MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

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

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

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

Gigi McCabe-Miele  
Vice Chairman
Brian Crowe
Donald Hubert
Demetri Konstantelos
APPLICANT: Ellis Place Condominiums, L.L.C.  CAL NO.: 91-03-Z

APPEARANCE FOR:  MAP NO.: 10-D

APPEARANCES AGAINST:

PREMISES AFFECTED: 4525-29 S. Ellis 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 6 dwelling unit building, whose north side yard will be .63' instead of 6.1' and with no south side yard instead of 6.1'.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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APPLICANT: Ellis Place Condominiums, L.L.C.  CAL NO.: 92-03-Z

APPEARANCE FOR:  

APPEARANCES AGAINST: 

MAP NO.: 10-D  

MINUTES OF MEETING: March 21, 2003  

PREMISES AFFECTED: 4531-33 S. Ellis Avenue  

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the construction of a 3-story 4 dwelling unit building, with no north side yard instead of 4.11', and whose south side yard will be .52' instead 4.1'.

ACTION OF BOARD-- CASE CONTINUED TO  

THE VOTE

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: 1221-29 N Paulina, L.L.C.  CAL NO.: 93-03-S

APPEARANCE FOR: Thomas S. Moore  MAP NO.: 3-H

APPEARANCES AGAINST: None  MINUTES OF MEETING: March 21, 2003

PREMISES AFFECTED: 1229 N. Paulina Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 2 dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 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 ground floor residential use shall be constructed consistent with the site plan and elevation drawings prepared by Sullivant, Goulette Architects, dated March 17, 2003.

BAZ 16 PAGE 5 OF MINUTES
APPLICANT: 1221-29 N Paulina, L.L.C.

VARIANCE FOR: Thomas S. Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1229 N. Paulina Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to

in a B4-2 Restricted Service District, the erection of a proposed 4-story 2 dwelling unit building, whose frontage will be 10' instead of 15' and with no north and south side yards instead of side yards of 3.46' each.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

DONALD HUBERT

GIGI MCCABE-MIELE

BRIAN L. CROWE

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make the following variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be 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.
APPLICANT: 1221-29 N Paulina, L.L.C.

APPEARANCE FOR: Thomas S. Moore

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1225-27 N. Paulina Street

NATURE OF REQUEST: Application for a special use under Article II of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 6 dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 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 ground floor residential use shall be constructed consistent with the site plan and elevation drawings prepared by Sullivan, Goulette Architects, dated March 17, 2003.
APPLICATION: 1221-29 N Paulina, L.L.C.  

APPEARANCE FOR: Thomas S. Moore  

APPEARANCES AGAINST: None  

PREMISES AFFECTED: 1225-27 N. Paulina Street  

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a proposed 4-story 6 dwelling unit building whose front yard will be 10' instead of 15', whose north and south side yards will be 2.6' each instead of 5.3' each, and with a waiver of the one required 10' x 24' loading berth.

ACTION OF BOARD--  

VARIATIONS GRANTED..  

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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 March 21, 2003, the Zoning Board of Appeals approved, in Cal. No. 95-03-S, the establishment of residential use below the 2nd floor in a proposed 4-story 2 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: 1221-29 N Paulina, L.L.C.  CAL NO.: 97-03-S

APPEARANCE FOR: Thomas S. Moore  MAP NO.: 3-H

APPEARANCES AGAINST: None  MINUTES OF MEETING: March 21, 2003

PREMISES AFFECTED: 1221-23 N. Paulina Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 6 dwelling unit building, in a B4-3 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 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: 1221-29 N Paulina, L.L.C.  CAL NO.: 98-03-Z

APPEARANCE FOR: Thomas S. Moore  MAP NO.: 3-H

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1221-23 N. Paulina Street

MINUTES OF MEETING: March 21, 2003

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a proposed 4-story 6 dwelling unit building, whose front yard will be 10' instead of 15', whose north and south side yards will be 2.6' each instead of 5.3' each; and with a waiver of the one required 10' x 24' load berth.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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 March 21, 2003, the Zoning Board of Appeals approved, in Cal. No. 97-03-S, the establishment of residential use below the second floor in a proposed 4-story 6 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

BAZ 15  PAGE 10 OF MINUTES
APPLICANT: Miriam J. Colindrez

APPEARANCE FOR: John J. Pikarski, Jr.

