

**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, April 19, 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
LeRoy K. Martin, Jr.
Gigi McCabe-Miele

MINUTES OF MEETING

April 19, 2002

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on March 15, 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,, Martin, McCabe-Miele. Nays- None.

The Board thereupon held its regular meeting.

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

APPLICANT: St. Mary's M.B. Church **CAL NO.:** 114-02-S
PEARANCE FOR: Richard E. Zulkey, Rev. D. Williams **MAP NO.:** 14-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 1034-44 W. 63rd 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 1-story brick 176-seat* church building, in a C1-2 Restricted Commercial 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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 parking area located west of the proposed church building shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking area at any time;

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

*Amended at the public hearing
 (Additional conditions follow on page 3a.)

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

MINUTES OF MEETING

April 19, 2001

Cal. No. 114-02-S

That striping and lighting shall be provided;

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

That ingress and egress shall be from W. 63rd Street; that the alley abutting the site to the north shall not be used for ingress nor for egress; that the driveway on W. 63rd Street shall be constructed in accordance with applicable ordinances;

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

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

APPLICANT: Que Syrah, Inc. **CAL NO.:** 115-02-S
PEARANCE FOR: Thomas S. Moore, Bill Platt **MAP NO.:** 9-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 3726 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 wine store*, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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: Marquette Bank

CAL NO.: 116-02-S

PEARANCE FOR: James J. Banks

MAP NO.: 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 6316 S. Western Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed bank, in a B5-2 General Service District.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 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: Mitchell Newman **CAL NO.:** 117-02-Z

PEARANCE FOR: Bernard I. Citron, Mitchell Newman **MAP NO.:** 3-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 1520-22 N. Sedgwick Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-3 Restricted Commercial District, the erection of a 6-story commercial* and 8 dwelling unit building with a wavier of the 1 required 10' x 25' loading berth.

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
X		
X		
X		
	X	
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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 the height of the proposed 6-story building shall not be greater than 55 feet; and

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

*Amended

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

APPLICANT: Victory Outreach Ministries **CAL NO.:** 118-02-S
PEARANCE FOR: James J. Banks **MAP NO.:** 3-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 2739-45 W. North 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 proposed church with offices and classrooms, in a B3-3 General Retail District.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 21, 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: Victory Outreach Ministries

CAL NO.: 119-02-S

APPEARANCE FOR: James J. Banks

MAP NO.: 3-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 19, 2002

PREMISES AFFECTED: 1539 N. California Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 32 private passenger automobiles, in an R5 General Residence District, on premises at 1539 N. California Avenue, to satisfy the parking requirement for a proposed church to be located at 2739-45 W. North Avenue

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 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: Victory Outreach Ministries

CAL NO.: 120-02-Z

PEARANCE FOR: James J. Banks

MAP NO.: 3-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 1539 N. California Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the establishment of an off-site parking facility to serve as required parking spaces for two or more uses.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 21, 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: Scott Stegemann

CAL NO.: 121-02-Z

PEARANCE FOR: James J. Banks

MAP NO.: 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 3626 N. Wilton 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 4-story 21' x 23' addition, a 21' x 23' rear side 4-story addition, and a 4-story 28' x 48' addition to an existing 3-story single-family dwelling, with no north side yard instead of 5', no rear yard instead of 30', and whose height limitation will be exceeded by 3' for a total of 48'.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDAWN UPON
MOTION OF APPLICANT.

	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: Humberto Lagunas **CAL NO.:** 122-02-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 5-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 2918-20 W. Lyndale 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 2 dwelling unit building at 2920 N. Lyndale with no east side yard instead of 3' in order to divide the existing zoning lot into two zoning lots.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Sangamon L.L.C. **CAL NO.:** 123-02-A*

APPEARANCE FOR: Bernard I. Citron **MAP NO.:** 2-G

APPEARANCES AGAINST: None **MINUTES OF MEETING:** April 19, 2002

PREMISES AFFECTED: 321-27 S. Sangamon 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 REVRSED.

