

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, Friday, January 21, 1994

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

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

Joseph J. Spingola
Chairman
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Joseph S. Moore

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Member Moore moved that the Board approve the minutes of the proceedings of the special meeting of the Zoning Board of Appeals held on December 20, 1993 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin, McCabe-Miele 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: Gladstone-Norwood Trust 1202
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 1-94-Z
 MAP NO. 9-H
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 1754 W. Melrose Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Gladstone-Norwood Trust 1202, owner, on November 24, 1993, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story 7-dwelling unit townhouse building, with no front and rear yards instead of 15 feet and 30 feet respectively, on premises at 1754 W. Melrose Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 24, 1993, 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, §7.7-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 50' x 125.1' vacant lot; that the applicant proposes to erect a 2-story 7-dwelling unit townhouse building with enclosed automobile parking spaces for each dwelling unit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to propose adequate living space in the proposed 7-dwelling unit townhouse building; that the plight of the owner is due to unique circumstances; that the proposed 7-dwelling unit building will be compatible with the existing mixed residential improvements in the area and 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 erection of a 2-story 7-dwelling unit townhouse building, with no front and rear yards instead of 15 feet

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and 30 feet respectively, on premises at 1754 W. Melrose Street, upon condition that adequate space shall be provided within the dwelling units' garages for garbage receptacles; 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: George Pappageorge
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 2-94-S
 MAP NO. 5-H
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 2204 N. Leavitt Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, George Pappageorge, owner, on November 22, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor of a proposed 4-story 3-dwelling unit building, in a B4-2 Restricted Service District, on premises at 2204 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1993, 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(3), §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 a 24.04' x 100' unimproved lot; that the applicant proposes to erect a 4-story 3-dwelling unit building on the subject site and is seeking approval for the establishment of residential use on the ground floor; that the proposed use is necessary for the public convenience at this location in that there is no demand for business uses in this predominantly residential part of N. Leavitt Street and that there is a continuing demand for residential units; that the plight of the owner is due to code requirements necessitating special use approval for residential use on the ground floor in this district; that the establishment of residential use on the ground floor will be compatible with the predominantly residential character of N. Leavitt Street at this location 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 residential use on the ground floor of a proposed 4-story 3-dwelling unit building, on premises at 2204 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. PAGE 5 OF MINUTES

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

APPLICANT: George Pappageorge
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 3-94-Z
 MAP NO. 5-H
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 2204 N. Leavitt Street

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

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, George Pappageorge, owner, on November 22, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 3-dwelling unit building whose south side yard will be 1.2 feet instead of 2.4 feet, on premises at 2204 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1993, 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, §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 January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 a 24.04' x 100' unimproved lot; that on January 21, 1994 the Board approved the applicant's special use application for the establishment of residential use on the ground floor of a proposed 4-story 3-dwelling unit building at the subject site, in Calendar No. 2-94-S; 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 application of the district regulations of the zoning ordinance in that the yard variation requested is necessary to provide adequate living space in the proposed 4-story 3-dwelling unit building; that the plight of owner is due to the narrow width of the subject lot which necessitates the requested south side yard variation; that the proposed 3-dwelling unit building will be compatible with existing residential improvements on this block, many of which do not comply with side yard requirements of the zoning ordinance, and will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story 3-dwelling unit building whose south side yard will be 1.2 feet instead of 2.4 feet, on premises at 2204 N. Leavitt Street, upon condition that adequate space for garbage containers shall be provided on the property; 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: Henry Huzenis
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 4-94-Z
 MAP NO. 5-H
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 2250 W. Shakespeare Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Henry Huzenis, owner, on November 22, 1994, filed an application for a variation under the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 6-dwelling unit townhouse building, whose south side yard will be 2 feet instead of 12 feet and whose west rear yard will be 11 feet instead of 30 feet, on premises at 2250 W. Shakespeare Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1993, 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, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 on October 7, 1993, the City Council rezoned the subject site from R3 General Residence to R5 General Residence specifically for the proposed residential development; that the subject site is a 50' x 100' unimproved lot located on the northwest corner of N. Bell Avenue and W. Shakespeare Avenue; that the applicant proposes to erect a 3-story 6-dwelling unit townhouse building with enclosed ground floor parking spaces having ingress/egress from N. Bell Avenue; 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 side and rear yard variations requested are necessary to construct a marketable building with sufficient living space for each townhouse dwelling unit; that the plight of the owner is due to the shallow depth of the subject lot; that the proposed 3-story 6-dwelling unit townhouse building will be compatible with the existing mixed residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the Zoning Ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 6-dwelling unit townhouse building, whose south side yard will be 2 feet instead of 12 feet and whose west rear yard will be 11 feet instead of 30 feet, on premises at 2250 W. Shakespeare Avenue, upon condition that adequate space along the north alley shall be provided for garbage containers during pickup times; 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: Paramount Homes
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 5-94-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 917 W. Roscoe Street