APPEARANCES AGAINST:

PREMISES AFFECTED: 4706-08 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 an automobile laundry, in a C2-1 General Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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APPLICATION: KFC of America, Inc.  

APPEARANCE FOR: Timothy K. Hinchman  

APPEARANCES AGAINST: Mike Crandall, Joe Brown  

PREMISES AFFECTED: 4745 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 two window drive-through facility in conjunction with a proposed Kentucky Fried Chicken restaurant, in a B5-3 General Service District.

ACTION OF BOARD-- APPLICATION APPROVED.

THE VOTE

| JOSEPH J. SPINGOLA |  
| DEMETRI KONSTANTIELOS | 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 March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 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 to provide a service necessary in today's fast food market; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth 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 the proposed drive-through facility and restaurant shall be constructed consistent with the layout and design represented on the site plan and elevation drawings as prepared by PFDA, Incorporated, dated March 18, 2003; that the final landscape plan shall be approved by the Department of Planing and Development;

That lighting shall be provided which is directed away from abutting residential properties; that receptacles for garbage and trash shall be provided and emptied on a regular basis; and

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

APPLICATION FOR: Cristobal Mayorga

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2428 N. Maplewood Avenue

NATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in an R3 General Residence District, the erection of 2nd floor addition to an existing 1-story single family residence, whose north side yard will be .26' instead of 3'0", and with no south side yard instead of 3'-0".

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI MCCABE-MIELE
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 March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICANT: Taylor Heydman

APPEARANCE FOR: James J. Banks, Taylor Heydman

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1742 W. Wabansia Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story single family residence, whose front yard will be 3' instead of 12.83', and whose east side yard will be .82' instead of 3'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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: Robert Farnik

APPEARANCE FOR: 

APPEARANCES AGAINST: 

PREMISES AFFECTED: 1515 W. Haddon Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 9 dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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

APPLICANT: Robert Farnik

APPEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 1515 W. Haddon 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 4-story 9 dwelling unit building, with no west side yard instead of 6.5', with no rear yard instead of 30', and with a waiver of the one 10' x 24' required loading berth.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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

APPLICANT:           Luis Alvarez Maya            CAL NO.: 105-03-A

APPEARANCE FOR:      Luis Alvarez Maya            MAP NO.: 14-J

APPEARANCES AGAINST: None

PREMISES AFFECTED:  3512-16 W. 63rd Street

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

ACTION OF BOARD--

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Luis Alvarez Maya, owner, on October 29, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail automobile parts business in a 1-story brick multi-store building, in a B2-1 Restricted Retail District, on premises at 3512-16 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 2002, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8-3-2."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building containing 3 store premises; that the appellant seeks to establish a retail automobile parts business in the vacant store premises in the building at the subject site; that the appellant proposes to sell at retail automobile accessories at the subject site; that no automobile repair work will be conducted at the subject site; that the subject store premises has been occupied by previous business uses; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail automobile parts business in a 1-story brick multi-store building, on premises at 3512-16 W. 63rd Street, upon condition that no automobile repair work shall be conducted at the subject site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

BAZ 12 PAGE 17 OF MINUTES
APPLICANT: Maria Barrios

APPEARANCE FOR: None

APPEARANCES AGAINST: 

PREMISES AFFECTED: 6455 S. Kedzie Avenue

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

ACTION OF BOARD--

APPEAL DISMISSED FOR WANT OF PROSECUTION.

