

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

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on August 21, 1998
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

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

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

MINUTES OF MEETING

August 21, 1998

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on July 17, 1998 (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. 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: Peter & Heather Mullet

CAL. NO. 273-98-Z

APPEARANCES FOR: Robert Buono, Peter Mullet

MAP NO. 5-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1339 W. Webster Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story addition to the east and south sides of a single family dwelling on a reverse corner lot, whose east side yard will be 4.75' instead of 7.5' and with a south rear yard of 2.5' instead of 30'.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Edward G. Donley

CAL. NO. 274-98-Z

APPEARANCES FOR: Edward G. Donley

MAP NO. 5-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1629 N. Wood Street

NATURE OF REQUEST-- Application for variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story single family dwelling whose front yard will be 4.5' instead of 19.84', whose north side yard will be 1' and with a south side yard of 3' instead of 6.45' each.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Zenon Szauer

CAL. NO. 275-98-Z

APPEARANCES FOR: Zenon Szauer

MAP NO. 9-L

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 5114 W. Berenice Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2nd story addition to an existing 1-story frame single-family dwelling, whose front yard will be 8' instead of 20' and with a west side yard of 2.93' instead of 3'.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Ann & Louis Draganich **CAL. NO.** 276-98-Z
APPEARANCES FOR: Ann & Louis Draganich **MAP NO.** 14-D
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED-- 5743 S. Kimbark Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2nd story bay window addition to a 2-story frame single family dwelling whose north side yard will be 0 instead of 5'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: H. Gregory Mermel

CAL. NO. 277-98-Z

APPEARANCES FOR: David Goldstein, H. Gregory Mermel

MAP NO. 9-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1321 W. Henderson Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in Special District #6, the erection of dormer additions to the 4th floor of a 3 dwelling unit building whose 42'-10" existing height exceeds the 36' permitted in SD#6 and whose front yard will be 13.07' instead of 15' and with no west side yard instead of 2.5'.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is to be located in Special District #6; that the subject site is improved with a 3-story frame 3-dwelling unit building with a partial 4th story dormer addition; that the applicant proposes to expand the existing partial dormer addition in order to obtain additional bedroom, bath and laundry room space in the duplexed 3rd floor dwelling unit to be occupied by the applicant; that no evidence was presented to indicate that the variations requested are necessary to obtain a reasonable return on the subject property or that the plight of the owner was not self-created, nor that a unique circumstance exists as required under Section 11.7-3 of the zoning ordinance; it is therefore

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

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

APPLICANT: Janice Smith

CAL. NO. 278-98-Z

APPEARANCES FOR: Janice Smith

MAP NO. 2-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 2329-31 W. Monroe Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the establishment of off-street parking spaces for a proposed conversion of a 3-story building to 7 dwelling units on a through lot, with no south front yard instead of 15'.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the off-street parking spaces shall be realigned to allow space for a walkway and garbage containers.

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

APPLICANT: Maurice Lawlor

CAL. NO. 279-98-Z

APPEARANCES FOR:

MAP NO. 11-K

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 4520 N. Keystone Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the division of an improved zoning lot into one 3,250 sq. ft. lot and one 3,000 sq. ft. lot whose north side yard will be 0 instead of 5'.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 16, 1998.

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: Mike Goszczcki **CAL. NO.** 280-98-A

APPEARANCES FOR: Douglas Garafalo, Mike Goszczcki **MAP NO.** 9-H

APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998

PREMISES AFFECTED- 3246-48 N. Hoyne Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL DENIED FOR LACK OF THREE AFFIRMATIVE VOTES 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, Mike Goszczcki, owner, on July 6, 1998, filed an appeal from the Office of the Zoning Administrator in refusing to permit as one zoning lot a 48' x 120' parcel with a 2 ½-story and 3-story building both of which are connected at the 2nd floor and all of which contains a total of 3 dwelling units, in an R3 General Residence District, on premises at 3246-48 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1998, 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 August 21, 1998; 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 48' x 120' parcel of land consisting of 2 zoning lots and is improved with a 2 ½ story and a 3-story which are connected at the 2nd floor; that the appellant seeks to combine the 2 zoning lots in order to permit the erection of a 583 square foot addition to the 3rd floor of the existing 3-story building attached with a 2nd story addition to the 2 ½ story building, all of which will contain 3 dwelling units; and

