

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

held in Room 569 County Building on August 16, 1996
at 9:00 A.M. and 2:00 P.M.

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

Joseph J. Spingola
 Chairman
Thomas S. Moore
Demetri Konstantelos
LeRoy K. Martin, Jr.

MINUTES OF MEETING

August 16, 1996

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on July 19, 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, Moore. Nays- None. Absent- McCabe-Miele

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

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

APPLICANT: David L. Travis

CAL. NO. 164-96-A

APPEARANCES FOR: David L. Travis

MAP NO. 6-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 3014 S. Wentworth Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED ON THE BOARD'S MOTION TO SEPTEMBER 20, 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: Masjid Al-Mu'Minun, Inc. **CAL. NO.** 184-96-A

APPEARANCES FOR: John J. Pikarski, Jr., Sultan A. Salahuddin **MAP NO.** 18-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996

PREMISES AFFECTED- 2523-25 W. 71st 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, Masjid Al-Mu'Minun, Inc., for Ashland State Bank, owner, on April 15, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church (mosque) in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 2523-25 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 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, Sections 8.4-1 (1), 8.4-4."
and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

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

WHEREAS, that on August 16, 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 in refusing to certify the proposed community center with accessory religious uses as a permitted use in a 1-story brick building, 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 subject site is improved with a 1-story brick building occupied by a banquet hall with a parking area and 2-car garage at the rear; that the appellant is a not-for-profit religious organization and is seeking to establish a community center with accessory religious uses at the subject site; that the use of the subject premises will be for Islamic (traditional Muslim) educational and cultural activities; that the appellant proposes to rent the existing banquet hall with seating for 200 persons to other community groups for banquets, parties, meetings, etc.; that the use of the premises for such activities will be limited to until 11:30 P.M. on any evening; that no alcohol will be permitted under any circumstances at the subject premises; that followers of the Muslim faith are obligated to pray five times daily; that should a prayer time occur when a cultural or educational activity is in progress, prayers will be held at a separate location in the subject building; that the Board finds that the proposed use is a community center

MINUTES OF MEETING

August 16, 1996

Cal. No. 184-96-A

providing many cultural and educational activities such as an Islamic singing and dancing ensemble, collective buying program, Islamic culture classes and bookstore, political and voter registration activities, tutoring classes and arts and crafts classes with facilities available for prayer activity as an accessory use only; that the community center is a permitted use in the subject site's B4-1 zoning; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a community center with accessory religious use (Islamic prayer) in a 1-story brick building, on premises at 2523-25 W. 71st 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: James Sample

CAL. NO. 198-96-A

APPEARANCES FOR:

MAP NO. 6-E

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2201 S. State Street

August 16, 1996

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
X		
X		
X		
		X
X		

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

APPLICANT: Othon M. Wass **CAL. NO. 230-96-A**

APPEARANCES FOR: Gene Bobroff, Othon M. Wass **MAP NO. 8-1**

APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996

PREMISES AFFECTED- 3504 S. Western 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, Othon M. Wass, owner, on May 9, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a banquet facility in a 1 and 2-story brick building, in an M1-2 Restricted Manufacturing District, on premises at 3504 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 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 10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996; and

WHEREAS, the district maps show that the premises is located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is improved with a 1 and 2-story brick building; that the subject building was last occupied as a banquet hall operating under the name Western Avenue Ballroom at the time of purchase by the appellant in December, 1995; that a Class II Amusement License and Retailer's License for the Sale of Liquor for a club use was granted January 12, 1993 to Western Avenue Ballroom; that the previous business use ceased operation in 1995; that the banquet hall/ballroom fixtures have remained intact during the interim period; that the appellant proposes to establish a banquet hall facility with a maximum capacity of 500 persons, serving food and liquor, at the subject site premises; that the hours of operation will be from 5 P.M. to 1 A.M., Friday through Sunday; that the subject site has been zoned M1-2 Restricted Manufacturing since the adoption of the 1957 comprehensive amendment to the zoning ordinance, which zoning permits private clubs and the service of liquor; that the change of use from a private club serving liquor to a banquet hall with food and liquor service is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 230-96-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 permit the establishment of a banquet hall in a 1 and 2-story brick building, on premises at 3504 S. Western 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 G. Duggan **CAL. NO.** 277-96-Z
APPEARANCES FOR: Dia Morgan, David G. Duggan **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996
PREMISES AFFECTED- 3108 N. Southport 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, David G. Duggan, owner, on June 7, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 1-story frame single-family dwelling on the rear of the lot additionally improved with a 2-story brick 2-dwelling unit building on the front of the lot, whose south side yard will be 2.54' instead of 5.4', whose rear yard will be 15.03' instead of 30', and which dormering will result in a 9% (200 sq.ft.) increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3108 N. Southport Avenue; and

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

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 24.04' x 125' lot improved with a 2-story brick 2-dwelling unit building on the front of the lot and a 1-story frame single-family dwelling on the rear of the lot; that the applicant proposes to dormer the attic of the rear 1-story frame single-family dwelling which will result in a 200 sq.ft. or 9% 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 attic dormer is necessary to meet the living space requirements of the applicant; that the plight of the owner is due to the necessity of providing additional bedrooms and a bath and stairway in this small 1-story coach house type single-family dwelling; that the proposed attic dormer addition will be within the existing building's perimeter walls and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 277-96-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 dormering of the attic of a 1-story frame single-family dwelling on the rear of the lot additionally improved with a 2-story brick 2-dwelling unit building on the front of the lot, whose south side yard will be 2.54' instead of 5.4', whose rear yard will be 15.03' instead of 30', and which dormering will result in a 9% (200 sq.ft.) increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3108 N. Southport 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: Mary Krigbaum

CAL. NO. 278-96- Z

APPEARANCES FOR: Bernard I. Citron, Patrick Fitzgerald

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 3137 N. Kenmore Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Fitzgerald & Associates, Architects, as amended, for Mary Krigbaum, owner, on June 13, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 (SD7) General Residence District, the erection of 3 exterior balconies on the north side of a 3-story 3-dwelling unit building, with no north side yard instead of 2.5 feet, on premises at 3137 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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 7.8-4

