

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, December 13, 1991

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

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman

Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

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Member Martin moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on November 15, 1991 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Alakiotou, Fornelli, Martin and Moore. 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: John J. Moody
APPEARANCES FOR: John P. Fitzgerald, John J. Moody
APPEARANCES AGAINST:

CAL. NO. 294-91-Z
MAP NO. 26-H
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 10321 S. Longwood Drive
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, John J. Moody, for Moody Development Co., owner, on November 12, 1991 filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the conversion and renovation of an existing 2-story and basement church building to a 16-dwelling unit condominium building containing 3 floors and a basement, which renovation will result in a 15% (3,936 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 10321 S. Longwood Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 1991, 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, §7.6-3, §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 December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 40,031 sq. ft. irregularly shaped lot improved with a 2-story brick building formerly occupied by a church; that on October 30, 1986, the City Council passed an ordinance giving the Zoning Board of Appeals authority under Section 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 Section 6.4-2(1)"; that the applicant seeks to convert and renovate the existing 2-story and basement former church building to a 16 unit condominium building containing 3 floors and basement which will result in a 15% or 3,936 sq. ft. increase in 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

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used only under the conditions allowed by the regulations in this district in that the variation requested is necessary to provide adequate living space in the 16 pre-sold condominium dwelling units, as currently designed; that the plight of the owner is due to unique circumstances in that the previous drawings submitted to the City were rejected by the City due to non-compliance of a proposed 3-story interior atrium with fire code regulations; that the 16 condominium dwelling units became larger when the said atrium area was incorporated into the dwelling units, thereby increasing the floor area ratio; that the variation, if granted, will not alter the essential character of the locality in that the conversion and renovation of a long vacant former church building into 16 condominium dwelling units with adequate on-site parking will be compatible with existing residential 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 a variation be and it hereby is granted to permit the conversion and renovation of an existing 2-story and basement church building to a 16-dwelling unit condominium building containing 3 floors and a basement, which renovation will result in a 15% (3,936 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 10321 S. Longwood Drive, upon condition that the on-site parking area's paving, drainage, lighting, striping and landscaping shall be maintained; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Judith M. Davis

CAL. NO. 295-91-Z

APPEARANCES FOR:

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING
December 13, 1991

PREMISES AFFECTED— 1537 W. Chestnut Street

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

ACTION OF BOARD—

Case continued to
January 17, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Murtha Rooney
 APPEARANCES FOR: John J. Pikarski, Jr., Murtha Rooney
 APPEARANCES AGAINST: G. Alex

CAL. NO. 296-91-Z
 MAP NO. 2-G
 MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 1535 W. Jackson Boulevard
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola			X
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Murtha Rooney, for Murtha and Mary Rooney, owners, on October 29, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3rd story addition to the rear 2-story portion of a 3 and 2-story brick 2-dwelling unit building, with no side yards instead of 1.66 feet each, on premises at 1535 W. Jackson Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 21, 1991, 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, §7.8-5, §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 December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 16.88' x 188.88' lot improved with a 3 and 2-story brick 2 dwelling unit town-house building; that the applicant seeks to erect a 3rd story addition to the rear 2-story portion of the existing building; 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 variation requested is necessary to provide additional functional living space in the applicant's 2nd floor duplexed dwelling unit; that the plight of the owner is due to unique circumstances in that the subject residential townhouse building on this narrow lot was originally constructed lot line to lot line without sideyard setbacks; that the variation, if granted, will not alter the essential character of the locality in that the proposed 3rd story addition will follow existing perimeter walls of the building on the subject site and will be compatible with the many existing residential improvements in this block which do not comply with the side yard requirements of the zoning ordinance; it is therefore

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Cal. No. 296-91-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 3rd story addition to the rear 2-story portion of a 3 and 2-story brick 2-dwelling unit building, with no side yards instead of 1.66 feet each, on premises at 1535 W. Jackson Boulevard, 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: Dusanka Krstic
APPEARANCES FOR: Sean Fitzgerald, Dusanka Krstic
APPEARANCES AGAINST: Jeffrey Brown

