

**MINUTES OF THE REGULAR MEETING OF THE**

**ZONING BOARD OF APPEALS**

at 9:00 A.M. and 2:00 P.M.

held in the Council Chambers, City Hall, 121 N. LaSalle Street, on Friday, February 15, 2002

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

Joseph J. Spingola

Chairman

Brian Crowe

Demetri Konstantelos

Gigi McCabe-Miele

**MINUTES OF MEETING**

February 15, 2002

Member Crowe moved that the Board approve the minutes of the proceedings of the regular meeting held on January 18, 2002 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\*\*\*\*\*

The Board thereupon held its regular meeting.

**MINUTES OF MEETING**

February 15, 2002

Motion was made by Member McCabe-Miele to recess the Zoning Board of Appeals for deliberation on the matters heard; motion was seconded by Member Crowe. The motion passed unanimously. The Board thereupon recessed, taking action designated on the face of the resolutions.

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The Board adjourned to meet in regular meeting on Friday, March 15, 2002.

\_\_\_\_\_  
Secretary

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

**APPLICANT:** Uhlich Academy **CAL NO.:** 49-02-Z  
**APPEARANCE FOR:** Lenny D. Asaro **MAP NO.:** 3-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 3110 W. Grand 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 a 1-story school building with no front yard instead of 15', with no west and east side yards instead of 20' each, 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  
 BRIAN L. CROWE

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** Chicago Christian Center, Inc. **CAL NO.:** 50-02-S

**APPEARANCE FOR:** Richard C. Baker **MAP NO.:** 9-J

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 3235 N. Kedzie Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 56 member church with 7 on-site parking spaces, in a C1-1 Restricted Commercial District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

APPLICANT	APPROVER	APPROVAL
JOSEPH J. SPINGOLA	X	
DEMETRI KONSTANTELOS	X	
LEROY K. MARTIN, JR.		X
GIGI McCABE-MIELE	X	
BRIAN L. CROWE	X	

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

**APPLICANT:** Sean O'Connor **CAL NO.:** 51-02-Z  
**APPEARANCE FOR:** Thomas S. Moore, Sean O'Connor **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 1047-49 W. Irving Park Road

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R6 General Residence District, the erection of a new 5-story with basement 6 dwelling unit building whose rear yard setback will vary but in no case will be less than 5.5', with no front yard instead of 12.7", and whose west side yard will be 2'6" instead of 6'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** Jonathan Wege **CAL NO.:** 52-02-Z  
**APPEARANCE FOR:** James J. Banks, Jonathan Wege **MAP NO.:** 7-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 2708 N. Lakeview 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 4th floor addition to an existing single family residence, with no north and south side yards instead of 2'6" each, whose front yard will be 3.4' instead of 15', and whose building height will exceed the maximum 45' permitted by 4'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** George Ardelean **CAL NO.:** 53-02-Z  
**APPEARANCE FOR:** Thomas S. Moore, George Ardelean **MAP NO.:** 9-F  
**APPEARANCES AGAINST:** Thomas M. Pikarski, et al. **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 506 W. Roscoe 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 4-story 9 dwelling unit building with no east side yard instead of 5' to allow for a canopy, and to waive the one required 10' x 25' loading berth.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 the subject site is a 50' x 166' lot with no alley access and is currently improved with a 2-story brick residential building; that the applicant proposes to demolish the existing building and construct a 4-story 9 condominium dwelling unit building with enclosed parking for 14 vehicles at the subject site; that the applicant seeks to reduce the east side yard from the required 5' to zero feet in order to provide a canopy over the walkway from the front, back to the proposed building's lobby, along the east side of the building; that the proposed building is so designed that persons enter into a small lobby area from the street and thence into the dwelling units directly from the elevators; that the proposed canopy will be a decorative open structure and will not have a solid roof; 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 in that the proposed canopy is for the purpose of defining the lobby area and passage from the street to the lobby and elevators; that the proposed building will be developed as condominium dwelling units creating a minimum of in and out movement and thereby negates the need for a loading berth; that the plight of the owner is due to the unique design of the lobby and elevator area and that the subject site has no alley access; that the subject building as designed, will not negatively affect an adequate supply of light and air to abutting properties, and the variations, 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 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: 3351-53 North Clifton, L.L.C. CAL NO.: 54-02-S  
APPEARANCE FOR: John A. Fritchey MAP NO.: 11-G  
APPEARANCES AGAINST: None MINUTES OF MEETING:  
February 15, 2002  
PREMISES AFFECTED: 4003 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 the establishment of a residential use below the 2nd floor in a proposed 3-story 16\* dwelling unit building in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION PAVROVED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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;

\*Amended at the public hearing.

