

**MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS**

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

held in The City Council Chambers, 2nd Floor, City Hall, on Friday, July 19, 2002

The following members were present and constituted a quorum:

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

MINUTES OF MEETING

July 19, 2002

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on June 21, 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.

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

APPLICANT: Royal Savings Bank **CAL NO.:** 239-02-S
PEARANCE FOR: Thomas S. Moore **MAP NO.:** 22-B
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 9226 South 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 banking facility, in a B5-2 General Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 banking facility shall be constructed consistent with the layout and design represented on the site plan dated April 29, 2002 and elevation drawings dated July 18, 2002, as prepared by Gensler Architects; and that the final landscape plan shall be approved by the Department of Planning and Development.

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

APPLICANT: New Bethlehem No. 4 M.B. Church

CAL NO.: 240-02-S

APPEARANCE FOR:

MAP NO.: 22-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 8922-24 S. Cottage Grove Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, in a B4-2 Restricted Service District, serve an existing church located at 8850 S. Cottage Grove.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
SEPTEMBER 20, 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: Mark G. Papadopoulos **CAL NO.:** 241-02-S
PEARANCE FOR: John J. Pikarski, Jr. Mark G. Papadopoulos **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 July 19, 2002
PREMISES AFFECTED: 3512 N. Ashland Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in an existing 2-story with high basement 2 dwelling unit building, in a B2-2 Restricted Retail District, in order to construct a 3rd floor addition.

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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 2002; and

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

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

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

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

APPLICANT: Mark G. Papadopoulos **CAL NO.:** 281-02-Z
APPEARANCE FOR: John J. Pikarski, Jr., Mark G. Papadopoulos **MAP NO.:** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:** July 19, 2002
PREMISES AFFECTED: 3512 N. Ashland Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-2 Restricted Retail District, the erection of a proposed 3rd floor addition to an existing 2 1/2-story 2 dwelling unit building, whose front yard will be 3' instead of 15', and with no north and south side yards instead of 3' 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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 June 21, 2002, the Zoning Board of Appeals approved, in Cal. No. 241-02-S, the establishment of residential use below the 2nd floor in order to construct a 3rd floor addition to an existing 2 ½ story 2 dwelling unit building; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

That 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: Labe Bank

CAL NO.: 242-02-S

APPEARANCE FOR:

MAP NO.: 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 2002

PREMISES AFFECTED: 4323-25 N. Elston Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 18 private passenger automobiles, in a B4-2 Restricted Service District, to serve a bank located at 4343 N. Elston Avenue.

ACTION OF BOARD--

CASE CONTINUED TO
SEPTEMBER 20, 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: Scott Bates **CAL NO.:** 243-02-Z

APPEARANCE FOR: James J. Banks, Scott Bates **MAP NO.:** 9-G

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

PREMISES AFFECTED: 830 W. Bradley Place

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 4-story 5 dwelling unit building with a waiver of the one required 10' x 24' loading berth.*

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 40' x 151.66' lot with no alley access and is improved with a 2-story Victorian greystone residential building; that the applicant proposes to demolish the existing residential building and erect a 4-story 5 dwelling unit building with interior garage parking; that vehicles will enter the garage parking from a garage door in the front of the subject building; that testimony presented indicates that in order to provide a loading berth it would be necessary to put it at the front of the building which would negatively affect the design of the proposed building; that the Board finds that no evidence was presented that would indicate the property in question cannot yield a reasonable return without the requested variation nor that any unique circumstances exist; that the proposed 4-story 5 dwelling unit building, as designed, is not compatible with the existing 2 and 3-story Victorian greystone residential character of the block ; it is therefore

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

*Amended at the public hearing.

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

APPLICANT: 47th Marshfield Corporation

CAL NO.: 244-02-S

APPEARANCE FOR: James J. Banks

MAP NO.: 10-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 4658 S. Ashland 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 accessory off-site parking lot, in a B4-3 Restricted Service District, to satisfy the parking requirement for a proposed drug store to be located at 4659 S. Marshfield Avenue.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
SEPTEMBER 20, 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: 47th Marshfield Corporation

CAL NO.: 245-02-S

APPEARANCE FOR: James J. Banks

MAP NO.: 10-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 4659 S. Marshfield 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 drive-through facility in conjunction with a proposed 1-story retail drug store, in a B4-3 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
SEPTEMBER 20, 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: Caroline A. Nash **CAL NO.:** 246-02-S
APPEARANCE FOR: Isaac Jones, Jr., Caroline A. Nash **MAP NO.:** 12-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 5055 S. Winchester Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, partly in a B4-1 Restricted Service District and partly in an R3 General Residence District, to satisfy the parking requirement for a proposed day care facility to be located at 1935 W. 51st 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 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 11a.)

