

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on September 18, 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
September 19, 1998

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on August 21, 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: John C. Fleming
APPEARANCES FOR: Gregory H. Furda, John C. Fleming
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 1814 N. Cleveland Avenue

CAL. NO. 317-98-Z
MAP NO. 5-F
MINUTES OF MEETING
 September 18, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story with penthouse single family dwelling with an enclosed breezeway connection to the garage at the rear of the lot and whose front yard will be 7.5' instead of 14.28', with a north side yard of 8"* and a south side yard of 2' instead of 2.4' each.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED. REMANDED
 BACK TO ZONING ADMINISTRATOR
 FOR THE PURPOSE OF DETERMINING
 IF AN EXCEPTION MAY BE OBTAINED
 FOR THE BUILDING HEIGHT PURSUANT
 TO THE PROPOSED ORDINANCE.

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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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;

*Amended at the public hearing.

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

APPLICANT: Edward G. Donley

CAL. NO. 318-98-Z

APPEARANCES FOR: Edward G. Donley

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 3445 N. Claremont Avenue

September 18, 1998

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 2-story single family dwelling, whose front yard will be 5' instead of 20', whose north side yard will be 1' and with a south side yard of 4' instead of 6.4' each.

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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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: Maureen Kelly-O'Connell **CAL. NO.** 319-98-Z
APPEARANCES FOR: Maureen Kelly-O'Connell **MAP NO.** 16-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 18, 1998
PREMISES AFFECTED-- 5630 S. 64th Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the conversion of a 1st floor garage into living space in an existing 2-story building, whose west side yard will be 2.69' instead of 3' with a rear yard of 19.5' 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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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: William and Laura Smith **CAL. NO.** 320-98-Z
APPEARANCES FOR: James Banks, William Smith **MAP NO.** 3-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 18, 1998
PREMISES AFFECTED-- 1440 N. Bell 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 2-story addition to the rear of an existing 2-story single family dwelling, whose north side yard will be 1.2' instead of 2.5'.

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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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: Stanislaw Putz & Eugeniusz Klaczynski **CAL. NO.** 321-98-Z
APPEARANCES FOR: Stanislaw Putz & Eugeniusz Klaczynski **MAP NO.** 11-K
APPEARANCES AGAINST: Rosemarie Welther **MINUTES OF MEETING**
September 18, 1998
PREMISES AFFECTED-- 4714 W. Berteau 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 606 sq. ft. garage in addition to an existing 364 sq. ft. on the rear of a 50' wide lot. which addition will result in detached accessory buildings that occupies 65% of the required rear yard instead of the 60% permitted.

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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 said use is located in an R3 General Residence District; that the subject site is a 50' x 182.3' lot improved with a 1-story frame single-family dwelling located on the front of the lot and an existing 364 sq.ft. garage, a 204 sq.ft. garage and a newly constructed 606 sq.ft. garage on the rear of the lot; that the applicants testified that two garages are used for automobiles and the middle garage is used for storage; that the 606 sq.ft. garage was constructed by the applicants without obtaining the necessary building permit; that testimony presented indicates that the said 606 sq.ft. garage is being used for the storage of materials used in the applicants' vinyl wall siding business; that no evidence was presented to indicate that the property in question cannot yield a reasonable return without the requested variation and that the plight of the owner is self-created; that the said garage addition is not in character with the one garage character of the neighborhood; that under Section 5.6-2 of the zoning ordinance the Board has no authority to permit the erection of a 606 sq.ft. garage in addition to an existing 364 sq.ft. garage, which addition results in detached accessory buildings that occupies 65% of the required rear yard instead of the 60% permitted.; 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: Kent Knebelkamp **CAL. NO.** 322-98-S
APPEARANCES FOR: Gary I. Wigoda, Kent Knebelkamp **MAP NO.** 11-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 18, 1998
PREMISES AFFECTED-- 2341 W. Montrose 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 dwelling unit below the 2nd floor in a proposed 4-story 4 dwelling unit building, in a B4-2 Restricted Service District.

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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 September 19, 1997, the Board approved the applicant's special use application for the establishment of a dwelling unit below the 2nd floor in a proposed 4-story with partial 5th story 4-dwelling unit building at 2339 W. Montrose Avenue; that the testimony presented in Cal. No. 322-97-S is hereby made part of the record in this case: 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: Archer Bank

CAL. NO. 323-98-S

APPEARANCES FOR:

MAP NO. 10-J

APPEARANCES AGAINST:

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 4658 S. Kedzie 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 proposed conversion of an existing 1-story brick building into a retail banking facility, in a B4-1 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 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: Fillmore Development, L.L.C.