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

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Gigi McCabe-Miele	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Paramount Homes, owner, on December 13, 1993, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 9-dwelling unit townhouse building, with no front yard instead of 15 feet and no east side yard instead of 9 feet and no rear yard instead of 30 feet on an irregular shaped lot, on premises at 917 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 13, 1993, 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, §7.7-5, §7.8-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 7,932 sq. ft. irregular shaped lot presently improved with a 1½-story brick and frame residential building; that the applicant proposes to erect a 3-story 9-dwelling unit townhouse building with enclosed parking garages; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to erect livable townhouse dwelling units with enclosed garages as designed, including an interior courtyard area; that the plight of the owner is due to the irregular shape of the subject property; that the proposed 9-dwelling unit townhouse building will be compatible with existing residential improvements in the area; 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

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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 3-story 9-dwelling unit townhouse building, with no front yard instead of 15 feet and no east side yard instead of 9 feet and no rear yard instead of 30 feet on an irregular shaped lot, on premises at 917 W. Roscoe Street, upon condition that adequate space shall be provided in the parking garages for garbage containers; 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: Jeffrey B. Gelman

CAL. NO. 6-94-Z

APPEARANCES FOR: None

MAP NO. 5-F

PEARANCES AGAINST:

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PREMISES AFFECTED— 2226 N. Lincoln Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

THE VOTE

Application dismissed for want of prosecution.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Sergio M. Nesti

CAL. NO. 7-94-Z

APPEARANCES FOR:

MAP NO. 13-O

PEARANCES AGAINST:

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PREMISES AFFECTED— 7735 W. Summerdale Avenue

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

ACTION OF BOARD—

THE VOTE

Application withdrawn upon
motion of applicant.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Jacob Bakst
 APPEARANCES FOR: Jacob Bakst
 APPEARANCES AGAINST:

CAL NO. 8-94-Z
 MAP NO. 15-J
 MINUTES OF MEETING
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PREMISES AFFECTED— 6304 N. Monticello Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jacob Bakst, owner, on December 16, 1993, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story addition to the rear of an existing single-family dwelling on a 34 feet wide lot with a south side yard of 5.32 feet and a north side yard of 3.97 feet instead of combined side yards of 30% of the lot width and neither side yard less than 10% of the lot width, and which addition will result in a floor area ratio of .65 instead of 0.50, on premises at 6304 N. Monticello Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 1, 1993, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 improved with a 2-story brick Georgian-style single-family residence with a 1-story enclosed rear porch; that the applicant proposes to replace the existing rear porch with a 2-story addition; 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 addition is necessary to provide additional living space for the applicant and his large family; that the plight of the owner is due to the necessity of providing additional bedrooms and bath on the 2nd floor and a larger kitchen and dining room on the 1st floor; that the proposed addition will be compatible with existing residential improvements in the area; and that the variations, granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story addition to the rear of an existing single-family dwelling on a 34 feet wide lot with a south side yard of 5.32 feet and a north side yard of 3.97 feet instead of combined side yards of 30% of the lot width and neither side yard less than 10% of the lot width, and which addition will result in a floor area ratio of .65 instead of 0.50, on premises at 6304 N. Monticello 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: Richard Jezyk

CAL. NO. 9-94-Z

APPEARANCES FOR:

MAP NO. 13-M

APPEARANCES AGAINST:

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PREMISES AFFECTED— 5842 W. Lawrence Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
March 18, 1994.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Security Federal Savings & Loan Assoc. of Chicago

CAL. NO. 10-94-Z

APPEARANCES FOR: James W. Berry

MAP NO. 3-H

APPEARANCES AGAINST:

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PREMISES AFFECTED— 1809 W. Augusta Boulevard

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

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Security Federal Savings & Loan Assoc. of Chicago, owner, on November 22, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, an existing 21 feet high detached accessory garage on the rear of a lot improved with a 2-story brick apartment building on the front, which garage exceeds the maximum 15 feet height limitation permitted in the required 30 feet rear yard, on premises at 1809 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 1993, 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, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 24' x 100' lot improved with a 2-story brick residential building in the front of the lot and the said 21 feet high 2-story brick garage in the rear of the lot; that that the applicant acquired the property through foreclosure following the making of a loan to the previous title owner; that the said garage was already in existence at that time; 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 applicant/owner cannot lease or sell the property without the garage and that the cost of demolition or renovation of the garage to comply with the zoning ordinance would be prohibitive with regard to the market value of the property; that the plight of owner is due to unique circumstances in that the existing garage was constructed in violation of the maximum height limitation permitted in the required rear yard before the applicant acquired title to the property; that the variations, if granted, will not alter the essential character of the locality in that the existing garage is compatible with existing

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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 an existing 21 feet high detached accessory garage on the rear of a lot improved with a 2-story brick apartment building on the front, which garage exceeds the maximum 15 feet height limitation permitted in the required 30 feet rear yard, on premises at 1809 W. Augusta Boulevard, upon condition that no living space shall be installed anywhere within the garage; that the 2nd story windows shall be removed and bricked shut; that the use of the entire garage shall be limited only to accessory storage; 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: Anthony Zaskowski
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 11-94-Z
 MAP NO. 5-H
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PREMISES AFFECTED— 2153 N. Claremont Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Anthony Zaskowski, owner, on December 15, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a third floor dormer addition to a 2-story brick and frame 2-dwelling unit building whose north side yard will be .02 feet instead of 2.3 feet required and whose floor area will exceed by 10.98% the floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2153 N. Claremont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 19, 1993, 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, §7.6-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 3,145 sq. ft. lot improved with a 2-story brick and frame 2-dwelling unit building with the subject 3rd floor dormer addition and a 3-story frame addition in the rear; that the said third floor dormer addition exceeds by 10.98% or 311 sq. ft. the floor area existing prior to the adoption of 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 said dormer addition is necessary to provide adequate living space in the upper floor dwelling unit, and that the cost of removing the dormer addition to bring the building into compliance with the code requirements would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that in May, 1993 the applicant purchased the partially unfinished building that he was to finish and that the seller/contractor obtained a building permit for remodeling but the plans exceeded the permit issued; that the applicant now seeks the variations requested in order to obtain