CAL. NO. 297-91-Z
MAP NO. 19-G
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 7621-29 N. Eastlake Terrace
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Application denied.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Dusanka Krstic, for Boulevard Bank National Association, Tr. #9288, owner, on October 30, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the parking of an automobile at the southwest corner of a lot improved with a 3-story apartment building, which parking space will be located in the required 15 feet front yard, on premises at 7621-29 N. Eastlake Terrace; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 24, 1991, 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, §5.7-5, §7.7-4, §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 December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 100' x 184' lot improved with a 3-story brick apartment building and an approximately 12 foot paved area at the southwest corner of the lot; that the lot has no alley access and its rear property line is only a few feet from Lake Michigan; that the applicant seeks approval for the parking of an automobile on the said paved parking area located in the required 15 feet front yard; that the applicant purchased the building in May, 1990 and is the manager of the building but does not reside on premises; that the paved parking area existed at the time of purchase of the building; that the applicant testified that a parking space in the required 15 feet front yard would be a help to her in the course of her building management duties; that testimony was also presented indicating that 3 to 4 automobiles are being parked on the subject space in addition to curb parking; that the Board feels that no substantial evidence was presented indicating a hardship exists for the applicant as opposed to a mere inconvenience; that the establishment of a parking space at the subject location requires a curb cut and that said curb cut would eliminate an on-street parking space; it is therefore

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

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

APPLICANT: Charles Boose/Commercial Properties, Inc.

CAL. NO. 298-91-S

APPEARANCES FOR:

MAP NO. 14-G

APPEARANCES AGAINST:

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PREMISES AFFECTED— 1334-52 W. 59th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Greater Mt. Carmel M.B. Church

CAL. NO. 299-91-S

APPEARANCES FOR:

MAP NO. 18-G

APPEARANCES AGAINST:

MINUTES OF MEETING
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PREMISES AFFECTED— 842-44 W. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 21, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Greater Mt. Carmel M.B. Church

CAL. NO. 300-91-S

APPEARANCES FOR:

MAP NO. 18-G

APPEARANCES AGAINST:

MINUTES OF MEETING

December 13, 1991

PREMISES AFFECTED— 900 W. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 21, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Ambassadors for Christ Church of God in Christ
APPEARANCES FOR: Rev. Milton Oliver
APPEARANCES AGAINST:

CAL. NO. 301-91-S
MAP NO. 26-F
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 531-35 W. 103rd Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Ambassadors for Christ Church of God in Christ, by Rev. Milton Oliver, owner, on October 29, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 180-seat church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 531-35 W. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 25, 1991, 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, §8.4-4(1), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

WHEREAS, the district maps show that the premises is located in a B4-1 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-1 Restricted Service District; that the subject site is improved with a 1-story brick building occupied by the applicant church; that the applicant has been located at the subject site for many years and that the church is necessary at the subject site to continue to meet the needs of the 150-member congregation who reside in the immediate area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will comply with all applicable building code regulations and which will provide adequate off-street parking spaces to be improved and operated under the following conditions hereinafter set forth; that the said church is compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 180-seat church in a 1-story brick building, on premises at 531-35 W. 103rd Street, upon condition that the

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parking area abutting the subject site to the west shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking area at any time; that steel beam guard rails 2 feet high shall be provided on the periphery of the parking area, excepting the entrance and exit; that the parking area 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; that ingress shall be from .W. 103rd Street and egress via the public alley to the south; that valet parking shall be provided on days when services are held; and that all 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 aforesaid parking area in accordance with the provisions and standards hereby established under this order.

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

APPLICANT: B & L Realty for Full Gospel Church
APPEARANCES FOR: Arnold Flank
APPEARANCES AGAINST:

CAL. NO. 302-91-S
MAP NO. 26-F
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 615-21 W. 103rd Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Full Gospel Church, as subsequently amended, for B & L Realty, owner, on November 7, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 615-21 W. 103rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 1991, 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, §8.3-4, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