THE VOTE

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MINUTES OF MEETING: March 21, 2003

CAL NO.: 106-03-A

MAP NO.: 16-1
APPLICANT: Paula Ponce

APPEARANCE FOR: Richard E. Zulkey, Paula Ponce

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4244 W. Fullerton Avenue

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

ACTION OF BOARD--

THE VOTE

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

THE RESOLUTION:

WHEREAS, Paula Ponce, for Raquel Valenzuela, owner, on November 5, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 1-story brick store building attached to a 2-1/2 story frame residential building, in a B2-1 Restricted Retail District, on premises at 4244 W. Fullerton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 2002, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building attached to a 2-1/2 story frame residential building; that the appellant seeks to operate a beauty salon in the subject 1-story store premises; that the subject store was previously occupied by a 2nd hand dealer which use recently ceased operation; that licensing requirements have caused the case to be filed; that the change of use from a 2nd hand dealer to a beauty shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 1-story brick store building attached to a 2-1/2 story frame residential building, on premises at 4244 W. Fullerton Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 8 P.M., Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.
APPLICANT: Aaron D. Klein

APPEARANCE FOR: Gary I. Wigoda, Aaron D. Klein

APPEARANCES AGAINST: None

PREMISES AFFECTED: 7412 N. Western Avenue

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

ACTION OF BOARD--

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

WHEREAS, Aaron D. Klein, for Peter Paraskovoulakos, owner, on November 13, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the issuance of a Home Occupation License for a locksmith business, in a 3-story store and apartment building, in a B4-2 Restricted Service District, on premises at 7412 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 12, 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, Section 8.3-4.”

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District, that the subject site is improved with 3-story store and apartment building; that the appellant resides in one of the dwelling units in the subject building; that the appellant operates a locksmith business at his place of residence; that the business activity occupies approximately 100 square feet of the appellant’s apartment; that no direct sales are made from the subject premises; that licensing requirements have caused the case to be filed in that the appellant testified that the business license sought is necessary for insurance purposes; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is denied and he is authorized to permit the issuance of a Home Occupation License for a locksmith business in a dwelling unit in a 3-story store and apartment building, on premises at 7412 N. Western Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Matthew Mendoza
CAL NO.: 109-03-A

APPEARANCE FOR: John J. Pikarski, Jr., Matthew Mendoza
MAP NO.: 7-J

APPEARANCES AGAINST: None
MINUTES OF MEETING:

PREMISES AFFECTED: 3231 W. Altgeld Street

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

ACTION OF BOARD--

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

THE VOTE

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THE RESOLUTION:

WHEREAS, Matthew Mendoza, for Matthew and Cyd Mendoza, owner, on November 13, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3 dwelling units in a 2 ½ story frame residential building, in an R3 General Residence District, on premises at 3231 W. Altgeld Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 12, 2002, "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 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 2 ½ story frame residential building; that the appellant is seeking to certify three dwelling units in the subject building; that evidence presented, and testimony concerning architectural details, indicates that the subject building has been occupied by three dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue to occupy the subject building as three dwelling units, provided the building is brought into compliance with 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 3 dwelling units in a 2 ½ story frame residential building, on premises at 3231 W. Altgeld Street, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances shall be complied with before a permit is issued.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: West Lakeview Liquors

APPEARANCE FOR: None

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2156 W. Addison Street

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

ACTION OF BOARD--

APPEAL DISMISSED FOR WANT OF PROSECUTION.

THE VOTE

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APPLICANT: Kazimierz Swierczek

APPEARANCE FOR: 

APPEARANCES AGAINST: 

PREMISES AFFECTED: 6227 W. Henderson Street

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

ACTION OF BOARD--

APPEAL WITHDRAWN UPON MOTION OF APPELLANT.

THE VOTE

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APPLICANT: Felix R. Hernandez

APPEARANCE FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED: 3650-54 W. Augusta Avenue

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

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

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JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI MCCABE-MIELE
BRIAN L. CROWE
APPLICANT: Adalberto Orozco  

APPEARANCE FOR:  

APPEARANCES AGAINST:  

PREMISES AFFECTED: 3738 W. 63rd Street  

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

ACTION OF BOARD--CASE CONTINUED TO JUNE 20, 2003.  