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

MINUTES OF MEETING

June 21, 2002

Cal. No. 246-02-S

That the applicant shall remove the existing guard rail which is in serious disrepair and install a 4' high ornamental fence along the S. Winchester Avenue and W. 51st Street frontages; that a 6' high solid wood fence shall be erected on the north lot line to screen the parking lot from abutting residential property;

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

That ingress and egress shall be from a driveway to be located on S. Winchester Avenue and via the alley abutting the site to the east onto W. 51st Street, provided a waiver of the alley barrier is obtained from the City Council; that the S. Winchester Avenue driveway shall be constructed in accordance with applicable ordinances;

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

That it shall be the responsibility of the applicant to improve and maintain the 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: Lincoln Park Savings Bank

CAL NO.: 247-02-S

APPEARANCE FOR: Katriina S. McGuire

MAP NO.: 11-H

APPEARANCES AGAINST: None

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 2130 W. Irving Park Road

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, in a B2-1 Restricted Retail District, to service a bank located at 2139 W. Irving Park Road.

ACTION OF BOARD--

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

THE VOTE

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

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

APPLICANT: Superpawn, Ltd. **CAL NO.:** 248-02-S

PEARANCE FOR: Bernard I. Citron, Bob Woolf **MAP NO.:** 16-1

APPEARANCES AGAINST: Gloria Bell, Ali Hussian **MINUTES OF MEETING:**
July 19, 2002

PREMISES AFFECTED: 2525 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 pawn shop in an exiting 3-story store and apartment building, in a B4-1 Restricted Service.

ACTION OF BOARD--

APPLICATION DENIED

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	R	e	c
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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 B4-1 Restricted Service District; that the subject site is improved with a 3-story brick store and apartment building; that the subject store premises is currently occupied by a grocery store; that the applicant seeks to establish a pawn shop in existing store at the subject site; that no evidence was presented to indicate that the establishment of a pawn shop is necessary for the public convenience at the subject site; that testimony presented indicates that there are two other pawnshops located in the immediate area; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed pawn shop; that no proof was presented to indicate that the establishment of a pawn shop at this location would not cause substantial injury to the value of other property in the neighborhood and that the establishment of a pawn shop at this location would inhibit future permitted business development; it is therefore

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

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

APPLICANT: John Heneghan **CAL NO.:** 249-02-Z
APPEARANCE FOR: James J. Banks, John Heneghan **MAP NO.:** 9-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 3504-06 N. Southport Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R6 General Residence District, the erection of a proposed 4-story 8 dwelling unit building, whose front yard will be 7' instead of 14.43', whose north and south side yards will be 1' 6" each instead of 6' each, and with a waiver of the one required 10' x 24' loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 R6 General Residence District; that the subject site is a 50' x 120.25' unimproved lot; that the applicant proposes to erect a 4-story 8 dwelling unit building at the subject site; that on-site exterior and interior vehicle parking spaces will be provided; that the Board finds that the proposed 4-story 8 dwelling unit building is an overbuilding of the subject 6,012 sq.ft. lot and that no evidence was presented to indicate that the proposed variations are necessary in order to obtain a reasonable return on the subject site nor were there any unique circumstances necessitating the proposed variations; that a witness for the applicant testified that the proposed 4-story 8 dwelling unit building would be more attractive with the yard variations requested but that it could be built without them; that the proposed building, as designed, is not compatible with the existing improvements in the block and that the variations if granted, will alter the essential character of the locality; it is therefore

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

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

APPLICANT: Tom Romano **CAL NO.:** 250-02-Z
APPEARANCE FOR: James J. Banks, Tom Romano **MAP NO.:** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 2820-22 N. Sheffield

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R6 General Residence District, the erection of a proposed 4-story 8 dwelling unit building, whose front yard will be 5' instead of 15', and whose north and south side yards will be 1' 3" each instead of 6' each.

ACTION OF BOARD--

VARIATION DENIED,

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 R6 General Residence District; that the subject site is a 50' x 125' lot improved with a 2-story brick commercial building; that the applicant proposes to erect a 4-story 8 dwelling unit building with exterior and interior parking spaces at the subject site; that the Board finds that the proposed 4-story 8 dwelling unit building is an overbuilding of the subject lot and that no evidence was presented to indicate that the proposed variations are necessary in order to obtain a reasonable return on the subject property nor were there any unique circumstances necessitating the proposed variations; that the proposed building, as designed is not compatible with existing residential improvements in the block and that the variations, if granted, will alter the essential character of the locality; it is therefore

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

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

APPLICANT: Advance Payday Loans, Inc. **CAL NO.:** 251-02-S
APPEARANCE FOR: Peter A. Pocrnich, James J. Banks **MAP NO.:** 7-M
APPEARANCES AGAINST: None **MINUTES OF MEETING:** July 19, 2002
PREMISES AFFECTED: 2745 N. Narrangansett
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 payday loan facility in an existing 1-story brick building, in a B4-1 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 2002; and

