

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

at 9:00 A.M. and 2:00 P.M.

held in Room 569 County Building, 118 N. Clark Street. on Friday, March 21, 1997.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
LeRoy K. Martin
Gigi McCabe-Miele
Demetri Konstantelos

MINUTES OF MEETING

March 21, 1997

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on February 21, 1997 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT: Bella Wigdor **CAL. NO.** 1-97-Z

APPEARANCES FOR: Susanne D. Vasic, Bella Wigdor **MAP NO.** 15-J

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 6324 N. Monticello 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

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

THE RESOLUTION:

WHEREAS, Bella Wigdor, owner, on October 25, 1996, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 18.13' x 24.18' addition to the rear of a 2-story brick single-family dwelling, whose north side yard will be 2.93' and whose south side yard will be 2.89' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be 0.61 instead of 0.50, on premises at 6324 N. Monticello Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on December 30, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 126.64' lot improved with a 2-story Georgian-style single-family residence; that the applicant proposes to erect a 2-story 18.13' x 24.18' addition to the rear of the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide additional living space to meet the needs of the applicant and her family; that the plight of the owner is due to the necessity of providing a family room, additional bedrooms and bath space in this typically small Georgian-style residence for the applicant's three adult daughters who live with the applicant; that the proposed 2-story addition will follow existing building walls and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No.1-97-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 and that a variation be and it hereby is granted to permit the erection of a 2-story 18.13' x 24.18' addition to the rear of a 2-story brick single-family dwelling, whose north side yard will be 2.93' and whose south side yard will be 2.89' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be 0.61 instead of 0.50, on premises at 6324 N. Monticello Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Kevin M. Nagle **CAL. NO.** 7-97-S
APPEARANCES FOR: Gary I. Wigoda., Kevin M. Nagle **MAP NO.** 26-J
APPEARANCES AGAINST: Kathleen B. King, Mary E. Kiedroia **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 3724 W. 111th Street
SUBJECT- Application for the approval of a special use.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Kevin M. Nagle, for Kevin McCarthy & Kevin M. Nagle, owner, on October 23, 1996, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 3-story 11-dwelling unit condominium building, in a B4-1 Restricted Service District, on premises at 3724 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.6-4 (1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on December 30, 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 132' x 141' unimproved lot; that the applicant seeks to establish dwelling units below the 2nd floor in a proposed 3-story 11-dwelling unit condominium building at the subject site; that no evidence was presented to indicate that the establishment of dwelling units below the 2nd floor in a proposed 3-story 11-dwelling unit condominium building is necessary for the public convenience at this location; that the Board finds that there is a market for retail business along this section of W. 111th Street; that the establishment of dwelling units on the ground floor of the proposed 3-story 11-dwelling unit condominium building would inhibit the community's efforts to attract new business to the area and is not in the public interest at this location; 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: Kevin M. Nagle

CAL. NO. 8-97-Z

APPEARANCES FOR: Gary I. Wigoda, Kevin M. Nagle

MAP NO. 26-J

APPEARANCES AGAINST: Kathleen B. King, Mary E. Kiedroia

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 3724 W. 111th Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Kevin M. Nagle **CAL. NO.** 9-97-S
APPEARANCES FOR: Gary I. Wigoda., Kevin M. Nagle **MAP NO.** 26-J
APPEARANCES AGAINST: Kathleen B. King, Mary E. Kiedroia **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 3732 W. 111th Street
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

APPLICATION DENIED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Kevin M. Nagle, for Marilyn Jaques, owner, on October 23, 1996, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 3-story 17-dwelling unit condominium building, in a B4-1 Restricted Service District, on premises at 3732 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4 (1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on December 30, 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 217' x 125' unimproved lot; that the applicant seeks to establish dwelling units below the 2nd floor in a proposed 3-story 17-dwelling unit condominium building at the subject site; that no evidence was presented to indicate that the establishment of dwelling units below the 2nd floor in a proposed 3-story 17-dwelling unit condominium building is necessary for the public convenience at this location; that the Board finds that there is a market for retail business along this section of W. 111th Street; that the establishment of dwelling units on the ground floor of the proposed 3-story 17-dwelling unit condominium building would inhibit the community's efforts to attract new business to the area and is not in the public interest at this location; 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: Kevin M. Nagle

CAL. NO. 10-97-Z

APPEARANCES FOR: Gary I. Wigoda, Kevin M. Nagle

MAP NO. 26-J

APPEARANCES AGAINST: Kathleen B. King, Mary E. Kiedroia

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 3732 W. 111th Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Russ Rutkowski **CAL. NO.** 29-97-A

APPEARANCES FOR: Richard E. Zulkey, Russ Rutkowski **MAP NO.** 11-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 4150 N. Lincoln 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Russ Rutkowski, for Russ Rutkowski & Randy Majewski, owner, on November 15, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit automobile repair including body work in a 1-story brick building, in a B3-2 General Retail District, on premises at 4150 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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 8.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is improved with a 1-story brick building with entrance off the alley; that the subject premises was previously occupied by a heating, ventilation and air-conditioning office and shop, a use permitted in a C1-1 Restricted Commercial District, from 1932 to 1987 when the appellant purchased the property; that the appellant repairs, stores and services motor vehicles including body repair, painting and engine rebuilding, a C1 use, at the subject site; that all repair work is performed within the building at the subject site; that licensing requirements have caused the case to be filed; that the use of the premises as a motor vehicle repair shop with body repair, painting and engine rebuilding is of the same intensity as the prior use of the site for a heating, ventilation and air-conditioning office and shop; 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

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

MINUTES OF MEETING

March 21, 1997

Cal. No. 29-97-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 automobile repair including body work, painting and engine rebuilding in a 1-story brick building, on premises at 4150 N. Lincoln Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 5 P.M. Monday through Friday; that all repair work, painting and engine rebuilding shall be performed entirely inside the subject building and not in the public alley at the rear of the site; that automobiles awaiting repair or that have been repaired shall not be parked in the public alley; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: The Way of Holiness Church Full Gospel, Inc. **CAL. NO.** 36-97-S
APPEARANCES FOR: William E. Brooks **MAP NO.** 20-H
APPEARANCES AGAINST: Sherrill Atkins, et al. **MINUTES OF MEETING:**
 March 21, 1997
PREMISES AFFECTED- 8041 S. Western Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, The Way of Holiness Church Full Gospel, Inc., owner, on November 4, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 241-seat church in a 1-story brick building, in a B2-1 Restricted Retail District, on premises at 8041 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 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 March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on December 30, 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 1-story brick building with an adjoining parking lot; that the applicant church is presently located at the subject site; that the applicant church has an active membership of 165 persons; that no evidence was presented to indicate that a church is necessary for the public convenience at this location; that testimony presented stated that membership is moving to the suburbs; that no evidence was presented to indicate that the value of other properties in the neighborhood would not be negatively affected by the use of the subject premises as a church; that the Board finds that S. Western Avenue is a major commercial arterial street improved with business uses and that the use of the subject premises as a church would inhibit the establishment of future permitted business uses on S. Western Avenue and is not in the public interest at this location; 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: Stan Laber **CAL. NO.** 74-97-Z
APPEARANCES FOR: Stan Laber **MAP NO.** 17-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 7122 N. Francisco 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

