

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

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

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held in Room 569 County Building, 118 N. Clark Street on October 16, 1998  
at 9:00 A.M. and 2:00 P.M.

The following were present and constituted a quorum:

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

**MINUTES OF MEETING**  
October 16, 1998

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on September 18, 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.

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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: William Broderick

CAL. NO. 359-98-Z

APPEARANCES FOR: John J. Pikarski, Jr., William Broderick

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2235 W. School Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the reduction of the west side yard to 0.8' instead of 2.5' in order to sub-divide an improved zoning lot.

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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Charles J. Sanfratello **CAL. NO.** 360-98-Z  
**APPEARANCES FOR:** John J. Pikarski, Jr., Charles J. Sanfratello **MAP NO.** 5-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 2025 N. Cleveland 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 balconies to an existing 6 dwelling unit 3-story building with no north side yard instead of 2.8'.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Jerzy Kokoszka

**CAL. NO.** 361-98-Z

**APPEARANCES FOR:** John J. Pikarski, Jr., Jerzy Kokoszka

**MAP NO.** 8-H

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 3614 S. Paulina Street

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of dormer additions to the 3rd floor of a 2 dwelling unit building, whose north side yard will be 0.5' instead of 2.4'.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Nick Gutu **CAL. NO.** 362-98-Z  
**APPEARANCES FOR:** John J. Pikarski, Jr., Nick Gutu **MAP NO.** 7-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 5301 W. Belmont Avenue

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-1 Restricted Retail District, the erection of a 1-story addition to an existing 1-story store building with no transitional front yard along North Lockwood Avenue instead of a 4' x 20' required yard.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Vahooman Mirkhaef **CAL. NO.** 363-98-Z  
**APPEARANCES FOR:** Thomas S. Moore, Vahooman Mirkhaef **MAP NO.** 7-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 1047 W. Belmont Avenue

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a 4-story building with business use on the ground floor and 6 dwelling units above, with a 3'\* rear yard instead of 30'.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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: Mulbe and Sidney Dillard

CAL. NO. 364-98-Z

APPEARANCES FOR: Mulbe Dillard

MAP NO. 10-D

APPEARANCES AGAINST: None

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 4436 S. Berkeley Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story addition with attached garage to the rear of a 3-story single family dwelling with no south side yard instead of 3.5', and with no rear yard 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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Mark Rogers

**CAL. NO.** 365-98-Z

**APPEARANCES FOR:** John J. Pikarski, Jr., Mark Rogers

**MAP NO.** 9-H

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 2028 W. Melrose Street

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a dormer addition to the attic of a 3-story 3 dwelling unit building, whose east side yard will be 4.36' instead of 7.6' and which addition will result in a 6.2% (225 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 Comprehensive Amendment to the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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: Bickerdike Redevelopment Corp. CAL. NO. 366-98-Z  
APPEARANCES FOR: Gary I. Wigoda, Christina Martinez MAP NO. 3-H  
APPEARANCES AGAINST: None MINUTES OF MEETING  
PREMISES AFFECTED-- 1444 N. Leavitt Street October 16, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-2 Local Retail District, the erection of a 3-story 2 dwelling unit building whose front yard will be 7.0' instead of 15' required. The ZBA approved a special use under Cal. No. 60-98-S, February 20, 1998.

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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Bickerdike Redevelopment Corp. **CAL. NO.** 367-98-Z  
**APPEARANCES FOR:** Gary I. Wigoda, Christina Martinez **MAP NO.** 3-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 1454 N. Leavitt Avenue

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-2 Local Retail District, the erection of a 3-story 2 dwelling unit building whose front yard will be 3.0' instead of 15' required. The ZBA approved a special use under Cal. No. 61-98-S, February 20, 1998.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Jeff Turner

**CAL. NO.** 368-98-Z

**APPEARANCES FOR:** Jeff Turner

**MAP NO.** 7-H

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**

**PREMISES AFFECTED--** 1850 W. Oakdale Avenue

October 16, 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 dormer addition to the 3rd floor of a 3-story single family dwelling on the front of the lot additionally improved with a 1½ -story residence on the rear of the lot and which addition will have no west side yard instead of 6.4'.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Kenneth R. Barilich **CAL. NO.** 369-98-Z  
**APPEARANCES FOR:** Ivan Rittenberg, Kenneth R. Barilich **MAP NO.** 5-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 1973-75 N. Maud Avenue

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3rd floor addition to a 2-story single family dwelling with no west side yard instead of 6.5' and no rear yard instead of 30'.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Mike Backus

**CAL. NO.** 370-98-Z

**APPEARANCES FOR:** Mike Backus

**MAP NO.** 9-G

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 3238 N. Kenmore Avenue

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in SD#9 (R4 General Residence), the erection of a 2-story with garage and open deck addition to the rear of a 3-story 2 dwelling unit building, whose north side yard will be 0.35' instead of 2.5', and whose rear yard will be 0.87' instead of 30'.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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: James Foote