CAL. NO. 324-98-Z

APPEARANCES FOR: Gary I. Wigoda, Richard Lillie

MAP NO. 2-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 1310-16 W. Fillmore Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 6 dwelling unit building whose front yard will be 7.1' instead of 12.3' and with side yards of 3.33' each instead of 7.5

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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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; and be it further

RESOLVED, that the subject site, consisting of 1310, 1314, and 1316 W. Fillmore Street, shall constitute one zoning lot and shall not be divided pursuant to Sections 5.7-1, 5.7-2, 5.7-3 and 5.7-4 of the zoning ordinance and that a declaration of restrictive covenant shall be recorded against the subject property with the Cook County Recorder of Deeds which prohibits the subdivision of the aforesaid property into three separate lots.

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

APPLICANT: Fillmore Development, L.L.C.
APPEARANCES FOR: Gary I. Wigoda, Richard Lillie
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 1435-43 W. Fillmore Street

CAL. NO. 325-98-Z
MAP NO. 2-G
MINUTES OF MEETING
 September 18, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 10 dwelling unit building whose front will be 7.1' instead of 12.8', with side yards of 3.9' instead of 12' 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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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; and be it further

RESOLVED, that the subject site, consisting of 1435, 1437, 1439, 1441 and 1443 W. Fillmore Street shall constitute one zoning lot and shall not be divided pursuant to Sections 5.7-1, 5.7-2, 5.7-3 and 5.7-4 of the zoning ordinance and that a declaration of restrictive covenant shall be recorded against the subject property with the Cook County Recorder of Deeds which prohibits the subdivision of the aforesaid property into five separate lots.

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

APPLICANT: Rising Sun M.B. Church **CAL. NO.** 326-98-Z
APPEARANCES FOR: Rev. Matthew Miller **MAP NO.** 3-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 18, 1998
PREMISES AFFECTED-- 830 N. Central 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 2-story classroom and gymnasium addition to the north side of an existing church building whose north side yard will be .125' instead of 12', and with a rear yard of 6' 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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 31, 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: Carmen Hernandez **CAL. NO.** 327-98-A*
APPEARANCES FOR: Carmen Hernandez **MAP NO.** 24-A
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998
PREMISES AFFECTED- 9621 S. Ewing Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.
ACTION OF BOARD--

THE VOTE

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

THE RESOLUTION:

WHEREAS, Carmen Hernandez, owner, on July 27, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the continuation of a legal non-conforming one story residential use, in a B4-1 Restricted Service District, on premises at 9621 S. Ewing Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 3, 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 September 18, 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 proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a vacant 1-story frame residential building originally built approximately 80 years ago prior to the adoption of the 1923 zoning ordinance; that the subject building is presently being repaired due to fire damage; that the appellant has right to continue the occupancy of the building as a single-family dwelling provided the building is brought into compliance with applicable building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the continuation of a legal non-conforming residential use in a 1-story frame building, on premises at 9621 S. Ewing Avenue, upon condition that the building is brought into conformance with building codes 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.

*Amended at the hearing to an Appeal from the decision of the Office of the Zoning Administrator.

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

APPLICANT: Silvia Castro and Charles Spiller

CAL. NO. 328-98-S

APPEARANCES FOR:

MAP NO. 10-H

APPEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1998

PREMISES AFFECTED-- 4342 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 dwelling unit in a 1-story brick store and apartment building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 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: Michelle Rybka

CAL. NO. 329-98-S

APPEARANCES FOR: Michelle Rybka

MAP NO. 20-K

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 8356 S. Pulaski 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 a tattoo parlor in a 1-story brick store building, in a B4-1 Restricted Service 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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: Francisca Cruz **CAL. NO.** 330-98-S
APPEARANCES FOR: Mark J. Kupiec, Francisca Cruz **MAP NO.** 4-I
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 3050 W. Cermak Road September 18, 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 a tattoo parlor in a 2½ story brick store and apartment building, in a B4-2 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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: Western Irving Food Corporation

CAL. NO. 331-98-S

APPEARANCES FOR:

MAP NO. 11-I

APPEARANCES AGAINST:

MINUTES OF MEETING

PREMISES AFFECTED-- 4000-12 N. Western Avenue

September 18, 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 a Dunkin Donuts drive-through facility in a proposed 1-story addition to an existing 1-story mobile gasoline station facility, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 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: The Faigus Group

CAL. NO. 332-98-S

APPEARANCES FOR: Langdon D. Neal, Eugene Faigus

MAP NO. 22-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 820 W. 95th 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 22 private passenger automobiles to fulfill the parking requirements for a proposed Walgreens at 800 W. 95th Street, 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 18a.)