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, Sangamon LLC, owner, on January 24, 2002, filed an application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed 9-story 70 dwelling unit building with less than 20% of the site to be developed as commercial space, in a B4-4 Restricted Service District;

WHEREAS, on motion of the Zoning Board of Appeals, the aforesaid application for a special use was amended to an appeal; and

WHEREAS, a public hearing was held on this appeal by the Zoning Board of Appeals at its regular meeting held on April 19, 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 a B4-4 Restricted Service District; that the subject site is a 125.9' x 145.56' unimproved lot; that the appellant proposes to erect a 9-story 70 dwelling unit building with some commercial space and interior parking spaces on the 1st and 2nd floors; that under Section 8.3-4A(7), which deals with bulk regulations in a B4-4 Restricted Service District, 25% of a lot is required to be devoted to business use if the lot is less than 50 feet in width and it also requires 20% of the lot to be devoted to business use if the width of the lot is greater than 50 feet; that the appellant originally filed a special use application for the approval of the establishment of the aforesaid 9-story 70 dwelling unit building with a reduction of the 20% requirement; that this request ought to have been filed as a request for a variation of the zoning ordinance; that inasmuch as Section 8.3-4A(7) of the zoning ordinance makes no provision for a variation of the business requirement, the Board on its own motion amended the original special use application to that of an appeal; that this amendment was based on the argument made by the applicant's attorney that the Board is authorized to waive the business requirement on the first floor in its entirety pursuant to Section 8.4-4(3) of the zoning ordinance; that based on the argument presented by appellant, the Board finds that at least 20% of the lot area of the subject site will be devoted to business use; 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 proposed 9-story 70 dwelling unit building with less than 20% of the site to be developed as commercial space, on premises at 321-27 S. Sangamon Street, upon condition 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: Sangamon L.L.C. **CAL NO.:** 124-02-Z
APPEARANCE FOR: Bernard I. Citron **MAP NO.:** 2-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 321-27 S. Sangamon Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a proposed 9-story, 70 dwelling unit building with 70 required parking spaces on the 1st and 2nd floors, with no front yard instead of 15', whose south side yard will be 11' instead of 20', and with no north side yard instead of 20'.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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 April 19, 2002, the Zoning Board of Appeals sustained an appeal for the establishment of a proposed 9-story 70 dwelling unit building with less than 20% of the site to be developed for commercial space, at the subject site, in Cal. No. 123-02-A; 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: Senior Living-Little Village, LP **CAL NO.:** 125-02-S
APPEARANCE FOR: Scott R. Brostein **MAP NO.:** 12-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 2312 W. 48th 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 with for the parking of 14 private passenger automobiles, in an M2-2 Heavy Manufacturing District, on premises at 2312 W. 48th Place, to fulfill the parking requirement for a 110 unit senior citizen residence located at 4835-39 S. Western Avenue.

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	R	e	c
	c	u	s
	e	e	d

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 M2-2 Heavy Manufacturing District; that the subject site is a 50.14' x 125' unimproved lot; that the proposed parking lot is being developed in conjunction with the 110 unit senior citizen residence building being developed at the southeast corner of W. 48th Place and S. Western Avenue to accommodate a portion of its visitor and employee parking, and as such, is necessary for the public convenience at this location; that the senior citizen residence building is being processed as a planned development and 26 on-site parking spaces are being provided; the subject parking lot is necessary to fulfill the parking requirements; 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 14a.)

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 125-02-S

That lighting and striping shall be provided;

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

That ingress and egress shall be from W. 48th Place; that there shall be no ingress nor egress via the public alley abutting the site to the north; that the W. 48th Place driveway shall be constructed in accordance with applicable ordinances;

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

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

APPLICANT: Hood Development, L.L.C.

CAL NO.: 126-02-S

APPEARANCE FOR: Bernard I. Citron

MAP NO.: 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 1432 N. Orleans 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 erection of a 4th story addition to an exiting 3-story 3-dwelling, in a B4-3 Restricted Service District.

ACTION OF BOARD--

THE VOTE

CASE UNDER ADVISEMENT..

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: Hood Development, L.L.C. **CAL NO.:** 127-02-Z

APPEARANCE FOR: Bernard I. Citron **MAP NO.:** 3-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 1432 N. Orleans Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 4-story addition to an existing 3 dwelling unit building with no front yard instead of 12' 3", with no south and north side yards instead of 2' 6" each, and whose rear yard will be 8' 8" instead of 30'.

ACTION OF BOARD--

THE VOTE

CASE UNDER ADVISEMENT.