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in an R4 (SD7) General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 (SD7) General Residence District; that the subject site is a 25' x 125' lot improved with a 3-story brick 3-condominium dwelling unit building; that 3 exterior balconies are located on the north side of the existing building and face a City of Chicago Park District play lot; that the said balconies project beyond the building's north wall by 1 foot and curve slightly out to a point 2'6" beyond the north wall; 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 balconies are to provide a pleasant exterior space for each of the dwelling units and to enhance the north elevation of the building by adding interest to an otherwise flat facade; that the plight of the owner is due to the to the slight curvature of the two upper balconies which at their furthest points project into the required side yard setback; that the said balconies will not impair an adequate supply of light and air to abutting property and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 278-96-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 three exterior balconies on the north side of a 3-story 3-dwelling unit building with no north side yard instead of 2.5 feet, on premises at 3137 N. Kenmore 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: New Birth of Love Baptist Church **CAL. NO.** 279-96-Z
APPEARANCES FOR: Mark J. Kupiec **MAP NO.** 30-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996
PREMISES AFFECTED- 12259 S. Peoria Street
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, New Birth of Love Baptist Church, owner, on June 20, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 20.64' x 32.07' addition to the northeast side of a 1-story church building, whose north side yard will be 1.94' instead of 4' and whose maximum floor area ratio will be approximately 0.56 instead of 0.50, on premises at 12259 S. Peoria Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 17, 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(1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 48' x 125.52' lot improved with a 1-story brick church building; that the applicant proposes to erect a 1-story 20.74' x 32.07' addition to the northeast side of the existing church building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide a multi-purpose room for church activities; that the plight of the owner is due to the configuration of the existing church building on the subject lot; that the proposed addition will be located at the rear of the existing building and will square off the building and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 279-96-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 1-story 20.74' x 32.07' addition to the northeast side of a 1-story church building, whose north side yard will be 1.94' instead of 4' and whose maximum floor area ratio will be approximately 0.56 instead of 0.50, on premises at 12259 S. Peoria 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: Patrick Heneghan

CAL. NO. 280-96-Z

APPEARANCES FOR: Howard Kilberg, Patrick Heneghan

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 16, 1996

PREMISES AFFECTED- 1415 W. Barry 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, Patrick Heneghan, owner, on June 20, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 22.62' x 34.75' attic dormer addition to a 2 ½ story brick and frame 2-dwelling unit building on the front of the lot additionally improved with a 2-story coach house at the rear, with no east side yard and whose west side yard will be 2.2' instead of 7.3' each, and which addition will result in a 10% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1415 W. Barry Avenue.

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 19, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-3, 7.8-3(2).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 25' x 120' lot improved with a 2 ½ story brick and frame 2-dwelling unit building on the front of the lot and a 2-story coach house at the rear of the lot; that the applicant proposes to erect a 22.62' x 34.75' attic dormer addition to the 2 ½ story brick and frame 2-dwelling unit building on the front of the lot which will result in a 10% increase in the amount of floor area existing 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 attic dormer is necessary to provide additional bedroom space in the 2nd floor dwelling unit; that the plight of the owner is due to the lack of adequate living space to meet the needs of the applicant; that the proposed dormer addition will be compatible with other residential improvements in the block, some of which are dormered; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 280-96-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 22.62' x 34.75' attic dormer addition to a 2 ½ story brick and frame 2-dwelling unit building on the front of the lot additionally improved with a 2-story coach house at the rear, with no east side yard and whose west side yard will be 2.2' instead of 7.3' each, and which addition will result in a 10% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1415 W. Barry 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: Annie Properties

CAL. NO. 281-96-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1 N. Loomis Street

August 16, 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, Annie Properties, owner, on July 2, 1996, filed an application for a variation of the zoning ordinance to permit, in a B4-4 Restricted Service District, the establishment of an indoor ice skating rink in a proposed building with no provision for one loading berth, on premises at 1 N. Loomis Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 8.10-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-4 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-4 Restricted Service District; that the subject site is a 22,050 sq. ft. unimproved lot; that the applicant proposes to erect a private indoor ice skating rink with a mezzanine floor containing a 450 sq. ft. retail pro-shop facility; 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 requested waiver of a loading berth is necessary to provide sufficient space for a regulation size ice skating rink suitable for ice hockey games; that the plight of the owner is due to unique circumstances in that the provision of a required loading berth would negatively affect the size of the proposed ice skating rink; that deliveries to the subject site will be minimal in number and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the establishment of an indoor ice skating rink in a proposed building with no provision for one loading berth, on premises at 1 N. Loomis 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: Mary Danaher **CAL. NO.** 282-96-Z
APPEARANCES FOR: Martin J. Murphy, Mary Danaher **MAP NO.** 26-1
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 10951 S. Albany Avenue August 16, 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
X		

THE RESOLUTION:

WHEREAS, Mary Danaher, owner, on July 1, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, a recently constructed 22.53' x 33.73' addition to a 1-story frame single-family dwelling, with no north side yard (building encroaches 0.71' beyond north lot line) and whose south side yard is 3' instead of combined side yards of 7.5' and neither side yard less than 3', on premises at 10951 S. Albany Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, Section 7.8-2."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 said use is located in an R2 Single-Family Residence District; that the subject site is a 25' x 133.8' lot improved with a 2-story frame single-family dwelling; that the applicant purchased the 63 year old residential building approximately 2 years ago; that the applicant recently erected the 2nd story 22.53' x 33.73' addition; that the owner of the abutting property to the north, Beatrice West, is aware of the fact that the subject site's building encroaches onto her property and has given her approval of the requested addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 2nd story addition is necessary to provide additional living space to meet the needs of the applicant; that the plight of the owner is due to unique circumstances in that the existing single-family residential building encroaches 0.71' beyond the subject property's north lot line; that removal of the said addition would create a severe financial hardship to the applicant; that the said addition is compatible with existing residential improvements in the block and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 282-96-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 a recently constructed 2nd story 22.53' x 33.75' addition to a 1-story frame single-family dwelling, with no north side yard (building encroaches 0.71' beyond north lot line) and whose south side yard is 3' instead of combined side yards of 7.5' and neither side yard less than 3', on premises at 10951 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: Carlos Buitrago

CAL. NO. 283-96-Z

APPEARANCES FOR: Carlos Buitrago

MAP NO. 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 4048 N. Drake 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, Carlos Buitrago, owner, on July 3, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 23.01' x 10.8' attic dormer addition on the south side of a 2-story frame 2-dwelling unit building, whose south side yard will be 2.93' instead of 5.7' and which addition will result in a 15% (248 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 4048 N. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 7, 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, Sections 7.6-3, 7.8-3 (2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 said use is located in an R3 General Residence District; that the subject site is a 25' x 125.64' lot improved with a 2-story 2-dwelling unit building including the said 23.01' x 10.8' attic dormer addition; that the said attic dormer addition results in a 248 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 said addition is necessary to meet living space requirements of the applicant and his family who reside in the second floor dwelling unit; that the plight of the owner is due to the applicant's need for additional bedroom and family room space; that the said attic dormer addition does not extend beyond the existing building's side walls and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 283-96-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 23.01' x 10.8' attic dormer addition on the south side of a 2-story frame 2-dwelling unit building, whose south side yard will be 2.93' instead of 5.7' and which addition will result in a 15% (248 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 4048 N. Drake 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: Lazaro Nodarse

CAL. NO. 284-96-Z

APPEARANCES FOR: A. Gomez, Lazaro Nodarse

MAP NO. 5-1

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2460 W. Homer Street

August 16, 1996

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 15, 1996.