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

**APPLICANT:** Martin Aiken & Sarah Lipman **CAL NO.:** 55-02-Z  
**APPEARANCE FOR:** Martin Aiken & Sarah Lipman **MAP NO.:** 15-M  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 5965 N. Manton 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 20' x 20' detached accessory garage with no front yard instead of 13.30'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** Norman & Christina Ruschke **CAL NO.:** 56-02-Z  
**APPEARANCE FOR:** Katriina McGuire, Norman & Christina Ruschke **MAP NO.:** 13-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 15, 2002  
**PREMISES AFFECTED:** 1950 W. Ainslie 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 3rd floor rear addition to an existing 4 dwelling unit building with no north and south side yards instead of 7.8' each, and which addition will not exceed 15% or (960.94 sq. ft.) of the floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.\*

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** New Channels Realty, L.L.C. **CAL NO.:** 57-02-S  
**PEARANCE FOR:** Steve Qualkinbush **MAP NO.:** 6-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 15, 2002  
**PREMISES AFFECTED:** 3010 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 5-lane drive-through facility in conjunction with a proposed 1-story bank facility, in an M2-3 General Manufacturing District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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 drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Macondo Corp., dated February 15, 2002, and that the final landscape plan shall be approved by the Department of Planning and Development.

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

APPLICANT: Joseph Zivkovic CAL NO.: 58-02-Z

APPEARANCE FOR: Thomas S. Moore MAP NO.: 2-I

APPEARANCES AGAINST: MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 2401 W. Lexington 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 4-story with basement 4 dwelling unit building on a reverse corner lot whose front yard will be 7'6" instead of 14.16', and whose east side yard will be 1'3" instead of 7'6'.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 19, 2002.

**THE VOTE**

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

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

**APPLICANT:** Maka Zdzilsaw **CAL NO.:** 59-02-Z

**APPEARANCE FOR:** James J. Banks, Maka Zdzilsaw **MAP NO.:** 3-L

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 4862 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 division of an improved zoning lot into 2 separate lots; the existing single family residence will have an east side yard of 3' instead of 5'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED,

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** Maka Zdzilsaw **CAL NO.:** 60-02-Z  
**APPEARANCE FOR:** James J.Banks, Maka Zdzilsaw **MAP NO.:** 3-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 4858 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 erection of a proposed 2-story building whose front yard will be 6.6' instead of 12.65', whose rear yard will be 4' instead of 30', and whose west side yard will be 3' instead of 5'8".

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 February 15, 2002, the Zoning Board of Appeals granted, in Cal. No. 59-02-Z, a variation to the applicant to permit the division of an improved zoning lot into 2 separate lots, with the existing single-family dwelling at 4862 W. Carmen Avenue having an east side yard of 3' instead of 5'; that the applicant seeks in the instant case to erect a 2-story residential building on the vacant lot resulting from the division of the aforesaid improved zoning lot; 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; that the variations, 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:** Sam Giannos **CAL NO.:** 61-02-S  
**APPEARANCE FOR:** James J. Banks, Sam Giannos **MAP NO.:** 11-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 4145 N. Milwaukee 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 residential use below the 2nd floor in a proposed 3-story 2 dwelling unit building, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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:** Sam Giannos **CAL NO.:** 62-02-Z  
**APPEARANCE FOR:** James J. Banks, Sam Giannos **MAP NO.:** 11-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 4145 N. Milwaukee 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 3-story 2 dwelling unit building whose front yard will be 3' instead of 8.16', and whose rear yard will be 2.67' instead of 30'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 February 15, 2002, the Zoning Board of Appeals approved, in Cal. No. 61-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 3-story 2 dwelling unit building to be erected 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; that the variations, 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:** Sam Giannos **CAL NO.:** 63-02-S

**APPEARANCE FOR:** James J. Banks, Sam Giannos **MAP NO.:** 11-L

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 4149-57 N. Milwaukee 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 residential use below the 2<sup>nd</sup> floor in a proposed 3-story 8 dwelling unit town house building, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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:** North Community Bank **CAL NO.:** 64-02-S  
**APPEARANCE FOR:** Dennis Aukstik **MAP NO.:** 18-C  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 2014 W. Division Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing 1-story banking facility, in a B4-2 General Service District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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 drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Holabird & Root, dated February 14, 2002.

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

**APPLICANT:** James W. Ford **CAL NO.:** 65-02-Z  
**APPEARANCE FOR:** Tyree Stovall, James W. Ford **MAP NO.:** 24-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 9800 S. Greenwood 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 74' x 38' 1-story addition to an existing church whose east front yard shall be 17'11" instead of 20', whose west rear yard shall be zero instead of 30', and whose south side yard shall be zero instead of 9'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION DENIED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 R2 Single-Family Residence District; that the subject site is a 90' x 124' lot improved with a 1-story church building and a rear parking area; that on December 14, 2001, the applicant filed the subject application to permit the erection of a 74' x 38' 1-story addition to an existing church with front, rear and side yard variations requested and also proposes to provide 9 on-site parking spaces; that the yard variations requested are necessary to provide a larger sanctuary due to the increase in membership from 70 to 96, classrooms, office space and multi-purpose space; that the proposed addition to the existing church requires additional parking spaces; and

WHEREAS, on September 31, 2001, the City Council amended the zoning ordinance provision concerning parking requirements for churches; that the said provision requires 1 parking space for every 8 seats; that based on a 96 member congregation, 12 parking spaces are required under this new amendment; that at this time the applicant lacks the required parking; and that inasmuch as the applicant filed his application for a variation of the zoning ordinance after the passage of the new amendment, the Board cannot consider the variation application at this time; 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:** Anthony Nardi

**CAL NO.:** 66-02-Z

**APPEARANCE FOR:** Anthony Nardi

**MAP NO.:** 8-H

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 3318 S. Bell Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1½-story single family dwelling unit whose front yard will be 13.8' instead of 20', and with no north side yard instead of 2'6".

