

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on April 16, 1999
at 9:00 A.M. and 2:00 P.M.

The following members were present for all or part of the meeting and constituted a quorum:

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

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

MINUTES OF MEETING

April 16, 1999

Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on March 19, 1999 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele. Absent- Martin 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: Thomas Stanil

CAL. NO. 43-99-S

APPEARANCES FOR: John George, Thomas Stanil

MAP NO. 13-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 4955 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 dwelling units below the 2nd floor in a proposed 2-story 3 dwelling unit building addition to an existing 2-story brick store and apartment building on the the front of the lot to be connected to a 2-story brick building on the rear of an L-shaped lot, all of which will contain a retail store, 5 dwelling units and required parking on the rear of the lot, 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 | | |
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| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on February 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: Thomas Stanil **CAL. NO.** 44-99-Z
APPEARANCES FOR: John George, Thomas Stanil **MAP NO.** 13-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 4955 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 2-story connection addition to two existing 2 story brick buildings on an L-shaped lot, with no south side yard instead of 3' and a rear yard of 4.5' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X | | |
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| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on February 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 April 16, 1999, in Cal. No. 43-99-S, the Board approved the establishment of dwelling units below the 2nd floor in a proposed 2-story 3 dwelling unit building addition to an existing 2-story brick store and apartment building on the front of the lot to be connected to a 2-story brick building on the rear of an L-shaped lot, all of which will contain a retail store, 5 dwelling units and required parked on the rear of the lot, 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: Rios de Agua Viva

CAL. NO. 45-99-S

APPEARANCES FOR:

MAP NO. 14-I

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 5643-53 S. Kedzie Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 330 seat church in an existing 1 & 2 story brick building, in a B4-1 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 18, 1999.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

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APPLICANT: Rios de Agua Viva

CAL. NO. 46-99-S

APPEARANCES FOR:

MAP NO. 14-I

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 5601-19 S. Kedzie Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 50 private passenger automobiles, in a B4-1 Restricted Service District, to satisfy the requirements for a proposed church at 5643-53 S. Kedzie Avenue.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 18, 1999.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Dree Deton **CAL. NO.** 56-99-S
APPEARANCES FOR: James R. Donoval, Dree Deton **MAP NO.** 2-I
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 2855 W. Harrison 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 car wash in a 1-story brick building, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on February 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: David and Jamie Schwartz

CAL. NO. 52-99-Z

APPEARANCES FOR: Donald J. Vogel, David Schwartz

MAP NO. 7-G

APPEARANCES AGAINST: Robert Ornburg

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 1250 W. Draper Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a third floor addition to an existing 2-story single family dwelling, whose west side yard will be 4' instead of 5.6', and whose rear yard will be 16' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on February 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 to be located in an R4 General Residence District; that the subject site is a 60.28' x 56.86' lot located on a 1 block long, 2-way dead-end street and is improved with a 2-story single-family dwelling; that the applicants are seeking to erect a 3rd floor addition to the existing 2-story single-family dwelling; that on May 19, 1993, the Zoning Administrator granted an Exception to the applicant, who was the contract purchaser at that time, to permit the erection of a 2-story with basement single-family dwelling at the subject site, whose front yard will be 3.62' instead of 7.23', whose side yards will be 4' each instead of 5.6' each, and whose rear yard will be 15' instead of 30', except the west 25' of the lot must contain a rear yard of 30' above the 1st story; that the aforesaid condition created a notch at the rear of the building; that the subject site lot has a turn-around easement at the southwest corner of the lot per an easement agreement; that on September 17, 1993, the Board denied an objector's appeal filed by the owner of property at 1267 W. Wrightwood Avenue in the granting by the Zoning Administrator of the aforesaid exception; that pursuant to the Board's action denying the objector's appeal, the applicant purchased the subject property and proceeded to expand the single family dwelling by building upwards, keeping the notch which granted light and air to the neighbors, thereby not violating the terms of the exception granted to them in May of 1993, that in the instant case, the applicant is seeking variations to permit the erection of a 3rd floor addition for additional bedrooms and bath; that no evidence was presented to indicate that the property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district nor that any unique circumstance exists; that the proposed addition, as designed,