CAL. NO. 371-98-Z

APPEARANCES FOR: Andrew Scott, James Foote

MAP NO. 1-H

APPEARANCES AGAINST: None

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 513 N. Wolcott Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story and garage addition to a 3-story single family dwelling, whose front yard will be 3' instead of 7.68', with no north side yard instead of 7.2' and no rear yard 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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Eric Pappas

**CAL. NO.** 372-98-Z

**APPEARANCES FOR:** Eric Pappas

**MAP NO.** 28-1

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 2545 W. 111th Street

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-1 Restricted Service District, the establishment of a public place of amusement within 125' of a residence district.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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: Siang Yin Hong

CAL. NO. 373-98-Z

APPEARANCES FOR: Siang Yin Hong

MAP NO. 17-G

APPEARANCES AGAINST: None

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 6532 N. Glenwod Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story addition to the rear of a 2-story 2 dwelling unit building with no north side yard instead of 2.5'

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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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: Centrum Equities, Inc.

CAL. NO. 374-98-S

APPEARANCES FOR:

MAP NO. 12-F

APPEARANCES AGAINST:

MINUTES OF MEETING

October 16, 1998

PREMISES AFFECTED-- 730-48 W. Garfield Boulevard

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 thru facility in a proposed Walgreens drug store, in a B4-2 Restricted Service 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:** BTW, Limited Partnership

**CAL. NO.** 375-98-S

**APPEARANCES FOR:**

**MAP NO.** 1-F

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 155 E. Ontario 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 43 of 93 spaces provided in a proposed 15-story with penthouse building containing an 11-story hotel, in a B7-6 General Central Business District.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
DECEMBER 18, 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:** SprintCom., Inc., by Site Acquisition Consultants **CAL. NO.** 376-98-S  
**APPEARANCES FOR:** Brian M. Barrett **MAP NO.** 28-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 4200 W. 115th 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 120' monopole tower to be located on a 20' x 30' lot on the Marist High School Campus, in an R2 Single Family 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		
A	b	s t a i n

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 5, 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 base of the monopole tower and the equipment cabinet shall be screened and secured as depicted on sheet A-1 of the plans prepared by Sprint PCS, dated August 7, 1998.

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

**APPLICANT:** Public Building Commission

**CAL. NO.** 377-98-Z

**APPEARANCES FOR:**

**MAP NO.** 12-K

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 5074 S. Archer Avenue

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a 15,500 sq. ft. public library facility with no provision for a required 10'x25' loading berth.

**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:** Public Building Commission

**CAL. NO.** 378-98-S

**APPEARANCES FOR:**

**MAP NO.** 12-K

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**

October 16, 1998

**PREMISES AFFECTED--** 4138 W. 51st 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 parking lot for 8 private passenger automobiles, in a M1-1 Restricted Manufacturing District, to satisfy the parking requirement for a proposed public library at 5074 S. Archer Avenue.

**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: Delores Secor

CAL. NO. 379-98-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2040 W. Monroe 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 fee parking lot to be operated only during events held at the United Center, in an R5 General Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Delores Secor

CAL. NO. 380-98-Z

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING

October 16, 1998

PREMISES AFFECTED-- 2040 S. Monroe Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the establishment of a public fee parking lot with no front yard instead of 15'.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Delores Secor

CAL. NO. 381-98-S

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2057-59 W. Warren Boulevard

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 fee parking lot to be operated only during events at the United Center, in an R4 General Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Delores Secor

CAL. NO. 382-98-Z

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING

PREMISES AFFECTED-- 2057-59 W. Warren Boulevard

October 16, 1998

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of a public fee parking lot with no front yard instead of 15'.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Delores Secor

CAL. NO. 383-98-S

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2045 W. Warren Boulevard

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 fee parking lot to be operated only during events held at the United Center, in an R4 General Residence District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Delores Secor

CAL. NO. 384-98-Z

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2045 W. Warren Boulevard

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of a public fee parking lot with no front yard instead of 15'.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Delores Secor

CAL. NO. 385-98-S

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2022-24 W. Madison Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a public fee parking lot to be operated only during events held at the United Center, in an B3-3 General Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Delores Secor

**CAL. NO.** 386-98-S

**APPEARANCES FOR:**

**MAP NO.** 1-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 2005 W. Washington Boulevard

**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 fee parking lot to be operated only during events held at the United Center, in an R4 General Residence District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Delores Secor

**CAL. NO.** 387-98-Z

**APPEARANCES FOR:**

**MAP NO.** 1-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**

October 16, 1998

**PREMISES AFFECTED--** 2005 W. Washington Boulevard

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of a public fee parking lot with no front yard instead of 15'.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Woodlawn East Community and Neighbors, Inc. **CAL. NO.** 388-98-S

**APPEARANCES FOR:** **MAP NO.** 14-D

**APPEARANCES AGAINST:** **MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 6147-49 S. Kenwood 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 13 private passenger automobiles, to serve the apartment building at 6146 S. Kenwood Avenue, in an R5 General Residence District