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

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

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

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

APPLICANT: Christ Costas **CAL NO.:** 252-02-A
PEARANCE FOR: Margaret Wright **MAP NO.:** 7-E
APPEARANCES AGAINST: Bernard I. Citron **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 550-52 W. Wellington Avenue
NATURE OF REQUEST: Objector's Appeal from the decision of the Office of the Zoning Administrator in the granting of an Exception.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Christ Costas, owner of the property located at 544 W. Wellington Avenue, on April 12, 2002, filed an Objector's Appeal from the decision of the Office of the Zoning Administrator in granting an Exception to the owner of the property at 550-52 W. Wellington Avenue for a front yard setback of 7'6" instead of 15' in order to construct a 9-story residential building, in an R6 General Residence District; and

WHEREAS, on February 28, 2002, the Office of the Zoning Administrator granted an Exception to the owner of the property located at 550-52 W. Wellington Avenue for the reduction of the front yard to 7'6" instead of the required 15' in order to construct a 9-story residential building at the site; and

WHEREAS, a public hearing was held on the Objectors Appeal by the Zoning Board of Appeals at its regular meeting held on July 19, 2002; and

WHEREAS, the district maps show that the premises is located in an R6 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 R6 General Residence District; that the subject site is a 50' x 165' lot improved with a 3-story 6 dwelling unit building; that the appellant proposes to demolish the existing residential building and erect a 9-story 16 dwelling unit building at the site; that the property located at 544 W. Wellington consists of a 3-story 6 dwelling unit building; that the appellant contends that the proposed 9-story building with a 7'6" front yard setback will cut off almost all of the afternoon sunlight to the sidewalk and the street and to the building at 544 W. Wellington Avenue; that no evidence was presented to indicate that the reduction of the front yard setback in order to construct the proposed 9-story residential building negatively affects the property at 544 W. Wellington; that the Board finds that the appellant failed to prove that the Zoning Administrator abused his discretion in the granting of said Exception herein; it is therefore

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

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

APPLICANT: Ruby R. Evans **CAL NO.:** 253-02-A

APPEARANCE FOR: John J. Pikarski, Jr., Ruby R. Evans **MAP NO.:** 3

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

PREMISES AFFECTED: 212 E. 83rd Street

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

ACTION OF BOARD--

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

THE VOTE

	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, Ruby R. Evans, for Chicago Title & Trust Co., Tr. #1073113, owner, on April 23, 2002, filed an appeal from the Office of the Zoning Administrator in refusing to permit the establishment of a currency exchange in a 3-story brick multi-store and apartment building, in an R2 Single-Family Residence District, on premises at 212 E. 83rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 12, 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 7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 3-story brick multi-store and apartment building built in 1928; that the subject store is presently occupied by a currency exchange; that the subject site has been zoned for residential use since the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the testimony presented indicates that from 1942 to 1984 no business license was required by the City for a currency exchange; that since 1984 a General Business License has been required by the City for the operation of a currency exchange; that between 1942 and 1984 the currency exchange was a viable operating business; that the appellant purchased the business in January, 2002; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED; that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a currency exchange in a 3-story brick multi-store and apartment building, on premises at 212 E. 83rd 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: Anthony McGill **CAL NO.:** 254-02-A

APPEARANCE FOR: Anthony McGill **MAP NO.:** 1-H

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

PREMISES AFFECTED: 5919 S. Calumet Avenue

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

ACTION OF BOARD--

THE VOTE

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

	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, Anthony McGill, owner, on April 19, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a rear 2-story coach house as a dwelling unit on a lot additionally improved with a 3-story 5 dwelling unit building on the front of the lot, in an R5 General Residence District, on premises at 5919 S. Calumet Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 26, 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, Sections 6.4, 7.12-1."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R5 General Residence District; that the subject site is a 38.5' x 160.75' lot improved with a 3-story 5 dwelling unit brownstone building constructed in 1887 on the front of the lot which is additionally improved with a 2-story coach house at the rear of the lot; that the appellant is seeking to legalize the rear coach house building as a dwelling unit; that testimony presented indicates that a wagon and hay were stored in the 1st floor of the coach house as late as 1956; that an inspection of the property indicates that the windows and entrance are bricked in; that no evidence was presented indicated that the a dwelling unit was ever legally established in the coach house; that under Sections 6.4 and 7.12-1 of the zoning ordinance, the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Edward Soto **CAL NO.:** 255-02-A

APPEARANCE FOR: Tami Soto **MAP NO.:** I-G

APPEARANCES AGAINST: Donald J. Vogel, Tom Benthien, Dennis Sweeney **MINUTES OF MEETING:**
July 19, 2002

