MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

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

held in the City Council Chamber, 2nd Floor, City Hall,
121 N. LaSalle Street. on Friday, February 20, 2004.

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

Joseph J. Spingola
   Chairman
Brian L. Crowe
Donald Hubert
Demetri Konstantelos
Gigi Mc-Cabe-Miele
MINUTES OF MEETING
February 20, 2004

Member Crowe moved that the Board approve the minutes of the proceedings of the regular meeting held on January 16, 2004 (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: Robert L. Matthews

APPEARANCE FOR: Robert L. Matthews

APPEARANCES AGAINST: 

PREMISES AFFECTED: 5217-19 W. Lake 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 automobile laundry, in a C1-1 Restricted Commercial District.

ACTION OF BOARD--

CASE CONTINUED TO MAY 21, 2004.

THE VOTE

| JOSEPH J. SPINGOLA | AFFIRMATIVE | X |
| DEMETRI KONSTANTINOS | NEGATIVE | |
| DONALD HUBERT | ABSENT | |
| GIGI McCABB-MIELE | |
| BRIAN L. CROWE | X | |

COPY
APPLICATION: Keith Underwood

APPEARANCE FOR: James J. Banks, Keith Underwood

APPEARANCES AGAINST: Christopher Provenzano et al.

PREMISES AFFECTED: 1150 W. Taylor Street

NATURE OF REQUEST: Application for a special use under Article II of the zoning ordinance for the approval of the location and the establishment of a tattoo and body piercing* parlor in a 2-story brick store and apartment building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 2-story brick building containing a store premises on the 1st floor and a dwelling unit on the 2nd floor which the applicant occupies; that the applicant seeks to establish a tattoo and body piercing parlor in the first floor store premises; that the proposed business operation will have three separate tattoo stations and separate rooms for body piercing, sterilization equipment, and employee use; that the applicant anticipates approximately 6 tattoo customers weekly and 5 body piercing customers during Monday through Friday and 10 customers on the weekends; that testimony presented indicates that the applicant has resided in the neighborhood for many years and has a good reputation in the community; that the proposed use is necessary for the public convenience at this location to provide a service to community residents and his existing customers; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use in that the applicant holds certificates in adult CPR, and American Red Cross first aid; that the applicant also holds a patent in tattoo technology that the minimum age for customers seeking tattoos is 21 and 18 for body piercing; that the applicant testified that he will not, under any circumstances, do gang identification tattoos or body piercing; that the hours of operation fo the proposed use will be limited to the hours between 12 Noon and 10 P.M., Monday through Saturday and from 12 Noon to 6 P.M., Sunday; that there will be no neon or obtrusive signage advertising the proposed use at the subject site; that the testimony presented indicates that similar establishments in other locations have not had a negative effect on the value of other properties, and that the proposed use, to be operated under the conditions stated above, will be compatible with existing business improvements in the neighborhood and will not cause substantial injury to the value of other property in the area in which it is to be located; it is therefore

*Amended at the public hearing. Continued on page 4a of minutes.
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 no person under the age of 21 shall be permitted to obtain tattoos and that no person under the age of 18 shall be permitted to obtain body piercing; that no gang identification tattoos or piercing shall be performed; that the hours of operation shall be limited to the hours between 12 Noon and 10 P.M. Monday through Saturday and 12 Noon to 6 P.M. Sunday; that all health and safety regulations governing the operation of tattoo and body piercing establishments shall be complied with; and

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

DISSENT

I respectfully dissent from the decision of my fellow board members in this case. As I heard the testimony of the various witnesses the applicant established that he purchased the building at 1150 West Taylor Street and that he is an accomplished tattoo artist. He testified he currently works in Libertyville but would like to work where he lives. He also claims it would be more convenient for persons living or working on the south side of Chicago to come to his proposed location rather than having to go to tattoo parlors on the north side of Chicago. A number of supporters testified to his character and his sincerity. However, I do not find evidence which established the standards with which to grant him a variation in the nature of a special use.

Several persons appeared in opposition. The evidence presented by them are mostly expressions they do not want a tattoo parlor in their neighborhood. The most that can be said of the testimony of the objectors is that the presence of a tattoo parlor causes them some angst and consternation. Alderman Solis testified he supported the application for special use by weighing comments of various citizens both for and against the applicant and his use. However, the Alderman indicated that he had formulated no opinion himself. For the Board to grant any special use there must be evidence, which establishes the standards contained in Section 11.10 of the Chicago Zoning Ordinance (CZO).

