

**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, April 25, 2003

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

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

MINUTES OF MEETING

April 25, 2003

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

\* \* \* \* \*

The Board thereupon held its regular meeting.

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

**APPLICANT:** Republic Bank of Chicago **CAL NO.:** 136-03-S  
**PEARANCE FOR:** William J. Hennessy **MAP NO.:** 18-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 7820-56 S. Pulaski Road/4000-46 W. 79th Street  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 4\*-lane drive-through facility in conjunction with a proposed bank, in a B5-1 General Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 the drive-through facility shall be constructed consistent with the layout represented on the site plan prepared by Tech Metra, Ltd., dated April 24, 2003; that the final landscape plan shall be approved by the Department of Planning and Development;

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:** KFC of America, Inc. **CAL NO.:** 137-03-S  
**APPEARANCE FOR:** Timothy K..Hinchman **MAP NO.:** 14-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 5931-41 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 proposed drive-through facility with two service windows in conjunction with a fast food restaurant, in 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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 the 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 April 2, 2003, that the final landscape plan shall be improved by the Department of Planning and Development;

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:** Nasir Mohammad **CAL NO.:** 138-03-S  
**APPEARANCE FOR:** James J. Banks, Nasir Mohammad **MAP NO.:** 18-C  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 7202-21 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 an automobile hand laundry in an existing 1-story commercial building, in a C2-2 General Commercial District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 automobiles shall access the subject site from 72<sup>nd</sup> Street through the parking lot; that all washing and processing of automobiles shall take place inside the building; that a 7' landscape setback shall be maintained in the parking lot, behind the existing ornamental fence along the 72<sup>nd</sup> Street and Stony Island Avenue frontages;

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: Temple of Faith Church

CAL NO.: 139-03-S

APPEARANCE FOR: Barry H. Greenburg

MAP NO.: 18-1

APPEARANCES AGAINST:

MINUTES OF MEETING:  
April 25, 2003

PREMISES AFFECTED: 2615-17 W. 71st 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 65-seat church with 8 on-site parking spaces,\* in a B2-1 Restricted Retail District, to serve an existing church located at 2617 W. 71st Street.

**ACTION OF BOARD--**

CASE CONTINUED TO  
JULY 18, 2003.

**THE VOTE**

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

)

Amended at the public hearing.

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

**APPLICANT:** A. J. 5900 L.L.C. **CAL NO.:** 140-03-S  
**APPEARANCE FOR:** David L. Goldstein **MAP NO.:** 14-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 349-59 E. 59th Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 17 private passenger automobiles, in an R5 General Residential District, to serve a condominium residential building located at 363-67 E. 59th Street.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 the proposed parking spaces shall be deeded with the condominium dwelling units;

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

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:** Leon Mrkvicka

**CAL NO.:** 141-03-S

**APPEARANCE FOR:** Leon Mrkvicka

**MAP NO.:** 18-B

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 7843 S. Essex Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a transitional residence for 30 male residents, in an R4 General Residence District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
JULY 18, 2003.

**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		

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

**APPLICANT:** Andy's Deli **CAL NO.:** 142-03-S  
**APPEARANCE FOR:** James J. Banks, Andy Kolasa **MAP NO.:** 7-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 3055-57 N. Lawndale 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 B1-1 Local Retail District, to serve an existing food store located at 3055 N. Milwaukee Avenue.

**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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 landscaping and fencing shall be provided in compliance with applicable provisions of the Chicago Landscape Ordinance;

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:** Granat's First Count, Inc.

**CAL NO.:** 143-03-S

**APPEARANCE FOR:** James J. Banks

**MAP NO.:** 14-N

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 6843 W. Archer 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 tavern with a beer garden, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JULY 18, 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:** Andy's Deli **CAL NO.:** 144-03-S  
**APPEARANCE FOR:** James J. Banks, Andy Kolasa **MAP NO.:** 1-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 379 N. Pulaski Road

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 52 private passenger automobiles, in an M1-2 Restricted Manufacturing District, to serve a proposed food processing plant and deli located at 4001-21 N. Kinzie Street.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 landscaping and fencing shall be provided in compliance with applicable provisions of the Chicago Zoning Ordinance;

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:** Relu Stan **CAL NO.:** 145-03-Z  
**APPEARANCE FOR:** James J. Banks, Relu Stan **MAP NO.:** 5-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 2058 N. Albany Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, a proposed 2nd floor addition to an existing rear single family residence whose north side yard shall be 1.98' instead of 5', with no rear yard instead of 30'; and to increase the existing floor area by 697 sq. ft. (8.01%) on a second lot containing a second 3-story building at the front of the lot; which building will be connected.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS DENIED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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 a 34' x 150' lot improved with a 3-story residential building on the front of the lot and a 1 1/2 story frame building at the rear of the lot; that the applicant seeks to reduce the north side yard to 1.98' instead of the required 5' and to increase the existing floor area by 6.97 sq.ft. which is 8.01% of the existing floor area in order to permit the erection of a 22.4' x 45.37' second story addition to the existing 1 1/2 story single-family dwelling located at the rear of the lot and a 1-story 28'5" x 8' connector to the existing 3-story residential building on the front of the lot; that no evidence was presented to indicate that the applicant cannot obtain a reasonable return on his property without the variations requested; that the subject lot contains two principal buildings; that the proposed 1-story breezeway connection appears to be only a means of reducing the existing buildings to one principal building on the lot; that there is presently no on-site parking at the subject and that the applicant testified that one parking space will be provided on the south side of the property; that this is insufficient parking to serve the proposed 6 dwelling units to be located in the front building and the 1 single family dwelling in the rear of the lot; that the variations requests are not in character with existing residential improvements in the neighborhood; it is therefore

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

Amended at the public hearing.