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

THE RESOLUTION:

WHEREAS, Stan Laber, for Stan Laber and Gail Laber, owner, on January 6, 1997, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 588 sq.ft. addition to the rear of a 2-story brick single-family dwelling, whose combined side yards will be 8.88' instead of 10' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 7122 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 6, 1997, 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 7.8-2, 7.6-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1997 after due notice thereof by publication in the Chicago Sun-Times on May 3, 1997; 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 34.42' x 123.32' lot improved with a 2-story brick Georgian-style single-family dwelling; that the applicant proposes to erect a 2-story 588 sq.ft. addition to the rear of the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to erect the proposed 2-story 588 sq.ft. addition as designed to meet the living space requirements of the applicant and his family; that the plight of the owner is due to the need to provide additional bedroom space for the applicant's large family; that the subject site is a corner lot located on the southwest corner of W. Fitch Avenue and N. Francisco Avenue; that the proposed 2-story addition will not impair an adequate supply of light and air to adjacent property and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 74-97-Z

WHEREAS, 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 588 sq.ft. addition to the rear of a 2-story brick single-family dwelling, whose combined side yards will be 8.88' instead of 10' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 7122 N. Francisco 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: Coyal Stagers
APPEARANCES FOR: Coyal Stagers
APPEARANCES AGAINST:
PREMISES AFFECTED- 200 E. 90th Street

CAL. NO. 75-97-Z
MAP NO. 22-E
MINUTES OF MEETING:
 March 21, 1997

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

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

THE RESOLUTION:

WHEREAS. Coyal Stagers, owner, on January 10, 1997, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 16' x 22.85' enclosed patio addition at the rear of a 1-story brick and frame single-family dwelling, whose rear yard will be 12.65' instead of 30', on premises at 200 E. 90th Street; and

WHEREAS. the decision of the Office of the Zoning Administrator rendered December 19, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.9-2."

and
 WHEREAS. a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1997 after due notice thereof by publication in the Chicago Sun-Times on May 3, 1997; 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 38.04' x 125.4' corner lot improved with a 2-story brick and frame single-family dwelling and newly constructed screened-in rear patio 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 screened-in patio addition is necessary to provide a safe and secure area in which the applicant can enjoy the outdoors in privacy; that the plight of the owner is due to unique circumstances in that the contractor did not obtain the necessary permit to screen in the prior existing patio foundation; that the said screened patio will be compatible with existing residential improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the application for a variation be and it hereby is granted to permit the erection of a 16' x 22.85' enclosed patio addition at the rear of a 1-story brick and frame single-family dwelling, whose yard will be 12.65' instead of 30', on premises at 200 E. 90th 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: Eliot Gomez

CAL. NO. 76-97-Z

APPEARANCES FOR: Eliot Gomez

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2117 N. Western 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

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

THE RESOLUTION:

WHEREAS, Eliot Gomez, owner, on January 22, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story enclosed porch at the rear of a 3-story brick store and apartment building, whose rear yard will be 4.25' instead of 30', on premises at 2117 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 1997, 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 8.7-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 12, 1997 after due notice thereof by publication in the Chicago Sun-Times on May 3, 1997; 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 23' x 98' lot improved with a 3-story brick store and apartment building; that the applicant seeks to erect a 3-story enclosed porch at the rear of the existing building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 3-story enclosed rear porch is necessary for the safety of the applicant's family and building tenants; that the plight of the owner is due to unique circumstances in that the prior 3-story open porch was completely destroyed in a fire set in a garbage dumpster in the alley and that the applicant now seeks to replace it with a 3-story enclosed porch; that the proposed enclosed porch will be compatible with existing improvements in the area many of which have enclosed porches in the required rear yard setback and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 76-97-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 enclosed porch at the rear of a 3-story brick store and apartment building, whose rear yard will be 4.25' instead of 30', on premises at 2117 N. 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: John Barrett

CAL. NO. 77-97-Z

APPEARANCES FOR: John Barrett

MAP NO. 17-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 6410 N. New England 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

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

THE RESOLUTION:

WHEREAS, John Barrett, owner, on January 30, 1997, 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 addition to a 1-story brick single-family dwelling, whose north side yard will be 3.5' and whose south side yard will be 1.25' instead of combined side yards of 8.34' and neither side yard less than 3' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 6410 N. New England Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1997, 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 March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 located in an R2 Single-Family Residence District; that the subject site is a 27.82' x 110' lot improved with a 1-story brick single-family dwelling; that the applicant proposes to erect a 2nd story addition to the existing 1-story brick 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 in the district in which it is located in that the variations requested are necessary to erect a full 2nd story 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 bedroom space in the existing 1-story brick single-family dwelling; that the proposed 2nd story addition will follow existing building walls and that the variations, if granted will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 77-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story addition to a 1-story brick single-family dwelling, whose north side yard will be 3.5' and whose south side yard will be 1.25' instead of combined side yards of 8.34' and neither side yard less than 3' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 6410 N. New England 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: Metzler/Hull Development Co.

CAL. NO. 78-97-Z

APPEARANCES FOR: John J. George, Jay Metzler

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2052 N. Kenmore 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

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

THE RESOLUTION:

WHEREAS, Metzler/Hull Development Co., owner, on January 31, 1997, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story single-family dwelling, whose front yard will be 12' instead of 15' and whose north side yard will be 1 foot instead of 2.5', on premises at 2052 N. Kenmore Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 28, 1997, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.8-4 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 25.05' x 123.92' lot improved with a 2-story brick residential building; that the applicant proposes to demolish the existing 2-story building and 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 yard variations requested are necessary to provide adequate functional living space in the proposed 3-story single-family dwelling as designed; that the plight of the owner is due to the shallow width and depth of the subject site lot; that the proposed 3-story single-family dwelling will be compatible with existing mixed residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

March 21, 1997

Cal. No. 78-97-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 12' instead of 15' and whose north side yard will be 1 foot instead of 2.5', on premises at 2052 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: Donna Richardson **CAL. NO.** 79-97-Z
APPEARANCES FOR: Mark Kupiec, Donna Richardson **MAP NO.** 24-E
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 10023 S. Calumet 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

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

THE RESOLUTION:

WHEREAS, Donna Richardson, for Donna Richardson and Heldia Richardson, owner, on February 3, 1997, 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 with basement 19.33' x 10' addition at the rear of a 2-story brick and frame single-family dwelling, whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 10023 S. Calumet Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 23, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.6-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 121.42' lot improved with a 2-story brick and frame single-family dwelling; that the applicant proposes to erect a 2-story with basement 19.33' x 10' addition at the rear of the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to meet the living space requirements of the applicant; that the plight of the owner is due to unique circumstances in that the rear of the existing residence is the only place where it can be reasonably enlarged; that the proposed addition will be compatible with the existing improvements in the block and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 79-97-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 with basement 19.33' x 10' addition at the rear of a 2-story brick and frame single-family dwelling, whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 10023 S. Calumet 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: Edgewater Historical Society **CAL. NO.** 80-97-S
APPEARANCES FOR: Kathy Gemperle **MAP NO.** 13-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 5358 N. Ashland Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, Edgewater Historical Society, owner, on January 31, 1997, filed an application on January 31, 1997, for the approval of the location and the establishment of a public neighborhood history museum in a 2-story brick former fire station building, in an R4 General Residence District, on premises at 5358 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, 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 March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 32' x 115' lot improved with a 2-story brick former fire station building vacant since 1979; that the City of Chicago, on January 27, 1997, conveyed the subject property to the applicant by Quitclaim Deed for the purpose of establishing a public neighborhood history museum in the former fire station building subject to the express condition that the site shall be used as a public neighborhood history museum for a period of not less than ten years; that the City has also awarded a monetary grant to assist in the establishment of said museum; that the proposed use is necessary for the public convenience at this location to provide an educational amenity to the residents of the community and to fulfill the requirements of the aforesaid conveyance of the property by the City to the applicant; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed museum in the former fire station building which will be restored in compliance with applicable building code regulations; that the renovation of the former fire station building into a neighborhood history museum will be an enhancement for the neighborhood and will not cause substantial injury to the value of other property in the area; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No.80-97-Z

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 public neighborhood history museum in a 2-story brick former fire station building, on premises at 5358 N. Ashland Avenue, upon condition that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Michael Ward

CAL. NO. 81-97-Z

APPEARANCES FOR: Edwardo Proenza

MAP NO. 7-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2640 N. Avondale Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 16, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: James J. Ganley **CAL. NO.** 82-97-S
APPEARANCES FOR: Maureen Pikarski, James J. Ganley **MAP NO.** 3-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 2148 W. Division Street March 21, 1997
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

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

THE RESOLUTION:

WHEREAS, James J. Ganley, owner, on February 4, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building, in a B4-2 Restricted Service District, on premises at 2148 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 1997, 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 March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 26' x 120' unimproved lot; that the applicant is seeking to establish a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building; that the proposed use is necessary for the public convenience at this location in that there is no demand for ground floor business improvements in the area and there is a demand for residential improvements; that the public health, safety and welfare will be adequately protected in the design and location of the proposed 3-story 3-dwelling unit building which provides adequate on-site parking spaces at the rear of the proposed building; that the proposed 3-dwelling unit building will not cause substantial injury to the value of other property in the neighborhood in that it will be an improvement in a block which contains many vacant lots and will be compatible with the existing mixed residential and business uses in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building, on premises at 2148 W. Division 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 J. Ganley **CAL. NO.** 83-97-Z

APPEARANCES FOR: Maureen Pikarski, James J. Ganley **MAP NO.** 3-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 2148 W. Division 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, James J. Ganley, owner, on February 4, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 3-dwelling unit building whose front yard will be 7.5' instead of 14.4', on premises at 2148 W. Division Street' and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 1997, 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 March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 26' x 120' unimproved lot; that on March 21, 1997, the Zoning Board of Appeals approved the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building at the subject site, in Cal. No. 82-97-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 3-dwelling unit building at the subject site would prove economically unfeasible; that the plight of the owner is due to the necessity of providing on-site parking spaces at the rear of the subject site lot which is only 120' in depth; that the proposed 3-story 3-dwelling unit building will be compatible with existing improvements in the block, many of which do not have front yard setbacks; 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 zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 3-dwelling unit building, whose front yard will be 7.5' instead of 14.4', on premises at 2148 W. Division 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: Esther C. Fishman **CAL. NO. 84-97-Z**

APPEARANCES FOR: Maureen Pikarski, Esther C. Fishman **MAP NO. 7-H**

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 2538 N. Marshfield 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

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

THE RESOLUTION:

WHEREAS, Esther Fishman, for Chicago Title & Trust Co., Tr. 1097032, owner, on January 24, 1997, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 10' x 20.5' addition to the rear of a 2-story frame 2-dwelling unit building, whose north side yard will be 1.4' instead of 2.5' and which addition will result in a 15% (412 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 2358 N. Marshfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 7.6-3, 7.8-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 125' lot improved with a 2-story frame 2-dwelling unit building and the subject 2-story 10' x 20.5' rear addition; that the said addition results in a 412 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 the applicant's living space requirements; that the plight of the owner is due to unique circumstances in the said 2-story addition was constructed by the contractor under a building permit which was issued for the repair of a rear porch; that the said 2-story rear addition follows existing building walls and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

March 21, 1997

Cal. No. 84-97-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 10' x 20.5' addition to the rear of a 2-story frame 2-dwelling unit building, whose north side yard will be 1.4' instead of 2.5' and which addition will result in a 15% (412 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 2538 N. Marshfield 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: Jim Yamamoto **CAL. NO.** 85-97-S

APPEARANCES FOR: Lawrence O’Gara, Jim Yamamoto **MAP NO.** 11-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 4734-36 N. Marine Drive

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jim Yamamoto, for John Kandaras, owner, on June 2, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 3-story 2-dwelling unit townhouse building, in a B4-5 Restricted Service District, on premises at 4734-36 N. Marine Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 27, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.3-4. 8.7-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 the proposed use is to be located in a B4-5 Restricted Service District; that the subject site is a 57.29' x 112.08' unimproved lot; that the applicant proposes to establish dwelling units below the 2nd floor in a proposed 3-story 2-dwelling unit townhouse building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for ground floor business improvements in the area and a continuing demand for residential uses, particularly townhouse dwelling units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed 2-dwelling unit building which provides on-site 2-car garage parking for each dwelling unit; that the proposed 2-dwelling unit townhouse building will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 85-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor in a proposed 3-story 2-dwelling unit townhouse building, on premises at 4734-36 N. Marine Drive, upon condition that an acoustical fence or wall shall be provided along the north property line to lessen the impact from noise associated with the adjacent gas station and car wash; that landscaping shall be provided consistent with the landscape plan prepared by Baranyk Associates, Ltd., dated March 19, 1997; 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: Jim Yamamoto **CAL. NO.** 86-97-Z
APPEARANCES FOR: Lawrence O’Gara, Jim Yamamoto **MAP NO.** 11-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 4734-36 N. Marine Drive
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

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

THE RESOLUTION:

WHEREAS, Jim Yamamoto, for John Kandarar, owner, on January 2, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-5 Restricted Service District, the erection of a 3-story 2-dwelling unit townhouse building, with no west front yard instead of 13.44' and with no midway rear yard instead of 10', on premises at 4734-36 N. Marine Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 26, 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, 8.3-4.8.7-4."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 the proposed use is to be located in a B4-5 Restricted Service District; that the subject site is a 57.29' x 112.08' unimproved lot; that on March 21, 1997, the Zoning Board of Appeals approved the establishment of dwelling units below the 2nd floor in a proposed 3-story 2-dwelling unit townhouse building at the subject site in Cal. No. 85-97-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the 2-dwelling unit townhouse building would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed 2-dwelling unit building requires encroachment into the required front and midway rear yards to provide detached 2-car garages at the rear of the site in addition to an 18'6" x 18'5" open court yard for each dwelling unit; that the proposed 3-story 2-dwelling unit building will be compatible with the existing mixed business and 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

