

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

APPLICANT: KFC National Management Company CAL NO.: 283-02-S

APPEARANCE FOR: Timothy K. Hinchman MAP NO.: 18-C

APPEARANCES AGAINST: None MINUTES OF MEETING: August 16, 2002

PREMISES AFFECTED: 7445 S. Stony Island Avenue\*

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed Kentucky Fried Chicken restaurant, in a C2-2 General Commercial District.

ACTION OF BOARD--

APPLICATION APPROVED.

COPY

THE VOTE

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for each member showing their vote status.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 2002; and

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

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

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

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by PFDA Incorporated, dated August 13, 2002, and that the final landscape plan shall be approved by the Department of Planning and Development.

Signature of Chairman with text: APPROVED AS TO SUBSTANCE, CHAIRMAN

\*Amended at the public hearing.

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

**APPLICANT:** Midwest Cash Advance **CAL NO.:** 284-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 13-M  
**APPEARANCES AGAINST:** Greg Sedlacek, Ron Ernst **MINUTES OF MEETING:**  
October 18, 2002  
**PREMISES AFFECTED:** 5536 N. Milwaukee Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pay day loan facility in a store located in a multi-unit strip mall, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**COPY**

**THE VOTE**

APPLICATION DENIED FOR LACK  
THREE AFFIRMATIVE VOTES.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

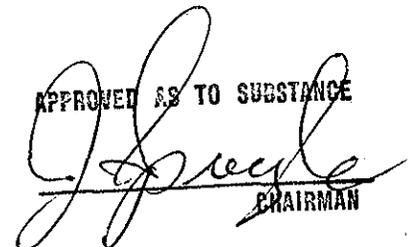
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
	X	
	X	

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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 multi-unit strip shopping mall; that the applicant proposes to establish a payday loan business in a store at the subject site; that the applicant business offers short-term loans to customers; that in order to obtain a loan the customer provides a post-dated check for the amount of the loan and interest; that the loans are for approximately 30 days; that the average loan is \$200; that the proposed use will serve from 2 to 10 customers daily; that Chairman Spingola moved that the application be approved finding that the applicant met the applicable standards for the approval of a special use; that Member Konstantelos concurred in the motion; that Members McCabe-Miele and Crowe found that the applicant did not meet the standards necessary for approval of the request; it is therefore

RESOLVED, that the application for a special use is hereby denied for lack of three affirmative votes.

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Gene Stokes **CAL NO.:** 285-02-S

**APPEARANCE FOR:** Margaret Meisner, Gene Stokes **MAP NO.:** 13-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002

**PREMISES AFFECTED:** 1136-38 W. Lawrence Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of an existing legal non-conforming tavern into an adjoining space within the existing 1-story building, in a B5-5 General Service District.

**ACTION OF BOARD--**

**COPY**

**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		

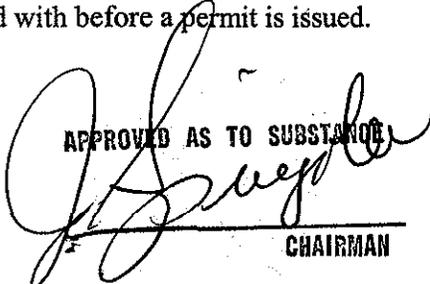
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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.

  
 APPROVED AS TO SUBSTANCE  
 \_\_\_\_\_  
 CHAIRMAN

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

**APPLICANT:** KFC of America, Inc. **CAL NO.:** 286-02-S  
**APPEARANCE FOR:** Timothy K. Hinchman **MAP NO.:** 5-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 2215 N. Washtenaw Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in conjunction with a proposed Kentucky Fried Chicken/Pizza Hut restaurant, in a C3-1 Commercial Manufacturing District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**COPY**

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

**THE RESOLUTION:**

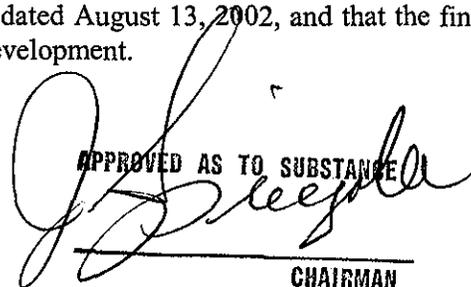
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 2002; and

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

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

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

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by PFDA Incorporated, dated August 13, 2002, and that the final landscape plan shall be approved by the Department of Planning and Development.

  
**APPROVED AS TO SUBSTANCE**  
 \_\_\_\_\_  
**CHAIRMAN**

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

**APPLICANT:** Meier Ben Lulu **CAL NO.:** 287-02-S  
**APPEARANCE FOR:** David Wallach, Meier Ben Lulu **MAP NO.:** 3-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 18, 2002  
**PREMISES AFFECTED:** 832 N. Racine Avenue/1210 W. Fry 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 3 private passenger automobiles, in an R4 General Residence District, to satisfy the parking requirement for an existing building to be converted to 3 dwelling units, at 1210 W. Fry Street.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

**COPY**

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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

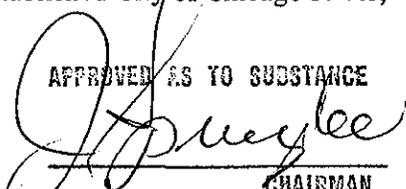
RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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 48a.)