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

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

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

APPLICANT: William J. Sircher, Sr. **CAL. NO.** 285-96-Z
APPEARANCES FOR: John J. Pikarski, Jr., William J. Sircher, Sr. **MAP NO.** 8-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996
PREMISES AFFECTED- 3468-70 S. Archer Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, William J. Sircher, Sr., for Cole Taylor Bank Successor Trustee to Drovers National Bank, Tr. #75040, owner, on July 11, 1996, filed an application for a variation of the zoning ordinance to permit, in a C2-2 General Commercial District, the erection of a 2-story building with rental storage space for vehicles on the ground floor and two dwelling units on the 2nd floor, with no rear yard setback for the 2nd floor dwelling unit portion of the building instead of 30' required, on premises at 3468-70 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, Sections 9.8-2, 9.7-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-2 General Commercial District; that the subject site is a 50' x 100' unimproved lot; that the applicant proposes to erect a 2-story building with rental storage space for vehicles on the ground floor and two dwelling units on the 2nd floor on the rear of the subject lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in the grade level of the subject lot in the rear is approximately 4 feet above the surface of the alley thereby preventing accessible grade-level parking in the rear; that it would also be economically unfeasible to provide underground parking in the front of the lot in that it would negatively affect the size and cost of the proposed building and that said parking would block the entrance to the proposed ground floor rental storage space; that the plight of the owner is due to unique circumstances in that the subject lot meets the grade level of Archer Avenue in the front but in the rear the grade level is approximately 4 feet above the alley surface; that the proposed 2-story building will be compatible with existing improvements in the area, some of which do not comply with the rear yard setback requirements of the zoning ordinance, and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 285-96-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 2-story building with rental storage space for vehicles on the ground floor and two dwelling units on the 2nd floor, with no rear yard setback for the 2nd floor dwelling unit portion of the building instead of 30' required, on premises at 3468-70 S. Archer 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: William J. Sircher, Sr. **CAL. NO.** 286-96-A

APPEARANCES FOR: John J. Pikarski, Jr., William J. Sircher, Sr. **MAP NO.** 8-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996

PREMISES AFFECTED- 3468-70 S. Archer 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
A	b	s t a i n
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, William J. Sircher, Sr., for Cole Taylor Bank Successor Trustee to Drover's National Bank Trust #75040, owner, on July 11, 1996, filed an appeal from the Office of the Zoning Administrator's contention that the proposed ground floor rental storage space for vehicles in a proposed 2-story building, in a C2-2 General Commercial District, on premises at 3468-70 S. Archer Avenue, is off-site accessory parking for a heating and air-conditioning business at 3461 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 9, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Zoning Board of Appeals, Title 17 of the Municipal Code of Chicago, specifically Sections 9.7-2, 9.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996.

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-2 General Commercial District; that on August 16, 1996, the Board granted a variation to the appellant to permit the erection of a 2-story building with rental storage space for vehicles on the ground floor and two dwelling units on the 2nd floor, with no rear yard setback for the 2nd floor dwelling unit portion of the building instead of 30' required, at the subject site, in Cal. No. 285-96-Z; that the Office of the Zoning Administrator contends that the proposed ground floor rental storage space for vehicles in the proposed 2-story building is off-site accessory parking for a heating and air-conditioning business at 3461 S. Archer Avenue; that testimony presented indicates that the appellant, who is the beneficial owner of the property at 3468-70 S. Archer Avenue, also owns the property across the street at 3461 S. Archer Avenue which he leases to A Day-Night Heating and Air Conditioning Corporation; that two designated parking spaces will be provided for tenants of the two 2nd floor dwelling units on the front of the lot and the vehicle rental storage area will be provided entirely within the proposed building on the ground floor; that the appellant intends to lease some of the remaining ground floor parking space to said heating business across the street; that the Board finds that no violation of the zoning ordinance exists nor is contemplated

MINUTES OF MEETING

August 16, 1996

Cal. No. 286-96-A

and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the renting of ground floor storage space for vehicles in a proposed 2-story building, on premises at 3468-70 S. Archer 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: Joseph Muthana **CAL. NO.** 287-96-Z
APPEARANCES FOR: James H. Himmel, Joseph Muthana **MAP NO.** 14-N
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996
PREMISES AFFECTED- 6159 S. Nashville 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, Joseph Muthana, owner, on July 11, 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 21.5' x 41' addition to a 1-story brick single-family dwelling, whose north side yard will be 2.05' and whose south side yard will be 2.4' instead of combined side yards of 7.79' and neither side yard will be less than 3', and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 6159 S. Nashville Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 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 August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 25.92' x 125.47' lot improved with a 1-story brick single-family dwelling; that the applicant proposes to erect a 2nd story 21.5' x 41' addition to the existing 1-story 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 variations requested are necessary to erect a 2nd floor addition to meet the living space requirements of the applicant and his family; that the plight of the owner is due to the necessity of providing additional bedrooms, bath and den in the existing single-family dwelling; that the proposed addition will follow existing building walls and will not impair an adequate supply of light and air to adjacent properties; that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 287-96-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 21.5' x 41' addition to a 1-story brick single-family dwelling, whose north side yard will be 2.05' and whose south side yard will be 2.4' instead of combined side yards of 7.79' and neither side yard less than 3', and whose maximum floor area ratio will be 0.65' instead of 0.50, on premises at 6159 S. Nashville 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: Paul McHugh **CAL. NO.** 288-96-S
APPEARANCES FOR: Bernard I. Citron, Paul McHugh **MAP NO.** 5-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 2057 N. Leavitt Street August 16, 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, Paul McHugh, owner, on June 14, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 3-story single-family dwelling, in a B4-2 Restricted Service District, on premises at 2057 N. Leavitt Street; and

