premises at 3581 W. Belden Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 28, 1995, reads:  
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-3."

and  
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996; 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 non-conforming 1-story brick store building located on the southeast corner of the intersection of N. Central Park Avenue and W. Belden Avenue; that testimony presented indicates that the subject store building was previously occupied by a grocery store which ceased operation in May, 1993; that the appellant purchased the property in May 1993; that the store property has remained vacant and unoccupied since May, 1993 with the exception of a period of one year when it was occupied by a church, a permitted use in the R3 General Residence District; that the Board has no authority under Section 6.4-5 of the zoning ordinance to permit the establishment of the proposed non-conforming grocery store in the subject store building; that the Board finds in this case the appellant needs to seek a rezoning of the property to a Business District from the City Council in order to permit the use intended; 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:** Jeffrey B. Gelman

**CAL. NO.** 96-96-Z

**APPEARANCES FOR:** John Powen

**MAP NO.** 7-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 2429 N. Clybourn Avenue

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

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS DENIED.

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, Jeffrey B. Gelman, for First Bank & Trust Co. of Illinois, Tr. #10-1933, owner, on February 8, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 14-dwelling unit condominium building with ground floor interior parking, with no front yard, no side yards, and no rear yard instead of 15 feet, 7.5 feet each, and 30 feet respectively, and with no provision for 1 loading berth; on premises at 2429 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1996, 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 April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; 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 October 25, 1995 the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence; that on October 20, 1995, the Board granted variations to the applicant in Cal. No. 200-95-Z to permit the erection of a 3-story 14-dwelling unit condominium building, with no front yard and no side yards instead of 15 feet and 7.5 feet, respectively, at the subject site upon condition that the following restrictions stipulated in the Agreement, dated October 13, 1995, between the applicant and Richard Asta, owner of the property at 2425 N. Clybourn Avenue, shall be complied with: that the condominium building shall be erected such that the south wall thereof shall be at least 1 foot away from the south lot line of the subject property between ground level and 4 feet above ground level as measured on the property and that from the point commencing at four feet above ground level as measured on the property and continuing upward for the entire height of the condominium building, said building shall be erected such that the south wall thereof shall be at least 2 feet away from the south lot line of the subject property;

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that in the instant case, the applicant now seeks to erect a 4-story 14-dwelling unit building with ground floor parking for 34 automobiles with no front or side yards, except for the south side yard setback provided in the aforesaid agreement, but also with no rear yard instead of 30'; that the applicant, the 100% beneficial owner of the subject site, offered no evidence regarding the standards for a variation, as required under Section 11.7-3 of the zoning ordinance, 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:** John P. McGowan

**CAL. NO.** 97-96-Z

**APPEARANCES FOR:** John P. McGowan

**MAP NO.** 5-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 955 W. Belden Avenue

April 19, 1996

**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, John P. McGowan, owner, on February 8, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3rd story 17.05' x 14.33' addition to the rear 2-story portion of a 2 and 3 story brick single-family dwelling and the replacement of a 2-story 6.83' x 14.33' open and enclosed rear porch with a new 2-story enclosed porch, with no east side yard instead of 1.8', whose rear yard will be 15.6' instead of 30', and which additions will result in a 15% (354 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 955 W. Belden Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1996, 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 7.6-4, 7.8-4, 7.9-4."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is an 18'08" x 80.46' lot with no alley access and is improved with a 2 and 3-story with basement brick row-house residential building; that the applicant proposes to erect a 3rd story 17.05' x 14.33' addition to the rear 2-story portion of the existing 2 and 3-story brick single-family dwelling and the replacement of a deteriorating 2-story 6.83' x 14.33' open and enclosed rear porch with a new 2-story enclosed porch which will result in a 354 sq.ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 3rd story 17.05' x 14.33' addition is necessary to provide additional room for the existing master bedroom suite and that the new 2-story

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rear porch enclosure is necessary to replace the existing deteriorating rear 2-story porch; that the plight of the owner is due to the unusually small subject lot which necessitates the proposed 3rd story 17.05' x 14.33' addition to the rear 2nd story portion of the existing building; that the proposed additions will be compatible with existing improvements in the area and 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 3rd story 17.05' x 14.33' addition to the rear 2-story portion of a 2 and 3-story brick single-family dwelling and the replacement of a 2-story 6.83' x 14.33' open and enclosed rear porch with a new 2-story enclosed porch, with no east side yard instead of 1.8' whose rear yard will be 15.6' instead of 30', and which additions will result in a 15% (354 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 955 W. Belden 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:** Arthur and Colleen Lurigio **CAL. NO.** 98-96-Z  
**APPEARANCES FOR:** Arthur Lurigio **MAP NO.** 13-N  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 5357 N. Mont Clare 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, Arthur and Colleen Lurigio, owner, on February 13, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 36' x 24' (818 sq.ft.) addition to a 1-story brick single-family dwelling, whose north side yard is 3.24' and whose south side yard is 2.63' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be approximately 0.53 instead of 0.50, on premises at 5357 N. Mont Clare Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 22, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2, 7.8-2(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 116.35' lot improved with a 1-story brick single-family dwelling and frame garage in the rear; that the applicant proposes to erect a 2nd story 36' x 24' or 818 sq.ft. addition to the existing 1-story single-family dwelling; that the property in question cannot yield a reasonable return nor be put to a reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide additional bedrooms and bath to meet the needs of the applicant and his family; that the plight of the owner is due to the shallow depth of the lot which necessitates a 2nd floor addition instead of an addition to the rear of the existing 1-story residential building; that the proposed 36' x 24' addition will follow existing building walls and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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April 19, 1996