MINUTES OF MEETING

April 16, 1999

Cal. No. 52-99-Z

constitutes an overbuilding to what is already the largest building on the block; and that the variations, if granted, will alter the essential character of the locality; it is therefore

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

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

APPLICANT: Tobias Padilla **CAL. NO.** 57-99-A
APPEARANCES FOR: Tobias Padilla **MAP NO.** 8-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 16, 1999
PREMISES AFFECTED- 3114 S. Hamlin 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 |
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THE RESOLUTION:

WHEREAS, Tobias Padilla, owner, on December 29, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3 dwelling units in an existing 2-story brick building with insufficient lot area, in an R3 General Residence District, on premises at 3114 S. Hamlin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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 7.5-3. 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 April 16, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story with high basement residential building; that no evidence was presented to indicate that three dwelling units have legally existed in the subject building since prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that under Sections 7.5-3 and 7.12-2 (9) of the zoning ordinance the Board has no authority to permit 3 dwelling units in an existing 2-story building with insufficient lot area; it is therefore

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

APPLICANT: Victor C. Neumann Foundation, Inc.

CAL. NO. 78-99-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 5-J

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 1756 N. Kedzie Avenue

NATURE OF REQUEST-- Application for special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a transitional residence for abused or neglected children in a proposed 2-story brick building, in a R5 General Residence District.

ACTION OF BOARD--

CASE CONTINUED UPON
THE BOARD'S OWN MOTION
TO MAY 21, 1999.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Victor C. Neumann Foundation, Inc.

CAL. NO. 79-99-Z

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 5-J

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 1756 N. Kedzie Avenue

NATURE OF REQUEST-- Application for variation under Article 11 of the zoning ordinance to permit, in a R5 General Residence District, the erection of a 2-story brick child care facility as a proposed transitional residence whose front yard will be 2.33' instead of 15', with a south side yard of 3.75' instead of 7.45', with no rear yard instead of 30' and no provision for one 10' x 25' required loading berth.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED UPON
THE BOARD'S OWN MOTION
TO MAY 21, 1999.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Spacenet Sevices, Inc.

CAL. NO. 84-99-S

APPEARANCES FOR: Richard Connor Riley

MAP NO. 8-H

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 3111 S. Western Avenue

March 19, 1999 and
April 16, 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 earth station antenna 9.3 meters* in diameter, in a M3-4 Heavy 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 | | |
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| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 2, 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 proposed satellite dish shall be located a minimum of 7 feet from the rear fence and approximately 15 feet from the top of the bank; that landscaping shall be installed to screen the antenna cosistent with the plan prepared by Shah Engineering, Inc., dated March 18, 1999.

*Amended at the April 16, 1999 public hearing.

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

APPLICANT: Leona's Pizzeria, Inc
APPEARANCES FOR: Thomas S. Moore
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 1014 N. Winchester Avenue

CAL. NO. 85-99-S

MAP NO. 3-H

MINUTES OF MEETING
April 16, 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, in a R4 General Residence District, to serve an existing restaurant at 1934-44 W. Augusta Blvd..

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

APPLICANT: Leona's Pizzeria, Inc.

CAL. NO. 86-99-Z

APPEARANCES FOR: Thomas S. Moore

MAP NO. 3-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 1014 N. Winchester Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Chuck and Michelle Culbertson

CAL. NO. 102-99-Z

APPEARANCES FOR: Maureen Pikarski, Chuck Culbertson

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 3452 N. Leavitt 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 3rd floor dormers and open decks additions and the enclosing of the 2nd floor porch of a existing 3-story 2 dwelling unit building whose south side yard will be 2.93' and a north side yard 0.63' instead of 7.72' each, which additions will result in a 13.35%* (422 s.f.) increase in the amount of floor area prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
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| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 31, 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.