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a revised building permit which reflects the increase in the permitted floor area and reduction of the north side yard requirement; that the said dormer addition is compatible with the existing mixed residential improvements in the area in which there is a trend toward rehabbing and remodeling; 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 erection of a third floor dormer addition to a 2-story brick and frame 2-dwelling unit building whose north side yard will be .02 feet instead of 2.3 feet required and whose floor area will exceed by 10.98% by floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2153 N. Claremont 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: Merle Shapera
 APPEARANCES FOR: Sherwin Winer
 APPEARANCES AGAINST:

CAL. NO. 12-94-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 1301 W. Nelson Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Merle Shapera, owner, on November 18, 1993, 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 2-story frame 2-dwelling unit building on the front of the lot additionally improved with a 2-story frame coach house at the rear, whose front yard will be 9.55 feet instead of 19.7 feet, whose west side yard will be 1.1 feet and whose east side yard will be 3.25 feet instead of 6.2 feet each, and which dormering will result in a 15% (588 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1301 W. Nelson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 22, 1993, 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, §5.5-7, §6.6-3, §7.7-3, §7.8-3(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 25' x 123.16' lot improved with a 2-story frame 2-dwelling unit building with the subject attic dormer on the front of the lot additionally improved with a 2-story frame coach house on the rear of the lot; that the dormering of the attic has resulted in a 588 sq. ft. or 15% increase in the amount of floor area existing 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 said attic dormer is necessary to provide additional living space in the 2nd floor dwelling unit; that the plight of the owner due to unique circumstances in that roofers replaced the previously fire-damaged roof by raising it approximately 1½ feet thus creating a dormered attic resulting in an increase in the amount of floor area permitted; that the said attic dormer follows the existing building

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walls; and that the existing building with the said dormer addition is compatible with other residential improvements in the area 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 dormering of the attic of a 2-story frame two-dwelling unit building on the front of the lot additionally improved with a 2-story frame coach house at the rear, whose front yard will be 9.55 feet instead of 19.7 feet, whose west side yard will be 1.1 feet and whose east side yard will be 3.25 feet instead of 6.2 feet each, and which dormering will result in a 15% (588 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1301 W. Nelson 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 806

APPLICANT: Friends of Refugees of Eastern Europe (F.R.E.E.) by Barry Ash
 APPEARANCES FOR: Lawrence Freedman
 APPEARANCES AGAINST:

CAL. NO. 13-94-S
 MAP NO. 15-I
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 2935 W. Devon Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
x		
x		

THE RESOLUTION:

WHEREAS, Friends of Refugees of Eastern Europe (F.R.E.E.) by Barry Ash, for Devon Bank, Tr. #3177, owner, on December 10, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a synagogue with a capacity of 192 in an existing one-story commercial building, with on-site parking for 16 automobiles, in a B3-2 General Retail District, on premises at 2935 W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1993, 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, §8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; and

WHEREAS, the district maps show that the premises is located in a B3-2 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 a B3-2 General Retail District; that the subject site is improved with a 1-story brick commercial building and on-site parking area; that the applicant was previously located for the past seven years at 6335 N. California Avenue, which premises was recently destroyed by fire; that the applicant seeks to establish a synagogue with related ancillary uses at the subject site; that the proposed use is necessary for the public convenience at this location to continue to meet the needs of the congregation, many of whom reside in the immediate neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations and which will provide adequate off-street parking; that the proposed use will be 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

MINUTES OF MEETING

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Cal. No. 13-94-S

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 synagogue with a capacity of 192 in an existing on-story commercial building, with on-site parking for 16 automobiles, on premises at 2935 W. Devon Avenue, upon condition that the subject building shall be brought into compliance with all applicable code regulations with plans and permits indicating such compliance; that the parking area located east of the subject building 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 steel beam guard rails, 2 feet high, shall be provided on the north, east and west lot lines, excepting driveways; that striping shall be provided; that lighting shall be provided, directed away from residential improvements located west of the subject site; that ingress and egress shall be from driveways located on W. Devon Avenue and N. Richmond Street; that the driveways shall be constructed in compliance with applicable ordinances; that there shall be no ingress nor egress from the public alley located south of the site; that the parking lot shall be securely locked at all times when not in use by the applicant; 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.

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

APPLICANT: Andy's Deli and Mikolajczyk Sausage Shop, Inc.
APPEARANCES FOR: Joan Ferraro, Andy Kolasa
APPEARANCES AGAINST: Ed Kiecana, George Kiecana
PREMISES AFFECTED— 1115 N. Hermitage Avenue
SUBJECT— Application for the approval of a special use.