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

MINUTES OF MEETING

October 18, 2002

Cal. No. 287-02-S

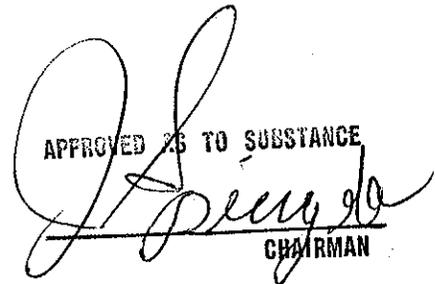
**COPY**

That the applicant shall install fencing and landscaping in compliance with the Chicago Landscape Ordinance;

That striping and lighting shall be provided;

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Chicago Board of Education **CAL NO.:** 288-02-S  
**APPEARANCE FOR:** Rick Danaher **MAP NO.:** 2-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 4153-59 W. Van Buren Street/407-09 S. Keeler 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 25\* private passenger automobiles, in an R4 General Residence District, to serve the existing elementary school located at 412 S. Keeler Avenue.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**COPY**

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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 9a.)

COPY

**MINUTES OF MEETING**

August 16, 2002

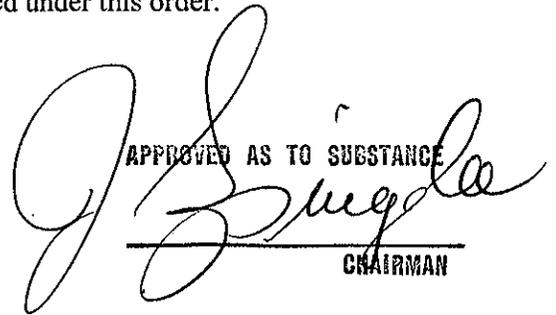
Cal. No. 288-02-S

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

That lighting and striping shall be provided;

That ingress and egress shall be from W. Van Buren Street; that the driveway shall be constructed in compliance with applicable ordinances; that there shall be no ingress nor egress from the alley abutting the site to the south;

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.

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Chicago Board of Education **CAL NO.:** 289-02-Z  
**APPEARANCE FOR:** Rick Danaher **MAP NO.:** 2-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 4153-59 W. Van Buren Street/407-09 S. Keeler Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of an off-site accessory parking lot for the parking of 25\* private passenger automobiles, to serve the existing elementary school located at 412 W. Keeler Avenue, whose front yard will be 8' instead of 15'.

**ACTION OF BOARD--**

**COPY**

VARIATION GRANTED.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

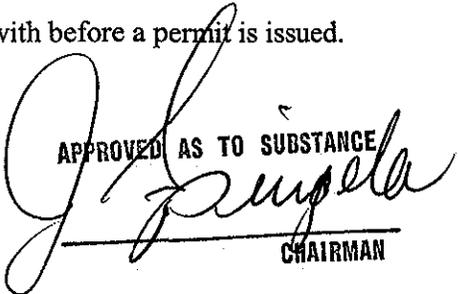
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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 August 16, 2002, the Zoning Board of Appeals, approved, in Cal. Nol 288-02-S, the establishment of an off-site accessory parking lot for the parking of 25 private passenger automobiles, at the subject site, to serve the existing elementary school located at 412 S. Keeler 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.

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

\*Amended at the public hearing.

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

**APPLICANT:** Ricardo Garcia **CAL NO.:** 290-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 10-J  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
March 21, 2003  
**PREMISES AFFECTED:** 3016-28 S. Montgomery 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 private passenger automobiles, in a C2-2 General Commercial District, to serve the food store located at 4023 S. Archer Avenue.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**COPY**

**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 March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 16, 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) agreed to with the Brighton Park Neighborhood Council:

That security in the parking lot shall be increased during nights and weekends;

That the entrance and exit to the parking lot through the alley shall be blocked allowing only pedestrian traffic;

That a solid wall of at least 5 feet shall be constructed along Montgomery Avenue to buffer the parking lot from adjacent residential properties; that landscaping shall be provided in front of the aforesaid wall to deter graffiti;

That if the City permits, the alley exit onto Montgomery Avenue shall be eliminated;

That signs shall be posted on the subject property which indicates that Montgomery Avenue is a one-way street which prohibits right turns;

(Additional conditions follow on page 48a.)

MINUTES OF MEETING

March 21, 2003

Cal. No. 290-02-S

COPY

That the plastic flags hanging above the parking lot shall be removed;

That the parking lot shall be cleaned daily;

That the parking lot shall be secured by locking gates during all hours when the food store is not open;

That signs in English and Spanish designating a section of the parking lot for "Employee Parking Only" shall be provided;

That lighting shall be provided which is covered and directed away from abutting residential properties; and  
further

That the applicant shall install landscaping and fencing in compliance with applicable provisions of the Chicago Landscape Ordinance; 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:** John Krenger **CAL NO.:** 291-02-Z  
**APPEARANCE FOR:** Caroline A. Nash, John Krenger **MAP NO.:** 1-H  
**APPEARANCES AGAINST:** Jonathan Leavitt **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 2025-27 W. Race Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a proposed 3-story 4 dwelling unit building, whose front yard will be 1' instead of 11', whose west side yard will be 2'-6" instead of 4'-8", whose east side yard will be 1'-10 3/8" instead of 4'-8", and whose rear yard will be 26'-8" instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