The first standard is that the use is necessary for the public convenience at that location. I find no testimony that his use serves the public in any way but is merely convenient for the applicant. Public convenience has been interpreted as meaning a use which is expedient or reasonably convenient to the public welfare. Foster and Kleiser vs. Zoning Board of Appeals of City of Chicago (1976), 38 Ill App 3d50, 347 NE 2d 493. I heard no evidence that the public interest is in any way served by this proposed tattoo parlor. As the use in Foster and Kleiser, the only evidence presented is the applicants' commercial interest. This is highlighted in the majority's resolution, which is devoid of any findings of fact, or conclusions of law, which would lead to the conclusion this use is necessary for public convenience. The majority infers public convenience where it states applicant is to provide a service to community residents and his existing customers. This is totally a private commercial venture. Providing a service to customers in no way benefits the public at large or the neighborhood in which it's located. I feel, as the court did in Foster and Kleiser, that the evidence presented by the applicant indicates only that this location is expedient for his own commercial advantage. Such evidence does not constitute proof the use is necessary for the public convenience. See also Scandron vs. Zoning Board of Appeals of the City of Chicago (1994), 264 Ill App 3d 946, 637 NE 2d 710 (the applicant must demonstrate that the community will derive at least some benefit from the proposed use).

*Amended at the public hearing. Continued on page 4b of minutes.
The second element the applicant is required to prove is the use is designed, located and proposed to be operated so that the public health, safety and welfare will be protected. In other such cases, we are generally provided with testimony how tattoo needles are sanitized, used, and disposed. There is no such testimony in this case. Apparently, the majority of the Board infers those facts from the fact the applicant holds a certificate in CPR and American Red Cross First Aid. While such credentials are admirable, I heard no testimony of the manner in which the applicant will conduct his business. To infer that evidence from his credentials is an interpretation to which I cannot agree reaches the level of proof.

For the reasons set forth above, I do not believe that applicant established his use is necessary for the public convenience at this location or that the applicant established that the use would be operated in such a way to protect the public health, safety and welfare. Therefore, I vote to deny the application herein.

Joseph J. Spingola, Chairman
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Temps PDQ Inc.  CAL NO.: 43-04-S

APPEARANCE FOR: Robert Perrone  MAP NO.: 6-K

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4333 W. 26th Street

MINUTES OF MEETING:
February 20, 2004

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a day laborer employment agency, in a 2-story brick store and residential building, 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 February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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.
APPLICANT: Catholic Bishop of Chicago

PREMISES AFFECTED: 4300 W. Washington Boulevard

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a community center in an existing 2-story brick building, in an R4 General Residence District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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.
APPLICANT: Gethsemane Romanian Church  
APPEARANCE FOR: James J. Banks  
APPEARANCES AGAINST:  
PREMISES AFFECTED: 3838 N. Elston Avenue  
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an 128 seat church in a 2-story brick building, in a B4-1 Restricted Service District.  
ACTION OF BOARD--

CASE CONTINUED TO MAY 21, 2004

THE VOTE

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

APPROVED  
NEGATIVE  
ABSENT

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

APPLICANT: Gethsemane Romanian Church

PEARANCE FOR: James J. Banks

APPEARANCES AGAINST: James J. Banks

MAP NO.: 9-J

MINUTES OF MEETING: February 20, 2004

PREMISES AFFECTED: 3813 N. St. Louis Avenue/3826 N. Elston Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off site accessory parking lot for the parking of private passenger automobiles, in a B4-1 Restricted Service District, to serve a church to be located at 3838 N. Elston Avenue.

ACTION OF BOARD--

CASE CONTINUED TO MAY 21, 2004.

