

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on January 15, 1999
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

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

MINUTES OF MEETING

January 15, 1999

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on December 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.

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: Charles J. Mueller **CAL. NO.** 1-99-Z
APPEARANCES FOR: Thomas Waters, Charles J. Mueller **MAP NO.** 8-I
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2929-31 W. 38th Street January 15, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an M1-2 Restricted Manufacturing District, the erection of a 1-story addition to the rear of an existing 1-story brick body shop adjacent to an R3 General Residence District with no east and west side yard instead of 20' each and a 16' south rear transitional 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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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: Darek J. Naughton **CAL. NO.** 2-99-Z
APPEARANCES FOR: Maureen Pikarski, Darek J. Naughton **MAP NO.** 15-L
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 6061 N. Lucerne Avenue January 15, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R1 Single Family Residence District, the erection of a 2-story single family dwelling whose minimum lot area will be 6,116 sq. ft. instead of 6,250 sq. ft.*

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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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: Frank & Sandra Szmajda

CAL. NO. 3-99-Z

APPEARANCES FOR: Frank Szmajda

MAP NO. 5-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 2013 S. Corltand 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 an addition to the rear of the 3rd floor of an existing 3-story 2 dwelling unit building with no east side yard instead of 6.6'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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: Paul F. Rice

CAL. NO. 4-99-Z

APPEARANCES FOR: Paul F. Rice

MAP NO. 26-F

APPEARANCES AGAINST: None

MINUTES OF MEETING

January 15, 1999

PREMISES AFFECTED-- 447 W. 107th Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a 1-story and open porch addition to the rear of an existing single family dwelling whose east side yard will be 1' instead of 3.58' and with a rear yard of 20' 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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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 E. Malackowski **CAL. NO.** 5-99-A

APPEARANCES FOR: Bernard I. Citron, James E. Malackowski **MAP NO.** 7-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
January 15, 1999

PREMISES AFFECTED- 330 W. Wellington Avenue

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

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: James E. Malackowski **CAL. NO.** 6-99-Z
APPEARANCES FOR: Bernard I. Citron, James E. Malackowski **MAP NO.** 7-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
January 15, 1999
PREMISES AFFECTED-- 330 W. Wellington 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 an attached carport with no west side yard instead of 10' and to erect a detached garage with no rear yard instead of 30' and whose 20' height exceeds the maximum 15' allowed in the rear 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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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: Chester Crowhurst

CAL. NO. 7-99-Z

APPEARANCES FOR: Chester Crowhurst

MAP NO. 15-O

APPEARANCES AGAINST: None

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 5607 N. Overhill Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a 30' x 22' frame garage whose south side yard will be 3' instead of 4' and with an east rear yard of 1' instead of 30' and whose 17' height exceeds the maximum 15' allowed in the rear yard.

ACTION OF BOARD--

THE VOTE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

VARIATION GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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: J. Eric & Kathryn B. Ivester **CAL. NO.** 8-99-Z
APPEARANCES FOR: Dennis Aukstik, J. Eric Ivester **MAP NO.** 5-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 1939* N. Orchard Street January 15, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District in Special District #19, the erection of a 3rd floor dormer and 3-story rear addition in the conversion of a 2½-story building to a single family dwelling whose north side yard will be .04' instead of 2.5'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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: Coleman Folan

CAL. NO. 9-99-S

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 4826 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 a dwelling unit below the 2nd floor, in a proposed 4-story 3 dwelling unit building in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED
TO MARCH 19, 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: Coleman Foland

CAL. NO. 10-99-Z

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 4826 N. Damen Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 3 dwelling unit building, with no north side yard instead of 2.5'.

ACTION OF BOARD--

CASE CONTINUED
TO MARCH 19, 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: Chicago Patrolmen's Federal Credit Union **CAL. NO.** 11-99-Z

APPEARANCES FOR: George J. Arnold, Mark G. Mahoney **MAP NO.** 1-G

APPEARANCES AGAINST: None **MINUTES OF MEETING**
January 15, 1999

PREMISES AFFECTED-- 1359-63 W. Washington Boulevard

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a C3-3 Commercial Manufacturing District, the establishment of a bank with offices in the rehab of an existing 2-story brick building to contain a drive-through facility and no provision for one 10' x 25' required loading berth.

ACTION OF BOARD--

CASE CONTINUED TO
FEBRUARY 19, 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: Chicago Patrolmen's Federal Credit Union **CAL. NO.** 12-99-S
APPEARANCES FOR: George J. Arnold, Mark G. Mahoney **MAP NO.** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 1342-60 W. Washington Boulevard January 15, 1999

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 15 private passenger automobiles to fulfill the parking requirement for a proposed banking and office facility at 1359-63 W. Washington Boulevard in a C3-3 Commercial Manufacturing District.

ACTION OF BOARD--

CASE CONTINUED TO
FEBRUARY 19, 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: The Catholic Bishop of Chicago **CAL. NO.** 13-99-S
APPEARANCES FOR: Thomas S. Moore, Fr. Pat Palland **MAP NO.** 22-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 9236 S. Hoyne Avenue January 15, 1999

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 parish community center in a proposed 15,000 sq. ft. 1-story brick building on Christ the King Church campus, in a R1 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		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; 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 all applicable provisions of the Chicago Landscape Ordinance shall be complied with.