WHEREAS, the district maps show that the premises is located in a B4-1 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-1 Restricted Service District; that the subject site is a 14,875 sq. ft. lot improved with a 1-story brick multi-store building; that the applicant church occupies approximately the east 30 feet of the existing 1-story building and has been located at the subject site since 1987; that the applicant seeks to legalize the use of the site for a church; that the said church is necessary at this location to continue to meet the needs of its 40-member congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will comply with all applicable building code regulations and which will provide adequate off-street parking directly east of the aforesaid building to be improved and operated under the conditions hereinafter set forth; that the use of the subject store premises as a church is compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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Zoning Administrator is authorized to permit the establishment of a church in a 1-story brick building, on premises at 615-21 W. 103rd Street, upon condition that the parking area located east of the subject building shall be improved with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the parking area which shall be connected by drainage tiles to an established City of Chicago sewer; that 2 feet high steel beam guard rails shall be erected on the periphery of the parking area, excepting the driveway; that striping and lighting shall be provided; that ingress and egress shall be from W. 103rd Street; that there shall be no ingress nor egress via the public alley located to the south; 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 parking area in conformance with the standards and provisions hereby established under this order.

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

APPLICANT: Unity Shelter, Inc.
APPEARANCES FOR: David L. Reifman
APPEARANCES AGAINST:

CAL. NO. 303-91-S
MAP NO. 14-G
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 5709-11 S. Green Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Unity Shelter, Inc., owner, on November 6, 1991, filed and subsequently amended, an application for the approval of the location and the establishment of a transitional shelter for 16 homeless youth on the 1st floor of a 3-story brick apartment building, in an R3 General Residence District, on premises at 5709-11 S. Green Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 6, 1991, 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, §7.4-3(2), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 3-story brick apartment building; that the applicant, Unity Shelter, Inc., is a division of Ecumenical Night Ministry, which is composed of clergy from different congregations that work on the streets at night with homeless youth; that the applicant proposes to renovate the existing 3-story vandalized 6 unit apartment building to provide a 16-bed transitional shelter facility on the first floor for homeless youths aged 14 to 18; that the proposed transitional shelter facility is necessary for the public convenience at this location in that there is an acute need for transitional shelter facilities for homeless teenagers in the City of Chicago; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed shelter facility in that the renovation of the subject building will comply with all applicable building code regulations and that the proposed shelter will be operated pursuant to strict state regulations issued by the Illinois Department of Children and Family Services to implement the provisions of new state laws governing Youth Emergency Shelters; that the proposed use will not cause

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substantial injury to the value of other property in the neighborhood in that with the intensive renovation of the subject building and with the proposed shelter's strict rules and regulations, the impact of the proposed use on surrounding property will be minimal; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a transitional shelter for 16 homeless youths on the 1st floor of a 3-story brick apartment building, on premises at 5709-11 S. Green Street, upon condition that the building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; that the premises shall not be used as a transitional shelter until the building complies with applicable building code regulations; that no part of the remaining 2 floors of the building shall be used as a transitional shelter facility and that security shall be provided to limit access to such other floors by the clients of the facility; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a transitional shelter for homeless youths or any increase in the beds or in the classification of clients to be served, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Wojciech Habura & Maciej Potoczak

CAL. NO. 304-91-S

APPEARANCES FOR:

MAP NO. 7-M

APPEARANCES AGAINST:

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PREMISES AFFECTED— 6211 W. Belmont Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 17, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Joseph Virgil

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED— 220 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 21, 1992.

CAL. NO. 305-91-S

MAP NO. 18-E

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THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Fuego, Fuego, Inc., Ildefonso Medina

CAL. NO. 306-91-S

APPEARANCES FOR:

MAP NO. 3-J

APPEARANCES AGAINST:

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PREMISES AFFECTED— 3801 W. North Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued upon motion of the Board to February 21, 1992.

