

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

**APPLICANT:** Avalon Staffing **CAL NO.:** 458-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 5-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 2165 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 day labor employment agency, in a C1-1 Restricted Commercial District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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:** Regal Ponce\* **CAL NO.:** 459-02-S

**APPEARANCE FOR:** James J. Banks, Regal Ponce **MAP NO.:** 7-1

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2457 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 day labor agency in a C2-2 General Commercial District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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.

\*Application amended.

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

**APPLICANT:** Shiloh Apostolic Lighthouse Church **CAL NO.:** 460-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 14-G  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 6032 S. Racine 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 1-story 184-seat church, in a B2-1 Restricted Retail District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Abundant Love Missionary Baptist Church **CAL NO.:** 461-02-S  
**APPEARANCE FOR:** Richard C. Baker, Rev. John W. Martin **MAP NO.:** 20-1  
**APPEARANCES AGAINST:** Dolores Richman et al. **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 8154-58 S. Western Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 60\* seat church in a 1-story brick building, in a B2-1 Restricted Retail District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DENIED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
DEMETRI KONSTANTELOS		X	
DONALD HUBERT		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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building; that on April 20, 2001, the Zoning Board of Appeals denied, in Cal No. 143-02-S, the applicant's special use application seeking approval of the establishment of a 60 seat church at the subject site, finding, in part, that the proposed use is inconsistent with the goals of the community and the city to bring retail and business development to the area and would inhibit future business development; that testimony presented indicates that the subject site is in the 79<sup>th</sup> Street/Southwest Highway Tax Increment Fund (TIF) Plan; that the applicant contends that all uses permitted in a residential district, including churches, are permitted in a TIF district, and that the TIF plan anticipates that churches will be part of the residential uses permitted in a TIF district; that the applicant also contends that a church would help stabilize the community; that the Board finds that the testimony presented was insufficient to alter its previously rendered decision that the proposed use is inconsistent with the goals of the community and the city to develop retail and other business development in the area; that the proposed use would inhibit future business development thereby having a negative impact on the value of other property in the neighborhood; it is therefore

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

\*Amended at the public hearing.

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

**APPLICANT:** Gads Hill Center Corporation

**CAL NO.:** 462-02-S

**APPEARANCE FOR:**

**MAP NO.:** 4-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 1919 W. Cullerton Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a community center in an existing 4-story building, in a C1-2 Restricted Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Park Federal Savings Bank,  
an Illinois Corporation **CAL NO.:** 463-02-S

**APPEARANCE FOR:** Amy C. Kurson **MAP NO.:** 12-1

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2734-40 W. 55th 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 bank, in a B4-1 Local Retail District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 Hezner Corporation, dated August 12, 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:** Park Federal Savings Bank,  
an Illinois Corporation **CAL NO.:** 464-02-S

**APPEARANCE FOR:** Amy C. Kurson **MAP NO.:** 12-1

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2737-41 W. 55th 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 automatic teller machine in conjunction with a proposed off-site accessory parking lot, in a B4-1 Local Retail District, to serve a proposed bank to be located at 2734-40 W. 55<sup>th</sup> Street.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on December 13, 2002, the Zoning Board of Appeals approved, in Cal. No. 465-02-S, the establishment of an off-site accessory parking lot at the subject site to serve a proposed bank to be located at 2734 W. 55<sup>th</sup> Street; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the 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:** Park Federal Savings Bank, an Illinois Corporation **CAL NO.:** 465-02-S  
**APPEARANCE FOR:** Amy C. Kurson **MAP NO.:** 12-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 2737-41 W. 55th 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 private passenger automobiles, in a B4-1 Local Retail District, to serve the proposed bank to be located at 2734-40 W. 55th Street..

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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, 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 10a.)

**MINUTES OF MEETING**

December 13, 2002

Cal. No. 465-02-S

That decorative metal fencing shall be installed on the east lot line and on the north and south lot lines, excepting the driveways;

That lighting, striping and concrete wheel stops shall be provided;

That ingress shall be from W. 55<sup>th</sup> Street; that egress shall be via the alley abutting the site to the south, provided a waiver of the alley barrier requirement is obtained from the City Council; that the driveway located on W. 55<sup>th</sup> Street shall be constructed in accordance with applicable ordinances;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with and that the final landscape plan shall be approved by the Department of Planning and Development;

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

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

APPLICANT: Blue Ribbon Construction, Inc.