**COPY**

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

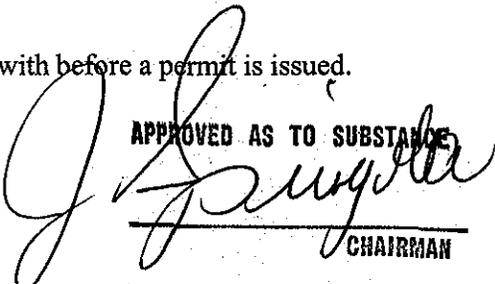
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 3, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 16, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R4 General Residence District, that the subject site is a 48' x 92' unimproved lot; that the applicant proposes to erect a 3-story 4 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that the yard variations requested are necessary to provide adequate living space in the proposed 3-story 4 dwelling unit building; that the plight of the owner is due to the dimensions of the existing lot; that the proposed 3-story 4 dwelling unit building will be compatible with the existing residential improvements in the neighborhood, and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

  
**APPROVED AS TO SUBSTANCE**  


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**CHAIRMAN**

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

**APPLICANT:** Mario Martinez **CAL NO.:** 292-02-S

**APPEARANCE FOR:** None **MAP NO.:** 4-E

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
October 18, 2002

**PREMISES AFFECTED:** 3255 W. Cermak 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 5 private passenger automobiles, in a C1-2 Restricted Commercial District, to serve the grocery store located at 3247 W. Cermak Road.

**ACTION OF BOARD--**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

**COPY**

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

COPY

**MINUTES OF MEETING**

February 19, 2004

Cal. No. 292-02-S

Mario Martinez, applicant, presented a written request for an extension of time in which to obtain necessary permits for the establishment of an off-site accessory parking lot for the parking of 5 private passenger automobiles, in a C1-2Restricted Commercial District, on premises to serve the grocery store located at 3247 W. Cermak Road, denied by the Zoning Board of Appeals, on October 18, 2002, in Cal. No. 292-02-S

Chairman Spingola moved that the request for an extension of time be denied citing that the case was dismissed for want of prosecution. i.e. the applicant did not appear at the public hearing set for this application on October 18, 2002. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Crowe, Hubert, Konstantelos, McCabe-Miele. Nays- None.

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

**APPLICANT:** USA Payday Loans d/b/a Title Lenders, Inc. **CAL NO.:** 293-02-S  
**APPEARANCE FOR:** Michael E. Fryzel, Jeffrey Silverman **MAP NO.:** 13-L  
**APPEARANCES AGAINST:** Robert Bank, Greg Sedlacek **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 4855A N. Milwaukee Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a payday loan facility in a store located in a multi-store strip mall, B5-3 General Service District.

**COPY**

**ACTION OF BOARD--**

APPLICATION DENIED.

**THE VOTE**

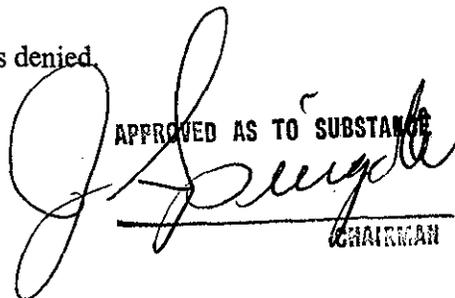
	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
DEMETRI KONSTANTELOS		X	
LEROY K. MARTIN, JR.		X	
GIGI McCABE-MIELE			X
BRIAN L. CROWE		X	

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 13, 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 B5-3 General Service District; that the subject site is improved with the Veteran's Square Shopping and Office Mall; that the applicant is moving from its present site at 4070 N. Milwaukee Avenue and seeks to open a payday loan facility at the subject site; that no testimony was presented to indicate that the proposed use is necessary for the public convenience at the subject site; that testimony was presented to indicate that there are five other facilities which provide the same or similar services located within one mile of the proposed site; that no proof was presented to indicate that the establishment of a payday loan facility at the subject site would not cause substantial injury to the value of other property in the neighborhood; that the establishment of a payday loan facility at the subject site is not compatible with the existing business character of the are and would inhibit future business development; it is therefore

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

  
 APPROVED AS TO SUBSTANCE  
 CHAIRMAN

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

**APPLICANT:** Attila Demeter **CAL NO.:** 294-02-S  
**APPEARANCE FOR:** Attila Demeter **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
November 15, 2002  
**PREMISES AFFECTED:** 3913 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 a proposed 4-story 3 dwelling unit townhouse addition to an existing 3-story 2 dwelling unit building, in a B2-2 Restricted Retail District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

**COPY**

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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 November 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 16, 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:** James and Nancy Dugan **CAL NO.:** 295-02-Z  
**APPEARANCE FOR:** Scott R. Borstein, James and Nancy Dugan **MAP NO.:** 5-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 2039 N. Kenmore Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a proposed 3rd floor addition with a rear 1-story roof deck and a 3-story metal spiral staircase, whose front yard will be 8.07' instead of 14.87', with no north side yard instead of 2'-6", and to increase the floor area by no more than 15% of the floor area in existence prior to the enactment of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

COPY

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

APPIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
R e c u s e d		

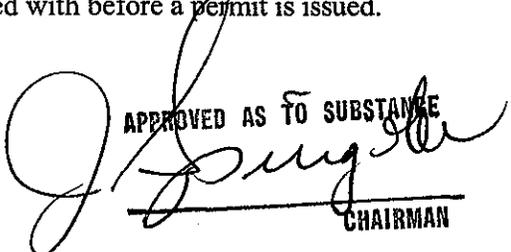
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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.

  
 APPROVED AS TO SUBSTANCE  
 CHAIRMAN

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

APPLICANT: Mary Beth Hawes

CAL NO.: 296-02-A

APPEARANCE FOR: None

MAP NO.: 10-F

APPEARANCES AGAINST:

MINUTES OF MEETING:  
August 16, 2002

PREMISES AFFECTED: 456 W. 42nd Street

NATURE OF REQUEST: Objector's Appeal from the decision of the Office of the Zoning Administrator which granted an exception to the property owner of 456 W. 42nd Street, allowing the reduction of the east and west side yards to 1'-3" instead of 2'-6" in order to allow the construction of a 2-story single family residence, in an R3 General Residence District.