WHEREAS, upon the matter being put to a vote, Chairman Spingola found that no evidence was presented to indicate that the subject buildings existed on the 2 zoning lots and contained a total of 3 legal dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance and moved to deny the appeal; Member Konstantelos concurred; Members McCabe-Miele and Martin found that the appellant satisfactorily established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is denied due to lack of three affirmative votes 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: Mike Goszczcki **CAL. NO.** 281-98-Z
APPEARANCES FOR: Douglas Garafalo, Mike Goszczcki **MAP NO.** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED-- 3246-48 N. Hoyne Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 583 square foot addition to the 3rd-floor of an existing 3-story brick building attached with a 2nd story addition to a 2½ story brick and frame building all of which will contain 3 dwelling units and whose rear yard will be 1' instead of 30', and with no south side yard instead of 6'.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED FOR LACK OF THREE AFFIRMATIVE VOTES.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is to be located in an R3 General Residence District; that on August 21, 1998, the Board denied, due to lack of three affirmative votes, the applicant's appeal to permit as one zoning lot a 48' x 120' parcel of land with a 2 ½ story and a 3-story building both of which are connected at the 2nd floor and all of which contains a total of 3 dwelling units, at the subject site in Cal. No. 280-98-A; that the applicant seeks rear yard and south side yard variations in order to erect a 583 sq. ft. addition on the roof of the 3rd floor of the existing 3-story building to provide a steel walkway and deck to be used as a second means of egress and a new dormer for the purpose of accessing an existing stairway to the street level; that the 2nd story addition is for the purpose of connecting the two existing buildings and to maintain the current second means of egress at the second floor level; and

WHEREAS, notwithstanding the denial of the appeal in Cal. No. 280-98-A negates the need for the variations requested, upon being put to a vote, Chairman Spingola moved that the application for a variation of the zoning ordinance be denied for failure to prove that the property in question cannot yield a reasonable return without the requested variations; Member Konstantelos concurred. Members McCabe-Miele and Martin found that the applicant satisfactorily met the required standards as presented and voted to approve the variation application; it is therefore

RESOLVED, that the application for a variation be and it hereby is denied due to lack of three affirmative votes.

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

APPLICANT: Paul & Tracy Ferenzi

CAL. NO. 282-98-Z

APPEARANCES FOR: Richard E. Zulkey, Tracy Ferenzi

MAP NO. 6-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 519 W. 28th Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story single family dwelling whose front yard will be 6' instead of 20'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality: it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Girley Marie Thompson **CAL. NO.** 283-98-Z
APPEARANCES FOR: Girley Marie Thompson **MAP NO.** 18-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED-- 7718 S. Rhodes Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2nd story addition to 1 story single family dwelling whose north side yard will be .7' instead of 3'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Maria Niess

CAL. NO. 284-98-S

APPEARANCES FOR: Maureen Pikarski, Maria Niess

MAP NO. 7-O

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 3016 N. Harlem Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of an existing dwelling unit below the 2nd floor in a proposed 1-story addition to an existing 2-story brick and frame 2 dwelling unit building, in a B4-1 Restricted Service District.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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: Maria Niess

CAL. NO. 285-98-Z

APPEARANCES FOR: Maureen Pikarski, Maria Niess

MAP NO. 7-O

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 3016 N. Harlem Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a 1-story addition to the rear of an existing 2-story brick and frame 2 dwelling unit building, which addition will be attached to the garage on the rear of the lot, and whose south side yard will be 1.4' instead of 5.6'.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that on August 21, 1998, the bBoard approved the expansion of an existing dwelling unit below the 2nd floor in a proposed 1-story addition to an existing 2-story brick and frame 2 dwelling unit building, at the subject site, in Cal. No. 284-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Hans Boden

CAL. NO. 286-98-S

APPEARANCES FOR: John Fritchey, Hans Boden

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1715-23 W. Irving Park Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 3 and 4-story 12 dwelling unit building with 20 off-street parking spaces in a B2-2 Restricted Retail District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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: Hans Boden

CAL. NO. 287-98-Z

APPEARANCES FOR: John Fritchey, Hans Boden

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1715-23 W. Irving Park Road

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-2 Restricted Retail District, the erection of a 3 and 4-story 12 dwelling unit building whose west front yard will be 6' instead of 12' whose east rear yard will be 16' instead of 30' and with no provision for 1 required loading berth.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that on August 21, 1998, the Board approved the establishment of dwelling units below the 2nd floor in a proposed 3 and 4-story 12 dwelling unit building with 20 off-street parking spaces, at the subject site, in Cal. No. 286-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Ohio-Dearborn Partners, L.P.