MINUTES OF MEETING

September 18, 1998

Cal. No. 332-98-A

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 decorative metal fencing and landscaping shall be installed as represented by plans prepared by Arcline Associates Ltd., dated July 9, 1998;

That lighting shall be installed which shall be directed away from abutting residential property to the north;

That striping shall be provided;

That ingress and egress shall be from S. Green Street; that there shall be no ingress nor egress from a public alley abutting the site to the east; that a waiver of the alley barrier requirement shall be obtained from the City Council to allow access to the proposed off-site parking lot from the parking area located on the site of the proposed Walgreens drug store at 800 W. 95th Street; that the Green Street driveway shall be constructed in accordance with applicable ordinances;

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: Dearborn East Partners, L.P.

CAL. NO. 333-98-S

APPEARANCES FOR: Richard Wendy, William Marovitz

MAP NO. 1-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 601 N. Dearborn 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 public parking garage facility for 372 of 672 spaces provided in a proposed 63-story building containing a 22-story hotel, 348 dwelling units, and ground floor retail uses, in a B7-6 General Central Business 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 proposed parking garage shall be used solely for the parking of private passenger automobiles;

That the parking garage shall be limited to no more than 372 parking spaces;

(Additional conditions follow on page 19a.)

MINUTES OF MEETING

September 18, 1998

Cal. No. 333-98-S

That a five foot building setback on both Ontario and Ohio Streets shall be provided for the purpose of sidewalk widening and improved pedestrian safety;

That decorative sidewalk pavers across the proposed curb cuts on the Ontario Street frontage shall be provided in order to enhance and identify the pedestrian walkways across these curb cuts;

That the applicant shall install and maintain 4 inch caliper street trees on all street frontages; that landscaped planter boxes and street lights with hanging baskets on all street frontages shall be provided; that landscaping on the garage roof and in planter boxes on the garage's facades shall be installed and continuously maintained;

That screening on the parking lot lighting as indicated on plans prepared by Solomon, Cordwell, Buenz and Associates, dated July 28, 1998 shall be provided so as to prevent glare on adjoining buildings;

That the scale and bulk of the garage shall be minimized by architectural details represented on the plans prepared by Solomon, Cordwell, Buenz and Associates, dated July 28, 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.

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

APPLICANT: Robert King

CAL. NO. 334-98-S

APPEARANCES FOR:

MAP NO. 18-H

APPEARANCES AGAINST:

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 7330 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 car wash, in a 1-story brick garage building, in a C1-1 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 20, 1998.

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: Penson Temple Church of God in Christ

CAL. NO. 335-98-S

APPEARANCES FOR: Mark Hickey, Rev. Arnie Pullen

MAP NO. 20-G

APPEARANCES AGAINST: Allene C. Brown

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 8606 S. Summt 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 350 seat church, in a proposed 1-story brick 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 off-site accessory parking for 30 private passenger automobiles shall be located at 8614 S. Summit Street as provided for in Cal. No. 336-98-S.

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

APPLICANT: Penson Temple Church of God in Christ **CAL. NO.** 336-98-S
APPEARANCES FOR: Mark Hickey, Rev. Arnie Pullen **MAP NO.** 20-G
APPEARANCES AGAINST: Allene C. Brown **MINUTES OF MEETING**
September 18, 1998
PREMISES AFFECTED-- 8614 S. Summit 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 30 private passenger automobiles, to fulfill the parking requirements for a proposed church at 8606 S. Summit Street, in a B4-1 Restricted Service 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 September 18, 1998, the Zoning Board of Appeals approved the establishment of a 350 seat church in a proposed 1-story brick building at 8606 S. Summit Street, in Cal. No. 335-98-S; 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 proposed parking 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 22a.)

MINUTES OF MEETING

September 18, 1998

Cal. No. 336-98-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 decorative wrought iron type fencing;

That striping and lighting shall be provided;

That ingress and egress shall be via S. Summit Street; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the driveway on S. Summit Street shall be constructed in accordance with applicable ordinances;

That landscaping shall be provided consistent with the plans prepared by Group Design Associates and submitted with the special use application;

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: Temple of God in Jesus Christ

CAL. NO. 337-98-S

APPEARANCES FOR:

MAP NO. 24-F

APPEARANCES AGAINST:

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 149 W. 95th 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 church, on the 1st floor of an existing 1 & 2 story brick store and apartment building, in a B2-1 Restricted Retail District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 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: Shiloah M.B. Church, by Rev. Ronald Webb

CAL. NO. 338-98-S

APPEARANCES FOR: Daryl R. Berry, Rev. Ronald Webb

MAP NO. 22-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 9203 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 an off-site parking lot for 42 private passenger automobiles to serve a church located at 9211 S. Justine Avenue, 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 24a.)