CAL. NO. 14-94-S
MAP NO. 3-H
MINUTES OF MEETING
 January 21, 1994

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.			x
Gigi McCabe-Miele	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Andy's Deli and Mikolajczyk Sausage Shop, Inc., owners, on December 1, 1993, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of a partially open and partially enclosed off-site accessory parking facility, for the parking of private passenger automobiles and mini-vans, in a B4-2 Restricted Service District, on premises at 1115 N. Hermitage Avenue, to serve a meat market at 1735 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 1, 1993, 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), §8.4-1(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 a 25.1' x 128.6' lot presently being used for automobile and truck parking; that on October 4, 1989, the City Council rezoned the subject site from R4 General Residence District to B4-2 Restricted Service District for the proposed use; that on March 18, 1990 the Board sustained an appeal by the applicant permitting wholesaling in conjunction with a existing retail bakery in a 1 and 2-story brick store and apartment building, on premises at 1741 W. Division Street, in Calendar No. 90-90-A; that the applicant proposes to establish outdoor parking for 3 automobiles at the west end of the subject site lot and a 1-story garage building for parking of some additional automobiles and some mini-vans; that the proposed use is necessary for the public convenience at this location to serve a meat market business at 1735 W. Division Street and to provide protection for the applicant's mini-vans from

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vandalism; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed open and enclosed accessory parking facility which will comply with all applicable building code regulations and which will be improved under the conditions hereinafter set forth; that the proposed accessory parking facility will help alleviate on-street parking congestion resulting from the applicant's vehicles and customer vehicles 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 parking facility containing three open parking spaces and a 1-story parking garage for the parking of private passenger automobiles and mini-vans, on premises at 1115 N. Hermitage Avenue, to serve a meat market at 1735 W. Division Street, subject to the following conditions: that the west 15 feet of the lot shall be bounded by concrete curbing and landscaped including one tree planted near the front and 3 feet high hedgerow planted east of the tree and running the width of the lot; that a 5 feet wide island bounded by concrete curbing shall be provided with the west end beginning 31 feet east of the front lot line and running the width of the lot which shall be landscaped including 3 feet high hedges, but no hedges nearer than 3 feet of the south lot line; that the width of the proposed 82 feet long 1-story garage may be 25 feet only from the rear lot line to a point no farther west than the east end of the adjoining neighbor's garage to the south from which point the balance of the garage shall be set back 2 feet 8 inches from the south lot line; that the northeast corner of the garage building shall be beveled 3 feet; that the two parking spaces located between the front setback and the 5 feet wide island and the one parking space located between said island and the proposed garage building shall be set back 2 feet 8 inches from the south lot line and improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and shall be properly graded to drain toward the alley abutting the site to the north and shall not drain toward the property abutting the site to the south; that a concrete wheel stop shall be provided in each of the three parking spaces; that no hedges shall be provided within the 2 feet 8 inches south side setback in order to prevent blockage of any of the adjoining neighbor's windows; that ingress and egress to the parking facility shall be via the public alley abutting the site to the north provided that a waiver of the barrier requirement ordinance is obtained from the City Council; that the open parking area and the garage shall be securely locked when not in use by the applicant; 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 subject property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Teen Living Programs, Inc.
 APPEARANCES FOR: Gregory P. Melnyk
 APPEARANCES AGAINST:

CAL. NO. 15-94-S
 MAP NO. 8-E
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 3739-41 S. Indiana Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Teen Living Programs, Inc., for Project RUSH, owner, on October 28, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional shelter to serve runaway and homeless youths and young women with children in a 4-story brick apartment building, in an R5 General Residence District, on premises at 3739-41 S. Indiana Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 1993, 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, §7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 4-story brick residential building in the process of remodeling; that the applicant proposes to establish a transitional shelter to serve runaway and homeless youths age 14 to 21, including young women with children; that transitional shelter services will be provided on the first two floors of the subject property; that homeless and runaway youths will be housed on the second floor with one apartment for females and one apartment for males; that professional caseworkers, male for the male youths and female for the female residents will live-in at the site; that two dwelling units on the first floor will be used for staff offices and activity areas and as an outreach center providing a mini-learning center, library, clothing bank, and group meeting facilities; that the proposed shelter facility will serve 6 male and 6 female clients for a period up to 120 days; that the proposed use is necessary for the public convenience at this location in that there is a specific need for transitional shelter facilities of this type in the south side of the city; and that the public health, safety and welfare will be adequately protected in the design, location

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Cal. No. 15-94-S

and operation of the proposed use which will comply with all applicable state and city statutes governing the establishment and operation of transitional shelters for youths; that the proposed use, which will be an improvement in an area containing many vacant lots, will be compatible with existing residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 12-bed transitional shelter to serve runaway and homeless youths and young women with children in a 4-story brick apartment building, on premises at 3739-41 S. Indiana Avenue, upon condition that the the building shall not be used as a transitional shelter facility until the building complies with all applicabe code regulations; 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 and if said applicant vacates the subject property or transfers the transitional shelter activity to another group or association, the special use granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional shelter for runaway and homeless youths and young women with children or any increase in the number of beds, as stated by the applicant and delineated herein, shall use the special use granted hereby to immediately become null and void.