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

**APPLICANT:** Jan Ochwat **CAL NO.:** 146-03-Z  
**APPEARANCE FOR:** Jan Ochwat **MAP NO.:** 9-L  
**APPEARANCES AGAINST:** Geraldine Drust **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 5103 W. Cornelia Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the construction of a 2nd floor rear addition to an existing 2-story 2 dwelling unit building, whose west side yard will be 2.39' instead of 5'-8", and whose rear yard will be 2' instead of 30'.

**ACTION OF BOARD--**

VARIATIONS DENIED.

**THE VOTE**

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		XX	
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 April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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 located in an R3 General Residence District; that the subject site is a 67' x 125' lot improved with a 1 and 2-story single-family dwelling and accessory garage located at the rear of the lot; that the applicant testified that the roof of the existing single-family dwelling needed to be repaired; that the proposed 2<sup>nd</sup> floor addition has been partially erected and that on July 26, 2002, the applicant was issued a stop work order because of the shape of the roof was changed without permit; that no evidence was presented that the applicant cannot obtain a reasonable return on his property without the variations requested nor that any unique circumstances exist; that testimony presented indicates that the applicant is in the landscaping business; that testimony from a party in opposition indicates that he may be storing business equipment at the subject site, and that the proposed addition may be for loft living space for workers; that the variations, if granted, will alter the essential character of the area in that the proposed 2<sup>nd</sup> story addition is not compatible with existing residential improvements in the neighborhood; it is therefore

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

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

**APPLICANT:** Alex Samardzija **CAL NO.:** 147-03-Z  
**APPEARANCE FOR:** Thomas M. Pikarski **MAP NO.:** 3-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 1347-49 N. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-2 General Service District, the erection of a proposed 4-story 6 dwelling unit and 2 retail unit building whose lot area will be 5,785 sq. ft.\* (96%), and with a waiver of the one required 10' x 25'\* loading berth.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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:** The Artistic Home **CAL NO.:** 148-03-S  
**APPEARANCE FOR:** Thomas M. Plkarski **MAP NO.:** 11-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 1420 W. Irving Park Road  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a theatrical community center, in a B2-2 Restricted Retail District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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:** Steve Lipe **CAL NO.:** 149-03-S  
**APPEARANCE FOR:** Bernard I. Citron, Steve Lipe **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 2315 W. Moffat 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 conjunction with a proposed 4 ½-story 16 dwelling unit building, 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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 the ground floor residential use shall be consistent with the elevation drawings prepared by Pappageorge, Haynes, Ltd., dated April 18, 2003.

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:** Steve Lipe **CAL NO.:** 150-03-Z  
**APPEARANCE FOR:** Bernard I. Citron, Steve Lipe **MAP NO.:** 5-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 2315 W. Moffat Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, a proposed 4 ½-story 16 dwelling unit building, with no rear yard instead of 30', a waiver of the one required 10' x 25' loading berth, and to increase the buildings height to 49.5' (10%) instead of 45'.

**ACTION OF BOARD--**

**THE VOTE**

VARAIATIONS 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 April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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 April 25, 2003, the Zoning Board of Appeals approved, in Cal. No. 149-03-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 4 ½ story 16 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:** Paula Wolff **CAL NO.:** 151-03-A

**APPEARANCE FOR:** John J. Pikarski, Jr, Paula Wolff **MAP NO.:** 12-D

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 4920 S. Greenwood Avenue

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

**ACTION OF BOARD--**

**THE VOTE**

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

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

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

**THE RESOLUTION:**

WHEREAS, Paula Wolff, for Paula Wolff and Wayne Whalen, owner, on December 24, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify two dwelling units, one dwelling unit at the front of the lot and one dwelling unit at the rear of the lot, in an R1 Single-Family Residence District, on premises at 4920 S. Greenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 17, 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 5.5."