PREMISES AFFECTED: 1300 W. Huron Street

NATURE OF REQUEST: Objector's Appeal from the decision of the Office of the Zoning Administrator in the granting of an Exception.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Edward Soto, owner of the property at 1302 W. Huron Street, on April 22, 2002, filed an appeal from the Office of the Zoning Administrator in granting an Exception to the property owner of 1300 W. Huron Street which reduced the front yard from 11.04' to 5'9", the east side yard from 1'3" to 2'4" in order to erect a 2-story single-family residence, in an R4 General Residence District; and

WHEREAS, on March 12, 2002 the Office of the Zoning Administrator granted a zoning Exception in File No. 01-682-ZE to the owner of the property located at 1300 W. Huron Street authorizing the reduction of the front yard to 5'9" instead of 11'04", the west side yard to 2'4" instead of the requested 1'3" which had been denied, the east side yard 1'3" in order to allow the erection of a 20' x 55' 2 story single-family residence with a basement, a 20.42' x 14' third story enclosed green house, a roof top open trellis and a roof deck with a 6' in diameter rear open circular stair; and

WHEREAS, a public hearing was held on the application in the instant case by the Zoning Board of Appeals at its regular meeting held on July 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 said use is located in an R4 General Residence District; that the subject site is a 92' x 24' unimproved corner lot; that the owner of the property at 1300 W. Huron Street proposes to erect a 2-story single-family residence with basement and an enclosed roof top green house at the subject site; that no evidence was presented to indicate that the subject single-family residence as proposed negatively affects the property at 1302 W. Huron Street; that the Board finds that the appellant failed to prove that the Zoning Administrator abused his discretion in the granting of said Exception herein; it is therefore

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

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

APPLICANT: Perfecto Chaparro **CAL NO.:** 256-02-A

APPEARANCE FOR: John J. Pikarski, Jr. **MAP NO.:** 4-G

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

PREMISES AFFECTED: 1940 S. Carpenter Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
SEPTEMBER 20 2002.

	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: Zarinelo R. and Lenette Ortega **CAL NO.:** 257-02-A

APPEARANCE FOR: Mark Kupiec **MAP NO.:** 13-H

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

PREMISES AFFECTED: 1604-06 W. Berwyn Avenue/5304-06 N. Ashland Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
SEPTEMBER 20, 2002.

	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: Ahmad Y. Zamat **CAL NO.:** 258-02-A

PEARANCE FOR: None **MAP NO.:** 16-G

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

PREMISES AFFECTED: 1001 W. 69th Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: New Chicago Partners, LLC **CAL NO.:** 259-02-S

APPEARANCE FOR: Scott R. Borstein **MAP NO.:** 5-F

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

PREMISES AFFECTED: 2060 N. Clark Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4 dwelling unit and commercial unit building, in a B2-3 Restricted Retail 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		
R	e	c
u	s	e
s	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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 May 17, 2002, the Zoning Board of Appeals denied, in Cal. No. 161-02-S, the applicant's special use application for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 4 dwelling unit building at the subject site finding, in part, that the proposed building did not allow for adequate rear egress from the buildings located at 2058 N. Clark Street, which abuts the subject site; that the applicant subsequently entered into an Easement Agreement with the 2058 N. Clark Street property owners, dated July 12, 2002, that allows for rear egress and garbage disposal from the buildings at that site; that the applicant thereupon filed a new application for a special use seeking approval of the residential use below the 2nd floor in the proposed 4-story building; that the testimony presented in Cal. No. 161-02-S is hereby made part of the record in this case; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

That the Easement Agreement, dated July 12, 2002, shall be binding on all parties and shall be recorded by either party with the Cook County Recorder of Deeds Office; and

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

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

APPLICANT: New Chicago Partners, LLC **CAL NO.:** 260-02-Z
APPEARANCE FOR: Scott R. Borstein **MAP NO.:** 5-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 2060 N. Clark Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-3 General Retail District, the erection of a proposed 4-story 4 dwelling unit and commercial building, with no south side yard instead of between 8' and 4', a transitional side yard of 4' instead of 6', with no front yard instead of 15', and a rear yard of between 5' 3" and 6' 2" instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
R	e	c
u	s	e
s	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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 May 17, 2002, the Zoning Board of Appeals, denied, in Cal. No. 162-02-Z, the applicant's variation application seeking the variations enumerated in the instant case, finding that the request for the aforesaid variations were negated by the denial of the applicant's special use application in Cal. No. 161-02-S; that the applicant subsequently entered into an Easement Agreement, dated July 12, 2002, with the owner of the property located at 2058 N. Clark Street, that the testimony presented in Cal. No. 162-02-Z is hereby made part of the record in the instant case; 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 Easement Agreement, dated July 12, 2002, shall be binding on all parties and shall be recorded by either party with the Cook County Recorder of Deeds Office; and

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

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

APPLICANT: Bethel New Life **CAL NO.:** 261-02-S
PEARANCE FOR: Danielle Sveska **MAP NO.:** 1-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 330 N. 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 an off-site accessory parking lot for the parking of 18 private passenger automobiles, in an M1-2 Restricted Manufacturing District, to satisfy the parking requirement for a proposed day care facility to be located at 4000-06 W. Lake Street.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 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 26a.)