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: International Double Drive Thru, Inc.
APPEARANCES FOR: Steven Friedman
APPEARANCES AGAINST: Beatrice Bond

CAL. NO. 307-91-S
MAP NO. 22-H
MINUTES OF MEETING
December 13, 1991

PREMISES AFFECTED— 8700-10 S. Ashland Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 17, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: George Nottoli & Son, Inc., d/b/a Nottoli Sausage
APPEARANCES FOR: Mark Ballard, Anthony Nottoli
APPEARANCES AGAINST:

CAL. NO. 308-91-A
MAP NO. 9-G
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 7652 W. Belmont Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, George Nottoli & Son, Inc., d/b/a Nottoli Sausage, for Cosmopolitan Bank, Tr. #19257, owner, on October 31, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing retail food store in a 1-story brick store building, in a B4-2 Restricted Service District, on premises at 7652 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 31, 1991, 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, §8.3-4, §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 December 13, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick commercial building occupied by an Italian retail food store; that the appellant has operated the said retail food store at the subject site for more than 20 years; that the appellant is seeking a wholesale license to sell Italian sausage and food products to neighborhood restaurants and others on a limited wholesale basis, totaling 15 to 20% of the total gross sales; that the wholesale activity is subordinate and accessory to the principal retail activity at the site; 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 wholesaling as an accessory use only in conjunction with an existing retail food store in a 1-story brick store building, on premises at 7652 W. Belmont Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Frank Burrell

CAL. NO. 309-91-A

APPEARANCES FOR:

MAP NO. 16-F

MINUTES OF MEETING

December 13, 1991

APPEARANCES AGAINST:

PREMISES AFFECTED— 7045 S. Halsted Street

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

ACTION OF BOARD—

Case continued to
February 21, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: August C. Chidichimo
APPEARANCES FOR: August C. Chidichimo
APPEARANCES AGAINST:

CAL. NO. 311-91-Z
MAP NO. 19-I
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 2921 W. Fargo Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, August C. Chidichimo, for August & Bess Chidichimo, owners, on November 15, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 12' x 24' addition to the rear of a 2-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 2921 W. Fargo Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 7, 1991, 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, §7.6-2, §7.8-2, §11.7-4(1)(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

WHEREAS, the district maps show that the premises is 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 30' x 124.38' lot improved with a 2-story brick single-family dwelling with the existing frame second floor cantilevered over the first floor at the rear and supported by three steel columns; that the applicant seeks to erect a 1-story 12' x 24' addition to the rear of the existing 2-story single-family dwelling; 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 1-story 12' x 24' addition is necessary to provide additional living space for the applicant and his family, and that the enclosing of the existing open space under the cantilevered second story with the proposed addition will provide greater structural integrity for the existing residential building; that the plight of the owner is due to unique circumstances in that there are serious structural problems with the support columns of the existing frame cantilevered second story of the building; which necessitates the construction of the proposed 1-story addition; that the proposed addition will follow existing east and west building lines; and

MINUTES OF MEETING

December 13, 1991

Cal. No. 311-91-Z

that the proposed 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 district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 12' x 24' addition to the rear of a 2-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 2921 W. Fargo 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: Bettie J. Pullen & Joji Pullen Monroe
APPEARANCES FOR:
APPEARANCES AGAINST:
PREMISES AFFECTED— 1231-35 W. Devon Avenue
SUBJECT— Application for the approval of a special use.

CAL. NO. 312-91-S
MAP NO. 15-G
MINUTES OF MEETING
December 13, 1991

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: W.B. Tenort
APPEARANCES FOR: W.B. Tenort
APPEARANCES AGAINST:

CAL. NO. 260-91-A
MAP NO. 20-D
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED--- 8400-02 S. Dante Avenue

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

ACTION OF BOARD---

THE VOTE

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

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, W.B. Tenort, owner, on August 15, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the enclosure of three 2-story frame porches attached to a 2-story brick non-conforming 8-dwelling unit building, in an R2 Single-Family Residence District, on premises at 8400-02 S. Dante Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 12, 1991, 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, §7.3-2, §7.8-2(3), §7.9-2, §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 December 13, 1991; and

WHEREAS, the district maps show that the premises is 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 the subject site is improved with a 2-story brick L-shaped non-conforming 8-dwelling unit building with frontages on E. 84th Street and on S. Dante Avenue; that the appellant has owned the subject building since 1974; that the appellant made repairs on and enclosed the subject porches without obtaining the proper permits and now seeks to legalize the work; that under Section 6.4-1 of the zoning ordinance "ordinary repairs and alterations may be made to a non-conforming building provided that no structural alterations shall be made in or to a building all or substantially all of which is designed or intended for a use not permitted in the district in which it is located...."; that the appellant merely repaired and enclosed the subject porches making no new structural alterations to or within the existing building; 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 enclosure of three 2-story frame porches attached to a 2-story brick non-conforming 8-dwelling unit building, on premises at 8400-02 S. Dante 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 806