**ACTION OF BOARD--**

CASE CONTINUED TO  
DECEMBER 18, 1998.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Lincoln Park Savings Bank

CAL. NO. 389-98-S

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 4015-17 N. Damen 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 17 private passenger automobiles, to serve the bank at 1946 W. Irving Park Road, in a B3-3 General Retail District.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
DECEMBER 18, 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: Anderson Thomas

CAL. NO. 390-98-S

APPEARANCES FOR:

MAP NO. 2-J

APPEARANCES AGAINST:

MINUTES OF MEETING

October 16, 1998

PREMISES AFFECTED-- 3244 W. Jackson Boulevard

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 and tire repair facility in a 1-story brick garage building, in a C1-3 Restricted Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO  
DECEMBER 18, 1998.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Deborah L. Reasno

**CAL. NO.** 391-98-S

**APPEARANCES FOR:**

**MAP NO.** 20-C

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 8247-49 S. Stony Island 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 building, in a C2-2 General Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
DECEMBER 18, 1998.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Garcia's Used Auto Parts, Inc.

**CAL. NO.** 392-98-S

**APPEARANCES FOR:** None

**MAP NO.** 6-1

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**

October 16, 1998

**PREMISES AFFECTED--** 2501 S. Artesian 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 junk yard, in conjunction with used auto parts sales in a 1-story brick building, in a M2-3 General Manufacturing District.

**ACTION OF BOARD--**

**THE VOTE**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Red Carpet Car Wash of Chicago, Inc. **CAL. NO.** 393-98-S  
**APPEARANCES FOR:** Earl T. Medansky, George Levy **MAP NO.** 1-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 903-21 W. Washington Boulevard

**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 fee parking lot in conjunction with a car washing facility, in a C3-3 Commercial Manufacturing 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 October 16, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 5, 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 existing asphaltic paving and drainage shall be maintained; that lighting shall be provided;

That concrete wheel stops shall be provided; that ingress and egress shall be from driveways located on W. Washington Boulevard; that the driveways shall be constructed in accordance with applicable ordinances;

(Additional conditions follow on page 37a.)

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 393-98-S

That fencing and landscaping shall be installed consistent with the plan approved by the Bureau of Forestry on August 3, 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:** Chicago Board of Education

**CAL. NO.** 394-98-Z

**APPEARANCES FOR:** Terry L. Diamond

**MAP NO.** 12-G

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 5009 S. Laflin Street

**NATURE OF REQUEST--** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story annex and 1-story connection additions to 3 existing buildings on a public high school campus with no required mid-point rear yard.

**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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 5, 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:** Fernwood Congregation of Jehovah's Witnesses **CAL. NO.** 395-98-S

**APPEARANCES FOR:** John R. Meister, Thomas Horton **MAP NO.** 24-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 10108-10 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 an off-site parking lot for 32 private passenger automobiles to serve a church at 10134 S. Vincennes Avenue, in a B4-2 Restricted Commercial District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 5, 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 March 15, 1996, the Zoning Board of Appeals approved an application for a special use filed by the applicant in the instant case for the establishment of an off-site accessory parking lot for 34 private passenger automobiles at the subject site to serve a church located at 10134 S. Vincennes Avenue; that the testimony presented in Cal. No. 70-96-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;

That the following conditions approved by the Zoning Board of Appeals in Cal. No. 70-96-S shall be complied with:

(Additional conditions follow on page 39a.)

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 395-98-S

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

That the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material 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 a 5 feet high solid wood fence shall be erected on the south lot line and on the west lot line to screen the parking facility from abutting residential property;

That decorative wrought-iron fencing shall be erected on the north and east lot lines, excepting driveways;

That the driveways shall be constructed in accordance with applicable ordinances; that the public alley abutting the site to the west shall not be used for ingress nor for egress;

That lighting shall be provided directed away from residential property;

That striping and concrete wheel stops shall be provided;

That the lot shall be securely locked at all times when not in use by the applicant church;

That landscaping shall be installed as shown on the site plan prepared by M.J.D. Engineering, dated December 29, 1993;

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:** Christopher Jacobs

**CAL. NO.** 396-98-S

**APPEARANCES FOR:** Thomas S. Moore. Christopher Jacobs

**MAP NO.** 1-G

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING**  
October 16, 1998

**PREMISES AFFECTED--** 1443 W. Grand 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 art gallery and studio facility in a 2-story brick and frame building, in an M1-2 Restricted Manufacturing 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 October 16, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 5, 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:** MER Kedzie, LLC **CAL. NO.** 397-98-S  
**APPEARANCES FOR:** Bernard I. Citron, Harold Eisenberg **MAP NO.** 9-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 3135-59 W. Irving Park Road

**NATURE OF REQUEST--** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive thru facility in a proposed 14,725 sq. ft. Walgreens drug store, in a B4-2 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
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 5, 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 entrance and exit; that a "Stop-Do Not Enter" sign shall be erected at the exit on N. Troy Street; that ingress to the drive-through portion of the facility shall be from W. Irving Park Road at the northwest corner of the site; that egress from the drive-through portion of the site shall be from the southeast corner of the site onto N. Troy Street; that the public alley abutting the site to the south shall not be used for ingress to nor egress from the drive-through facility;

(Additional conditions follow on page 41a.)