**ACTION OF BOARD--**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

COPY

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

**APPLICANT:** Homer Denson\* **CAL NO.:** 297-02-A

**APPEARANCE FOR:** Steven Fink **MAP NO.:** 14-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002

**PREMISES AFFECTED:** 5533 S. Marshfield Avenue

**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.

*Handwritten: 10/1*

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, Steven Fink, for Homer Denson, owner and appellant, as amended, on April 31, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a 2 dwelling unit building, in an R3 General Residence District, on premises at 5533 S. Marshfield Avenue; 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 7.5-3."

and

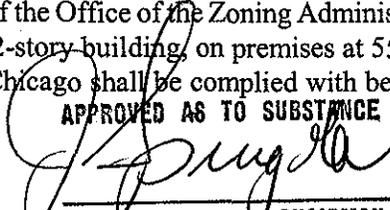
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story masonry residential building; that the instant appeal was originally filed with the Zoning Board of Appeals by Steven Fink, who testified that he is counsel for Homer Denson, the appellant in this case, as amended; that the appellant and counsel seek to appeal the decision of the Office of the Zoning Administrator in his refusal to re-issue or amend a zoning certification for two dwelling units; that the appellant's counsel testified that due to a typographical error on his part, the zoning certification issued indicated the subject property as one single-family dwelling unit; that the appellant is now seeking to correct this error; that the evidence presented indicates that the subject property is a 2-story 2 dwelling unit gray-stone residential building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; that the appellant has a right to continue the occupancy of the subject building as 2 dwelling units; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 2 dwelling units in the 2-story building, on premises at 5533 S. Marshfield Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

\*Amended at public hearing.

APPROVED AS TO SUBSTANCE  
  
 \_\_\_\_\_  
 CHAIRMAN

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

APPLICANT: Accurate Scale Company

CAL NO.: 298-02-A

APPEARANCE FOR: Caroline Nash

MAP NO.: 8-H

APPEARANCES AGAINST:

MINUTES OF MEETING:  
August 16, 2002

PREMISES AFFECTED: 1735 W. 38th Street

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

ACTION OF BOARD--

THE VOTE

APPEAL WITHDRAWN UPON  
MOTION OF APPELLANT.

COPY

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: William Yoder, Jr.  
APPEARANCES FOR: William Yoder, Jr.  
APPEARANCES AGAINST:

CAL. NO. 240-83-A  
MAP NO. 3-H  
MINUTES OF MEETING  
August 19, 1983

PREMISES AFFECTED— 1058 N. Damen Avenue  
SUBJECT— 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

Jack Guthman  
George J. Cullen  
Michael J. Howlett  
Thomas P. Keane  
John P. Kringas

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

THE RESOLUTION:

WHEREAS, William Yoder, Jr., for Edward W. Zaremba, owner, filed June 6, 1983, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand and antiques store in the store on the first floor of a three-story brick store and apartment building, in an R4 General Residence District, on premises at 1058 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 26, 1983 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 19, 1983; and

WHEREAS, the district maps show that the premises are 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, finds in this case that the proposed use is to be located in a B2-2 Restricted Retail District in one store of a two-store unit in the building on the subject site; that a tavern, a B4 use, is located in the subject site building adjacent to the subject store; that a second hand and antiques store are uses under the B4 and B2 classifications; that the extension of the non-conforming use throughout the building is permitted under Section 6.4-6 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a second-hand and antiques store in the store on the first floor of a three-story brick store and apartment building on premises at 1058 North Damen Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 4 P.M., Monday through Saturday; and that all business activities shall be conducted within the premises and that no merchandise shall be displayed outside of the premises on the sidewalk; 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:** George M. Modzelewski **CAL NO.:** 300-02-A  
**APPEARANCE FOR:** George M. Modzelewski **MAP NO.:** 3-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
October 18, 2002  
**PREMISES AFFECTED:** 1000 N. Wolcott Avenue/1910 W. Augusta Boulevard  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator

**ACTION OF BOARD--**

**THE VOTE**

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

**COPY**

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

**THE RESOLUTION:**

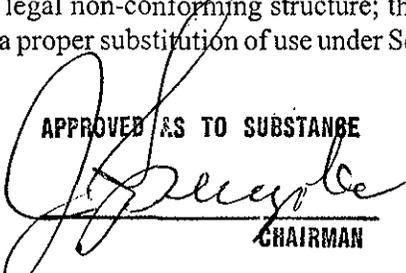
WHEREAS, George Modzelewski, owner, on May 13, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the substitution of a dwelling unit for a former retail use on a lot which will have insufficient lot area and which will lack required parking, in an R4 General Residence District, on premises at 1000 N. Wolcott Avenue/1910 W. Augusta Boulevard.