CAL NO.: 466-02-Z

APPEARANCE FOR: Scott R. Borstein

MAP NO.: 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 3740 N. Lincoln 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 establishment of a proposed 4-story 13 dwelling unit building with commercial space, with no rear yard instead of 30', with no south side yard instead of 2'-6", with no 17.28' x 20' front transitional yard at Lincoln and Wolcott, and with a waiver of the one required 10' x 24' loading berth.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	R e c u s e d		

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

**APPLICANT:** Jane Anne and Charles H. Hughes **CAL NO.:** 467-02-Z  
**APPEARANCE FOR:** Charles H. Hughes **MAP NO.:** 11-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 2100 W. Belle Plaine Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 3 story\* rear addition to an existing 2 ½-story single family dwelling, whose west side yard will be 4'-6" instead of 5'-5", whose east side yard will be 3'-3" instead of 5'-5", 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**

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

APPLICANT: Tim Trezzo

CAL NO.: 468-02-Z

APPEARANCE FOR: James J. Banks

MAP NO.: 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 4214 W. 24th Place

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2-story single family dwelling, with no east side yard instead of 3', whose west side yard will be 1' instead of 3', and whose front yard will be 15' instead of 30'.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 21, 2003

**THE VOTE**

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

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

APPLICANT: PA Staffing CAL NO.: 469-02-S

APPEARANCE FOR: James J. Banks MAP NO.: 7-J

APPEARANCES AGAINST: MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 3508 W. Fullerton Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day labor employment agency, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

APPLICANT: Eugene Bereza CAL NO.: 470-02-Z

APPEARANCE FOR: John J. Pikarski, Jr. MAP NO.: 3-I

APPEARANCES AGAINST: MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 816 N. Campbell Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of a 3rd floor addition to an existing 2-story residential building, whose north side yard will be 1'-2" instead of 2'-6", 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--**

CAE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Gabriel Caponera **CAL NO.:** 471-02-A

**APPEARANCE FOR:** Richard A. Brom, Gabriel Caponera **MAP NO.:** 10-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**

**PREMISES AFFECTED:** 4449 S. Lowe Avenue December 13, 2002

**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  
DONALD HUBERT  
GIGI McCABE-MIELE  
BRIAN L. CROWE

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

**THE RESOLUTION:**

WHEREAS, Gabriel Caponera, on August 11, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a 2 ½ frame building as 2-dwelling units with insufficient lot area, in an R3 General Residence District, on premises at 4449 S. Lowe Avenue.

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 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 December 13, 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 a 15' x 124.6' lot improved with a 2 ½ story frame residential building; that the appellant purchased the subject property in 1999; that the evidence presented indicates that the subject building was certified by the Department of Zoning as two dwelling units; that the appellant has a right to continue the occupancy of the subject building as two dwelling units provided the building is brought into compliance with applicable building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the 2 ½ story residential building, on premises at 4449 S. Lowe Avenue as 2 dwelling units with insufficient lot area, provided the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Gabriel Caponera **CAL NO.:** 472-02-Z  
**APPEARANCE FOR:** Richard A. Brom. Gabriel Caponera **MAP NO.:** 10-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 4449 S. Lowe 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 rear ground level storage unit with deck\* to an existing 2-story 2 dwelling unit building, whose square footage will not exceed 15% (180 sq .ft.) 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**

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on December 13, 2002, the Zoning Board of Appeals, in Cal. No. 471-02-A., sustained the applicant's appeal permitting the certification of the existing 2 ½ story residential building as 2 dwelling units with insufficient lot area; 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:** Ruben Sotero and Silvano Salazar **CAL NO.:** 473-02-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 7-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 2744-46 N. Artesian Avenue  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the division of an improved zoning lot, whose existing building located at 2746 N. Artesian Avenue will have no south side yard instead of a 2'-6" side yard.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Bruce Robbins **CAL NO.:** 474-02-S