CAL. NO. 288-98-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 46-64 W. Ohio Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a non-accessory parking garage for 90 private passenger automobiles in a proposed 10 story building which will contain a 180 room hotel and 2 floors of retail uses in a B7-5 General Central Business District.

ACTION OF BOARD--

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

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: Richard O'Hara

CAL. NO. 289-98-S

APPEARANCES FOR:

MAP NO. 5-I

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1619 N. Washtenaw Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 18 private passenger automobiles, in an R3 General Residence District, to fulfill the parking requirement for a 28 dwelling unit loft conversion in a 4 story building at 2652 W. North Avenue.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 16, 1998.

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		

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

APPLICANT: Richard O'Hara

CAL. NO. 290-98-Z

APPEARANCES FOR:

MAP NO. 5-1

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 1619 N. Washtenaw Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the establishment of an off-site parking lot for 18 private passenger automobiles with no front yard instead of 20'.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 16, 1998.

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: Pine Central Limited Partnership **CAL. NO.** 291-98-S
APPEARANCES FOR: Deborah Dixon **MAP NO.** 1-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED-- 740 N. Central Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 12 private passenger automobiles, in an R4 General Residence District, to serve a 54 dwelling unit building at 743 N. Central Avenue.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

(Additional conditions follow on page 21a.)

MINUTES OF MEETING

August 21, 1998

Cal. No. 291-98-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 and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That the lot shall be enclosed, excepting the driveway, with 5 feet high solid wood fencing to screen the facility from abutting residential properties;

That striping and lighting which is directed away from abutting residential properties shall be provided;

That ingress and egress shall be from N. Central Avenue; that there shall be no ingress nor egress via the public alley abutting the site to the west; that the driveway on N. Central Avenue shall be constructed in accordance with applicable ordinances;

That the applicant shall install landscaping as depicted on the site plan prepared by William O. McCollum, dated April 21, 1998;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Madison Renaissance Development Limited Partnership **CAL. NO.** 292-98-S

APPEARANCES FOR: Steven D. Friedland **MAP NO.** 1-M

APPEARANCES AGAINST: Jum Kim, Sherwin Cherry **MINUTES OF MEETING**
August 21, 1998

PREMISES AFFECTED-- 5628-36 W. Madison Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 32 private passenger automobiles, in a B5-2 General Service District, to serve 2 existing 3 story brick buildings at 5629-35 & 5645-47 W. Madison Street.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is to be located in a B5-2 General Service District; that the subject site is an unimproved lot; that the applicant proposes to provide 32 off-site accessory parking spaces to serve two existing 3-story brick buildings located at 5629-35 and 5645-47 W. Madison Street that are being rehabilitated as part of an affordable housing project; that the aforesaid two buildings were constructed prior to the adoption of the Chicago Zoning Ordinance and that the proposed off-site accessory parking spaces are necessary for the public convenience at the subject site to provide off-street parking to satisfy the needs of the residents of the two buildings; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions and standards hereinafter set forth; that the proposed off-site parking lot will be compatible with existing improvements in the neighborhood and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

(Additional conditions follow on page 22a.)

MINUTES OF MEETING

August 21, 1998

Cal. No. 292-98-S

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That striping and lighting shall be provided;

That fencing and landscaping shall be provided as depicted on the site plan prepared by Weese, Langley and Weese Architects, dated October 27, 1997;

That ingress and egress shall be via N. Parkside Avenue; that the alley abutting the site to the north shall not be used for ingress nor for egress; that the driveway located on N. Parkside Avenue shall be constructed in accordance with applicable ordinances;

That an electronic card security gate shall be provided at the N. Parkside Avenue entrance / exit;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: The Israel of God Bible Class
APPEARANCES FOR: Michael Cole, Michael Jones
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 7514 S. Kingston Avenue

CAL. NO. 293-98-S

MAP NO. 18-B

MINUTES OF MEETING
 August 21, 1998

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 33 private passenger automobiles to serve a community center* at 2515 E. 75th Street, in an R4 General Residence District.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the parking lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon the said lot at any time;

*Amended at the public hearing.
 (Additional conditions follow on page 23a.)