and  
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003; and

WHEREAS, the district maps show that the premises is located in an R1 Single-Family Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R1 Single-Family Residence District; that the subject site is a lot containing 42,964 sq.ft. and is improved with a 3-story Edwardian/Georgian-style masonry single-family dwelling located on the north side and in the front of the lot and a 2-story coach-house building located in the rear of the lot along the north side; that the balance of the lot is open yard space; that the existing single-family dwelling contains 12,000 sq. ft. and the coach-house contains 4100 sq. ft. parking space and 1500 sq. ft. of living space; that when the appellant purchased the property in 1978, nine families were living in the rear coach-house and 11 families were living in the main residential building; that the appellant seeks to convert the coach-house to his original state which would be used to provide living space for visiting family members and others; that there was no intent to abandon the use of the coach-house and that the original construction is still intact; that evidence presented indicates that the two structures at the subject site are clearly a large 3-story single-family dwelling and a rear coach house erected prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, and are similar to other residential improvements in this neighborhood; that the appellant has a right to continue the occupancy of the buildings at the subject site as a single-family dwelling and a detached rear 1 dwelling unit coach-house provided the buildings are brought into compliance with applicable building code regulations; it is therefore

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 151-03-A

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 hereby authorized to certify one dwelling unit in the front of the lot and one dwelling unit at the rear of the lot, on premises at 4920 S. Greenwood Avenue, upon condition that the buildings are brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Sedrick Ballenger **CAL NO.:** 152-03-A  
**APPEARANCE FOR:** Sedrick Ballenger **MAP NO.:** 1-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 223-33 N. Kolmar Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Sedrick Ballenger, owner, on December 6, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 7 dwelling units with insufficient parking spaces (3 spaces are provided), in an R4 General Residence District, on premises at 223-33 N. Kolmar Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 20, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-4, 7.12-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 30' x 125' lot improved with a 3-story with English basement brick apartment building; that three on-site parking spaces are provided; that testimony provided indicates that the subject building contained 10 dwelling units; that a fire in April, 2002, resulted in the elimination of 2 studio dwelling units; that the appellant is seeking to restore the building to its original state; that testimony presented indicates that the subject building originally contained at least 6 dwelling units and a dwelling unit in the English basement with on-site parking for three automobiles prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the applicant has a right to continue the occupancy of the building as 7 dwelling units with on-site parking for three automobiles 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 7 dwelling units with three one-site parking spaces, on premises at 223-33 N. Kolmar Avenue, provided that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Gerardo Hernandez

CAL NO.: 153-03-A

APPEARANCE FOR:

MAP NO.: 6-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 25, 2003

PREMISES AFFECTED: 2564 S. Blue Island Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
JUNE 20, 2003.

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:** David Arroyo (La Azteca Paeteria) **CAL NO.:** 154-03-A  
**APPEARANCE FOR:** Rosa De La Rosa, Maria Arroyo **MAP NO.:** 4-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 3012 N. Cermak Road  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
	X	
	X	
X		

**THE RESOLUTION:**

WHEREAS, David Arroyo (La Azteca Paeteria), owner, on Jan 28, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the expansion of a wholesale license to allow for the storage of mobile units, in a B4-2 Restricted Service District, on premises at 3012 N. Cermak Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 27, 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 April 25, 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 a 3-story masonry building; that the applicant manufactures and sells popsicles and dairy fruit-based bars in a building located at 3019 W. Cermak Road and also sells to other stores in the area; that the appellant's business operation also includes using push carts to sell his products; that the operation utilizes 20 carts in the City for which he has a City of Chicago peddler's license and 20 to 30 carts in the suburbs; that the appellant operates his business for only 5 to 6 months of the year; that the appellant seeks to expand his business to the subject building by storing his push carts at the site; that manufacturing and wholesaling are commercial uses which are not permitted in a B4-2 Restricted Service zoning district; that no evidence was presented to the contrary which would indicate that the Zoning Administrator erred in his finding.

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

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

APPLICANT: Sidney Becker CAL NO.: 155-03-A  
APPEARANCE FOR: John J. Pikarski, Jr. MAP NO.: 7-G  
APPEARANCES AGAINST: MINUTES OF MEETING:  
APRIL 25, 2003  
PREMISES AFFECTED: 2666 N. Halsted Street  
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

APPEAL WITHDRAWN UPON  
MOTION OF APPELLANT.

	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:** Home Run Inn, Inc. **CAL NO.:** 156-03-S  
**APPEARANCE FOR:** Mark J. Kupiec **MAP NO.:** 6-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 4304 W. 31st Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a C1-2 Restricted Commercial District, to serve an existing restaurant located at 4254 W. 31st Street.

**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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 landscaping and fencing shall be provided consistent with the landscape plan prepared by Ives/Rayn Group, Inc., dated April 24, 2003;

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: Home Run Inn, Inc.

CAL NO.: 157-03-S

APPEARANCE FOR: Mark J. Kupiec

MAP NO.: 6-K

APPEARANCES AGAINST: None

MINUTES OF MEETING:  
April 25, 2003

PREMISES AFFECTED: 3046 S. Tripp 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 B2-2 Restricted Retail District, to serve an existing restaurant located at 4254 W. 31st Street.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 landscaping and fencing shall be provided consistent with the landscape plan prepared by Ives/Ryan Group, Inc., dated April 24, 2003;

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:** Custom Staffing, Inc. **CAL NO.:** 158-03-S  
**APPEARANCE FOR:** Christopher L. Muniz **MAP NO.:** 5-I  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 2123 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 laborr employment agency, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
JULY 18, 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:** Custom Staffing, Inc.