MINUTES OF MEETING

September 18, 1998

Cal. No. 338-98-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 decorative wrought iron type metal fencing;

That striping and lighting shall be provided;

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

That landscaping shall be installed consistent with the plan developed by Mayer, Jeffers, Gillespie, Architects, dated January 6, 1997;

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: Rev. Stanley & Olivia Johnson

CAL. NO. 339-98-S

APPEARANCES FOR: Rev. Stanley & Olivia Johnson

MAP NO. 26-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 10550-54 S. Vincennes 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 proposed 1-story brick building with 21 on site parking spaces, in a C1-1 Restricted 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 September 18, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 31, 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 located east of the proposed church building 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;

(Additional conditions follow on page 25a.)

MINUTES OF MEETING

September 18, 1998

Cal. No. 339-98-S

That 5 foot high chain link fencing shall be provided on the periphery of the lot, excepting the driveway located on S. Vincennes Avenue;

That lighting directed away from abutting residential property to the south shall be provided;

That striping and concrete wheel stops shall be provided;

That ingress and egress to the parking area shall be via S. Vincennes Avenue; that the driveway shall be constructed in accordance with applicable ordinances;

That landscaping shall be installed consistent with the plans prepared by Group Design Associates, dated April 5, 1998;

That it shall be the responsibility of the applicant to improve and maintain the parking area on 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: Michael McQuire **CAL. NO.** 340-98-A
APPEARANCES FOR: Maureen Pikarski, Michael McQuire **MAP NO.** 15-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998
PREMISES AFFECTED- 5844 N. Whipple 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, Michael McQuire, owner, on July 22, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3 dwelling units in a 2-story brick building, in an R3 General Residence District, on premises at 5844 N. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 15, 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 September 18, 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 brick residential building; that the evidence presented indicates that the subject building has been occupied as 3 dwelling units since 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 building as 3 dwelling units provided the building is brought into compliance with applicable building code regulations; 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 3 dwelling units in a 2-story brick building, on premises at 5844 N. Whipple Street, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bodan Ferguson

CAL. NO. 341-98-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

September 18, 1998

PREMISES AFFECTED-- 2845 N. Southport Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story addition to an existing 2-story coach house, which addition will be connected to the 2½ story frame building on the front of the lot, and with no rear yard instead of 30', and whose north side yard will be .5' instead of 2.5

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 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: J P Hair Images

CAL. NO. 342-98-A

APPEARANCES FOR: Jeannine Wenke

MAP NO. 14-K

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 4414 W. 59th Street

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, J P Hair Images, for Jeannine Wenke, owner, on July 22, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 1 and 2-story brick store and apartment building, in a B1-1 Local Retail District, on premises at 4414 W. 59th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 8.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

WHEREAS, the district maps show that the premises is located in a B1-1 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B1-1 Local Retail District; that the subject site is improved with a 1 and 2-story brick store and apartment building; that the testimony presented indicates that the appellant has operated a beauty parlor at the subject site for the past 15 years; that licensing requirements have caused the case to be filed due to the appellant inadvertently letting her business license lapse; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 1 and 2-story brick building, on premises at 4414 W. 59th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Tuesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Remedios A. Mutuc

CAL. NO. 343-98-A

APPEARANCES FOR: Remedios A. Mutuc

MAP NO. 11-K

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 4628 N. Pulaski Road

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, Remedios A. Mutuc, for Fely Escobar, owner, on July 24, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 2-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 4628 N. Pulaski Road; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building; that the testimony presented indicates that the subject store was previously occupied by a gift shop and boutique, a B2 use, which use ceased operation approximately a year ago; that the appellant proposes to established a beauty parlor, a B4 use, at the subject site with the major part of the business to be the retail sale of hair products exclusively sold in hair salons; that the beauty parlor aspect of the business is to mainly attract customers for the purpose of demonstrating the hair products; that under Section 8.3-2 of the zoning ordinance, the Board has no authority to permit the proposed use 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: Youssou Thiam
APPEARANCES FOR: Youssou Thiam
APPEARANCES AGAINST: None
PREMISES AFFECTED- 2418 W. 71st Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 344-98-A
MAP NO. 16-1
MINUTES OF MEETING:
 September 18, 1998