MINUTES OF MEETING

August 21, 1998

Cal. No. 293-98-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 and properly graded to drain to a sewer or sewers within the lot shall be connected by drainage tiles to an established City of Chicago sewer;

That the applicant shall install fencing as depicted on the site plan prepared by John O. Lewis, dated March 21, 1997;

That striping and lighting directed away from adjacent residential properties shall be provided;

That ingress and egress shall be via driveways located on S. Kingston Avenue; that the driveways shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the public alleys abutting the site to the north and west; that 7' high wrought iron security gates shall be installed at the established entrance and exit located on S. Kingston Avenue;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: The Israel of God Bible Class

CAL. NO. 294-98-Z

APPEARANCES FOR: Michael Cole, Michael Jones

MAP NO. 18-B

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 7514 S. Kingston Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of an off-site accessory parking lot for 33 private passenger automobiles, whose front yard will be 8.17' instead of 15'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that on August 21, 1998, the Board approved, in Cal. No. 293-98-S, the establishment of an off-site accessory parking lot for 33 private passenger automobiles at the subject site to serve a community center located at 2515 E. 75th Street; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Stratford Christian Center Church

CAL. NO. 295-98-S

APPEARANCES FOR: John Mauck

MAP NO. 22-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 9142-54 S. Ashland Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a church in a 2-story brick building with on site parking for 33 private passenger automobiles, in a C2-2 General Commercial District.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the parking area abutting the proposed church building shall be used solely for the parking of private passenger automobiles;

(Additional conditions follow on page 25a.)

MINUTES OF MEETING

August 21, 1998

Cal. No. 295-98-S

That the parking area shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That the lot shall be enclosed, excepting the driveway, by 6' high chain link fencing;

That lighting and striping shall be provided;

That ingress and egress shall be from S. Ashland Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the lot shall be securely locked at all times when not in use by the applicant church;

That the applicant shall install landscaping in the parking area as depicted on the site plan prepared by Parkman and Weston Associates, Ltd., dated June 24, 1998;

That it shall be the responsibility of the applicant to improve and maintain the parking area continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Peter Markos

CAL. NO. 296-98-S

APPEARANCES FOR:

MAP NO. 7-M

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 5636 W. Fullerton Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a Dunkin Donuts and Baskin Robbins ice cream store in a proposed 1-story 2,700 square foot building, in a B4-1 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
SEPTEMBER 18, 1998.

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: Area Wide 79th & Jeffrey, Inc.

CAL. NO. 297-98-S

APPEARANCES FOR:

MAP NO. 20-C

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 2001 E. 79th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed Walgreens drug store, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 16, 1998.

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: John Vela

CAL. NO. 298-98-S

APPEARANCES FOR: None

MAP NO. 14-1

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 2552 W. 59th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 2-story brick store building, in a B4-1 Restricted Service District.

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: Gonzales Construction Co. **CAL. NO.** 300-98-S
APPEARANCES FOR: Robert Slobig, Alphonse Gonzales **MAP NO.** 10-K
APPEARANCES AGAINST: Diane Drobut **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED-- 4626 W. 42nd Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a waste transfer facility in a proposed 1-story 12,000 square foot building, in an M2-3 General Manufacturing District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 3, 1998; 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 finds the following: that the proposed use is to be located in an M2-3 General Manufacturing District; that the subject site is a 119,590 sq.ft. irregular shaped parcel of land; that the applicant proposes to establish a waste transfer facility in a proposed 1-story 12,000 sq.ft. building at the subject site; that the applicant proposes to handle demolition and construction debris and some domestic solid waste material; that all waste materials will be transported off the subject site daily to land fill areas; that the proposed use is necessary for the public convenience at this location to accommodate the waste removal needs of the area to be served; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will utilize the best commercially available pollution and rodent control technology; that no hazardous wastes will be handled at the site; that the subject site is located outside the 100-year flood plan boundary; that the proposed use is compatible with surrounding uses in this manufacturing district and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

(Additional conditions follow on page 30a.)

MINUTES OF MEETING

August 21, 1998

Cal. No. 300-98-S

That the applicant shall enclose the site with security fencing; that all waste handling operations shall be conducted within enclosed buildings;

That no hazardous wastes shall be received or handled at the subject site;

That a rodent control plan shall be filed by the applicant with the Bureau of Rodent Control;

That all applicable licensing requirements of the Chicago Department of Environment shall be complied with.