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

APPLICANT: 2134 Hudson Corporation

CAL. NO. 103-99-Z

APPEARANCES FOR: Bernard I. Citron

MAP NO. 5-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 2134 N. Hudson Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story side addition and 1 and 2-story rear additions to an existing 2-story 4 dwelling unit building in the conversion to a single family dwelling, whose south side yard will be 3.75' instead 4.98', and with no rear yard instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 31, 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: 2134 Hudson Corporation

CAL. NO. 104-99-Z

APPEARANCES FOR: Bernard I. Citron

MAP NO. 5-F

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 2138 N. Hudson Avenue

April 16, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story side addition and 1-story and 3-story rear additions to an existing 3-story 9 dwelling unit building in the conversion to a single family dwelling, whose north side yard will be 3.25' instead of 4.98' and with no rear yard instead of 30'.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 18, 1999.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jack Berger **CAL. NO.** 105-98-Z
APPEARANCES FOR: Bernard I. Citron. Jack Berger **MAP NO.** 3-G
APPEARANCES AGAINST: Edward Majka **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 831 N. Elizabeth Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story masonry 2 dwelling unit building with penthouse and roof decks on a triangularly shaped lot, with no front yard, side yard, or rear yard.

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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| | | X |
| X | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 31, 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 to be located in an R5 General Residence District; that on January 20, 1999, the City Council rezoned the subject site from R4 General Residence to R5 General Residence; that the subject site is a triangular shaped 2,418 sq.ft. unimproved lot with frontages on W. Fry Street and N. Elizabeth Street and is bounded by the Kennedy Expressway to the east and a public park to the west; that the applicant proposes to erect a 3-story 2-dwelling unit building with penthouse and interior courtyard for each dwelling unit, at the subject site; that on April 17, 1999, the Board denied the applicant's variation request for the erection of a 3-story with penthouse 2 dwelling unit townhouse building at the subject site with no west front yard instead of 3.72', with no side yards instead of 3.9' each, and with no east rear yard instead of 30', finding in part that the townhouses as proposed were contrary to the newly enacted townhouse ordinance; that the proposed 3 story 2 dwelling unit building in this case are not designed as townhouse dwelling units; that each dwelling unit's garage will require curb cuts on both Fry and Elizabeth Streets; that the Board finds that no evidence was presented that would prove that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district; that the proposed 3-story 2-dwelling unit building as designed constitutes an over building of the subject property; it is therefore

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

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

APPLICANT: 550 Jackson Associates Limited

CAL. NO. 106-99-Z

APPEARANCES FOR: Danielle Cassel, Dan Novak

MAP NO. 2-F

APPEARANCES AGAINST: None

MINUTES OF MEETING

April 16, 1999

PREMISES AFFECTED-- 550 W. Jackson Boulevard

NATURE OF REQUEST-- Application for a variation under 11 of the zoning ordinance to permit, in a C3-7 Commercial Manufacturing District the erection of a 370,015 s.f. 14-story addition to an existing 4-story office building with provisions for 3 instead of 4 required 10'x 25' loading berths.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 31, 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: Steven Ejnik **CAL. NO.** 107-99-Z
APPEARANCES FOR: Thomas S. Moore, Steven Ejnik **MAP NO.** 7-H
APPEARANCES AGAINST: Lynda Yanez, et al. **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 1938 W. George Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 31.5' high masonry single family dwelling whose east side yard will be 2.8' and whose west side yard will be 1.33' instead of 6.35 each.*

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 31, 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: Ron Angell

CAL. NO. 108-99-Z

APPEARANCES FOR: Ron Angell

MAP NO. 3-I

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 844 N. Fairfield Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 20'x24'x17' high detached masonry garage, which exceeds by 2' the maximum 15' height permitted in the required rear yard.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 31, 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: The Omnibus Group, L.L.C.