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PAGE 25 OF MINUTES
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Cernora Johnson

APPEARANCE FOR: Cernora Johnson

APPEARANCES AGAINST: None

PREMISES AFFECTED: 841 E. 47th Street

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

ACTION OF BOARD--

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

THE VOTE

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

THE RESOLUTION:

WHEREAS, Cernora Johnson for Lake Park E. & Assoc., owner, on December 16, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 4-story multi-store and apartment building, in an R5 General Residence District, on premises at 841 E. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 19, 2002, reads: “Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-5.”

and

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

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 4-story building with retail uses on the ground floor and dwelling units above; that the appellant operated at beauty salon in the store premises at 843 E. 47th Street for approximately 6 years; that the appellant moved her business to the subject site premises for additional space; that the appellant employs 3 additional stylists in the operation of the business; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 4-story multi-store and apartment building, on premises at 841 E. 47th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

BAZ 12 PAGE 26 OF MINUTES
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Dorel Ardelean

APPEARANCE FOR: Paul Kolpak, Dorel Ardelean

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3550 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 residential use (parking spaces) below the 2nd floor in a proposed 4-story 34 dwelling unit building, in a B4-4 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 2002; and

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

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

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

That the proposed ground floor residential use shall be constructed consistent with the layout and design represented on the site plan and elevation drawings, prepared by Fred Frank Architects, dated March 20, 2003,
APPLICATION: Dorel Ardelean

APPEARANCE FOR: Paul Kolpak, Dorel Ardelean

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3550 W. Montrose Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a proposed 4-story 34 dwelling unit building, whose front yard will be 5' instead of 15', with no rear yard instead of 30', and with a waiver of the one required 10' x 24' loading berth.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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 March 21, 2003, the Zoning Board of Appeals, approved, in Cal. No. 115-03-S, the establishment of residential use (parking spaces) below the 2nd floor in a proposed 4-story 34 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

APPEARANCE FOR: Paul Kolpak, Dorel Ardelean

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3611 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 residential use (parking spaces) below the 2nd floor in a proposed 4-story 34 dwelling unit building, in a B4-4 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 2002; and

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

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

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

That the proposed ground floor residential use shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Fred Frank Architects, dated March 20, 2003.
APPLICANT: Dorel Ardelean

APPEARANCE FOR: Paul Kolpak, Dorel Ardelean

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3611 W. Montrose Avenue

NATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a proposed 4-story 34 dwelling unit building, whose front yard will be 5' instead of 15', with no rear yard instead of 30', and with a waiver of the one required 10' x 24' loading berth.

ACTION OF BOARD--

VARIATIONS GRANTED.

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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 March 21, 2003, the Zoning Board of Appeals, approved, in Cal. No. 117-03-S, the establishment of residential use (parking spaces) below the 2nd floor in a proposed 4-story 34 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

APPEARANCE FOR: 

APPEARANCES AGAINST: 

PREMISES AFFECTED: 4940-48 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 off-site accessory parking lot for the parking of 65 private passenger automobiles, in an R3 General Residence District, to fulfill the parking requirement for a proposed indoor soccer facility to be located at 4423 N. Milwaukee Avenue.

ACTION OF BOARD-- CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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

APPLICANT: Chicago Soccer
CAL NO.: 120-03-Z

PEARANCE FOR:

APPEARANCES AGAINST:

MAP NO.: 11-L

PREMISES AFFECTED: 4940-48 W. Montrose Avenue

MINUTES OF MEETING: March 21, 2003

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 dual use of a proposed off-site accessory parking lot for the parking of 65 private passenger automobiles, in a B4-2 Restricted Service District, which will fulfill the parking requirement for a proposed indoor soccer club to be located at 4423 N. Milwaukee Avenue and which proposed parking lot will also be used by a church and school.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI MCCABE-MIELE
BRIAN L. CROWE
APPLICANT: Chicago Soccer

APPEARANCE FOR: 

APPEARANCES AGAINST: 