**CAL NO.:** 159-03-S

**APPEARANCE FOR:** Christopher L, Muniz

**MAP NO.:** 4-I

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 2876 W. Cermak Road

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day labor employment agency, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
JULY 18, 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: Philip Spence

CAL NO.: 160-03-Z

APPEARANCE FOR: James J. Banks

MAP NO.: 13-L

APPEARANCES AGAINST:

MINUTES OF MEETING:  
April 25, 2003

PREMISES AFFECTED: 5148-50 W. Winnemac 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 into two separate 34' x 126' lots in order to erect 2 separate single family residences, whose side yards will be 1'-2" each instead of 5' each; with the existing dwelling unit to be razed.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JUNE 20, 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:** J W Auto Service, Inc. **CAL NO.:** 161-03-S  
**APPEARANCE FOR:** Mark J. Kupiec **MAP NO.:** 7-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 4950 W. Diversey 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 an auto repair shop located at 4956 W. Diversey 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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 landscaping and fencing shall be provided in compliance with applicable provisions of the Chicago Landscape Ordinance;

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

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

**APPLICANT:** The Night Ministry **CAL NO.:** 162-03-S  
**APPEARANCE FOR:** Jack Guthman, Scott R. Borstein **MAP NO.:** 3-G  
**APPEARANCES AGAINST:** George Gordon **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 1110 N. Noble 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 16 bed transitional shelter and an 8 bed transitional residence for homeless male youths in an existing 4-story existing masonry building in an R4 General Residence District.\*

**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 held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 improved with a 4-story masonry building; that the applicant proposes to renovate the existing building at the subject site and establish a 16 bed transitional shelter for homeless male youths between the ages of 14 to 21 for up to 120 days and an 8 bed transitional residence for homeless male youths between the ages of 18 to 22 years for up to 2 years; that the applicant will provide counseling and guidance and other social services to the residents of the transitional shelter and residence; that professional staff personnel will be on duty at the subject site 24 hours daily; that a nightly curfew and security will be enforced; that the proposed use is necessary for the public convenience at this location to help alleviate the City's shortage of such facilities for homeless youths; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed transitional shelter and residence under the conditions hereinafter set forth and that the facilities shall meet all applicable City and State ordinances governing the establishment of such facilities for homeless youths; and that the proposed uses are compatible with the existing residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a transitional shelter for 16 homeless male youths between the ages of 14 to 21 and a transitional residence for 8 homeless male youths between the ages of 18 to 22 years in a 4-story masonry building, in an R4 General Residence District, on premises at 1110 N. Noble Street, upon condition that the building at the subject site shall not be used as a transitional shelter and transitional residence facility until the building complies with all applicable code regulations; that professional staff personnel shall be on the premises 24 hours daily; that adequate security shall be provided; and that all applicable ordinances and statutes of the City of Chicago and State of Illinois governing the operation of transitional shelters and residences shall be complied with before a permit is issued; and be it further

\*Amended at the public hearing.

**THE VOTE**

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 162-03-S

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional shelter and transitional residence operations to another group or association, the special use granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional shelter for homeless male youths, aged 14 to 21 and as a transitional residence for homeless male youths, aged 18 to 22, or any increase in the number of beds, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

**APPLICANT:** Keith Marek and Don Moats **CAL NO.:** 163-03-Z

**APPEARANCE FOR:** Keith Marek **MAP NO.:** 15-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 1617 W. Thorndale Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the construction of an open front porch with roof whose front yard will be 6.63' instead of 20' and whose east side yard will be 2' instead of 5'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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:** MVP, Inc. **CAL NO.:** 164-03-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 7-N  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 7138 W. Grand 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 an existing 1-story building, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
AUGUST 15, 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:** Janice W. Jenkins **CAL NO.:** 165-03-Z  
**APPEARANCE FOR:** Janice W. Jenkins **MAP NO.:** 1-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 118-20 W. Kinzie Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B7-5 General Central Business District, the erection of an addition at the roof to an existing 3-story brick building in order to convert the building to 4 dwelling units plus retail space and to waive one of the required parking spaces.

**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 April 25 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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:** Steven Paige **CAL NO.:** 166-03-Z  
**APPEARANCE FOR:** Steven Paige **MAP NO.:** 15-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 5950 N. Kenneth Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R1 Single Family Residence District, the erection of a 2-story addition to an existing 2-story single family residence, whose south side yard will be 2' 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 April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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:** 1755 N. Mohawk L.L.C. **CAL NO.:** 167-03-Z  
**APPEARANCE FOR:** James J. Banks, Matthew Ehrhard **MAP NO.:** 5-F  
**APPEARANCES AGAINST:** David Odrenm Gayle Victor, Gary Radeker **MINUTES OF MEETING:**  
 April 25, 2003  
**PREMISES AFFECTED:** 1755 N. Mohawk Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence (SD #19A) District, the erection of a proposed 3-story\* single family residence whose front yard will be 10' instead of 14.4', whose rear yard will be 21' instead of 30',\* and with no north side yard instead of 2.44' at point 84' east of Mohawk to a point 90' east of North Mohawk for metal stairs which will exceed 4 feet in height at the rear of the building.