CAL. NO. 109-99-S

APPEARANCES FOR: Graham C. Grady, Steve Ballis

MAP NO. 7-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 2009 N. Clybourn 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 retail furniture store in an existing 1-story masonry building, in PMD #1.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 a 46,000 sq.ft. parcel of land improved with a 1-story brick 9,786 sq.ft. former manufacturing building; that on October 26, 1988, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to Planned Manufacturing District #1; that the PMD is split into two sub-districts, the "core" area, which permits only manufacturing and related uses, and the "buffer" area which permits manufacturing and related uses but also allows specified commercial and retail uses when approved by the Board as special uses; that the applicant seeks to renovate the building and make other interior and exterior improvements to the property for the use of the site by Walter E. Smithe Furniture, Inc.; that off-street parking spaces will be provided at the rear of the building; that the proposed use of the building is a use deemed viable by the marketplace and, as such, is necessary for the public convenience at this location to provide a retail need to the growing number of people living and working in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that the surrounding existing uses are non-manufacturing in nature and the potential for land use conflicts and nuisances upon these uses or upon the somewhat distant manufacturing uses in the core area is minimal; that there is no evidence that the establishment of the proposed retail furniture store will cause any loss of manufacturing jobs in the area; that the proposed use will have no detrimental effect on the property values in the core area; that the proposed use will meet the off-street parking requirements

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

MINUTES OF MEETING

April 16, 1999

Cal. No. 109-99-S

of the PMD ordinance and will not negatively affect traffic flow in the area; that the proposed use will have no detrimental impact on real estate values and taxes in the surrounding area; that the subject property has been on the real estate market as an industrial property for several years with no competitive offers made by potential industrial users; that the establishment of the proposed use will not cause substantial injury to the value of other property in the area and will have no deleterious effect upon the manufacturing and industrial uses in the core area; it is therefore

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

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

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

APPLICANT: Custom Staffing Inc. **CAL. NO.** 110-99-S
APPEARANCES FOR: Robert Stack **MAP NO.** 6-J
APPEARANCES AGAINST: Yolanda Alonzo **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 2700 S. Lawndale 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 day laborer employment facility, in an existing 1 & 2-story brick store and garage building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 1 and 2-story brick store and garage building; that the said day laborer employment facility is necessary for the public convenience at this location to provide a necessary service to community residents; that the use is so operated as to insure that the public health, safety and welfare is adequately protected; that testimony presented indicates that the peak operating hours are from 5:15 A.M. to 7:00 A.M.; that vans belonging to the applicant transport clients to job sites; that there is a waiting room area for clients which prevents loitering on the public way; that the said use, which provides a necessary service to community residents, will not cause substantial injury to the value of other property in the neighborhood in which it is 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: Mid America Bank

CAL. NO. 111-99-S

APPEARANCES FOR: Robert L. Pattullo, Jr.

MAP NO. 5-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 2313-21 N. Western Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the expansion of an off-site parking lot for private passenger automobiles from 7,980 sq. ft. to 9,985.9 sq. ft., and from 26 to 35 spaces, in a B4-2 Restricted Service District, to serve a bank facility at 2300 N. Western Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 16, 1994, the Board approved, in Cal. No. 234-94-S, the establishment of an off-site accessory parking lot for the parking of private passenger automobiles on premises at 2313-17 N. Western Avenue, to serve the employees of a savings and loan at 2300 N. Western Avenue, that the applicant seeks to expand the said parking lot from 7,980 sq.ft. to 9,985.9 sq. ft. and from 26 spaces to 35 spaces; 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 parking lot improvements enumerated in Cal. No. 234-94-S shall be provided at the subject expanded parking area;

(Additional conditions follow on page 12a.)

MINUTES OF MEETING

April 16, 1999

Cal. No. 111-99-S

That decorative wrought iron type metal fencing shall be installed along the Western Avenue and Medill Avenue street frontages;

That a 3-foot tall densely planted hedge shall be installed between the fence and the public sidewalk;

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: Washington Federal Bank

CAL. NO. 112-99-S

APPEARANCES FOR: Robert M. Kowalski

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 2869 S. Archer Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 16, 1999.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Labor Temps, Inc.

CAL. NO. 113-99-S

APPEARANCES FOR: Patrick C. Turner, Doris Martinez

MAP NO. 5-K

APPEARANCES AGAINST: None

MINUTES OF MEETING

April 16, 1999

PREMISES AFFECTED-- 3247 W. 26th 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 day laborer employment facility in a 2-story brick building, 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 |
|-------------|----------|--------|
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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: Labor Temps, Inc.