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

MINUTES OF MEETING

June 21, 2002

Cal. No. 261-02-S

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

That striping and lighting shall be provided;

That ingress and egress shall be from N. Pulaski Road; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the N. Pulaski Road 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 5.8-3 of the zoning ordinance.

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

APPLICANT: Locomobile Lofts LLC **CAL NO.:** 262-02-S
APPEARANCE FOR: John J. George **MAP NO.:** 4-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 2000-10 S. Michigan Avenue/63-77 E. Cullerton 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 (7 dwelling units) below the 2nd floor in an existing 3-story building which will contain 31 proposed dwelling units and 2 commercial units, in a B4-4 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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; that the Department of Planning and Development has determined that adequate off-street parking will be provided in a proposed 2-story parking garage addition to be erected at the subject site; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: KFC National Management Company **CAL NO.:** 263-02-S
APPEARANCE FOR: Timothy Hinchman, Armen Parker **MAP NO.:** 14-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 July 19, 2002
PREMISES AFFECTED: 7 E. Garfield Boulevard
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a KFC fast food restaurant, 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 restaurant shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by PFDA Incorporated, dated August 1, 2001; that the final landscape plan shall be approved by the Department of Planning and Development.

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

APPLICANT: Grand Commons No. 2, LLC **CAL NO.:** 264-02-Z

APPEARANCE FOR: Graham C. Grady, Randall Townsel **MAP NO.:** 10-B

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

PREMISES AFFECTED: 4545-59 S. King Drive

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the waiver of the one required 10' x 24' loading berth for a proposed 4-story 14 dwelling unit townhouse building.

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 20,917 sq.ft. lot; that the applicant proposes to erect a 4-story 14 dwelling unit building with on-site parking; that the plans submitted indicates that the proposed residential development consists of three buildings connected by bridges at the 3rd floor level, which renders the project, as designed, a single structure at the 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: Evangelistic Outreach Deliverance Ministry **CAL NO.:** 265-02-S

APPEARANCE FOR: **MAP NO.:** 1-K

APPEARANCES AGAINST: **MINUTES OF MEETING:**

July 19, 2002

PREMISES AFFECTED: 4300-02 W. Madison Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
OCTOBER 18, 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: Commuter Rail Div. of the Regional Transportation Authority (Metra) **CAL NO.:** 266-02-S

APPEARANCE FOR: Lynn Hanley, Clayton Yeutter **MAP NO.:** 22-G

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

PREMISES AFFECTED: 8712 S. Genoa Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 162 private passenger automobiles, in an M1-1 Restricted Manufacturing District, to serve the commuter rail station located at 820 W. 87th 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 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 31a.)

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

MINUTES OF MEETING

June 21 2002, 2000

Cal. No. 266-02-S

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

That striping and lighting shall be provided;

That ingress and egress shall be from S. Genoa Avenue; that the 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.

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

APPLICANT: Commuter Rail Div. of the Regional Transportation Authority (Metra) **CAL NO.:** 280-02-Z

APPEARANCE FOR: Lynn Hanley, Clayton Yeutter **MAP NO.:** 22-G

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

PREMISES AFFECTED: 8712 S. Genoa Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a M1-1 Restricted Manufacturing District, the reduction of the front yard to 7' 0" instead of 20' 0" in order to establish an off-site accessory parking lot for the parking of 162 private passenger automobiles to serve the commuter rail station located at 820 W. 87th Street.

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 June 21, 2002, the Zoning Board of Appeals approved, in Cal. No. 266-02-S, the establishment of an off-site accessory parking lot for the parking of 162 private passenger automobiles at the subject site to serve a commuter rail station located at 820 W. 87th Street; 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: NationWide Hand Car Wash, Inc.

CAL NO.: 267-02-S

APPEARANCE FOR:

MAP NO.: 2-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 3006 W. Roosevelt Road

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and expansion of a hand car wash in an existing 1-story brick building, in a C1-3 Restricted Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 18, 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: Herbert Harris & Patricia Sanchez **CAL NO.:** 268-02-Z
PEARANCE FOR: Herbert Harris **MAP NO.:** 12-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:** July 19, 2002
PREMISES AFFECTED: 619 W. 49th Place
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 private garage which will contain 952 sq. ft..

