

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, February 17, 1989

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

The following were present and constituted a quorum:

Lawrence E. Kennon

Chairman

James E. Caldwell

Vice Chairman

Roula Alakiotou

Anthony J. Fornelli

Michael J. Howlett, Sr.

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Vice Chairman Caldwell moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on January 20, 1989 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas-Kennon, Caldwell, Alakiotou, Fornelli, Howlett. Nays-' None.

\* \* \* \* \*

The Board thereupon held its regular meeting, taking action designated on the face of the resolutions.

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

APPLICANT: Debbie J. Nelson  
 APPEARANCES FOR: Debbie J. Nelson  
 APPEARANCES AGAINST:

CAL. NO. 22-89-Z  
 MAP NO. 7-J  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 2649 N. Central Park Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Debbie J. Nelson, for Debbie and Dolores Nelson, owners, on December 23, 1988, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the enclosure of a two-story porch at the rear of a two-story frame two-dwelling unit building, whose south side yard will be 2.8 feet instead of 5 feet and which enclosure will be result in an 11% (245 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2649 N. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 31, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3, §11.7-4(7), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 applicant hired a contractor who replaced and enclosed a two-story porch at the rear of the existing two-story frame two-dwelling unit building on the subject site without obtaining necessary building permits; that the applicant is now seeking to legalize the new enclosed two-story porch in order to secure the necessary building permits; that the said porch enclosure created at increase of 245 square feet (11%) in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that on October 30, 1986 the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the property in question cannot yield a reasonable return nor be put to reasonable use if

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permitted to be used only under the conditions allowed by the regulations in this district in that the former porch structure was in a deteriorating and dangerous condition; that the plight of the owner is due to unique circumstances in that the contractor erected the said enclosed two-story porch without obtaining necessary building permits and that the owners now find themselves in a fait accompli situation; that no one appeared in opposition to the granting of the requested variations; that the said enclosed porch is located in the same place as the former porch and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the enclosure of a two-story porch at the rear of a two-story frame two-dwelling unit building, whose south side yard will be 2.8 feet instead of 5 feet and which enclosure will result in an 11% (245 square feet) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2649 N. Central Park Avenue, upon condition 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 808

APPLICANT: Stelian & Marie Petrisor

CAL. NO. 23-89-Z

APPEARANCES FOR:

MAP NO. 11-L

APPEARANCES AGAINST:

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PREMISES AFFECTED--- 4815-19 W. Hutchinson Street

SUBJECT--- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD---

Case continued to  
March 17, 1989.

THE VOTE

Lawrence E. Kennon  
Roula Alakiotou  
Michael J. Howlett  
James E. Caldwell  
Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: John P. MacNaughton  
 APPEARANCES FOR: John P. MacNaughton  
 APPEARANCES AGAINST:

CAL NO. 24-89-Z  
 MAP NO. 9-H  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 1931 W. Eddy Street

SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, John P. MacNaughton, for Bank of Ravenswood, Tr. #25-9305, owner, on January 6, 1989, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a two-and-a-half story frame two-dwelling unit building, which dormers will be located within the required front and side yards and will increase by 13.5% (455 sq. ft.) the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1931 W. Eddy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 6, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-3, §7.7-3, §7.8-3(2), §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 proposed use is to be located in an R3 General Residence District; that on October 30, 1986 the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant seeks to dormer the attic of a two-and-a-half story frame two-dwelling unit building on the subject site which will exceed by 13.5% (455 square feet) the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; 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 proposed attic dormering is necessary to meet the needs of the applicant; that the plight of

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owner is due to the need for additional habitable space which can only be accomplished by expanding his 2nd floor dwelling into the attic portion of the building; that the proposed variations, if granted, will not alter the essential character of the locality in that the original facade of the building will be maintained and that the proposed dormers will be extensions of the existing side walls and will not adversely affect an adequate supply of light and air to adjacent properties; 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 a variation be and it hereby is granted to permit the dormering of the attic of a two-and-a-half story frame two-dwelling unit building, which dormers will be located within required front and side yards and will increase by 13.5% (455 square feet) the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1931 W. Eddy Street, upon condition 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 808

APPLICANT: Carney & Brothers, Ltd.  
 APPEARANCES FOR: Courtney Minor  
 APPEARANCES AGAINST: Andrew Singleton, et al.

CAL. NO. 25-89-S  
 MAP NO. 22-E  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 633 E. 87th Street  
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Carney & Brothers, Ltd., for Seaway National Bank, owner, on December 27, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an accessory parking lot for the parking of private passenger automobiles, in an R3 General Residence District, on premises at 633 E. 87th Street, to serve an adjoining bank at 645 E. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 15, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 proposed use is to be located in an R3 General Residence District; that the subject site is improved with an existing two-story brick apartment building which will be demolished and replaced with the proposed 26-space parking lot; that the proposed parking lot is necessary for the public convenience at this location to provide additional employee parking for Seaway National Bank adjoining at 645 E. 87th Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot with provision for fencing and landscaping will help to alleviate parking congestion in this residential neighborhood 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 approve the establishment of an accessory parking lot for the parking of private passenger automobiles, on premises at 633 E. 87th Street, to serve an adjoining bank at 645 E. 87th Street, upon condition that no use shall be made of