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Mike Slazas **CAL NO.:** 67-02-Z  
**APPEARANCE FOR:** James J. Banks, Mike Slazas **MAP NO.:** 2-I  
**APPEARANCES AGAINST:** Will Lewis **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 723-25 S. Campbell Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 3 dwelling unit building whose front yard will be 4' instead of 9.5', whose rear yard will be 27' instead of 30', and to reduce the minimum lot area of 1,000 sq. ft. per unit by 5.3% or 947 sq. ft. per unit.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 35.5' x 80' vacant lot; that the applicant proposes to erect a 3-story 3 dwelling unit building at the subject site and to provide 4 off-street parking spaces in the rear of the lot; that due to the shallow depth of the lot, 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 the shallow depth of the subject lot; that the front facade of the proposed 3-story 3 dwelling unit building will align with abutting residential improvements; that the proposed building will be compatible with existing mixed residential improvements in the area; and that the variations, 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:** Shining Star M.B.C. #2 **CAL NO.:** 68-02-S  
**APPEARANCE FOR:** Rev. Stillman Murph **MAP NO.:** 24-G  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 1250-54 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 86 seat church in an existing 1-story building, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 19, 2002.

**THE VOTE**

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

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

**APPLICANT:** Bridgeport 35, Inc. **CAL NO.:** 69-02-S

**PEARANCE FOR:** John J. George **MAP NO.:** 8-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 3500-12 S. Sangamon 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 residential use below the 2nd floor in a proposed 5-story with basement 71 dwelling unit building, in a B1-4 Local Retail District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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 required off-site parking shall be located at 956-64 W. 35<sup>th</sup> Place as provided for in Cal. No. 70-02-S.

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

**APPLICANT:** Bridgeport 35, Inc. **CAL NO.:** 70-02-S  
**APPEARANCE FOR:** John J. George **MAP NO.:** 8-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 15, 2002  
**PREMISES AFFECTED:** 956-64 W. 35th Place

**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, in a B1-4 Local Retail District, to satisfy the parking requirements for a 71 unit residential building located at 3500-12 S. Sangamon Street.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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 February 15, 2002, the Zoning Board of Appeals approved, in Cal. Nos. 69-02-S and 71-02-Z, respectively, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 5-story with basement 71 dwelling unit building which will have an east side yard of 11'8", on premises at 3500-12 S. Sangamon Street; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

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;

(Additional conditions follow on page 24a.)

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**MINUTES OF MEETING**

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Cal. No. 70-02-S

That fencing and landscaping shall be installed in compliance with applicable provisions of the Chicago Landscape Ordinance;

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

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

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.

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**APPLICANT:** Bridgeport 35, Inc. **CAL NO.:** 71-02-Z  
**APPEARANCE FOR:** John J. George **MAP NO.:** 8-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 15, 2002  
**PREMISES AFFECTED:** 3500-12 S. Sangamon Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-4 Local Retail District, the establishment of a 119' x 109' 5th story addition to a proposed 71 dwelling unit building, located at 3500-12 S. Sangamon Street, whose east side front yard will be 11'8" instead of 15'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 February 15, 2002, the Zoning Board of Appeals, approved, in Cal. No. 69-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 5-story with basement 71 dwelling unit building, 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; that the variations, 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:** Ralph Peluso **CAL NO.:** 72-02-Z  
**APPEARANCE FOR:** James J. Banks, Ralph Peluso **MAP NO.:** 9-0  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 3550-58 N. Oconto Avenue/7235-45 W. Addison 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 proposed 3-story 6 dwelling unit building on a reverse corner lot, whose front yard will be 3'5" instead of 15', and whose north side yard will be 4'10 5/8" instead of 7'6", in an R4 General Residence District.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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; that the variations, 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:** Frances M. Vetrano **CAL NO.:** 73-02-A  
**APPEARANCE FOR:** Daniel Thomas **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 3710 N. Kenmore Avenue  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Frances M. Vetrano, owner, December 11, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to allow the erection of a 3-story 1-dwelling unit building containing 2 clubhouse floors and a 4<sup>th</sup> level roof top club, on premises at 3701 N. Kenmore Avenue, in the Wrigley Field Adjacent Area, in an R4 General Residence District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 30, 2001, 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(10), 7.7-4, 7.8-4(1), 7.9-4, 7.12-2(10) ."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 50' x 40' lot improved with a 2 ½ story frame residence; that the appellant proposes to demolish the existing residential structure and erect a 3-story 1 dwelling unit building which will contain 2 clubhouse floors and a 4<sup>th</sup> level roof top club; that the appellant also seeks, in Cal. No. 74-02-Z, to eliminate the required front yard setback, provide a 3' rear yard instead of the required 30', a 2.5' east side yard instead of 4' and to waive the one required parking space; that the zoning ordinance provides that the Zoning Administrator may waive any applicable yard requirements for a building in the Wrigley Field Adjacent Area existing as of January 1, 1999 if such a waiver is necessary to effectuate the special club license provisions of Chapter 4-3888 of the license code; that the Zoning Administrator may also waive any bulk requirements so long as the waiver does not permit more than a cumulative 15% variation from the bulk of the parcel which existed prior to the effective date of this comprehensive amendment for a building in the Wrigley Field Adjacent Area at existed as of January 1, 1999, if such a waiver is necessary to effectuate the special club license provision of Chapter