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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: Rex N. Owens **CAL NO.:** 269-02-Z

APPEARANCE FOR: Patricia Owens **MAP NO.:** 15-K

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

PREMISES AFFECTED: 5920 N. Caldwell Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R1 General Family Residence District, the erection of a 1-story addition to a single family residence, whose rear yard will be 6' 9" instead of 30'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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: West 95th Oakdale Missionary Baptist Church **CAL NO.:** 270-02-S
APPEARANCE FOR: Rev. Thomas Hardaway **MAP NO.:** 22-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 July 19, 2002
PREMISES AFFECTED: 9457 S. Normal Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 20 private passenger automobiles, in an R3 General Residence District, to serve a church located at 9450 S. Normal Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 the parking lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the applicant shall maintain the required 7' landscaped set backs along the S. Normal Avenue and W. 95th Street frontages and otherwise installs landscaping and fencing in compliance with the Chicago Landscape Ordinance; that the S. Normal Avenue driveway shall be constructed in accordance with applicable ordinances;

That it shall be the responsibility of the applicant to improve and maintain the existing paving, privacy fencing, striping, lighting and concrete wheel stop improvements;

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: West 95th Oakdale Missionary Baptist Church **CAL NO.:** 271-02-Z

APPEARANCE FOR: Rev. Thomas Hardaway **MAP NO.:** 22-F

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

PREMISES AFFECTED: 9457 S. Normal Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the construction of an off-site accessory parking lot for the parking of 20 private passenger automobiles, whose front yard will be 2' 6" instead of 20', to serve a church located at 9450 S. Normal Avenue.

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 June 21, 2002, the Zoning Board of Appeals approved, in Cal. No. 270-02-S, the establishment of an off-site accessory parking lot for the parking of 20 private passenger automobiles, at the subject site, to serve a church located at 9450 S. Normal Avenue; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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: Tadeusz Sandrzyk **CAL NO.:** 272-02-Z
APPEARANCE FOR: Mark J. Kupiec, Tadeusz Sandrzyk **MAP NO.:** 14-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 July 19, 2002
PREMISES AFFECTED: 6119-23 S. Kildare Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single Family Residence District, the reduction of the total combined side yards of 6119 S. Kildare Avenue to 5.7' instead of 9', (the north side yard being 2.3', the south side yard being 3.4'), in order to permit the division of an improved zoning lot for erection of a proposed single family residence at 6123 S. Kildare Avenue.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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: Yat Fan Tam **CAL NO.:** 273-02-Z
APPEARANCE FOR: Mark J. Kupiec, Yat Fan Tam **MAP NO.:** 6-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 2830 S. Union Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the renovation of an existing 2-story single family residence, whose front yard will be 7' 07" instead of 20', and whose north side yard will be 1' instead of 2' 6".

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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: Public Building Commission **CAL NO.:** 274-02-S
APPEARANCE FOR: Terry Diamond **MAP NO.:** 4-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 3911-27 W. 16th 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 accessory parking lot for the parking of 40 private passenger automobiles, in a B4-2 Restricted Service District, to satisfy the parking requirement for a proposed Chicago Fire Department station to be located at 3935-61 W. 16th Street.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 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, 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 40a.)

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

MINUTES OF MEETING

June 21, 2002

Cal. No. 274-02-S

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

That ingress and egress to the parking lot shall be from W. 16th Street; that the driveway shall be constructed in accordance with applicable ordinances;

That striping and lighting shall be provided.

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

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

APPLICANT: Public Building Commission **CAL NO.:** 275-02-S
APPEARANCE FOR: Terry Diamond **MAP NO.:** 14-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 47-107 W. 59th 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 accessory parking lot for the parking of 36 private passenger automobiles, located partly in an R3 General Residence District, an M1-1 Restricted Manufacturing District and a C1-2 Restricted Commercial District, to satisfy the parking requirement for a proposed Chicago Fire Department station to be located at 1-37 W. 59th 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 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; and

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; and

(Additional conditions follow on page 41a.)

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

MINUTES OF MEETING

July 19, 2002

Cal. No. 275-02-S

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

That striping and lighting shall be provided; and

That ingress and egress shall be from S. Lafayette Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the alley abutting the site to the south; and

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: 600 S. Wabash L.P.

CAL NO.: 276-02-S

APPEARANCE FOR: Paul W. Shadle

MAP NO.: 2-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 600 S. Wabash 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 8-story 169 single room occupancy building with retail stores and accessory offices, in a C3-6 Commercial Manufacturing District.