Cal. No. 98-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story 36' x 24' (818 sq.ft.) addition to a 1-story brick single-family dwelling, whose north side yard is 3.24' and whose south side yard is 2.63' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be approximately 0.53 instead of 0.50, on premises at 5357 N. Mont Clare 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:** David and Cathy Schaede **CAL. NO.** 99-96-Z  
**APPEARANCES FOR:** David and Cathy Schaede **MAP NO.** 11-G  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 1519 W. Berteau 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, David and Cathy Schaede, owner, on February 13, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3rd floor 22.74' x 28.04' addition to a 2-story brick 2-dwelling unit building, whose rear yard will be 10.10' instead of 30', on premises at 1519 W. Berteau Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1996, 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 7.9-4."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 50' x 61' lot improved with a 2-story brick 2-dwelling unit building with a frame garage located to the west of the subject building; that the applicant proposes to erect a 3rd floor 22.74' x 28.04' addition to the existing 2-story 2-dwelling unit building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the 3rd floor 22.74' x 28.04' addition is necessary to duplex the applicant's second floor dwelling unit for additional bedroom, bath and closet space; that the plight of the owner is due to the configuration of the existing 2-dwelling unit building on this unusually small lot and the necessity of retaining the first floor dwelling unit for rental income; that the proposed 3rd floor addition will follow existing building walls and is set back from the front of the existing building and that the variation, if granted, will not alter the essential character of the locality; it is therefore

**MINUTES OF MEETING**

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Cal. No. 99-96-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 3rd floor 22.74' x 28.04' addition to a 2-story brick 2-dwelling unit building, whose rear yard will be 10.10' instead of 30', on premises at 1519 W. Berteau Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Thomas and Lisa Pullukat **CAL. NO.** 100-96-Z

**APPEARANCES FOR:** Thomas Pullukat, James Montalbano **MAP NO.** 13-N

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**

**PREMISES AFFECTED-** 5306 N. Rutherford Avenue April 19, 1996

**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
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Thomas and Lisa Pullukat, owner, on February 14, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 20' x 28.2' addition to a 1-story brick single-family dwelling, whose floor area ratio will be 0.65 instead of 0.50, on premises at 5306 N. Rutherford Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1996, 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 7.6-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 1-story single-family dwelling with a frame 1-story rear addition; that the applicant proposes to erect a 2nd story 20' x 28.2' addition to the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide additional bedroom space to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that the existing partial second floor does not have adequate headroom to allow the applicant to fully utilize the existing space; that the proposed addition will be compatible with existing improvements in the area and the variation, if granted, will not alter the essential character of the locality; it is therefore

**MINUTES OF MEETING**

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story 20' x 28.2' addition to a 1-story brick single-family dwelling, whose floor area ratio will be 0.65 instead of 0.50, on premises at 5306 N. Rutherford 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:** Georgia Greenberg **CAL. NO.** 101-96-Z  
**APPEARANCES FOR:** Gary I. Wigoda **MAP NO.** 5-H  
**APPEARANCES AGAINST:** Paul Adrain **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 2034 W. Charleston Street  
**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, Georgia Greenberg, owner, on February 9, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a 2-story brick 24.16' x 26.25' single family dwelling situated on the rear of the lot to be relocated 21' toward the front and erection of a 3rd floor addition and a 20' x 26.25' attached garage addition at the rear, whose west side yard will be 6 inches and whose east side yard will be 3 inches instead of 2.7' each and whose rear yard will be 21' instead of 30', on premises at 2034 W. Charleston Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.8-3, 7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 27' x 100' lot improved with a 2-story brick residential building located on the rear of the lot; that the applicant proposes to relocate the existing 24.16' x 26.35' single-family dwelling 21 feet toward the front of the lot, raise the structure and erect a 3rd floor addition and a 20' x 26.25' attached garage addition to the rear of the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that yard variations requested are necessary to allow the existing 1,200 sq.ft. single-family dwelling to be moved 21 feet forward in order to construct an attached garage; that the plight of the owner is due to unique circumstances in that the existing single-family dwelling abuts the alley in the required rear yard of the subject property which does not allow for on-site parking; that the width of the existing single-family dwelling will not change but necessitates encroachment into the required side yards; that the variations, if granted, will not alter the essential character of the locality in that by moving the existing single-family