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

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 397-98-S

That the applicant shall build and maintain all improvements including landscaping and fencing in substantial conformance with the building elevations, site plan and landscaping plan prepared by A.C. Alexander Engineers and Architects, Ltd., dated September 18, 1998.

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

**APPLICANT:** MER Kedzie, LLC **CAL. NO.** 398-98-S  
**APPEARANCES FOR:** Bernard I.Citron, Harold Eisenberg **MAP NO.** 9-1  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 3937-41 N. 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 an off-site parking lot for 23 private passenger automobiles to serve a Walgreens drug store at 3135-59 W. Irving Park Road, 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 October 16, 1998 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 5, 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 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 42a.)

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 398-98-S

That the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material 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 striping shall be provided; that lighting shall be provided that is directed away from residential property;

That ingress to and egress from the lot shall be via public alleys located on the north and east property lines; that a waiver of the alley barrier requirement shall be obtained from the City Council to allow for ingress and egress;

That fencing and landscaping shall be installed as depicted on the plans prepared by A.C. Alexander Engineers Architects, Ltd., dated September 18, 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:** Geraldine Brown **CAL. NO.** 399-98-A  
**APPEARANCES FOR:** Fern Zittler, Geraldine Brown **MAP NO.** 18-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 16, 1998  
**PREMISES AFFECTED-** 7703 S. Halsted Street  
**SUBJECT-** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Geraldine Brown, for Cecil J. Blair, owner, on August 26, 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 3-story brick store and apartment building, in a B3-2 General Retail District, on premises at 7703 S. Halsted Street; and

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

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is located in a B3-2 General Retail District; that the subject site is improved with a 3-story brick store and apartment building; that the subject store premises has been occupied for the past 14 years as a beauty parlor which recently ceased operation; that the re-establishment of a beauty parlor in the subject store is a proper use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 3-story brick store and apartment building, on premises at 7703 S. Halsted 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: Elite Labor Services

CAL. NO. 400-98-A

APPEARANCES FOR:

MAP NO. 12-J

APPEARANCES AGAINST:

MINUTES OF MEETING:  
October 16, 1998

PREMISES AFFECTED- 3252 W. 55th Street

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

ACTION OF BOARD--

**THE VOTE**

APPEAL WITHDRAWN UPON  
MOTION OF APPELLANT.

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

	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:** Antonio Farias

**CAL. NO.** 401-98-A

**APPEARANCES FOR:** Antonio Farias

**MAP NO.** 4-J

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
October 16, 1998

**PREMISES AFFECTED-** 3634-40 W. Cermak Road

**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, Antonio Farias, owner, on September 8, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 8 dwelling units and expansion of 1st floor units into the basement, in a 2-story brick building, in an R4 General Residence District, on premises at 3634-40 W. Cermak Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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 7.5-4, 7.12."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 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 said use is located in an R4 General Residence District; that the subject site is improved with a 2-story brick residential building; that the evidence presented indicates that the building was originally constructed in 1912 as 8 dwelling units; that the appellant has a right to continue the occupancy of the building as 8 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 8 dwelling units and expansion of 1st floor units into the basement, in a 2-story brick building, with no off-street parking required, on premises at 3634-40 W. Cermak Road, 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:** Mario Bertolani **CAL. NO.** 402-98-A  
**APPEARANCES FOR:** Mario Bertolani **MAP NO.** 7-G  
**APPEARANCES AGAINST:** Jim Luke, Theodore Matlak **MINUTES OF MEETING:**  
October 16, 1998  
**PREMISES AFFECTED-** 1548, 1552, 1556 W. Wrightwood Avenue  
**SUBJECT-** Objector's Appeal from the decision of the Office of the Zoning Administrator in granting an Exception.

**ACTION OF BOARD--**

**THE VOTE**

DECISION OF THE ZONING ADMINISTRATOR IS HEREBY REVERSED AND THIS CASE IS REMANDED BACK TO THE ZONING ADMINISTRATOR FOR HIS CONSIDERATION OF ISSUES COMMUNICATED TO THE BOARD WHICH SHOULD HAVE BEEN TO HIM.