**APPEARANCE FOR:** Robert L. Gamrath, III, Bruce Robbins **MAP NO.:** 11-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 4401 N. Ravenswood 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 art gallery and studios\* in a 3-story brick commercial building, in an M1-2 Restricted Manufacturing District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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:** Pronto Staffing Services, Inc. **CAL NO.:** 475-02-S  
**APPEARANCE FOR:** John J. George **MAP NO.:** 26-A  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 10526 S. Ewing Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day labor employment agency in a 1-story brick commercial building, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 DONALD HUBERT  
 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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 day labor employment agency shall open for business at 9 A.M. Monday through Saturday instead of 10:00 A.M. to discourage clients from congregating in adjacent medical office buildings.

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

APPLICANT: Henry T. Borczyk

CAL NO.: 476-02-Z

APPEARANCE FOR: Henry T. Borczyk

MAP NO.: 13-M

APPEARANCES AGAINST:

MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 1732 W. Gregory 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 3-story frame rear porch to an existing 3-story 3 dwelling unit building, with no east side yard instead of 5'.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Commuter Rail Div. of the Regional Transportation Authority (Metra) **CAL NO.:** 477-02-S

**APPEARANCE FOR:** Scott Saef **MAP NO.:** 20-J

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** December 13, 2002

**PREMISES AFFECTED:** 3259 S. Columbus 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 96 private passenger automobiles, in an M1-2 Restricted Manufacturing District, to serve the commuter rail station located at 3190 W. 79th Street.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

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

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

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

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

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

(Additional conditions follow on page 22a.)

**MINUTES OF MEETING**

December 13, 2002

Cal. No. 477-02-S

That decorative metal fencing shall be provided on the northwest lot line, excepting the driveway, and on the northeast lot line;

The striping, lighting and concrete wheel stops shall be provided;

That ingress and egress shall be from a driveway located on S. Columbus Avenue and from a driveway located at the southwest corner of the subject site; that the driveways shall be constructed in accordance with applicable ordinances;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that the final landscape plan shall be approved by the Department of Planning and Development;

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

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

**APPLICANT:** Relu Stan

**CAL NO.:** 478-02-A

**APPEARANCE FOR:** James J. Banks

**MAP NO.:** 5-1

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2058 N. Albany Avenue

**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.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
DONALD HUBERT  
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:** Relu Stan

**CAL NO.:** 479-02-Z

**APPEARANCE FOR:** James J. Banks

**MAP NO.:** 5-I

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2058 N. Albany Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed addition to a 2 ½-story single family dwelling on a lot additionally improved with a multi dwelling unit building, whose north side yard will be 1.98' instead of 5', whose rear yard will be .89' instead of 30', and to increase the existing floor area by 1,012.9 sq. ft. which will be 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**

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

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

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

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

**APPLICANT:** McDonald's Corporation

**CAL NO.:** 480-02-S

**APPEARANCE FOR:** Bridget M. O'Keefe

**MAP NO.:** 6J

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2241 S. Pulaski Road

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

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** 87th and Stony Island Limited Partnership **CAL NO.:** 481-02-S  
**APPEARANCE FOR:** Earl J. Barnes **MAP NO.:** 22-C  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 8753 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 a conjunction with a proposed Dunkin Donuts restaurant, in a B5-2 General Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; that the 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, dated November 27, 2002; and the elevation drawings dated December 5, 2002 as prepared by Deiss Design Group; and that the final landscape plan shall be approved by the Department of Planning and Development.

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

**APPLICANT:** Scott Schiller & Mike Schwartz **CAL NO.:** 482-02-S  
**APPEARANCE FOR:** James J.Banks, Mike Schwartz **MAP NO.:** 7-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 3150 N. Lakewood 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 7 town house dwelling unit building, in a B1-2 Local Retail District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 special use approved herein shall be contingent upon, and shall not take effect, until the subject property is subdivided and that the resulting 2<sup>nd</sup> parcel of land is recorded with the Cook County Office of the Recorder of Deeds.