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

APPLICANT: Whiteco Outdoor Advertising **CAL. NO.** 301-98-A
APPEARANCES FOR: Robert Weber **MAP NO.** 3-E
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED- 1127 N. State 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, Whiteco Outdoor Advertising, for Bernard A. Heerey, owner, on June 5, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an advertising sign which exceeds 100 sq.ft. and is located within 250' of a residence district, in a B4-5 Restricted Service District, on premises at 1127 N. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 21, 1998, 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 8.9 (7)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; 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 said use is located in a B4-5 Restricted Service District; that the subject site is improved with a 4-story building with an outdoor advertising sign painted on its south wall; that the testimony presented indicates that the painted wall sign has existed on the south wall of the subject building since 1962; that the subject sign was increased to its present 59' x 26' in 1979 prior to the amendments to the zoning ordinance passed by the City Council on July 12, 1990, which requires an advertising sign exceeding 100 sq. ft. to be a minimum of 250 feet away from a Residence District; that no evidence was presented to indicate that the subject sign is located a minimum 250 feet or more away from a Residence District; that under Section 8.9 (7) of the zoning ordinance the Board has no authority to permit the said advertising sign at the subject site; it is thereby

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; and

WHEREAS, the Board notes that an Administrative Review of the decision herein and any subsequent appeals which do not result in a reversal of the decision herein would allow the appellant and the owner to retain illegal revenues from this sign at the expense of the general welfare; it is therefore further

MINUTES OF MEETING

August 21, 1998

Cal. No. 301-98-A

RESOLVED, that in the event of an Administrative Review of the decision herein or other appeal, the appellant, Whiteco Outdoor Advertising and the owner, Bernard A. Heerey be and are hereby required to deposit all revenues from the sign herein with the Clerk of the Circuit Court during the pendency of any subsequent actions or to any other account as may be authorized by order of court. If the appellant and / or the owner fail to reverse this decision by any such subsequent actions then the monies deposited to any authorized account so established shall be paid to the City of Chicago.

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

APPLICANT: Rina Qureshi **CAL. NO.** 302-98-A
APPEARANCES FOR: Rina Qureshi **MAP NO.** 10-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED- 4645 S. Ashland 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. Rina Qureshi, for Dinesh Pundhir, owner, on June 5, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an employment agency in a 2-story brick store building, in a B3-3 General Retail District, on premises at 4645 S. Ashland Avenue; and

WHEREAS. the decision of the Office of the Zoning Administrator rendered June 1, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and
 WHEREAS. a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; and

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

WHEREAS. the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B3-3 General Retail District; that the subject site is improved with a 2-story brick building; that the appellant operates an employment agency at the subject site where she finds employment on a daily, weekly or monthly basis with area companies and factories, etc. for the people who come to the agency; that the applicant testified that she has drivers who may drive individuals to their place of employment; that 20 to 70 people a day come to the subject site premises for her employment services; that the hours of operation of the employment agency are from 4 A.M. to 8:30 A.M. and 1 P.M. to 3 P.M., Monday through Friday; that an employment agency where people come to the site for employment services is first permitted in a B4 Restricted Service District; that under Section 8.3-3 of the zoning ordinance the Board has no authority to permit the employment agency operation 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: Marek Baran **CAL. NO.** 303-98-A
APPEARANCES FOR: John J. Pikarski, Jr., Marak Baran **MAP NO.** 12-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED- 4725 S. Justine 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, Marek Baran, owner, on June 26, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as 4 dwelling units in lieu of a tavern and 3 dwelling units, in an R4 General Residence District, on premises at 4725 S. Justine Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 22, 1998, 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 August 21, 1998; 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 frame building; that the subject building was previously occupied by 3 dwelling units and a ground floor non-conforming tavern; that the appellant seeks to convert the tavern to a dwelling unit; that the change of use from a non-conforming tavern to a conforming dwelling unit 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 certify the use of a 2-story frame building as 4 dwelling units in lieu of a tavern and 3 dwelling units, on premises at 4725 S. Justine Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied before a permit is issued.

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

APPLICANT: Krzysztof Bialas **CAL. NO.** 304-98-A
APPEARANCES FOR: John J. Pikarski, Jr., Krzysztof Bialis **MAP NO.** 16-K
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED- 6358 S. Komensky 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, Krzysztof Bialas, for Krzysztof Bialas and Lucyna Bialas, owner, on June 26, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1 and 2-story brick and frame building as 2 dwelling units, in an R2 Single-Family Residence District, on premises at 6358 S. Komensky Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 9, 1998, 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 7.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 2 story brick and frame residential building; that the evidence presented was insufficient to prove that a second dwelling unit has been legally established in the subject building since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that under Section 7.3-2 of the zoning ordinance the Board has no authority to certify the use of the subject 2-story building in this R2 Single-Family Residence District as two dwelling units; 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: Tadeusz Rek **CAL. NO.** 305-98-A