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

APPLICANT: Chicago Sinai Congregation
 APPEARANCES FOR: Susan G. Connelly, et al.
 APPEARANCES AGAINST: Lorraine Tognorell, et al.

CAL. NO. 16-94-S
 MAP NO. 3-F
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 5-15 W. Delaware Place
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
X		

THE RESOLUTION:

WHEREAS, Chicago Sinai Congregation, for Cosmopolitan National Bank of Chicago, Trust No. 10333, owner, on December 21, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 350 to 800-seat synagogue/community center, in a B7-6 General Central Business District, on premises at 5-15 W. Delaware Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 20, 1993, 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)(5), §8.4-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; and

WHEREAS, the district maps show that the premises is located in a B7-6 Gneral 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 B7-6 General Central Business District; that the subject site currently consists of a vacant lot and 2 lots with 3-story residential buildings; that Chicago Sinai Congregation was founded in 1861 as the first Reform Synagogue in the Chicago metropolitan area and is currently located at 5350 S. South Shore Drive in Hyde Park; that the current membership numbers approximately 950 individuals; that the applicant seeks to relocate to the near north side where many of its members reside and to erect a building better suited to its broad program of religious services and civic, arts and cultural activities; that building plans have not yet been finalized and it is anticipated that a design competition among architects will be held; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that the proposed use will meet all applicable parking requirements established by the City of Chicago; that the proposed use at the site will be consistent with and compatible with existing residential improvements in the area and other institutional improvements in the area such as Loyola University, Quigley Seminary, Moody Bible Institute, Holy Name Cathedral and will not cause substantial injury to the value of other

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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 350 to 800-seat synagogue/community center in a building to be erected, on premises at 5-15 W. Delaware Place, upon condition that the proposed use shall meet all applicable parking requirements promulgated by the City of Chicago; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

Dissenting Opinion of Member McCabe-Miele: I have voted to deny the special use application of Chicago Sinai Congregation in part because of the obvious difficulty that this institution would create for the objector, Lorraine Tognorell, owner of the property at 864 N. State Street, a tavern in continuous operation since 1934. The more significant reason for my objection is that this Board has unanimously voted "No" in the past to other religious institutions located in business or commercial districts where their presence would endanger the licenses of other businesses.

In previous cases, the so-called "store-front churches" which have been denied were rarely an institution of long standing, rarely an institution with a large congregation, rarely an institution where the congregation leader (or the congregation itself) was privileged with a great degree of higher education, rarely an institution represented by legal counsel or demonstrating an ability to make substantial investment in its facility, rarely an institution with a history of and reputation for charitable and educational work. It is precisely because of the reputation of this institution, its ability and desire to serve that the neglect and oversight of the impact of the institution on a neighbor at the proposed site, that I, regretfully, but definitely object to the Sinai reform synagogue.

In presenting its case, Sinai made use of the reputation and ability of its members to endorse and promote its image. It is just this reputation that convinces me that this "difficulty" would be overcome. I know Dr. Howard Sulkin, having worked for him as the Curriculum Secretary at the School for New Learning in 1975. He is a man admired then, as now, for great sensitivity and creativity. His ideas have made innovative educational programs possible and have helped a great many people to achieve great things. Mr. Thomas Samuels is a colleague and fellow officer of the Chicago Chapter the American Institute of Architects. His presentation of architectural plans for this institution made it apparent that in its search for quality architecture Sinai was able and willing to run a competition for design services in which they would compensate the competitors for their time and ideas -- an unusual situation, viewed as fair and just in the architectural community. Still, this quest for ideas and fairness would beg the question of fairness when other members of the community are being treated in a less than fair manner (sic. Ms. Tognorell).

Both the appraiser, Mr. William McCann, and legal counsel, Susan Connelly, addressed their knowledge that the plight of the owner of the tavern property would not be seriously jeopardized by the existence of the synagogue. Both indicated that this long time neighborhood establishment, the sole source of income for its owner, could be renovated or easily changed to accommodate a new use. This was indicated in spite of the owner's representation that the current business is in arrears by several months, and the fact that the main business in this area has always been, and continues to be, an entertainment use - restaurants and taverns.

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One might question the ability of this institution to make use of high quality legal services and consultants and yet, to insist that any help to the business they would treat in what I view as a cavalier manner, would be beyond their ability. Had my fellow Board members agreed with my view, I would have suggested a continuation to give the synagogue membership an opportunity to find a way to reconcile their presence with the opponent by helping her or by offering her some solution to the predicament caused by their presence. I hope that this objection would encourage some satisfactory attention to the synagogue's future neighbor.