APPLICANT: A T & D's
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 264-91-A
MAP NO. 18-C
MINUTES OF MEETING
December 13, 1991

PREMISES AFFECTED— 2253 E. 73rd Street

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

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: City Architect
APPEARANCES FOR: Robert C. Dawson
APPEARANCES AGAINST:

CAL. NO. 233-91-S
MAP NO. 2-J
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 3930-48 W. Wilcox Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, City Architect, for City of Chicago, owner, on July 29, 1991, 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 a B4-2 Restricted Service District, on premises at 3930-48 W. Wilcox Street, to serve the Legler Branch Library at 115 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 12, 1991, 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, §8.3-4(27), §8.4-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991, after due notice thereof by publication in the Chicago Tribune on September 3, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on June 2, 1991, the City Council rezoned the subject site from R5 General Residence to B4-2 Restricted Service specifically for the proposed off-site accessory parking lot; that the subject site is a 24,286 sq. ft. unimproved lot located across the public alley to the east of the Legler Branch Library which faces onto S. Pulaski Road; that the proposed use is necessary at the subject site to provide off-street parking for the use of patrons and staff of the Legler Branch Library located at 115 S. Pulaski Road; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot which will be improved and operated under the conditions hereinafter set forth; that the proposed parking lot is located directly east across an public alley from the library facility and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory

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December 13, 1991

Cal. No. 233-91-S

parking lot for the parking of private passenger automobiles, on premises at 3930-48 W. Wilcox Street, to serve the Legler Branch Library at 115 S. Pulaski Road, upon condition that no use shall be made of the premises for the use 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 parking lot at any time; that a 6 foot high chain link fence shall be erected on the periphery of the lot excepting the driveways; 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 which is directed away from abutting residential property; that ingress and egress shall be from W. Wilcox Street; that the driveways shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress from the public alleys abutting the site to the west and north; that the lot shall be securely locked at all times when not in use by the branch library; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; 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 said parking lot in accordance with the provisions and standards hereby established under this order.

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

APPLICANT: Marek Frackiel
APPEARANCES FOR: Paul A. Kolpak, Christopher Dabrowski
APPEARANCES AGAINST:

CAL. NO. 247-91-Z
MAP NO. 11-M
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 6021 W. Giddings Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
	x	
	x	
x		
x		

THE RESOLUTION:

WHEREAS, Marek Frackiel, owner, on September 17, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 22.08' x 50.5' 2nd story addition to a 1-story frame single-family dwelling, whose front yard is 7.92 feet instead of 20 feet, whose east side yard is 2.36 feet instead of 3.3 feet and whose total floor area ratio is .0.65 instead of 0.50, on premises at 6021 W. Giddings Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 24, 1991, 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, §7.6-2, §7.7-2, §7.8-2, §11.7-4(1), §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

WHEREAS, the district maps show that the premises is located in an R2 Single-Family Residence District;

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 the subject site is a 33' x 125.5' lot improved with a 2-story single-family dwelling; that the applicant constructed the said 22.08' x 50.5' 2nd story addition with a permit issued based on architect's drawings dated January 10, 1991 which were approved and an Exception was obtained; that the applicant increased the size of the proposed addition without submitting new plans; 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 said addition is necessary to provide additional living and storage space for the applicant, his family and other family members who reside with the applicant to extended periods of time; that the plight of the owner is due to the construction of the said addition based on incorrect drawings submitted to the City; that the said addition follows the existing building lines and that the variations, if granted, will not alter the essential character