March 21, 1997

Cal. No. 86-97-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 2-dwelling unit townhouse building, with no west front yard instead of 13.44' and with no midway rear yard instead of 10', on premises at 4734-36 N. Marine Drive, 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: Victory Ministries **CAL. NO.** 87-97-S
APPEARANCES FOR: John Mauck **MAP NO.** 3-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 356-68 W. Chicago 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Victory Ministries, owner, on January 27, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 224-seat church in a 4-story brick building, in a C1-4 Restricted Commercial District, on premises at 356-68 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.4-1, 9.3-1, 9.11-2 (1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; and

WHEREAS, the district maps show that the premises is located in a C1-4 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-4 Restricted Commercial District; that on July 15, 1994, the Zoning Board of Appeals approved the establishment of the 224-seat applicant church in a 4-story brick building at the subject site and on October 20, 1995 granted an extension of time to July 15, 1996 in which to establish the said church; that the testimony presented in Cal. No. 186-94-S is hereby made part of the record in this case: that the subject site is improved with a 4-story brick commercial building with parking areas on either side of the building; that the applicant church is presently located at 770 N. LaSalle Street; that the proposed use is necessary for the public convenience at the subject site location to continue to meet the needs of the congregation and to provide necessary services in the community; that the public health, safety and welfare will be adequately protected in the design and location of the proposed use which will comply with all applicable building code regulations and will be used only for religious services and programs to assist the community and that said premises will not provide overnight or transitional shelter or food pantry programs; that the proposed use which will rehabilitate an old vacant commercial building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 87-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 224-seat church in a 4-story brick building, on premises at 356-68 W. Chicago Avenue, upon condition that the parking area abutting the subject building to the east shall be completely enclosed with a six feet high chain link fence, excepting the driveway(s); 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 concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from W. Chicago Avenue; that the driveway(s) shall be constructed in compliance with applicable ordinances; that there shall be no ingress nor egress via the public alley abutting the site to the north; that the parking lot shall be securely locked at all times when not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order; and be it further

RESOLVED, that the use of the subject premises shall be for religious services and programs to assist the community only and that said premises shall not be used for or provide overnight shelter, transitional shelter or food pantry programs.

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

APPLICANT: Howard Brown Health Center

CAL. NO. 88-97-S

APPEARANCES FOR:

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 959-71 W. Cuyler Avenue

SUBJECT- Applicatoin for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Hyde Park Bank & Trust Co.

CAL. NO. 89-97-S

APPEARANCES FOR: William J. Hennessy

MAP NO. 12-D

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 5301-45 S. Lake Park 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

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

THE RESOLUTION:

WHEREAS, Hyde Park Bank & Trust Co., for Hyde Park Facilities, Inc., owner, on February 4, 1996, filed an application for the approval of the location and the establishment of a public fee valet parking lot, in a B2-3 Restricted Retail District, on premises at 5301-45 S. Lake Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 8, 1997, 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) (7), 8.4-2 (1)."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; and

WHEREAS, the district maps show that the premises is located in s B2-3 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 B2-3 Restricted Retail District; that the subject site is an improved parking lot; that the applicant seeks to establish a public fee valet parking lot at the subject site; that the proposed use is necessary for the public convenience at this location in order to eliminate the existing all-day overcrowding of the lot and the resultant inability of both the bank's customers and other community shoppers of using the said lot on a short-term basis; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will eliminate the existing problem of overcrowding by encouraging people to use the lot strictly on an as-needed basis; that the existing traffic flow in the neighborhood will not be impeded by the use of the parking lot as a public fee valet parking lot; that the proposed use of the site as public fee valet parking lot is not substantially different from the prior use of the site as a no-fee, self-park parking facility and as such will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 89-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a public fee valet parking lot, on premises at 5301-41 S. Lake Park Avenue, upon condition that the existing paving, striping, lighting, and landscaping shall be maintained; that ingress shall be from S. Lake Park Avenue and egress shall be from E. 54th Street; 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: Stag Iron & Metal Corp. **CAL. NO.** 90-97-S
APPEARANCES FOR: Charles Valente **MAP NO.** 10-K
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 March 21, 1997
PREMISES AFFECTED- 4700 W. 43rd 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Stag Iron & Metal Corp., for Amalgamated Trust and Savings Bank, as Trustee, Tr. # 4207, owner, on January 31, 1997, filed an application for a special use under the zoning ordinance for the approval of the leasing of the north 150' portion of an existing junk yard (approved by the Board of 4/16/80 - Cal. No. 56-80-S) which portion will also be used as a junk yard, in an M2-3 General Manufacturing District, on premises at 4700 W. 43rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 21, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.4-2 (2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; and

WHEREAS, the district maps show that the premises is located in an M2-3 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-3 General Manufacturing District; that the subject site is occupied by a scrap metal and auto recycling yard approved by the Zoning Board of Appeals on April 16, 1980 in Cal. No. 56-80-S; that the applicant seeks to lease the north 150' portion of the existing junk yard which portion will also be used as a junk yard: that the proposed use is necessary for the public convenience at this location to provide a necessary service in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be screened from public view and operated in compliance with all applicable ordinances and regulations of the City of Chicago; that the leasing of the north 150' portion of the existing junk yard at the subject site for use as a junk yard is consistent with the present use of the site and other similar uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 90-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of the north 150' portion of an existing junk yard (approved by the Board on 4/16/80 - Cal. No. 56-80-S) which portion will also be used as a junk yard, on premises at 4700 W. 43rd Street, upon condition that the operation shall at all times be conducted in compliance with all ordinances and regulations governing the establishment and operation of junk yards; 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: River West, Inc. **CAL. NO.** 91-97-A
APPEARANCES FOR: Gary I. Wigoda, Richard Postilion **MAP NO.** 5-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 March 21, 1997
PREMISES AFFECTED- 1860 N. Elston 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

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

THE RESOLUTION:

WHEREAS, River West, Inc., for Seymour Shiner, owner, on January 24, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a Public Place of Amusement Class III license to permit music and dancing in an existing tavern in a 2-story brick building, in Planned Manufacturing District #2, on premises at 1860 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1997, 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 March 21, 1997; and

WHEREAS, the district maps show that the premises is located in 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 said use is located in Planned Manufacturing District #2; that the subject site is improved with a 2-story brick building occupied by a licensed non-conforming tavern and which also is licensed to permit music and dancing in connection with the tavern operation; that the tavern has about 3,000 sq.ft. of floor area with a dancing area of about 400 sq.ft.; that the appellant seeks zoning certification in order to secure a Public Place of Amusement (PPA) Class III license required by the Department of Revenue pursuant to an amendment to the licensing code which requires establishments that offer music, dancing or entertainment with a capacity of greater than 120 persons to have a PPA Class III license; that the Board finds that the appellant has a music and dance license accessory to his tavern license and that in this case from a zoning standpoint, there is no distinction between the current music and dance license and the PPA Class III license; 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