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

APPLICANT: The Catholic Bishop of Chicago **CAL. NO.** 14-99-Z
APPEARANCES FOR: Thomas S. Moore, Fr. Pat Palland **MAP NO.** 22-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 9236 S. Hoyne Avenue January 15, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R1 Single Family Residence District, the legalization of a 1-story community center addition to an existing church and school campus, which addition has a north side yard of 14' instead of 15.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

	AFFIRMATIVE	NEGATIVE	ABSENT
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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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 January 15, 1999, the Board approved in Cal. No. 13-99-S, the establishment of a parish community center in a proposed 15,000 sq.ft. 1-story brick building on Christ the King Church campus, at the subject site; 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: The Catholic Bishop of Chicago **CAL. NO.** 15-99-S
APPEARANCES FOR: Thomas S. Moore, Fr. Pat Palland **MAP NO.** 22-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 9245 S. Hoyne Avenue January 15, 1999

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 65 private passenger automobiles to fulfill the parking requirement of Christ the King Church and new community center addition, in an R1 Single Family Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; 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 January 15, 1999, the Board approved, in Cal. Nos 13-99-S and 14-99-Z, respectively, the establishment of a parish community center in a proposed 15,000 sq.ft. 1-story brick building on Christ the King Church campus, which addition has a north side yard of 14' instead of 15', on premises at 9236 S. Hoyne Avenue; that the applicant seeks to establish an off-site parking lot for 65 private passenger automobiles at the subject site to fulfill the parking requirement of the church and new community center addition; 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;

(Additional conditions follow on page 17a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 15-99-S

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

That decorative wrought iron type metal fencing shall be installed on the west, east and south lot lines, excepting the driveway; that solid privacy fencing shall be installed on the north lot line to screen the parking lot from abutting residential property;

That striping and lighting shall be provided;

That ingress and egress shall be via W. 93rd Street; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the driveway on W. 93rd Street shall be constructed in accordance with applicable ordinances;

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

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

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

APPLICANT: The Catholic Bishop of Chicago **CAL. NO.** 16-99-Z
APPEARANCES FOR: Thomas S. Moore, Fr. Pat Palland **MAP NO.** 22-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 9245 S. Hoyne Avenue January 15, 1999

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R1 Single Family Residence District, the establishment of an off-site parking lot whose front yard is 5' instead of 20'.

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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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 January 15, 1999, the Board approved in Cal. No. 15-99-S, the establishment of an off-site parking lot for 65 private passenger automobiles at the subject site to fulfill the parking requirement of Christ the King Church and new community center addition located at 9236 S. Hoyne Avenue; 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: Donna Vernier

CAL. NO. 17-99-Z

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 1632 W. Carmen 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 a paved parking area with a front yard of 7.67' instead of 19.84'.

ACTION OF BOARD--

CASE CONTINUED TO
MARCH 19, 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: Old Town School of Folk Music **CAL. NO.** 18-99-S
APPEARANCES FOR: Stacey Rubin Silver **MAP NO.** 11-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2213 W. Wilson Avenue January 15, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and establishment of an off-site parking lot for 39 private passenger automobiles, to satisfy the parking requirement for a proposed school and auditorium, in a B5-2 General 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 January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on September 19, 1997, the Board approved the establishment of an off-site accessory parking lot for 45 private passenger automobiles, at the subject site, to satisfy the parking requirement for a theater / music school proposed in the Hild Library building located at 4536-46 N. Lincoln Avenue and for which an extension of time was granted on November 20, 1998 to September 19, 1999; that subsequent to the granting of the requested extension of time the applicant requested a correction of certain conditions contained in the resolution pertaining to approval of a new landscape plan, dated November 18, 1998 and for authorization to permit ingress and egress for one parking space from the north alley and for two parking spaces from the east alley; that the said requested corrections were denied by the Board on November 20, 1998, stating that such changes substantially altered the original application; that the testimony presented in Cal. No. 316-97-S as to location of and number of parking spaces 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):
 (Conditions follow on page 20a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 18-99-S

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

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

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

That the lot shall be enclosed with decorative wrought iron type metal fencing, excepting the driveways;

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

That ingress and egress shall be via the public alley abutting the site to the west provided a waiver of the alley barrier requirement is obtained from the City Council; that the alleys abutting the site to the north and east shall not be used for ingress nor for egress;

That landscaping shall be installed consistent with the new landscaping plan prepared by McClier and Associates, dated November 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 and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Trinity Christian Fellowship, Inc.

CAL. NO. 19-99-S

APPEARANCES FOR: Harvey Teichman, John Griner

MAP NO. 9-N

APPEARANCES AGAINST: Peter Perry

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 7000-06 W. Belmont Avenue

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a church with 100 seats in an existing 1-story brick store building with required parking on site, 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 January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; 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 of the on-site parking area located east of the proposed church building shall be maintained;

That decorative metal fencing shall be provided on the north, east and south lot lines, excepting the driveways;

(Additional conditions follow on page 21a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 19-99-S

That concrete wheel stops, striping and lighting shall be provided;

That ingress and egress shall be from driveways located on W. Belmont Avenue and N. Sayer Avenue; that there shall be no ingress nor egress via the public alley abutting the site to the north; that the driveways shall be constructed in accordance with applicable ordinances;

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

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

MINUTES OF MEETING

January 15, 1999

Cal. No. 20-98-S

David L. Goldstein, for The Church of Jesus Christ of Latter-Day Saints, applicant, presented a written request for an extension of time in which to obtain the necessary building permit for the establishment of a 161-seat church in a proposed building with a maximum capacity of 583 persons, in a B4-1 Restricted Service District, on premises at 11107-27 S. Vincennes Avenue, approved by the Board on January 16, 1998, in Cal. No. 20-98-S.