MINUTES OF MEETING

December 13, 1991

Cal. No. 247-91-Z

of the locality in that many of the existing residential improvements in the block do not comply with the front and side 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 22.08' x 50.5' 2nd story addition to a 1-story frame single-family dwelling, whose front yard is 7.92 feet instead of 20 feet, whose east side yard is 2.36 feet instead of 3.3 feet and whose total floor area ratio is 0.65 instead of 0.50, on premises at 6021 W. Giddings Street, upon condition that no kitchen facility shall be installed in the said 2nd floor addition and that the addition shall not be used as a second dwelling unit and that the occupancy of the subject building is limited to that of a single-family dwelling as allowed under the R2 Single-Family Residence zoning; 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: Pentecostal Temple Church of God in Christ
APPEARANCES FOR: Anthony Bass
APPEARANCES AGAINST:

CAL. NO. 252-91-S
MAP NO. 28-F
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 415 W. 111th Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Pentecostal Temple Church of God in Christ, owner, on September 11, 1991 filed and subsequently amended an application for a special use under the zoning ordinance for the legalization of an existing church in a 1-story brick building and the approval of the location and the expansion of the existing church in a proposed 4,628 sq. ft. addition to the west side with a total seating capacity of 190 persons, in a C1-1 Restricted Commercial District, on premises at 415 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 9, 1991, 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, §8.4-1(1), §9.3-1, §9.4-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on December 13, 1991 after due notice thereof by publication in the Chicago Tribune on September 30, 1991; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial 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 C1-1 Restricted Commercial District; that the subject site is a 125' x 125' lot improved with a 1-story brick church building on the south-east corner of the lot; that the applicant church has been located at the subject site since November of 1975; that the applicant church is seeking legal status at the site and the approval of the expansion of the church into a proposed 1-story 4,628 sq. ft. addition to the west side of the existing building; that the said church is necessary for the public convenience at his location in order to continue to serve its congregation, the majority of whom reside in the neighborhood and that the proposed 4,628 sq. ft. addition is necessary in that the existing church building no longer meets the needs of the church membership; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church and proposed addition which will comply with all applicable building code regulations and that adequate off-stree parking spaces will be provided on-site; that the said church has been located at the subject site since 1975 and that the church with the proposed 1-story addition is compatible with existing improvements in the area and will not cause

MINUTES OF MEETING

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Cal. No. 252-91-S

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 an existing church in a 1-story brick building and the expansion of the existing church in a proposed 4,628 sq. ft. addition to the west side with a total seating capacity of 190 persons, on premises at 415 W. 111th Street, upon condition that the parking areas located in the northeast portion of the site and on the west property line 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 parking areas which shall be connected by drainage tiles to an established City of Chicago sewer; that 6 feet high chain link fencing shall be provided on the east property line of the parking area and on the west property line; that lighting and striping shall be provided; that ingress and egress to the parking areas shall be from W. 111th Street; that there shall be no ingress nor egress via the public alley to the south; that the driveways shall be constructed in accordance with applicable ordinances; that the parking areas shall be securely locked at all times when not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; 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 parking areas in accordance with the provisions and standards hereby established under this order.

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

APPLICANT: Pontarelli Builders, Inc.
APPEARANCES FOR: Aram A. Hartunian, Michael Pontarelli
APPEARANCES AGAINST: Michael McInerney, Brian Doherty, et al.

CAL. NO. 93-91-A
MAP NO. 17-O
MINUTES OF MEETING
 December 13, 1991

PREMISES AFFECTED— 6800-26 N. Harlem Avenue

SUBJECT— Circuit Court Remand, Re: Pontarelli Builders v. City of Chicago, No. 91CH4504 - Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal sustained on its merits and the decision of the Zoning Administrator reversed.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, on May 30, 1990, the Zoning Administrator formally recommended to the Department of Buildings that Building Permit No. 722091 issued to Pontarelli Builders, Inc. for the erection of a 5-story building containing retail stores on the ground floor and 16 dwelling units above, on premises at 6800-26 N. Harlem Avenue, be revoked due to the rezoning of the site from B4-1 Restricted Service to R2 Single-Family Residence; and

WHEREAS, the Department of Buildings subsequently revoked said permit; and

WHEREAS, Pontarelli Builders, Inc., after having received said notice of revocation, filed a Complaint for Injunction in the Circuit Court of Cook County, Case No. 90CH7881; and