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: Tom Kidwell **CAL NO.:** 128-02-Z

APPEARANCE FOR: Tom Kidwell, James J. Banks **MAP NO.:** 8-F

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 3810-12 S. Emerald Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the reduction of a north side yard to zero instead of 3' in order to divide a 48' x 123.70' zoning lot into two zoning lots.*

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Edward T. Kuhn **CAL NO.:** 129-02-A

APPEARANCE FOR: Thomas S. Moore **MAP NO.:** 4-E

APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 3159-61 N. Halsted Street

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

ACTION OF BOARD---

THE VOTE

CASE CONTINUED TO
JUNE 21, 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: Larry DeKoven **CAL NO.:** 130-02-A

APPEARANCE FOR: Bernard I. Citron, Larry DeKoven **MAP NO.:** 26-G

APPEARANCES AGAINST: Larry Martin et al. **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 1141 W. Wolfram 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, Larry DeKoven, owner, on January 16, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the expansion of a non-conforming use by the erection of a third level attic addition to an existing rear dwelling unit on a lot which contains two building, in an R4 General Residence District, on premises a 1141 W. Wolfram Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 2002, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 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 25' x 100' lot improved with a 3 ½ story brick residential building on the front of the lot and a 1 ½ story frame coach house building at the rear of the lot; that the appellant proposes to erect a third level attic addition to the rear building; that the appellant was in the process of rehabbing the rear building when he was cited by the City of Chicago for the expansion of a non-conforming building in this R4 General Residence District; that the appellant testified that he is merely putting the subject building back to its original state and is not increasing its size or adding additional dwelling units, nor is he increasing the original height of the building or its floor area; that he is merely putting back a portion of the building which was taken down during renovation; that the height of the rear building will remain at 28.6' as measured at the front of the building at the rear of the lot from the ground to the uppermost peak of a hip roof; that the appellant has entered into an agreement with the owner of the property at 1143 W. Wolfram limiting the height of the roof, and the use of the coach house building; that the Board finds that the proposed third level addition is a rehab of the existing building and does not constitute an expansion of an existing non-conforming building at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 130-02-A

RESOLVED, that the appeal be and it hereby is sustained and that the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a third level attic addition to an existing building on the rear of a lot additionally improved with a building on the front of the lot, on premises at 1141 W. Wolfram Street; upon condition that the subject coach house building shall be restored to its original condition as indicated in opponent's Exhibit # 6 which is hereby attached to this resolution and made part of the record in this case.

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

APPLICANT: Alfonso T. Sylvester **CAL NO.:** 131-02-A
APPEARANCE FOR: Alfonso T. Sylvester, WattenE.Spitz **MAP NO.:** 4-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 1901 S. Homan Avenue
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAIN AS AMENDED 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, Alfonso T. Sylvester, owner, on January 18, 2002, filed an appeal from the Office of the Zoning Administrator in refusing to permit the establishment of a dwelling unit* in lieu of a retail store in a 3-story brick store and dwelling unit building, in an R4 General Residence District, on premises at 1901 S. Homan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 21, 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 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 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 has been zoned Residential since the adoption of the first zoning ordinance in 1923; that the subject site is improved with a 3-story non-conforming store and 5 dwelling unit building; that the appellant originally sought to establish a retail store in the existing store premises at the subject site; that testimony presented indicates that the store premises has been vacant since 1999; that any business use of the subject store premises since 1923 would have been a non-conforming use due to the property's residential zoning; that the Board finds that under Section 6.4-8 of the zoning ordinance the subject non-conforming store premises has been amortized out; that the Board finds in this case that the change of use from a non-conforming store premises to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that the appellant has a right to continue the occupancy of the subject building as 6 dwelling units provided the building is brought into compliance with building code regulations; it is therefore

*Amended at the hearing.
BAZ 12

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 131-02-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 dwelling unit*in lieu of a non-conforming retail store in a store and 5 dwelling unit building for a total of 6 dwelling units, on premises at 1901 S. Homan Avenue, upon condition 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.

Amended at the hearing.