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, Youssou Thiam, for Jamil Matariyeh, owner, on August 10, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a hair braiding salon in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 2418 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 24, 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 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the testimony presented indicates that the subject premises has been previously occupied by a beauty parlor, a B4 use; that the appellant proposes to establish a hair braiding salon at the subject site to be operated by his wife and himself; that licensing requirements have caused the case to be filed; that the change of use from a beauty parlor to a hair braiding salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a hair braiding salon in a 1-story brick store building, on premises at 2418 W. 71st Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M. Monday through Friday and from 10 A.M. to 7 P.M. Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Luz Elizabeth Escobar **CAL. NO.** 345-98-A
APPEARANCES FOR: Luz Elizabeth Escobar, Eugenio Salgado **MAP NO.** 9-L
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998
PREMISES AFFECTED- 4824 W. Addison 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, Luz Elizabeth Escobar, for Richard Chiovary, owner, on August 12, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in the basement of a 3-story brick store and apartment building, in an R3 General Residence District, on premises at 4824 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 11, 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 September 18, 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 has been zoned residential since the inception of the first zoning ordinance in 1923; that the subject site is improved with a 3-story brick store and apartment building; that the testimony presented indicates that the subject store premises has been occupied as a beauty parlor for over 20 years but that the last beauty parlor business ceased operation about a year ago; that the Board finds that any business use of the subject premises since 1923 would have been non-conforming 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 structure designed for a use permitted in the district in which it is located within six months

MINUTES OF MEETING

September 18, 1998

Cal. No. 345-98-A

after the termination of the respective period of time in the schedule, in this case 60 years after the date of issuance of the building permit for the construction of either the whole structure or the initial building or initial part therefore, *or* 40 years after the effective date of the comprehensive amendment on June 27, 1957, whichever last occurs; that City of Chicago records indicate that the subject site building predates 1937, having been constructed in 1927; 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 store premises that has reached its amortization termination date; it 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: Mohammad Anjum **CAL. NO.** 346-98-A
APPEARANCES FOR: Sandra Crawford, Mohammad Anjum **MAP NO.** 3-L
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998
PREMISES AFFECTED- 1220 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, Mohammad Anjum, owner, on July 22, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of an out-door auto dealer in a 1-story brick building in a C1-1 Restricted Commercial District, on premises at 1220 N. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 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 September 18, 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 an out-door auto dealership lot which also contains a 1-story brick building; that the appellant purchased the subject property in November, 1997; that on January 1, 1996, the Board sustained an appeal permitting the establishment of an outdoor used car dealership at the subject site, finding, in part, that a motor sales business existed at the subject site since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the testimony presented in Cal. No. 342-95-A is hereby made part of the record in this case; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of an out-door auto dealer in a 1-story brick building, on premises at 1220 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: Oak Woods Cemetery

CAL. NO. 347-98-A

APPEARANCES FOR: Lee Mertins

MAP NO. 16-D

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 1035 E. 67th 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, Oak Wood Cemetery, owner, on July 15, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a 9,400 sq.ft. addition to an existing mausoleum in a cemetery, which addition would be 85' instead of 300' from any other property in a residence district, in an R4 General Residence District, on premises at 1035 E. 67th Street; 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, Sections 7.3-1 (3), 7.3-4 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 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 a 185 acre parcel of land bordered by E. 67th Street to the north, S. Cottage Grove Avenue to the west and E. 71st Street to the south; and incorporated as a cemetery in 1853; that in 1957 a chapel mausoleum was erected on the north border of the cemetery adjacent to E. 67th Street; that the appellant seeks to erect a 9,400 sq.ft. addition to the existing mausoleum; that the existing mausoleum is already located less than 100' from other property in a residence district; that the proposed addition would be located 85' away from other property in a residence district; that under Section 7.3-1 (3) of the zoning ordinance mausoleums are not permitted if located less than 300' from any other property in a residence district; that under Section 7.3-1 (3), the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Little Brothers - Friends of the Elderly **CAL. NO.** 348-98-A

APPEARANCES FOR: William J. Hennessy, Tina Stretch **MAP NO.** 1-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998

PREMISES AFFECTED- 355 N. Ashland Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL DENIED DUE TO 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, Little Brothers - Friends of the Elderly, owner, on August 18, 1998, filed an appeal from he decision of the Office of the Zoning Administrator in refusing to certify 2 dwelling units for interns / volunteers as accessory to a private community center and social service agency in a 4-story brick building, in an M2-4 General Manufacturing District, on premises at 355 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 18, 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 10.3-2, 10.4-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

WHEREAS, the district maps show that the premises is located in an M2-4 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-4 General Manufacturing District; that the subject site is improved with a 4-story brick building; that the appellant proposes to legalize 2 dwelling units for interns / volunteers who assist in helping to relieve the isolation and loneliness of elderly people in Chicago who do not have the support and of families and friends; that in May of 1997, the appellant purchased the subject property for use as a new site for their privately owned community recreation center; that such a use is permitted in an M2-4 zoning district; that the appellant contends that under Sections 10.3-1 (12) and 10.3-1 (20) the establishment of 2 dwelling units located on the 4th floor of the subject building together constituting only 6% of the building's total floor area is a use of the site permitted under the M2-4 zoning as an accessory use to its permitted primary use as a privately-owned community recreation center; and