APPEARANCES FOR: John J. Pikarski, Jr., Tadeusz Rek, Dennis Karns **MAP NO.** 11-M

APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998

PREMISES AFFECTED- 4708 N. Central 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, Tadeusz Rek, for Parkway Bank & Trust Co., Tr. #8850, owner, on June 5, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a travel agency in a 1-story brick store building, in an R3 General Residence District, on premises at 4708 N. Central Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 1998, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; 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 was zoned for business use prior to the time of the adoption of the 1957 comprehensive amendment to the zoning ordinance at which time it was rezoned residential; that the subject site is improved with a 1-story brick store building; that testimony presented indicates that a building permit, No. 12649, was issued on March 19, 1955 to Dr. A. Roina for the construction of a 1 story brick commercial building; that the subject building was occupied by office uses from 1955 to June 23, 1988 at which time it was sold to Parkway Bank and Trust Co, Tr. #8850.; that Dennis L. Karns and several other persons are the beneficiaries of the said trust; that since 1988 the subject premises has been occupied by non-conforming office uses such as dental, real estate and accountancy; that it is proposed to lease part of the subject premises to the appellant in order to establish a travel agency; that licensing requirements have caused the case to be filed; that the Board finds that any business use of the subject premises since 1957 would have been a non-conforming use due to the property's residential zoning; that Section 6.4-8 of Article 6 of the zoning ordinance establishes an amortization schedule for the eventual elimination of non-conforming business uses in all Residence Districts; that said section provides, in part, that any building or structure, all or substantially all of which is designed or intended for a use permitted only in a Business, Commercial or Manufacturing District, shall be removed or it shall be altered and converted to a building or

MINUTES OF MEETING

August 21, 1998

Cal. No. 305-98-A

structure designed for a use permitted in the district in which it is located within six months after the termination of the respective period of time in the schedule, in this case 60 years from the date of issuance of the building permit for the construction of either the whole structure or the initial building or initial part thereof, *or* 40 years after the effective date of the comprehensive amendment on June 27, 1957, whichever last occurs; that as of June 27, 1997 the subject site building has been fully amortized; that the Board has no authority to permit a non-conforming business use in a non-conforming building that has reached its amortization termination date; 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: Marek Rogowski

CAL. NO. 306-98-A

APPEARANCES FOR:

MAP NO. 9-0

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 3722 N. Oleander 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: Head Rest, Inc.

CAL. NO. 307-98-A

APPEARANCES FOR: None

MAP NO. 24-H

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 9927 S. Wood 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
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

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

APPLICANT: Charles A. Hopkins **CAL. NO.** 308-98-A
APPEARANCES FOR: Charles A. Hopkins **MAP NO.** 30-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED- 12035-47 S. Halsted Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Charles A. Hopkins, owner, on June 9, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the operation of a fencing contractor's office in a portion of a 2½ story brick building and with out door storage of tools and supplies, in a B4-1 Restricted Service District, on premises at 12035-47 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 12, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; 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 said use is located in a B4-1 Restricted Service District; that the subject site is improved with a 2 ½ story brick building with an adjacent fenced in outdoor storage area; that the appelland has operated a licensed fencing contractor business with outdoor storage of tools and supplies at the subject site since 1987; that on September 10, 1997, the City Council rezoned the site from M1-1 Restricted Manufacturing to B4-1 Restricted Service which rendered the fencing contractor business non-conforming at the subject site; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appelland 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 certify the operation of a fencing contractor's office in a portion of a 2-½ story brick building with outdoor storage of tools and supplies, on premises at 12033-47 S. Halsted Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Manuel Acevedo **CAL. NO.** 309-98-A
APPEARANCES FOR: Manuel Acevedo **MAP NO.** 10-1
APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998
PREMISES AFFECTED- 4358 S. Richmond 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, Manuel Acevedo, owner, on June 23, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1 and 2-story brick building as 2 dwelling units in lieu of an undertaking establishment and 1 dwelling unit, in an R3 General Residence District, on premises at 4358 S. Richmond Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 23, 1998, 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 7.5-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; 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 and 2-story brick building containing a dwelling unit and a non-conforming undertaking establishment; that the appellant seeks to convert the portion of the premises occupied by the undertaking business to a dwelling unit for a total of 2 dwelling units; that the change of use from a non-conforming undertaking business to a conforming dwelling unit 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 certify the use of a 1 and 2-story brick building as 2 dwelling units, in lieu of an undertaking establishment and 1 dwelling unit, on premises at 4358 S. Richmond Street, 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: Asa Hubbard