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 73-02-A

4-388; and

WHEREAS, the appellant contends that the aforesaid ordinances gives him a vested right to build the proposed 3-story 1 dwelling unit building and to provide clubhouse floors and a 4<sup>th</sup> level roof top club because the existing 2 ½ story frame residential building existed at the subject site before the adoption of the aforesaid ordinances on January 1, 1999 and that the said ordinances do not apply to new housing; that the testimony presented indicates that the appellant's proposal exceeds the permitted floor area ratio by 2,400 sq. ft.; that the use of the 2<sup>nd</sup> and 3<sup>rd</sup> floors and a 4<sup>th</sup> level roof top as a club house use far exceeds the intended use of the proposed structure as a single-family dwelling and therefore cannot be considered an accessory use to a single-family dwelling; that according to submitted plans, the appellant's proposed building height of 61 feet would exceed by 23 feet the 38 feet height limitation required under Section 7.5(10)(a) of the zoning ordinance; that the Zoning Board of Appeals finds that Chapter 4-388 of the licensing code is not pertinent *only* to prior existing structures but also applies to structures constructed after January 1, 1999 or any new proposed buildings, and therefore, it has no authority to permit the use requested; it is therefore

WHEREAS, 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:** Frances M. Vetrano **CAL NO.:** 74-02-Z  
**APPEARANCE FOR:** Daniel Thomas **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 3710 N. Kenmore 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 new 3-story 1 dwelling unit building containing 2 clubhouse floors with 4th story deck, with no front yard instead of 6', whose rear yard will be 3' instead of 30', whose east side yard will be 2.5 instead of 4', and with a waiver of the one required parking space.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION DENIED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 February 15, 2002, the Zoning Board of Appeals, in Cal. No. 72-02-A, denied the applicant's appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 3-story 1 dwelling unit building with 2 clubhouse floors and a 4<sup>th</sup> story roof deck at the subject site, which is located in the Wrigley Field Adjacent Area; that no evidence was presented to indicate that the variations requested are necessary to obtain a reasonable return on the property nor that any unique circumstances exist; that the denial of the applicant's appeal negates the necessity of the variations requested; it is therefore

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

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

**APPLICANT:** @ 15 LLC a/k/a 2300 W. Armitage L.L.C. **CAL NO.:** 75-02-Z  
**APPEARANCE FOR:** Richard Klawiter. Mitchell Gerson **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** Kara Salgado **MINUTES OF MEETING:**  
 February 15, 2002  
**PREMISES AFFECTED:** 2010 W. Pierce 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 3-story addition to an existing 2-story masonry building which will contain 18 dwelling units and retail uses, whose front yard will be 8'4" instead of 15', with no rear yard instead of 30', and to waive one of the two required 10' x 25' loading berths.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 an irregular shape lot measuring 150' x 98' x 208' which is located on the northwest corner of the intersection of W. Pierce Avenue and N. Damen Avenue; that a portion of the subject site's northeast property line abuts the Blue Line Elevated railroad tracks; that the applicant seeks to complete the erection of a 3-story addition to an existing 2-story masonry building which is also under rehabilitation; that the project, when completed, will contain 18 dwelling units and 2 retail uses; that the applicant acquired the subject property in 1998 and obtained partial demolition, renovation and expansion permits; that in December, 2001 the City issued a stop work order alleging the property was not in conformance with the zoning ordinance; 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 in that the variations requested are necessary to complete the construction and rehabilitation of the subject development; that the plight of the owner is due to the irregular shape of the subject lot which abuts elevated railroad tracks on a portion of its northeast lot line making it difficult to comply with yard and loading requirements; that the said residential and retail development will be compatible with existing residential and business improvements in the area and that the variations, 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 hereby is granted subject to the following condition(s):