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the site for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of employees' private passenger auto mobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be enclosed on the north (excepting driveway), west and south sides with two feet high steel beam guard rails; that an 8 feet high chain link fence shall be erected outside of the guard rail on the west lot line running from the frontage of the abutting residential building at 629 E. 87th Street to the rear alley line; that a 20' x 20' area landscaped with grass and shrubbery shall be provided at the northwest corner of the lot; that the balance of the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property in such a way as not to create a nuisance; that ingress and egress shall be from E. 87th Street; that there shall be no ingress nor egress from the alley abutting the lot to the south; that the driveway shall be constructed in accordance with all applicable ordinances; that the hours of operation of the parking lot shall be limited to the hours between 8 A.M. and 7 P.M., Mondays through Fridays and 8 A.M. and 5 P.M., Saturdays; that the lot shall be securely locked at all other times when not in use by the bank at 645 E. 87th Street; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the owner to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Carney & Brothers, Ltd.  
 APPEARANCES FOR: Courtney Minor  
 APPEARANCES AGAINST: James Singleton, et al.

CAL. NO. 26-89-Z  
 MAP NO. 22-E  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 633 E. 87th Street

SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Carney & Brothers, Ltd., for Seaway National Bank, owner, on December 27, 1989, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, parking within the eastern portion of the required 20 feet front yard of a proposed bank parking lot, on premises at 633 E. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 15, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194 of the Municipal Code of Chicago, specifically, §7.7-3, §7.12(7), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 proposed use is to be located in an R3 General Residence District; that on February 17, 1989 in Calendar No. 25-89-S, the Board approved, under certain conditions, the establishment of an accessory parking lot for the parking of private passenger automobiles at the subject site to serve an adjoining bank at 645 E. 87th Street; 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 requested variation is necessary to fully utilize the site for additional employee parking; that the plight of the owner is due to the need to use the site to its maximum advantage and to provide a partial 20 feet front yard in accordance with the desires of the community; and that with landscaping provided in the small area located west of the lot's driveway and the abutting residential property to the west, the variation, if granted, will not materially alter the essential character of the locality; it is therefore

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Cal. No. 26-89-Z

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 a variation be and it hereby is granted to permit parking within the eastern portion of the required 20 feet front yard of a proposed bank parking lot, on premises at 633 E. 87th Street, upon condition 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 808

APPLICANT: Stephen M. Karesh

CAL. NO. 27-89-Z

APPEARANCES FOR:

MAP NO. 17-I

APPEARANCES AGAINST:

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February 17, 1989

PREMISES AFFECTED— 2910 W. Estes Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to  
March 17, 1989.

THE VOTE

Lawrence E. Kennon  
Roula Alakiotou  
Michael J. Howlett  
James E. Caldwell  
Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Wrightwood Partners, Michael Brown/Jay Landman  
 APPEARANCES FOR: Bernard I. Citron  
 APPEARANCES AGAINST:

CAL NO. 28-89-S  
 MAP NO. 3-F  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED--- 1331 N. Halsted Street (W. Evergreen Avenue)  
 SUBJECT--- Application for the approval of a special use.

ACTION OF BOARD---

Application approved.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Wrightwood Partners, Michael Brown/Jay Landman, for City of Chicago, owner, on December 30, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an M1-2 Restricted Manufacturing District, on premises at 1331 N. Halsted Street (W. Evergreen Avenue), to satisfy the parking requirements for commercial and manufacturing uses in a one, two and four-story brick building located at 1342 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 30, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.3-3, §10.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are located in an M1-2 Restricted Manufacturing 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 M1-2 Restricted Manufacturing District, that on December 21, 1988 the City Council rezoned the subject site from Institutional Planned Development No. 182 to M1-2 Restricted Manufacturing zoning specifically for the proposed parking lot; that the subject site was a dedicated city street whose right-of-way was vacated by the City of Chicago on November 14, 1978; that the proposed parking lot is necessary for the public convenience at this location to satisfy the parking requirements for the commercial and manufacturing uses in a one, two and four-story brick building located at 1342 N. Halsted Street; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the proposed use is compatible with the existing manufacturing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

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

MINUTES OF MEETING

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Cal. No. 28-89-S

the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1331 N. Halsted Street (W. Evergreen Avenue), to satisfy the parking requirements for commercial and manufacturing uses in a one, two and four-story brick building located at 1342 N. Halsted Street, upon condition that no use shall be made of the site for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be completely enclosed with two feet high steel beam guard rails; excepting the driveway; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from N. Halsted Street; that the driveway shall be constructed in accordance with all applicable ordinances; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and §5.8-5 of the zoning ordinance.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Tarnovia Lounge, Inc.

CAL. NO. 29-89-S

APPEARANCES FOR:

MAP NO. 12-I

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APPEARANCES AGAINST:

PREMISES AFFECTED--- 5201 S. Sacramento Avenue

SUBJECT--- Application for the approval of a special use.