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

APPLICANT: Russo Juan Garcia **CAL NO.:** 132-02-A
APPEARANCE FOR: Russo Juan Garcia **MAP NO.:** 4-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 5919 S. Kedzie 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, Russo Juan Garcia, for Earnest Thompson, owner, on January 25, 2002, 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 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 5919 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 14, 2002, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick store building; that the appellant proposes to establish a beauty salon at the subject site; that the subject premises was previously occupied by a tavern; that the change of use from a tavern to a beauty salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 1-story brick store building, on premises at 5919 S. Kedzie 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: Harold Martinez **CAL NO.:** 133-02-A

PEARANCE FOR: None **MAP NO.:** 5-K

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED: 4309 W. Fullerton Avenue **April 19, 2002**

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: Elisabeth Menning **CAL NO.:** 134-02-A
PEARANCE FOR: James P. Landry, Violette Deschamps **MAP NO.:** 1-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 320 N. Damen Avenue, #D200
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, Elisabeth Menning, for the Industrial Council of Nearwest Chicago (ICNC), owner, on January 30, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a stress management school* in a 3-story multi-business use building, in Planned Manufacturing District #4, on premises at 320 N. Damen Avenue, #D200; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 21, 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, PMD4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002; and

WHEREAS, the district maps show that the premises is located in Planned Manufacturing District #4; 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 Planned Manufacturing District #4; that the subject site is improved with a 3-story multi-business building known as the Fulton-Carroll Center; that the appellant proposes to offer training in stress reduction, centered movement and increased motor skills, practical application of conflict management techniques and philosophy, improved skills in team building and cooperation, self-defense applications and personal and workplace safety through increased awareness; that these benefits are achieved primarily through the practice of Aikido which is a non-aggressive, non-competitive movement art and philosophy that helps individuals develop methods of interacting with themselves and others in a more constructive, healthy and harmonious manner; that the subject premises was previously occupied by a photographic studio which ceased operation at the site in 2001; that licensing requirements have caused the case to be filed; that the change of use from a photographic studio to a stress management school 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 and it hereby is reversed and he is authorized to permit the establishment of a stress management school in a 3-story multi-business use building, in Planned Manufacturing District #4, on premises at 320 N. Damen 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: Tanya D. Waits **CAL NO.:** 135-02-A

PEARANCE FOR: None **MAP NO.:** 9-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 3234 N. Southport Avenue

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

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: The Charnley-Persky House Museum Foundation **CAL NO.:** 136-02-S

APPEARANCE FOR: James J. Banks, Pauline A. Saliga **MAP NO.:** 3-E

APPEARANCES AGAINST: David A. Epstein et al. **MINUTES OF MEETING:** April 19, 2002

PREMISES AFFECTED: 1365 N. Astor 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 museum and accessory offices in an existing 4-story brick building,* in an R5 General Residence 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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 an R5 General Residence District; that the subject site is improved with a 3-story brick building known as the Charnley-Persky House; that the subject building was designed by architects Louis Sullivan and Frank Lloyd Wright and built in 1891; that the subject building was purchased in 1995 by Chicago philanthropist Seymour Persky for use as the national headquarters of the Society of Architectural Historians and has been used for that purpose since 1995; that the Society of Architectural Historians serves architects, historians, preservationists and other individuals who are interested in the study and protection of historically significant buildings and sites; that the said building is an outstanding example of the Chicago School of Architecture and is necessary for the public convenience at this location to continue to serve as a museum and as the headquarters of the applicant foundation; that testimony presented indicates that tours of the building are offered to the public on a limited basis; that the site is not rented out, nor ever will be, for social events, nor will it ever revert back into private hands; that the public health, safety and welfare will be adequately protected by the continued use of the subject building as an architectural museum and headquarters of the aforesaid architectural society; that inasmuch as the subject building has been designated a landmark building at local, state and national levels, its use as a museum with accessory office use is compatible with the existing historical nature of N. Astor Street and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

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

That there shall be no rental of the subject building to outside parties for social events; and 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: Linda and Ellis Rosenzweig **CAL NO.:** 137-02-Z
APPEARANCE FOR: John J. George, Ellis Rosenzweig **MAP NO.:** 3-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 1357 N. State Parkway

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 rear 1st floor addition and a rear 2nd story open deck to an existing 4-story single family dwelling, with no north and south side yards instead of 2' each.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Scott Borre **CAL NO.:** 138-02-S

PEARANCE FOR: James J. Banks, Scott Borre **MAP NO.:** 14-K

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 6050 S. Pulaski Road

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day labor employment agency, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 there shall be no loitering by job applicants in front of the subject premises at any time.