PREMISES AFFECTED: 4423 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the establishment of a proposed indoor soccer arena as a public place of amusement which will be located within 125' of a residential district.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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</table>
APPLICANT: Kazimierz Brzozowski

APPEARANCE FOR: Mark J. Kupiec, Kazimierz Brzozowski

APPEARANCES AGAINST: 

PREMISES AFFECTED: 5937-39 W. Montrose Avenue

NATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a 1 and 2-story addition to an existing 1 and 2-story commercial and 2 dwelling unit building with a reduction of the required minimum lot size from 5,000 sq. ft. to 4,565 sq. ft.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINCOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI McCabe-Miele
BRIAN L. CROWE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICANT: Jake Carter

CAL NO.: 123-03-Z

PEACEARANCE FOR: Jake Carter

APPEARANCES AGAINST: None

MAP NO.: 20-D

MINUTES OF MEETING: March 21, 2003

PREMISES AFFECTED: 8035 S. Dobson Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story open rear porch to an existing 3-story brick residence, whose north and south side yards will be 1.6' each instead of 5' each.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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: Gino Battaglia

APPEARANCE FOR: Patrick Turner, Gino Battaglia

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1002 N. California Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of an existing tavern to include a public place of amusement, in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 2002; and

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

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: David Van Zandt and Lisa Huestis

APPEARANCE FOR:CAL NO.: 125-03-Z

APPEARANCES AGAINST: MAP NO.: 5-F

PREMISES AFFECTED: MINUTES OF MEETING:

441 W. Belden Avenue March 21, 2003

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 2-story rear addition plus 1-story attached garage to an existing 2-story masonry building, with no west side yard instead of 5.42', and whose rear yard will be 1.916' instead of 30'.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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APPLICANT: Robert O'Connor and Nocolo Mule

PEARANCE FOR: James J. Banks, Robert O’Connor

APPEARANCES AGAINST: None

PREMISES AFFECTED: 744 N. May Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-3 Restricted Commercial District, the erection of a proposed 4-story 6 dwelling unit building with 2 retail stores, with no rear yard at the first residential level instead of 30'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICANT: Hilary Jurkowski

PEACE FOR: James J. Banks, Hilary Jurkowski

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3848 N. Oak Park 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 erection of a new detached private garage measuring 595 sq. ft. which requires an increase in the rear yard percentage of coverage from 60% to 66% and whose front yard will be 15.22' instead of 19.86', whose north side yard will be 2.63' and whose south side yard will be 0.91' instead of 13.375' each.*

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 2002; and

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

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

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

*Amended at the public hearing.
APPLICANT: 11th and Wentworth Limited Partnership

APPEARANCE FOR: Joseph P. Gattuso

APPEARANCES AGAINST: None

PREMISES AFFECTED: 11045 S. Wentworth Avenue

NATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in a B2-3 Restricted Retail District, the establishment of a proposed 4-story 24 single room occupancy and 27 dwelling unit building, whose rear yard will be 18.33' instead of 30'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICANT: 111th and Wentworth Limited Partnership

APPEARANCE FOR: Joseph P. Gattuso

APPEARANCES AGAINST: None

PREMISES AFFECTED: 11023 S. Wentworth 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 31 private passenger automobiles, in a B2-3 Restricted Retail District, to fulfill the parking requirement for a proposed residential building to be located at 11045 S. Wentworth Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 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 all applicable provisions of the Chicago Landscape Ordinance shall be complied with:

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with all applicable standards established under the zoning ordinance pertaining to off-site accessory parking lots and with Section 5.8-5 of the zoning ordinance.
APPLICATION: Richard & Gwenn Rausch

APPEARANCE FOR: Kristi A. Osga, Richard Rausch

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1852 N. Mohawk Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence (S.D. #19), the erection of a proposed 3-story single family residence, whose front yard will be 2'-10" instead of 14.28', whose south side yard will be 1'-3" instead of 2'-4", and with no north side yard instead of 2'4".