ACTION OF BOARD--

CASE CONTINUED TO
AUGUST 16, 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: St. Rose Center **CAL NO.:** 277-02-Z

APPEARANCE FOR: Sister Theresa Tamburo **MAP NO.:** 12-H

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

PREMISES AFFECTED: 4911 S. Hoyne 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 1-story addition to an existing day care center for developmentally-impaired young people, whose rear yard will be 3" instead of 30'.*

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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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: Dearborn Land Investments, LLC **CAL NO.:** 278-02-S

APPEARANCE FOR: John J. George, Michele Dodd **MAP NO.:** 7-H

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

PREMISES AFFECTED: 2801-25 N. Western Avenue/2340-58 W. Diversey Avenue/2349-57 W. Wolfram 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 CVS Pharmacy, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 the proposed drive-through pharmacy shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by DeStefano & Partners, dated April 3, 2002; and that the final landscape plan shall be approved by the Department of Planning and Development; and

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

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

APPLICANT: Anthony Musso/Touhy Avenue Operating Co.* **CAL NO.:** 279-02-S

APPEARANCE FOR: Thomas S. Moore, Anthony Musso **MAP NO.:** 13-S

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

PREMISES AFFECTED: 12521 W. Touhy 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 adult bookstore in a 1-story 6,400 sq. ft. brick building in an M3-2 Heavy Manufacturing District. The applicant seeks to modify the Board's resolution granted January 15, 1999 allowing himself and Joseph Musso to continue to operate the bookstore.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 M3-2 Heavy Manufacturing District; that on January 15, 1999, the Zoning Board of Appeals approved, in Cal. No. 481-98-S, the establishment of an adult book store in a proposed 1-story 6400 sq. ft. brick building at the subject site; that subsequently the decision of the Board was upheld in the Circuit Court in September, 2000 and in the Appellate Court in December, 2001; that a condition of the resolution approved by the Board limited the special use granted to Anthony Musso and Touhy Avenue Operating Company only, provided that Anthony Musso remained the sole shareholder of the business; that the testimony presented in Cal. No. 481-98-S is hereby made part of the record in the instant case; and

WHEREAS, the applicant seeks in the instant case to modify its special use to allow both himself and his son, Joseph Musso, as owners of the Touhy Avenue Operating Company; that the applicant is experiencing medical problems and would like his son to have an ownership interest; that the applicant therefore proposes to transfer 50% of his shares in the business to his son, Joseph Musso; that no evidence was presented to indicate that the said operating adult use has detrimentally affected the public health, safety and welfare of the surrounding community, nor has it negatively affected the value of other properties in the neighborhood in which it is located; that Joseph Musso has worked as a manager in his father's business since it opened and that his inclusion as a partial owner will in no way detrimentally affect the special use granted by the Board in January, 1999; it is therefore

*Amended
BAZ 16

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

MINUTES OF MEETING

July 19, 2002

Cal. No. 279-02-S

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 the special use granted herein shall run only to Anthony Musso, Joseph Musso and Touhy Avenue Operating Company provided Anthony Musso and Joseph Musso are and remain, the sole shareholders of the business; and

That all applicable ordinances of the City of Chicago shall be complied with.

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

APPLICANT: Ignazio Martorina **CAL NO.:** 107-02-Z
APPEARANCE FOR: Paul A. Kolpak, Ignazio Martorina **MAP NO.:** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 July 19, 2002
PREMISES AFFECTED: 670 N Peoria 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 5 dwelling unit residential building, whose front yard will be 1.5' instead of 15', whose south side yard will be 1' instead of 5,' and with a waiver of the one required 10' x 25' loading berth.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, February 27, 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: Marianne Fabiano

CAL NO.: 165-02-Z

APPEARANCE FOR:

MAP NO.: 6-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 2743 S. Shields 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 4-story brick and masonry 4 dwelling unit town house, whose front wall set back will be 8' instead of 10', and whose facade along the south side yard will be 6' instead of 8', and whose rear yard will be no less than 3' instead of 30'.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
SEPTEMBER 20, 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: The Water Hole ET. LTD. **CAL NO.:** 174-02-S
 D/B/A The Water Hose Hand Car Wash

APPEARANCE FOR: David Koch, Howard Anthony **MAP NO.:** 4-I

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

PREMISES AFFECTED: 1404 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 hand car wash in a 2-story brick building, in a C2-4 General 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, May 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 queuing and washing of vehicles shall take place within the building at the subject site; and

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

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

APPLICANT: John Catalano **CAL NO.:** 182-02-S

APPEARANCE FOR: John J. Pikarski, Jr., John Catalano **MAP NO.:** 3-K

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

PREMISES AFFECTED: 4627-55 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 expansion of an existing auto junk yard, in a M2-2 General Manufacturing District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	R	e	c u s 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 July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, July 3, 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 General Manufacturing District; that the subject site is a 320,000 sq. ft; vacant parcel of land; that testimony presented indicates that the applicant has operated an auto junk yard at an adjoining lot for many years; that the subject property became an illegal fly dumping site and environmentally tainted; that the applicant has worked closely with the City in restoring the subject site to usability and now seeks to expand their automotive junk yard operations onto the subject site property; 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 the applicant shall install landscaping on the top of the hill along the entire perimeter of the screen fence, and removable screen fence panels shall be installed and identified on the landscape plans for the purpose of landscape maintenance;

That the applicant shall install landscaping at the top of the hill with a density such that there is a 100% landscape screen around the perimeter screen fence within a five year period. Any openings or gaps in the landscape screen exposing the screen fence shall require the replacement and/or additional plant materials to fill in the gaps;

(Additional conditions follow on page 49a.)