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

APPLICANT: Habilitative Systems, Inc.
APPEARANCES FOR: Clarence J. Crooks, Donald J. Dew
APPEARANCES AGAINST: Johnny Ray, Leon Artie
PREMISES AFFECTED— 1442 W. Garfield Boulevard
SUBJECT— Application for the approval of a special use.
ACTION OF BOARD—

CAL. NO. 17-94-S
MAP NO. 12-G
MINUTES OF MEETING
 January 21, 1994

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Habilitative Systems, Inc., for Cornell Hudson, owner, on November 22, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional residence for youths who are wards of the state in a 2-story brick apartment building, in an R4 General Residence District, on premises at 1442 W. Garfield Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1993, 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, §7.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1994; 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 improved with a 2-story brick apartment building; that the applicant proposes to establish a transitional shelter for approximately 8 male youths age 12 to 20 who are wards of the state and have been physically/sexually abused or neglected and/or are developmentally disabled; that the applicant seeks to integrate the residents into a community setting which will provide them with an increased opportunity to cope with their previous traumas and disabling conditions; that the length of residence by the youths will be for 90 days for assessment of their problems and to make referrals for long term adoption or foster care; that professional staff personnel will be on-site 24 hours daily; that the proposed use is necessary for the public convenience at this location to provide a necessary service in the community; that the public health safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable city and state statutes governing the establishment and operation of transitional residence facilities for youths; and that the use of the subject premises as a transitional residence will be compatible with the existing residential improvements in the area and will

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Cal. No. 17-94-S

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 8-bed transitional residence for youths who are wards of the state in a 2-story brick apartment building, on premises at 1442 W. Garfield Boulevard, upon condition that the building shall not be used as a shelter until the building complies with all applicable code regulations; that professional staff personnel shall be on-site 24 hours daily; and 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 granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional shelter activity to another group or association, the special use granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional residence facility for youths who are wards of the state or any increase in beds, as stated by the applicant and delineated herein, shall cause the special use granted hereby to immediately become null and void.

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

APPLICANT: Mary Lockard

CAL. NO. 18-94-A

APPEARANCES FOR:

MAP NO. 4-F

APPEARANCES AGAINST:

MINUTES OF MEETING

January 21, 1994

PREMISES AFFECTED— 1911 S. Jefferson Street

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

ACTION OF BOARD—

THE VOTE

Appeal withdrawn upon motion of appellant.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Jeffrey Kaiser
 APPEARANCES FOR: Stephen Richek
 APPEARANCES AGAINST:

CAL. NO. 19-94-A
 MAP NO. 5-G
 MINUTES OF MEETING
 January 21, 1994

PREMISES AFFECTED— 1322 W. Webster Street

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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jeffrey Kaiser, owner, on December 10, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 15' x 20.78' one-story addition to an existing non-conforming single-family dwelling, in an M1-2 Restricted Manufacturing District, on premises at 1322 W. Webster Street, which the Zoning Administrator alleges is an expansion of a non-conforming use; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 1993, 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, §6.4-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994; and

WHEREAS, the district maps show that the premises is 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 the subject site is a 24' x 119.62' lot improved with a 2-story frame non-conforming single-family dwelling; that the appellant seeks to erect a 15' x 20.78' one-story addition to the rear of said single-family dwelling for the purpose of providing additional living space; that by agreement with the abutting property owner at 1320 W. Webster Street, the applicant submitted an amended site plan which provides a 3 foot bevel at the northeast corner of the proposed addition so as not to obstruct the neighbor's view; that although the district in which the subject site is located is zoned Manufacturing, the immediate area is predominantly residential in character; that although the subject site's manufacturing zoning renders the residential building non-conforming, such residential buildings are exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and the proposed addition thereto is well below the permitted floor area ratio for the subject 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

MINUTES OF MEETING

January 21, 1994

Cal. No. 19-94-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a 15' x 20.78' one-story addition to an existing non-conforming single-family dwelling, on premises at 1322 W. Webster Street, upon condition that a 3 foot bevel shall be provided at the northeast corner of the proposed addition as indicated on amended site plans submitted January 21, 1994; that the proposed one-story addition shall comply with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Norman Holland

CAL. NO. 20-94-Z

APPEARANCES FOR:

MAP NO. 28-J

APPEARANCES AGAINST:

MINUTES OF MEETING
January 21, 1994

PREMISES AFFECTED— 3306 W. 114th Street

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

ACTION OF BOARD—

Case continued to
April 15, 1994.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Edward May
 APPEARANCES FOR: Edward May
 APPEARANCES AGAINST:

CAL. NO. 21-94-A
 MAP NO. 3-E
 MINUTES OF MEETING
 January 21, 1993

PREMISES AFFECTED— 1645 S. Homan Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Edward May, for Rose Sanders, owner, on December 14, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store with video games in a 3-story store and apartment building, in an R4 General Residence District, on premises at 1645 S. Homan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 1993, 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, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994; 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 improved with a 3-story brick store and apartment building; that the appellant seeks to establish a business in the subject store premises which will be essentially a neighborhood activity center for young people and which will have video games, as well as the sale of small packaged items such as chips, popcorn, etc.; that the hours of the proposed business are to be from 3:30 P.M. to 9 P.M.; that testimony premises indicates that the subject premises has been vacant and unoccupied for 20 years; that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the establishment of the use proposed; 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 806

APPLICANT:	John W. Yerkes, Jr.	CAL. NO. 22-94-A
APPEARANCES FOR:	John W. Yerkes, Jr.	MAP NO. 16-I
APPEARANCES AGAINST:		MINUTES OF MEETING January 21, 1994
PREMISES AFFECTED—	6818 S. Western 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

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, John W. Yerkes, Jr., owner, on November 18, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit out-door sales of automobiles, in a B2-2 Restricted Retail District, on premises at 6818 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 4, 1993, 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, §8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1993; and

WHEREAS, the district maps show that the premises is 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 subject site is presently operating as an outdoor used car sales lot; that evidence presented indicates that the subject site has been used for outdoor sale of used cars since 1950, prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the use of the subject property for the outdoor sale of uses cars; 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 out-door sales of automobiles, on premises at 6818 S. Western 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: Blaise Guzzo

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED— 3111 N. Cicero Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 18, 1994.