WHEREAS, upon the matter being put to a vote, Chairman Spingola found that under Sections 10.3-2 and 10.4-2 of the zoning ordinance the Board has no authority to permit the certification of the proposed two dwelling units in this M2-4

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

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Cal. No. 348-98-A

General Manufacturing District; Member Konstantelos concurred; Members Martin and McCabe-Miele found that the appellant successfully established the legal basis of its appeal as presented and voted to sustain the 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: Jake Lee **CAL. NO.** 349-98-A
APPEARANCES FOR: Truman K. Gibson, Jr., Jake Lee **MAP NO.** 6-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998
PREMISES AFFECTED- 3001 S. Dr. Martin Luther King, Jr. Drive
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, Jake Lee, for Draper & Kramer, owner, on August 11, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a drop-off dry cleaning station, processing done elsewhere, in a 19-story 342 dwelling unit building, in an R5 General Residence District, on premises at 3001 S. Dr. Martin Luther King, Jr. Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 11, 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 7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 19-story 342 dwelling unit building located in the Prairie Shores residential development; that the appellant proposes to establish a drop-off dry cleaning station with package receiving room services only at the subject site; that the proposed use will be operated for the benefit of residents only of the building and will not be open to the general public; that there will be no outdoor signage advertising the use; that the proposed drop-off dry cleaning station with package receiving room services may be considered an accessory use providing a service for the use and convenience of the residents of the 342 dwelling unit building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a drop-off dry cleaning station, processing done elsewhere, in a 19-story 342 dwelling unit building, on premises at 3001 S. Dr. Martin Luther King, Jr. Drive, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 6 P.M., Monday through Friday and from 9 A.M. to 5 P.M., Saturday; that there shall be no outdoor signage advertising the use; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ji Sun Lee **CAL. NO.** 350-98-A

APPEARANCES FOR: Truman K. Gibson, Jr., Ji Sun Lee **MAP NO.** 6-E

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998

PREMISES AFFECTED- 2801 W. Dr. Martin Luther King, Jr. Drive

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, Ji Sun Lee, for Draper and Kramer, owner, on August 11, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a drop-off dry cleaning station, processing done elsewhere, in a 19-story 342 dwelling unit building, in an R5 General Residence District, on premises at 2801 S. Dr. Martin Luther King, Jr. Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 11, 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 7.3-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 19-story 342-dwelling unit building located in the Prairie Shores residential development; that the appellant proposes to establish a drop-off dry cleaning station with package receiving room services only at the subject site; that the proposed use will be operated for the benefit of residents only of the building and will not be open to the general public; that there will be no outdoor signage advertising the use; that the proposed drop-off dry cleaning station with package receiving room services may be considered an accessory use providing a service for the convenience of the residents of the 342-dwelling unit building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a drop-off dry cleaning station, processing done elsewhere, in a 19-story 342 dwelling unit building, on premises at 2801 S. Dr. Martin Luther King, Jr. Drive, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 6 P.M., Monday through Friday and from 9 A.M. to 5 P.M., Saturday; that there shall be no outdoor signage advertising the use; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Joy Auto Shop

CAL. NO. 351-98-A

APPEARANCES FOR: Patrick Brankin

MAP NO. 24-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 10001 S. Halsted 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, Joy Auto Shop, owner, on July 8, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a retail tire facility in an existing auto repair garage* in a 1-story brick building, with outdoor storage of 100-1000 tires, in an R3 General Residence District, on premises at 10001 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 8, 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 September 18, 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 improved with a 1-story brick auto repair garage with exterior storage of tires; that the appellant has owned and operated a licensed auto repair garage since 1983 at which time the subject site was zoned B4-1 Restricted Service; that the rezoning of the subject site from B4-1 to R3 General Residence rendered the auto repair garage use at the site non-conforming; that the appellant seeks a Tire Facility Class I license which would permit outdoor storage of 100 to 1000 tires at the site; that the appellant can only accommodate 300 tires on the subject property; that the aforesaid business license is required when the number of tires on site exceeds 100; that the Board finds that the retail sale of tires with a potential of up to 1000 tires stored on site is an expansion of an existing non-conforming use at the site and that the use constitutes a possible safety hazard to the residential property owners located across the alley from 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.

*Amended at the public hearing.