CAL. NO. 114-99-S

APPEARANCES FOR: Patrick C. Turner

MAP NO. 5-K

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 4009 W. Armitage 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 day laborer employment facility in an existing 1-story multi-store building, in a B4-1 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 18, 1999.

THE VOTE

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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| X | | |
| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Labor Temps, Inc.

CAL. NO. 115-99-S

APPEARANCES FOR: Patrick C. Turner

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 1157 W. 18th 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 day laborer employment facility in a 2-story brick building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 18, 1999.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: First Church of Love and Faith

CAL. NO. 116-99-S

APPEARANCES FOR: Rev. Lucius Hall

MAP NO. 20-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 2147 W. 79th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a church community center in an existing 1-story brick building, in a B2-1 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| R e c u s e d | | |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 signage shall be removed and new signage shall be erected indicating that the subject site building is occupied by the applicant church's community center / fellowship hall.

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

APPLICANT: The Old Rugged Cross M.B. Church

CAL. NO. 117-99-S

APPEARANCES FOR: Harley Fleming

MAP NO. 3-L

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 5505 W. Divison 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 100 seat church in an existing 1-story brick building with parking proposed at the rear of the lot, in a B4-1 Restricted Service District.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 16, 1999.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X | | |
| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: New Tabernacle Baptist Church

CAL. NO. 118-99-S

APPEARANCES FOR: Norman Russell

MAP NO. 26-E

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 10408 S. Michigan 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 146 seat church in a proposed 1-story masonry building with required parking on-site, in a C2-1 General Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

| AFFIRMATIVE | NEGATIVE | ABSENT |
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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 abutting the proposed 1-story church building to the north 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 19a.)

MINUTES OF MEETING

April 16, 1999

Cal. No. 118-99-S

That decorative wrought iron type metal fencing shall be erected on the west, north and east lot lines, excepting the driveway;

That striping and lighting shall be provided;

That ingress and egress shall be from S. Michigan Avenue; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the driveway 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.

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

APPLICANT: Christian Faith Family Worship Center

CAL. NO. 119-99-S

APPEARANCES FOR:

MAP NO. 20-F

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 649-51 W. 79th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 470 seat church in an existing 1-story brick building with required parking on site, in a B2-2 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
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| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Pillars Rock M.B. Church **CAL. NO.** 120-99-S
APPEARANCES FOR: Lamont Cranston Strong **MAP NO.** 14-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 6220 S. 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 200 seat church with related uses in an existing 1-story masonry building with 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 April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 abutting the proposed church building to the south shall be used solely for the parking of private passenger automobiles only and that no commercial vehicles shall be parked upon said parking area at any time;

(Additional conditions follow on page 21a.)

MINUTES OF MEETING

April 16, 1999

Cal. No. 120-99-S

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

That decorative wrought-iron type metal fencing shall be erected on the south, west and east lot lines, excepting the driveways;

That striping and lighting shall be provided;

That ingress and egress shall be from S. Damen Avenue; that there shall be no ingress nor egress via the public alley abutting the site to the west; that the driveways on S. Damen Avenue 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.

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

APPLICANT: Christian Joy M.B. Church

CAL. NO. 121-99-S

APPEARANCES FOR: Rev. Frank Carpenter

MAP NO. 18-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 1708-10 W. 79th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 300 seat church in an existing 1-story brick building with required parking on site, in a B2-1 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| | X | |
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| | 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 April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building abutting vacant land to the east; that the applicant proposes to establish a 300-seat church with on-site parking at the subject site; that the Board notes that the subject site is located within the 79th Street Tax Increment Financing District (TIF) adopted by the City Council of Chicago on July 8, 1998 and that the redevelopment plan for the TIF District recommends the subject site for commercial development; that the Board finds that the proposed use is inconsistent with the goals of the city to bring business development to this area; that no proof was presented that would indicate that the public health, safety and welfare would be protected by the establishment of the proposed church at this location nor that it 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 application for a special use be and it hereby is denied.