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21 feet out of the required rear yard toward the front of the subject lot for the purpose of providing off-street parking where none now exists will bring the building more in conformity with the existing character of the residential improvements in the block; 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 2-story brick 24.16' x 26.25' single-family dwelling situated on the rear of the lot to be relocated 21' toward the front and erection of a 3rd floor addition and a 20' x 26.25' attached garage addition at the rear, whose west side yard will be 6 inches and whose east side yard will be 3 inches instead of 2.7' each and whose rear yard will be 21' instead of 30', on premises at 2034 W. Charleston Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Board of Education of the City of Chicago **CAL. NO.** 102-96-Z  
**APPEARANCES FOR:** Anne L. Fredd **MAP NO.** 4-I  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
 April 19, 1996  
**PREMISES AFFECTED-** 1504-08 S. Albany 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, Board of Education of the City of Chicago, owner, on February 15, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story day care center and elementary school building (child parent center), whose front yard will be 5.5 feet, whose south side yard will be 3 feet and whose rear yard will be 10.5 feet instead of 15 feet, 10 feet and 30 feet, respectively, and with a waiver of one loading berth, on premises at 1504-08 S. Albany Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 30, 1996, 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, 7.11-5."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 17,003 sq. ft. unimproved lot located on the southwest corner of W. 15th Street and S. Albany Avenue and immediately south across W. 15th Street from the James W. Johnson Elementary School; that the applicant proposes to erect at the subject site a 15,992 sq.ft. one-story brick building to replace the existing Johnson Child Parent Center located at 1418 S. Kedzie Avenue which has severe structural damage; that the proposed child parent center will contain 6 pre-school classrooms, an interior covered play area, warming kitchen, and various administrative offices and conference rooms; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to erect the one-story Child Parent Center as designed to meet State Pre-School and City Fire Code criteria which require such facilities to be located on the ground floor; that the rear yard variation is necessary to accommodate the fenced and screen air-conditioning condenser units in the rear of the building; that few deliveries will be made to the subject

**MINUTES OF MEETING**

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site which negates the need for a loading berth at the site; that the plight of the owner is due unique circumstances in that state and city regulations require that all such child parent centers must locate their facilities in one-story buildings and that the yard variations requested are necessary to construct the subject building as designed; that the variations, if granted, will not alter the essential character of the locality in that the proposed building has been designed to blend in with existing residential improvements and will compliment the existing Johnson Elementary School located north of the subject site across W. 15th Street; 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 1-story day care center and elementary school building (child parent center), whose front yard will be 5.5 feet, whose south side yard will be 3 feet and whose rear yard will be 10.5 feet instead of 15 feet, 10 feet and 30 feet, respectively, and with a waiver of one loading berth, on premises at 1504-08 S. Albany 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:** Yahuda Tsur, Sami Israel & Reuben Gabay

**CAL. NO.** 103-96-Z

**APPEARANCES FOR:** Richard Troy, Jack Berger

**MAP NO.** 7-1

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 2800 N. Talman Avenue

April 19, 1996

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

**ACTION OF BOARD--**

**THE VOTE**

CONTINUED TO JUNE 21, 1996  
ON THE BOARD'S OWN MOTION.

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:** Malcolm Morris

**CAL. NO.** 104-96-Z

**APPEARANCES FOR:**

**MAP NO.** 5-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 1650 N. Paulina Street

April 19, 1996

**SUBJECT-**

Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JUNE 21, 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:** James J. Celebrese & Daniel E. Molnar **CAL. NO.** 105-96-Z  
**APPEARANCES FOR:** James J. Celebrese & Daniel E. Molnar **MAP NO.** 9-H  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
 April 19, 1996  
**PREMISES AFFECTED-** 3748 N. Leavitt Street  
**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, James J. Celebrese and Daniel E. Molnar, owner, on February 21, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of two 8.75' x 40' attic dormers to a frame 2-story with basement 2-dwelling unit building, whose north side yard will be 2.92' and whose south side yard will be 2.75' instead of 7.5' each and which dormers will result in a 15% (700 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 3748 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 14, 1996, 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, 7.803(2)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 30' x 124.08' lot improved with a frame 2-story with basement 2-dwelling unit building; that the applicant proposes to erect two 8.75' x 40' attic dormers to the 2nd floor dwelling unit in the existing frame 2-story with basement 2-dwelling unit building which will result in a 700 sq.ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 8.75' x 40' attic dormers are necessary to provide additional living space in the applicant's 2nd floor dwelling unit; that the plight of the owner is due to unique circumstances in that the mother of one of the applicants will be residing with the applicants and that their existing dwelling unit in the subject building is too small to allow her any privacy or independence; that the proposed dormer additions will provide space for a bedroom, living room and bath; that the proposed attic dormers will not impair an adequate supply of light and air to

**MINUTES OF MEETING**

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

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of two 8.75' x 40' attic dormers to a frame 2-story with basement 2-dwelling unit building, whose north side yard will be 2.92' and whose south side yard will be 2.75' instead of 7.5' each and which dormers will result in a 15% (700 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 3748 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Rodney L. Johnson **CAL. NO.** 106-96-S  
**APPEARANCES FOR:** John J. Pikarski, Jr., Rodney L. Johnson **MAP NO.** 16-E  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 100-02 E. 71st 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		
A	b	s t a i n
X		
X		

**THE RESOLUTION:**

WHEREAS, Rodney L. Johnson, for Vera A. Collins, owner, on February 13, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 100-02 E. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 1996, 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 8.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a boarded up 1-story brick building previously occupied as a tavern; that the applicant is the contract purchaser of the subject property; that the subject property was occupied and operated at a tavern for 20 years; that the subject premises was destroyed in a fire in February 1996 and has been closed since that time for repairs; that the applicant seeks to establish a tavern under a new license at the subject site; that the proposed tavern will have live entertainment and provides a warm-up kitchen facility for receptions and parties; that the majority of the tavern's patrons will come from the local neighborhood and that the establishment of a tavern at this location is necessary for the public convenience; that the applicant proposes to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; that the establishment of a tavern in the building previously occupied by a tavern for 20 years will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 106-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a tavern in a 1-story brick building, on premises at 100-02 E. 71st Street, upon condition that the hours of operation shall be limited to the hours between 12:00 Noon and 2:00 A.M.; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

