

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

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

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held in the Council Chambers, City Hall, 121 N. LaSalle Street, on Friday, February 21, 2003

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

Joseph J. Spingola  
Chairman  
Brian Crowe  
Donald Hubert  
Demetri Konstantelos  
Gigi McCabe-Miele

MINUTES OF MEETING

February 21, 2003

Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on January 17, 2003 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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The Board thereupon held its regular meeting.

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

**APPLICANT:** Tonnette Williams **CAL NO.:** 48-03-S  
**APPEARANCE FOR:** Michael Gilbert, Tonnette Williams **MAP NO.:** 20-1  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 7944-46 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 an off-site accessory parking lot for the parking of private passenger automobiles, in a B2-1 Restricted Retail District, to satisfy the parking requirement for a day care center located at 7958 S. Western Avenue.

**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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 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 fencing and landscaping shall be installed in compliance with applicable provisions of the Chicago Landscape Ordinance.

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

**APPLICANT:** C. Peter Ashi **CAL NO.:** 49-03-Z

**APPEARANCE FOR:** Mark J. Kupiec, C. Petrer Ashi **MAP NO.:** 5-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 1649 N. Winchester 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 2-story rear addition to an existing 2-story single-family dwelling, whose rear yard will be 20.4' instead of 30', and whose south side yard will be 1.1' instead of 2.5'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION 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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** Labor Ready Inc. **CAL NO.:** 50-03-S

**APPEARANCE FOR:** James J. Banks, Patrick O'Grady **MAP NO.:** 10-I

**APPEARANCES AGAINST:** Darek Kosikowski **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 4421 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 day laborer employment agency in a C1-1 Restricted Commercial 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 subject site is improved with an existing day labor employment office operating under a general business license; that the City now requires all day labor employment agencies to obtain an Employment Agency business license; that the new licensing requirements have caused this application to be filed; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That there shall be no loitering outside the premises; that adequate washroom facilities for employees and clients shall be provided on site.

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

**APPLICANT:** Viking Labor Services, Inc. **CAL NO.:** 51-03-S  
**APPEARANCE FOR:** James J. Banks, Mark Ramos **MAP NO.:** 6-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 2538 S. California Boulevard  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day labor employment agency, in a B4-2 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 subject site is improved with an existing day labor employment office operating under a general business license; that the City of Chicago now requires all day labor employment agencies to obtain an Employment Agency business license; that the new license requirement has caused the application to be filed; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That there shall be no loitering outside the premises; that washroom facilities shall be provided for employees and for clients.

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

**APPLICANT:** Allan E. Bulley, Jr. **CAL NO.:** 52-03-S  
**APPEARANCE FOR:** John A. Fritchey, Allen E. Bulley **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** Robert L. Hansen **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 1944 N. Hermitage 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 an R3 General Residence District, to serve a commercial use building located at 1755 W. Armitage Avenue.

**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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 currently improved with a 2-story single-family dwelling; that the applicant proposed to demolish the existing residential building and establish an off-site 11-space parking lot; that the proposed use is necessary for the public convenience at this location to provide parking for employees of a commercial use build located at 1755 W. Armitage Avenue; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking lot to be improved and operated under the standards and conditions hereinafter set forth and that the proposed use with privacy fencing and landscaping will be compatible with existing residential improvements in the block and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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;

(Additional conditions follow on page 7a of minutes.)

**MINUTES OF MEETING**

February 21, 2003

Cal. No. 52-03-S

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; and

That the applicant shall maintain a 20 foot landscaped front yard setback; and

That the applicant shall install a wrought-iron front fence even with the front of the house to the south;

That the applicant shall install a board-on-board fence 3" from its south side yard, with no intervening landscaping and a 6' curb along its length; and

That the applicant shall provide a locked gate at the rear of the fenced areas; and

That ingress and egress shall be via the alley, providing a waiver of the alley barrier is obtained from the City Council.