Mr. Goldstein stated that the process to complete the plans and specifications for the proposed church building have proved more arduous than expected and therefore the church has not been able to apply for a building permit.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permit be extended to January 16, 2000. 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

APPLICANT: Shining Star MBC

CAL. NO. 20-99-S

APPEARANCES FOR: Darnell Brown

MAP NO. 24-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 1250-54 W. 103rd Street

NATURE OF REQUEST--Application for s special use under article 11 of the zoning ordinance for the approval of the location and the establishment of a church with 104 seats and required parking on site, in a B4-1 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

(Additional conditions follow on page 22a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 20-99-S

That 6 feet high chain link fencing shall be provided on the east and north lot lines;

That striping and lighting shall be provided;

That ingress and egress shall be via an existing access driveway abutting the site to the west onto W. 103rd Street;

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

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

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

APPLICANT: New Hope Christian Center

CAL. NO. 21-99-S

APPEARANCES FOR:

MAP NO. 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING

January 15, 1999

PREMISES AFFECTED-- 4838 N. Sheridan 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 church with 48 seats in an existing 3-story brick store and apartment building, in a B4-4 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
MARCH 19, 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: White Castle System, Inc.

CAL. NO. 22-99-S

APPEARANCES FOR: Andrew P. Scott, Jack H. Robbins

MAP NO. 19-O

APPEARANCES AGAINST: Walter T. Lourie

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 7550 N. Harlem Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in a proposed 1,980 sq. ft. restaurant, 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 January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; 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 subject site is an unimproved 25,308 sq.ft. triangular shaped lot; that the applicant proposes to establish a drive-through facility in conjunction with a 1,980 sq.ft. restaurant at the subject site; that the proposed drive-through facility is necessary for the public convenience at this location to provide an additional service necessary in today's fast food market; 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 be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood 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 ingress to the drive-through facility shall be from driveways located on W. Howard Street, N. Harlem Avenue, and N. Milwaukee Avenue; that egress shall be from the driveways located on N. Harlem Avenue and W. Howard

(Additional conditions follow on page 24a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 22-99-S

Avenue only;

That the exit onto N. Harlem Avenue shall be marked with a "Stop" sign and a "No Left Turn" sign to prevent customers from exiting across N. Harlem Avenue northbound; that a "Do Not Enter" sign shall also be erected at the Harlem Avenue exit; that the ingress and egress off of and onto N. Harlem Avenue shall be divided and angled to ensure that traffic flows in the appropriate directions; that the exit from the site onto W. Howard Street shall be marked with a "Stop" sign; that in order to prevent customers from exiting onto N. Milwaukee Avenue a "Do Not Enter" sign shall be posted and a "No Left Turn" sign shall be posted to prevent them from proceeding against the general flow of traffic; that all ingress and egress points shall be marked with arrows on the asphalt to indicate the appropriate direction of traffic;

That an enclosed area for trash containers shall be provided;

That landscaping shall be provided consistent with the landscaping plan prepared by Roake and Associates, dated August 11, 1998:

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

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

APPLICANT: William Carroll

CAL. NO. 23-99-S

APPEARANCES FOR: James M. Childs, Jr., William Carroll

MAP NO. 2-E

APPEARANCES AGAINST: None

MINUTES OF MEETING

January 15, 1999

PREMISES AFFECTED-- 711-21 S. State 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, in a B6-6 Restricted Central Business District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on September 10, 1956, the Board approved the establishment of a parking lot for the storage of private passenger automobiles, at the subject site, in Cal. No. 495-56-S; that testimony presented indicates that there is no current business license on record for the parking lot use; that the applicant seeks to legalize said use; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the parking lot shall be used solely for the parking of private passenger automobiles;

(Additional conditions follow on page 25a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 23-99-S

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

That decorative wrought iron type metal fencing consistent with the existing fencing installed along State Street shall be provided along E. Balbo Street and S. Holden Court and along the open portion of the south property line;

That striping and lighting shall be provided;

That ingress and egress shall be from driveways located on S. State Street and E. Balbo Street; that the driveways shall be constructed in accordance with applicable ordinances;

That the existing attendant booth shall be repaired and painted;

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

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

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

APPLICANT: Vasilos Giannopoulos CAL. NO. 24-99-S

APPEARANCES FOR: Bill George Stotis, Vasilos Giannopoulos MAP NO. 11-J

APPEARANCES AGAINST: None MINUTES OF MEETING

January 15, 1999

PREMISES AFFECTED-- 4745 N. Harding 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 15 private passenger automobiles, in an R3 General Residence District, to serve a food store at 3925 W. Lawrence Avenue.

ACTION OF BOARD--

THE VOTE

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for each name and one empty row.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

(Additional conditions follow on page 26a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 24-99-S

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

That the applicant shall install a 6' high solid wood fence and a 6' landscaped yard along the south property line and a 5' landscaped yard along the west property line as indicated on the site plan prepared by James Metropulos and Associates, dated September 8, 1998;

That striping and lighting shall be provided;

That ingress and egress shall be via the alley abutting the site to the north provided a waiver of the alley barrier requirement is obtained from the City Council;

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

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

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

APPLICANT: Vasilos Giannopoulos **CAL. NO.** 25-99-Z
APPEARANCES FOR: Bill George Stotis, Vasilos Giannopoulos **MAP NO.** 11-J
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 4745 N. Harding Avenue January 15, 1999

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 15 private passenger automobiles whose front yard will be 10'* instead of 20'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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 January 15, 1999, in Cal. No. 24-99-S, the Board approved the establishment of an off-site parking lot for 15 private passenger automobiles, at the subject site, to serve a food store located at 3925 W. Lawrence Avenue; 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 by the Board on its own motion.