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

	For	Against	Absent
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

**THE RESOLUTION:**

WHEREAS, Mario Bertolani, on August 19, 1998, filed an objector's appeal from the decision of the Office of the Zoning Administrator in granting an Exception to permit the reduction of the west side yard to 3.75' instead of 7.5' and the rear yard 15' instead of 30', in order to allow the erection of three 28.65' x 33.25' 3-story single-family dwellings each with a 28.5' x 16.75' penthouse, in an R4 General Residence District, on premises at 1548, 1552, 1556 W. Wrightwood Avenue; and

WHEREAS, on August 7, 1998, the Department of Zoning granted the Exception requests of the owner of the property at 1556 W. Wrightwood Avenue, 1548 W. Wrightwood Avenue and 1552 W. Wrightwood Avenue, in zoning exception file #98-208-ZE, #98-212-ZE and #98-226-ZE, respectively; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 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 36' x 54.89' unimproved lot located on the northeast corner of S. Ashland Avenue and W. Wrightwood Avenue; that the appellant owns property at 2607 S. Ashland Avenue which abuts the subject site's north property line; that the owner of the subject property proposes to erect three 3-story single family dwellings at the subject site; that the Board finds that the appellant failed to prove that the Zoning Administrator abused his discretion in the granting of said Exceptions herein; it is therefore

RESOLVED, that the decision of the Zoning Administrator be and it hereby is reversed and this case is Remanded back to the Zoning Administrator for his consideration of issues communicated to the Board which should have been to him based on evidence presented at the hearing which indicates the three curb cuts to be established may present a potential safety hazard to pedestrian and vehicular traffic.

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

**APPLICANT:** Dennis Ware & Anne Toplin **CAL. NO.** 403-98-A  
**APPEARANCES FOR:** Dennis Ware **MAP NO.** 14-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 16, 1998  
**PREMISES AFFECTED-** 6110 S. Eberhart Avenue  
**SUBJECT-** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

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

**THE RESOLUTION:**

WHEREAS, Dennis Ware & Anne Toplin, owner, on August 14, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 4 dwelling units in a 3-story brick building, in an R5 General Residence District, on premises at 6110 S. Eberhart Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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 7.12-2 (9)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 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 said use is located in an R5 General Residence District; that the subject site is improved with a 3-story brick residential building with basement and a 3 car garage at the rear of the property; that the evidence presented indicates that 4 dwelling units have been established in the subject building since its construction in 1913; that the appellant has a right to continue to occupy the building as 4 dwelling units upon condition that the building is brought into conformance with applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 4 dwelling units with no additional off-street parking required, on premises at 6110 S. Eberhart Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Victor Lara

**CAL. NO.** 404-98-A

**APPEARANCES FOR:** Victor Lara

**MAP NO.** 12-G

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
October 16, 1998

**PREMISES AFFECTED-** 1403 W. 47th 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, Victor Lara, owner, on August 20, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 4 dwelling units in an existing 2 ½ story frame building with provision for 3 parking spaces instead of 4 required and to allow a 3rd floor dormer addition with no west side yard instead of 3', in a C1-2 Restricted Commercial District, on premises at 1403 W. 47th 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, 9.6-1. 9.8-1. 9.11-1 (8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-2 Restricted Commercial District; that the subject site is improved with a 2 ½ story residential building with a completed 3rd floor dormer addition; that the subject site has been zoned Commercial since the adoption of the zoning ordinance in 1923; that no evidence was presented to indicate that the subject building was legally constructed as a 4 dwelling unit building; that under Sections 9.6-1, 9.8-1 and 9,11-1(8) , the Board has no authority to permit the uses 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: Grace King

CAL. NO. 405-98-A

APPEARANCES FOR: None

MAP NO. 14-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

October 16, 1998

PREMISES AFFECTED- 6252 S. Western Avenue

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR  
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Maria Chaves

CAL. NO. 406-98-A

APPEARANCES FOR: None

MAP NO. 14-1

APPEARANCES AGAINST:

MINUTES OF MEETING:  
October 16, 1998

PREMISES AFFECTED- 5913 S. Kedzie Avenue

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

ACTION OF BOARD--

**THE VOTE**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Chicago Communications SVC, Inc. **CAL. NO.** 407-98-A  
**APPEARANCES FOR:** George E. Fleming **MAP NO.** 4-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 16, 1998  
**PREMISES AFFECTED-** 2100 S. Peoria 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, Chicago Communications SVC, Inc., for John Podmajersky, owner, on September 21, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of retail sales and service of two-way radios in a 2-story brick building, in an M2-2 General Manufacturing District, on premises at 2100 S. Peoria Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, 10.3-2."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998; and

WHEREAS, the district maps show that the premises is located in an M2-2 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 said use is to be located in an M2-2 General Manufacturing District; that the subject site is improved with a 2-story brick building; that the appellant has operated a sales and service of commercial two-way radio communication business at the subject site for the past 6 months; that there is no retail showroom at the premises; that the appellant sells two-way communication radios to police departments, etc. and is not a typical walk-in retail operation; that the subject premises was previously occupied by the same kind of business use which ceased operation 6 months ago; that licensing requirements have caused the case to be filed; that the continuation of a two-way radio communication sales and repair business at the site is a proper use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a sales and service of two-way radios business in a 2-story brick building, on premises at 2100 S. Peoria Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