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

APPLICANT: Chicago Victory Church

CAL. NO. 122-99-S

APPEARANCES FOR: James J. Banks

MAP NO. 3-J

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 3324-26 W. Grand Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 28 private passenger automobiles, in a C1-2 Restricted Commercial District, to serve a church a 3333-69 W. Grand Avenue.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED ON THE BOARD'S OWN MOTION TO MAY 21, 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: SCT Production

CAL. NO. 123-99-S

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 2936 N. Southport Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and establishment of a Theatrical Community Center, in an existing auditorium on the campus of St. Alphonsus Parish's Church and school facility, in an R3 General Residence District.

ACTION OF BOARD--

CASE CONTINUED TO
MAY 21, 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: P.B.C., Inc. (Casto's) **CAL. NO.** 124-99-S
APPEARANCES FOR: Thomas J. Murphy, William Casto **MAP NO.** 26-J
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 16, 1999
PREMISES AFFECTED-- 3636 W. 111th Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the expansion of an existing tavern in a 2-story brick building, in order to allow an unenclosed service area (Beer Garden), 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 April 16, 1999 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 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 to be located in a B4-1 Restricted Service District; that the subject site is improved with a 2-story brick building occupied by a licensed tavern; that the applicant seeks to establish a beer garden behind the existing building; that the proposed beer garden will occupy 700 sq.ft. and will be enclosed by a 7 feet high solid wood fence; that there will be no music, service bar or preparation of food in the beer garden area; 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 hours of operation of the beer garden shall be limited to the hours between 3 P.M. and 11 P.M., Sunday through Thursday and from 3 P.M. to 12 Midnight on Friday and Saturday; that there shall be no live entertainment or music in the beer garden area; that there shall be no service bar or preparation of food in the beer garden area.

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

APPLICANT: Pun Yang Lee

CAL. NO. 125-99-S

APPEARANCES FOR: None

MAP NO. 11-I

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 16, 1999

PREMISES AFFECTED-- 3009-19 W. Lawrence 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 hand car wash in an existing 2-story brick garage building, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

**CASE DISMISSED FOR
WANT OF PROSECUTION.**

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
| X | | |
| X | | |
| X | | |
| | | |

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

APPLICANT: Murtha & Mary Rooney* **CAL. NO.** 126-99-A

APPEARANCES FOR: John J. Pikarski, Jr., Murtha & Mary Rooney, **MAP NO.** 2-G
Jim Winslow, Mike Schmitt

APPEARANCES AGAINST: Donald J. Vogel, Scott Stephen **MINUTES OF MEETING:**
April 16, 1999

PREMISES AFFECTED- 1533 W. Jackson Boulevard

SUBJECT- Objector's 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, Murtha and Mary Rooney, owners of the property at 1535 W. Jackson Boulevard, filed an objector's appeal from the decision of the Office of the Zoning Administrator in the granting of an Exception to permit the erection of a partial 4th floor addition** and a 4-story addition with decks, stars and porches to an existing 3-story brick 2-dwelling unit building, in an R5 General Residence District, on premises at 1533 W. Jackson Boulevard, whose front yard will be 9' instead of 15', and with no east and west side yards instead of 1.66' each.

WHEREAS, on January 21, 1999 the Department of Zoning approved an amended Exception request in File #98-436-ZE, for the property at 1533 W. Jackson Boulevard to permit the reduction of the front yard to 9.0' instead of 15' and the east side yard to zero feet instead of 1.66' in order to allow the construction of a 4 story addition projecting 15.02' x 40.50' from the rear of the 3 story portion of the existing structure, a 15.02' wide 4th level addition which begins 15.35' south of the north face of the existing 3 story structure and extends to the south face of the existing 3 story structure, a new rear 4 story open stair, a new front open stair as required by the Chicago Commission on Landmarks, and a rear open deck to the existing 2 dwelling unit building. The aforesaid proposal was review by the Chicago Commission on Landmarks.