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

MINUTES OF MEETING

July 19, 2002

Cal. No. 182-02-S

That the applicant shall install, at a minimum, the number of canopy trees, evergreen trees, understory trees, shrubs, and perennials for a typical 100' module of landscaping on the top of the hill along the entire perimeter of the screen fence as illustrated on drawings prepared by Jack Gabriel DiClementi, Inc., dated July 19, 2002. Shrubs shall be provided and installed such that they will create 100% groundcover under all canopy and understory trees; and

That the applicant shall install landscaping along the entire base of the hill except for the areas with existing canopy trees that are to be saved;

That the applicant shall install at a minimum, the number of canopy trees, evergreen trees and understory trees for a typical 100' module of landscaping along the entire base of the hill as illustrated on drawings prepared by Jack Gabriel DiClementi, Inc., dated July 19, 2002; and

That the applicant shall install a grass mix to minimize erosion along all sides of the hill. At a minimum, the method of installation, materials and grass mix shall provide 90% coverage on all sides of the hill. Areas that have failed to establish turf greater than 50 square feet shall be repaired by methods and materials sufficient to establish coverage within one growing season. The need for and use of any geotextile fabric for the purpose of establishing grasses and preventing erosion shall be evaluated by the applicant and staff of the Department of Planning and Development no later than October 15, 2002; and

That the applicant shall install the necessary landscaping, setbacks, and ornamental fencing along North Avenue in accordance with the Chicago Landscape Ordinance; and

That the applicant shall submit a final landscape plan for review and approval by the Department of Planning and Development; 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: Mattie J. Phillips

CAL NO.: 184-02-S

APPEARANCE FOR:

MAP NO.: 4-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 2002

PREMISES AFFECTED: 1504 S. Hamlin 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 transitional shelter for women and children in an R4 General Residence District.

ACTION OF BOARD--

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on Wednesday, May 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;

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

APPLICANT: Ted Zeglen **CAL NO.:** 234-02-Z
APPEARANCE FOR: James J. Banks, Ted Zeglen **MAP NO.:** 9-0
APPEARANCES AGAINST: Victor D. Quilici, Gino Bartucci **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 3434 N. Harlem 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 4-story 14 dwelling unit building, whose front yard will be 6' instead of 15',* whose south side yard shall be 8' instead of 8.79', whose rear yard will be 7'-7" instead of 30', and with a waiver of the one 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
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 July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, June 5, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is an 87.9' x 131.63' unimproved lot with no alley access; that the applicant proposes to erect a 4-story 14 condominium dwelling unit building with on-site parking at the subject site; that the front of the proposed residential development as designed faces south and mirror an identical residential project to be located at 3444 N. Harlem Avenue; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that the design of the proposed residential building on a lot with no alley access necessitates the variations requested; that the plight of the owner is due to unique circumstances; that the proposed residential units are being developed as condominium units creating a minimum of in and out movement and thereby negates the need for a loading berth; that the proposed 4-story residential development will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

*Amended at the public hearing.

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

APPLICANT: Ted Zeglen **CAL NO.:** 235-02-Z
APPEARANCE FOR: James J. Banks, Ted Zeglen **MAP NO.:** 9-0
APPEARANCES AGAINST: Victor D. Quilici, Gino Bartucci **MINUTES OF MEETING:**
July 19, 2002
PREMISES AFFECTED: 3444 N. Harlem 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 4-story 14 dwelling unit building, whose front yard will be 6' instead of 15', whose north side yard will be 8' instead of 8.79', whose rear yard will be 7'-7" instead of 30', and with a waiver of the one required 10' x 25' loading berth.*

ACTION OF BOARD--

VARIATION GRANTED.

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		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on Wednesday, June 5, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is an 87.9' x 131.63' unimproved lot with no alley access; that the applicant proposes to erect a 4-story 14 condominium dwelling unit building with on-site parking at the subject site that the front of the proposed residential development faces north and mirrors an identical residential project to be located at 3434 N. Harlem Avenue; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that the design of the proposed residential building on a lot with no alley access necessitates the variations requested; that the plight of the owner is due to unique circumstances; that the proposed residential unites are being developed as condominium unjts creating a minimum of in and out movement and thereby negates he need for a loading berth; that the proposed 4-story residential development will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

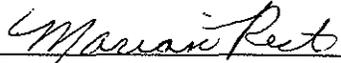
That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

July 19, 2002

Motion was made by Member McCabe-Miele to recess the Zoning Board of Appeals for deliberation on the matters heard; motion was seconded by Member 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, August 16, 2002.


Secretary