CAL. NO. 59-93-S

MAP NO. 7-K

MINUTES OF MEETING
January 21, 1994

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Archie Humbert

CAL. NO. 32-93-S

APPEARANCES FOR:

MAP NO. 14-F

APPEARANCES AGAINST:

MINUTES OF MEETING
January 21, 1994

PREMISES AFFECTED— 6100-6258 S. State Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
April 15, 1994.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Harvey Kaiser, Beneficiary
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 141-93-S
MAP NO. 10-K
MINUTES OF MEETING
January 21, 1994

PREMISES AFFECTED— 4419 S. Cicero Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Ashland Partners III

APPEARANCES FOR:

APPEARANCES AGAINST:

CAL. NO. 237-93-S

MAP NO. 2-H

MINUTES OF MEETING

January 21, 1994

PREMISES AFFECTED— 120 S. Ashland Boulevard

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Ashland Partners III

APPEARANCES FOR: None

APPEARANCES AGAINST:

CAL. NO. 238-93-Z

MAP NO. 2-H

MINUTES OF MEETING
January 21, 1994

PREMISES AFFECTED— 120 S. Ashland Avenue

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

ACTION OF BOARD—

Application dismissed for
want of prosecution.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Ashland Partners III

CAL NO. 239-93-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING

January 21, 1994

PREMISES AFFECTED— 1624 W. Adams Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application dismissed for want of prosecution.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Ashland Partners III

APPEARANCES FOR: None

APPEARANCES AGAINST:

CAL NO. 240-93-S

MAP NO. 2-G

MINUTES OF MEETING
January 21, 1994

PREMISES AFFECTED— 33 S. Ashland Boulevard

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application dismissed for
want of prosecution.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

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

APPLICANT: Lindahl Brothers, Inc.
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 3321 S. California Avenue (as amended)
 SUBJECT— Application for the approval of a special use.

CAL. NO. 302-92-S
 MAP NO. 8-I
 MINUTES OF MEETING
 January 21, 1994

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Lindahl Brothers, Inc., for Northwest National Bank of Chicago, Trust No. 10-080570-4, owner, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of a reprocessible construction/demolition material facility on a 5.5 acre site, in an M3-4 Heavy Manufacturing District, on premises at 3321 S. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 17, 1993, 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, §10.4-2(11)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 21, 1994 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1993; and

WHEREAS, the district maps show that the premises is located in an M3-4 Heavy 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 said use is located in an M3-4 Heavy Manufacturing District; that on June 23, 1993, the City Council passed an ordinance authorizing the establishment and operation of facilities for the reprocessing and recycling of construction and demolition materials; that a recycling facility of such nature has been located and operated at the subject site since 1986; that the subject site is an approximately 5.5 acre irregularly shape parcel of land located between the Stevenson Expressway and a railroad right-of-way; that the subject site is accessed from S. California Avenue; that residential areas are located to the south and east beyond the Stevenson Expressway and manufacturing uses; that the applicant operates a concrete recycling operation at the subject site which consists of crushing, sorting, stockpiling and reuse of demolished concrete from private and city and state construction sites; that the recycling operation utilizes equipment such as truck scales, front loaders, an impactor and conveyors for sorting the crushed concrete into various size product stockpiles; that the applicant's hours of operation are from 6:30 A.M. to 4 P.M. and from 6:00 A.M. to 6 P.M. in the summer months; and from 6:00 A.M. to Noon on occasional Saturdays, particularly in the summer months; that approximately 75 to 100 trucks engress

MINUTES OF MEETING

January 21, 1994

Cal. No. 302-94-S

and egress daily during mid-summer peak operations and 25 to 50 trucks egress and ingress the site daily during the fall and spring; that any materials brought to the site and not crushed are sent to existing landfills; that dust and noise emission control systems are provided at the site; that the said use is necessary for the public convenience at this location to help accomplish the goals and mandates of the City of Chicago, the State of Illinois and Environmental Protection Agencies related to the recycling of disposable materials; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said facility which will be operated under the conditions hereinafter set forth and which will be operated in compliance with all applicable standards of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency and the City of Chicago Department of Environment, and in compliance with the performance standards established under Article 10 of the zoning ordinance; that the said use will not cause substantial injury to the value of other property in the neighborhood in that the subject site is buffered from residential areas by the Stevenson Expressway, railroad and other industrial improvements; that the existing traffic approach lanes and available capacity on S. California Avenue serving the area can accommodate traffic generated by the applicant's operations with no adverse effects on traffic flow; 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 reprocessible construction/demolition material facility on a 5.5 acre site, on premises at 3321 S. California Avenue, upon condition that the hours of operation shall be limited to the hours between 7:30 A.M. and 4 P.M. in the fall and spring operating period; and from 6:00 A.M. to 6 P.M. in the mid-summer peak operating period and from 6:00 A.M. to Noon on occasional Saturdays; that no construction debris materials shall be placed, stored or stacked within 50 feet of the facility's front property line adjacent to S. California Avenue; that the height of the reprocessible material storage piles shall be limited to no more than 30 feet unless an exception is authorized by the Commissioner of the Department of Environment; that the applicant shall remove the existing median barrier located on S. California Avenue and shall install a traffic signal at the intersection of the subject site's driveway and S. California Avenue; that the site shall be secured, after hours, from vehicular and pedestrian traffic and from all unauthorized entry during operating hours; that the applicant shall provide for no less than weekly street cleaning services to sweep down the entrance and portions of S. California Avenue, as necessary, to prevent any build up of dust and mud on the public street; that noise emission control measures shall be employed during the hours of operation; that any open trucks shall be covered in such a manner to prevent escape of dirt and debris; that the operation at the subject site shall be conducted at all times in compliance with the requirements of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, the City of Chicago Department of Environment and the performance standards established in 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.