THE VOTE

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BAZ 16

PAGE 9 OF MINUTES
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Jim and Mariann Ronzio
CAL NO.: 47-04-S

APPEARANCE FOR: James J. Banks, Jim Ronzio
MAP NO.: 8-F

APPEARANCES AGAINST: None
MINUTES OF MEETING: February 20, 2004

PREMISES AFFECTED: 3100 S. Wells Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 3 dwelling unit building, in a B1-3 Local Retail District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 building shall be finished on all sides with face brick, consistent with the drawings dated February 20, 2004, as prepared by Vari Architects; and

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

COPY

BAZ 16 PAGE 10 OF MINUTES
APPLICANT: Jim and Mariann Ronzio

PEOPLE FOR: James J. Banks, Jim Ronzio

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3100 S. Wells Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-3 Local Retail District, the erection of a proposed 4-story 3 dwelling unit building, whose front yard will be 5' instead of 8.96', whose south side yard will be 1'-3" for a distance of 35'-4" from front property line and then zero instead of the required 2'-6" transitional yard and the 20' x 15' transitional yard at the front of the lot, and with no rear yard instead of 30'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

JOSEPH J. SPINGOLA
X

DEMETRI KONSTANTELOS
X

DONALD HUBERT
X

GIKI McCABE-MIELE
X

BRIAN L. CROWE
X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on February 20, 2004, the Zoning Board of Appeals approved, in Cal. No. 47-04-8, the establishment of residential use below the 2nd floor in the erection of a proposed 4-story 3-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 905

APPLICANT: Elite Labor Services, Ltd. CAL NO.: 49-04-S
APPEARANCE FOR: Gregory Dose, Harvey Cole MAP NO.: 5-J
APPEARANCES AGAINST: Christine Crandall, et al. MINUTES OF MEETING:
PREMISES AFFECTED: 3215 W. Armitage Avenue February 20, 2004

APPLICATION APPROVED.

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 February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 day laborer agency will be located on the ground floor of a 4-story newly constructed building; the applicant intends on moving his current day laborer agency from a mile south at North Avenue; he has operated that agency for several years without apparent difficulties; 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.
APPLICANT: National City Bank of MI/IL

APPEARANCE FOR: James J. Banks

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1650 W. Fullerton Avenue

CAL NO.: 50-04-S

MAP NO.: 7-H

MINUTES OF MEETING:
February 20, 2004

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 an M1-2 Restricted Manufacturing District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

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

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and design represented on the site plan and elevation drawings dated December 16, 2003 as prepared by Pappageorge/Haymes; that the final landscape plan shall be approved by the Department of Planning and Development; and

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

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

APPLICANT: Christopher & Jodine Williams
CAL NO.: 51-04-Z

APPEARANCE FOR: Christopher & Jodine Williams
MAP NO.: 7-1

APPEARANCES AGAINST: None
MINUTES OF MEETING: February 20, 2004

PREMISES AFFECTED: 2711 N. Richmond Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a R3 General Residence District, the erection of a proposed 3rd floor addition to an existing single family residence, whose front yard will be 7.05' instead of 20', and whose north side will be .51' instead of 2'-6''.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; 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: Chambers Construction, Inc. CAL NO.: 52-04-Z

APPEARANCE FOR: James J. Banks MAP NO.: 1-G

APPEARANCES AGAINST: None MINUTES OF MEETING:

PREMISES AFFECTED: 454 N. Aberdeen Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a R4 General Residence District, the erection of a proposed 4-story 8 dwelling unit building, whose front yard will be 9'-6" instead of 13.2'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zon:
on February 20, 2004, after due notice thereof as provided under Section 11.7
on January 29, 2004; and

WHEREAS, the Zoning Board of Appeals, having fully heard the
tfully advised in the premises, hereby finds the following: that the property
permitted to be used only under the conditions allowed by the regulations of
of the owner is due to unique circumstances; that the variations, if granted, it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the
variation in the application of the district regulations of the zoning ordinar:
it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with.
APPLICANT: MCM Properties, Inc.