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

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 24' x 71.3' unimproved lot; that the applicant proposes to erect a 3-story single-family dwelling with residential use below the 2nd floor; that the proposed use is necessary for the public convenience at this location in order to construct the proposed single-family dwelling as designed; that the public health, safety and welfare will be adequately protected in the design, and location of the proposed use which will conform with all applicable building code regulations; that the proposed 3-story single-family dwelling will be compatible with the predominantly residential character of the area and that the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of residential use below the 2nd floor in a proposed 3-story single-family dwelling, on premises at 2057 N. Leavitt Street, upon condition that access to the garage parking for the proposed single-family dwelling shall be located on W. Dickens Avenue; 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: Paul McHugh

CAL. NO. 289-96-Z

APPEARANCES FOR: Patrick T. Brankin, Paul McHugh

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 2057 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, Paul McHugh, owner, on June 14, 1996, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story single-family dwelling, whose front yard will be 3.67' instead of 8.55' and whose rear yard will be 8.67' instead of 30', on premises at 2057 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 8.4-4(3), 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 proposed use is to be located in a B4-1 Restricted Service District; that on August 16, 1996, the Board approved the applicant's special use application for the establishment of residential use below the 2nd floor in a proposed 3-story single-family dwelling, at the subject site, in Cal. No. 288-96-S; that the subject site is a 24' x 71.3' unimproved lot; that the applicant proposes to erect a 3-story single-family dwelling at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front and rear yard variations requested are necessary to erect a single-family dwelling with adequate living space; that the plight of the owner is due to the smaller than normal city lot which necessitates encroachment into required front and rear yards; that the proposed 3-story single-family dwelling will be compatible with other existing residential improvements in the area which do not comply with the front and rear yard setback requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 289-96-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 3-story single-family dwelling, whose front yard will be 3.67' instead of 8.55' and whose rear yard will be 8.67' instead of 30', on premises at 2057 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

August 16, 1996

Cal. No. 290-90-S

Graham C. Grady, for Waste Management of Illinois, Inc., presented a written request for an extension of time in which to continue the operation of an existing sanitary landfill and related uses, including liquid waste handling, transfer station, methane gas resource recovery, and waste storage treatment and resource recovery facilities, in an M3-3 Heavy Manufacturing District, which uses currently have a termination date of August 10, 1996, pursuant to the Board's Resolution of August 10, 1992, under its Calendar No. 290-90-S, on premises bounded generally by E. 130th Street on the south, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, and commonly known as 13001-13745 S. Calumet Expressway.

Mr. Grady stated that on or about August 9, 1996, Waste Management of Illinois, Inc., owner of the subject premises, filed an application to extend the current use termination date for the continuation of the operation of the above-referenced special use. However, this application will not be heard by the Zoning Board of Appeals until after the termination date of August 10, 1996 set forth in Resolution granted in Calendar No. 290-90-S. Mr. Grady requested that an extension of time be granted to enable the applicant's operations which are fully permitted at the subject facility to continue during the pendency of this application before the Board and subject to all applicable governmental regulations which apply to the conduct of the business at the subject location.

Chairman Spingola moved that the request for an extension of time to continue operations at the subject site during the pendency of the application before the Board be granted and the time be extended to December 31, 1996. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: Mary Melchor

CAL. NO. 290-96-S

APPEARANCES FOR:

MAP NO. 14-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5914-18 S. Racine Avenue

August 16, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 15, 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: **AXIS International**

APPEARANCES FOR: **Sergio-Luis Quintero**

APPEARANCES AGAINST:

PREMISES AFFECTED- **5205 S. Kedzie Avenue**

CAL. NO. 291-96-S

MAP NO. 12-I

MINUTES OF MEETING:
August 16, 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, AXIS International, for Edwardo Rodriguez, owner, on July 3, 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 20 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 5205 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 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 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times of July 29, 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 proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 54' x 125' lot improved with a 1 and 2-story brick store and apartment building; that the applicant proposes to demolish the existing building at the subject site and establish an off-site accessory parking lot; that the proposed use is necessary for the public convenience at this location to serve a grocery store located at 5159 S. Kedzie Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed use will help alleviate street parking 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 20 private passenger automobiles, on premises at 5205 S. Kedzie Avenue, to serve a grocery store located at 5159 S. Kedzie Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parking upon said lot

MINUTES OF MEETING

August 16, 1996

Cal. No. 291-96-S

at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting driveways, with wrought-iron fencing; that striping shall be provided; that lighting shall be provided; that ingress to the parking lot shall be from S. Kedzie Avenue; that egress from the lot shall be via the public alley abating the site to the east provided a waiver of the alley barrier requirement is obtained from the City Council; that the driveway on S. Kedzie Avenue shall be constructed in accordance with applicable ordinances; that the lot shall be securely locked at all times when not in use by the applicant; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Citibank, F.S.B.

CAL. NO. 292-96-S

APPEARANCES FOR:

MAP NO. 20-D

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 16, 1996

PREMISES AFFECTED- 1586 E. 87th Street

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: Richard J. Harrigan **CAL. NO.** 293-96-S
APPEARANCES FOR: Kevin J. Murphy, Richard J. Harrigan **MAP NO.** 26-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 10421 S. Western Avenue August 16, 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, Richard J. Harrigan, for Harrigan Bros., Inc., on July 11, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed KFC restaurant, in a B4-1 Restricted Service District, on premises at 10421 S. Western Avenue; and

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

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 a 150' x 110' lot improved with an existing 1-story KFC restaurant building with an attached Original Pancake House restaurant; that the applicant proposes to demolish the existing building and erect a new KFC restaurant with a drive-through facility in conjunction therewith; that the proposed drive-through facility is necessary for the public convenience at this location to provide a service necessary in today's fast food industry; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility which will be screened from residential property to the east by a 6 feet high decorative solid wood fence; that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a drive-through facility in conjunction with a proposed KFC restaurant, on premises at 10421 S. Western Avenue, upon condition that ingress to the drive-through facility shall be from S. Western Avenue at the southwest corner of the site; that egress from the drive-through portion of the site shall be from a driveway located

MINUTES OF MEETING

August 16, 1996

Cal. No. 293-96-S

at the northwest corner of the site onto S. Western Avenue; that lighted directional signs shall be erected at the established entrance and exit; that a 6 foot high decorative solid wood fence shall be provided on the east property line to screen the facility from residential property located across the public alley; that any menu speaker system shall be set at a decibel level so as to not to be heard beyond the site; that adequate garbage containers shall be provided on-site; that landscaping shall be provided consistent with the landscape plan prepared by Arete' 3 Ltd. and dated May 31, 1996; 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: St. Lukes Missionary Baptist Church

CAL. NO. 294-96-S

APPEARANCES FOR:

MAP NO. 16-E

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 6504 S. Cottage Grove Avenue

August 16, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 15, 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: St. Lukes Missionary Baptist Church

CAL. NO. 295-96-S

APPEARANCES FOR:

MAP NO. 16-D

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 16, 1996

PREMISES AFFECTED- 6501 S. Cottage Grove Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 15, 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: Apostolic Faith Mission of Portland, Oregon

CAL. NO. 296-96-S

APPEARANCES FOR:

MAP NO. 24-E

APPEARANCES AGAINST:

MINUTES OF MEETING:

August 16, 1996

PREMISES AFFECTED- 119 E. 95th Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 15, 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: 701 W. Jackson L.L.C.