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 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 subject property is located in an R5 General Residence District; that the subject site is located in a block of W. Jackson Boulevard that is characterized by row house type residential buildings originally built in the 1890's on lots that have little or no side yard setbacks; that on December 13, 1991, in Cal. No. 296-91-Z, the Board granted a variation to Murtha and Mary Rooney for the erection of a 3rd story addition to the rear 2-story portion of a 3 and 2-story brick 2 dwelling unit building, with no side yards instead

*Amended at the hearing to include Jim Winslow, property owner of 1531 W. Jackson and Mike Schmitt, property owner of 1529 W. Jackson as appellants in the instant case.

**Amended at the hearing.

MINUTES OF MEETING

April 16, 1999

Cal. No. 126-99-A

of 1.66' each, on premises at 1535 W. Jackson Boulevard; that as a result of negotiations held during the proceedings of April 16, 1999, an agreement was reached between the parties in this case that the proposed addition at 1533 W. Jackson Boulevard will not have a 4th floor; that the existing building and proposed addition will not extend any further than the existing building at 1535 W. Jackson Boulevard; that a bay window will not go any further than the bay window on the existing building at 1535 W. Jackson Boulevard, that any injury that may occur to other properties during construction will be rectified during a reasonable period of time; and

WHEREAS, that no evidence was presented to indicate that the subject addition, as agreed upon and delineated above, negatively affects the properties at 1535 W. Jackson Boulevard, 1531 W. Jackson Boulevard and 1529 W. Jackson Boulevard; that the Board finds that the appellants failed to prove that the Zoning Administrator abused his discretion in the granting of said amended Exception herein; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator in granting an Exception be and it hereby is affirmed; and be it further

RESOLVED; that the agreement reached on this appeal by the parties during the proceedings of the Board on April 16, 1999, is hereby memorialized by this resolution and by the record of this case.

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

APPLICANT: Nazir Bassini **CAL. NO.** 127-99-A
APPEARANCES FOR: John J. Pikarski, Jr., Nazir Bassini **MAP NO.** 15-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 16, 1999
PREMISES AFFECTED- 2653 W. Devon 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, Nazir Bassini, for Anwar Alwi, owner, on March 3, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 1-story store building, in a B3-2 General Retail District, on premises at 2653 W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1999, 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 April 16, 1999; and

WHEREAS, the district maps show that the premises is located in a B 3-2 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is improved with a 1-story multi-store building; that the appellant seeks to establish a beauty parlor in a store premises in the subject building; that the subject store premises has been previously occupied by business uses, the last use having been a clothing and jewelry store; that the change of use from a clothing and jewelry store to a beauty parlor is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 1-story store building, on premises at 2653 W. Devon Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 9 P.M. Wednesday through Monday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Flash Cab Company **CAL. NO.** 128-99-A
APPEARANCES FOR: Joseph P. Gattuso, Arthur M. Dickholtz **MAP NO.** 11-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 16, 1999
PREMISES AFFECTED- 4717-47 N. Clark 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 |
|-------------|----------|--------|
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| X | | |
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THE RESOLUTION:

WHEREAS, Flash Cab Company, for Cosmopolitan National Bank, Tr. Nos. 3791 and 6050, owner, on March 11, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the operation of an accessory car wash in conjunction with an existing cab company facility with related uses, in a B4-2 Restricted Service District, on premises at 4717-47 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999; and

WHEREAS, the district maps show that the premises is located in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is a 51,250 sq.ft. lot improved with a filling station, cab company facility and a car wash; that on February 9, 1994, the City Council rezoned the subject site from C1-2 Restricted Commercial to B4-2 Restricted Service; that the said car wash facility consists of 1 bay for washing and 1 bay for mechanical drying of vehicles; that the appellant has been located at the subject site since 1957 and a car wash has been established at the site since 1961; that the appellant has contractual arrangements with various owners of taxicab vehicles and medallion owners; that these contractual arrangements consist of services such as radio dispatch, accounting and billing services, the provision of drivers for individual vehicles and vehicle maintenance which can be rendered to the individual vehicle and medallion owners by the appellant; that the vehicles the appellant seeks to wash are those that are owned by individuals or entities having such contractual arrangements with the appellant, such vehicles being referred to in the taxicab business as "affiliated vehicles"; that the said car wash is not open to the general public; that the said car wash may be considered an accessory use to the applicant taxicab company business as delineated above; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