APPEARANCE FOR: James J. Banks

APPEARANCES AGAINST: Linda O'Connell

PREMISES AFFECTED: 2235 N. Lister Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 8 dwelling unit building, whose front yard will be 4'-6" instead of 14.89', whose north and south side yards will be 1' each instead of 5' each, and with a waiver of the one required 10' x 25' loading berth.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; 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 an unimproved 50' x 124.10' lot; that the applicant proposes to erect a 4-story 8 condominium dwelling unit building with on-site parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to accommodate front bay windows and side chimney; that the proposed 8 dwelling unit building will be developed as condominium dwelling units creating a minimum of in and out movement and thereby negates the need for a loading berth; that the plight of the owner is due to unique circumstances in that the subject property was purchased under a Restrictive Covenant which limits the number of dwelling units at the site and that the variations requested are necessary to construct the subject building as designed and consistent with the front yard setbacks of other improvements in the block; that the variations, if granted, will not alter the essential character of the locality in that the proposed building will be compatible with existing mixed residential and business improvements in the area; 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.
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 8 dwelling unit building, whose front yard will be 4'-6" instead of 15', whose north and south side yards will be 1' each instead of 5' each, and with a waiver of the one required 10' x 25' loading berth.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; 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 an unimproved 50.06' x 124.09' lot; that the applicant proposes to erect a 4-story 8 dwelling unit building with on-site parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to accommodate front bay windows and side chimney; that the proposed 8 dwelling unit building will be developed as condominium dwelling units creating a minimum of in and out movement and thereby negates the need for a loading berth; that the plight of the owner is due to unique circumstances in that the subject property was purchased under a Restrictive Covenant which limits the number of dwelling units at the site and that the variations requested are necessary to construct the subject building as designed and consistent with the front yard setbacks of other improvements in the block; that the variations, if granted, will not alter the essential character of the locality in that the proposed building will be compatible with existing mixed residential and business improvements in the area; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
APPLICANT: MCM Properties, Inc. CAL NO.: 55-04-Z

APPEARANCE FOR: James J. Banks MAP NO.: 5-H

APPEARANCES AGAINST: Linda O'Connell MINUTES OF MEETING: February 20, 2004

PREMISES AFFECTED: 2243 N. Lister Avenue

ATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 8 dwelling unit building, whose front yard will be 4'-6" instead of 15', whose north and south side yards will be 1' each instead of 5' each, and with a waiver of the one required 10' x 25' loading berth.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; 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 40.90' x 127.84' lot improved with a 1-story brick building; that the applicant proposes to erect a 4-story 8 condominium dwelling unit building with on-site parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to accommodate front bay windows and side chimney; that the proposed 8 dwelling unit building will be developed as condominium dwelling units creating a minimum of in and out movement and thereby negates the need for a loading berth; that the plight of the owner is due to unique circumstances in that the subject property was purchased under a Restrictive Covenant which limits the number of dwelling units at the site and that the variations requested are necessary to construct the subject building as designed and consistent with the front yard setbacks of other improvements in the block; that the variations, if granted, will not alter the essential character of the locality in that the proposed building will be compatible with existing mixed residential and business improvements in the area; 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: 4537 S. Drexel, Inc.  
CAL NO.: 56-04-S

APPEARANCE FOR: Dennis Aukstik  
MAP NO.: 10-D

APPEARANCES AGAINST: None  
MINUTES OF MEETING: February 20, 2004

PREMISES AFFECTED: 4536 S. Ellis 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 15 private passenger automobiles, in an R4 General Residence District, to serve a part of the requirement for a 58 dwelling unit building located at 4537 S. Drexel Boulevard.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 applicant shall install fencing and landscaping 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.
APPLICANT: James R. Jeffries

APPEARANCE FOR: James R. Jeffries

APPEARANCES AGAINST: 

PREMISES AFFECTED: 8214 S. Ashland Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the establishment of a beauty salon in a B2-1 Restricted Retail District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered 2000, 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 ."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: the beauty salon will be located in a 1-story commercial building; the Alderman of the ward has expressed his support; the Zoning Administrator is instructed to issue a business license for a beauty salon at this location; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a B2-1 Restricted Retail District.
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Rafer W. Caudill

APPEARANCE FOR: Thomas Murphy, Rafer W. Caudill

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1400 N. Hoyne Avenue/2112 W. Schiller Street

MAP NO.: 3-H

MINUTES OF MEETING:
February 20, 2004

NATURE OF REQUEST:
Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the expansion of a non-conforming rear building by adding a 2 car garage to an existing residential building plus a rear 3-story addition to the existing front single family residence in an R4 General Residence District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED.

THE VOTE

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THE RESOLUTION:

WHEREAS, the decision of the Office of the Zoning Administrator rendered 2000, 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 .” and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004; 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: the property contains two buildings, two dwelling units in the rear building and a single family residence in the front building, on a single zoning lot; the applicant will remove habitable space from the rear building and add a 2 car garage to this building; the applicant will add a 3-story addition to the Single Family Residence; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the expansion of a non-conforming rear building by adding a 2 car garage to an existing residential building plus a rear 3-story addition to the existing front single family residence in an R4 General Residence District.

BAZ 12 PAGE 21 OF MINUTES
APPLICANT: Kerry Kross

APPEARANCE FOR: None

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1818-24 W. 103rd Street

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

ACTION OF BOARD--

CASE DISMISSED FOR WANT OF PROSECUTION.