MINUTES OF MEETING

March 21, 1997

Cal. No. 91-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a Public Place of Amusement Class III License to permit music and dancing in an existing tavern in a 2-story brick building, on premises at 1860 N. Elston Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

Specially Concurring Opinion

The Appellant here presents a case in which it maintains a tavern with music and dance. It possesses separate licenses from the City of Chicago for each use. Its facilities at 1860 N. Elston Avenue were formerly zoned for manufacturing which permitted restaurants and taverns, as well as other uses previously believed to be of some necessity to "smoke-stack" industries. Factory whistles once signified a time to eat or a time to unwind. Today there are no whistles; hard hats and lunch pails are seen only at construction sites. Heavy industry, once considered the backbone of America, has given way to computerized technology and foreign competition. In the process, two efforts have emerged which come into conflict in this case.

The first is an effort on the part of the Appellant to survive in business as the "hard hat and lunch pail" customer disappears. The Appellant in this case, as others, has redirected its image and its concept to the burgeoning young people who have brought a new vitality to city life by investing in new housing and supporting new businesses which now encroach upon land formerly used by industry.

The second is an effort on the part of the municipality to set aside land, through zoning classifications, for new industry. From this second effort comes the concept of a planned manufacturing district (PMD). In this case, the Appellant's business was rezoned in 1990, to Planned Manufacturing District #2 (also known as the Elston PMD) from a manufacturing district, where its use as a tavern was formerly permitted and its use for music and dance could be permitted as an accessory use. Under this new zoning classification, neither of Appellant's uses are permitted to be established. However, under Article 6 of the Chicago Zoning Ordinance (CZO), Appellant's uses could remain as legal non-conforming uses. The Zoning Board of Appeals (ZBA) makes that finding herein by reversing the decision of the Zoning Administrator and granting the Appellant's appeal. In this regard, the decision in this case is easier to make than it is to answer the question why this case was necessary in the first place.

In 1992, the City Council enacted new classifications to its licensing code which added language to the definition of a "Public Place of Amusement Class III (PPA)." A cabaret is then defined as a place where music and dance is offered with a capacity of more than 120 persons. As a result, the Appellant was asked to obtain a new and additional business license even though it already had a license for both of its uses. Since the new classification (PPA) was not a permitted use in a PMD, the Zoning Administrator denied zoning certification for the Appellant's PPA license application.

The dilemma for the Zoning Administrator is to attempt to honor the City's licensing regulations while he also enforces the CZO which has no definition or requirements for either a PPA or a cabaret. This leaves him in a quandary whether the City Council, in making amendments to the licensing code, intended to make amendments to the CZO. The Zoning Administrator and the ZBA exist to rule upon zoning issues, not licensing issues. Generally an amendment to one law which is not made to some companion law is deemed to intend to apply only to that law which has been amended. I see no reason to deviate from this principal in granting the Appellant's appeal in this case. If the City Council meant to add the terms PPA or cabaret to the CZO, it would have done so. The Appellant was not attempting to establish a new use (PPA) not permitted in a PMD; it was merely attempting to comply with licensing requirements so that its uses,

MINUTES OF MEETING

March 21, 1997

Cal. No. 91-97-A

permitted in a manufacturing zone and rendered legal non-conforming upon reclassification to a PMD, could continue to operate. I believe in cases such as this that the Zoning Administrator can approve a PPA Class III license or any other necessary license for an existing non-conforming licensed tavern and/or restaurant that also has a current music and dance license when it can be demonstrated that the existing non-conforming use will not change in scope nor be expanded in floor area.

In summary, the CZO defines many uses in plain and simple terms. For example, the terms restaurant and tavern are, in most cases, words with plain meanings which are readily recognizable. To the contrary, public places of amusement is a term of art which requires definition. One need only to look at the long list of uses mentioned in the licensing code to define the term PPA. Zoning should look at, and deal with, the uses at issue and not some term of art not provided in the CZO. The ZBA has decided this appeal by following this analysis. In the future, it would be less burdensome to business owners and government officials if the terminology used in companion laws (ordinances) be synonymous. The time and effort expended on this case could have been better spent on issues of substance.

Joseph J. Spingola
Chairman - Zoning Board of Appeals

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

APPLICANT: Sisterman, Inc. **CAL. NO.** 92-97-A

APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 5-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Sisterman, Inc., for Columbia National Bank, Tr. #3242, owner, on February 3, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a Public Place of Amusement Class III license to permit live entertainment and dancing in an existing restaurant and tavern in a 1-story brick 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 February 3, 1997, 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 11, 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 March 21, 1997; 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 said use is located in Planned Manufacturing District #2; that the subject site is improved with a 1 and 2-story brick building containing a licensed non-conforming tavern and restaurant in the 1-story portion of the said building; that on August 16, 1996 the board sustained an appeal permitting the establishment of a tavern and restaurant with music and dancing in the 1-story portion of the existing 1 and 2-story multi-use building at the subject site, in Cal. No. 307-96-A; that the appellant seeks zoning certification in order to secure a Public Place of Amusement (PPA) Class III license required by the Department of Revenue pursuant to an amendment to the licensing code which requires establishments that offer music, dancing or entertainment with a capacity of greater than 120 persons to have a PPA Class III license; that the Board finds that music and dancing in conjunction with the existing restaurant and tavern has already been approved by the Board and that licensing requirements have caused the cases 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

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

MINUTES OF MEETING

March 21, 1997

Cal. No. 92-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a Public Place of Amusement Class III License to permit live entertainment and dancing in an existing restaurant and tavern in a 1-story brick 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 license is issued.

Special Concurring Opinion

On November 16, 1996, the Zoning Board of Appeals approved a restaurant and tavern at this location as a non-conforming use with an accessory use for live entertainment and dancing. This case now comes to us seeking the same thing under the classification of "Public Place of Amusement." The Chicago Zoning Ordinance contains no such term "Public Place of Amusement." There is no reason for this case as the uses have been approved by our prior order. For further explanation see decision in Case Number 91-97-A.