CAL. NO. 297-96-S

APPEARANCES FOR: John George

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 701-09 W. Jackson Boulevard

August 16, 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, 701 W. Jackson L.L.C., owner, on July 11, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in the conversion of a 6-story brick building into 46 dwelling units some of which may contain home occupation space, in a B4-5 Restricted Service District, on premises at 701-09 W. Jackson Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-5 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 on May 9, 1996, the City Council rezoned the subject site from C3-3 Commercial-Manufacturing to B4-2 Restricted Service specifically for the proposed use; that the applicant seeks to establish residential use below the 2nd floor in the conversion of a 6-story brick building into 46 dwelling units; that the applicant proposes to duplex 11 dwelling units below the 2nd floor some of which may have space suitable for a live/work arrangement; that the proposed use is necessary for the public convenience at this location in that there is no demand for business uses in this area and there is a growing demand for residential uses, particularly condominium dwelling units; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed residential project which provides on-site parking at the rear of the building, and also at 330-40 S. Desplaines Street as provided in companion application 298-96-S; that the proposed development will be compatible with the trend of residential development in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 297-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of residential use below the 2nd floor in the conversion of a 6-story brick building into 46 dwelling units some of which may contain home occupation space, on premises at 701-09 W. Jackson Boulevard, upon condition that there shall be no signage of any kind on the south and west walls of the building at any time; that all signage existing on said walls shall be removed; that the water tower tank and support structure existing on the roof of the building shall be removed; that the balance of the required parking shall be located at 330-40 S. Desplaines Street as provided in companion application 298-96-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: 701 W. Jackson L.L.C.

CAL. NO. 298-96-S

APPEARANCES FOR: John George

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 330-40 S. Desplaines 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, 701 W. Jackson L.L.C., for American National Bank and Trust Company of Chicago, Tr. #10961506, owner, on July 11, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of 12 automobile parking spaces in an existing parking lot, in a C3-5 Commercial-Manufacturing District, on premises at 330-40 S. Desplaines Street, to fulfill the parking requirement for 46 dwelling units to be established in the 6-story building at 701-09 W. Jackson Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 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 9.4-3 (1)."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that on August 16, 1996, the Board approved the applicant's special use application for the establishment of residential use below the 2nd floor in the conversion of a 6-story brick building into 46 dwelling units some of which may contain home occupation space, on premises at 701-09 W. Jackson Boulevard, in Calender No. 297-96-S; that on-site parking spaces for 36 automobiles will be provided at that location; that the applicant proposes to lease 12 parking spaces at the subject site location which is also improved with a 1-story brick building occupied by an automobile repair business; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for 46 dwelling units to be established in the 6-story building at 701-09 W. Jackson Boulevard; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site parking spaces which will be fenced and gated to insure use only by tenants of the residential development at 701-09 W. Jackson Boulevard; that the lease of the 12 parking spaces commences June 1, 1996 through May 31, 2006; that the proposed leasing of 12 parking spaces at the subject site is compatible with the existing use of the site and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 298-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the leasing of 12 automobile parking spaces in an existing parking lot, on premises at 330-40 S. Desplaines Street, to fulfill the parking requirement for 46 dwelling units to be established in the 6-story building at 701-09 W. Jackson Boulevard, upon condition that the 100' x 100' portion of the subject property indicated on the site plan shall be enclosed, excepting the driveway, with wrought-iron fencing; that a gated pedestrian entry shall be provided; that ingress and egress shall be from W. Van Buren Street; that a security gate system shall be provided at the W. Van Buren Street driveway; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued; and be it further

RESOLVED, that the 12 leased parking spaces shall be maintained and operated in conformance with the provisions stated herein and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: The Christ Way Church

CAL. NO. 299-96-S

APPEARANCES FOR: Lawrence E. Kennon

MAP NO. 14-D

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 6201-07 S. Woodlawn Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, The Christ Way Church, owner, on July 11, 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 22 private passenger automobiles, in an R5 General Residence, on premises at 6201-07 S. Woodlawn Avenue, to fulfill the parking requirement for an existing church and proposed addition at 1210 E. 62nd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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, Sections 7.4-1 (6), 7.12."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 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 on May 17, 1996, the Board granted variations to the applicant for the erection of a 1-story addition to the east side of a 1 and 2-story church building, with no south front yard instead of 12 feet and whose north rear yard will be 6.5 feet instead of 30 feet, on premises at 1210 E. 62nd Street, in Cal. No. 165-96-Z; that the subject site is a 93' x 135' lot located on the southeast corner of S. Woodlawn Avenue and E. 62nd Street directly south of the applicant church; that the applicant proposes to establish an off-site accessory parking lot for 22 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for an existing church and the proposed addition at 1210 E. 62nd Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use with landscaping and decorative fencing, will be an improvement of a vacant lot and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 299-96-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 an off-site accessory parking lot for 22 private passenger automobiles, on premises at 6201-07 S. Woodlawn Avenue, to fulfill the parking requirements for an existing church and proposed addition at 1210 E. 62nd Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway, with decorative wrought-iron fencing; that lighting shall be provided which shall be directed away from abutting residential property; that striping shall be provided; that ingress and egress shall be from the alley abutting the site to the east provided a waiver of the alley barrier requirement is obtained from the City Council; that the lot shall be securely locked at all times when not in use by the applicant church; that landscaping shall be installed as indicated on the site plan prepared by Group Design Associates, Inc. submitted with the special use application; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Fairmont Associates

CAL. NO. 300-96-S

APPEARANCES FOR: David Reifman

MAP NO. 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5061 N. Pulaski Road

August 16, 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, Fairmont Associates, for American National Bank and Trust Company, Tr. #117819-03, owner, on July 11, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of an existing nursing home which includes an additional 47 beds for a total of 199 beds, in an R4 General Residence District, on premises at 5061 N. Pulaski Road; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 19, 1996; and