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

APPLICANT: Bozena Boglulawski **CAL NO.:** 139-02-A

PEARANCE FOR: Thomas S. Moore **MAP NO.:** 11-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 2023 W. Berteau Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 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: Bozena Boglulawski **CAL NO.:** 140-02-Z
PEARANCE FOR: Thomas S. Moore **MAP NO.:** 11-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 2023 W. Berteau Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, an increase of up to 15% of the existing floor area which existed in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; to reduce the rear yard from 30' to 2.98', and the west side yard from 3' to .92' in order to erect a two-car garage under the existing dwelling unit.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 21, 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: Nick Karavities

CAL NO.: 141-02-Z

APPEARANCE FOR: Nick Karavities

MAP NO.: 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 1919 W. Wabansia Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story single family residence with roof top stair enclosure, whose front yard will be 9' 8" instead of 12' 8", with an east side yard of 1' 4" and a west side yard of 3' instead of 6.8' each, and whose rear yard shall be 27' 8" 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
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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 R3 General Residence District; that the subject site is a 24.20'x 80' unimproved lot; that the applicant proposes to erect a 2-story single-family dwelling 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 to be located in that the variations requested are necessary to provide adequate living space in the proposed building as designed on this 24.20' x 80' lot; that the plight of the owner is due to the dimensions of the existing lot; that the proposed 2-story single-family dwelling will be compatible with existing residential improvements in the neighborhood 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: 3153-3157 S. Archer LLC

CAL NO.: 142-02-S

APPEARANCE FOR: William J. Hennessy

MAP NO.: 8-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 3153-57 S. Archer Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in an existing 3-story masonry 9 unit dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

CASE UNDER ADVISEMENT.

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: BNB Land Venture, Inc. **CAL NO.:** 143-02-S
APPEARANCE FOR: William J. Hennessy **MAP NO.:** 16-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 6944-58 S. Pulaski Road/4000-10 W. 70th Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed Burger King restaurant, in a B4-1 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 use shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Sarfatty Associates, Ltd., dated April 8, 2002; and that landscaping and fencing shall be installed in compliance with the Chicago Landscape Ordinance.

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

APPLICANT: Richard J. Wiederer **CAL NO.:** 144-02-Z

APPEARANCE FOR: None **MAP NO.:** 11-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 2447-49 W. Pensacola 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 6'6" x 11' roof top stair enclosure in the conversion of 5 dwelling units to 4 dwelling units, and to reduce the west side yard to 4' 2" instead of 4' 8".

ACTION OF BOARD--

CASE CONTINUED TO
MAY 17, 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: Lawndale Educational and Regional Network Charter School (L.E.A.R.N.) **CAL NO.:** 145-02-S

PEARANCE FOR: Elvin E. Charity **MAP NO.:** 2-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:** April 19, 2002

PREMISES AFFECTED: 3401 W. Grenshaw 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 new 2 and 3 story charter school facility, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 off-street parking shall be located at a proposed off-site parking lot at 3400 W. Grenshaw Street, as provided for in Cal. No. 146-02-S.

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

APPLICANT: Lawndale Educational and Regional Network Charter School (L.E.A.R.N.) **CAL NO.:** 146-02-S

APPEARANCE FOR: Elvin E. Charity **MAP NO.:** 2-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:** April 19, 2002

PREMISES AFFECTED: 3400 W. Grenshaw Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot, in a B4-2 Restricted Service District, on premises at 3400 W. Grenshaw Street, to serve a proposed new charter school to be located at 3401 W. Grenshaw Street,

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 April 19, 2002, the Zoning Board of Appeals, approved, in Cal. Nol 145-02-S, the establishment of a new 2 and 3-story charter elementary school, on premises at 3401 W. Grenshaw 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 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 35a.)