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

APPLICANT: Big Chicago Corp., d/b/a Crobar **CAL. NO.** 93-97-A
APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 3-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 1543 N. Kingsbury 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

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

THE RESOLUTION:

WHEREAS, Big Chicago Corp., d/b/a Crobar, for Supera Properties, owner, on February 4, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a Public Place of Amusement Class III license in an existing tavern with music and dancing in a 2-story brick building, in a C3-2 Commercial-Manufacturing District, on premises at 1543 N. Kingsbury Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 4, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.11-1."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

WHEREAS, the district maps show that the premises is located in a C3-2 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C3-2 Commercial-Manufacturing District; that the subject site is improved with a 2-story brick building occupied as a licensed tavern and which is also licensed to permit music and dancing in connection with the tavern operation; that the tavern has about 7,200 sq.ft. of floor area with a dancing area of about 700 sq. ft.; that the principal entertainment is provided by a DJ; that live bands perform three or four times a year; that the appellant seeks zoning certification in order to secure a Public Place of Amusement (PPA) Class III license required by the Department of Revenue pursuant to an amendment to the licensing code which requires establishments that offer music, dancing or entertainment with a capacity of more than 120 persons to have a PPA Class III license; that the Board finds that the appellant has a music and dance license accessory to his tavern use and that in this case from a zoning standpoint. there is no distinction between the current music and dance license and the PPA Class III license; that the music and dancing floor area represents about 10% of the total tavern floor area and is an accessory use and as such requires no off-street parking; 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

MINUTES OF MEETING

March 21, 1997

Cal. No. 93-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a Public Place of Amusement Class III license permitting music and dancing as an accessory use to an existing tavern with no off-street parking required for said accessory use in a 2-story brick building, on premises at 1543 N. Kingsbury Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before license is issued.

Specially Concurring Opinion

The appellant in this case appeals a decision of the Zoning Administrator in which he refused to grant zoning certification for a Public Place of Amusement Class III license application due to insufficient off-street parking. The appellant maintains an existing tavern with music and dancing in the building at the subject site which is located in a C3-2 district. Under this zoning classification taverns are permitted uses with live entertainment and dancing permitted in conjunction with same. Off-street parking for this use would only be required when the use exceeds 4,000 square feet in floor area, then one parking space for every 400 square feet of floor area in excess of 4,000 square feet would be required.

This case results from a change of licensing definitions which now require the appellant, in spite of the fact each of his uses are permitted and currently licensed, to obtain an additional license now defined as a Public Place of Amusement Class III license. For this application, it is necessary for the Zoning Administrator to grant zoning certification on the license application indicating that the use meets the requirements of the zoning ordinance. The problem is one of definition. The Chicago Zoning Ordinance (CZO) has no such classification as a "Public Place of Amusement" and no definition of the term. The CZO does make reference to "Amusement Establishments" and under parking requirements refers to "Dance Halls and Other Places of Assembly". As a result, the Zoning Administrator is put in the position of having to decide whether a Public Place of Amusement is a principal use by itself under the CZO or whether the appellant's permitted uses transcend licensing classifications.

The Board has found that the appellant's music and dancing floor area constitutes only about 10% of the total tavern floor area and as such is a permitted accessory use that requires no additional off-street parking.

The only dilemma that remains with respect to this decision is the amount of floor area this appellant will devote to its music and dance use. The CZO does make reference to Amusement Establishments and Dance Halls and Other Places of Assembly. It makes no reference to "Public Place of Amusement." Since licensing has several classifications for Public Place of Amusement it does not appear that the terms recited in the CZO are meant to equate to the licensing definitions. The term Amusement Establishment as used in the CZO appears to be a catch-all phrase after identifying uses such as a dance hall. The question then becomes when does the appellant's use for music and dancing constitute an accessory use to the tavern and when does it become a principle use. The ZBA has consistently applied a 10 to 15% factor with respect to accessory uses. Therefore, it would appear to be reasonable to allow this appellant up to 15% of the tavern's floor area for music and dance as an accessory use with no additional parking required. Beyond 15% the music and dance use may cease to be accessory and may constitute a principle use which may, in fact, be a dance hall thus requiring off-street parking for 10% of its capacity. As a result, the ZBA finds herein that the appellant's music and dance use is merely an accessory use provided that the appellant does not use more than 15% of its square footage for this purpose. If the accessory use exceeds 15% of the appellant's square footage or is increased beyond 15%, the Zoning Administrator should review the use more critically.

Joseph J. Spingola
Chairman, Zoning Board of Appeals

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

APPLICANT: Ray M. Edmond **CAL. NO.** 94-97-A
APPEARANCES FOR: Ray M. Edmond **MAP NO.** 16-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 6908 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

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

THE RESOLUTION:

WHEREAS, Ray M. Edmond, owner, on January 9, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a Public Place of Amusement Class II license for an existing non-conforming tavern in a 2-story brick building, in a B2-2 Restricted Retail District, on premises at 6908 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 16, 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 March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the subject site is improved with a 2-story brick building occupied by a licensed non-conforming tavern; that the subject non-conforming tavern has been at the subject site location for the past 12 years; that the applicant also rents out the second floor of the subject building for receptions, parties, etc.; that all food for such events is catered in and that there is no cooking on site; that the appellant has a current music and dancing license issued in connection with the liquor license; that the Revenue Department now requires that the appellant secure a Public Place of Amusement license for the premises; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 94-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a Public Place of Amusement Class II License for an existing non-conforming tavern in a 2-story brick building, on premises at 6908 S. Western Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Malcolm White

CAL. NO. 95-97-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 1903 W.Cuyler Avenue

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Saint Xavier University **CAL. NO.** 96-97-A

APPEARANCES FOR: Kenneth Kulick, Joyce Chou **MAP NO.** 24-J

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 10158 S. Central Park 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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Saint Xavier University, as amended, owner, on January 23, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 31' high ornamental archway with lettering "Saint Xavier University" on the arch at the Central Park Avenue entrance to the university campus, in an R4 General Residence District, on premises at 10158 S. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 22, 1997, 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 7.10-1 (B) (C)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; 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 appellant seeks to erect a 31' high ornamental archway with the lettering "Saint Xavier University" on the arch at the Central Park Avenue entrance to the university campus; that the proposed archway will be constructed of a bronze metallic material and that one small chandelier-type light fixture will hang under the archway at its midpoint; that the proposed archway is actually 26' high with the exception of a small ornament at the top of the arch which raises the midway point to 31' high; that the proposed ornamental archway replicates the original archway to the university campus and will be erected as part of the applicant university's sesquicentennial celebration; that the Board finds 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

MINUTES OF MEETING

March 21, 1997

Cal. No. 97-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a 31' high ornamental archway with the lettering "Saint Xavier University" on the arch at the Central Park Avenue entrance to the university campus, on premises at 10158 S. Central Park 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: Chrysanthy M. Berles

CAL. NO. 97-97-A

APPEARANCES FOR:

MAP NO. 15-M

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 5791 N. Elston Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 16, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Luis Alvarez
APPEARANCES FOR: Luis Alvarez
APPEARANCES AGAINST:
PREMISES AFFECTED- 2620 W. 47th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 98-97-A
MAP NO. 10-1
MINUTES OF MEETING:
 March 21, 1997

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Luis Alvarez, owner, on February 11, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail auto parts store in a former funeral home on the ground floor of a 2-story brick building, in an R3 General Residence District, on premises at 2620 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1997, 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 March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick building formerly occupied by funeral home, a B4 use, which ceased operation less than a year ago; that the prior use was rendered non-conforming when the site was rezoned by the City Council on July 10, 1996 from B4-1 Restricted Service to R3 General Residence; that the appellant seeks to establish a retail auto parts store, a B4 use, at the subject site; that the appellant will sell at retail new auto parts only; that no installation of auto parts will be performed at the site; that the change of use from a funeral home to a retail auto parts store 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 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 retail auto parts store in a former funeral home on the ground floor of a 2-story brick building, on premises at 2620 W. 47th Street, upon condition that there shall be installation of auto parts performed at the subject site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ramon Velasco