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS DENIED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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 R5 General Residence District; that the subject site is a 25.3' x 120' lot improved with a 2 ½ story frame residential building; that the applicant proposes to erect a 4-story single-family residence at the subject site; that the applicant purchased the subject property for \$800,000; that the construction of the proposed single-family residence is estimated at \$2.3 million and will be marketed at \$2.6 million; that the Board finds that insufficient evidence was presented that would indicate the property in question cannot yield a reasonable return without the requested variations nor that a unique circumstances exists, a required under Section 11.7-3 of the zoning ordinance; that the Board finds that the proposed 4-story single-family residence is an overbuilding of the subject 2,796 sq. ft. lot and would not be in character which the existing residential improvements on the neighborhood; it is therefore

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

\* Amended at the public hearing.

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

**APPLICANT:** Alex Castro **CAL NO.:** 168-03-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 10-J  
**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 4641 S. Drake 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 3 dwelling unit building, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
JUNE 20, 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:** Alex Castro **CAL NO.:** 169-03-Z

**APPEARANCE FOR:** James J. Banks **MAP NO.:** 10-J

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 4641 S. Drake 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 3 dwelling unit building, whose front yard will be 12.58' instead of 15', and whose south side yard will be 0.5' instead of 2.5'.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JUNE 20, 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:** Hispanic Housing Dev. Corp.

**CAL NO.:** 170-03-Z

**APPEARANCE FOR:**

**MAP NO.:** 3-I

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 1154 N. Campbell Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-4 Restricted Commercial District, the erection of a proposed 5-story 59 dwelling unit and retail building, with no front yard instead of 15', with no south side yard instead of 12', and with no rear yard instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
MAY 16, 2003 FOR STATUS.

	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:** Fullerton-Kimball L.L.C. **CAL NO.:** 171-03-Z  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 7-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 3310-28 W. Fullerton Avenue/2401-11 N. Kimball Avenue  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a proposed Walgreens drug store, with no north side transitional yard instead of 5'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 8, 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: Balvinder Singh CAL NO.: 172-03-S

APPEARANCE FOR: Balvinder Singh MAP NO.: 17-H

APPEARANCES AGAINST: None MINUTES OF MEETING: April 25, 2003

PREMISES AFFECTED: 7062-64 N. Clark Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a meeting hall on the 2nd floor of a 3-story building, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for each board member with 'X' in the AFFIRMATIVE column.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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:** Balvinder Singh **CAL NO.:** 173-03-S  
**APPEARANCE FOR:** Balvinder Singh **MAP NO.:** 17-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 2003  
**PREMISES AFFECTED:** 7065 N. Ravenswood Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 11 private passenger automobiles, in a C1-2 Restricted Commercial District, to serve a meeting hall located at 7062-64 N. Clark Street.

**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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 8, 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 April 25, 2003, the Board approved, in Cal. No. 172-03-S, the establishment of a meeting hall on the 2nd floor of a 3-story building on premises at 7062-64 N. Clark Street; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

**APPLICANT:** Eugene Bereza **CAL NO.:** 470-02-Z  
**APPEARANCE FOR:** John J. Pikarski, Jr., Eugene Bereza **MAP NO.:** 3-1  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 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 establishment of a 3rd floor addition to an existing 2-story residential building, whose north side yard will be 1'-2" instead of 2'-6", and to increase the floor area by no more than 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

**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 April 8, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on December 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: Express Personnel Services

CAL NO.: 57-03-S

APPEARANCE FOR: James J. Banks

MAP NO.: 13-M

APPEARANCES AGAINST: None

MINUTES OF MEETING:  
April 25, 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--**

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 April 25, 2003, after due notice thereof as provided under Section 11.10-3 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 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:** Pamela Johnson **CAL NO.:** 25-03-A

**APPEARANCE FOR:** Mark J. Kupiec, Pamela Johnson **MAP NO.:** 10-D

**APPEARANCES AGAINST:** Katharyn Houke-Smith **MINUTES OF MEETING:**  
April 25, 2003

**PREMISES AFFECTED:** 4438 S. Greenwood Avenue

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

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Pamela Johnson, owner, on September 13, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a lodging house in a single family residence, on a lot additionally improved with a single-family residence at the rear, in an R4 General Residence District, on premises at 4438 S. Greenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 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 5.5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 50' x 154.97' lot improved with a 3-story stucco single-family residence on the front of the lot and a 2-story brick residential building at the rear of the lot; that the appellant seeks to convert the single family residence on the front of the lot to a lodging or tourist house with three rooms to rent, and to retain the rear building as a single family residence; that the existing residential buildings were constructed prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that two parking spaces are provided on site; that tourist homes are a permitted use in an R4 General Residence District; that testimony presented in opposition to the appellant's proposal stated that the building on the front of the lot is used as a venue for weddings, parties, corporate events, and other special events; that the proposed tourist home operation appears not to be the primary use of the subject building; that insufficient parking space is available at the subject site and that no parking requirements have been established as of this date for tourist homes; it is therefore