THE VOTE

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MINUTES OF MEETING:
February 20, 2004
ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 905

APPLICANT: Lawrence Hough

APPEARANCE FOR: James J. Banks

APPEARANCES AGAINST: None

PREMISES AFFECTED: 4579 N. Mulligan Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator in refusing to allow the construction of a single family residence on a 3,750 sq. ft. lot instead of the required 5,000 sq. ft. in an R2 Single Family Residence District.

ACTION OF BOARD--

THE DECISION OF THE ZONING ADMINISTRATOR IS REVERSED.

THE VOTE

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NOTES:
- 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 allow the construction of a single family residence on a 3,750 sq. ft. lot instead of the required 5,000 sq. ft. in an R2 Single Family Residence District.
APPLICANT: G. Bogar Gallegos

APPEARANCE FOR: None

APPEARANCES AGAINST: None

PREMISES AFFECTED: 3060 N. Elston Avenue

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

ACTION OF BOARD--

CASE DISMISSED FOR WANT OF PROSECUTION.

CAL NO.: 61-04-A

MAP NO.: 7-I

MINUTES OF MEETING: February 20, 2004

THE VOTE

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

COPY
APPLICANT: Michael and Bridget Byrne

APPEARANCE FOR: None

APPEARANCES AGAINST: None

MAP NO.: 11-J

PREMISES AFFECTED: 3215 W. Montrose Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-1 Restricted Service District, to serve a location at 3214 W. Montrose Avenue.

ACTION OF BOARD--

CASE DISMISSED FOR WANT OF PROSECUTION.

THE VOTE

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

PAGE 25 OF MINUTES
APPLICANT: Alfonso Silva

APPEARANCE FOR: Thomas S. Moore, Alfonso Silva

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2110-16 W. Cermak Road

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an automobile laundry in a 1-story commercial building, in a C2-2 General Commercial District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 queuing, washing and handling of automobiles shall occur within the existing building; 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: Spring Mill Investments, L.L.C. CAL NO.: 64-04-S

PEARANCE FOR: Bernard I. Citron MAP NO.: 9-J

APPEARANCES AGAINST: None MINUTES OF MEETING:

PREMISES AFFECTED: 3223-33 N. Springfield 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 70 private passenger automobiles, in a C1-2 Restricted Commercial District, to serve an existing Osco Drug Store located at 3235 N. Springfield Avenue.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 applicant shall immediately initiate a request for a Public Way Use Permit and begin the alley vacation process for that portion of the public alley which they currently use for access and circulation; 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: Staff Force, Inc.   
CAL NO.: 65-04-S  

APPEARANCE FOR: Gregory A. Dose, Kevin Dante   
MAP NO.: 11-L  

APPEARANCES AGAINST: None   
MINUTES OF MEETING: February 20, 2004  

PREMISES AFFECTED: 4255 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

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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;

COPY
APPLICATION: Vuk Zecevic

APPEARANCE FOR: Chris Stasko, Vuk Zecevic

APPEARANCES AGAINST: None

PREMISES AFFECTED: 527 N. Wood Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 2-story single family dwelling, whose front yard will be 8' instead of 12.53', and whose rear yard will be 13.37' instead of 30'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
APPLICANT: James Heflin
APPEARANCE FOR: James Heflin
APPEARANCES AGAINST: None
PREMISES AFFECTED: 10270 S. Beverly Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 General Residence District, the erection of a proposed 2-story single family dwelling, with no front yard instead of 16' to allow for a circular driveway.

ACTION OF BOARD--
VARIATION GRANTED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
APPLICATION: James Heflin
APPEARANCE FOR: James Heflin
APPEARANCES AGAINST: None
PREMISES AFFECTED: 10264 S. Beverly Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 General Residence District, the erection of a proposed 2-story single family dwelling, with no front yard instead of 16' to allow for a circular driveway.

ACTION OF BOARD--

VARIATION GRANTED.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

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

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

APPEARANCE FOR: James Heflin

APPEARANCES AGAINST:

PREMISES AFFECTED: 10260 S. Beverly Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 General Residence District, the erection of a proposed 2-story single family dwelling, with no front yard instead of 16' to allow for a circular driveway.