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

**APPLICANT:** Pete Spyropolous

**CAL NO.:** 53-03-S

**APPEARANCE FOR:**

**MAP NO.:** 15-L

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 4825 W. Devon 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 B4-1 Restricted Service District, to serve a commercial use located at 6348 N. Cicero Avenue.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003

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:** Nick Karitsiotis **CAL NO.:** 54-03-S

**APPEARANCE FOR:** John A.Fritchey, Nick Karitsiotis **MAP NO.:** 7-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 2775 N. Elston Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing restaurant, in a B4-2 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; and

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

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

- That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
- That the final landscape plan shall be approved by the Department of Planning and Development.

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

**APPLICANT:** Colony All Nations Pentecostal Church      **CAL NO.:** 55-03-S  
**APPEARANCE FOR:** Richard C. Baker      **MAP NO.:** 20-C  
**APPEARANCES AGAINST:** None      **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 2035 E. 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 174 seat church and rectory, in a B4-2 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** KFC National Management Company **CAL NO.:** 56-03-S  
**APPEARANCE FOR:** Timothy K. Hinchman **MAP NO.:** 16-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 1600 W. Marquette 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 2-window drive-through facility in conjunction with a proposed Kentucky Fried Chicken/Long John Silver's restaurant, in a C3-2 Commercial-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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times January 31, 2003; 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 January 13, 2003; 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:** Express Personnel Services

**CAL NO.:** 57-03-S

**APPEARANCE FOR:**

**MAP NO.:** 13-M

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 5526 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 B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

	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:** U Pull It **CAL NO.:** 58-03-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 3-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 4544-60 W. Division Street/4541-59 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 self-service automobile junk yard, in an M2-2 General Manufacturing District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 self-service automobile junk yard shall be constructed consistent with the layout and design represented on the site plan prepared by Sonoc Architects & Associates, dated February 20, 2003; and that the final landscape plan is approved by the Department of Planning and Development.

\*Amended at the public hearing.  
 BAZ 16

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

**APPLICANT:** Joe Youkhana **CAL NO.:** 59-03-S

**APPEARANCE FOR:** James J. Banks **MAP NO.:** 11-J

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 3637 W. Montrose 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 automobile laundry in a one-story commercial building, in a C1-1 Restricted Commercial 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 all queuing, parking and cleaning of automobiles shall occur within the subject building.

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

**APPLICANT:** Gonzales Construction Co. **CAL NO.:** 60-03-S

**PEARANCE FOR:** Robert Slobig, Alphonse Gonzalez **MAP NO.:** 10-K

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** February 21, 2003

**PREMISES AFFECTED:** 4626 W. 42nd 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 waste transfer station in an M2-3 General Manufacturing 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 21, 1998, the Zoning Board of Appeals approved the applicant's special use application for the establishment of a waste transfer station in a proposed 1-story 12,000 square foot building at the subject site; that the validity period of the applicant's previously approved special use expired; that the testimony presented in Cal. No. 300-98-S is hereby made part of the record in this case; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

That the applicant shall install an 8 foot tall solid metal fence and landscaping along the north property line as illustrated on the site plan prepared by Camiros, Inc, dated February 20, 2003; that all waste handling operations shall be conducted within enclosed premises; that no hazardous wastes shall be received or handled at the subject site; that a rodent control plan shall be filed by the applicant with the Bureau of Rodent Control; that the applicant shall comply with all terms and conditions of permits issued by the Department of Environment.

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

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

**APPLICANT:** New Covenant Missionary Baptist Church **CAL NO.:** 61-03-S

**APPEARANCE FOR:** **MAP NO.:** 18-D

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**

February 21, 2003

**PREMISES AFFECTED:** 7607 S. Cottage Grove Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off site accessory parking lot for the parking of 42 private passenger automobiles, in a C2-2 General Commercial District, to partially fulfill the parking requirements for a proposed church to be located at 754 E. 77th Street.