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 2001, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 7.5-4, 7.12-2."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 18, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 25' x 125.17' lot located on the northwest corner of N. Wolcott Street and W. Augusta Boulevard; that the subject site is improved with a 3-story store and 2 dwelling unit building on the front of the lot which is additionally improved with a pre-existing non-conforming 3-story store and 2 dwelling unit building on the rear of the lot having the address of 1910 W. Augusta Boulevard; that the appellant seeks to convert the non-conforming store premises to dwelling units; that the 3-story building on the rear of the lot was constructed prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance which renders the building a legal non-conforming structure; that the change of use from non-conforming store premises to conforming dwelling units is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

MINUTES OF MEETING

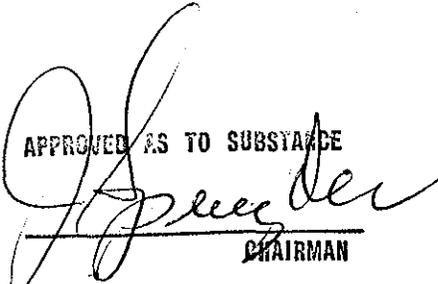
October 18, 2002

Cal. No. 300-02-A

COPY

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 conversion of a non-conforming store premises on the first floor of a 3-story store and 2 dwelling unit building to a dwelling unit for a total of 3 dwelling units, and to permit the conversion of a non-conforming store premises in a pre-existing non-conforming 3-story store and 2 dwelling unit building on the rear of the lot to a dwelling unit for a total of 3 dwelling units, with no off-street parking required, on premises at 1000 N. Wolcott Avenue/1910 W. Augusta Boulevard, upon condition that the buildings are brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance.

APPROVED AS TO SUBSTANCE



CHAIRMAN

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

**APPLICANT:** Robert A. Hurston **CAL NO.:** 301-02-A

**APPEARANCE FOR:** Robert A. Hurston **MAP NO.:** 18-B

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002

**PREMISES AFFECTED:** 421 E. 75th Street

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

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, Robert A. Hurston, owner, on May 21, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the servicing and repair of computer and electronic equipment, in a 3-story brick multi-store and apartment building, in a B2-1 Restricted Retail District, on premises at 421 E. 75<sup>th</sup> Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 5, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

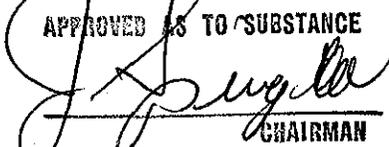
and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 3-story brick multi-store and apartment building; that the appellant proposes to operate a computer and electronic repair and servicing business in a store in the subject building; that the subject store premises has been previously occupied by business uses; that the proposed use is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is reversed and he is authorized to permit the servicing and repair of computer and electronic equipment in a 3-story brick multi-store and apartment building, on premises at 4221 E. 75<sup>th</sup> Street, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 7 P.M. Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

APPLICANT: Michael Garrett CAL NO.: 302-02-A

APPEARANCE FOR: None MAP NO.: 14-F

APPEARANCES AGAINST: MINUTES OF MEETING:  
August 16, 2002

PREMISES AFFECTED: 6012 S. Princeton Avenue

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR  
WANT OF PROSECUTION.

COPY

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:** Guadalupe Castrejon **CAL NO.:** 303-02-A  
**APPEARANCE FOR:** None **MAP NO.:** 3-H  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 933 N. Wolcott Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator,  
**ACTION OF BOARD--** **THE VOTE**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

*COPY*

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:** Anthony Ruh **CAL NO.:** 304-02-Z

**APPEARANCE FOR:** James J. Banks, Anthony Ruh **MAP NO.:** 9-L

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
September 20, 2002

**PREMISES AFFECTED:** 5401-05 W. Addison Street

**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 3-story 8 dwelling unit building, whose north front yard will be 7'-6" instead of 15'.

**ACTION OF BOARD--**

001

**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 September 20, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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 September 20, 2002, the Zoning Board of Appeals approved, in Cal. No. 305-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 3-story 8 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Anthony Ruh **CAL NO.:** 305-02-S

**APPEARANCE FOR:** James J. Banks, Anthony Ruh **MAP NO.:** 9-L

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
September 20, 2002

**PREMISES AFFECTED:** 5401-05 W. Addison Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 3-story 8 dwelling unit building, in a B2-2 Restricted Retail District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on September 20, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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:** Fredrick Bates & Ellen Benjamin **CAL NO.:** 306-02-Z  
**APPEARANCE FOR:** James J. Banks, Fredrick Bates, Ellen Benjamin **MAP NO.:** 7-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 622 W. Briar 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 5th floor addition to an existing 4 and 5 story 4 dwelling unit building, whose front yard will be 7'-6" instead of 15', whose west side yard will be 1'-11" instead of 3.75', and whose building height will be 49' instead of 45'.

**ACTION OF BOARD--**

**COPY**

**THE VOTE**

VARIATION GRANTED.

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

APPIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

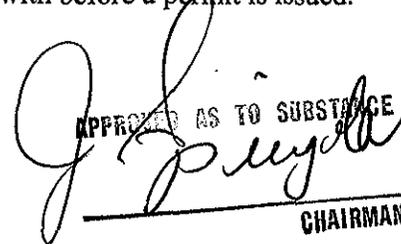
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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.

  
**APPROVED AS TO SUBSTANCE**  
**CHAIRMAN**

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

**APPLICANT:** KFC of America, Inc. **CAL NO.:** 307-02-S  
**APPEARANCE FOR:** Timothy K. Hinchman **MAP NO.:** 18-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 1914-18 W. 79th Street  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in conjunction with a proposed fast food restaurant in a B4-1 Local Retail District.

**ACTION OF BOARD--**

**COPY**

**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:**

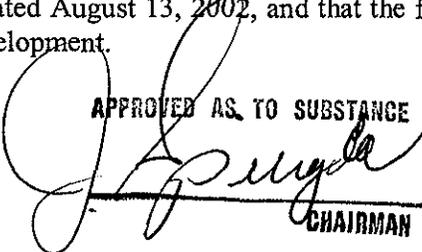
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 2002; and

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

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

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

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by PFDA Incorporated, dated August 13, 2002, and that the final landscape plan shall be approved by the Department of Planning and Development.