THE VOTE

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

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

APPEARANCE FOR: Stephen and Charmaine Miller

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1943 W. Eddy Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed 3-story rear addition (220 sq. ft.) to an existing 3-story single-family dwelling, which will increase the existing floor areas by an amount not to exceed 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

VARiATIONS GRANTED.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

DONALD HUBERT

GIGI McCABE-MIELE

BRIAN L. CROWE

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

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

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

APPEARANCE FOR: Richard E. Zulkey, Rev. James Demus

APPEARANCES AGAINST: None

PREMISES AFFECTED: 8330 S. Dr. Martin Luther King Drive

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 807 seat church in an existing 1-story commercial building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

APPLICATION APPROVED

THE VOTE

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

Whereas, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

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

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 applicant is building a new 4-story 8 dwelling unit building at 6037-39 S. Dr. Martin Luther King Drive; the configuration of the parking in the rear yard provides only seven parking spaces; the property here is a rehabilitated 6 dwelling unit building with additional parking space in the rear for one additional parking space; the additional one parking space at 6043-45 S. Dr. Martin Luther King Drive will be deeded to the dwelling unit owner at 6037-39 S. Dr. Martin Luther King Drive in order to provide the required parking for that building; 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:
APPLICANT: Kyle D. Garner

APPEARANCE FOR: Self

APPEARANCES AGAINST: None

PREMISES AFFECTED: 6037-39 S. Dr. Martin Luther King Drive

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, a proposed 4-story 8 dwelling unit building whose front yard shall be zero instead of 15', to increase the height of the building to 49.5' instead of 45' and to waive the one required 10' x 25' loading berth.

ACTION OF BOARD-- VARIATION GRANTED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; 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: a proposed 4-story 8 dwelling unit building will have a zero front yard, no loading berth and will be built to a height of 49'-6" as measured in the zoning code; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

APPEARANCE FOR: John J. Pikarski, Jr.

APPEARANCES AGAINST: 

PREMISES AFFECTED: 1557 W. Diversey Parkway

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pay day loan office, in an M1-2 Restricted Manufacturing District.

ACTION OF BOARD-- APPLICATION WITHDRAWN UPON MOTION OF APPLICANT.

THE VOTE

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

APPLICANT: Edward E. Kessler

APPEARANCE FOR: John J. Pikarski, Jr.

MAP NO.: 7-1

APPEARANCES AGAINST: 

MINUTES OF MEETING:
February 20, 2004

PREMISES AFFECTED: 2734 N. Western Avenue

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

ACTION OF BOARD--

CASE CONTINUED TO MAY 21, 2004.

THE VOTE

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

AFFIRMATIVE NEGATIVE ABSENT

X

X

X

X

X
APPLICANT: Scott Bates

APPEARANCE FOR: John J. Pikarski, Scott Bates

APPEARANCES AGAINST: None

PREMISES AFFECTED: 2912-14 N Sheffield Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R6 General Residence (Pending) District, the construction of a proposed 4-story 8 dwelling unit building whose side yards shall be 3' *(1.5' at the height of the chimneys) each instead of 6' each, whose front yard shall be 7.5' instead of 15' and to waive the one required 10' x 25 loading berth.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

| JOSEPH J. SPINGOLA | X |
| DEMETRI KONSTANTELOS | X |
| DONALD HUBERT | X |
| GIGi McCabe-Miele | X |
| BRIAN L. CROWE | X |

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; 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 a 4-story 8 dwelling unit building will have side yards of 3' *(1.5' at the height of the chimneys) each, front yard of 7.5' and the building will not be required to provide a 10' x 25' loading berth; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

*Amended at the public hearing.
APPLICANT: Continental House, Inc.  
CAL NO.: 77-04-S  

APPEARANCE FOR: Leo T. McGonigal. Mynor Guerra  
MAP NO.: 10-H  

APPEARANCES AGAINST: None  

PREMISES AFFECTED: 1628-30 W. 47th Street  

NATURE OF REQUEST: Application for a special use under Article II of the zoning ordinance for the approval of the location and the establishment of a tavern and liquor store in an existing 1-story restaurant building; in a B5-2 General Service District.

ACTION OF BOARD--APPLICATION APPROVED.