**APPLICANT:** Keeping It Clean Car Wash, Inc. **CAL. NO.** 408-98-A  
**APPEARANCES FOR:** Daryl R. Berry, Vivian Wilson **MAP NO.** 20-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 October 16, 1998  
**PREMISES AFFECTED-** 8536 S. Ashland Avenue  
**SUBJECT-** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Keeping It Clean Car Wash, Inc., for Lee R. Wilson & Joseph E. Wilson, owner, on September 23, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a car wash in a 1 & 2 story brick building, in a B2-1 Restricted Retail District, on premises at 8536 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 16, 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 October 16, 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 garage building; that the appellant acquired the property in 1992 and has operated a hand car wash for 7 years at the site; that testimony presented indicated that the previous owner operated a hand car wash at the site for at least 10 years; that limited car wash activity in connection with an automobile service station would have been a permitted use at the site under the provisions of the 1957 comprehensive amendment to the zoning ordinance; that no evidence was presented that hand car wash activity was ever legally permitted at the subject site; that on July 28, 1971 the City Council rezoned the site to B2-1 Restricted Retail, thereby rendering the garage building a non-conforming use; that Section 6.5-4 (2) of the zoning ordinance establishes an amortization schedule for the eventual elimination of non-conforming business uses; that said section provides that in all Business Districts, except B7, any use lawfully existing at the adoption of the comprehensive amendment but permitted only in the B7, Commercial or Manufacturing Districts and located in a building, all or substantially all of which is designed or intended for a use

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 408-98-A

permitted in a Business District, except B7, shall be entirely discontinued and shall thereafter cease operation 15 years from the date of adoption of the amendment; that the Board has no authority to permit a non-conforming business use in a non-conforming building that has reached its amortization termination date; it is therefore

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

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

APPLICANT: Richard O'Hara

CAL. NO. 289-98-S

APPEARANCES FOR:

MAP NO. 5-I

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 1619 N. Washtenaw Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Richard O'Hara

CAL. NO. 290-98-Z

APPEARANCES FOR:

MAP NO. 5-I

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 1619 N. Washtenaw Avenue

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

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Robert Smart

CAL. NO. 254-98-S

APPEARANCES FOR: Robert Smart

MAP NO. 18-C

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 1724 E. 75th 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 car wash in a 1-story brick building, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO  
JANUARY 15, 1999.

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: Washington Federal Bank for Savings

CAL. NO. 214-98-S

APPEARANCES FOR:

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
October 16, 1998

PREMISES AFFECTED-- 2869 S. Archer Avenue

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

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

**APPLICANT:** Maurice Lawlor **CAL. NO.** 279-98-Z  
**APPEARANCES FOR:** Aaron Spivak, Maurice Lawlor **MAP NO.** 11-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 4520 N. Keystone Avenue

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

**ACTION OF BOARD--**

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 October 16, 1998 after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 3, 1998; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Area Wide 79th & Jeffrey, Inc. **CAL. NO.** 297-98-S  
**APPEARANCES FOR:** C. John Anderson, Faysal Mohammed **MAP NO.** 20-C  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING**  
October 16, 1998  
**PREMISES AFFECTED--** 2001 E. 79th Street

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

**ACTION OF BOARD--**

**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 October 16, 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 provided at the established entrances and exits; that ingress to the drive-through facility shall be from driveways located on E. 79th Street and on S. Jeffery Avenue; that egress from the drive-through facility shall be from a driveway located at the southeast corner of the site onto S. Chappel Avenue; that a "Stop-Do Not Enter" sign shall be erected at the S. Chappel Avenue exit;

(Additional conditions follow on page 58a.)

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

**MINUTES OF MEETING**

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Cal. No. 297-98-S

That a minimum 3 foot landscaped yard shall be maintained along 79th Street;

That landscaping, wrought-iron and wood fencing shall be installed as depicted on the plans prepared by Charles Vincent George Design Group, Inc., dated October 10, 1998;

That perimeter landscaping shall be installed at the rear of the building along S. Chappel Avenue as depicted on the plans prepared by Charles Vincent George Design Group, Inc., dated October 10, 1998;

That the hours of the drive-through facility shall be limited to the hours between 9 A.M. and 9 P.M.