ACTION OF BOARD---

Case continued to  
March 17, 1989.

THE VOTE

Lawrence E. Kennon  
Roula Alakiotou  
Michael J. Howlett  
James E. Caldwell  
Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Carey A. Buxbaum, Architect  
 APPEARANCES FOR: Carey A. Buxbaum  
 APPEARANCES AGAINST:

CAL. NO. 30-89-S  
 MAP NO. 18-C  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 2200 E. 79th Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Carey A. Buxbaum, Architect, for Dennis Robertson, owner, on January 19, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed Dock's Restaurant in an existing building, in a B4-2 Restricted Service District, on premises at 2200 E. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 27, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-4(6), §8.4-4(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 proposed use is to be located in a B4-2 Restricted Service District; that on September 19, 1986 the Board approved a special use application for the establishment of a drive-through facility in conjunction with an existing Burger King Restaurant at the subject site; that the testimony presented in Cal. No. 243-86-S is hereby made part of the record; that the applicant proposes to renovate and remodel the existing Burger King Restaurant into a Dock's Restaurant and to provide drive-through service in conjunction with the proposed restaurant; that the proposed drive-through facility is necessary for the public convenience at this location to provide an additional service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility with provision of the following: directional ingress and egress signs, ingress to the drive-through portion of the facility from E. 79th Street at the southeast corner of the subject site; an 8 feet high solid wood fence along the north lot line to screen the facility from residential property across the alley; and that the proposed use is compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore



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February 17, 1989

Cal. No. 30-89-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a drive-through facility in conjunction with a proposed Dock's Restaurant in an existing building, on premises at 2200 E. 79th Street, upon condition that the ingress and egress to the drive-through portion of the facility shall be from E. 79th Street at the southeast corner of the subject site; that lighted directional signs shall be erected at the established entrance and exit to the subject site; that an 8 feet high solid wood fence shall be erected along the north property line to screen the facility from residential property across the alley; that there shall be no ingress nor egress from the alley; 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 808

APPLICANT: Linda S. Fint  
 APPEARANCES FOR: William Dallas, Linda S. Fint  
 APPEARANCES AGAINST:

CAL. NO. 31-89-Z  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 3741 N. Sheffield Avenue

SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Linda F. Fint, owner, on January 19, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the subdivision of an improved 50' x 120.15' zoning lot into two zoning lots of which the proposed north lot improved with a three-story brick two-dwelling unit building will have an approximately two-foot south side yard instead of the required 2.5 feet, on premises at 3741 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 20, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-4, §7.8-4(1), §11.7-4(1), §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 120.15' zoning lot improved with a three-story brick two-dwelling unit building on the northern 27' x 120.15' portion; that the applicant proposes to subdivide the 50' x 120.15' lot into two zoning lots; 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 vacant portion of the site is not marketable as it presently exists; that the plight of the owner is due to the need to accommodate an existing bay window of the residential building on the northern portion of the lot which projects to within 2 feet of the proposed south 23' x 120.15' portion of the lot; and that the variation, if granted, will not alter the essential character of the locality in that many of the existing residential improvements in the block do not comply with the side yard requirements of the zoning ordinance and that the proposed subdivision will be compatible with the lot sizes of abutting properties; it is therefore

MINUTES OF MEETING

February 17, 1989

Cal. No. 31-89-Z

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 a variation be and it hereby is granted to permit the subdivision of an improved 50' x 120.15' zoning lot into two zoning lots of which the proposed 27' x 120.15' north lot improved with a three-story brick two-dwelling unit building will have an approximately 2 foot south side yard instead of the required 2.5 feet, on premises at 3741 N. Sheffield Avenue, upon condition 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 808

**APPLICANT:** Lawrence D'Antignac and Marvita M. D'Antignac

**CAL. NO.** 32-89-Z

**APPEARANCES FOR:**

**MAP NO.** 20-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING**

February 17, 1989

**PREMISES AFFECTED--** 8150 S. Michigan Avenue

**SUBJECT--** Application to vary the requirements of the zoning ordinance

**ACTION OF BOARD--**

Case continued to  
March 17, 1989.

**THE VOTE**

Lawrence E. Kennon  
Roula Alakiotou  
Michael J. Howlett  
James E. Caldwell  
Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Lawrence D'Antignac and Marvita M. D'Antignac

CAL NO. 33-89-A

APPEARANCES FOR:

MAP NO. 20-E

APPEARANCES AGAINST:

MINUTES OF MEETING

February 17, 1989

PREMISES AFFECTED--- 8150 S. Michigan Avenue

SUBJECT--- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD---

Case continued to  
March 17, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

**APPLICANT:** Norwegian Lutheran Bethesda Home Assn.  
**APPEARANCES FOR:** Robert B. Jones  
**APPEARANCES AGAINST:** Kenneth Hemstreet, et al.

**CAL. NO.** 34-89-S  
**MAP NO.** 7-N  
**MINUTES OF MEETING**  
 February 17, 1989

**PREMISES AFFECTED—** 2833 N. Nordica Avenue  
**SUBJECT—** Application for the approval of a special use.

**ACTION OF BOARD—**

Application approved.