**ACTION OF BOARD--**

CAASE CONTINUED TO  
APRIL 25, 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:** New Covenant Missionary Baptist Church

**CAL NO.:** 62-03-S

**APPEARANCE FOR:**

**MAP NO.:** 18-D

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 7710 S. Cottage Grove Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 65 private passenger automobiles, in a C2-2 General Commercial District, to partially fulfill the parking requirement for a proposed church to be located at 754 E. 77th Street.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

	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:** New Covenant Missionary Baptist Church **CAL NO.:** 63-03-S

**APPEARANCE FOR:** **MAP NO.:** 18-E

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 754 E. 77th Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a proposed 1,128 seat church in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 25, 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:** New Covenant Missionary Baptist Church **CAL NO.:** 64-03-S

**APPEARANCE FOR:** **MAP NO.:** 18-E

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 740 E. 77th 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 18 private passenger automobiles, in an R3 General Residence District, to partially fulfill the parking requirement for a proposed church to be located at 754 E. 77th Street.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 25, 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:** Cardinal Liquors **CAL NO.:** 65-03-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 9-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 3457 N. Central Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an accessory off site parking lot for the parking of 18 private passenger automobiles, in a B4-1 Restricted Service District, to serve an existing liquor store located at 3501 N. Central Avenue.

**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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 fencing shall be installed; and that all applicable provisions of the Chicago Landscape Ordinance shall be complied with.

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

**APPLICANT:** TCF National Bank

**CAL NO.:** 66-03-S

**APPEARANCE FOR:**

**MAP NO.:** 7-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 1400-12 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 drivethrough facility in conjunction with a proposed bank facility in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

	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:** Gendell Partners Harlem & Foster, LLC **CAL NO.:** 67-03-S  
**APPEARANCE FOR:** Jeff Lerner **MAP NO.:** 13-N  
**APPEARANCES AGAINST:** Bob Ognar **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 7147-57 W. Foster Place/5111-23 N. Harlem 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 Walgreens retail pharmacy, a B4-1 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; 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 an irregular 97' x 48' x 296' lot presently improved with a 1-story shopping center; that the applicant proposes to demolish the existing shopping center building and establish a Walgreens retail drug store with a drive-through facility; that the proposed use is necessary for the public convenience at this location to enable the elderly, sick or disabled and those persons with young children to conveniently obtain their prescriptions; that the public health safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility in that an entrance to the site, the proposed drive-through and an exit are located at the rear of the proposed building so that pedestrians entering the store will be less likely to encounter vehicles using the drive-through; and that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

- That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
- 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:** Anthony Bray **CAL NO.:** 68-03-A  
**PEARANCE FOR:** John J. Pikarski, Jr., Anthony Bray **MAP NO.:** 14-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** February 21, 2003

**PREMISES AFFECTED:** 5605-07 S. Green 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.**

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

**THE RESOLUTION:**

WHEREAS, Anthony Bray, owner, on September 20, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a 3 ½ story brick building as 9 dwelling units, in an R3 General Residence District on premises at 5605-07 S. Green Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 28, 2003, 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 7.5-3, 7.12-1," ."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2003; 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 3 ½ story brick residential building; that City of Chicago records and architectural details indicate that the subject building was occupied by 9 dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the subject building as 9 dwelling units provided the building is brought into compliance with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a 3 ½ story brick building as 9 dwelling units, on premises at 5605-07 S. Green Street, upon condition that the building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Mohammad S. Shah

CAL NO.: 69-03-A

APPEARANCE FOR: John J. Pikarski, Jr.

MAP NO.: 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 4900 N. Ridgeway Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
APRIL 25, 2003.

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: Brian Nelson CAL NO.: 70-03-A

APPEARANCE FOR: Brian Nelson MAP NO.: 18-G

APPEARANCES AGAINST: MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 936-36 1/2 W. 79th Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
MARCH 21, 2003.

	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: Jay Shierok

CAL NO.: 71-03-A

PEARANCE FOR: John J. Pikarski, Jr.

MAP NO.: 5-J

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 1741 N. Spaulding Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
APRIL 25, 2003.