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

**APPLICANT:** Rico Paone **CAL. NO.** 271-98-A  
**APPEARANCES FOR:** John J. Pikarski, Jr., Rico Paone **MAP NO.** 2-G  
**APPEARANCES AGAINST:** Rich Schmitz **MINUTES OF MEETING:**  
October 16, 1998  
**PREMISES AFFECTED-** 626 S. Racine 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, Rico Paone, for Chicago Title and Trust Co., Tr. #1081770, owner, on June 1, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a covered outdoor restaurant service area in conjunction with an existing non-conforming restaurant in a 4-story brick store and apartment building, in an R4 General Residence District, on premises at 626 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 26, 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 7.3-4, 7.4-4."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 4-story brick building occupied by a non-conforming restaurant on the ground floor and dwelling units above; that the subject property is also improved with a 2-story residential building at the rear of the lot which fronts onto W. Flournoy Street; that the appellant is seeking to be allowed to establish a 21' x 24' covered outdoor patio area between the front and rear buildings for the service of food and incidental liquor as an accommodation to his customers during the summer months; that there will be no liquor service bar nor live entertainment or dancing in the proposed covered patio area; that the hours of operation of the outdoor patio area will be limited to the hours between 11:30 A.M. and 10:30 P.M., Sunday through Thursday and between 11:30 A.M. and 11:30 P.M., Friday and Saturday; that the City Council rezoned the subject site from R5 General Residence to B4-3 Restricted Service on June 24, 1987 and subsequently rezoned the site to R3 on April 13, 1994 and to the present R4 zoning on March 19, 1997; that under Section 8.3-4 (34), unenclosed or partially enclosed restaurants are expressly permitted and that liquor may be served in conjunction to the serving of food as the principal activity; that the testimony presented indicates that the appellant has

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 271-98-A

operated a restaurant and used the patio area in conjunction with the restaurant operation at the subject site for the past 11 years during the time period when the restaurant and outdoor unenclosed patio area were permitted uses under the B4-3 zoning; that the change of zoning to R3 in 1994 and to R4 in 1997 rendered the restaurant and use of the patio area for food service non-conforming uses; that the Zoning Administrator contends that the subject covered outdoor patio area is a beer garden and as such requires a beer garden license; that the Board finds that the serving of food and incidental liquor service in conjunction with the serving of food is accessory to the principal restaurant operation and that the proposed covered patio area does not constitute a beer garden; 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 a covered outdoor restaurant service area as an accessory use only in conjunction with an existing non-conforming restaurant in a 4-story brick store and apartment building, on premises at 626 S. Racine Avenue, upon condition that the hours of operation of the covered outdoor restaurant service area shall be limited to the hours between 11:30 A.M. and 10:30 P.M., Sunday through Thursday and between 11:30 A.M. and 11:30 P.M., Friday and 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:** Demetri Konstantelos **CAL. NO.** 409-98-A  
**APPEARANCES FOR:** Demetri Konstantelos **MAP NO.** 15-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 16, 1998  
**PREMISES AFFECTED-** 5941 N. Bernard 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	A	b	s t a i n
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		

**THE RESOLUTION:**

WHEREAS, Demetri Konstantelos, owner, on October 6, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit in an R2 Single-Family Residence District, an artist studio above the garage, in a proposed accessory building in the rear yard of a lot additionally improved with a single-family residence on the front of the lot, on premises at 5941 N. Bernard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 29, 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 5.5, 7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 16, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a single-family residence in the front of the lot and a partially constructed detached accessory garage building in the rear of the lot; that a building permit has been issued for the aforesaid garage building under construction; that the appellant is seeking to build out the area over the garage in order to provide some space for his daughter, a computer graphics artist, to use as studio space and storage of art materials; that said space will be for her personal use only and will not be used as a business office; that the proposed studio space will not contain a kitchen and will in no way be occupied as a dwelling unit; that the height of said garage building will not exceed the 15' height limitation for a detached accessory garage building; that the proposed studio area may be considered part of the permitted accessory building at the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 409-98-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit an artist studio as an accessory use only above the garage in a proposed accessory building in the rear yard of a lot additionally improved with a single-family residence on the front of the lot, on premises at 5941 N. Bernard Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 272-97-Z

John J. Pikarski, Jr., for David Wish, applicant, presented a written request for an extension of time in which to obtain the necessary building permit for the erection of a 2-story 12-dwelling unit townhouse building, in an R5 General Residence District, whose front yard will be 2.33' instead of 15' and with no rear yard instead of 30', on premises at 1752-56 N. Kedzie Avenue, which variations were granted by the Board on August 15, 1997, in Cal. No. 272-97-Z.

Mr. Pikarski stated that the request for an extension of time is necessary in that the applicant was unable to proceed with the construction since it required a vacation of an adjacent street. The vacation of Bloomingdale Avenue has now occurred and the permitting process is imminent.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to August 15, 1999. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 316-97-S

Jim Hirsch, for The Old Town School of Folk Music, applicant, presented a written request for an extension of time in which to complete the improvement of an off-site accessory parking lot for 45 private passenger automobiles on premises at 2212 W. Sunnyside Avenue, to satisfy the parking requirement for a theater / music school proposed in the Hild Library building located at 4536-46 N. Lincoln Avenue, approved by the Board on September 19, 1997, in Cal. No. 316-97-S.

Mr. Hirsch stated that the request for the extension of time is due to difficulties encountered at the Department of Zoning with the landscaping plan.