CAL. NO. 99-97-A

APPEARANCES FOR: None

MAP NO. 7-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 4432 W. Fullerton Avenue

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

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

APPLICANT: Linda Edmond

CAL. NO. 100-97-A

APPEARANCES FOR: Linda Edmond

MAP NO. 18-C

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2236 E. 73rd 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Linda Edmond, for H. Skyes, owner, on January 2, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 1-story brick store building, in a B1-1 Local Retail District, on premises at 2236 E. 73rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 2, 1997, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.3-1."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

WHEREAS, the district maps show that the premises is located in a B1-1 Local 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 B1-1 Local Retail District; that the subject site is improved with a 1-story brick building containing 3 stores one of which is a barber shop; that the subject store was previously occupied by a nail salon which recently ceased operation; that the appellant is seeking to establish a beauty parlor in the subject store premises which will provide nail and hair beauty treatments and services; that the change of use from a nail salon to a beauty parlor providing hair and nail services 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 parlor in a 1-story brick store building, on premises at 2236 E. 73rd Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M. Tuesday through Friday and from 8 A.M. to 5 P.M., Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Willie Handley **CAL. NO.** 101-97-A
APPEARANCES FOR: Willie Handley **MAP NO.** 24-C
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 9531 S. Jeffery Boulevard
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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Willie Handley, for a Mr. Nam, owner, on January 28, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 1-story brick multi-store building, in a B2-1 Restricted Retail District, on premises at 9531 S. Jeffery Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 28, 1997, 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 March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick multi-store building; that the appellant proposes to establish a beauty salon, a B4 use, in the subject store premises; that the subject multi-store building contains other B4 uses; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 1-story brick multi-store building, on premises at 9531 S. Jeffery Boulevard, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Tuesday through 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: Wanda Thompson-Goff **CAL. NO.** 102-97-A
APPEARANCES FOR: Wanda Thompson-Goff **MAP NO.** 3-K
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 March 21, 1997
PREMISES AFFECTED- 4506 W. Thomas 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Wanda Thompson-Goff, owner, on January 21, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a dormer addition to a 2-story brick non-conforming 2-dwelling unit building, in an M1-2 Restricted Manufacturing District, on premises at 4506 W. Thomas Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 4, 1997, 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 March 21, 1997; 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 said use is located in an M1-2 Restricted Manufacturing District; that on March 19, 1997, an amendment was introduced in the City Council to rezone the subject subject site to R3 General Residence; that the subject site is a 25' x 123.12' lot improved with a 2-story brick non-conforming 2-dwelling unit building with the partially completed dormer addition; that the said dormer addition was erected for the purpose of providing a family room and recreational space in the applicant's dwelling unit; that although the district in which the subject site is presently located is zoned Manufacturing, the immediate area is predominantly residential in character; that although the subject site's present manufacturing zoning renders the residential building non-conforming, such residential buildings are exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and said dormer addition thereto is well below the permitted floor area ratio for the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 102-97-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 a dormer addition to a 2-story brick non-conforming 2-dwelling unit building, on premises at 4506 W. Thomas Street, upon condition said dormer addition shall comply with all 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: Janice Coleman and Karen Lader

CAL. NO. 103-97-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2148 W. Giddings Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 16, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Jesus Saavedra

CAL. NO. 104-97-A

APPEARANCES FOR: Jesus Saavedra

MAP NO. 5-1

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2052 N. Albany 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jesus Saavedra, for Anastasia Roman, owner, on January 27, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1 ½ story frame building as 2 dwelling units, in an R3 General Residence District, on premises at 2052 N. Albany Avenue, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 7, 1997, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-3, 7.12-1."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 1 ½ story frame building; that the owner of the subject premises is the applicant's mother; that on April 23, 1976, the Board sustained an appeal by the previous owner of the property, Cicero Stallings, legalizing the use of the 1 ½ story frame building at the subject site as two dwelling units, in Calendar No. 88-76-A; that the evidence presented indicates that the building on the subject site has been occupied as two dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the applicant has a right to continue the occupancy of the building as two dwelling units, provided the building is brought into compliance with building code regulations; it is therefore.

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 1 ½ story frame building as 2 dwelling units, on premises at 2052 N. Albany Avenue, upon condition that the building is brought into compliance with 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: John Randazzo **CAL. NO.** 105-97-A
APPEARANCES FOR: John Randazzo **MAP NO.** 7-N
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 7155 W. Diversey Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, John Randazzo, owner, on January 29, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 4 dwelling units in a 2-story brick and frame building, in an R3 General Residence District, on premises at 7155 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 28, 1997, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-3, 7.12-1 (4)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; 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 4,375 sq. ft. lot improved with a 2-story brick and frame building; that the subject building contains a barber shop and a vacant store on the ground floor and dwelling units on the 2nd floor and behind the store premises; that no evidence was presented to indicate that the subject building contained 4 dwelling units prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that under Section 7.5-3 of the zoning ordinance there shall be not less than 1,650 sq. ft. of lot area per dwelling unit; that the subject site lot does not contain enough lot area to support 4 dwelling units; that under Section 7.5-3 of the zoning ordinance, the Board has no authority to permit the certification of 4 dwelling units at the subject site; it is therefore

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

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

APPLICANT: Orlando and Lucero Rodriguez **CAL. NO.** 106-97-A

APPEARANCES FOR: Gregg A. Wolpoff, Orlando Rodriguez **MAP NO.** 13-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 2605 W. Winnemac Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Orlando and Lucero Rodriguez, owner, on January 31, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 3 dwelling units, in an R3 General Residence District, on premises at 2605 W. Winnemac Avenue; and

WHEREAS, on January 30, 1997, the Department of Zoning denied the applicant's amended Exception request to permit a third dwelling unit which the applicant claimed existed prior to July 8, 1957; that the applicant subsequently filed an appeal from the decision of the Office of the Zoning Administrator with the Zoning Board of Appeals; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story brick building; that the appellant purchased the subject building in 1993 as a 3 dwelling unit building; that evidence presented indicates that some architectural details in the subject building predate the 1957 comprehensive zoning amendment, but the Board finds that they did not sufficiently indicate that a basement dwelling unit existed prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; 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: Angel Morales

CAL. NO. 107-97-A

APPEARANCES FOR: None

MAP NO. 6-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2752 S. Springfield Avenue

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: George Tavoularis **CAL. NO.** 108-97-A
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 3-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 1339-41 N. Damen Avenue March 21, 1997
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

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

THE RESOLUTION:

WHEREAS, George Tavoularis, for Chicago Title & Trust, Tr. # 110197, owner, on January 27, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the non-conforming use of a 3-story brick building as 2 stores and 6 dwelling units, in an R4 General Residence District, on premises at 1339-41 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1997, 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 March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a vacant 3-story brick building containing a storefront on the ground floor and 7 dwelling units; that the subject building was originally constructed over 100 years ago; that the subject building contained 7 dwelling units prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that a remodeling permit has been issued to the appellant to deconvert the building to 6 dwelling units; that the appellant has a right to continue the occupancy of the building as 6 dwelling units provided the building is brought into compliance with applicable building regulations; that the appellant also seeks to establish a restaurant in the ground floor store premises; that on July 18, 1993, the Board sustained an appeal permitting the establishment of a new and used book store at the subject site; that the change of use from a new and used book store, a B2 use, to a restaurant, a B2 use, 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 his appeal; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 108-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the non-conforming use of a 3-story brick building as a restaurant and 6 dwelling units, on premises at 1339-41 N. Damen Avenue, upon condition that the building is brought into compliance with 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: St. George Greek Orthodox Church of Chicago **CAL. NO.** 109-97-S
APPEARANCES FOR: Bill Stotis **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 2701 N. Sheffield Avenue March 21, 1997
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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, St. George Greek Orthodox Church of Chicago, owner, on February 21, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a community center for church related activities in a proposed addition to the north side of an existing 2-story brick church building, in an R4 General Residence District, on premises at 1701 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1997, 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 March 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 2-story brick church building with a parking lot to the north of the building; that the applicant church has been located at the subject site since 1923; that the applicant proposes to erect a 2-story addition to the north side of the existing church building which will be located over a portion of the existing on-site parking area; that the proposed use is necessary for the public convenience at this location to provide space for church programs and activities; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will not displace existing on-site parking spaces; that an elevator for the elderly and handicapped will be provided in the proposed addition as designed; that the proposed addition will be constructed of the same building materials and in the style of the existing church building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 109-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a community center for church related activities in a proposed 2-story addition to the north side of an existing 2-story brick church building, on premises at 2701 N. Sheffield Avenue, upon condition that the applicant constructs the proposed addition substantially in conformance with the plans prepared by James Metropulos & Associates, dated August 19, 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: Benjamin Munoz

CAL. NO. 335-96-S

APPEARANCES FOR: None

MAP NO. 4-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
March 21, 1997

PREMISES AFFECTED- 2759 W. 18th Street

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

ACTION OF BOARD--

CASE DISMISSED FOR
WANT OF PROSECUTION.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Community Counselling Centers of Chicago **CAL. NO.** 373-95-A

APPEARANCES FOR: Gregory H. Furda **MAP NO.** 11-G

APPEARANCES AGAINST: John J. Pikarski, Jr., Stephen H. Malato **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 1447 W. Montrose Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 16, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Dawn Paskowicz **CAL. NO.** 450-96-A
APPEARANCES FOR: Dawn Paskowicz **MAP NO.** 11-K
APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997
PREMISES AFFECTED- 4511 N. Keystone 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

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

THE RESOLUTION:

WHEREAS, Dawn Paskowicz, owner, on September 19, 1996, fled an appeal from the decision of the office of the Zoning Administrator in refusing to certify the use of a 1-story frame building as 2 dwelling units, in an R3 General Residence District, on premises at 4611 N. Keystone Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 18, 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 7.5-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 1-story with high basement frame residential building; that the appellant purchased the subject building in 1995 as a single-family dwelling that contained an illegal basement dwelling unit; that evidence presented indicates that the basement dwelling unit has existed at the subject site since prior to the adoption of the 1957 comprehensive amendment to the Zoning Ordinance; that the appellant testified that she wants to keep the existing sink and cooking facilities in the basement and that she intends to use the basement unit for recreational space as part of her 1st floor dwelling unit only and not use it as a separate rental unit; that legalization of the basement dwelling unit was the only way she could retain the sink and cooking facilities in the basement; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 450-96-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 existing kitchen facility in the basement of the 1-story frame building, on premises at 4611 N. Keystone Avenue, upon condition that the said kitchen facility shall be used only in connection with the appellant's 1st floor dwelling unit and that the basement shall not be rented out as a separate dwelling unit; that the legal use of the subject site building shall be only as a single-family dwelling with a 2nd kitchen facility in the basement as an accessory use; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Vincent Parednis **CAL. NO.** 490-96-A

APPEARANCES FOR: Vincent Parednis **MAP NO.** 12-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 5259 S. Troy 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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Vincent Parednis, owner, on October 11, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a 5th dwelling unit in a 2-story brick 4-dwelling unit building on the front of the lot additionally improved with a 2-story dwelling on the rear of the lot, in an R3 General Residence District, on premises at 5259 S. Troy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 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 7.1-2, 7.5-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story brick 4-dwelling unit building on the front of the lot and a 2-story dwelling on the rear of the lot; that the appellant testified that the rear building was originally 2 dwelling units which was later converted to one store and a dwelling unit and that the subject premises is now a single-family dwelling; that no evidence was presented to indicate that a 5th dwelling unit existed prior to 1942 in the 2-story brick 4 dwelling unit building on the front of the lot; 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.

APPLICANT: Bong Kim **CAL. NO.** 492-96-A

APPEARANCES FOR: John J. Pikarski, Jr., Bong Kim **MAP NO.** 4-E

APPEARANCES AGAINST: **MINUTES OF MEETING:**
March 21, 1997

PREMISES AFFECTED- 1325 S. State Street

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

ACTION OF BOARD--

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Bong Kim, for C & K Partnership, owner, on October 17, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a dry cleaning plant in a 1-story brick building, in a B6-6 Restricted Central Business District, on premises at 1325 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 7, 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 8.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 1997; and

WHEREAS, the district maps show that the premises is located in a B6-6 Restricted Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-6 Restricted Central Business District; that the subject site is improved with a 1-story brick building occupied by an operating drop-off dry cleaning business; that the appellant seeks to establish a dry cleaning plant at the subject site; that the proposed use will utilize state-of-the-art dry cleaning equipment; that no chemicals will be used in the dry cleaning process or stored at the subject premises; that the subject site premises was previously occupied by an auto parts assembly business; that the change of use from an auto parts assembly business to a dry cleaning plant 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 his appeal; it is therefore

MINUTES OF MEETING

March 21, 1997

Cal. No. 492-96-A

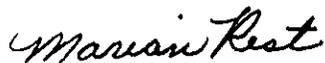
RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a dry cleaning plant in a 1-story brick building, on premises at 1325 S. State Street, upon condition that the hours of operation of the dry cleaning drop off station shall be limited to the hours between 7 A.M. and 6 P.M., Monday through Friday and from 8 A.M. to 5 P.M., Saturday; that the hours of operation of the dry cleaning plant shall be limited to the hours between 8 A.M. and 2 P.M., Monday through Saturday; that the proposed dry cleaning plant shall be operated at all times in compliance with the performance standards established under the zoning ordinance for M1-1 Restricted Manufacturing Districts; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

March 21, 1997

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting April 18, 1997.



Secretary