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

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

**APPLICANT:** Pete Spyropolous **CAL NO.:** 53-03-S  
**APPEARANCE FOR:** John A. Fritchey, Pete Spyropolous **MAP NO.:** 15-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 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 the commercial use located at 6348 N. Cicero 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:**

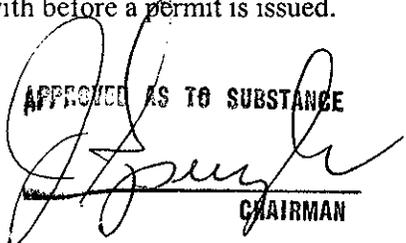
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 31, 2003; and

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

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

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

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

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

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

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
April 25, 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 church to be located at 754 E. 77th Street.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MAY 16, 2003 FOR STATUS.

**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:**  
April 25, 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--**

CASE CONTINUED TO  
MAY 16, 2003 FOR STATUS.

**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.: 63-03-S

APPEARANCE FOR: MAP NO.: 18-E

APPEARANCES AGAINST: MINUTES OF MEETING:  
April 25, 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  
MAY 16, 2003 FOR STATUS.

**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:**

April 25, 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 requirements for a proposed church to be located at 754 E. 77th Street.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MAY 16, 2003, FOR STATUS.

**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:** TCF National Bank **CAL NO.:** 66-03-S

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

**APPEARANCES AGAINST:** Charles Jeffries, Allan Mellis, et al. **MINUTES OF MEETING:**  
April 25, 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 drive-through facility in conjunction with a proposed bank, 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 April 25, 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 B4-2 Restricted Service District; that the subject site is located at the northeast corner of W. Fullerton Avenue and North Southport Avenue, between Ashland Avenue on the west and Halsted Street on the east, and is improved with a former automobile service station; that the applicant proposes to replace the former service station improvements with a bank facility with 4 drive-through service lanes; that the proposed use is necessary for the public convenience at this location in order to provide a convenient banking service to the public; that the proposed use will comply with all restrictions agreed to with the community to insure that the public health, safety and welfare will be adequately protected; and that the proposed use will be located at a site which was previously occupied by drive-through automobile service station 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 shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Griskelis, Young and Harrell, dated April 22, 200e. that the final landscape plan shall be approved by the Department of Planning and Development;

That the drive-through facility shall be improved and operated in compliance with the restrictions agreed to with the community and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Mohammad S. Shah **CAL NO.:** 69-03-A  
**APPEARANCE FOR:** John J. Pikarski, Jr., Mohammad S. Shah **MAP NO.:** 13-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 April 25, 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**

APPEAL SUSTAINED AND THE  
 DECISION OF THE OFFICE OF THE  
 ZONING ADMINISTRATOR REVERED/

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Mohammad S. Shah, owner, on September 23, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 24 dwelling units in a 4-story brick building, in an R3 General Residence District, on premises at 4900 N. Ridgeway Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 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 4-story brick residential building; that the testimony presented indicates that architectural details show that the subject building has been occupied by 24 dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to 24 dwelling units in the subject building provided the building is brought into compliance with 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 24 dwelling units in a 4-story brick building, on premises at 4900 N. Ridgeway Avenue, upon condition that the building is brought into compliance with 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:** Jay Shierok **CAL NO.:** 71-03-A

**APPEARANCE FOR:** John J. Pikarski, Jr. **MAP NO.:** 5-J

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 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**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Jay Shierok, owner, on October 9, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the rebuilding and renovation of a 3-story 2 dwelling unit rear coach house building on a lot which contains two buildings, in an R3 General Residence, on premises at 1741 N. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 2002, reads:  
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 6.4-2, 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 April 25, 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 a 25' x 177' lot improved with a 2 ½ story brick residential building on the front of the lot and a 3-story building under construction at the rear of the lot; that City of Chicago zoning compliance records indicate that the building on the front of the lot contains two dwelling units and the building at the rear of the lot contains two dwelling units; that City of Chicago Water Department records indicates that two front dwelling units and two rear dwelling units have existed at the subject site since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that testimony presented indicates that the contractor started construction on the rear building without obtaining the proper building permits and went beyond the permitted drawings; that the appellant seeks to bring the rear building back to its original size; 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

(Continued on page 51a.)

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 71-03-A

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 is authorized to permit the rebuilding and renovation of the existing 2 dwelling unit rear coach house building on a lot which contains two buildings, on premises at 1741 N. Spaulding Avenue, upon condition that permits shall be issued to reconstruct the subject building according to plans and permits prepared by Eben C. Smith , dated April 25, 2003 and presented at the public hearing; and that all other applicable ordinances of the City of Chicago shall be complied with.