**APPLICANT:** Christian Assembly Rios De Agua Viva, Inc.

**CAL. NO.** 107-96-S

**APPEARANCES FOR:**

**MAP NO.** 14-I

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

April 19, 1996

**PREMISES AFFECTED-** 3001 W. 59th Street

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

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JUNE 21, 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:** The Spiritual Enlightenment Center

**CAL. NO.** 108-96-S

**APPEARANCES FOR:** James Caldwell, Penny D. Kwasman

**MAP NO.** 20-1

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 7908 S. Artesian Avenue

April 19, 1996

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

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

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

**THE RESOLUTION:**

WHEREAS, The Spiritual Enlightenment Center, for Carl Rossi, owner, on February 13, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 24-seat church in a 1-story brick store building, in a B4-1 Restricted Retail District, on premises at 7908 S. Artesian Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 13, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District; that the subject site is improved with a 1 and 2-story brick building located at the intersection of S. Artesian Avenue and W. 79th Street which is occupied by the applicant church, a beauty shop and offices; that the applicant is a non-denominational church which has a current membership of 14; that the applicant church meets during the hours of 11 a.m. to 1 p.m. on Sunday and from 7 p.m. to 8 p.m. on Tuesday and Thursday for prayer and meditation that the said use is necessary for the public convenience at this location to provide religious services and instruction to its members; that the public health, safety and welfare will be adequately protected in the design, and operation of the said church which provides off-street parking for three automobiles at the rear of the building; that inasmuch as S. Artesian Avenue is a side street the use of the subject premises as a church will not negatively affect the business nature of W. 79th Street nor 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 24-seat church in a 1-story brick building, on premises at 7908 S. Artesian 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:** United House of Prayer for All People **CAL. NO.** 109-96-S  
**APPEARANCES FOR:** Walter J. Starck **MAP NO.** 10-E  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
**PREMISES AFFECTED-** 4349-59 S. State Street April 19, 1996  
**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, United House of Prayer for All People, owner, on February 22, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 186-seat church building, in a C1-2 Restricted Commercial District, on premises at 4349-59 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 20, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.3-1."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is a 156' x 165' lot presently improved with a church building occupied by the applicant church; that on March 21, 1972 the Board approved the erection of a church building at the subject site; that the testimony presented in Cal. 59-72-S is hereby made part of the record in this case; that the applicant seeks to demolish the existing church building and erect a new 186-seat church building at the subject site; that the proposed use is necessary for the public convenience at this location in that the present church building at the subject site does not meet the current needs of its congregation, most of whom live in the immediate vicinity; that the public health, safety and welfare will be adequately protected in the design, and operation of the proposed use which will provide adequate landscaping and off-street parking; that the establishment of a church at the subject site which was previously occupied by a church 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

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 109-96-S

authorized to permit the erection of a 186-seat church building, on premises at 4349-59 S. State Street, upon condition that the parking areas shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material 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 erected west lot line of the parking area, excepting the driveway and on the south and east property line, excepting the driveway located in the northeast corner of the site; that striping shall be provided; that lighting shall be provided; that ingress to the parking areas shall be from S. State Street; that egress shall be via the public alley abutting the site to the east provided a waiver of the alley barrier shall be obtained from the City Council; that the driveway located on S. State Street shall be construction in accordance with applicable ordinances; that the lot shall be securely locked at all times when not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. 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: PCS PrimeCo

CAL. NO. 110-96-S

APPEARANCES FOR:

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3459 W. 59th Street

April 19, 1996

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:** Loyola University of Chicago

**CAL. NO.** 111-96-S

**APPEARANCES FOR:** Graham C. Grady

**MAP NO.** 15-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 6300-48 N. Hoyne Avenue

April 19, 1996

**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		
A	b	s t a i n

THE RESOLUTION:

WHEREAS, Loyola University of Chicago, owner, on February 23, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a privately owned not for profit playground (recreational facility) on approximately 3 acres, in an R3 General Residence District, on premises at 6300-48 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1996, 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 7.4-1(7).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; 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 approximately 3 acres and was formerly used as a playground and is located approximately 1 mile west of Loyola University’s Lake Shore campus; that the applicant proposes to establish a recreational facility at the subject site consisting of athletic playing fields for intercollegiate and intramural sports to include a soccer field, goals and bleachers, a softball field with dugouts, bullpens, batting cage and bleachers, and athletic services building; that the applicant also proposes to allow accessory use of the athletic fields and parking lot by other not for profit educational and religious institutions; that the proposed use is necessary for the public convenience at this location in that the athletic fields presently used by Loyola University do not meet athletic conference regulations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed recreational facility in that site improvements will include landscaping, ornamental perimeter security fencing 8 feet in height, illuminated fence columns on Hoyne Avenue, emergency vehicle access lane, a curb land indentation for bus loading; that the residential area south of subject site will be adequately buffered from the proposed use by 20 feet high 4 inch caliper canopy shade trees on