WHEREAS, the district maps show that the premises are 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 218,689 sq.ft. lot and is improved with a large 1, 2 and 3-story nursing home building originally constructed approximately 100 years ago; that the applicant proposes to add approximately 25,000 sq. ft. to the existing 1-story 70,487 sq.ft. part of the existing facility in various phases over the next several years; that when completed, the renovation/expansion will result in the addition of a total of 47 beds and corresponding common area amenities to the existing 152-bed facility for a total of 199 beds; that the proposed use is necessary for the public convenience at this location in order to continue to provide high quality nursing care for residents of the facility; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed addition which will upgrade and modernize the facility and conform to all applicable building code regulations; that the proposed addition and renovations will be compatible in scale, materials and character with the existing facility and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 300-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the expansion of an existing nursing home which includes an additional 47 beds for a total of 199 beds, on premises at 5061 N. Pulaski Road, upon condition that the applicant installs landscaping as illustrated on the landscape plan prepared by Teska Associates, Inc. and dated June 6, 1996; 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: Fairmont Associates

CAL. NO. 301-96-Z

APPEARANCES FOR: David Reifman

MAP NO. 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5061 N. Pulaski Road

August 16, 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, Fairmont Associates, for American National Bank and Trust Company, Tr. #117819-03, owner, on July 11, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story 25,000 sq. Ft. addition to the rear of an existing nursing home, whose rear yard will be 15' instead of 30', on premises at 5061 N. Pulaski Road; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 19, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on August 16, 1996, the Board approved the applicant's special use application for the expansion of an existing nursing home which includes an additional 47 beds for a total of 199 beds, at the subject site, in Cal. No. 300-96-S; that the subject site is a 218,689 sq.ft. lot and is improved with a large 1, 2 and 3-story nursing home building built approximately 100 years ago; that the applicant proposes to erect a 1-story 25,000 sq. ft. addition to the rear of the existing nursing home 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 rear yard variation requested is necessary to erect the proposed addition as designed; that the plight of the owner is due to the configuration of the existing nursing home building on the subject property and that without the requested rear yard variation the applicant will not be able to construct the addition as proposed to provide additional beds to serve the growing number of people seeking long-term care at the facility; that the proposed addition will be compatible in scale, materials and character with the existing nursing home building and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 301-96-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 1-story 25,000 sq.ft. addition to the rear of an existing nursing home, whose rear yard will be 25' instead of 30', on premises at 5061 N. Pulaski Road, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Marco A. Del Aguila

CAL. NO. 302-96-A

APPEARANCES FOR: Marco A. Del Aguila

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 3802 W. 59th 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, Marco A. Del Aguila, owner, on June 14, 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 2-story brick store and apartment building, in an R3 General Residence District, on premises at 3802 W. 59th Street;

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

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick store and apartment building; that the appellant proposes to establish a grocery store in the ground floor store premises; that the testimony presented indicates that the subject premises has been previously occupied by business uses, the last use having been a furniture upholstery shop which use recently ceased operation; that the change of use from a furniture upholstery shop to a grocery store in a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a 2-story brick store and apartment building, on premises at 3802 W. 59th Street, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 6 P.M., Monday through Saturday; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Shoreline Tax Investments **CAL. NO.** 303-96-A
APPEARANCES FOR: Bill O'Donovan **MAP NO.** 18-D
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996
PREMISES AFFECTED- 1331-35 E. 76th Street.
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Shoreline Tax Investments, owner, on June 17, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the operation of a retail grocery store in a 1-story frame store building, in an R3 General Residence District, on premises at 1331-35 E. 76th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 7.3-3 of the Municipal Code of Chicago, specifically, Section 7.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 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 vacant 1-story frame non-conforming store building previously occupied by a fast food restaurant; that the appellant testified that he purchased the subject premises in 1992 at a Cook County Tax Sale; that the appellant in 1995 entered into an installment sales contract for the subject site with the present lessee, Patricia Kyle, who seeks to establish a grocery store in the subject store premises; that since the time of entering into the installment sales contract in 1995, the lessee has spent the interim period renovating the subject building but that no business activity has been yet established in the building; that under Section 6.4-5 of the zoning ordinance a building or structure, or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not be thereafter be occupied or used except by a use which conforms to the use requirements of the district in which it is located; that the Board has no authority under Sections 6.4-5 and 7.3-3 of the zoning ordinance to permit the use requested; it is therefore

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

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

APPLICANT: St. Camillus Parish

CAL. NO. 304-96-A

APPEARANCES FOR: None

MAP NO. 12-L

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 5358 W. 55th Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Christine Jackson **CAL. NO.** 305-96-A

APPEARANCES FOR: Lauren G. Robinson, Christine Jackson **MAP NO.** 18-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996

PREMISES AFFECTED- 1536-46 W. 79th Street

SUBJECT- Appeal from the decision 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, Christine Jackson, for Ambassadors for Christ, owner, on , 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon and nail care business in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 1536-46 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 3, 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, Sections 8.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick multi-store building; that the appellant proposes to establish a beauty salon and nail care business in the subject store premises; that testimony presented indicates that the subject store premises has been previously occupied by business uses, the last use having been a nail salon; that licensing requirements have caused the case to be filed; that the change of use to a beauty salon and nail care business is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon and nail care business in a 1-story brick store building, on premises at 1536-46 W. 79th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M. Tuesday through Thursday and on Saturday and between the hours of 9 A.M. and 9 P.M., Friday; 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: Mary Lou Harker

CAL. NO. 306-96-A

APPEARANCES FOR: Mary Lou Harker

MAP NO. 28-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 11162 S. Christiana 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, Mary Lou Harker, owner, on June 29, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of an existing 1 ½ story frame building as two dwelling units, in an R2 single-family Residence District, on premises at 11162 S. Christiana Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 28, 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 7.3-2, 7.5-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 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 said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1 ½ story frame residential building; that evidence presented indicates that the subject building has been occupied as 2 dwelling units since prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue to occupy the building as 2 dwelling units provided that the building is brought into compliance with applicable building code regulations with plans and permits obtained; 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 certify the use of an existing 1 ½ story frame building as 2 dwelling units, on premises at 11162 S. Christiana Avenue, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Sister Man, Inc.