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: John M. Lawrence

CAL NO.: 72-03-A

PEARANCE FOR: None

MAP NO.: 6-F

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 2828 S. Wallace Street

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

ACTION OF BOARD--

**THE VOTE**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
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:** Yuval Degani **CAL NO.:** 73-03-Z

**APPEARANCE FOR:** Thomas M. Pikarski, Yuval Degani **MAP NO.:** 1-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 1700-16 W. Warren Boulevard

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 27 dwelling unit building with no front yard on Paulina Street instead 15'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION 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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; and

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

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

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

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

**APPLICANT:** New Harrison Hotel Corp.

**CAL NO.:** 74-03-S

**APPEARANCE FOR:**

**MAP NO.:** 2-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 65 E. Harrison 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 attached roof business identification sign which is located more than 50 feet above the grade in a B6-7 Restricted Central Business District.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

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:** Grazyna & Zbigniew Galazka **CAL NO.:** 75-03-Z  
**APPEARANCE FOR:** James J.Banks. Grazyna Galazka **MAP NO.:** 11-M  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 6337-41 W. Cuyler Avenue\*

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single Family Residence District, the division of an improved 60' x 125' zoning lot, with the lot at 6341 W. Cuyler Avenue containing an existing 2-story single family residence whose east side yard will be 2.23', and whose west side yard will be 1.57' for a total of 3.8' combined side yards instead of 9.0' combined side yards.

**ACTION OF BOARD--**

VARIATIONS 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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; and

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

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

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

\*Amended at the public hearing.

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

**APPLICANT:** De La Salle Institute **CAL NO.:** 76-03-Z

**APPEARANCE FOR:** Richard E. Zulkey **MAP NO.:** 8-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 1042 W. 32nd Place

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the construction of a 4-story addition to an existing 4-story high school building, with no front yard instead of 20'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION 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 February 21 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** Karl Noeberg **CAL NO.:** 77-03-Z

**APPEARANCE FOR:** Thomas S. Moore, Karl Noeberg **MAP NO.:** 5-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 1960 N. Burling Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence (SD#19) District, the erection of a proposed 3-story single family residence, whose front yard will be 8'-4 3/4" instead of 14.80', whose north side yard will be 1'-4" instead of 2'-6", and with no rear yard instead of 30'.

**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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** Michael Filmowicz **CAL NO.:** 78-03-Z

**APPEARANCE FOR:** Micahel Filmowicz **MAP NO.:** 13-L

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 4806 N. Milwaukee Avenue

**NATURE OF REQUEST:** \*Application for a variation under Article 11 of the zoning ordinance to permit, in a B3-2 General Retail District, the erection of a 3rd story addition to create a 3rd dwelling unit located in an existing 2-story 2 dwelling unit brick commercial and residential building, whose rear yard will be 11'-82" instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS PARTLY GRANTED AND PARTLY DENIED.

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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; and

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

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

That the rear yard variation is granted provided the applicant maintains three maneuverable parking spaces as shown in the plans; and

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

\*Amended at the public hearing.

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

**APPLICANT:** McHugh White, LLC **CAL NO.:** 79-03-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 1614 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 proposed 2 1/2-story single family residence, whose front yard will be 15.77' instead of 19.96', whose south side yard will be 1.0' instead of 6.08', with no north side yard instead of 6.08', and to increase the percentage of rear yard coverage from 60% to 68.9% for a proposed 2 car garage.

**ACTION OF BOARD--**

VARIATIONS GRANTED.

**THE VOTE**

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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** McHugh White, LLC **CAL NO.:** 80-03-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 1618 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 establishment of a proposed 2 ½-story single family residence, whose front yard will be 15.77' instead of 19.96", whose south side yard will be 1.5' instead of 6.08', with no north side yard instead of 6.08'; and to increase the percentage of rear yard coverage from 60% to 68.6% for a proposed 2 car garage.

**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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** McHugh White, LLC **CAL NO.:** 81-03-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 1620 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 deconversion of an existing 2 dwelling unit building into a single family residence, with no north side yard instead of 3', and to increase the percentage of rear yard coverage from 60% to 68.9% for a proposed 2 car garage.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** Peter Bukowski **CAL NO.:** 82-03-Z  
**APPEARANCE FOR:** Thomas M. Pikarski, Peter Bukowski **MAP NO.:** 7-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 2461 N. Geneva Terrace

**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 single family residence, whose front yard will be 3.5' instead of 9.6', and whose rear yard will be 5' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

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 February 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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:** Primary Staffing Inc. **CAL NO.:** 83-03-S  
**APPEARANCE FOR:** Louis Prempas **MAP NO.:** 10-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 4247 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 day labor employment agency, in a B4-2 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 February 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; and

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

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

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

That there shall be no loitering by clients outside the subject premises; that adequate washroom facilities shall be provided for employees and clients.