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICANT: Greg Lawton  CAL NO.: 131-03-Z

APPEARANCE FOR:  MAP NO.: 5-F

APPEARANCES AGAINST:  MINUTES OF MEETING: March 21, 2003

PREMISES AFFECTED: 2031 N. Sedgwick Street

NATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story rear addition to an existing 3-story single family residence with no north and south side yards instead of 2.05' each.

ACTION OF BOARD--

CASE CONTINUED TO MAY 16, 2003.

THE VOTE

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APPLICATION: Robert T. Goga

APPEARANCE FOR: Robert T. Goga

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4545 S. Lowe Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2-story rear addition to an existing 2 ½-story single family residence, whose north side yard will be 4” instead of 7', and whose south side yard will be 2.62' instead of 7'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICATION: Cash America, Inc. of Illinois  

APPEARANCE FOR: James J. Banks  

APPEARANCES AGAINST: None  

PREMISES AFFECTED: 4809 S. Ashland Avenue *  

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pawn shop in an existing 4-story residential and commercial building, in a B5-3 General Service District.  

ACTION OF BOARD--  

APPLICATION APPROVED.  

APPLICANT: Cash America, Inc. of Illinois  

APPEARANCE FOR: James J. Banks  

APPEARANCES AGAINST: None  

PREMISES AFFECTED: 4809 S. Ashland Avenue *  

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pawn shop in an existing 4-story residential and commercial building, in a B5-3 General Service District.  

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 March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 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.
APPLICANT: North Community Bank

APPEARANCE FOR: Dennis Aukstik

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2348-56 W. Farragut Avenue/5235-47 N. Western Avenue

NATURE OF REQUEST: Application for a special use under Article II of the zoning ordinance for the approval of the location and the establishment of a 3-lane drive through facility in conjunction with a proposed 1-story bank, in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 4, 2002; and

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

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

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

That the proposed drive-through facility and bank building shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Pappageorge, Haymes, Ltd., dated March 21, 2003; and that the final landscape plan shall be in compliance with the Chicago Landscape Ordinance.
APPLICATION: Spiro Arsenis

APPEARANCE FOR: James J. Banks, Spiro Arsenis

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1741 W. Beach 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 3 dwelling unit building, whose front yard will be 5.10' instead of 10.10', whose east side yard will be 6.33' instead of 12.6', and whose west side yard will be 15' instead of 30'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 4, 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: Ricardo Garcia

APPEARANCE FOR: James J. Banks

APPEARANCES AGAINST:

PREMISES AFFECTED: 4016-28 S. Montgomery Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ord

ACTION OF BOARD-- APPLICATION APPROVED.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting on March 21, 2003 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on August 16, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience; 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 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.

THE VOTE

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PAGE 48 OF MINUTES
APPLICANT: Zion Healing Temple

PEARANCE FOR: Lawrence E. Kennon

APPEARANCES AGAINST:

PREMISES AFFECTED: 433-37 E. 111th 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 350 seat church in an existing 1-story brick building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO AUGUST 15, 2003.

THE VOTE

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

APPLICANT: Zion Healing Temple

PEARANCE FOR: Lawrence E. Kennon

APPEARANCES AGAINST:

PREMISES AFFECTED: 11023-32 S. Vernon Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R4 General Residence District, to fulfill the parking requirements for a proposed church to be located at 433-37 E. 111th Street.

ACTION OF BOARD--

CASE CONTINUED TO AUGUST 15, 2003.

THE VOTE

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BAZ 16 PAGE 2 OF MINUTES
APPLICANT: Redeeming Ministries  
CAL NO.: 340-02-S  

APPEARANCE FOR: Lawrence E. Kennon  

MAP NO.: 16-O  

APPEARANCES AGAINST:  

MINUTES OF MEETING:  
March 21, 2003  

PREMISES AFFECTED: 1411-47 E. 67th 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 534 seat church, daycare and elementary school, in a B4-3 Restricted Service District.

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON MOTION OF APPLICANT.