CAL. NO. 307-96-A

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 1529 W. Armitage 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, Sister Man, Inc., owner, on April 29, 1996, filed and subsequently amended an appeal from the decision of the Office of the Zoning Administration in refusing to permit the establishment of a tavern and restaurant with music and dancing in a 1-story brick multi-use building, in Planned Manufacturing District #2, on premises at 1529 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Article II, Subdistrict #1-A."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996; and

WHEREAS, the district maps show that the premises is located in Planned Manufacturing District #2; 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 Planned Manufacturing District #2; that the subject site is improved with a 1 and 2-story commercial building containing other business uses; that on July 16, 1993 the Board sustained an appeal permitting the establishment of a tavern and restaurant in the 1-story portion of a 1 and 2-story brick building at the subject site, in Cal. No. 226-93-A; that the appellant proposes to establish a tavern and restaurant with music and dancing at the subject site; that changes in the revenue ordinance and licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a tavern and restaurant with music and dancing in a 1-story brick multi-use building, on premises at 1529 W. Armitage Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Shavonne Owens

CAL. NO. 308-96-A

APPEARANCES FOR: Shavonne Owens

MAP NO. 20-G

APPEARANCES AGAINST: Richard Torpy

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 8111 ½ S. Ashland 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, Shavonne Owens, for a Ms. Irving, owner, on July 10, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the operation of a beauty salon in a 4-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 8111 ½ S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 24, 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 August 16, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District; that the subject site is improved with a 4-story brick store and apartment building with the said beauty shop occupying the 8111 ½ store premises; that the appellant operates a beauty salon specializing in hair braiding; that the subject store premises was previously occupied by a retail general merchandise store, commonly known as a "dollar store" which use recently ceased operation; that licensing requirements have caused the case to be filed; that the change of use from a retail general merchandise store to a beauty salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the operation of a beauty salon in a 4-story brick store and apartment building, on premises at 8111 ½ S. Ashland Avenue, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 6 P.M. Tuesday through Thursday, 8:00 A.M. and 9 P.M. Friday, and 8:00 A.M. and 6:00 P.M. Saturday, 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: J & J Electronics, Inc.

CAL. NO. 309-96-A

APPEARANCES FOR: Mark Kupiec, Jose Vayalil

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 3206-08 W. 63rd 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, J & J Electronics, Inc., for Sam Khatib, owner, on July 11, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit automobile electronics installation (MVR Class I) in conjunction with the retail sale of same in a 2-story brick store and apartment building with a 1-story brick attached garage, in a B2-1 Restricted Retail District, on premises at 3206-08 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 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, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building with a 1-story brick garage at the rear of the lot; that the appellant has operated a business for the retail sale of automobile alarms, stereos and audio and video equipment at the subject site since 1994; that the Revenue Department of the City of Chicago advised the appellant that he needs a Motor Vehicle Repair License Class I - Specialty License for the installation of automobile electronics at the subject site; that the installation of automobile electronics in conjunction with the retail sale of same is accessory to the principal retail sales activity; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit automobile electronics installation (MVR Class I) in conjunction with the retail sale of same in a 2-story brick store and apartment building with a 1-story brick attached garage, in a B2-1 Restricted Retail District, on premises at 3206-08 W. 63rd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Ruby C. Gibson

CAL. NO. 310-96-A

APPEARANCES FOR: None

MAP NO. 16-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 6956-58 S. Halsted Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Chicago Board of Education

CAL. NO. 311-95-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2727 N. Long Avenue

August 16, 1996

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on July 9, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 14,500 sq.ft. school annex on the north-center part of the Franz Peter Schubert School site, whose east front yard will be 5' instead of 20', whose north side yard will be 10' instead of 12', and with no midway rear yard instead of 60', on premises at 2727 N. Long Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 5, 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, Sections 7.7-3, 7.8-3, 7.9.1, 7.9-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun- Times on July 29, 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 159,287 sq.ft. lot improved with the Franz Peter Schubert Elementary School building originally constructed in the 1930's; that the applicant proposes to erect a 1-story 14,500 sq.ft. school annex building on the north-central part of the school site; that the proposed annex will contain 10 classrooms and will be physically linked to the existing Schubert School building in the near future; 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 if the variations requested were not granted, the proposed annex cannot be linked to the existing school building and valuable playground space will be lost; that the plight of the owner is due to overcrowding of the existing school and the lack of sufficient classrooms to meet the school's educational requirements; that the proposed school annex building will be compatible with the existing Schubert School building and existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 311-96-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 1-story 14,500 sq.ft. school annex on the north-center part of the Franz Peter Schubert School site, whose east front yard will be 5' instead of 20', whose north side yard will be 10' instead of 12', and with no midway rear yard instead of 60', on premises at 2727 N. Long 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: Chicago Board of Education

CAL. NO. 312-96-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2701 W. Foster Avenue

August 16, 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
X		

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on July 9, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story 14,000 sq.ft. school annex at the southwest corner of the Lymon Budlong Elementary School site, whose north and south front yards will be 4' instead of 15' and with no midway rear yard instead of 60', on premise at 2701 W. Foster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 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 the proposed use is to be located in an R4 General Residence District; that the subject site is a 171,398 sq.ft. lot improved with the Lymon Budlong Elementary School building originally constructed in the 1920's; that the applicant proposes to erect a 1-story 14,000 sq.ft. school annex at the southwest corner of the existing school site; that the proposed annex will contain 8 classrooms and a multi-purpose room and will be physically linked to the existing school building in the near future; 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 if the variations requested were not granted, the proposed annex will lose two classrooms and valuable playground space will have to be used for off-street parking spaces; that the plight of the owner is due to overcrowding of the existing school building and the configuration of the existing school on the subject property which necessitate the yard variations requested; that the proposed school annex building will be compatible with the existing Budlong School building and existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

August 16, 1996

Cal. No. 312-96-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 1-story 14,000 sq.ft. school annex at the southwest corner of the Lymon Budlong Elementary School site, whose north and south front yards will be 4' instead of 15' and with no midway rear yard instead of 60', on premises at 2701 W. Foster 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: Chicago Board of Education

CAL. NO. 313-96-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 11-1

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 4220 N. Richmond Street

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

ACTION OF BOARD--

CASE CONTINUED TO
SEPTEMBER 13, 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: Chicago Board of Education **CAL. NO.** 314-96-Z
APPEARANCES FOR: Terry Diamond **MAP NO.** 11-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 4728 N. Wolcott Avenue August 16, 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. Chicago Board of Education, owner, on July 5, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story addition to the west side of the McPherson Elementary School, with no west front yard instead of 15', with no midway rear yard, and whose maximum floor area ratio will be 1.4 instead of 1.2, on premises at 4728 N. Wolcott Avenue; and

WHEREAS. the decision of the Office of the Zoning Administrator rendered July 5, 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, 7.7-4, 7.9-1, 7.9-4."