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

**APPLICANT:** Brad Schreiber **CAL NO.:** 84-03-Z  
**APPEARANCE FOR:** James J Banks, Brad Schreiber **MAP NO.:** 5-G  
**APPEARANCES AGAINST:** Ken Brunke **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 2256 N. Magnolia 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 3-story masonry single family residence whose front yard shall be 9' instead of 14.89', with no south side yard instead of 2.4',\* and whose rear yard will be 21.4' instead of 30'.

**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 February 17, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 31, 2003; 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 24' x 124.15' lot currently improved with a building foundation; that the applicant proposes to erect a single-family dwelling with attached 2-car garage and an enclosed breezeway; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that the variations requested are necessary to erect a single-family dwelling with garage and enclosed breezeway which will meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that the applicant's wife is a physician with late working hours which necessitates, for safety reasons, the attached garage and breezeway; that the proposed 3-story single-family residence will not impair an adequate supply of light and air to abutting properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

\*Amended at the public hearing.

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

APPLICANT: Panagiotis Paraskevoulakos

CAL NO.: 85-03-S

APPEARANCE FOR:

MAP NO.: 17-G

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 1310 W. Devon Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 3-story 8 dwelling unit building a B4-2 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 25, 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:** Panagiotis Paraskevoulakos

**CAL NO.:** 86-03-Z

**APPEARANCE FOR:**

**MAP NO.:** 17-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 1310 W. Devon 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 3-story 8 dwelling unit building, with no front yard instead of 12', whose east and west side yards will be 20' each instead of 30' each, with a waiver of the one required 10' x 24' loading berth, and to reduce the require minimum lot area from 1,000 sq. ft. to 937.5 sq. ft. per unit (93.75%).

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

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: Richard Hunter

CAL NO.: 87-03-Z

APPEARANCE FOR:

MAP NO.: 11-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 4441 W. Leland Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the division of an improved zoning lot measuring 49' x 125' into a lot improved with the existing 2 ½-story two dwelling unit building to be deconverted to a single family residence and located at 4441 W. Leland Avenue, whose west side yard will be 1.9' instead of 5', whose east side yard will be 3' instead of 5', and a 28.5' x 125' lot.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

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: Richard Hunter

CAL NO.: 88-03-Z

APPEARANCE FOR:

MAP NO.: 11-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

PREMISES AFFECTED: 4437 W. Leland Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the division of an improved zoning lot measuring 49' x 12' into a vacant lot measuring 28.04' x 125' at 4437 W. Leland Avenue for the erection of a proposed 2-story single family residence whose west side yard will be 3'-1" instead of 7.3', and whose east side yard will be 3'-11" instead of 7.3".

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 25, 2003.

	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:  
February 21, 2003

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 C1-2 General Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MAY 16, 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-I

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 2016-22 N. California 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 C2-1 General Commercial District.

**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
X		
X		
X		
X		
X		

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

**APPLICANT:** 17<sup>TH</sup> Indiana L.L.C.

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

**PEARANCE FOR:** Thomas S. Moore

**MAP NO.:** 4-E

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
February 21, 2003

**PREMISES AFFECTED:** 7944-46 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 residential use below the 2<sup>nd</sup> floor in a proposed 4-story 6\*town home dwelling unit building, in a B4-5 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		

**IE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2003, 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:

That the proposed ground floor dwelling units shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Bauhs, Dring, Main, Ltd., dated February 7, 2003.

\*Amended at the public hearing.

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

**APPLICANT:** 17<sup>th</sup> Indiana L.L.C. **CAL NO.:** 386-02-Z  
**APPEARANCE FOR:** Thomas S. Moore **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 1638 S. Indiana 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\* town home dwelling unit development, with no front yard 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--**

**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 February 21, 2003, 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 February 21, 2003, the Board approved, in Cal. No. 385-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 4-story 6 town home dwelling unit development 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:** Shiloh Apostolic Lighthouse Church **CAL NO.:** 460-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 14-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 6026-36 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--**

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 February 21, 2003, 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.