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

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

**APPLICANT:** Carmen McWillis **CAL NO.:** 76-02-A  
**APPEARANCE FOR:** Carmen McWillis **MAP NO.:** 12-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 4853 S. Indiana Avenue  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Carmen McWillis, for a Mr. Brown, owner, on November 10, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail novelties and notions store, in an R5 General Residence District, on premises at 4853 S. Indiana Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 16, 2001, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002; 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 1-story brick non-conforming multi-store building; that the appellant proposes to establish a retail novelties and notions store including the sale of books, balloons, and party decorations; that the testimony presented indicates that the subject store premises has been vacant for many years and that no business license has been issued since 1996; that pursuant to Section 6.4-5 of the zoning ordinance, the Board has no authority to permit the establishment of the requested use at the subject site; it is therefore

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

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

**APPLICANT:** Nadou Stella Lawson **CAL NO.:** 77-02-A

**APPEARANCE FOR:** Nadou Stella Lawson **MAP NO.:** 2-K

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 8 S. Karlov

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Nadou Stella Lawson, for Harry James, owner, on November 14, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a beauty/hair braiding salon, in a 2-story brick multi-store building, in a B3-3 General Retail District, on premises at 8 S. Karlov Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 5, 2001, 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 February 15, 2002; 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 proposed use is to be located in a B3-3 General Retail District; that the subject site is improved with a 2-story brick multi-store building containing the subject store premises, a grocery store and a beauty supplies store; that the appellant seeks to establish a hair braiding salon at the subject site; that the subject store premises has been previously occupied by business uses, the last use having been a restaurant; that the change of use from a restaurant to a hair braiding salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of 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 hair braiding salon in a 2-story brick multi-store building, on premises at 8 S. Karlov 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:** Bernadine Wilson and University Transportation, Livery and Message Service, Inc. **CAL NO.:** 78-02-A

**APPEARANCE FOR:** Bernadine Wilson **MAP NO.:** 18-C

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** February 15, 2002

**PREMISES AFFECTED:** 2034 E. 79th Street

**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Bernadine Wilson, owner, on November 13, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a cab company with delivery service, in a B4-1 Restricted Service District, on premises at 2034 W. 79<sup>th</sup> Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 17, 2001, 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 February 15, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 2-story brick store and apartment building; that the appellant contends the proposed use is not a cab company with delivery service; that the testimony presented indicates that the proposed use is a phone dispatching service with people calling in and ordering transportation, livery or messenger service; that the operator calls an independent cab or limosine driver by two-way radio, who pays the company a commission for the service; that the company owns no vehicles nor are any vehicles parked near the subject property; that all drivers own their vehicles and require no service or storage of vehicles at the site; that there is no advertising on the vehicles; that the vehicles have livery license plates; that the subject site has been previously occupied by business uses, the last use having been a real estate office which recently ceased operation; that the change of use from a real estate office to an office for the phone dispatching of livery vehicles is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 78-02-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 establishment of a phone dispatch office for a transportation, livery and messenger service business in a 2-story store and apartment building, on premises at 2034 E. 79<sup>th</sup> Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

**APPLICANT:** Israel Munoz **CAL NO.:** 79-02-A

**APPEARANCE FOR:** Israel Munoz **MAP NO.:** 3-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 1356 N. Bell Avenue

**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

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

**THE RESOLUTION:**

WHEREAS, Israel Munoz, owner, on November 20, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a 3 dwelling unit building with insufficient lot area, in an R3 General Residence District, on premises at 1356 N. Bell Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 2001, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 3-story brick non-conforming store and apartment building; that the subject building was constructed prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant seeks to substitute a dwelling unit for the vacant store premises; that the change of use from a vacant non-conforming store to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a 3 dwelling unit with insufficient lot area and no parking required, on premises at 1356 N. Bell Avenue, upon condition that the building is brought into compliance with all 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: Manuel Duran CAL NO.: 80-02-A

APPEARANCE FOR: None MAP NO.: 10-H

APPEARANCES AGAINST: MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 1824 W. 46th Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DISMISSED FOR  
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Morten Paper & Metal, Inc.

CAL NO.: 81-02-A

APPEARANCE FOR:

MAP NO.: 11-I

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 3008-12 W. Montrose Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
APRIL 19, 2001.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

**APPLICANT:** Ana Alicia Gallegos Jacobo **CAL NO.:** 82-02-A  
**APPEARANCE FOR:** Ana Alicia Gallegos Jacobo **MAP NO.:** 11-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 15, 2002  
**PREMISES AFFECTED:** 1927 W. Montrose Avenue  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Ana Alicia Gallegos Jacobo, for Anthony Lam, DDS, owner, on December 26, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 3-story brick store and apartment building, in a B2-2 Restricted Service District, on premises at 1927 W. Montrose Avenue;

and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 18, 2001, 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 February 15, 2002; and