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

**APPLICANT:** Leo Oliver Mohan **CAL NO.:** 483-02-Z

**APPEARANCE FOR:** John J. Pikarski, Jr., Leo Oliver Mohan **MAP NO.:** 11-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 4713 N. Wolcott Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2 ½-story single family dwelling, whose south side yard will be 3' instead of 5', and whose north side yard will be 1'-4" instead of 5'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Leo Oliver Mohan **CAL NO.:** 484-02-Z

**APPEARANCE FOR:** John J. Pikarski, Jr., Leo Oliver Mohan **MAP NO.:** 11-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 4715 N. Wolcott Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2 ½-story single family residence, whose south side yard will be 3' instead of 5', and whose north side yard will be 1'-4" instead of 5'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following;; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Leo Oliver Mohan **CAL NO.:** 485-02-Z  
**APPEARANCE FOR:** John J. Pikarski, Leo Oliver Mohan **MAP NO.:** 11-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 4719 N. Wolcott Avenue  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2 ½-story single family dwelling, whose south side yard will be 1'-4" instead of 5', and whose north side yard will be 3' instead of 5'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED,

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Joe Matuschka **CAL NO.:** 486-02-S

**APPEARANCE FOR:** James J. Banks, Joe Matuschka **MAP NO.:** 9-J

**APPEARANCES AGAINST:** Lydia West **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 3341 W. Irving Park Road

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 10 town house dwelling unit structure, in a B4-3 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 ground-floor residential use shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by VRA Architects, dated November 1, 2002.

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

**APPLICANT:** Joe Matuschka **CAL NO.:** 487-02-S  
**APPEARANCE FOR:** James J. Banks, Joe Matuschka **MAP NO.:** 11-J  
**APPEARANCES AGAINST:** Lydia West **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 3300 W. Irving Park Road  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 6-story 69 dwelling unit building, in a B4-3 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 ground-floor residential use shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by VRA Architects, dated November 1, 2002.

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

**APPLICANT:** Joe Matuschka **CAL NO.:** 488-02-Z  
**APPEARANCE FOR:** James J. Banks, Joe Matuschka **MAP NO.:** 11-J  
**APPEARANCES AGAINST:** Lydia West **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 3300 W. Irving Park Road

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an B4-3 Restricted Service District, the erection of a proposed 6-story 69 dwelling unit building, whose front yard will be 6' instead of 15', and whose west side yard will be 4' instead of 20'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on December 13, 2002, the Zoning Board of Appeals approved, in Cal. No. 487-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 6-story 69 condominium dwelling 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:** Joe Matuschka **CAL NO.:** 489-02-S  
**APPEARANCE FOR:** James J. Banks, Joe Matuschka **MAP NO.:** 11-J  
**APPEARANCES AGAINST:** Lydia West **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 3324 W. Irving Park Road

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off site accessory parking lot for the parking of 16 private passenger automobiles, in a C1-1 Restricted Commercial District, to serve a proposed 69 condominium dwelling unit building to be located at 3300 W. Irving Park Road.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on December 13, 2002, the Zoning Board of Appeals approved, in Cal. No. 487-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 6-story 69 condominium dwelling unit building to be located a 3300 W. Irving Park Road; 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 34a.)

**MINUTES OF MEETING**

December 13, 2002

Cal.No. 489-02-S

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

That striping and lighting shall be installed;

That ingress shall be via the public alley abutting the site on the north provided a waiver of the alley barrier requirement is obtained from the City Council; that egress shall be via the driveway located on W. Irving Park Road; that the driveway shall be constructed in accordance with applicable ordinances;

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

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

**APPLICANT:** Marquette Bank **CAL NO.:** 490-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 12-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 13, 2002  
**PREMISES AFFECTED:** 5400 S. Kedzie Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed bank expansion, in a B4-1 Restricted Service District

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 27, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the 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 proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by ATMI Design, dated December 10, 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:** 17th Indiana L.L.C.

**CAL NO.:** 385-02-S

**APPEARANCE FOR:** Thomas S. Moore

**MAP NO.:** 4-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 1638 S. Indiana 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 the erection of a proposed 4-story 7 town home dwelling unit building, in a B4-5 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

APPLICANT: 17th Indiana L.L.C.