\*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

**PEARANCE FOR:** James J. Banks

**MAP NO.:** 4-H

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
February 21, 2003

**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--**

**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:** Blue Ribbon Construction, Inc. **CAL NO.:** 466-02-Z  
**APPEARANCE FOR:** Scott R. Borstein **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**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 erection 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 30', 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**

VARIATIONS GRANTED,

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 2003, 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: PA Staffing

CAL NO.: 469-02--S

APPEARANCE FOR:

MAP NO.: 7-J

APPEARANCES AGAINST:

MINUTES OF MEETING:  
February 21, 2003

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  
MAY 16, 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: Thomas M. Pikarski MAP NO.: 3-I

APPEARANCES AGAINST: MINUTES OF MEETING:  
February 21, 2003

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 erection of a 3<sup>rd</sup> 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 14% of the floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 25, 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:** Henry T. Borczyk **CAL NO.:** 476-02-Z  
**APPEARANCE FOR:** Henry T. Borczyk **MAP NO.:** 13-M  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
February 21, 2003  
**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--**

**THE VOTE**

VARIATION 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 February 21, 2003, 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:** McDonald's Corporation **CAL NO.:** 480-02-S  
**APPEARANCE FOR:** Joseph P. Gattuso **MAP NO.:** 6-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 February 21, 2003  
**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--**

**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 February 21, 2003, 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 the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by McDonald's Corporation, dated July 3, 2002; that the final landscape plan shall be approved by the Department of Planning and Development; and

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

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

**APPLICANT:** GDH Investments, L.L.C. **CAL NO.:** 374-02-S  
**APPEARANCE FOR:** Gary I. Wigoda **MAP NO.:** 5-G  
**APPEARANCES AGAINST:** William P. Boznos **MINUTES OF MEETING:**  
 February 21, 2003  
**PREMISES AFFECTED:** 4944-46 N. Damen Avenue  
**NATURE OF REQUEST:** Remand from the Appellate Court of Illinois, Fourth Division

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DISMISSED IN ACCORDANCE WITH THE FINDINGS OF THE ILLINOIS APPELLATE COURT, FOURTH JUDICIAL DIVISION.

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

**THE RESOLUTION:**

WHEREAS, GHD Investments, L.L.C., owner, on July 21, 1997, filed an application for a special use under Article 11 f the zoning ordinance for the approval of the location and the establishment of retail uses in a proposed 2-story building, in Planned Manufacturing District #1, on premises at 934-44 W. North Avenue; and

WHEREAS, that on December 19, 1997, the Zoning Board of Appeals, in Cal. No. 374-97-S, approved the establishment of the aforesaid retail uses in a proposed 2-story building, on premises at 934-44 W. North Avenue, upon condition that 34 leased off-site parking spaces were to be located at 955 W. Weed Street, as provided for in companion application No. 375-97-S; and

WHEREAS, that a summons in administrative review was subsequently filed in the Circuit Court of Cook County, as 98 CH 9802069; that the Circuit Court of Cook County subsequently upheld the findings and resolution of the Zoning Board of Appeals; and

WHEREAS, that the Circuit Court findings were appealed to the Appellate Court of Illinois, Fourth Judicial Division, for consideration upon the merits that the Zoning Board of Appeals' grant of a special use approval was against the manifest weight of the evidence; and

WHEREAS, that on February 10, 2000, the Appellate Court of Illinois, Fourth Judicial Division, issued a ruling that reversed the findings of the Circuit Court; set aside the Zoning Board of Appeals' decision granting GDH Investments, L.L.C. application for the special use; and remanded the matter back to the Zoning Board of Appeals; and

WHEREAS, that in the opinion of the Appellate Court, the Zoning Board of Appeals' findings that the proposed retail use of the subject property would furnish adequate off-street parking and that the off-street parking provided met the requirements of the Planned Manufacturing District ordinance, were against the manifest weight of the evidence; and

(Continued on page 56a of minutes.)