WHEREAS, the district maps show that the premises is located in a B3-2 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 proposed use is to be located in a B3-2 Restricted Service District; that the subject site is improved with a 3-story brick store and apartment building; that the appellant seeks to establish a full-service beauty salon in a store in the building at the subject site; that the appellant has operated a licensed beauty salon for the past 12 years at 1921 W. Montrose Avenue; that due to the sale of the aforesaid building and different plans for the site by the new owner, the appellant seeks to relocate her business to the nearby subject premises; 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 salon in a 3-story brick store and apartment building, on premises at 1927 W. Montrose Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

**APPLICANT:** Normal Street Properties, Ltd.

**CAL NO.:** 293-01-S

**APPEARANCE FOR:**

**MAP NO.:** 16-F

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 6801-05 S. Parnell Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, in an R4 General Residence District, to serve 3 multi-unit buildings located at 6800 S. Normal Avenue, 6750-54 S. Normal Avenue and 6806-08 S. Normal Avenue.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

**APPLICANT:** Stephen G. LaGattuta

**CAL NO.:** 424-01-S

**APPEARANCE FOR:**

**MAP NO.:** 5-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 2116 N. Leavitt 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 residential use below the 2nd floor in the conversion of a 2-story brick building to a single family dwelling, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

**THE VOTE**

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

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

**APPLICANT:** Church of God Peniel **CAL NO.:** 447-01-S

**APPEARANCE FOR:** Richard C. Baker **MAP NO.:** 3-J

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 2536-38 W. Division 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 and a community center, in a C1-2 General Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 19, 2002.

**THE VOTE**

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

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

APPLICANT: Church of God Peniel CAL NO.: 448-01-S

APPEARANCE FOR: Richard C. Baker MAP NO.: 3-J

APPEARANCES AGAINST: MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 2524 W. Division 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 accessory off-site parking lot, in a C1-2 General Commercial District, to serve a church and community center located at 2536-38 W. Division Street.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 19, 2002.

**THE VOTE**

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

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

**APPLICANT:** Margaret Stender **CAL NO.:** 469-01-Z  
**APPEARANCE FOR:** Margaret Stender **MAP NO.:** 5-G  
**APPEARANCES AGAINST:** Thomas M. Pikarski, Elizabeth Grzebinski **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 2113 N. Fremont Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story addition to an existing 2-story single family residence whose north side yard will be 8" instead of 1' 6", and whose floor area ratio will not exceed 15% of the floor area (461 sq. ft.) existing 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  
 BRIAN L. CROWE

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 16.6' x 125' lot improved with a 2-story brick row-house type single-family dwelling; that the applicant proposes to erect a 2-story addition to the existing single-family residence; 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 in that the proposed addition is necessary to provide additional kitchen and living space for the applicant and her family; that the plight of the owner is due to unique circumstances in that the existing residential building was built in 1900 on a lot having a narrow width and is one of a series of row houses on that side of N. Fremont Street; that the configuration of the existing building on the narrow lot necessitates the variations requested; that the variations, if granted, will not alter the essential character of the locality in that the proposed addition will follow the existing building lines and will not impair an adequate supply of light and air to abutting residential property; 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: Ricarte Aguirre

CAL NO.: 472-01-A

APPEARANCE FOR: Ricarte Aguirre

MAP NO.: 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 4307 W. 25th Place

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
MARCH 15, 2002.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Ricarte Aguirre

CAL NO.: 473-01-Z

APPEARANCE FOR: Ricarte Aguirre

MAP NO.: 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 4307 W. 25th Place

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 front yard stair case to an existing 2-story residential building, whose front yard will be 7' 4" instead of 19' 6".

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 15, 2002.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Celia and Leobardo Arroyo CAL NO.: 479-01-A

APPEARANCE FOR: None MAP NO.: 7-L

APPEARANCES AGAINST: MINUTES OF MEETING:  
February 15, 2002

PREMISES AFFECTED: 5052 W. Parker Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

**THE VOTE**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

**APPLICANT:** Xiu Min Xie **CAL NO.:** 12-02-A  
**APPEARANCE FOR:** Robert Pouk, Xiu Min Xie **MAP NO.:** 22-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 2922 S. Canal Street  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

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

**THE VOTE**

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

APPIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Xiu Min Xie, owner, on October 30, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of two dwelling units in a two story frame residential building, in an R2 Single Family Residence District, on premises at 2922 S. Canal Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 30, 2001, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is 3,120 sq. ft. lot improved with a 2-story frame residential building; that the appellant seeks to legalize the building as two dwelling units; that on September 13, 1999, the appellant was issued a Certification of Zoning Compliance by the City of Chicago for two dwelling units at 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 the establishment of two dwelling units in a two story frame residential building with insufficient lot area, on premises at 2922 S. Canal Street; 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:** Xiu Min Xie **CAL NO.:** 13-02-Z  
**APPEARANCE FOR:** Richard Pouk, Xiu Min Xie **MAP NO.:** 22-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 15, 2002  
**PREMISES AFFECTED:** 2922 S. Canal 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 enclosed rear porch to an existing 2-story residential building whose north side yard will be .61' instead of 2' 6".