**THE VOTE**

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli		X	

**THE RESOLUTION:**

WHEREAS, Norwegian Lutheran Bethesda Home Assn., owner, on January 25, 1989, filed an application for the approval of two-story additions to an existing nursing home and home for the aged complex, in an R3 General Residence District, on premises at 2833 N. Nordica Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4, §7.4-4(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 consists of approximately 1.8 acres improved with a 1,2, 3 & 4-story U-shaped nursing home for the aged complex built in 1925 and added to in 1955; that the 4-story north building contains 74 sheltered care beds and the 3-story west building has 45 intermediate care beds; that the applicant proposes to erect a 2-story addition to the south side of the 4-story building to contain 33 sheltered care beds on the 1st floor and 34 intermediate care beds on the 2nd floor and to renovate the 4-story building to contain 12 sheltered care beds on the ground floor, 6 apartments for the aged on the 2nd floor, 22 sheltered care beds on the 3rd floor and 12 apartments for the aged on the 4th floor; that the 2-story east building will also be renovated into 13 apartments for the aged and connected with the 2-story passageway to the north building; that the Department of Zoning has determined that a total of 19 parking spaces are required for the entire use of the site; that the applicant is providing 5 on-site parking spaces on the north side and 14 spaces on the south side; that the proposed additions and renovations are necessary for the public convenience at this location to continue to meet the needs of the aged in modernized facilities; that the public health, safety and welfare will be adequately protected in the

MINUTES OF MEETING

February 17, 1989

Cal. No. 34-89-S

design, location and operation of the proposed additions which will comply with all applicable building codes and with additional on-site parking provided to meet the requirements for the proposed uses; and that the proposed additions will be an integral component of the existing nursing home for the aged complex 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 two-story additions to an existing nursing home and home for the aged complex, on premises at 2833 N. Nordica Avenue, upon condition that 19 on-site parking spaces shall be provided; 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 808

**APPLICANT:** Norwegian Lutheran Bethesda Home Assn.  
**APPEARANCES FOR:** Robert B. Jones  
**APPEARANCES AGAINST:** Kenneth Hemstreet, et al.

**CAL. NO.** 35-89-Z  
**MAP NO.** 7-N  
**MINUTES OF MEETING**  
 February 17, 1989

**PREMISES AFFECTED--** 2833 N. Nordica Avenue

**SUBJECT--** Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD--**

Variation granted.

**THE VOTE**

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli		X	

**THE RESOLUTION:**

WHEREAS, Norwegian Lutheran Bethesda Home Assn., owner, on January 25, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story passageway addition connecting rear two and four-story buildings of a nursing home and home for the aged complex, whose east rear yard will be 11 feet instead of 30 feet, on premises at 2833 N. Nordica Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on January 30, 1989; and

WHEREAS, the district maps show that the premises are 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 on February 17, 1989 in Calendar No. 34-89-S, the Board approved a special use application for the erection of two-story additions to an existing nursing home and home for the aged complex at the subject site; that the applicant proposes to construct a two-story passageway addition connecting the existing north and east buildings; 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 proposed passageway is necessary to provide a connecting link between the existing north and east buildings and to provide elevator service for the elderly and handicapped to all levels of the proposed residential apartments in the east building; that the plight of the owner is due to unique circumstances in that the existing east building's one-story connecting link has only stairs which prohibits the elderly and handicapped access to the north building for dining and activities; that the proposed two-story passageway will be located west of the existing passage connection and that the variation, if granted, will not alter the essential character of the locality; it is therefore



MINUTES OF MEETING

February 17, 1989

Cal. No. 35-89-Z

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 a variation be and it hereby is granted to permit the erection of a two-story passageway addition connecting rear two and four-story buildings of a nursing home and home for the aged complex, whose east rear yard will be 11 feet instead of 30 feet, on premises at 2833 N. Nordica Avenue, upon condition 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 808

APPLICANT: Randal Buchanan  
 APPEARANCES FOR: Randal Buchanan  
 APPEARANCES AGAINST:

CAL NO. 36-89-A  
 MAP NO. 8-H  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 3653 S. Hermitage Avenue

SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Randal Buchanan, owner, on January 23, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a one and two-story brick building as three-dwelling units, in an R3 General Residence District, on premises at 3653 S. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 10, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are 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 appellant purchased the subject building as a three-dwelling unit building in 1985; that the previous owners converted a non-conforming first floor store into a conforming dwelling unit; that the applicant has a right to continue the occupancy of the one and two-story brick building on the subject site as three-dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a one and two-story brick building as three-dwelling units, on premises at 3653 S. Hermitage 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 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: Everlyn Keys  
 APPEARANCES FOR: Al Keys  
 APPEARANCES AGAINST:

CAL. NO. 37-89-A  
 MAP NO. 20-H  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 8038 S. Wolcott Avenue  
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Everlyn Keys, owner, on January 12, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a one and two-story frame building as two-dwelling units, in an R2 Single-Family Residence District, on premises at 8038 S. Wolcott Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 6, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are located in an R2 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 R2 Single-Family Residence District; that Zoning Board records indicate that on May 7, 1957, Calendar No. 283-57-A, the Board sustained an appeal permitting the use of the existing building on the subject site as a duplex residence, finding, in part "that the building in question is occupied entirely by the appellant (at that time) Camilla Hogan and by other persons who are related to her by blood or marriage and is not occupied by any other person; that the said building as so used constitutes a single-housekeeping unit and is a single-family residence and will continue to be such single-family residence so long as it is so occupied by the said appellant Camilla Hogan and her family"; that the district zoning has been single-family residence since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the use of the one and two-story frame building on the subject site as a duplex residence limited to related family living; it is therefore

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

RESOLVED, that the appellant has a right to continue the use of the one and two-story frame building, on premises at 8038 S. Wolcott Avenue, as a duplex residence limited to related family living only.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Kirby Ashley  
 APPEARANCES FOR: Kirby Ashley  
 APPEARANCES AGAINST: Helen Lange, et al.

CAL. NO. 38-89-A  
 MAP NO. 20-G  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 1251 W. 79th Street

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
	x	
	x	
	x	

THE RESOLUTION:

WHEREAS, Kirby Ashley, for Betty Ashley, owner, on December 19, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern in a one-story brick store building, in a B2-1 Restricted Retail District, on premises at 1251 W.79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 1, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the one-story brick building on the subject site has been occupied as a tavern since the year 1971 when the appellant's father purchased the building; that the appellant operated the tavern until 1984 when he leased it to another party; that the last liquor license expired April 30, 1987; that the premises has been vacant and unoccupied in excess of one year; that under §6.4-5 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Marcel B. Esguerra  
 APPEARANCES FOR: Marcel B. Esguerra  
 APPEARANCES AGAINST:

CAL NO. 39-89-A  
 MAP NO. 19-H  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 2324 W. Touhy Avenue

SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Marcel B. Esguerra, owner, on December 29, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a one-story 8 feet by 16.57 feet enclosed porch to the rear of a one-and-a-half story non-conforming frame residence, in a B2-2 Restricted Retail District, on premises at 2324 W. Touhy Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 21, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are located in a B2-2 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the non-conforming one-story frame single-family residence on the front of the lot was constructed prior to the passage of the 1923 zoning ordinance; that the appellant enclosed an 8' x 16.57' porch without obtaining the necessary building permits and now seeks to legalize the porch enclosure; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a one-story 8' x 16.57' enclosed porch to the rear of a one and-a-half story non-conforming frame residence, on premises at 2324 W. Touhy Avenue, upon condition 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 808

APPLICANT: William Ayers  
 APPEARANCES FOR: Eva L. Garrett, William Ayers  
 APPEARANCES AGAINST:

CAL. NO. 40-89-A  
 MAP NO. 26-E  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 10953 S. Michigan Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, William Ayers, for David Hardin, owner, on January 10, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a candy store in a one-story brick store building, in an R4 General Residence District, on premises at 10953 S. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 15, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are 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 on September 9, 1987 the City Council rezoned the subject site from B5-2 to R4 General Residence District; that the non-conforming one-story brick store building was previously occupied as a meat market, a B1 use, which ceased operation in September of 1988; that the appellant stated he seeks to establish a candy store/game room at the subject site; that a candy store is a B2 use; that any game room containing over 5 automatic amusement machines constitutes an arcade which is first permitted in a C1 zoning district; that under §6.4-7 of the zoning ordinance the proposed use is not a proper substitution of non-conforming use; it is therefore

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

**ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808**

**APPLICANT:** Gregory J. Nauman d/b/a Nauman Enterprises, Inc. **CAL. NO.** 41-89-A  
**APPEARANCES FOR:** Gregory J. Nauman **MAP NO.** 11-I  
**APPEARANCES AGAINST:** **MINUTES OF MEETING**  
 February 17, 1989

**PREMISES AFFECTED—** 4410 N. Troy Street  
**SUBJECT—** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD—**

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

**THE VOTE**

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Gregory J. Nauman d/b/a Nauman Enterprises, Inc., for Steven Strange, owner, on January 13, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a catering business (off premises) in a one and two-story brick multi-store and apartment building, in a B4-2 Restricted Service District; on premises at 4410 N. Troy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 February 17, 1989; and

WHEREAS, the district maps show that the premises are 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 a catering establishment is a permitted use in a B4 district under §8.3-4B(9), subject to §8.3-4A(3) which provides that all goods produced on the premises shall be sold at retail on the premises where produced; that the appellant is a retail catering operation that produces and sells its goods on the premises and that the goods are mostly picked up by the customers at the subject site; that the use as operated is a permitted use in the subject site B4 zoning district; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a catering business in a one and two-story brick multi-store and apartment building, on premises at 4410 N. Troy Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the appellant is advised to instruct delivery truck drivers that they are not to park their vehicles in the adjoining alley or street when making deliveries.