CAL NO.: 386-02-Z

APPEARANCE FOR: Thomas S. Moore

MAP NO.: 4-E

APPEARANCES AGAINST:

MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 1638 S. Indiana Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in B4-5 Restricted Service District, the erection of a proposed 4-story 7 town house dwelling unit structure, whose front yard will be 5' instead of 10' for an end wall facing a public street, with no north side yard instead of 10' for a rear wall facing a side lot line, and with balconies projecting 3' into the south side yard.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Perfecto Chaparro **CAL NO.:** 256-02-A  
**APPEARANCE FOR:** John J. Pikarski, Jr., Perfecto Chaparro **MAP NO.:** 4-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 1940 S. Carpenter Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

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

**THE RESOLUTION:**

WHEREAS, Perfecto Chaparro, for Perfecto and Iraida Chaparro, owner, on April 23, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3 dwelling units in an existing 2-story frame building in an R4 General Residence District, on premises at 1940 S. Carpenter Avenue.

WHEREAS, the decision of the Office of the Zoning Administrator March 25, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-4, 7.12-2(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 2-story frame residential building; that the appellant seeks to legalize the existing building as 3 dwelling units; that testimony presented indicates that the floor plan of the subject site building and architectural details such as window sashes with counter-weights, and the style of meters in the building prove that it was originally constructed prior to the year 1940 as a 4 dwelling unit building; that the appellant has a right to continue the occupancy of the building as 3 dwelling units provided the building is brought into compliance with applicable building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 3 dwelling units in an existing 2-story frame building as 3 dwelling units with insufficient lot area and parking, on premises at 1940 S. Carpenter, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Polos Cafe, Inc.

CAL NO.: 356-02-S

APPEARANCE FOR: James J. Banks

MAP NO.: 7-1

APPEARANCES AGAINST:

MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 2434-42 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 an off site accessory parking garage, in a C2-2 General Commercial District, to satisfy the parking requirement for a public place of amusement located at 2451 N. Milwaukee Avenue.

**ACTION OF BOARD--**

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

**THE VOTE**

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

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

**APPLICANT:** Bill Senne

**CAL NO.:** 365-02-S

**APPEARANCE FOR:** James J. Banks

**MAP NO.:** 5-I

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2814-20 W. Armitage Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in conjunction with a proposed drug store, in a C2-1 General Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Bill Senne

**CAL NO.:** 367-02-S

**APPEARANCE FOR:** James J. Banks

**MAP NO.:** 5-1

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2016-22 N. California

**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 restaurant, in a C2-1 General Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 21, 2003.

**THE VOTE**

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

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

**APPLICANT:** Chicago Youth Program, Inc. **CAL NO.:** 398-02-S  
**APPEARANCE FOR:** John J. George **MAP NO.:** 12-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 5340-58 S. Prairie Avenue/218-32 E. 54th 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 community center a proposed 1-story building, in an R5 General Residence District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 2, 2002; and

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

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

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

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

**APPLICANT:** Chicago Youth Program, Inc. **CAL NO.:** 399-02-Z  
**APPEARANCE FOR:** John J. George **MAP NO.:** 12-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 December 13, 2002  
**PREMISES AFFECTED:** 5340-58 S. Prairie Avenue/218-32 E. 54th Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, a community center in a proposed 1-story building, whose front yard will be 5' instead of 15', and with a waiver of the one required 10' x 25' loading berth.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED,

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	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 December 13, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 2, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on December 13, 2002, the Zoning Board of Appeals, approved, in Cal. No. 398-02-S, the establishment of a community center in a proposed 1-story 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:** Alexander Lurye **CAL NO.:** 402-02-Z

**APPEARANCE FOR:** Anna Meytina, Alexander Lurye **MAP NO.:** 5-F

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
December 13, 2002

**PREMISES AFFECTED:** 2334 N. Geneva Terrace, Unit C

**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 3rd floor addition to an existing 3 townhouse house dwelling unit building, whose rear wall will be 5' instead of 10'.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 21, 2003.

**THE VOTE**

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

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

APPLICANT: Tim Trezzo

CAL NO.: 450-02-Z

APPEARANCE FOR: James J. Banks

MAP NO.: 6-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
December 13, 2002

PREMISES AFFECTED: 4212 W. 24th Place

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2-story single family dwelling, with no west side yard instead of 5', and to divide the improved zoning lot into separate two zoning lots.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 21, 2003.