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 146-02-S

That lighting and striping shall be provided;

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

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

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

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

APPLICANT: Lawndale Educational and Regional Network Charter School (L.E.A.R.N.) **CAL NO.:** 147-02-Z

APPEARANCE FOR: Elvin E. Charity **MAP NO.:** 2-J

APPEARANCES AGAINST: None **MINUTES OF MEETING:** April 19, 2002

PREMISES AFFECTED: 3401 W. Grenshaw Street

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 new 2 and 3 story charter elementary school with a west transitional front yard of 17' instead of 20'.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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 April 19, 2002, the Zoning Board of Appeals approved, in Cal. No. 145-02-S, the establishment of a new 2 and 3 story charter elementary school 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: Amario and Tomasa Cruz **CAL NO.:** 148-02-Z
PEARANCE FOR: Amario Cruz **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 3615 N. Hermitage Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 20'6" x 55'5" 3-story with basement 3 dwelling unit building which will reduce the minimum lot size from 1,000 sq. ft. to 900 sq. ft. per unit, and with a rear bridge connecting the stairs to the roof top deck of the 21' x 21.4' garage.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Patrick Landrosh **CAL NO.:** 149-02-Z

APPEARANCE FOR: James J. Banks, Patrick Landrosh **MAP NO.:** 11-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:** April 19, 2002

PREMISES AFFECTED: 2180 W. Sunnyside 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 masonry single family residence whose west side yard will be 1' instead of 5.6'.

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
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Kate Leydon **CAL NO.:** 150-02-S

APPEARANCE FOR: James J. Banks, Kate Leydon **MAP NO.:** 3-H

APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002

PREMISES AFFECTED: 1743 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 card and palm reading and fortune telling establishment, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 a B4-2 Restricted Service District; that the subject site is improved with a 3-story brick building to be totally renovated; that the first floor is being marketed for a wine-bar restaurant while the 3rd floor is proposed for office occupancy by the applicant's husband's business; that the applicant proposes to occupy the 2nd floor with an upscale "reading room" and boutique business; that the applicant will employ various readers that specialize in astrology readings and charts, numerology, love compatibility readings, intuitive readings, tarot, dream interpretation, palm reading, energy healings, feng shui, etc.; that the boutique will feature items such as accessories, home goods, candles, cosmetics, jewelry, books, stationery, etc.; 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 be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: Sprout Properties LLC **CAL NO.:** 151-02-Z
APPEARANCE FOR: David Wallach, Tara Heibel **MAP NO.:** 1-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 739 N. Damen Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 1-story retail building with no east transitional side yard instead of 5', and to reduce the south east transitional yard requirement of 20' x 20' in order to construct a 10' and 8' high wrought-iron* fence.

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
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Public Building Commission of Chicago **CAL NO.:** 152-02-S
APPEARANCE FOR: Andre M.. Thapedi, Kathy Brown **MAP NO.:** 2-L
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 5071 W. Congress Parkway
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 senior citizen community center in a proposed 1-story masonry building, in an R4 General Residence 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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 final landscape plans and elevation drawings shall be approved by the Department of Planning and Development.

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

APPLICANT: Public Building Commission of Chicago **CAL NO.:** 153-02-Z
APPEARANCE FOR: Andre M. Thapedi, Kathy Brown **MAP NO.:** 2-L
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 5071 W. Congress Parkway

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 1-story senior citizen community center building, with no east side yard instead of 20', and whose rear yard shall be 26' instead of 30'.

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		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: New Channels Realty, L.L.C. **CAL NO.:** 154-02-S
APPEARANCE FOR: Steve Qualkenbush **MAP NO.:** 22-B
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 April 19, 2002
PREMISES AFFECTED: 9233 S. Commercial Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed bank, in a B5-2 General Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

APPROVAL	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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 Macando Corp., dated April 19, 2002; and that landscaping and fencing shall be installed in compliance with the Chicago Landscape Ordinance.

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

APPLICANT: Leodegaria Reyes **CAL NO.:** 155-02-Z
APPEARANCE FOR: Leodegaria Reyes **MAP NO.:** 8-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:** April 19, 2002
PREMISES AFFECTED: 3127 S. Avers Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to provide for an R3 General Residence District, the erection of a 21.33' x 26' private accessory garage with a 13' x 26' open patio which will contain 10% more square footage than allowed.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Time on April 2, 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 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: Hector R. Hernandez **CAL NO.:** 156-02-Z
APPEARANCE FOR: Daniel Lauer, Hector R. Hernandez **MAP NO.:** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 707-11 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-2 General Service District, the erection of a 3rd floor addition to a residential and commercial masonry building whose first residential level rear yard will be 2.05' instead of 30', and whose east side yard will be 5.23' instead of 5.95'.