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 111-96-S

the south lot line and on Hoyne Avenue abutting the site to the east; that the establishment of a recreational facility at the subject site to serve Loyola University and other not for profit educational and religious institutions is consistent with the site's prior use as a playground 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 privately owned not for profit playground (recreational facility) on approximately 3 acres to serve Loyola University and, as an accessory use only, other not for profit educational and religious institutions, on premises at 6300-48 N. Hoyne Avenue, upon condition that decorative fencing and landscaping shall be installed within an 8 foot setback adjacent to the residential property to the south consistent with the site plan prepared by Johnson, Johnson and Roy; 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:** Loyola University of Chicago **CAL. NO.** 112-96-Z  
**APPEARANCES FOR:** Graham C. Grady **MAP NO.** 15-H  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
**PREMISES AFFECTED-** 6300-48 N. Hoyne Avenue April 19, 1996  
**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		
A	b	s t a i n

**THE RESOLUTION:**

WHEREAS, Loyola University of Chicago, owner, on February 23, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of bleachers and an athletic services building as part of a privately owned playground (recreational facility), with part of the required 20' front yard reduced to 14' and part of the required 12' south side yard reduced to 8', on premises at 6300-48 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1996, 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."

and

WHEREAS, a public hearing was held on the application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; 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 on April 19, 1996, the Board approved the establishment by the applicant of a privately owned not for profit playground (recreational facility) on approximately 3 acres, at the subject site, in Cal. No. 111-96-S; that the applicant proposes to erect bleachers and an athletic services building as part of the aforesaid privately owned playground; 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 front yard variation requested is necessary to so locate the athletic services building in order to allow for the establishment of a regulation size soccer field with sufficient safety buffer areas around the perimeter of the field; that the south side yard variation is necessary to accommodate bleachers, dugouts, bullpens, batting cage, scorer's box and bullpens adjacent to the softball field; that the plight of the owner is due to unique circumstances in that in order to avoid conflicts in design of the soccer and softball fields, the softball field must not encroach upon the soccer field and that the separation of these sports fields requires partial use of the required side yard setbacks for these facilities; that the proposed recreational facility at the subject site is consistent with the prior use of the property as a playground and that the front and south side yard variations, if granted, will not alter the essential character of

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 112-96-Z

the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby makes 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 bleachers and an athletic services building as part of a privately owned playground (recreational facility), with part of the required 20' front yard reduced to 14' and part of the required 12' south side yard reduced to 8', on premises at 6300-48 N. Hone 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:** Loyola University of Chicago **CAL. NO.** 113-96-S

**APPEARANCES FOR:** Graham C. Grady **MAP NO.** 15-H

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 6343-59 N. Hoyne Avenue/2035-55 W. Devon 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		
A	b	s t a i n

**THE RESOLUTION:**

WHEREAS, Loyola University of Chicago for Loyola University and the Catholic Bishop of Chicago, owner, on February 23, 1996, 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 125 private passenger automobiles, partly in a B4-2 Restricted Service District and partly in an R4 General Residence District, on premises at 6343-59 N. Hoyne Avenue/2035-55 W. Devon Avenue, to serve a privately-owned playground (recreational facility) at 6300-48 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1996, 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 7.4-1(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

WHEREAS, the district maps show that the premises is partly located in a B4-2 Restricted Service District and partly 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 partly in a B4-2 Restricted Service District and partly in an R4 General Residence District; that the subject site is a 185' x 260' lot improved with a vacated 1-story brick commercial building with a parking lot located to the west and south across H. Hoyne Avenue from the use to be served; that on April 19, 1996, the Board approved the establishment of a privately-owned not for profit recreational facility on approximately 3 acres of land at 6300-48 N. Hoyne Avenue in Cal. No. 111-96-S for use by Loyola University of Chicago for intercollegiate and intramural soccer and softball and granted variations for the erection of bleachers and an athletic services building as part of the recreational facility with part of the required 20' front yard reduced to 14' and part of the required 12' south side yard reduced to 8', at 6300-48 N. Hoyne Avenue; that the applicant proposes in this application to establish an off-site accessory parking lot for 125 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to serve the privately owned recreational facility at

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 113-96-S

6300-48 N. Hoyne Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions and standards hereinafter set forth; that the proposed use with landscaping and ornamental fencing 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 125 private passenger automobiles, on premises at 6343-59 N. Hoyne Avenue/2035-55 W. Devon Avenue, to serve a privately-owned playground (recreational facility) at 6300-48 N. Hoyne 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 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 ingress and egress shall be via an existing private driveway abutting the site to the east; that sliding security gates shall be provided at all entrances/exits and that the lot shall be securely locked at all times when not in use by the applicant or other not for profit institutions as approved in companion application No. 111-96-S; that the driveways shall be construction in accordance with applicable ordinances; that striping shall be provided; that lighting shall be provided; that landscaping shall be provided as indicated on the site plan prepared by Johnson, Johnson & Roy; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

**APPLICANT:** Lindo Mexico Restaurant

**CAL. NO.** 114-96-S

**APPEARANCES FOR:**

**MAP NO.** 7-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED-** 2723-25 N. Lincoln Avenue

April 19, 1996

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

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JUNE 21, 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:** Lindo Mexico Restaurant

**CAL. NO.** 115-96-Z

**APPEARANCES FOR:**

**MAP NO.** 7-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

April 19, 1996

**PREMISES AFFECTED-** 2723-25 N. Lincoln Avenue

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

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JUNE 21, 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:** Metra **CAL. NO.** 116-96-S  
**APPEARANCES FOR:** Aziz A. Tokh **MAP NO.** 20-J  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 3711 W. 83rd Place  
**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
A b s t a i n			
X			
X			
X			
X			