WHEREAS, Pontarelli Builders, Inc., owner, on February 11, 1991, filed with the Zoning Board of Appeals an appeal from the Zoning Administrator's decision rescinding the zoning approval given in said Permit No. 722091, pursuant to an Order entered on January 31, 1991, by Judge Kenneth Gillis of the Circuit Court of Cook County, which Order stated that the plaintiff may apply for administrative relief on or before February 14, 1991; and

WHEREAS, on April 19, 1991, under its Cal. No. 93-91-A, the Zoning Board of Appeals heard and dismissed said appeal for lack of jurisdiction due to the Board's Rules of Procedure which provided that an application for an appeal must be filed with the Board within 90 days after the entry of the final decision of the Zoning Administrator (May 30, 1990) and that the appeal was not timely filed; and

WHEREAS, subsequent to the Board's action, the appellant filed a second lawsuit, Case No. 91CH4504 in the Circuit Court of Cook County and that on September 5, 1991, Judge Arthur Dunne, on the motion of defendant City of Chicago, dismissed the lawsuit based upon the appellant's failure to exhaust administrative remedies, but ordered the Zoning Board to consider the appellant's appeal in Cal. No. 93-91-A on the merits; and

WHEREAS, on December 13, 1991, the Zoning Board of Appeals, in response to the Court's directive, heard the testimony in the instant appeal, but declared it was being heard under protest in respect of its prior order dismissing the appeal for lack of jurisdiction; 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

MINUTES OF MEETING

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Cal. No. 93-91-A

of fact: that on November 30, 1989 and December 1, 1989, the appellant entered into a written agreement to purchase the subject site property for a purchase price of \$460,000, later amended to \$457,000 and the closing took place on April 30, 1990; that the appellant filed an application for a building permit on March 8, 1990; that on April 4, 1990, the Department of Buildings issued Permit No. 722091 for the erection of a 5-story building containing retail stores on the ground floor and 16 dwelling units above at the subject site, which building and use was in compliance with the site's then B4-1 Restricted Service District zoning; that on February 7, 1990, the alderman of the ward introduced an amendment to the zoning ordinance to change the zoning of the subject site from B4-1 Restricted Service to R2 Single-Family Residence, which amendment, after due notice and a public hearing held on April 5, 1990 before the Zoning Committee of the City Council, was passed by the full Council on April 6, 1990 and became effective about 3 weeks later; that on May 30, 1990, the Zoning Administrator formally requested that the Building Department revoke said Permit No. 722091 due to the said rezoning of the subject site and that said permit was revoked by the Building Department by letters to the appellant, dated June 1, 1990 and June 8, 1990; that the Board finds that Building Permit No. 722091 was issued validly with respect to the zoning prior to the change of zoning of the subject site; that the Board finds nothing in the Chicago Zoning Ordinance that permits the revocation of validly approved zoning certification due to a subsequent change of zoning but does find that the provisions of Article 5.3 can reasonably be applied to this case; that Article 5.3 provides, in part, "where a building permit for a building or structure has been issued in accordance with law prior to the effective date of this comprehensive amendment, and provided that construction is begun within one year of such effective date and diligently prosecuted to completion, said building or structure may be completed in accordance with the approved plans on the basis of which the building permit has been issued, and further may upon completion be occupied under a certificate of occupancy by the use for which originally designated-subject thereafter to the provisions of Article 6, Non-conforming Buildings, Structures and Uses,"; and that the appellant should have the right to commence construction of the building approved in Permit No. 722091, subject to the provisions of Article 5.3 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the Zoning Administrator's decision of May 30, 1990 rescinding the previously approved zoning certification for the erection of a 5-story building containing retail stores on the ground floor and 16 dwelling units above, on premises at 6800-26 N. Harlem Avenue, be and it hereby is reversed and that the zoning certification issued for said building in Permit No. 722091 is hereby reinstated upon the following conditions: that construction shall begin within one year of the date of this order and diligently prosecuted to completion; that the building must be completed in accordance with the approved plans on the basis of which the building permit has been issued; that upon completion the Zoning Administrator may issue a certificate of occupancy for the uses originally designated in the permit; and that the building shall be subject thereafter to the provisions of Article 6, Non-conforming Buildings, Structures and Uses; and that all applicable ordinances of the City of Chicago shall be complied with before the permit is reinstated.