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

APPLICANT: Darryl Acey

APPEARANCE FOR: Avalon Betts-Caston, Darryl Acey, James Prewitt

APPEARANCES AGAINST: Ollie Neeley, Silas Allen, Johnny King

PREMISES AFFECTED: 8548 S. Stony Island Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a tattoo and body piercing salon in a 1-story building, in a B4-2 Restricted Service District.

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on January 17, 2003 and March 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 to be located in a B4-2 Restricted Service District; that the subject site is improved with a small 1-story strip mall containing 4 store premises; that the proposed use is necessary for the public convenience at this location in that there are no establishments within the southeast area of the city offering these services; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected in that the applicant will utilize state-of-the-art sterilization processes; that disposal of all used needles will be in biodegradable containers which will be delivered to, or picked up, by Jackson Park Hospital for final disposal; that no gang-related tattoos will be available to customers; that pictures of all tattoos done will be kept on file for identification purposes, if necessary; and that the proposed use will be compatible with the mixed business and residential uses on S. South Island Avenue 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 the hours of operation shall be limited to the hours between 2 P.M. and 9 P.M., Monday through Friday and from 12:00 Noon to 10 P.M., Saturday; that the disposal of all used needles will be in biodegradable containers which will be delivered to, or picked up, by Jackson Park Hospital for final disposal; that no gang-related tattoos, etc. shall be available to customers; and

That all ordinances of the City of Chicago governing the establishment and operation of tattoo and body piercing salons and all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued;
APPLICANT: Alexander Lurye

APPEARANCE FOR: Thomas M. Pikarski, Alexander Lurye

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2334 N. Geneva Terrace, Unit C

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an RS General Residence District, the erection of a 3rd floor addition to an existing 3 condominium town home building, whose rear wall will be 5' instead of 10'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 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 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;

That upon issuance of permits, the applicant shall record the amendment or resolution to the condominium declaration with the Office of the Recorder of Deeds of Cook County, Illinois.
APPLICATION: Andrzej Rogowski

APPEARANCE FOR: James J. Banks, Andrzej Rogowski

APPEARANCES AGAINST: Andrzej Rogowski

PREMISES AFFECTED: 1313 N. Oakley Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a partial 4th story addition to an existing 3-story condominium unit building, with no north side yard instead of 9.4', whose south side yard will be 3.64' instead of 9.4', and to increase the floor area by no more than 15% (400 sq. ft.) of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

CASe CONTINUED TO MAY 16, 2003.

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APPLICANT: Tim Trezzo

APPEARANCE FOR: James J. Banks

APPEARANCES AGAINST:

PREMISES AFFECTED: 4212 W. 24th Place

APPLICATION WITHDRAWN UPON MOTION OF APPLICANT.

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-story single family residence with no west side yard instead of 5', and to divide the improved zoning lot into separate two zoning lots.

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON MOTION OF APPLICANT.

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JOSEPH J. SPINGOLA
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LEROY K. MARTIN, JR.
GIJI MccABE-MIELE
BRIAN L. CROWE
APPLICANT: Ruth Serrano

APPEARANCE FOR: Rosalind Pando, Ruth Serrano

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2779 W. Henry Court

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 3rd floor rear addition to an existing 3-story 3 dwelling unit building whose front yard will be 7' instead of 15', whose east yard will be 1' instead of 5.6', and whose west yard will be 3' instead of 5.6'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 21, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on December 31, 2002; and

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

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
APPLICANT: Community Bank of Ravenswood

APPEARANCE FOR: Ronald W. Tragasz

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2300 W. Lawrence Avenue

NATURE OF REQUEST: Application for a special use under Article II 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 B5-1 General Service District, to satisfy the parking requirements for an existing bank located at 2255 W. Lawrence Avenue.

ACTION OF BOARD-- APPLICATION APPROVED.

THE VOTE

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

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 it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with all applicable provisions and standards contained in the Zoning Ordinance pertaining to off-site accessory parking lots, with Section 5.8-5 of the Zoning Ordinance, and the Chicago Landscape Ordinance; and

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