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Renaissance Industries, Inc.  
 APPEARANCES FOR: Sue Morrison  
 APPEARANCES AGAINST:

CAL. NO. 42-89-A  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 860 W. Willow Street

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Renaissance Industries, Inc., for Joseph Smith, owner, on December 20, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a business office in a two-story frame building, in an R4 General Residence District, on premises at 860 W. Willow Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 30, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are 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 non-conforming store in the two-story frame building on the subject site has been occupied by the subject home building business office, a B2 use, since the year 1984; that the prior use of the subject store was a tavern, a B4 use, which use ceased operation in 1960; that §6.4-5 of the zoning ordinance provides that when the non-conforming use of a premises becomes vacant and remains unoccupied or is not used for a continuous period of 1 year, it shall not thereafter be occupied or used except by a use which conforms to the regulations of the district in which it is located; that the subject store was closed for 24 years prior to the appellant's occupancy; that pursuant to said Section the appellant had no right to occupy the subject store in 1984 in that a business office is not a permitted use in an R4 General Residence District; that the Board has no authority to permit the use requested; it is therefore

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



ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Carson Pirie Scott & Company  
 APPEARANCES FOR: Robert J. Kartholl, et. al.  
 APPEARANCES AGAINST:

CAL. NO. 43-89-A  
 MAP NO. 2-F  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 39-41 S. State Street and 6 E. Monroe Street  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.  
 ACTION OF BOARD—

Appeal denied and the decision of the Office of the Zoning Administrator affirmed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Carson Pirie Scott & Company, owner, on December 23, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the installation of a business sign on both facades of the Carson building at the corner of State and Monroe Streets, in a B6-7 Restricted Central Business District, on premises at 3941 S. State Street and 6 E. Monroe Street, which alleges that the sign legends and graphics does not violate the applicable sign regulations of the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 22, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.9-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are located in a B6-7 Restricted Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is improved with the multi-story Carson Pirie Scott & Company department store; that one of the proposed signs, a 48' x 14' non-illuminated, non-electrical sign to be located on the State Street facade of the building will indicate the name of the department store and contain theme photographs which will be modified four times annually to correspond to the season; that the second proposed 60' x 14' non-illuminated, non-electrical sign is to be located on the Monroe Street facade of the building and will display the name, hours of operation and nature of the business and services of the Corporate Level division of Carson Pirie Scott & Company and two theme photographs; that the subject B6-7 Restricted Central Business District permits non-flashing business signs subject to the following: "Signs shall bear thereon no lettering other than to indicate the name and kind of business conducted in the building or structure, such as "men's clothing", "drugs", "jeweler", and the like, and the year the business was established, and the street number thereof. No sign shall advertise any particular article of merchandise"; that the Board finds in this case that there is no provision for some of the subject signs' proposed lettering and photographs in the sign regulations for the B6-7 Restricted Central Business District zoning and that

MINUTES OF MEETING

February 17, 1989

Cal. No. 43-89-A

the Board has no authority to expand upon what is specifically allowed; it is therefore

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

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: Michael Carduff  
 APPEARANCES FOR: Edward S. Lipsky  
 APPEARANCES AGAINST:

CAL. NO. 44-89-A  
 MAP NO. 14-J  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 3820-22 W. 60th Place  
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Michael Carduff, for Michael & Susan Carduff, owners, on December 28, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the subdivision of an improved 66' x 124.8' zoning lot into two zoning lots, the east lot improved with a one-story brick residence to be 35.5' x 124.8' and the west unimproved lot to be 30.5' x 124.8', in an R2 Single-Family Residence District, on premises at 3820-22 W. 60th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 18, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.7-1, §7.5-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are located in an R2 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 proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 66' x 124.8' zoning lot with a one-story brick single-family residence on the east portion of the lot; that the appellant seeks to subdivide the existing lot into a 35.5' x 124.8' lot which will contain the existing single-family residence and an unimproved 30.5' x 124.8' lot; that the resulting lots will contain 4,430 square feet and 3,806 square feet, respectively; that the records of the City of Chicago indicate that this block in which the subject site is located contains all 25' x 124.8' (3,120 square feet) lots of record; that §7.5-2 of the zoning ordinance provides "that in an R2 Single-Family Residence District, there shall be provided not less than 5,000 square feet of lot area per dwelling unit, except in cases where the predominant number of lots of record on the effective date of this comprehensive amendment, fronting on the same side of the street between the two nearest intersecting streets, have a lot area less than that prescribed by the regulations of this district, then, and in that event, the lot area requirement shall be that of existing lot areas in the area previously described, but in no event shall the lot area requirement be less than 3,750 square feet; that the proposed subdivision meets the exception provision of

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February 17, 1989

Cal. No. 44-89-A

§7.5-2 in that all the lots of record in the block contain only 3,120 square feet each and that the proposed lots will each contain more than 3,750 square feet; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the subdivision of an improved 66' x 124.8' zoning lot into two zoning lots, the east lot improved with a one-story brick residence to be 35.5' x 124.8' and the west unimproved lot to be 30.5' x 124.8', on premises at 3820-22 W. 60th Place, upon condition 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 808