**THE RESOLUTION:**

WHEREAS, Metra, owner, on February 16, 1996, 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 16 private passenger automobiles, in an R2 Single-Family Residence District, on premises at 3711 W. 83rd Place, to serve the Metra Ashburn Station at 83rd Street and Southwest Highway, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 16, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provision of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-2

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a triangular 12,000 sq. ft vacant lot located southwest of the Metra Ashburn Station on the Southwest Service Railroad; that the applicant proposes to establish an off-site accessory parking lot for 16 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience to provide daily parking for commuters using the Metra Ashburn Station on the Southwest Service Railroad; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site accessory parking lot to be improved and operated under the conditions and standards hereinafter set forth; that the proposed use will help alleviate on-street parking in the area and that with landscaping and screen privacy fencing on its west lot line 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 16 private passenger automobiles, on premises

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 116-96-S

at 3711 W. 83rd Place, to serve the Metra Asburn Station at 83rd Street and Southwest Highway, 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 only and that no commercial vehicle 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 decorative wrought iron fencing shall be installed on the south, east and north lot lines, excepting the driveway; that five to seven foot tall solid wood fencing shall be installed on the west lot line to screen the parking lot from abutting residential property to the west; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential property to the west and on the north side of W. 83rd Place; that ingress and egress shall be from W. 83rd Place; that the driveway shall be constructed in accordance with applicable ordinances; that landscaping shall be provided as illustrated on the site plan prepared by DuSable, Inc., dated December 5, 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:** Richard Wineberg **CAL. NO.** 117-96-S  
**APPEARANCES FOR:** John J. Pikarski, Jr., Richard Wineberg **MAP NO.** 9-H  
**APPEARANCES AGAINST:** Quentin Pitkuk **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 1657 W. Irving Park 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, Richard Wineberg, owner, on March 8, 1996, 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 of a proposed 3-story 6-dwelling unit townhouse building with an attached garage at the rear, in a B2-1 Restricted Retail District (rezoning to B1-2 Local Retail pending), on premises at 1657 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.4-1(14)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail District (rezoning to B1-2 Local Retail pending); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B1-2 Local Retail District; that rezoning classification of the site from B2-1 Restricted Retail to B1-2 Local Retail is pending before the City Council; that the subject site is a 56.05' x 125' lot located at the intersection of W. Irving Park Road and N. Paulina Street and is improved with a 1-story frame church building; that the applicant proposes to establish dwelling units below the 2nd floor in a proposed 3-story 6-dwelling unit townhouse building with an attached garage at the rear; that the frontages of the proposed 6-dwelling unit townhouse building will be located on N. Paulina Street; that the proposed use is necessary for the public convenience at this location in that there is no demand for ground floor business uses in the area and a strong demand for residential units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed development which provides adequate on-site garage parking spaces at the rear of the proposed building; 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; it is therefore

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 117-96-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 below the 2nd floor in a proposed 3-story 6-dwelling unit townhouse building with an attached garage at the rear, on premises at 1657 W. Irving Park Road, on 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:** Richard Wineberg **CAL. NO.** 118-96-Z  
**APPEARANCES FOR:** John J. Pikarski, Jr., Richard Wineberg **MAP NO.** 9-H  
**APPEARANCES AGAINST:** Quentin Pitkuk **MINUTES OF MEETING**  
 April 19, 1996  
**PREMISES AFFECTED-** 1657 W. Irving Park Road  
**SUBJECT-** Application to vary the requirements of the zoning ordinance.  
**ACTION OF BOARD--**  
**VARIATIONS GRANTED.**

**THE VOTE**

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, Richard Wineberg, owner, on March 8, 1996, filed an application for a variation of the zoning ordinance to permit, in a B2-1 Restricted Retail District (rezoning to B1-2 Local Retail pending), the erection of a 3-story 6-dwelling unit townhouse building, with an attached garage at the rear, with no front yard and whose rear yard will be 21 feet instead of 15 feet and 30 feet, respectively, on premises at 1657 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1996, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.9-4, 8.7-1."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; and

WHEREAS, the district maps show that the premises is located in a B2-1 Restricted Retail District (rezoning to B1-2 Local Retail pending); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and been fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B1-2 Local Retail District; that rezoning classification of the site from B2-1 Restricted Retail to B1-2 Local Retail is pending before the City Council; that on April 19, 1996, the Zoning Board of Appeals approved the establishment of dwelling units below the 2nd floor of a proposed 3-story 6-dwelling unit townhouse building with an attached garage at the rear, at the subject site in Cal. No. 117-96-S; that the subject site is a 56.05' x 125' and is improved with a 1-story frame church building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under conditions allowed by the regulations in this district in that to erect less than the requested 6-dwelling unit townhouse building with an attached garage at the rear on the subject site would prove economically unfeasible; that the plight of the owner due to unique circumstances in that the proposed 3-story 6-dwelling unit townhouse building with attached garage requires greater land coverage and encroachment into the required front and rear yards that would a yard conforming multi-story residential apartment building; that the rear yard variation is necessary to provide adequate space for each dwelling unit; that the

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 118-96-Z

*Proposed 3-story 6-dwelling unit townhouse building with attached garage at the rear will be compatible with residential improvements in the area and that the variations, if granted, will not alter the essential character of the neighborhood. It is therefore*

*RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby grant a variation in the application of the district regulations of the zoning ordinance and that the variation be and it hereby does hereby permit the erection of a 3-story 6-dwelling unit townhouse building with an attached garage at the rear, with no rear yard and whose rear yard will be 21 feet instead of 15 feet and 30 feet respectively, on premises at 1657 W. Irving Park R. and 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:** Gold Source, Inc.