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

APPLICANT: A T & T Wireless PCS, Inc. **CAL. NO.** 26-99-S

APPEARANCES FOR: Richard Connor Riley, Matt O'Hagan **MAP NO.** 24-J

APPEARANCES AGAINST: William Trotter **MINUTES OF MEETING**
January 15, 1999

PREMISES AFFECTED-- 3700 W. 103rd 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 wireless communication facility equipment shelter and the erection of a 150' monopole tower on St. Xavier University campus, in an R4 General Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; 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: Apostolic Pentecostal Church of Morgan Park, Inc. **CAL. NO.** 27-99-S

APPEARANCES FOR: Phillip Jacobson, Bobbie Barney **MAP NO.** 28-H

APPEARANCES AGAINST: None **MINUTES OF MEETING**

January 15, 1999

PREMISES AFFECTED-- 11401-09 S. Watkins 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 27 private passenger automobiles, to fulfill the parking requirement for a 1200 seat church at 11401 S. Vincennes Avenue, in an R2 Single Family Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

(Additional conditions follow on page 29a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 27-99-S

That the lot shall be improved with a compacted macadam not less than four inches thick and 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 landscaping, wrought iron type metal fencing and wood privacy fencing shall be installed consistent with the landscaping plan prepared by Elbert G. Ray, dated September 30, 1998;

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

That ingress and egress shall be from W. Edmaire Street; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the alley abutting the site to the east;

That the landscaping installed shall comply with all applicable provisions of the Chicago Landscape Ordinance;

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

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

APPLICANT: Apostolic Pentecostal Church of Morgan Park, Inc. **CAL. NO.** 28-99-Z

APPEARANCES FOR: Phillip Jacobson, Bobbie Barney **MAP NO.** 28-H

APPEARANCES AGAINST: None **MINUTES OF MEETING**
January 15, 1999

PREMISES AFFECTED-- 11401-09 S. Watkins Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single Family Residence, the establishment of an off-site parking lot whose front yard will be 11' instead of 20'.

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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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 January 15, 1999, the Board approved in Cal. No. 27-99-S, the establishment of an off-site parking lot for 27 private passenger automobiles, at the subject site, to fulfill the parking requirement for a 1,200 seat church at 11401 S. Vincennes Avenue; 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: Apostolic Pentecostal Church of Morgan Park, Inc. **CAL. NO.** 29-99-S

APPEARANCES FOR: Phillip Jacobson, Bobbie Barney **MAP NO.** 28-H

APPEARANCES AGAINST: None **MINUTES OF MEETING**
January 15, 1999

PREMISES AFFECTED-- 11339-59 S. Vincennes Avenue

NATURE OF REQUEST-- Application for a special use under article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 59 private passenger automobiles, to fulfill the parking requirement for a 1200 seat church located at 11401 S. Vincennes Avenue, in an R2 Single Family Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 4, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

(Additional conditions follow on page 31a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 29-99-S

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

That landscaping, wrought iron type metal fencing, and wood privacy fencing shall be installed consistent with the landscaping plan prepared by Elbert G. Ray, dated September 30, 1998;

That striping and lighting directed away from abutting residential property shall be provided;

That ingress and egress shall be from driveways located on S. Vincennes Avenue; that there shall be no ingress nor egress from the public alley abutting the site to the east; that the driveways shall be constructed in accordance with applicable ordinances;

That the landscaping installed shall comply with all applicable provisions of the Chicago Landscape Ordinance;

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

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

APPLICANT: Apostolic Pentecostal Church of Morgan Park, Inc. **CAL. NO.** 30-99-Z
APPEARANCES FOR: Phillip Jacobson, Bobbie Barney **MAP NO.** 28-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
 January 15, 1999
PREMISES AFFECTED-- 11339-59 S. Vincennes Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a R2 Single Family Residence, the establishment of an off-site parking lot whose front yard will be 12' instead of 20'.

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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 4, 1999; 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 January 15, 1999, the Board approved, in Cal. No. 29-99-S, the establishment of an off-site parking lot for 59 private passenger automobiles, at the subject site, to fulfill the parking requirement for a 1,200 seat church located at 11401 S. Vincennes Avenue; 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: David Young - Jeffrey Peters

CAL. NO. 31-99-A

APPEARANCES FOR: Jeffrey Peters

MAP NO. 5-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 1847 N. Orleans 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, David Young-Jeffrey Peters, owner, on November 5, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of the 2nd floor of an existing 2-story brick garage on the rear of the lot as an exercise room for the residents in the 2-story single-family dwelling on the front of the lot, in an R5 General Residence District, on premises at 1847 N. Orleans Street.

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 1998, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 2-story single-family dwelling on the front of the lot and a 2-story brick garage / coach house building at the rear of the lot; that the appellants propose to use the 2nd floor of the existing garage / coach house building as an exercise room for their use only; that the use of the subject premises as an exercise room to be use only by the appellants may be considered an accessory use to the existing single-family dwelling at the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their 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 use of the 2nd floor of an existing 2-story brick garage / coach house on the rear of the lot as an exercise room, as an accessory use only, for the residents of the 2-story single-family dwelling on the front of the lot, on premises at 1847 N. Orleans Street, upon condition that the 2-story brick garage / coach house 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: David and Diane Reyes

CAL. NO. 32-99-A

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 1038 W. Waveland Avenue

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

ACTION OF BOARD--

APPEAL WITHDRAWN UPON
MOTION OF APPELLANTS.

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: Grace King **CAL. NO.** 33-99-A

APPEARANCES FOR: Grace King **MAP NO.** 14-1

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
January 15, 1999

PREMISES AFFECTED- 6252 S. Western Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Grace King, for C.N. Russo & Company, on November 1, 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 building, in a B2-2 Restricted Retail District, on premises at 6252 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 1, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the subject site is improved with a 3-story brick multi-store and apartment building; that the testimony presented indicates that the subject store premises has been occupied by a beauty parlor for the past 20 years; that the appellant recently took over the beauty parlor business from the previous operator for whom she worked for; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 3-story brick store and apartment building, on premises at 6252 S. Western Avenue, upon condition that all applicable ordinances of the City Chicago shall be complied with before a license is issued.