MINUTES OF MEETING

April 16, 1999

Cal. No. 128-99-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 operation of an accessory car wash in conjunction with an existing cab company facility with related uses, on premises at 4717-47 N. Clark Street, upon condition that the hours of operation of the car wash shall be limited to the hours between 7:00 A.M. and 10:00 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Lance J. Moon **CAL. NO.** 129-99-A
APPEARANCES FOR: Lance J. Moon **MAP NO.** 24-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 16, 1999
PREMISES AFFECTED- 253 W. 95th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
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THE RESOLUTION:

WHEREAS, Lance J. Moon, for Jessie L. Cotton, owner, on March 9, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 2-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 253 W. 95th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 8, 1999, 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 April 16, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building; that the appellant seeks to establish a beauty parlor in the store premises at the subject site; that testimony presented indicates that the subject premises was previously occupied by a beauty supply business which ceased operation approximately 5 years ago; that under Section 6.4-5 of the zoning ordinance a building, structure or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use requirements of the district in which it is located; that pursuant to Section 6.4-5 of the zoning ordinance, the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Marvan T. Abushihab

CAL. NO. 130-99-S

APPEARANCES FOR: James J. Banks

MAP NO. 11-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 16, 1999

PREMISES AFFECTED- 2839 W. Lawrence Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL WITHDRAWN UPON
MOTION OF APPELLANT.

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

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X | | |
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| X | | |
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Barry Cleaners **CAL. NO.** 131-99-A
APPEARANCES FOR: Chae Hoon Yon **MAP NO.** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 16, 1999
PREMISES AFFECTED - 3054 N. Sheffield 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 |
|-------------|----------|--------|
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| X | | |
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THE RESOLUTION:

WHEREAS, Barry Cleaners, for Kevin McIntrye, owner, on February 25, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the operation of a laundry and dry cleaning receiving station on the 1st floor of a 3-story brick store and apartment building, in an R4 General Residence District, on premises at 3054 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 16, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 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 store and apartment building; that the appellant seeks to establish a laundry and dry cleaning receiving station at the subject site; that the appellant testified that the proposed business has been in operation since June, 1993, that the city business license was issued since June, 1994 for an incorrect address, 3105 N. Sheffield Avenue; that the appellant did not realize the business license was in error until recently when he tried to get the address corrected; that no evidence was presented to indicate that the subject premises has been legally occupied by the aforesaid business; that under Section 7.3-4, the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Luann Mannino **CAL. NO.** 132-99-A
APPEARANCES FOR: Robert J. Irsuto, Luann Mannino **MAP NO.** 2-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 16, 1999
PREMISES AFFECTED- 741 S. Western 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 | |
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THE RESOLUTION:

WHEREAS, Luann Mannino, for Mannino's Restorante, owner, on February 16, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit live entertainment in an existing tavern in a 1 and 2-story building, in a B4-3 Restricted Service District, on premises at 741 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 16, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 16, 1999; and

WHEREAS, the district maps show that the premises is located in a B4-3 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is improved with a 1 and 2-story brick building occupied by a licensed restaurant; that the appellant is seeking a Public Place of Amusement (PPA) license for the subject location in order to provide live entertainment such as piano or violin music and perhaps a band in the future for dancing; that the appellant testified that off-street parking for the restaurant patrons is provided in a parking lot located across Western Avenue from the restaurant; that issuance of a PPA license requires additional off-street parking based on increased patron capacity in the subject restaurant; that although the Department of Zoning issued a denial of zoning certification indicating an appeal as the administrative remedy to be sought, the Board has no authority to grant the subject appeal in that such a request necessitates filing with the Board an application for a variation of the zoning ordinance in the nature of a Special Use; it is therefore

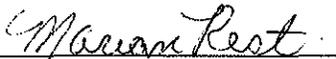
RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

MINUTES OF MEETING

April 16, 1999

Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on Friday, May 21, 1999.


Secretary