APPROVED AS TO SUBSTANCE  
  
**CHAIRMAN**

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

**APPLICANT:** United Neighborhood Organization **CAL NO.:** 308-02-S  
**APPEARANCE FOR:** Ronald J. McDermott, Holly Denniston **MAP NO.:** 4-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 1024 W. 19th Street  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an accessory off-site parking lot for the parking of 9 private passenger automobiles, in an R5 General Residence District, to serve an existing office and 8 dwelling unit building located at 1839-41 S. Carpenter Street.

**COPY**

**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 August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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 29a.)

COPY

**MINUTES OF MEETING**

August 16, 2002

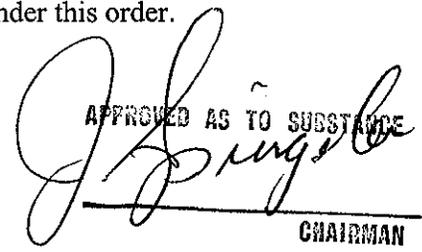
Cal. No. 308-02-S

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

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

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

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** United Neighborhood Organization **CAL NO.:** 309-02-Z  
**APPEARANCE FOR:** Ronald J. McDermott, Holly Denniston **MAP NO.:** 4-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** August 16, 2002  
**PREMISES AFFECTED:** 1024 W. 19th Street  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the establishment of an accessory off-site parking lot for the parking of 9 private passenger automobiles, whose front yard will be 7' instead of 11.64'.

**ACTION OF BOARD--**

VARIATION GRANTED.

COPY

**THE VOTE**

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 d		

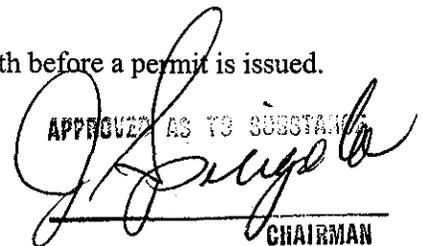
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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 August 16, 2002, the Zoning Board of Appeals, approved, in Cal. No. 308-02-S the establishment of an accessory off-site parking lot for the parking of 9 private passenger automobiles at the subject site to serve an existing office and 8 dwelling unit building located at 1839-41 S. Carpenter 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.

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Jerry Messner **CAL NO.:** 310-02-Z  
**APPEARANCE FOR:** James J. Banks. Jerry Messner **MAP NO.:** 7-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 3028 N. Leavitt Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3rd floor dormer addition, a new front porch and an attached 1-car private garage, whose no front yard instead of 10.96', no north side yard instead of 5', whose rear yard will be 1' instead of 30', and to increase the floor area by no more than 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
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 August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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.

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

APPLICANT: Chris Karbowski CAL NO.: 311-02-Z  
APPEARANCE FOR: James J. Banks, Chris Karbowski MAP NO.: 3-G  
APPEARANCES AGAINST: None MINUTES OF MEETING:  
August 16, 2002  
PREMISES AFFECTED: 1132-34 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a proposed 4-story 6 dwelling unit building with commercial space and with a waiver of the one 10' x 24' required loading berth.

ACTION OF BOARD--

CURRY

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

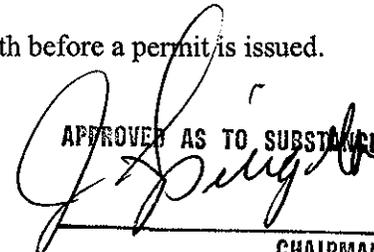
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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.

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Dr. Melvin D'Souza **CAL NO.:** 312-02-Z  
**APPEARANCE FOR:** John J. Pikarski, Jr., Dr. Melvin D'Souza **MAP NO.:** 6-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 804 W. 31st Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-2 Restricted Commercial District, the erection of a new 2-story addition to an existing 2-story office and 1 dwelling unit building, whose rear yard at the 2<sup>nd</sup> floor level will be 15' instead of 30', and an appeal from the decision of the Office of the Zoning Administrator to waive the required on-site parking.\*

**ACTION OF BOARD--**

**COPY**

**THE VOTE**

VARIATION GRANTED AND AN  
 APPEAL SUSTAINED AND THE DECISION  
 OF THE OFFICE OF THE ZONING ADMINISTRATOR  
 REVERSED, AS AMENDED.

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 August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 2002; and

WHEREAS, at the public hearing held by the Zoning Board of Appeals on August 16, 2002, , the Board, on its own motion, amended the subject variation application to include an appeal from the decision of the Office of the Zoning Administrator to waive the on-site parking requirement; 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 C1-2 Restricted Commercial District; that the subject site is a 25' x 105.44' lot with no alley access and is improved with a 2-story office and 1-dwelling unit building; that the applicant proposes to erect a new 2-story addition to the existing 2-story office and 1 dwelling unit building in which the applicant medical offices are located; 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; and

WHEREAS, that the testimony presented indicates that the subject property has never had a legal method of ingress and egress from the rear of the site due to it being landlocked with no rear alley; that the subject building with the proposed 2-story rear addition cannot provide a required parking space on site; that no violation of the zoning ordinance exists nor is contemplated and that the applicant has provided the basis of his appeal; 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; and be it further

\*Amended at hearing  
 Continued on page 33a.