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 30, 2002; 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 February 15, 2002, the Zoning Board of Appeals, in Cal. No. 12-02-A, sustained the applicant's appeal for the legalization of two dwelling units in the 2-story building at the subject site; that the appellant seeks in the instant case to erect a 2-story enclosed rear porch to the existing 2-story building; 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; that the variations, 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 the building shall be brought into compliance with all 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:** Nextel Communications

**CAL NO.:** 27-02-Z

**PEARANCE FOR:** John A. Fritchey

**MAP NO.:** 24-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 15, 2002

**PREMISES AFFECTED:** 10235 S. Michigan Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-1 Restricted Commercial District, the erection of a wireless communication tower within 1,320' of an existing tower.

**ACTION OF BOARD--**

APPLICATION WITHDRAWN  
UPON MOTION OF APPLICANT.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 44-01-S

Katriina S. McGuire, for Thrust-Shakespeare Court, Inc., applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a 3-story 36-dwelling unit building with no front yard instead of 15', no west side yard instead of 10.09', and no rear yard instead of 30', on premises at 1027-35 E. 46<sup>th</sup> Street, approved by the Zoning Board of Appeals on February 16, 2001, in Cal. No. 44-01-S.

Ms. McGuire stated that the applicant has diligently been working to obtain the building permits but, to date, such building permits have not been issued.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to February 16, 2003. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 15-01-S and

Cal. No. 16-01-Z

Greg Moran, for Moran Development, applicant, presented a written request for an extension to time in which to obtain the necessary building permits for the establishment of residential use below the second for in a proposed 4-story 6 dwelling unit condominium building, and for the erection of the aforesaid 4-story building whose front yard will be 13' instead of 15', with east and west side yards of 5.66' each instead of 6.2' each and with no provision for one required 10' x 25' loading berth, on premises at 2702-06 W. Montrose, approved by the Zoning Board of Appeals on January 19, 2001, in Cal. Nos. 15-01-S and 16-01-Z, respectively.

Mr. Moran stated that a building permit was applied for in July, 2001 and that the permit process is almost completed but that the validity period of the variation and special use granted by the Board expired January 19, 2001.

Chairman Spingola moved that the request be granted and that the time for obtaining the necessary building permit be extended to January 19, 2003. The motion prevailed by yeas and nays and follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 6-01-Z

Thomas M. Pikarski, for James Finnegan, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a 4<sup>th</sup> story addition to an existing 3-story brick building which will have stores at grade and 22 dwelling units above, with no rear yard instead of 30', on premises at 4840 N. Broadway, approved by the Zoning Board of Appeals on January 19, 2001, in Cal. No. 6-01-Z.

Mr. Pikarski stated that subsequent to the approval of the aforesaid variation, Mr. Finnegan was approached with an offer to purchase the subject site for development in conformity with the variation received. After several months of negotiation the purchase offer was rejected. Due to the prospective offer Mr. Finnegan did not apply for construction permits. He now desires to develop the property as presented to the Board, however permits may not be ready by February 1, 2002 when the validity period of the variation granted expires.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to January 19, 2003. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 86-01-Z

Mr. Bob Scios, for Joseph Perinovic, applicant, presented a written request for an extension of time in which to obtain the necessary building permit for the erection of a 2-story 4 unit townhouse building with no front yard along N. Paulina Street instead of the 5' required on this corner lot to allow for attached garage, on premises at 3118-24 N. Paulina Street\*, approved by the Zoning Board of Appeals on March 16, 2001, in Cal. No. 86-01-Z.

Mr. Scios stated that due to financing difficulties progress on the aforesaid project was delayed for some time but that plans for the building permit submittal are near completion.

Chairman Spingola moved that the request be granted and the time in which to obtain the necessary building permit be extended to March 16, 2003. The motion prevailed by yeas and nays as follows:

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

\*Mr. Scios also stated that the address listed on the initial application was 1701-03 W. Fletcher Street but since then the official building address has been changed to 3118-24 N. Paulina Street. He is therefore requesting that the resolution approved in Cal. No. 86-01-Z be amended reflecting the new address of 3118-24 N. Paulina Street.

Chairman Spingola moved that the request to amend the resolution approved by the Board in Cal. No. 86-01-Z be granted and that the address of the subject property be changed to 3118-24 N. Paulina Street. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 194-00-S

Rosalinda Moraga, for B & B Jewelry and Loan Co., applicant, presented a written request for an extension of time in which to obtain the necessary business license for a pawn shop in conjunction with a jewelry store previously located at 3609 W. Montrose Avenue, approved by the Zoning Board of Appeals on June 16, 2000, in Cal. No. 194-00-S.

Ms. Moraga stated that the business was first located at 3451 W. Montrose at the time it was approved by the Board. She subsequently decided to move it a block and a half down W. Montrose because that location was larger, cleaner and in a better maintained building and that all she needed to do was take her business license with her to the new location. She has now tried to renew her business license and was told she was not properly licensed and needed an extension of the special use approved by the Board for 3609 W. Montrose Avenue.