Chairman Spingola moved that the request for an extension of time to complete the improvement of the aforesaid off-site accessory parking lot be granted and the time be extended to September 19, 1999. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 365-97-Z

Bernard I. Citron, for Paul E. Marks, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 4th story addition and rear 4-story open porch and deck to a 3-story brick building all of which will contain accessory parking on the ground floor and 6 dwelling units above, whose front yard will be 8.5', with no north side yard and whose south side yard will be 3' and whose rear yard will be 4.6' instead of 13.17', 5' each and 30', respectively, and which addition will result in an 11% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1243 N. Wolcott Avenue, which variations were granted by the Board on October 17, 1997, in Cal. No. 365-97-Z.

Mr. Citron stated that due to financing considerations his client has been unable to obtain a building permit.

Chairman Spingola moved that the request be granted and that the time for obtaining necessary building permits be extended to October 17, 1999. The motion prevailed by yeas and nays as follows:

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

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

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 377-97-S

Neal Mermall, for Kenneth Miller, applicant, presented a written request for an extension of time in which to obtain the necessary building permit for the expansion of an existing tavern in a 3-story brick building by the erection of a 10' x 46' covered porch addition to the west side thereof, on premises at 508 W. Diversey Avenue, approved by the Board on October 17, 1997, in Cal. No. 377-97-S.

Mr. Mermall stated that the subject property falls within the Chicago Plan Commissions's Lakefront Protection Zone. Plans, specifications and cost estimates were submitted to the Commission with a request that the project be deemed exempt from the Commission's approval process. Initially, there were indications that the project would be so exempt, however, in early September, 1998, the request for an exemption was denied and the applicant was advised to proceed with the approval process which requires the requested extension of time.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permit be extended to October 17, 1999. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 265-98-A

Bernard I. Citron, for Bruce Gershenzon & Linda Schwartz, appellant, presented a written request for a revision of the resolution granted by the Board on July 17, 1998, in Cal. No. 265-98-A, to permit the expansion of an existing non-conforming dwelling unit on the ground floor into the 2nd floor in a 4-story brick 2-dwelling unit building with office space on the 2nd floor, in a B3-3 General Retail District, on premises at 2033 N. Orleans Street.

Mr. Citron stated that the resolution granted by the Board included language regarding deconversion of the subject building into a single-family dwelling unit. Although the appellants are remodeling the building so that their family can live in it, for building permit purposes the building must remain two units as it was legally converted to in 1964 so that an internal staircase connecting all floors will not be required. The purpose of not having a staircase to connect all floors is to enable the applicants to have occasional clients to their photography studio enter through a separate enclosed staircase. The first and second floors and existing basement would be the family's living space, the third floor would be the photo studio, and the fourth floor loft space additional recreational or living space for the family's children. Mr. Citron requests that the resolution be revised to remove the requirement that the building be "deconverted" and merely allow the second floor of the existing four-story with basement building to be converted to residential use per the plans submitted.

Chairman Spingola moved that the request for a revision of the resolution granted in Cal. No. 265-98-A be denied stating that no testimony was presented at the hearing indicating that the appellants sought to retain a second dwelling unit in the subject building nor was such a request indicated in the appeal application filed by the appellants. The testimony presented indicated that the appellants sought to deconvert the 2 existing dwelling units into a single-family residence by duplexing the existing ground floor dwelling unit into the 2nd floor thereby eliminating the office space, maintain the 3rd floor photography studio and use the 4th floor loft space for additional living space and bedroom for family use. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

October 16, 1998

Cal. No. 292-98-S

Steven D. Friedland, for Madison Renaissance Development Limited Partnership, applicant, presented a written request for an amendment to the resolution granted by the Board on August 21, 1998, in Cal. No. 292-98-S for the establishment of an off-site accessory parking lot for 32 private passenger automobiles on premises at 5628-36 W. Madison Street, to serve 2 existing 3-story brick buildings at 5629-35 and 5645-47 W. Madison Street.

The amendment requested is to delete the condition that an electronic card gate shall be provided at the N. Parkside Avenue entrance / exit as indicated on page 22a of the minutes of the August 21, 1998 meeting of the Zoning Board of Appeals. Mr. Friedland stated that because the aforesaid parking lot will be utilized for a low-income housing project, the City of Chicago Department of Housing has agreed to pay for the installation of the parking lot improvements as shown in the plans submitted. The Department of Housing has not included an electronic security gate in the project budget and therefore no source of funding exists for such an improvement. The Department of Housing will install a swinging gate and lock which would permit the lot to be closed and locked if necessary.

Chairman Spingola moved that the request to amend the resolution granted in Cal. No. 292-98-S be granted and that the condition indicating provision of an electronic card security gate on page 22a of the minutes be deleted. The motion prevailed by yeas and nays as follows:

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

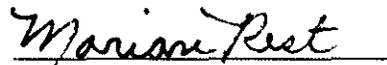
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

October 16, 1998

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

The motion prevailed and the Board adjourned to meet in regular meeting on November 20, 1998.

  
Secretary