APPLICANT: Jose Soria  
 APPEARANCES FOR: Bernard I. Citron  
 APPEARANCES AGAINST: Pamela Munizzi

CAL. NO. 45-89-A  
 MAP NO. 8-G  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED-- 3428 S. Lituanica Avenue  
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Jose Soria, owner, on December 29, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery store in a one and two-story brick and frame store and apartment building, in an R3 General Residence District, on premises at 3428 S. Lituanica Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 29, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989; and

WHEREAS, the district maps show that the premises are 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 proposed use is to be located in an R3 General Residence District; that the non-conforming store in the one and two-story brick and frame store and apartment building on the subject site was previously occupied by a grocery store which use ceased operation on the retirement of the owner; that the appellant purchased the subject property in August of 1988 for \$40,000 specifically as a grocery store; that there was no intent by the previous owner to abandon the use of the premises as a grocery store, the fixtures having remained intact during the interim period; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a grocery store in a one and two-story brick and frame store and apartment building, on premises at 3428 S. Lituanica Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., daily; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; 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 808

APPLICANT: Rafael Gonzalez

CAL. NO. 20-89-A

APPEARANCES FOR: None

MAP NO. 4-H

APPEARANCES AGAINST:

MINUTES OF MEETING

February 17, 1989

PREMISES AFFECTED— 1713 W. 19th Street

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case dismissed for want of prosecution.

THE VOTE

Lawrence E. Kennon  
Roula Alakiotou  
Michael J. Howlett  
James E. Caldwell  
Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

**APPLICANT:** North Park Group, Inc., by Bernard I. Citron

**CAL NO.** 226-88-Z

**APPEARANCES FOR:** Bernard I. Citron

**MAP NO.** 3-F

**MINUTES OF MEETING**

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**APPEARANCES AGAINST:**

**PREMISES AFFECTED--**

1454, 56, 60 & 1500, 02, 04, 06, 10, 12, 14, 16,  
20, 22, 24, 28, 30, 32 N. North Park Avenue

**SUBJECT--**

Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD--**

Application withdrawn upon  
motion of applicant.

**THE VOTE**

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

**AFFIRMATIVE NEGATIVE ABSENT**

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 808

APPLICANT: John Cooper, Englewood Auto Parts  
 APPEARANCES FOR: Anthony B. Bass  
 APPEARANCES AGAINST:

CAL. NO. 252-88-S  
 MAP NO. 14-F  
 MINUTES OF MEETING  
 February 17, 1989

PREMISES AFFECTED— 612-14 W. 59th Street and 5833-59 S. Lowe Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, John Cooper, Englewood Auto Parts, owner, on September 26, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a junk yard in conjunction with a used auto parts business, in an M2-2 General Manufacturing District, on premises at 612-14 W. 59th Street and 5833-59 S. Lowe Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 10, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular hearing held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on October 31, 1988; and

WHEREAS, the district maps show that the premises are located in an M2-2 General Manufacturing 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 subject site is located in an M2-2 General Manufacturing District; that on December 16, 1987 the City Council rezoned the site from M1-2 to M2-2 General Manufacturing specifically for the proposed use; that the subject site is a 76,055 square feet parcel of land improved with several storage sheds at the north end of the property; that the applicant proposes to dismantle used automobiles for reusable parts to be sold at retail; that all dismantling work is done within the subject property; that there is no crushing of salvaged automobiles nor is there any stacking of automobiles at the site; that traffic will ingress and egress from W. 59th Street; that the proposed use is necessary for the public convenience at this location to provide a necessary service to the community; that the public health, safety and welfare will be adequately protected in the use which will be operated in compliance with the regulations of the Environmental Control Division of the Department of Consumer Services of the City of Chicago and in compliance with the performance standards established in Article 10 of the zoning ordinance; and that the proposed use with provision for 8 feet high solid fencing on the periphery of the site including solid entrance and exit gates is compatible with the existing improvements in the area and will



MINUTES OF MEETING

February 17, 1989

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 junk yard in conjunction with a used auto parts business, on premises at 612-14 W. 59th Street and 5833-59 S. Lowe Avenue, upon condition that the lot shall be enclosed with an 8 feet high solid fence, as well as solid security gates at the established ingress and egress; that no junk autos, parts or other scrap shall be stored on W. 59th Street or other City property; that the use shall be conducted in compliance with the regulations of the City of Chicago Environmental Control Division of the Department of Consumer Services; that the use shall at all times be operated in compliance with the performance standards established under Article 10 of the zoning ordinance; 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 808

APPLICANT: Normal Candies & Drop Off Cleaning

CAL. NO. 259-88-A

APPEARANCES FOR:

MAP NO. 14-F

APPEARANCES AGAINST:

MINUTES OF MEETING

February 17, 1989

PREMISES AFFECTED-- 5517 S. Normal Boulevard

SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal withdrawn upon motion of appellant.