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 April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Majdi A. Yousef

CAL NO.: 157-02-A

PEARANCE FOR:

MAP NO.: 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 2350 W. Grand Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 17, 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: Pamela C. Sims **CAL NO.:** 158-02-A
APPEARANCE FOR: Pamela C. Sims **MAP NO.:** 26-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
April 19, 2002
PREMISES AFFECTED: 2405 W. 104th Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning.

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, Pamela C. Sims, for Gary Lee, owner, on December 14, 2001, filled an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 2-story brick multi-store building, in a B2-1 Restricted Retail District, on premises at 2405 W. 104th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 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 April 19, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District, that the subject site is improved with a 2-story brick multi-store building; that the appellant testified that she does not operate a typical beauty salon at the subject site; that the appellant is a hair and scalp therapy consultant who works with a dermatologist; that all her clients are under a doctor's care for hair and scalp medical problems and are treated by her on an appointment only basis; that no traditional beauty salon treatments such as styling, cutting, dyeing, permanents, etc. are performed; 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 he is authorized to permit the establishment of a hair and scalp therapy clinic in a 2-story brick multi-story building, on premises at 2405 W. 104th 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: Indiana Manor Townhouses
Limited Partnership

CAL NO.: 159-02-Z

APPEARANCE FOR:

MAP NO.: 12-B

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 2002

PREMISES AFFECTED: 4749-57 S. Indiana 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 proposed 3-story 18 dwelling unit building whose rear yard will be 6' instead of 30'.

ACTION OF BOARD--

CASE CONTINUED TO
MAY 17, 2002.

THE VOTE

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		

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

APPLICANT: Yen Nguyen

CAL NO.: 425-01-S

PEARANCE FOR:

MAP NO.: 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 15, 2002

PREMISES AFFECTED: 4925 N. Broadway

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for the parking of 25 automobiles to fulfill the parking requirement for a PPA license located at 4941 N. Broadway, in a C2-3 General Commercial District.

ACTION OF BOARD--

APPLICAITON 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: Yen Nguyen

CAL NO.: 426-01-Z

APPEARANCE FOR:

MAP NO.: 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 15, 2002

PREMISES AFFECTED: 4941 N. Broadway

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a C2-3 General Commercial District, the establishment of a PPA license for a banquet and restaurant facility in a 1-story building.

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

APPEARANCE FOR: Richard Baker, Norman Garcia **MAP NO.:** 3-J

APPEARANCES AGAINST: None **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--

THE VOTE

APPLICATION APPROVED.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 off-street parking shall be located at 2524 W. Division Street as provided for in Cal. No. 448-02-S.

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

APPLICANT: Church of God Peniel **CAL NO.:** 448-01-S
PEARANCE FOR: Richard Baker, Norman Garcia **MAP NO.:** 3-J
APPEARANCES AGAINST: None **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, on premises at 2524 W. Division Street, to satisfy the parking requirement for a church and community center located at 2536-38 W. Division 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 April 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 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 April 19, 2002, the Zoning Board of Appeals approved, in Cal. No. 447-01-S, the establishment of a church and a community center on premises at 2536-38 W. Division 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 52a.)

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 447-01-S

That striping and lighting shall be provided;

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

That ingress and egress shall be from driveways located on N. Maplewood Avenue; that the public alley abutting the site to the north shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances;

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

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

APPLICANT: Yen Nguyen

CAL NO.: 35-02-Z

PEARANCE FOR:

MAP NO.: 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 15, 2002

PREMISES AFFECTED: 4925 N. Broadway

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a C2-3 General Commercial District, the establishment of an off-site required parking lot for the parking of 25 private passenger automobiles, which parking lot will serve more than one use located at 4941 N. Broadway.