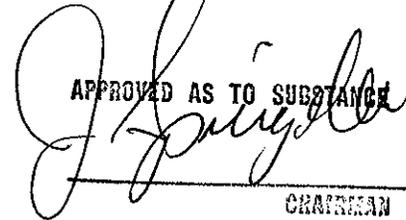
COPY

**MINUTES OF MEETING**

August 16, 2002

Cal. No. 312-02-Z

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 waiver of the required on-site parking in conjunction with the erection of a 2-story addition to an existing 2-story office and 1 dwelling unit building, on premises at 804 W. 31<sup>st</sup> Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** Chicago Charter School Foundation **CAL NO.:** 313-02-Z  
**APPEARANCE FOR:** Scott R. Borstein **MAP NO.:** 12-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** August 16, 2002  
**PREMISES AFFECTED:** 1800 W. Garfield Boulevard

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of proposed 1 and 2-story additions to the existing 2 and 3-story Benjamin E. Mays Academy whose front yard will be between 4.88' to 10.07' instead of 15', and to increase the floor area ratio from 1.37' to 1.54'.

**ACTION OF BOARD--**

**COPY**

**THE VOTE**

VARIATION GRANTED.

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

APPIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
R	e	c
u	s	e
s	e	d

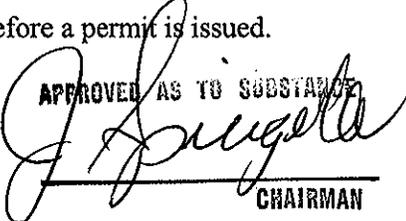
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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.

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Mulcair Construction Company **CAL NO.:** 314-02-Z  
**APPEARANCE FOR:** Mark J. Kupiec, Oliver J. Richardson **MAP NO.:** 10-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 2817-19 W. 40<sup>th</sup> Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the division of an improved zoning lot located at 2817-19 W. 40th Street with the lot at 2817 W. 40<sup>th</sup> Street improved with an existing 2-story single family residence, whose rear yard will be 1' instead of 30'.

**ACTION OF BOARD--**

VARIATION DENIED.

**CURVA**

**THE VOTE**

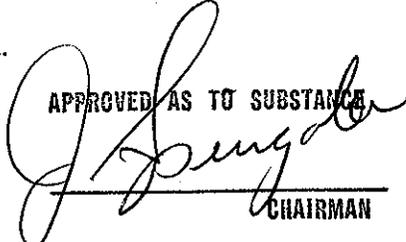
	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
DEMETRI KONSTANTELOS		X	
LEROY K. MARTIN, JR.		X	
GIGI McCABE-MIELE			X
BRIAN L. CROWE		X	

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 48' x 125' zoning lot improved with a 2-story single-family dwelling located at the rear of the lot with the address of 2817 W. 40<sup>th</sup> Street; that the appellant seeks to subdivide the subject property in order to erect a new single-family dwelling on resulting lot at 2819 W. 40<sup>th</sup> Street; that the applicant in the instant case is the construction company authorized by the owner of the property, Terrence Pickens, to pursue the zoning variation requested for the subject property; that the owner of the subject property did not appear at the scheduled public hearing to present testimony and evidence that the property in question could not yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the R3 General Residence zoning district nor that the variation requested was due to unique circumstances; that the Board opined that the testimony presented by the applicant in the instant case was insufficient to determine whether any hardship existed that necessitated the variation requested; it is therefore

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Mulcair Construction Company **CAL NO.:** 315-02-Z  
**APPEARANCE FOR:** Mark. J. Kupiec, Oliver J. Richardson **MAP NO.:** 10-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 2819 W. 40th Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2-story single family residence whose east and westside yards will be 2.5' instead of 5'.

**COPY**

**ACTION OF BOARD--**

**THE VOTE**

VARIATION DENIED.

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

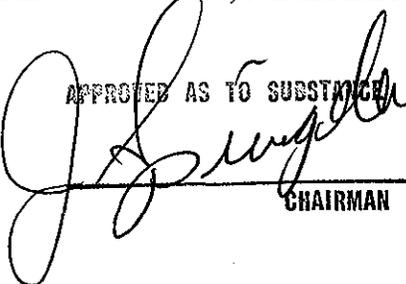
AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R3 General Residence District; that the applicant proposes to erect a 2-story single-family dwelling at the subject site; that on August 16, 2002, the Zoning Board of Appeals, denied, in Cal. No. 314-02-Z, the applicant's variation request to permit the division of a zoning lot located at 2817-19 W. 40<sup>th</sup> Street which is improved with an existing 2-story single-family residence at 2817 W. 40<sup>th</sup> Street, and whose rear yard will be 1' instead of 30', finding that no evidence was presented, owing to the absence of the owner of the subject property, Terrence Pickens, of any hardship existing that would prevent a reasonable return on the property under the conditions allowed by the zoning regulations of the R3 General Residence District; that the denial of the variation request in Cal. No. 314-02-Z, hereby negates the variations requested in the instant case; it is therefore

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Bronzeville Children's Museum **CAL NO.:** 316-02-S  
**APPEARANCE FOR:** Paul J. Montes II **MAP NO.:** 22-C  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
 August 16, 2002  
**PREMISES AFFECTED:** 9301 S. Stony Island 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 2-story Children's Museum, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
 SEPTEMBER 20, 2002.

**COPY**

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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:** The Salvation Army **CAL NO.:** 317-02-S  
**APPEARANCE FOR:** Robert Beilfuss **MAP NO.:** 16-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 901-21 W. 69th 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 to serve a proposed community center to be located at 933-49 W. 69th Street in an R5 General Residence District.