**THE VOTE**

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

**MINUTES OF MEETING**

December 13, 2002

Cal. No. 30-02-S

Bridget O'Keefe, for McDonald's Corporation, applicant, presented a written request for an extension of time in which to establish an off-site accessory parking lot, in a B4-2 Restricted Service District, on premises at 1550-56 N. Bosworth Avenue, to serve a proposed McDonald's Restaurant to be located at 1521-29 W. North Avenue, approved by the Zoning Board of Appeals on January 18, 2002, in Cal. No. 30-02-S.

Ms. O'Keefe stated that at the same time the aforesaid special use was approved by the Zoning Board of Appeals, the Board denied a special use application for the approval of a drive-through facility to be established in conjunction with the McDonald's Restaurant to be located across the street at 1521-29 W. North Avenue. McDonald's Corporation and the land owner filed a complaint in the Circuit Court of Cook County seeking to reverse the Board's decision in March, 2002. The briefing schedule has been completed and the matter is scheduled for oral argument on December 5, 2002. Ms. O'Keefe further stated that if McDonald's Corporation is ultimately successful in its lawsuit, the parking lot will be needed to insure smooth operation of the restaurant facility with minimal impact on the surrounding neighborhood. McDonald's does not want to proceed with building the parking lot, however, in the event that the Circuit Court denies its complaint. In that case, the company will not proceed with construction of the restaurant and the parking lot will not be required.

Chairman Spingola moved that the request be granted and the time for finalizing the establishment of the aforesaid parking lot, in the event the applicant is successful in its lawsuit, be extended to January 18, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

December 13, 2002

Cal. No. 233-01-S and

Cal. No. 234-01-Z

Thomas S. Moore, for Joe Pickus, applicant, presented a written request for an extension of time *nunc pro tunc* in which to finalize the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 40 condominium dwelling unit building, whose 1<sup>st</sup> floor will be primarily dedicated for required parking, in a B4-4 Restricted Service District, on premises at 5556 N. Sheridan Road; and to permit the erection of the aforesaid 40 unit building, with a rear yard of 15' instead of 30' and no front yard instead of 15', which applications were approved by the Zoning Board of Appeals on June 15, 2001, in Cal. Nos. 233-01-S and 234-01-Z, respectively.

Mr. Moore stated that the subject property is an old Amoco site owned by the City of Chicago. The applicant, Joe Pickus, appeared before the Board as the contract purchaser. Unfortunately, the City had been stalled in discussions with Amoco on the clean up of the site which delayed closing on its contract. These disputes have not been resolved and this matter has been put on the December agenda for Lake Front Protection passage before the Plan Commission, whereupon the question was raised as to the validity of the Zoning Board decisions.

Mr. Moore now requests that the Zoning Board's decisions in the two cases be extended for one year *nunc pro tunc* to June 15, 2003. In other words, the decisions rendered June 15, 2001 were valid for one year from dissemination or approval July, 2002. Mr. Moore stated that in July, 2002 he had no way of knowing if or when the City and Amoco might resolve their differences indirectly affecting the applicant's status.

Chairman Spingola moved that the request be granted and that the time for erecting the aforesaid 40 condominium dwelling unit building with residential use below the 2<sup>nd</sup> floor and with the yard variations requested be extended *nunc pro tunc* to June 15, 2003. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

December 13, 2002

Cal. No. 422-01-S

Lawrence Harmon, applicant, presented a written request for an extension of time in which to obtain the necessary permits for the establishment of an off-site accessory parking lot for the parking of 24 private passenger automobiles, in an M1-2 Restricted Manufacturing District, on premises at 4553 W. Carroll Avenue, to serve a proposed 1-story truck repair shop to be located at 4552 W. Carroll Avenue, approved by the zoning Board of Appeals on November 16, 2001 in Cal. No. 422-01-S.

Chairman Spingola moved that the request be granted and the time for obtaining necessary permits for the establishment of the aforesaid off-site accessory parking lot be extended to November 16, 2003. The motion prevailed by yeas and nays as follows:

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