CAL. NO. 310-98-A

APPEARANCES FOR: Asa Hubbard

MAP NO. 1-L

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 507 N. Lawler 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, Asa Hubbard, owner, on July 1, 1998, 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 507 N. Lawler Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 30, 1998, 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 August 21, 1998; 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 with basement brick building; that no evidence was presented to indicate that the basement dwelling unit was legally established prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the subject building as 2 dwelling units; that under Section 7.5-3 the Board has no authority to permit the certification of the basement dwelling unit; 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: Robert and Margaret Vela

CAL. NO. 311-98-A

APPEARANCES FOR: None

MAP NO. 8-H

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 3600 S. Wolcott 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: Eva Estrada

CAL. NO. 312-98-A

APPEARANCES FOR: None

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 1371 W. Lake Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

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

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

APPLICANT: William Gaddis **CAL. NO.** 313-98-A

APPEARANCES FOR: Melanie Pozez, Ronald Lucas **MAP NO.** 2-H

APPEARANCES AGAINST: None **MINUTES OF MEETING**
August 21, 1998

PREMISES AFFECTED- 2304-06 W. Adams 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, William Gaddis, owner, on June 9, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an addition to the 3rd floor of a 3-story 3 dwelling unit building, in a C1-3 Restricted Commercial District, on premises at 2304-06 W. Adams Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 28, 1998, 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 6.4-6, 6.5-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; and

WHEREAS, the district maps show that the premises is located in a C1-3 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-3 Restricted Commercial District; subject site is improved with a non-conforming 3-story 3-dwelling unit building originally constructed in the 1920's; that the appellant proposes to expand the existing 3rd floor in the subject building by erecting a 650 sq.ft. addition so that the 3rd floor will conform with the existing 2nd floor of the building.; that the subject site has been zoned Commercial since the adoption of the 1923 zoning ordinance; that under Sections 6.4-6 and 6.5-3 of the zoning ordinance the Board has no authority to permit the expansion of an existing non-conforming residential use in this Commercial zoning district; 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: Olga I. Rivera

CAL. NO. 314-98-A

APPEARANCES FOR: None

MAP NO. 7-N

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 7019 W. Diversey 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: T & M Service

CAL. NO. 315-98-A

APPEARANCES FOR:

MAP NO. 9-F

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 3440 N. Lakeshore Drive

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

ACTION OF BOARD--

APPEAL WITHDRAWN UPON
MOTION OF APPELLANT.

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: Rosemary F. Harris

CAL. NO. 316-98-A

APPEARANCES FOR: Rosemary F. Harris

MAP NO. 4-J

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 1242 S. Central Park 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
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

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

APPLICANT: Washington Federal Bank for Savings

CAL. NO. 214-98-S

APPEARANCES FOR:

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED-- 2869 S. Archer Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing bank in a 2-story brick building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 16, 1998.

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: Larry Hayes

CAL. NO. 229-98-A

APPEARANCES FOR: Denise Gonzalez

MAP NO. 3-L

APPEARANCES AGAINST: None

MINUTES OF MEETING
August 21, 1998

PREMISES AFFECTED- 1300 N. Cicero 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, Larry Hayes, owner, on April 20, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a used car sales lot, in a C1-1 Restricted Commercial District, on premises at 1300 N. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1998, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.3-1."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-1 Restricted Commercial District; that the subject site is improved with a operating used car sales lot; that evidence presented indicates that the subject site has been occupied by a used car sales lot since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that licensing requirements have caused the case to be filed due to the failure of the previous owner having let the necessary business license expire; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of the 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 used car sales lot, on premises at 1300 N. Cicero 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: Ines Bedoya **CAL. NO.** 132-98-Z
APPEARANCES FOR: John J. Pikarski, Jr., Alberto Bedoya **MAP NO.** 11-I
APPEARANCES AGAINST: David Hrabal, et al. **MINUTES OF MEETING**
June 19, 1998,
PREMISES AFFECTED-- 2415-25 W. Lawrence Avenue August 21, 1998