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

APPLICANT: Hazel Smith

CAL. NO. 34-99-A

APPEARANCES FOR: Hazel Smith

MAP NO. 20-F

APPEARANCES AGAINST: None

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 7911 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, Hazel Smith, owner, on November 6, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a PPA in conjunction with an existing tavern, in a 2-story brick building, in a B3-3 General Retail District, on premises at 7911 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 6, 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 January 15, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B3-3 General Retail District; that the subject site is improved with a 2-story brick building containing an existing non-conforming tavern on the first floor and a dwelling unit above; that testimony presented indicates that the appellant has operated a tavern at the subject site for the past 30 years; that the subject tavern has always had a 12' x 12' dance floor area; that for the past 25 years the appellant has charged an admission fee as a means of crowd control; that music is provided by a juke box only and that no live bands are employed for entertainment and dancing; that no video arcade game machines are located on the premises; that the appellant has always had an amusement license for the tavern but current licensing requirements now require her to obtain a Public Place of Amusement (PPA) license; that adequate off-street parking is available in an adjacent parking lot and a parking lot located across S. Halsted Street from the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

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 Public Place of Amusement (PPA) in conjunction with an existing tavern in a 2-story brick building, on premises at 7911 S. Halsted Street, upon condition that no live band music or video arcade game machines shall be permitted at the subject site; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: N. Fagin Books (Nancy L. Fagin) **CAL. NO.** 35-99-A
APPEARANCES FOR: Nancy L. Fagin **MAP NO.** 1-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 January 15, 1999
PREMISES AFFECTED- 459 N. Milwaukee 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, N. Fagin Books (Nancy L. Fagin), for Elsa Orlandi, owner, on December 2, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail book store in an existing 3-story brick store building, in an M2-4 General Manufacturing District, on premises at 459 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 10, 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 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 January 15, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-4 General Manufacturing District; that the subject site is improved with a 3-story brick commercial building containing a store on the ground floor; that the building at the subject site has continuously contained store premises since the adoption of the zoning ordinance in 1923; that a retail book store at the subject site 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 retail book store in an existing 3-story brick store building, on premises at 459 N. Milwaukee Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Joseph Eckmayer

CAL. NO. 36-99-A

APPEARANCES FOR: Joseph Eckmayer

MAP NO. 9-K

APPEARANCES AGAINST: None

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 4720-24 W. Addison Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Joseph Eckmayer, owner, on November 18, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 20 dwelling units in an existing 3-story brick building in lieu of a store and 19 dwelling units, in an R4 General Residence District, on premises at 4720-24 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, 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 January 15, 1999; 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 3-story brick building which is the east half of a U-shaped building; that the subject building originally contained 19 dwelling units and 2 ground floor stores; that on June 24, 1991, the City Council rezoned the subject site from B4-1 Restricted Service to R4 General Residence which rezoning rendered the store premises non-conforming; that the appellant seeks to convert the 2 ground floor store premises to a dwelling unit for a total of 20 dwelling units; that the change of use from two non-conforming store premises to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 20 dwelling units in an existing 3-story brick building in lieu of 2 stores and 19 dwelling units with no off-street parking required, on premises at 4720-24 W. Addison Street, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Joseph Eckmayer

CAL. NO. 37-99-A

APPEARANCES FOR: Joseph Eckmayer

MAP NO. 9-K

APPEARANCES AGAINST: None

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 4726-30 W. Addison Street

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Joseph Eckmayer, owner, on November 18, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 20 dwelling units in an existing 3-story brick building in lieu of a store and 19 dwelling units, in an R4 General Residence District, on premises at 4726-30 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 7.5-4, 7.12-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999; 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 3-story brick building which is the west half of a U-shaped building; that the subject building originally contained 19 dwelling units and 2 ground floor stores; that on June 24, 1991, the City Council rezoned the subject site from B4-1 Restricted Service to R4 General Residence which rezoning rendered the 2 store premises non-conforming; that the appellant seeks to convert the two store premises to a dwelling unit for a total of 20 dwelling units in the subject building; that the change of use from 2 non-conforming store premises to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 20 dwelling units in an existing 3-story brick building in lieu of 2 stores and 19 dwelling units with no off-street parking required, on premises at 4726-30 W. Addison Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: 919 E. Hyde Park Condo Assoc.

CAL. NO. 38-99-A

APPEARANCES FOR:

MAP NO. 12-D

APPEARANCES AGAINST:

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 919 E. Hyde Park Boulevard

SUBJECT-

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MARCH 19, 1999.

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: Molly and James Perry **CAL. NO.** 39-99-A

APPEARANCES FOR: Joseph P. Gattuso, James Perry **MAP NO.** 7-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
January 15, 1999

PREMISES AFFECTED- 2831 N. Pine Grove 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, Molly and James Perry, owner, on December 2, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of the first floor as a garage and a library and 2nd floor as a recreation room in an existing 2-story building on the rear of the lot for the use of the residents in a 2 ½ story brick building on the front of the lot, in an R5 General Residence District, on premises at 2831 N. Pine Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 5.5, 7.9-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 2 ½ story brick residential building on the front of the lot and a 2-story brick garage / coach house building on the rear of the lot; that the appellants propose to renovate the rear building to provide first floor library space and garage space and 2nd floor recreation space which will also be used to accommodate occasional overnight guests; that the 2nd floor recreation / guest space will not contain a stove, full-size sink or refrigerator or other kitchen facilities and will not be used as a separate dwelling unit; that the proposed use of the existing rear garage / coach house building may be considered accessory to the main residential building in that the proposed use is subordinate to and serves the appellants' principal residence and contributes to the comfort, convenience and needs of the appellants and their family; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

MINUTES OF MEETING

January 15, 1999

Cal. No. 39-99-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the use of the first floor as a garage and library and 2nd floor as a recreation room in an existing 2-story brick building on the rear of the lot, as an accessory use only, for the use of the residents in a 2 ½ story brick building on the front of the lot, on premises at 2831 N. Pine Grove Avenue, upon condition that the garage / coach house 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 obtained.