MINUTES OF MEETING
December 13, 1991
Cal. No. 276-89-S

Mr. Jeffrey Marx, for Frank Lyons, owner, presented a written request for a further extension of time in which to obtain necessary building permits for the erection of an auto laundry consisting of 6 self-service bays and 2 automatic bays, on premises at 18-30 N. Laramie Avenue, which special use was approved by the Zoning Board of Appeals on November 17, 1989 in Calendar No. 276-89-S and for which an extension of time to November 17, 1991 was granted on December 14, 1990.

Mr. Marx stated that drawings and specifications are currently being prepared for the proposed auto laundry but will not be completed in time to obtain a building permit by November 17, 1991.

Chairman Spingola moved that the request for a further extension of time be denied citing Section 11.10-5 of the zoning ordinance which states, in part, that "an order of the Board of Appeals granting a variation in the nature of a special use shall be valid for a period not longer than twelve months from the date of such order unless a building permit is obtained or the use is commenced within such period and that the Board may, at its discretion and upon valid showing of cause, extend the period of validity of a variation in the nature of a special use for a period not to exceed twelve months". Chairman Spingola stated further that a second extension of time can not be granted but that the applicant has the right to file a new special use application for the proposed auto laundry use at the site. The motion prevailed by yeas and nays as follows:

) Yeas- Spingola, Alakiotou, Fornelli, Martin and Moore. Nays- None.

MINUTES OF MEETING

December 13, 1991

Cal. No. 328-90-Z

Mr. Bernard I. Citron, for Mathew Jaffee, owner, presented a written request for a further extension of time in which to obtain necessary building permits for the erection of a 3-story 3-dwelling unit townhouse building whose rear yard will be 19 feet instead of 30 feet, on premises at 3918 N. Greenview Avenue, granted by the Board on December 14, 1990 in Calendar No. 328-90-Z and for which an extension of time was granted to December 14, 1991 on June 28, 1991.

Mr. Citron stated that Mr. Jaffee has established the special use Calendar No. 329-90-S for required off-site parking in connection with the aforesaid 3-dwelling unit building and which is located at 3920 N. Greenview Avenue but that due to the real estate climate has been unable to construct the townhomes until now.

Chairman Spingola moved that the request be granted and that the time for obtaining necessary building permits be extended to June 14, 1992. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Alakiotou, Fornelli, Martin and Moore. Nays- None.

MINUTES OF MEETING
December 13, 1991

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on January 17, 1992.



Secretary

MINUTES OF MEETING

January 17, 1992

Cal. No. 29-91-Z

Marty Varpa, for The G.W. Foundation, Inc., presented a written request for an extension of time for a variation granted by the Zoning Board of Appeals on February 15, 1991, in Calendar No. 29-91-Z, to permit the erection of a 3-story residential care building, whose front yard will be 12.42 feet instead of 14.75 feet and whose rear yard will be 3 feet instead of 30 feet, on premises at 3816 W. Taylor Street.

Mr. Varpa stated that on February 15, 1991, the Zoning Board of Appeals adopted resolutions granting variations in the nature of special uses to The G.W. Foundation, Inc. to allow construction of a residential care home and accessory parking (28-91-S and 30-91-S) and a variation to allow a decreased front and rear yard (29-91-Z).

Mr. Varpa further stated that due to the time needed to obtain a permit fee waiver ordinance from the City Council, the permit for the not-for-profit project did not issue until October 7, 1991, which time was beyond the 6 month validity date for the variation. He now seeks to extend the validity date of the variation to coincide with the issuance date of the permit.

Chairman Spingola moved that the Board extend the validity date of the said variation to October 7, 1991 so as to coincide with the issuance date of the permit. The motion prevailed by yeas and nays as follows:

) Yeas- Spingola, Alakiotou, Fornelli, Martin & Moore. Nays- None.

MINUTES OF MEETING

January 17, 1992

Member Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on February 21, 1992.

Marian Rest
Secretary