**MINUTES OF MEETING**

February 21, 2003

Cal. No. 374-97--S

WHEREAS, that on September 15, 2000, a hearing was held on the aforesaid remand order by the Zoning Board of Appeals at its regularly scheduled meeting; that the special use was thereupon vacated and held for naught; and

WHEREAS, that on February 21, 2003, a hearing was held on the aforesaid remand by the Zoning Board of Appeals at its regularly scheduled meeting; and

WHEREAS, that the special use heretofore granted in Cal. No. 374-97-S be and is hereby dismissed in accordance with the findings of the Appellate Court of Illinois, Fourth Judicial Division, dated February 10, 2000.

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

**APPLICANT:** GHD Investments, L.L.C. **CAL NO.:** 375-97-S  
**APPEARANCE FOR:** Gary I. Wigoda **MAP NO.:** 5-G  
**APPEARANCES AGAINST:** William P. Boznos **MINUTES OF MEETING:**  
February 21, 2003  
**PREMISES AFFECTED:** 955 W. Weed Street  
**NATURE OF REQUEST:** Remand from the Appellate Court of Illinois, Fourth Division

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DISMISSED IN ACCORDIANCE WITH THE FINDINGS OF THE ILLINOIS APPELLATE COURT, FOURTH DIVISION.

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

**THE RESOLUTION:**

WHEREAS, GHD Investments, L.L.C., for Mid-City Parking, Inc., owner, on July 21, 1997, filed an application for a special use under Article 11 of the zoning ordinance for the approval of the location and the leasing of 34 parking spaces in an existing parking lot, in an M2-5 General Manufacturing District, to fulfill the parking requirement for a proposed retail store to be located at 934-44 W. North Avenue; and

WHEREAS, on December 19, 1997, the Zoning Board of Appeals approved, in Cal. No. 375-97-S, the leasing of 34 parking spaces in an existing parking lot located at 955 W. Weed Street to fulfill the parking requirement for a proposed retail store to be located at 934-44 W. North Avenue, which retail use was approved by the Zoning Board of Appeals, on December 19, 21997, in Cal. No. 374-97-S; and

WHEREAS, that a summons in administrative review was subsequently filed in the Circuit Court of Cook County, as 98 CH 9802069; that the Circuit Court subsequently upheld the findings and resolution of the Zoning Board of Appeals; and

WHEREAS, that the Circuit Court findings were appealed to the Appellate Court of Illinois, Fourth Judicial Division for consideration upon the merits that the Zoning Board of Appeals' grant of a special use approval was against the manifest weight of the evidence; and

WHEREAS, that on February 10, 2000, the Appellate Court of Illinois, Fourth Judicial Division, issued a ruling that reversed the findings of the Circuit Court; set aside the Zoning Board of Appeals' decisions granting GDH Investments, L.L.C. application for a special use; and remanded the matter back to the Zoning Board of Appeals; and

WHEREAS; that in the opinion of the Appellate Court the parking agreement entered into between GHD Investments L.L.C. and Mid-City Parking, Inc., the owner of the 955 W. Weed Street property, was not definite as to which 34 parking spaces were to be reserved for use by the tenants, employees, invitees, customers, and other persons affiliated with the property, and, importantly, it did not transfer possession of the parking spaces to GDH Investments, L.L.C.; that the parking agreement merely entitled certain persons affiliated with the property to use 34 parking spaces, subject to rules and regulations promulgated by the owner of the property and that the parking agreement was a license rather than a lease; and

(Continued on page 57a of minutes.)

**MINUTES OF MEETING**

February 21, 2003

Cal. No. 375-97-S

WHEREAS, that on September 15, 2000, a hearing was held on the aforesaid Remand by the Zoning Board of Appeals at its regularly scheduled meeting; that the special use was thereupon vacated and held for naught; and

WHEREAS, that n February 21, 2003, a hearing was held on the aforesaid Remand by the Zoning Board of Appeals at its regularly scheduled meeting; and

WHEREAS, that the special use hereby approved in Cal. No. 375-97-S be and is hereby dismissed in accordance with the findings of the Appellate Court of Illinois, Fourth Division, dated February 10, 2000.