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

APPLICANT: Victor Sign Corporation **CAL. NO.** 40-99-A
APPEARANCES FOR: Martin M. Ruken, Stuart Tobin **MAP NO.** 9-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
January 15, 1999
PREMISES AFFECTED- 4722 W. Belmont 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, Victor Sign Corporation, for Moise Brenic, owner, on November 23, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an advertising sign within 250' of an R3 General Residence District, in a B4-1 Restricted Service District, on premises at 4722 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 12, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.9 (7)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 15, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-1 Restricted Service District; that the subject site is improved with a 4-story brick residential building with store premises located on the ground floor; that a non-illuminated painted sign advertising a travel service is located on the W. Belmont Avenue facade of the subject building; that no evidence was presented to indicate the size of the subject advertising sign; that the appellant argues that the subject advertising sign was approved by a Council Order obtained by the alderman of the ward on November 19, 1997 and is now seeking to legalize the sign as a legal non-conforming use at the subject site; that no evidence was presented to indicate that the sign was lawfully erected pursuant to a permit lawfully issued prior to the amending of Section 8.9 (7) of the zoning ordinance on July 12, 1990 which states that no advertising sign having a face which exceeds 100 sq.ft. shall be located within 250 feet of a Residence District; that the Board finds that the appellant was unable to produce any permit indicating that the sign was lawfully erected; 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: Trinidad Escobedo

CAL. NO. 41-98-A

APPEARANCES FOR: Kevin Gosewisch, Olga Escobedo

MAP NO. 26-A

APPEARANCES AGAINST:

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 10539 S. Avenue "L"

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MARCH 19, 1999.

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: Victoria Almeida, Robert Smart

MAP NO. 18-C

APPEARANCES AGAINST: None

MINUTES OF MEETING
January 15, 1999

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--

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 January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 1998: and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 all parking and queing of automobiles shall occur within the subject building;

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

APPLICANT: Robert and Lisa FitzSimmons **CAL. NO.** 420-98-Z

APPEARANCES FOR: William J. Hennessy. Robert FitzSimmons **MAP NO.** 5-F

APPEARANCES AGAINST: None **MINUTES OF MEETING**
January 15, 1999

PREMISES AFFECTED-- 1620 N. Sedgwick Street - Unit 1

NATURE OF REQUEST-- Applicant for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3rd floor addition to an existing 2½ story single family condominium building on the rear of a lot additionally improved with a 2 ½ story dwelling on the front of the lot 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 January 15, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 4, 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: Venante Jose

CAL. NO. 421-98-Z

APPEARANCES FOR: None

MAP NO. 17-G

APPEARANCES AGAINST:

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 1448-50 W. Arthur 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 additions to the 3 front entrances of an existing 19 dwelling unit 3-story brick building on a reverse corner lot, with no front yard instead of 15' & 7.5' and which additions will not exceed 15% of the floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance.

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: LaSalle-Kinzie Partnerships

CAL. NO. 437-98-S

APPEARANCES FOR: William J. Hennessy. Michael Prussian

MAP NO. 1-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
January 15, 1999

PREMISES AFFECTED-- 343-359 N. LaSalle 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 403 of 616 spaces provided in a proposed 47-story building containing 387 dwelling units and retail space, in a C3-6 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 January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 4, 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 applicant provides a parking control system that reserves at least 213 of the parking spaces for residents of the proposed building;

That the applicant maintains a garage height limit consistent with the plans prepared by Solomon, Cordwell, Buenz and Associates, dated December 15, 1998;

(Additional conditions follow on page 47a.)

MINUTES OF MEETING

January 15, 1999

Cal. No. 437-98-S

That the applicant completely encloses the garage on the Carroll Street and the LaSalle Street sides and installs light baffles on the Kinzie Street side consistent with the aforesaid plans dated December 15, 1998;

That ground floor retail space along the garage's W. Kinzie Street frontage is provided;

That signage for the garage and the ground floor tenant shall be limited to no more than three times the lineal frontage of the garage on Kinzie Street;

That the driveway widths along Kinzie Street frontage shall be limited to the minimum necessary for one lane of ingress and one lane of egress;

That the applicant shall install and maintain street trees, second floor planters, and roof top landscaping consistent with the aforesaid plans dated December 15, 1998;

That the applicant shall provide building articulation and fenestration consistent with the elevation drawings prepared by Solomon, Cordwell and Buenz and Associates, dated December 15, 1998;

MINUTES OF MEETING

January 15, 1999

Cal. No. 441-97-Z

Mr. Attila Demeter, for A.K. D. Development, Ltd., applicant, presented a written request dated December 17, 1998 for an amendment and extension of time for the residential project granted in Cal. No. 441-97-Z. The project for which Mr. Demeter was granted a variation for was to permit, in a B7-5 General Central Business District, the erection of a 7-story building containing an office and accessory parking on the ground floor, an office on the 2nd floor and 8 dwelling units above, with no rear yard instead of 30' required for the residential part of the building, on premises at 156 W. Superior Street.

Mr. Demeter stated that the extension of time was necessary due to financial and time difficulties. The amendment sought was to increase the number of dwelling units from 8 larger units of 2,300 sq.ft. to 10 smaller dwelling units of 1,900 sq.ft., and to build an underground (basement) parking garage to increase the available parking spaces from 8 to 12 spaces or 16 spaces if tandem parking is provided.