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: Frieda Floodas **CAL NO.:** 42-02-A

PEARANCE FOR: Thomas S. Moore. Frieda Floodas **MAP NO.:** 15-G

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

PREMISES AFFECTED: 5864 N. Magnolia Avenue

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

ACTION OF BOARD--

THE VOTE

APEAL 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, Frieda Floodas, owner, on October 31, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 4-dwelling units in an existing 3-story building with basement, in an R4 General Residence District/Special District #22 Sub. A., on premises at 5864 N. Magnolia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20, 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 7.5-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002; and

WHEREAS, the district maps show that the premises is located in an R4 General Residence District/Special District #22 Sub. A.; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District/Special District #22, Sub.A.; that the subject site is improved with a an approximately 80-85 year old 3-story brick residential building; that the evidence presented indicates that the subject building has been legally occupied as four dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue to the occupancy of the subject building as four dwelling units provided the building is brought into compliance with applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 4 dwelling units in an existing 3-story brick building with basement, a premises at 5864 N. Magnolia Avenue, upon condition that the building shall be brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Joseph Zivkovic **CAL NO.:** 58-02-Z
APPEARANCE FOR: Thomas S. Moore, Joseph Zivkovic **MAP NO.:** 2-I
APPEARANCES AGAINST: None **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 R5 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--

THE VOTE

VARIATION GRANTED.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 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: Shining Star M.B.C. #2

CAL NO.: 68-02-S

PEARANCE FOR:

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
JUNE 21, 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: Morten Paper & Metal, Inc. **CAL NO.:** 81-02-A
PEARANCE FOR: James A. Morten **MAP NO.:** 11-I
APPEARANCES AGAINST: None **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 in refusing to permit the wholesale distribution of paper products, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAIN 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, Morten Paper & Metal, Inc., for Zemia Kamish, owner, on November 30, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the wholesale distribution of paper products, in a B4-2 Restricted Service District, on premises at 3008-12 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick warehouse building; that the appellant is in the distribution of paper products for packing material; that the testimony presented indicates that the subject premises was previously occupied by a wholesale distributor of heating and air conditioning supplies and equipment and prior to that business by a wholesale distributor of fiberglass fabric and epoxy resins for 10 years; that the change of use from a wholesale distributor of heating and air conditioning supplies and equipment a wholesale distributor of paper products for packing material 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 its appeal; it is therefore

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 81-02-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 wholesale distribution of paper products in a 1-story brick commercial building, on premises at 3008-12 W. Montrose 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

MINUTES OF MEETING

April 19, 2002

Cal. No. 94-01-Z

Rev. Joe E. Jackson, Pastor, Revival Fellowship Church of God in Christ, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a 1-story 40' x 51' fellowship hall addition to an existing 1-story church building whose rear yard will be 5' instead of 30', and with no west side yard in excess of 9.9', on premises at 2810 W. Washington Boulevard, approved by the Zoning Board of Appeals on March 16, 2001, in Case No. 94-01-Z.

Rev. Jackson stated that due to some hardship, the church is requesting an extension of time in which to obtain building permits and begin the construction of the aforesaid fellowship hall addition. The appellant has secured a general contractor who will be starting the permit process shortly.

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

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

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 99-01-S

*extension of time in which to establish a 200-seat church in an existing 1-story brick building, on premises at 7800 S. Co
Grove Avenue, approved by the Zoning Board of Appeals on March 16, 2001.*

*Chairman Spingola moved that the request be granted and the time for obtaining the necessary permits for
establishment of the aforesaid church be extended to March 16, 2003. The motion prevailed by yeas and nays as follow*

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

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

MINUTES OF MEETING

April 19, 2002

Cal. No. 41-02-A

Motion to Reconsider appeal into 2 separate zoning lots with a frontage of 141,121 sq. ft.
Thomas S. Moore, for Ronald Popp, appellant, and Brendan McCormick, additional petitioner, presented a motion to Reconsider the Zoning Board of Appeals' denial on January 18, 2002, in Cal. No. 41-02-A, of the appeal from the decision of the Office of the Zoning Administrator in refusing to permit a current zoning lot to be divided into 2 separate zoning lots; the new lot, with house, to be 8,254 sq.ft. with a frontage of 40'; and the new vacant lot to be 141,121 sq. ft. with a frontage of 141,121 sq.ft., in an R1 Single-Family Residence district, on premises at 6872 N. Lehigh Ave.

reconsidering a decision.
Chairman Spingola moved that the Motion to Reconsider be denied stating that the Board has no procedure for reconsidering a decision. The motion prevailed by yeas and nays as follows:

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

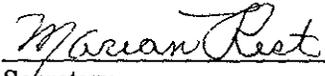
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

MINUTES OF MEETING

April 19, 2002

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

The Board adjourned to meet in regular meeting on Friday, May 17, 2002.


Secretary