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

APPLICANT: Wardell Luvert

CAL. NO. 352-98-A

APPEARANCES FOR: Wardell Luvert

MAP NO. 20-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 7933 S. Halsted Street

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

ACTION OF BOARD--

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Wardell Luvert, for D & F Realty, owner, on July 30, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a barber shop in a 1-story brick building, in a B3-3 General Retail District, on premises at 7933 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 15, 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 September 18, 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 1-story brick multi store building containing a liquor store and a barbershop / hair salon; that the testimony presented indicates that the appellant has operated a licensed barber shop / hair salon in a store at the subject site since 1978; that when the appellant made application for his 1998 business license to operate the said use he was told that his license application was "put on hold"; that the Board finds that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a barber shop / hair salon in a 1-story brick store building, on premises at 7933 S. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Tuesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Laporte Beauty Salon & Boutique

CAL. NO. 353-98-A

APPEARANCES FOR:

MAP NO. 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 5054 N. Sheridan Road

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
NOVEMBER 20, 1998.

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: Lilie Toshev **CAL. NO.** 354-98-A
APPEARANCES FOR: Lilie Toshev **MAP NO.** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
September 18, 1998
PREMISES AFFECTED- 2312 W. Roscoe 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, Lilie Toshev, for Raul DeLruis, owner, on August 18, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 1½ story frame store building, in a B2-2 Restricted Retail District / SD #10, on premises at 2312 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 13, 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 8.3-2.

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

WHEREAS, the district maps show that the premises is located in a B2-2 Restricted Retail District / SD #10; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District / SD #10; that the subject site is improved with a 1½ frame store building; that the appellant proposes to establish a beauty parlor in the subject store premises; that testimony presented indicates that the premises has been occupied by a beauty parlor for the past 20 years; that the last use ceased operation 6 months ago; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 1½ story frame store building, on premises at 2312 W. Roscoe Street, upon condition that the hours of operation shall be from 9 A.M. through 7 P.M., Tuesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Diana S. Forero

CAL. NO. 355-98-A

APPEARANCES FOR: Diana S. Forero

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 1804 W. Addison 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, Diana S. Forero, for Lincoln & Addison Building / Slemom & Gloria Yonan, owner, on August 20, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fingernail salon in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 1804 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 17, 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 8.3-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick store building containing a dry cleaners, an auto repair shop and the subject store premises; that the appellant proposes to establish a fingernail salon in the vacant store premises at the subject site; that on January 9, 1985, the City Council rezoned the site from C1-2 Restricted Commercial to B2-1 Restricted Retail; that the subject store premises was previously occupied as a gift shop which use ceased operation in August, 1998; that the change of use from a gift shop to a fingernail salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a fingernail salon in a 1-story brick building, on premises at 1804 W. Addison Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Noe De La Torre
APPEARANCES FOR: Noe De La Torre
APPEARANCES AGAINST: None
PREMISES AFFECTED- 3010 W. 63rd Street

CAL. NO. 356-98-A
MAP NO. 14-1
MINUTES OF MEETING:
 September 18, 1998

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, Noe De La Torre, for Josue and Noe De La Torre, owner, on August 18, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a auto accessory store in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 3010 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 18, 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 8.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick store building with an attached garage; that on December 28, 1978 the City Council rezoned the site from B4-1 Restricted Service to B2-1 Restricted Retail; that the applicant proposes to sell new auto parts only at the subject site; that the subject premises was previously occupied by a window blinds manufacturing business; that the change of use from a window blinds manufacturing business to a retail auto accessory store is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an auto accessory store in a 1-story brick store building, on premises at 3010 W. 63rd Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 7 P.M., Monday through Friday and from 8 A.M. to 6 P.M., Saturday; that there shall be no changing of automobile tires in the alley behind the premises; that there shall be no working on automobiles in the attached garage; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Geraldine Winston

CAL. NO. 357-98-A

APPEARANCES FOR:

MAP NO. 16-M

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 5626 W. 63rd Place

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: Herbert Feazell
APPEARANCES FOR: Herbert Feazell
APPEARANCES AGAINST: None
PREMISES AFFECTED- 222 W. 119th Street

CAL. NO. 358-98-A
MAP NO. 18-F
MINUTES OF MEETING:
 September 18, 1998

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, Herbert Feazell, owner, on August 6, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3-dwelling units in a 2-story frame building, in a B4-1 Restricted Service District, on premises at 222 W. 119th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 8, 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 8.3-4 (1), 8.6-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 18, 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 story frame non-conforming residential building originally built approximately 1908; that the site was zoned Commercial at the time of the adoption of the 1923 zoning ordinance and rezoned to B4-1 Restricted Service at the time of the adoption of the 1957 comprehensive amendment to the zoning ordinance; that no evidence was presented to indicate that the non-conforming residential building was originally constructed as a 3-dwelling unit building; that under Section 8.3-4 (1) of the zoning ordinance the Board has no authority to certify the use of the 2-story frame building as 3 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: Agustin Paredes
APPEARANCES FOR: Agustin Paredes
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 2617 N. Moody Street

CAL. NO. 236-98-Z
MAP NO. 7-M
MINUTES OF MEETING
 September 18, 1998

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 addition to the rear of a 1-story brick single-family dwelling, whose north side yard will be 1' instead of 4.5'.