Chairman Spingola moved that the request be granted and the time for obtaining a new license be extended June 16, 2002. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 40-00-S

Hon. Michael A. Wojcik, Alderman of the 30<sup>th</sup> Ward, on behalf of Jairo N. Dos Santos, for Igreja Evangelica Assembleia des Deus, applicant, presented a written request for a further extension of time in which to complete the conditions and standards set forth by the Zoning Board of Appeals in its resolution granted February 18, 2000, in Cal. No. 40-00-S, for the establishment of a 50 seat church in an existing 1-story brick building with 10 proposed parking spaces on-site, on premises at 2625 N. Laramie Avenue, and for which an extension of time was granted by the Board on February 16, 2001.

Mr. Wojcik stated that the applicant is seeking an extension to complete the on-site parking area to comply with the landscaping as required under the Board's resolution.

Chairman Spingola stated that Section 11.10-5 of the zoning ordinance gives authority to the Board to extend the period of validity of a special use for a period not to exceed 12 months and in this case the Board has no more authority to grant an additional extension of time. Chairman Spingola moved that the request for an extension of time in the aforesaid case be denied. The motion prevailed by yeas and nays and follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 481-98-S

Mr. Thomas S. Moore, for Touhy Avenue Operating Company, applicant, presented a request to amend the resolution granted by the Zoning Board of Appeals on January 15, 1999, for the establishment of an adult bookstore in a proposed 1-story 6,400 sq. ft. brick building, in an M3-2 Heavy Manufacturing District, on premises at 12521 W. Touhy Avenue.

Mr. Moore stated that by the Zoning Board's order of January 15, 1999, the applicant was granted a special use to operate an adult use at the subject site to "run only to Anthony Musso and Touhy Avenue Operating Company provided Anthony Musso is, and remains, the sole shareholder of the business." Mr. Moore further stated that the applicant is 58 years old and is suffering a variety of serious medical maladies and that his doctor has told him he needs to be less active and shelter himself from stress.

Mr. Moore requests that the Board's 1999 order be amended to allow Mr. Musso's son, Joseph, to share an interest in the business and to facilitate this arrangement, Mr. Musso has opened a new Illinois Limited Liability Company named Touhy Avenue Land Company, LLC with himself and his son as its sole members and that they will transfer the business from Touhy Avenue Operating Company where Mr. Musso was the sole shareholder to Touhy Avenue Land Company LLL where Mr. Musso and his son will be the sole members.

Chairman Spingola moved that the request to amend the order issued by the Board in Cal. No. 481-98-S be denied. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 393-01-S and

Cal. No. 394-01-Z

Mr. James J. Banks, for the Puerto Rican Cultural Center, applicant, presented a written request for a review of new parking plans submitted for the establishment of an off-site accessory leased parking lot for 6 private passenger automobiles, on premises at 2658 W. Haddon Avenue, to fulfill the parking requirement for a proposed high school and day care center at 2739-41 W. Division Street; and for the reduction of the required front yard from 15' to 3', and to increase by 25% the maximum distance that required parking spaces are permitted to be located from the proposed use served, which applications were approved by the Zoning Board of Appeals on October 19, 2001, in Cal. Nos. 393-01-S and 394-01-Z, respectively.

Mr. Banks stated that in the course of the building permit process the Department of Zoning has required a change in the parking layout due to landscape requirements. Open Space is requiring the set back on N. Washtenaw to be the same as the front yard set back from W. Haddon Street. The increased set back from Washtenaw makes the original parallel parking configuration impossible. As a result of the City's requirement, the parking spaces have been rearranged and another driveway has been added in order to comply with the set backs and keep 5 parking spaces as well as one additional handicapped space for a total of 6 spaces. Due to these changes in the plan, the Department of Zoning has required that the Zoning Board of Appeals review the new plan.

Chairman Spingola moved to approve the parking lot's new configuration as detailed in plans submitted prepared by Daniel Weinbach & Partners, Ltd., dated February 11, 2002. The motion prevailed by yeas and nays as follows:

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

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

**MINUTES OF MEETING**

February 15, 2002

Cal. No. 39-01-Z

Edward G. Donley, applicant, presented a written request for an extension of time in which to erect a 2 ½ story frame single-family dwelling whose front yard will be 6.58' instead of 19.82', whose south side yard will be 2.0', and whose north side yard will be 2.83' instead of 6.4' each, on premises at 3300 N. Hamilton Avenue, approved by the Zoning Board of Appeals on February 16, 2001, in Cal. No. 39-01-Z.

Mr. Donley stated that the schedule for the aforesaid project has been delayed due to financing difficulties but hopes to start the project in mid to late summer of 2002.

Chairman Spingola moved that the request be granted and that the time for obtaining the necessary permits and to begin construction of the aforesaid single-family dwelling be extended to February 16, 2003. The motion prevailed by yeas and nays as follows:

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