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

**APPLICANT:** New Harrison Hotel Corp.

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

**APPEARANCE FOR:** William D. Dallas

**MAP NO.:** 2-E

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**

April 25, 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 establishment of a roof attached business identification sign which is located more than 50 feet above the grade in the B6-7 Restricted Central Business District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DENIED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 25, 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 B6-7 Restricted Central Business District; that the subject site is improved with a 14-story hotel building with an existing roof mounted business sign identifying the building as the Harrison Hotel; that the applicant proposes to remove a sign indicating parking and add the name "Travel Lodge" under the steel framing of the existing sign; that the proposed sign will be located above 50 feet in height; that in August, 2000, the City Council adopted the State Street/Wabash Avenue Commercial Corridor ordinance which prohibits all rooftop signs on buildings adjacent to Wabash Avenue between Harrison Street on the south and Wacker Drive on the north; that no evidence was presented to indicate that the proposed roof top sign is necessary for the public convenience at this location or that the value of other property in the neighborhood will not be adversely affected by the proposed use; that pursuant to Section 8.9-6(3), the Board has no authority to permit the use requested; it is therefore

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

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

**APPLICANT:** Panagiotis Paraskevoulakos **CAL NO.:** 85-03-S  
**APPEARANCE FOR:** James J. Banks, Peter Paraskevoulakos **MAP NO.:** 17-G  
**APPEARANCES AGAINST:** James Donahue **MINUTES OF MEETING:**  
 April 25, 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 conjunction with a proposed 3-story 8 dwelling unit building, 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 April 25, 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 the proposed ground floor residential use shall be constructed consistent with the elevation drawings prepared by Nick Scarlatis & Associates, Ltd., dated April 23, 2003; and provided the applicant installs a 3'6" to 4'0" deep landscape planter along the Devon Avenue frontage thereby reducing the proposed rear yard to 19'0"; and

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

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

**APPLICANT:** Panagiotis Paraskevoulakos **CAL NO.:** 86-03-Z  
**APPEARANCE FOR:** James J. Banks, Peter Paraskevoulakos **MAP NO.:** 17-G  
**APPEARANCES AGAINST:** James Donahue **MINUTES OF MEETING:**  
 April 25, 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, and to waive the one required 10' x 24' required 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**

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 April 25, 2003, after due notice thereof as provided under Section 11.7-2 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 on April 25, 2003, the Zoning Board of Appeals approved, in Cal. No. 85-03-S, the establishment of residential use below the ground floor in conjunction with a proposed 3 story 8 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

**APPLICANT:** Richard Hunter **CAL NO.:** 87-03-Z  
**APPEARANCE FOR:** Paul A. Kolpak, Richard Hunter **MAP NO.:** 11-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 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 with the existing 2 1/2-story two dwelling unit building, the existing building to be deconverted to a single family dwelling 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 with the remaining lot measuring 28.5' x 125'.

**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 April 25, 2003, after due notice thereof as provided under Section 11.7-2 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 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:** Richard Hunter **CAL NO.:** 88-03-Z  
**APPEARANCE FOR:** Paul A. Kolpak, Richard Hunter **MAP NO.:** 11-K  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
April 25, 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 a proposed 2-story single family dwelling, 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**

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 April 25, 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.

**MINUTES OF MEETING**

April 25, 2003

Cal. Nos. 145-02-S, 146-02-S, 147-02-Z

Timothy K. Hinchman, for Lawndale Educational and Regional Network Charter School, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the establishment of a new 2 and 3-story charter school facility, in a B4-2 Restricted Service District, on premises at 3401 W. Grenshaw Street; the establishment of an off-site parking lot, on premises at 3400 W. Grenshaw Street, to serve the aforesaid charter school; and for the erection of the aforesaid charter school with a west transitional front yard of 17' instead of 20', approved by the Zoning Board of Appeals on April 19, 2002, in Cal Nos. 145-02-S, 146-02-Z and 147-02-Z, respectively.

Mr. Hinchman stated that although the applicant has diligently pursued its building permit, delays have occurred in the permitting process with the Department of Buildings, including the substitution of a new general contractor and approval of emergency drawings.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to April 19, 2004. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

April 25, 2003

Cal. No. 419-01-Z

Alderman Daniel S. Solis, on behalf of Jose Dimas, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a 2-story metal spiral staircase to an existing 2-story 4 dwelling unit building, with no front yard instead of 15' and whose west side yard will be 2'0" instead of 2'6", on premises at 1123 W. 19<sup>th</sup> Place, approved by the Zoning Board of Appeals on November 16, 2001, in Cal. No. 419-02-Z.

Chairman Spingola moved that the request be granted and the time for obtaining building permits be extended to November 16, 2003. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. Nos. 126-02-S and 127-02-Z

Bernard I. Citron, for Hood Development, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the establishment of residential use below the 2<sup>nd</sup> floor in the erection of a 4<sup>th</sup> story addition to an existing 3-story 3 dwelling unit building, in a B4-3 Restricted Service District, on premises at 1432 N. Orleans Street; and for the erection of a 4-story addition to an existing 3 dwelling unit building with no front yard instead of 12'3", no south and north side yards instead of 2'6" each, and whose rear yard will be 8'8" instead of 30', in a B4-2 Restricted Service District, on premises at 3818 N. Clark Street, approved by the Zoning Board of Appeals, on April 19, 2002, in Cal. Nos. 126-02-S and 127-02-Z, respectively.