and

WHEREAS. a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 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 the proposed use is to be located in an R4 General Residence District; that the subject site is a 104,876 sq.ft. lot improved with the McPherson Elementary School building originally constructed in the 1890's; that the applicant proposes to erect a 3-story 60, 375 sq. ft. addition to the west side of the existing McPherson School building; that the proposed addition will contain 16 classrooms, computer room, library, administrative center, lunch/multi-purpose room and a kitchen serving area; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary in order to build the proposed addition as designed which will be connected to the existing school and to provide off-street staff parking; that the plight of the owner is due to the overcrowding of the existing school building which cannot accommodate the growing school population in the area; that the proposed addition 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

MINUTES OF MEETING

August 16, 1996

Cal. No. 314-96-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 3-story addition to the west side of the McPherson Elementary School, with no west front yard instead of 15', with no midway rear yard, and whose maximum floor area ratio will be 1.4 instead of 1.2, on premises at 4728 N. Wolcott 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: Chicago Board of Education

CAL. NO. 315-96-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 9-M

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3425 N. Major Avenue

August 16, 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
X		

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on July 8, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 16,500 sq.ft. school annex in the center of the Peter Reinberg Elementary School site, whose north side yard will be 9' instead of 15', with no midway rear yard instead of 60'. and whose maximum floor area ratio will be 0.52 instead of 0.50, on premises at 3425 N. Major Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 5, 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, 7.8-2, 7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in an and 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 159,249 sq.ft. lot improved with the Peter Reinberg Elementary School building originally built in the 1920's; that the applicant proposes to erect a 16,500 school annex building which will be linked to the existing school building in the near future; that the proposed annex addition will contain 12 classrooms; 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 if the variations requested were not granted, the proposed annex will lose two classrooms and will not able to be linked to the existing school building and that valuable playground space will have to be used for off-street parking; that the plight of the owner is due to the overcrowded conditions in the existing school building; that without the proposed annex the Reinburg School would be unable to maintain or enlarge its existing special education program; that the proposed annex building will be compatible with the existing school building and 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

MINUTES OF MEETING

August 16, 1996

Cal. No. 315-96-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 1-story 16,500 sq.ft. school annex in the center of the Peter Reinberg Elementary School site, whose north side yard will be 9' instead of 15', with no midway rear yard instead of 60', and whose maximum floor area ratio will be 0.52 instead of 0.50, on premises at 3425 N. Major 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: Chicago Board of Education **CAL. NO.** 316-96-Z
APPEARANCES FOR: Terry Diamond **MAP NO.** 19-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 16, 1996
PREMISES AFFECTED- 1631-41 W. Jonquil Terrace
SUBJECT- Application fto 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, Chicago Board of Education, owner, on July 22, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 4-story Gale Elementary Middle school whose north front yard will be 12' instead of 15', whose south rear yard will be 12' instead of 30', and whose maximum floor area ratio will be 2.63 instead of 1.2, on premises at 1631-41 W. Jonquil Terrace; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 7.6-4, 7.7-4, 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 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 the proposed use is to be located in an R4 General Residence District; that the subject site is a 21, 360 sq.ft. lot; that the applicant proposes to erect a 56,045 sq.ft.middle school for 500 students in grades 6, 7 and 8 on a lot presently serving as an off-site parking lot and open recreational area; that the applicant proposes to relocate the parking area and recreational area to property immediately south of the Gale Academy at 1601-25 W. Jonquil Terrace; that the proposed new middle school will include 22 classrooms, including science, music, art, and special education classrooms, gymnasium, library, multi-purpose/lunchroom and a full-service kitchen; that several of the new facilities will service both the middle school and the existing Gale Academy; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to construct the new 22 classroom middle school with ancillary facilities as designed; that the plight of the owner is due to unique circumstances in that there is substantial overcrowding in the existing Gale Academy and, as a result, the school is on a controlled enrollment system with a vacation rotation system which provides for 25% of the students being on vacation during each school quarter; that the proposed middle school will be compatible with the existing Gale Academy building and residential

MINUTES OF MEETING

August 16, 1996

Cal. No. 316-96-Z

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 4-story Gale Elementary Middle School whose north front yard will be 12' instead of 15', whose south rear yard will be 12' instead of 30', and whose maximum floor area ratio will be 2.63 instead of 1.2, on premises at 1631-41 W. Jonquil Terrace, upon condition that off-site parking for 36 private passenger automobiles shall be located at 7619-33 N. Paulina Street as provided for in companion application 317-96-S, to fulfill the parking requirement for the proposed middle school at 1631-41 W. Jonquil Terrace; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Board of Education

CAL. NO. 317-96-S

APPEARANCES FOR: Terry Diamond

MAP NO. 19-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 16, 1996

PREMISES AFFECTED- 7619-33 N. Paulina 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, Chicago Board of Education, for Good News Church, North of Howard, Inc., owner, on July 22, 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 36 private passenger automobiles on leased land, in a B3-3 General Retail District, on premises at 7619-33 N. Paulina Street, to satisfy the parking requirement for a proposed middle school at 1631-41 W. Jonquil Terrace; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 19, 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 8.4-1 (6), 8.11-2 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B3-3 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-3 General Retail District; that the subject site is a 12,500 sq.ft. unimproved parcel of land owned by Good News Church, North of Howard, Inc.; that on August 16, 1996, the Board granted variations to the applicant permitting the erection of a 4-story Gale Middle School, whose north front yard will be 12' instead of 15, whose south side yard will be 12' instead of 30', and whose maximum floor area ratio will be 2.63 instead of 1.2, on premises at 1631-41 W. Jonquil Terrace, in Calendar No. 316-96-Z; that the applicant plans to construct the aforesaid middle school building on the Gale School parking lot at the southwest corner of W. Jonquil Terrace and Marshfield Street; that the Board will acquire property adjacent to the Gale School to replace the staff parking lot and to provide additional recreational space; that in the interim, the Board of Education seeks to provide staff parking during the construction of the middle school on leased land located at the subject site; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the proposed middle school at 1631-41 W. Jonquil Terrace; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed 36 off-site accessory parking spaces leased to the applicant for a term

MINUTES OF MEETING

August 16, 1996

Cal. No. 317-96-S

commencing July 1, 1996 and terminating on December 1, 1997; that the proposed use will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an of-site accessory parking lot for 36 private passenger automobiles on leased land, on premises at 7619-33 N. Paulina Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot; that the lot shall be enclosed, excepting the driveway, with a decorative wrought-iron fence; that lighting shall be provided; that striping shall be provided; that ingress and egress shall be via the public alley abutting the site to the east provided that a waiver of the alley barrier requirement is obtained from the City Council; that the lot shall be securely locked at all times when not in use by the staff of the Gale Academy; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

MINUTES OF MEETING

August 16, 1996

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in Special Meeting on September 13, 1996.

William Rest
Secretary