Mr. Demeter subsequently requested in a letter dated January 5, 1999, a revision of his initial amendment request. He stated that if he were allowed only 8 dwelling units he will still have to reduce the size of the dwelling units, resulting in a loss of approximately 4,000 sq.ft. of floor area and that if he were forced to build 4,000 sq.ft. less than what was originally approved he can not build on the subject site lot at all nor sell it to retrieve his expenses. He is therefore requesting permission to reuse the 4,000 sq.ft. floor area for business use, which is lost as a result of the reduction of the size of the dwelling units. Mr. Demeter further stated that it would be a simple exchange of the permitted floor area from residential to business use without increasing the total floor area or the number of stories originally approved by the Zoning Board of Appeals. The third floor would become business use along with the second and partial first floor and the residential units would start on the fourth floor.

Chairman Spingola moved that the requested amendments as delineated above be denied in that such amendments substantially alters the original variation application approved by the Board on December 19, 1998 in Cal. No. 441-97-Z and that such amendments warrant the filing of a new variation application; and that the applicant's request for an extension of time be granted to January 15, 2000 to allow him to file a new variation application. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, Martin, McCabe-Miele.

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

APPLICANT: Jim Finnegan **CAL. NO.** 444-98-A
APPEARANCES FOR: Jim Finnegan **MAP NO.** 13-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
January 15, 1999
PREMISES AFFECTED- 5354-56 N. Glenwood 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, Jim Finnegan, owner, on September 25, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 8 dwelling units in a 3-story with basement brick apartment building, in an R4 General Residence District, on premises at 5354-56 N. Glenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 21, 1998, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 January 15, 1999; 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 3-story with basement brick apartment building; that the appellant purchased the building in 1997 as an 8 dwelling unit building; that no evidence was presented to indicate that the subject building contained 8 dwelling units prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; it is therefore

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

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

APPLICANT: Touhy Avenue Operating Company
APPEARANCES FOR: Thomas S. Moore, Anthony Musso
APPEARANCES AGAINST: David Wiltse, Anthony Bass, et al.
PREMISES AFFECTED-- 12521 W. Touhy Avenue

CAL. NO. 481-98-S
MAP NO. 13-S
MINUTES OF MEETING
 January 15, 1999

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 adult bookstore in a proposed 1-story 6,400 sq. ft. brick building, in an M3-2 Heavy Manufacturing District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTINOS
 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 January 15, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on December 7, 1998; and

WHEREAS, the district maps show that the premises is located in an M3-2 Heavy Manufacturing District;

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an M3-2 Heavy Manufacturing District; that the subject site is a 130' x 300' unimproved lot located just inside the Chicago city limits in close proximity to Elk Grove Village and Des Plaines, Illinois which are located in unincorporated Cook County; that the subject site is owned by the Doris Morton Square L.L.C. which is the owner of record and seller of the subject property on a sales contract originally dated September 23, 1998; that Arnold E. Rubin in a letter dated November 15, 1998, and as the duly authorized agent for the Doris Morton Square L.L.C., gave authorization to the applicant, Touhy Avenue Chicago Company, as stated in said authorization, to make application to the Zoning Board of Appeals for an Adult Use at the subject site; that the applicant as indicated on the application for a special use, Touhy Avenue Operating Company, is wholly owned by Anthony Musso; that the applicant proposes to establish an Adult Use (bookstore, including adult magazines, video preview and arcade) in a proposed 1-story 6,400 sq.ft. brick building to be constructed at the subject site and which will be open 24 hours daily; and

WHEREAS, that Section 11.10-4.1 of the zoning ordinance provides that no special use shall be granted by the Zoning Board of Appeals for an adult use unless the use:

MINUTES OF MEETING

January 15, 1999

Cal. No. 481-98-S

- (1) Will not increase crime in the neighborhood in which it is located;
- (2) Will not adversely affect other commercial or industrial enterprises in the surrounding area;
- (3) Will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;
- (4) Will not have an adverse effect on traffic-flow or parking within the surrounding area;
- (5) Will not cause the generation of noise in excess of levels permitted under Chapter 11.4 of the Municipal Code of Chicago;
- (6) Will not have an adverse effect on the character of the surrounding neighborhood because of the hours of operation of use;
- (7) Will not be inconsistent with the exterior appearance of other commercial establishments;
- (8) Will conform to the applicable regulations of the district in which it is to be located;
- (9) Is within the provisions of "Special Uses" as set forth in the applicable sections of Articles 9 and 10.

that said Section further provides the following: that the decision of the Board to approve or deny a special use application for an adult use shall be based solely on the considerations set forth in this Section, and all such considerations shall be applied consistently with the applicant's constitutional rights contained in the First, Fifth and Fourteenth Amendments of the United States Constitution, and Sections 2 and 4 of Article I of the Illinois Constitution; that the Board shall approve any such application unless substantial evidence is presented that demonstrates that the application fails to meet at least one of the criteria set forth in aforesaid standards (1) through (9) in this Section; that for purposes of this Section, the phrase "substantial evidence" means more than a de minimis quantum of evidence and that if substantial evidence is adduced, this Section shall not be construed to impose a burden of proof on any party objecting to an application other than proof by a preponderance of the evidence; that with respect to paragraph (8) of the governing criteria, Section 9.4-3 (8) provides that no Adult Use, as measured between property lines, shall be located:

- a. Within 1,000 feet of another existing Adult Use; nor
- b. Within 1,000 feet of any Zoning District which is zoned for residential use; nor
- c. Within 1,000 feet of any pre-existing school or place of worship.

and

WHEREAS, objectors involved in property within 1,000 feet of the subject site testified in opposition to the granting of the proposed adult bookstore use as follows:

that Joyce Graetz of the Business Service office of the Community Consolidated School District 59 and High School District 214 testified that the area is heavily populated with school children under the age of 18, 213 of which board school buses at the Oasis Mobile Home Park located across Touhy Avenue from the subject site in unincorporated Cook County and that such children are vulnerable and easily led; the witness also stated that although she didn't know exactly what kind of persons patronized an adult bookstore she thought they could be potential child abusers;