Mr. Citron stated that the applicant has diligently been pursuing building permits, however, to date, such building permits have not been issued.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to April 19, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 170-02-S

Bernard I. Citron, for Thomas Management Association, Inc., applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the establishment of a drive-through facility in conjunction with a proposed Baskin Robbins/Dunkin' Donuts/Togo's Restaurant, in a B4-1 Restricted Service District, on premises at 3957-79 W. Columbus Avenue, approved by the Zoning Board of Appeals on May 16, 2002, in Cal. No. 170-02-S.

Mr. Citron stated that the applicant has diligently been pursuing obtaining the necessary building permits, however, due to delays in the building department, to date, such building permits have not been issued.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to May 17, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 192-02-Z

Thomas S. Moore, for Ernest Avendano, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a 3<sup>rd</sup> floor dormer addition to an existing 2 ½ story rear coach house, with no rear yard instead of 37.1' to allow for a two car garage on the 1<sup>st</sup> floor, in an R4 General Residence ( S.D. #4) District, on premises at 3632 N. Bosworth Avenue, approved by the Zoning Board of Appeals on May 17, 2002, in Cal. No. 192-02-Z.

Mr. Moore stated that subsequent to the Board's approval of the variation request, his client has been trying to obtain the necessary building permits, but the Building Department did not like the Board's description of the project. Zoning Board of Appeals staff issued a clarification of the Board's ruling. This clarification stated that the Board does not make any distinction between stories or floors of a building and that the plans and photos reviewed indicated that there are three levels or stories to the rear building. The variation approved a dormer addition to the 3<sup>rd</sup> floor or level and allowed a garage to be added at the first floor. This work would envision exterior work and alteration to the structure. Mr. Moore further stated that the applicant's architect is attempting to secure a hearing before the Building Board of Appeals, but even if that effort is successful, the one-year validity period on the Board's decision will have expired.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to May 17, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 84-02-S

Paul Wehner, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 3-story 4 dwelling unit building, in a B4-2 Restricted Service District, on premises at 1758 W. 21<sup>st</sup> Street, approved by the Zoning Board of Appeals on May 17, 2002, in Cal. Nos. 84-02-S.

Mr. Wehner stated that due to a series of unforeseeable events he has not been able to obtain the proper permits but that at this time he is prepared to proceed with the project to completion.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to May 17, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 164-02-Z

Daniel von Rabenau, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a proposed 5-story 2 dwelling unit building with retail uses, with no west residential side yard at the 1<sup>st</sup> residential level instead of 30', in a B7-5 General Central Business District, on premises at 700 N. Wells Street, approved by the Zoning Board of Appeals on May 17, 2002, in Cal. No. 164-02-Z.

Mr. von Rabenau stated that due to architectural delays related to the removal of the existing building and its impact on neighboring foundations, interior design and cost estimates for contractors, he has fallen behind in his schedule for applying for building permits and is therefore requesting an extension of time of the validity period of the variation granted by the Board.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to May 17, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 191-02-Z

James J. Banks for Thomas and Leann Gariti, applicant, presented a written request for an extension of time in which to obtain the necessary building permits for the erection of a 3-story addition with garage and open staircase to an existing 3-story single-family dwelling, whose front yard will be 3' instead of 10.42', with no west side yard instead of 4.65', and no rear yard instead of 30', in an R5 General Residence District, on premises at 41-43 E. Division Street, approved by the Zoning Board of Appeals on May 17, 2002, in Cal. No. 191-02-Z.

Mr. Banks stated that Mr. Gariti is currently finalizing his plans for construction and securing his financing for the project.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permits be extended to May 17, 2004. The motion prevailed by yeas and nays as follows:

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

**MINUTES OF MEETING**

April 25, 2003

Cal. No. 351-01-S

Howard A. Garrison, for St. Edmund's Manor Limited Partnership, applicant, presented a written request for an extension of time in which to obtain the necessary permits for the establishment of an accessory off-site parking lot for the parking of 32 private passenger automobiles, in an R5 General Residence District, on premises at 5958 S. Prairie Avenue, to serve a 31 dwelling unit building located at 5942-46 S. Indiana Avenue, approved by the Zoning Board of Appeals on November 16, 2002, in Cal. No. 351-01-S.

Mr. Garrison stated that it has taken more time than anticipated for the design and funding of the proposed parking lot but that sufficient funding for the project has now been obtained with help from the Department of Housing and HUD.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary permits be extended to November 16, 2003. The motion prevailed by yeas and nays as follows:

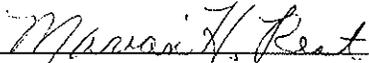
Yeas- Spingola, Crowe, Hubert, McCabe-Miele. Nays- None. Absent- Konstantelos.

MINUTES OF MEETING

April 25, 2003

Motion was made by Member Crowe to recess the Zoning Board of Appeals for deliberation on the matters heard. Motion was seconded by Member Hubert. The motion passed unanimously. The Board thereupon recessed, taking action designated on the face of the resolutions.

The Board adjourned to meet in regular meeting on Friday, June 20, 2003.

  
Secretary