THE VOTE

Lawrence E. Kennon  
Roula Alakiotou  
Michael J. Howlett  
James E. Caldwell  
Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

**APPLICANT:** Patrick FitzGerald  
**APPEARANCES FOR:** John J. Pikarski, Jr.  
**APPEARANCES AGAINST:**

**CAL. NO.** 275-88-Z  
**MAP NO.** 5-G  
**MINUTES OF MEETING**  
 February 17, 1989

**PREMISES AFFECTED—** 1905 N. Seminary Avenue and 1901 N. Maud Street  
**SUBJECT—** Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD—**

Variations granted.

**THE VOTE**

Lawrence E. Kennon  
 Roula Alakiotou  
 Michael J. Howlett  
 James E. Caldwell  
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

**THE RESOLUTION:**

WHEREAS, Patrick FitzGerald, for Joseph Mariottini, owner, on October 20, 1988, filed an application for a variation of the zoning ordinance to permit in an R4 General Residence District, the erection of a three-story four-dwelling unit townhouse building on an irregular-shaped lot, whose front yard (Maud Street) will be 2 feet insted of 13.77 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 1905 N. Seminary Avenue and 1901 N. Maud Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1989 after due notice thereof by publication in the Chicago Tribune on November 28, 1988; and

WHEREAS, the district maps show that the premises are 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 on October 18, 1985 in Calendar No. 330-85-Z, the Board granted a variation permitting the erection of a two-story five-dwelling unit townhouse building on the subject site, whose south front yard will be 2 feet instead of 12 feet, whose north rear yard will be 3 instead of 30 feet and whose west side yard will be 2 instead of 6 feet; that on July 18, 1986 the Board granted an extension of time until October 18, 1986 in which to obtain the necessary building permits; that prior to that time the owner purchased the property with the understanding that the variations granted in Calendar No.330-85-Z would apply to his development of the subject townhouse building; that a further extension of time was requested in order to obtain building permits for the project but that the number of units be reduced from 5 to 4 units and that a building be designed that would meet or exceed all of the original yard variations; that the Board denied the request on October 16, 1987, stating that there had been too long a time lapse and that the plans for the development had

## MINUTES OF MEETING

February 17, 1989

Cal. No. 275-88-Z

changed; that on January 15, 1988 in Calendar No. 6-88-Z, the Board granted a variation permitting the erection of a two-story four-dwelling unit townhouse building on the irregularly-shaped subject site lot whose south front yard will be 6 instead of 12 feet, whose north rear yard will be 3 instead of 30 feet, and whose west side yard will be 2 instead of 6 feet; that the applicant now seeks to erect a three-story four-dwelling unit townhouse building on the subject site and is requesting that the 3 feet rear yard previously granted by the Board on January 15, 1988 in Calendar No. 6-88-Z be reduced to 2 feet and that the front yard (Maud Street) be 2 feet instead of 13.77 feet; 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 to construct an economically viable townhouse development with enclosed parking on this lot would require authorized variations; that the plight of the owner is due to the irregular shape of the subject lot which is bordered on three sides by city streets and abutts a Chicago Park District building to the north; and that the variations, if granted, will not alter the essential character of the locality in that many of the existing improvements in the area do not meet the yard requirements of the zoning ordinance; 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 a variation be and it hereby is granted to permit the erection of a three-story four-dwelling unit townhouse building on an irregular-shaped lot, whose front yard (Maud Street) will be 2 feet instead of 13.77 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 1905 N. Seminary Avenue and 1901 N. Maud Street; upon condition 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 808

APPLICANT: Harry Irgang

CAL. NO. 297-88-A

APPEARANCES FOR:

MAP NO. 9-J

MINUTES OF MEETING

February 17, 1989

APPEARANCES AGAINST:

PREMISES AFFECTED— 3282 N. Milwaukee Avenue

SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to  
March 17, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

## MINUTES OF MEETING

February 17, 1989

Cal. No. 257-85-Z

Mr. Daniel L. Houlihan, for Michael C. Birnkrant, Jr., presented a request for a further extension of time in which to obtain necessary building permits for the erection of a 22-story addition containing retail stores and offices atop a three-story building with provision for 2 instead of 3 loading berths, on premises at 717 N. Michigan Avenue, Calendar No. 257-85-Z, for which an extension of time was granted by the Board on October 21, 1988 until February 16, 1989 and at which time Resolution 257-85-Z was amended to reflect that of a 22-story addition in lieu of a 17-story addition as was originally granted by the Board on February 16, 1985.

Mr. Houlihan stated that market, financing and user considerations delayed development and dictated a slightly larger final design which is particularly sensitive to the north wall window considerations of the abutting Allerton Hotel and resulting in a reconfiguration of the proposed addition to 22 stories instead of 17 stories for a total of 295,787 square feet in a 25-story configuration, and that the new configuration requires the same 3 loading berths as the former design. Mr. Houlihan further stated that the sole purpose for the additional extension of time is to allow for the finalization of plans attendant to the application for building permit and that no change in the provision for 2 instead of 3 loading berths is requested.

Chairman Kennon moved that the request be granted and that the time for securing necessary building permits be extended to August 16, 1989. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou, Fornelli, Howlett. Nays- None.

MINUTES OF MEETING  
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Ms. Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on February 22, 1989.

*Marion Rest*  
Secretary