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January 15, 1999

Cal. No. 481-98-S

that Jim McAndrews, manager of Rogers Industrial Park located at Old Higgins and Elmhurst Roads near the subject site stated that he believed that the subject use would have a negative effect on industrial uses in the area:

that Charles Wiercneski, manager of properties in the area stated that he believed that the subject use is not in harmony with other properties in the neighborhood:

that Ramon Sanchez of the Genesis Center of Health and Empowerment in Des Plaines, Illinois, stated that he believed that the hours of operation of the proposed adult bookstore would have a negative effect on the residents of a nearby mobile home park:

that Pat Tabaka, resident manager of the mobile home park located at 400 W. Touhy Avenue in unincorporated Cook County, stated that the subject use would have an adverse effect on the children living in the mobile home park and objected to the existence of this type of business at the subject site:

that George Taylor, resident manager of a 160 unit mobile home park at 500 W. Touhy Avenue in unincorporated Cook County, stated that the subject site is visible from the bus stop where over 200 children are picked up for school; and that the subject use will take away additional self-esteem and reputation from the children which is already low because they live in a mobile home park:

that Terry Nelson, a mobile home owner and board member of the Mobile Home Association stated her concerns about the negative effects an adult bookstore would have on the children living in the mobile home parks in the immediate area and the difficulty of obtaining police and emergency services for the residents of the mobile home parks; and

WHEREAS, in rebuttal, the applicant presented three expert witnesses in the fields of crime, real estate appraisal, and traffic engineering who testified as follows:

that Ivan Rittenberg, a former City of Chicago Police Commander with over 30 years of policing experience, testified that he believed that there is no significant increase in crime that can be directly related to adult bookstores and that the proposed adult bookstore will not increase crime in and of itself; that adult bookstores are periodically monitored by plain clothes police officers to insure that no pedophile materials are sold; that based on his education and experience he does not believe that an adult bookstore increases sexual assault activity:

that Theodore Kowalski, a real estate appraiser, testified that he was a resident of Elk Grove Village from 1960 to 1970 and is very familiar with the area and in addition has appraised many properties on W Higgins Road; that he has made appraisal studies on other adult bookstore locations to determine the influence on property values adjoining or abutting adult bookstore uses and that such "near and far" studies are the most accepted way of determining any negative effects caused by other uses; that based on this near and far study of other adult bookstores and adult entertainment uses he found that the existence of the proposed facility will not adversely affect other commercial or industrial enterprises in the surrounding area nor cause substantial injury to the value of other property in the neighborhood in which it is to be located:

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Cal. No. 481-98-S

that a traffic analysis report was submitted by Gerald E. Lindgren, a traffic engineer, in lieu of testimony but that stipulation was made that in his expert opinion the proposed use will not have an adverse effect on traffic flow or parking in the immediate area; and

WHEREAS, the Zoning Board of Appeals makes the following findings in this matter: that the construction of the Adult Use ordinance limits the Board to deciding whether the objectors' testimony constitutes a preponderance of evidence that the applicant failed to meet at least one of the 9 governing criteria set forth in the ordinance; that the Board finds that all of the evidence presented by the objectors in this case is insufficient to demonstrate that the applicant fails to meet at least one of the 9 governing criteria set forth in the Adult Use ordinance as required and that it did not overcome the presumption in favor of the applicant; it is therefore

RESOLVED, that the application for a special use be and is hereby approved and the Zoning Administrator is authorized to permit the establishment of an adult bookstore in a proposed 1-story 6,400 sq.ft. brick building, on premises at 12421 W. Touhy Avenue, upon the following conditions that the Board finds are necessary to secure the general objectives of the zoning ordinance and the governing criteria of the Adult Use ordinance:

that the patrons of the facility shall not be less than 18 years of age;

that there shall be absolutely no live entertainment at the site;

that the bookstore's signage shall be limited to up to 100 sq.ft. on each side of a pole and up to 80 sq.ft. on the front of the building only;

that any pole sign shall be limited to a height of no more than 22 feet above grade; that there shall be no "X" or "XXX" lettering used in the signage; that there shall be no signage on the side of the building or any electric flashing or moving signage at the site;

that landscaping shall be installed that effectively shields the view of the parking lot from Touhy Avenue and establishes and maintains a landscaped perimeter along the front and sides of the building;

that the building's front facade shall be constructed consistent with plans submitted to the Zoning Board, dated January 15, 1999;

that the special use approved herein shall be subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this matter for a period of two years from the date hereof for the purpose of reviewing any community comments or complaints the Board may receive regarding the applicant's operation, and to determine if additional conditions are necessary to insure that the public health, safety and welfare continues to be adequately protected or whether any or all of the restrictions imposed herein should be altered, modified or eliminated;

that the special use granted herein shall run only to Anthony Musso and Touhy Avenue Operating Company provided Anthony Musso is, and remains, the sole shareholder of the business;

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

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Cal. No. 481-98-S

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

and

WHEREAS, that subsequent to the hearing of this cause, objectors filed a Motion to Reopen the case for the taking of additional evidence. The Rules of Procedure of the Zoning Board of Appeals do not provide for post hearing motions. Therefore, the motion is denied.

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

APPLICANT: Sidney E. Williams

CAL. NO. 491-98-A

APPEARANCES FOR: Maureen Pikarski

MAP NO. 4-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
January 15, 1999

PREMISES AFFECTED- 1210 S. Union Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MARCH 19, 1999.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

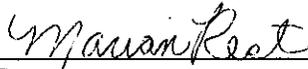
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

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Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on February 19, 1999.


Secretary