**CAL. NO.** 119-96-S

**APPEARANCES FOR:** Richard J. Garvin. Alfredo Acosta

**MAP NO.** 15-G

**APPEARANCES AGAINST:** Patrick J. O'Connor

**MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 5906 ½ N. Clark Street

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

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DENIED.

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, Gold Source, Inc., for Mike Pavlovic, owner, on February 16, 1996, filed an application for the approval of the location and the establishment of a pawn shop on the ground floor of a 6-store brick multi-store building, in a C1-2 Restricted Commercial District, on premises at 5906 ½ N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 29, 1996, reads:  
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.3-1.

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on March 25, 1996; 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 6-story brick multi-store building with dwelling units above; that the applicant proposes to establish a pawnshop operation in conjunction with an existing second-hand jewelry sales business on the ground floor of the existing 6-story multi-store building; that no evidence was presented to indicate that the establishment of a pawnshop is necessary for the public convenience at the subject site nor that the public health, safety and welfare will be adequately protected; that testimony presented indicates that there are three existing pawn shops within one mile of the subject site; that no evidence was presented to indicate that the establishment of the subject pawnshop will not cause substantial injury to the value of other property in the neighborhood; and that the proposed use is not in the public interest at this location; it is therefore

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

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

**APPLICANT:** John Birdsall

**CAL. NO.** 120-96-A

**APPEARANCES FOR:**

**MAP NO.** 5-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 1962 N. Bissell Street

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

**ACTION OF BOARD--**

**THE VOTE**

APPEAL WITHDRAWN UPON  
MOTION OF APPELLANT.

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:** Belinda Ogden-Bonner **CAL. NO.** 121-96-A  
**APPEARANCES FOR:** Belinda Ogden-Bonner **MAP NO.** 18-G  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
 April 19, 1996  
**PREMISES AFFECTED-** 936 W. 79th Street  
**SUBJECT-** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, Belinda Ogden-Bonner, for James Hinton, owner, on February 7, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a hair and nail beauty salon in a 1-story brick store building, in a B2-2 Restricted Retail District, on premises at 936 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 12, 1996, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996, and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is improved with a 1-story brick store building; that on December 16, 1983, the Board sustained an appeal permitting the re-establishment of an automatic self-service launderette, a B4-2 use, in a one-store brick building at the subject site, in Cal. No. 378-83-A; that the launderette was rendered non-conforming when on September 26, 1979, the City Council rezoned the site from B4-2 to B2-2 Restricted Retail District; that the change of use from a non-conforming self-service launderette to a non-conforming hair and nail beauty salon is a proper change of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a hair and nail beauty salon in a 1-story brick building, on premises at 936 W. 79th Street, upon condition that the hours of operation shall be limited to 9 A.M. and 7 P.M., Monday through Thursday, 9 A.M. and 9 P.M., Friday, and from 9 A.M. to 7 P.M., Saturday; 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:** Dong Pham - Dung V Nguyen

**CAL. NO.** 122-96-A

**APPEARANCES FOR:** None

**MAP NO.** 1-K

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

April 19, 1996

**PREMISES AFFECTED-** 4102 W. Madison Street

**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:** Thomas W. Ronkoske **CAL. NO.** 123-96-A  
**APPEARANCES FOR:** Thomas W. Ronkoske **MAP NO.** 11-J  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 4624-26 N. Hamlin Avenue  
**SUBJECT-** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, Thomas W. Ronkoske, owner, on February 9, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a 2-story with basement brick apartment building as 5 dwelling units, in an R3 General Residence District, on premises at 4624-26 N. Hamlin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 2, 1996, 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 7.5-3, 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996.

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story with basement brick apartment building; that testimony presented indicates that the 2-story with basement brick apartment building was constructed during the 1920's during which time the district was zoned for apartment until 1942 when the district was rezoned to duplex residence; that evidence presented indicates that the 2-story with basement brick building has been occupied as 5 dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 5 dwelling units provided the building is brought into compliance with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story with basement brick apartment building as 5 dwelling units, on premises at 4624-26 N. Hamlin Avenue, upon condition that plans and permits are obtained indicating such compliance; 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:** Anna R.Graham **CAL. NO.** 124-96-A  
**APPEARANCES FOR:** Mark Kupiec, Anna R. Graham **MAP NO.** 12-J  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996  
**PREMISES AFFECTED-** 5229 S. Kedzie Avenue  
**SUBJECT-** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

**THE RESOLUTION:**

WHEREAS, Anna R. Graham, for William Black, owner, on February 9, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify auto body repair and painting in conjunction with a motor vehicle repair shop in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 5229 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 9, 1996, 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, Seciton 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 April 19, 1996; 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 said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick garage building occupied by an operating auto repair business; that the appellant and her husband opened a motor vehicle repair shop at the subject site in 1969 for the storage, repair and servicing of motor vehicles including body repair and painting; that after the appellant's husband retired in 1983, the appellant continued to operate the business at the subject site; that new licensing terminology has caused the case to be filed in that the appellant was informed by a city inspector from the Department of Revenue that she needed to upgrade her license to a Motor Vehicle Repair Shop, Engine and Body, Class III license; that testimony presented indicates that auto repair including body repair and painting has been conducted at the subject site since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 124-96-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify auto body repair and painting in conjunction with a motor vehicle repair shop in a 1-story brick building, on premises at 5229 S. Kedzie Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