THE VOTE  

JOSEPH J. SPINGOLA  
X  

DEMETRI KONSTANTELOS  
X  

DONALD HUBERT  
X  

GIGI MCCABE-MIELE  
X  

BRIAN L. CROWE  

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004 after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 29, 2004; 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 in that the applicant's existing tavern is located in a leased space at 1650 W. 47th Street and he wishes to relocate to the subject site which he has recently purchased; 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.
APPLICANT: Dragutin Grcic

PREMISES AFFECTED: 1747 W. Huron Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a R4 General Residence District, the division of an improved zoning lot, the existing 3-story 3 dwelling unit building will have a west side yard of .72' instead of 2'-6", and whose east side yard will be 3" * instead of 2'-6".

ACTION OF BOARD--

VARIATIONS GRANTED.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

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

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

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

APPEARANCE FOR: James J. Banks, Dragutin Gricic

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1749 W. Huron Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a R4 General Residence District, the erection of a proposed 3-story single family dwelling, whose west side yard will be 1' instead of 2.4'.

ACTION OF BOARD--

VARIATION GRANTED.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 2004, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 29, 2004; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on February 20, 2004, the Zoning Board of Appeals approved, in Cal. No. 79-04-Z, the applicant's application to permit the division of an improved zoning lot at 1747 W. Huron Street, with the existing 3-story 3 dwelling unit building having a west side yard of .72' instead of 2'6" and whose east side yard will be 3" instead of 2'6"; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.
APPLICATION: Harvey Memorial Community Church

APPEARANCE FOR: R. Delacy Peters, Jr., Rev. Tellas Jackson

APPEARANCES AGAINST: None

PREMISES AffEKTED: 8401 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 private passenger automobiles, in a B4-2 Restricted Service District, to serve a church located at 8400 S. Maryland.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 16, 2004, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on December 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 the applicant shall install fencing and landscaping 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.

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

APPLICANT: Gift From The Heart Foundation  
CAL NO.: 368-03-S

APPEARANCE FOR: Mark J. Kupiec  
MAP NO.: 11-L

APPEARANCES AGAINST: 

PREMISES AFFECTED: 5530 W. Montrose Avenue

MINUTES OF MEETING: October 24, 2003

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a transitional residence and child care facility with an addition, in an existing 1-story building in a B4-I Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO MARCH 19, 2004.

THE VOTE

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BAZ 16  
PAGE 44 OF MINUTES
APPLICANT: Christopher Dasse

APPEARANCE FOR: Thomas S. Moore, Christopher Dasse

APPEARANCES AGAINST: None

PREMISES AFFECTED: 1608 S. Throop Street

NATURE OF REQUEST: Application for a variation under Article II of the zoning ordinance to permit, in an RS General Residence District, the erection of a proposed 3-story single family dwelling, with front yard instead of 1.27', no south yard instead of 3.6', and no rear yard instead of 30'.

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

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WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 24, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 6, 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.
APPLICANT:         Luisa C. Lira and Angel A. Silva            CAL NO.: 410-03-S

APPEARANCES FOR:   Francisco Huerta-Galvin, Luisa C. Lira,   MAP NO.: 4-G
                   Angel A. Silva

APPEARANCES AGAINST:   None

PREMISES AFFECTED:       1004 W. 18th 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 tattoo parlor in a 3-story brick store and apartment building, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 21, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on November 5, 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 in that the applicant had a tattoo parlor at 1011 W. 18th Street and is now relocating to the north side of the street; 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.
APPLICANT:          Scott Dillingham

APPEARANCE FOR:      John J. Pikarski, Jr., Scott Dillingham

APPEARANCES AGAINST:  None

PREMISES AFFECTED:  1411 W. Fletcher Street

NATURE OF REQUEST:    Application for a variation* under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, a proposed 3rd floor dormer addition to an existing single family residence whose front yard shall be zero instead of 7.02', whose rear yard shall be 4.6' instead of 30' and whose floor area will be exceed by 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

APPEAL GRANTED.

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 19, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on December 3, 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; this matter will be heard as an appeal and not as a variation; there are two separate buildings located on this single zoning lot; the building in the front contains 2 dwelling units and a commercial unit on the first floor; this property owner does not own the second building at the rear of the lot nor did he sell it to the appellant; the rear building, 1411 W. Fletcher, was purchased in 2003 and is a 2½-story single family residence; the appellant will add a 3rd floor dormer addition increasing the floor area by 230 square feet; the addition will have a zero front yard and a 4.6' rear yard; 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 grant an appeal which will allow a 3rd floor dormer addition of 230 sq. ft. to his building:

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

*Amended at the public hearing to an Appeal.