**ACTION OF BOARD--**

**COPY**

**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 August 16, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 31, 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 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 38a.)

**MINUTES OF MEETING**

August 16, 2002

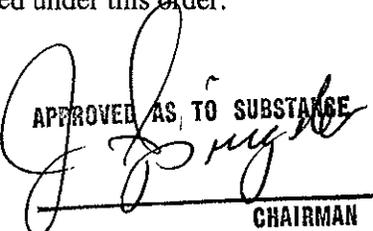
Cal. No. 317-02-S

That landscaping and fencing 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. Sangamon Street; that there shall be no ingress nor egress via the public alley abutting the site to the south; that the driveway located on S. Sangamon Street shall be constructed in accordance with applicable ordinances;

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

APPROVED AS TO SUBSTANCE  
  
CHAIRMAN

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

**APPLICANT:** The Salvation Army **CAL NO.:** 320-02-Z  
**APPEARANCE FOR:** Robert Beilfuss **MAP NO.:** 16-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 933-49 W. 69th 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 community center, whose north front yard will be 10' instead of 13.08', and with no east side yard instead of 7.5'.

**ACTION OF BOARD--**

**CURVA**

VARIATION GRANTED.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

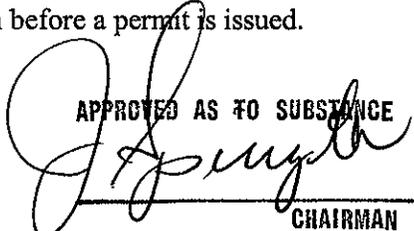
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 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 August 16, 2002, the Zoning Board of Appeals approved, in Cal. No. 319-02-S, the establishment of a proposed 1 and 3-story community center at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Freeman Jewelers Inc.

**CAL NO.:** 376-01-S

**APPEARANCE FOR:**

**MAP NO.:** 20-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 8130 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 a pawn shop in a 1-story masonry commercial building in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

**APPLICANT:** Patricia M. Calabrese **CAL NO.:** 322-02-Z  
**APPEARANCE FOR:** Patricia M. Calabrese **MAP NO.:** 9-H  
**APPEARANCES AGAINST:** Patti Quilling **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 3440 N. Bell Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3rd floor dormer addition to an existing 2 dwelling unit building, whose north side yard will be 0.76" instead of 6.06', whose front yard will be 18'-4" instead of 19'-8", and to increase the floor area by not more than 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

**COPY**

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

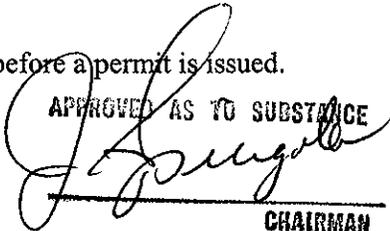
**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 16, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 31, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 25' x 125' lot improved with a frame 2-story with basement 2 dwelling unit building; that the applicant proposes to erect a 3<sup>rd</sup> story dormer addition to the north side of the existing building which will yield approximately 70 square feet of additional living space; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that the proposed dormer addition is necessary to provide additional living space to meet the needs of the applicant and her family; that the plight of the owner is due to unique circumstances in that the applicant's elderly mother may need to move in and the applicant's second floor dwelling unit is not presently designed to accommodate an additional family member; that the proposed dormer addition will be compatible with existing residential improvements in the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

APPROVED AS TO SUBSTANCE  
  
 CHAIRMAN

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

**APPLICANT:** Adam Carlson for Quad City, Inc. **CAL NO.:** 323-02-S  
**APPEARANCE FOR:** Gerard Stocco **MAP NO.:** 17-O  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
August 16, 2002  
**PREMISES AFFECTED:** 6711 N. Northwest Highway  
**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 tattoo and body piercing facility in a 1-story brick store building, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**COPY**

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:** Chuck Markopoulos **CAL NO.:** 324-02-S  
**APPEARANCE FOR:** James J. Banks, Chuck Markopoulos **MAP NO.:** 5-N  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
November 15, 2002  
**PREMISES AFFECTED:** 6528-34 W. North Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in conjunction with a Krispy Kreme restaurant/bakery, in an M1-1 Restricted Manufacturing District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

**COPY**

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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 November 15, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 16, 2002; and

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

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

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

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan prepared by Elias G. Pappageorge Architects, dated August 12, 2002, and elevation drawings prepared by Fox Architects, dated August 15, 2002; 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: Attila Demeter CAL NO.: 325-02-Z  
 APPEARANCE FOR: Attila Demeter MAP NO.: 9-G  
 APPEARANCES AGAINST: None MINUTES OF MEETING:  
 November 15, 2002  
 PREMISES AFFECTED: 3913 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 3 unit town home addition to an existing 3-story 2 dwelling unit building, whose rear yard will be 12'-6" instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED,

**COPY**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	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 November 15, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on August 16, 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 November 15, 2002, the Zoning Board of Appeals, approved, in Cal. No. 294-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 4-story 3 dwelling unit townhouse addition to a 3-story 2 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Attila Demeter **CAL NO.:** 325-02-Z  
**APPEARANCE FOR:** Attila Demeter **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
October 18, 2002  
**PREMISES AFFECTED:** 3913 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 3 unit town home addition to an existing 3-story 2 dwelling unit building, whose rear yard will be 12'-6" instead of 30'.

**ACTION OF BOARD--**

**COPY**

**THE VOTE**

CASE CONTINUED TO  
NOVEMBER 13, 2002

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
  
GIGI McCABE-MIELE  
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		