**MINUTES OF MEETING**

April 19, 1996  
Cal. No.286-94-Z and  
Cal. No. 287-94-Z

Mr. Gary I. Wigoda, for American National Bank, Tr. No. 102955-09, owner, presented a written request for a further extension of time in which to obtain necessary permits in order to proceed with the erection of a 3-story 6-dwelling unit townhouse building, whose front yard will be 1 foot and with no rear yard instead of 14.4 feet and 30 feet respectively, on premises at 2052 W. Armitage Avenue; and for the erection of a 3-story 6-dwelling unit townhouse building whose front yard will be 1 foot and with no rear yard instead of 14.4 feet and 3 feet respectively, on premises at 2056 W. Armitage Avenue, which variations were granted by the Zoning Board of Appeals on November 18, 1994, in Cal. Nos. 286-94-Z and 287-94-Z, respectively, and for which extensions of time were granted by the Board on May 19, 1995 to November 18, 1995 and to May 18, 1996 on October 20, 1995.

Mr. Wigoda stated that due to certain problems with these properties which were discovered after the approval of these requests, the applicant was not able to proceed with the projects but is now able to do so.

Chairman Spingola moved that the request for extensions of time in which to proceed with the erection of the 3-story 6-dwelling unit townhouse buildings at 2052 and 2056 W. Armitage Avenue be granted and the time extended to November 18, 1996. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

April 19, 1996

Cal. No. 326-94-Z

Patricia A. Craig, AIA, for James Roche, purchaser of the property at 1468-72 N. Paulina Avenue, and subject of Cal. No. 326-94-Z presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 3-story 8-dwelling unit townhouse building, with no north front yard, no east side yard and whose south rear yard will be 2.4 feet instead of 8.4 feet, 6 feet, and 30 feet, respectively, on premises at 1468-72 N. Paulina Avenue granted by the Board on January 20, 1995, in Cal. No. 326-94-Z.

Ms. Craig stated that her client, James Roche, purchased the subject property in July, 1995 from Philip L. Goldberg, the original applicant in the case and was told by him that the plans had been approved for the building. Mr. Roche then approached Mr. Goldberg's architect and learned that there was only a site plan designed for the property and that he would need to start over to design a building for the site. Mr. Roche approached Ms. Craig in late October of 1995 to design a building to fit the site. The recent change in the Chicago Building Code effective October 1, 1995, regarding townhouse basements changed the proposed floor plan that her client had anticipated. Since that time the project has been re-designed to comply with the Building code and as a consequence of the re-designing, the time period allowed for obtaining building permits has lapsed.

Ms. Craig further stated that her client and herself have determined that the best approach for the subject site is to maintain the same setbacks and requirements that had originally been approved by the Board and have designed a three-story 8-unit townhouse building with two car garages. Ms. Craig stated that the situation in which her client finds himself is unique due to mis-information from the seller of the property.

Chairman Spingola moved that the request for an extension of time be granted and that the time for obtaining necessary building permits be extended to July 20, 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**

**APPLICANT:** The Congregation of Meditation Quan Am of Chicago, Inc. **CAL. NO.** 362-95-A

**APPEARANCES FOR:** John J. Pikarski, Jr. **MAP NO.** 13-G

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 19, 1996

**PREMISES AFFECTED-** 5545 N. Broadway

**SUBJECT-** Appeal from the decision of the Zoning Administrator (as amended).

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

**THE RESOLUTION:**

WHEREAS, The Congregation of Meditation Quan Am of Chicago, Inc., 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 a Buddhist House of Meditation in a 1-story brick building, in a B5-3 General Service District, on premises at 5545 N. Broadway; 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, Section 9.4-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996 and that as a special use application was duly noticed in the Chicago Sun-Times on November 28, 1995; and

WHEREAS, the district maps show that the premises is located in a B5-3 General Service District; and

WHEREAS, that on April 19, 1996, the applicant amended its application for a special use under the zoning ordinance, as stated herein, to an appeal from the decision of the Office of the Zoning Administrator to allow the establishment of a community center with accessory religious uses, in a proposed 1-story brick building, in a B5-3 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is improved with a 1-story brick commercial building with a paved parking area in the rear; that the appellant is a non-for-profit religious organization and is seeking to establish a Buddhist House of Meditation in the 1-story building at the subject site; that the use of the subject premises is solely for personal meditation by members of the Buddhist faith in the community; that only one or two persons would be in attendance at the site at one time; that there are no regular weekly prayer meetings, services or congregational activities in the operation of the proposed use; that a Buddhist nun will be available for consultation by congregants; that adequate off-street parking is provided on site; that the Board finds that the proposed use is a community center with facilities available for personal meditation; that the community center is a permitted use in the subject site's B5-3 zoning; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its

**MINUTES OF MEETING**

April 19, 1996

Cal. No. 362-95-A

appeal; it is therefore

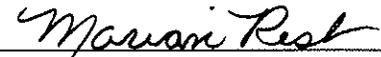
RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a community center with religious services (Buddhist meditation) in a 1-story brick building, on premises at 5545 N. Broadway, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

April 19, 1996

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

The motion prevailed and the Board adjourned to meet in special meeting on April 26, 1996.

  
Secretary