NATURE OF REQUEST-- *Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-3 General Service District, the erection of a 4th story addition to an existing 3-story building and a 4-story addition to the east side all of which will contain retail uses on the ground floor, 41 accessory parking spaces within the basement and ground floor, and 34 dwelling units above the ground floor, with no south rear yard instead of 30' required for the residential part of the building.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 21, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in a B5-3 General Service District; that the subject site is a 125.75' x 125' lot improved with a 2 story brick building occupied by a nightclub and a 3-story building with a newly constructed 4th floor addition; that the applicant proposes to rehabilitate the existing buildings by removing the existing nightclub use, erect a 4th story addition to the existing 3-story building and a 4-story addition to the east side all of which will contain retail uses on the ground floor, 41 accessory parking spaces within the basement and ground floor and 34 dwelling units above the ground floor; that the architectural plans as proposed, provides for an interior atrium located between the front and rear units; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested waiver of the south rear yard setback is necessary to provide an interior atrium space as designed; that the plight of the owner is due to unique circumstances in that without the variation requested the interior atrium could not be provided which would eliminate a needed source of light to the dwelling units; that the proposed residential development as designed will be compatible with existing and new improvements in this neighborhood which is undergoing gentrification and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

June 19, 1998 and

August 21, 1998

Cal. No. 132-98-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 4th story addition to an existing 3-story building and a 4-story addition to the east side all of which will contain retail uses on the ground floor, 41 accessory parking spaces within the basement and ground floor, and 34 dwelling units above the ground floor, with no south rear yard instead of 30' required for the residential part of the building, on premises at 2415-25 W. Lawrence Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the condominium declaration to be recorded shall give notice that no liquor or alcoholic beverages shall be sold at any time in any of the prospective retail uses to be established on the ground floor of the aforesaid residential and retail development at the subject site.

MINUTES OF MEETING

August 21, 1998

Cal. No. 70-96-S

Thomas A. Horton, III, for Fernwood Congregation of Jehovah's Witnesses, applicant, presented a written request for a further extension of time in which to complete the required landscaping of an off-site accessory parking lot for 34 private passenger automobiles, on premises at 10108-10 S. Vincennes Avenue, to serve a church located at 10134 S. Vincennes Avenue, approved by the Board on March 15, 1996 in Cal. No. 70-96-S, and for which an extension of time was granted on September 19, 1997 to March 16, 1998.

Mr. Horton stated that the church has continued to run into difficulty with the City's landscaping requirements. The church has had three adjustments on their plans, on each of which they had to readjust their letter of credit and the the format in which the letter was written was not acceptable to the City. Mr. Horton further stated that the church did not fully understand the procedure on how to go about the proper way to obtain the information needed by the Department of Zoning to receive permits for the landscaping.

Chairman Spingola moved that the request for a further extension of time to complete the required landscaping of the aforesaid off-site accessory parking lot be denied. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

August 21, 1998

Cal. No. 115-97-Z

Jack W. Hiatt, for The Church of Jesus Christ of Latter-Day Saints, applicant, presented a written request for an amendment to the resolution granted by the Zoning Board of Appeals on April 18, 1997, in Cal. No. 115-97-Z for the erection of a 1-story 12,356 sq.ft. church building and a 280 sq.ft. detached storage building, whose west front yard will be 5' instead of 15', with no midway rear yard instead of 60', and with no north side yard instead of 12.83', and with no provision for one required loading berth, on premises at 3250 S. Pulaski Road / 3259 S. Karlov Avenue.

The amendment requested is to substitute a 4 foot high concrete masonry unit (block) wall with a 3 foot high ornamental steel fence on top of the wall at a 124.5 foot long section at the north property line at the east end and the 15 foot long section at the south property line at the east end in lieu of the ornamental steel fencing as indicated as a condition in the resolution granted by the Zoning Board of Appeals on April 18, 1997. Mr. Hiatt stated that the proposed masonry walls are designed to act as a sound buffer from the adjacent railroad and as a visual screen from the railroad to the south and the open construction and material storage yard at the sheet metal business to the north.

Chairman Spingola moved that the request be granted and that the resolution granted in Cal. No. 115-97-Z be amended to substitute a 4 foot high concrete masonry unit (block) wall with a 3 foot high ornamental steel fence on top of the wall at a 124.5 foot long section at the north property line at the east end and the 15 foot long section at the south property line at the east end in lieu of ornamental steel fencing. The motion prevailed by yeas and nays as follows:

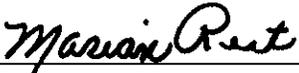
Yeas- Spingola, Konstantelos, Martin, McCabe-Miele. Nays - None.

MINUTES OF MEETING

August 21, 1998

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

The motion prevailed and the Board adjourned to meet in regular meeting on September 18, 1998.


Secretary