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

**APPLICANT:** Erin Properties Corp. **CAL NO.:** 193-00-S  
**APPEARANCE FOR:** Bernard I. Citron **MAP NO.:** 9-G  
**APPEARANCES AGAINST:** H. Reed Harris **MINUTES OF MEETING:**  
**PREMISES AFFECTED:** 3260 N. Clark Street February 21, 2003  
**NATURE OF REQUEST:** Remand from the Appellate Court of Illinois, First Judicial Division.

**ACTION OF BOARD--**

**THE VOTE**

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

APPLICATION DISMISSED IN ACCORDANCE WITH THE FINDINGS OF THE ILLINOIS APPELLATE COURT, FIRST JUDICIAL DIVISION.

**THE RESOLUTION:**

Whereas, Erin Properties Corp, owner, on March 29, 2000, filed an 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 space, on premises at 3260 N. Clark Street, in a B4-2 Restricted Service District, to satisfy the off-street parking requirement for Unit B of a 6-dwelling unit building located at 3215 N. Wilton Avenue; and

Whereas, on June 16, 2001, in Cal. No. 193-00-S, the Zoning Board of Appeals approved the aforesaid special use application with the condition that the parking space located at 3260 N. Clark Street shall be designated by name plate as reserved parking for the tenant of Unit B located in the residential building at 3215 N. Wilton Avenue and that a restrictive covenant shall be filed with the Recorder of Deeds of Cook County Illinois limiting the use of the subject parking space located at 3260 N. Clark Street as the required off-street parking for Unit B located in the residential building at 3125 N. Wilton Avenue and which instrument shall prohibit the separation of said parking space at 3260 N. Clark Street from the use of said Unit B at 3215 N. Wilton Avenue; and

WHEREAS, that a summons in administrative review was subsequently filed in the Chancery Division of the Circuit Court of Cook County as 00 CH 12401; that the Circuit Court subsequently upheld the findings and resolution of the Zoning Board of Appeals; and

WHEREAS, that on August 17, 2001 the Zoning Board of Appeals granted the applicant an extension of time to June 16, 2002, in which to establish the aforesaid off-site parking space; and

WHEREAS, that the Circuit Court findings were appealed to the Illinois Appellate Court, First Judicial Division for consideration upon the merits that the Zoning Board of Appeals' grant of a Special Use approval was not supported by the record; and

WHEREAS, that on November 26, 2002, the Appellate Court of Illinois, First Judicial District, issued an opinion that reversed the findings of the Circuit Court, and the Zoning Board of Appeals, and remanded the matter to the Zoning Board of Appeals; and

(Continued on page 58a of minutes.)

**MINUTES OF MEETING**

February 21, 2003

Cal. No. 193-00-S

WHEREAS; that in the opinion of the Appellate Court it appears that the petitioner, Erin Properties Corp., failed to present testimony or documented evidence in the record which establishes the two properties, 3260 N. Clark Street and 3215 N. Wilton Avenue, were in the "same possession" by deed or long term lease as required by Section 17-5-8.5 of the Municipal Code; and

WHEREAS, that on November 26, 2002, the Appellate Court remanded the matter back to the Zoning Board of Appeals for rehearing to determine whether Erin Properties Corp. held title to the two properties by deed or long term lease; and

WHEREAS on February 21, 2003, a hearing was held on the aforesaid Remand by the Zoning Board of Appeals at its regularly scheduled meeting; 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 Zoning Board of Appeals finds that no new evidence was presented at the February 21, 2003 hearing by Erin Properties Corp. to prove that the garage property at 3260 N. Clark Street and the 6 dwelling unit building at 3215 N. Wilton Avenue were in the same possession by Erin Properties Corp. at the time of the June 16, 2000 Zoning Board of Appeals hearing; it is therefore

RESOLVED; that the remanded case is dismissed in accordance with the findings of the Appellate Court of Illinois, First Judicial District, dated November 26, 2002.