ACTION OF BOARD--

VARIATION DENIED DUE TO LACK OF THREE AFFIRMATIVE VOTES.

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 September 18, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 29, 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 said use is located in n R3 General Residence District; that the subject site is a 33.33' x 124.38' lot improved with a 1-story brick single-family dwelling with a newly constructed 1-story rear addition; that the said addition replaced a delapidated enclosed porch and was constructed without obtaining the necessary building permit; that the applicant testified that the said addition is necessary to provide additional living and play space to meet the needs of his family; that the plight of the owner is due to unique circumstances in that the delapidated rear porch was not safe for his family and that he is unable to use the basement of the existing single-family dwelling for additional living space due to flooding in the neighborhood; that the said addition is compatible with existing improvements in the area and will not alter the essential character of the locality; and

WHEREAS, upon the matter being put to a vote, Chairman Spingola moved that the applicant met the required standards as presented and delineated above and moved that the application for a variation be granted; Member Martin concurred. Members Komstnantelos and McCabe-Miele voted to deny the variation application for failure to prove by the applicant that he could not obtain a reasonable return on the property in question under the conditons allowed by the regulations in this R3 General Residence District or that the plight of the owenr is due to unique circumstances; 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 hergy is affirmed.

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

APPLICANT: Mid-Region Development Group, LLC

CAL. NO. 255-98-S

APPEARANCES FOR:

MAP NO. 11-L

APPEARANCES AGAINST:

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 4343 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 a drive-through facility in conjunction with a proposed Walgreens drug store building, in a B4-1 Restricted Service 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		

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

APPLICANT: George Gill

CAL. NO. 266-98-A

APPEARANCES FOR: George Gill

MAP NO. 5-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 2252 N. Monticello 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: Peter Markos **CAL. NO.** 296-98-S
APPEARANCES FOR: Cynthia Gonzalez, Sam Markos **MAP NO.** 7-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
September 18, 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--

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 September 18, 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 lighted directional ingress and egress signs shall be erected at the established entrances and exits;

That ingress to the drive-through facility shall be from a driveway on N. Major Avenue located at the southwest corner of the site; that egress from the drive-through facility shall be onto N. Major Avenue from a driveway at the northwest corner of the site; that a "Stop-Do Not Enter" sign shall be erected at the exit on N. Major Avenue;

(Additional conditions follow on page 48a.)

MINUTES OF MEETING

September 18, 1998

Cal. No. 296-98-S

That traffic signs shall be erected on the subject property directing cars left on N. Major Avenue and right onto N. Parkside Avenue thereby keeping autos out of the residential neighborhoods to the north; that the applicant shall install raised curbs to channel the drive-through traffic away from the residential neighborhoods:

That a 6 foot high solid wood fence shall be installed on the north property line to screen the facility from abutting residential property to the north:

That the applicant shall fully enclose the trash containers located on the site with wood fencing as represented on plans prepared by Arcline Associates, dated August 27, 1998:

That landscaping shall be installed as represented on plans prepared by Arcline Associates, dated August 27, 1998:

That the drive-through facility shall be closed during the hours of midnight to 6:00 A.M.:

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

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

APPLICANT: Elegance Beauty, Inc.

CAL. NO. 258-98-A

APPEARANCES FOR:

MAP NO. 15-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
September 18, 1998

PREMISES AFFECTED- 6163 N. Broadway

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: St. Odisho Church

CAL. NO. 248-98-S

APPEARANCES FOR:

MAP NO. 15-J

APPEARANCES AGAINST:

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 6201 S. Pulaski Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the expansion of an existing church (approved by the Board on April 19, 1985 - Cal. No. 118-85-S) by the erection of a 2nd story addition, in a C1-1 Restricted Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 1998.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		

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

APPLICANT: St. Odisho Church

CAL. NO. 249-98-Z

APPEARANCES FOR:

MAP NO. 15-J

APPEARANCES AGAINST:

MINUTES OF MEETING
September 18, 1998

PREMISES AFFECTED-- 6201 N. Pulaski Road

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-1 Restricted Commercial District, the erection of a 2nd story addition to an existing church building, with no provision for a 4' x 20' transitional yard at the southeast corner of the lot.

ACTION OF BOARD--

CASE CONTINUED TO
NOVEMBER 20, 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

MINUTES OF MEETING

September 18, 1998

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

The motion prevailed and the Board adjourned to meet in regular meeting on October 16, 1998.


Secretary