MINUTES OF MEETING

January 21, 1994
Cal.No. 150-93-S

Philip J. Rock, for C & S Recycling, Inc, owner, presented a written request for an extension of time in which to obtain necessary permits for the establishment of a waste transfer station in a proposed 1-story building, in an M2-2 General Manufacturing District, in conjunction with an existing recycling facility, on premises at 4001-29 W. Taylor Street, approved by the Board on April 23, 1993, in Calendar No. 150-93-S.

Mr. Rock stated that since the approval of the special use by the Board on April 23, 1993, C & S Recycling, Inc. has had ongoing discussions with the City of Chicago Department of the Environment in an attempt to finalize the permit process. At the Department's request, C & S will be submitting additional engineering reports. The Department of Environment will not have sufficient time to review these additional submittals and conduct its public hearing prior to the expiration of the one year period of validity of the special use.

Chairman Spingola moved that the request be granted and that the time for obtaining necessary permits be extended to April 23, 1995. The motion prevailed by yeas and nays as follows:

Yea- Spingola, Fornelli, Martin, and Moore. Nays- None. Absent- McCabe-Miele.

MINUTES OF MEETING

January 21, 1994

Cal. No. 209-93-Z

Justo O. Alamar and Estrella R. Alamar, owners, presented a written request for an extension of time in which to obtain permits and commence construction of a 3-story single-family dwelling, whose front yard will be 2 feet instead of 9.12 feet and with no south side yard instead of 2.5 feet, on premises at 5472 S. Dorchester Avenue, which variations were granted by the Board on July 16, 1993 in Calendar No. 209-93-Z.

Mr. Alamar stated that due to problems with the financing of the proposed single-family dwelling he has not been able to start construction of the building.

Chairman Spingola moved that the request be granted and the time for obtaining necessary permits and commencing construction be extended to July 16, 1994. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin and Moore. Nays- None. Absent-McCable-Miele.

MINUTES OF MEETING
January 21, 1994

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on February 4, 1994.

Maureen Rest

Secretary

3

February

MINUTES OF THE SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS

held in City Council Committee Room 201-A, City Hall

on Friday, February 4, 1994

at 11:00 A.M.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

MINUTES OF MEETING

February 4, 1994

The Board held its special meeting, taking action designated on the face of the resolution.

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

APPLICANT: Interventions **CAL. NO.** 12-93-S
APPEARANCES FOR: James M. Kane, et al. **MAP NO.** 5-G
APPEARANCES AGAINST: David Epstein **MINUTES OF MEETING**
 February 19, 1993
 March 19, 1993
 July 16, 1993
PREMISES AFFECTED: 2043 N. Sheffield Ave. November 19, 1993
 February 4, 1994
SUBJECT: Application for the approval of a special use.

ACTION OF BOARD:

Application approved.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

X		
	X	
X		
	X	
X		

THE RESOLUTION:

WHEREAS, Interventions, an Illinois not-for-profit corporation, filed on November 23, 1992, an application for a special use under the Chicago Zoning Ordinance for the approval of the location and the establishment of a 30-bed Transitional Residence for persons recovering from problems associated with chemical dependency in a 3-story brick building, in an R4 General Residence District, on the premises located at 2043 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 17, 1992, reads:

Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 (Chapter 194A) of the Municipal Code of Chicago: specifically, Section 7.4-4.

and

ZONING BOARD OF APPEALS, CITY OF CHICAGO

MINUTES OF MEETING

February 19, 1993

March 19, 1993

July 16, 1993

November 19, 1993

February 4, 1994

CAL. NO. 12-93-S

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 19, 1993, after due notice thereof by publication in the Chicago Sun-Times on January 25, 1993, and continued to and heard on each of the following dates: March 19, 1993, July 16, 1993, November 19, 1993 and February 4, 1994; and

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

WHEREAS, the Zoning Board of Appeals of the City of Chicago, having fully heard testimony and argument and being fully advised in the premises, hereby makes the following findings of fact:

1. That the proposed use is to be located in an R4 General Residence District in an existing three story building at 2043 N. Sheffield Avenue;

2. That under the existing R4 General Residence District Classification, a Transitional Residence is only permitted as a special use;

3. That the applicant proposes to utilize the existing building on the subject site as a 30-bed residential care facility to provide for the treatment of young male patients recovering from problems associated with substance abuse;

4. That the residential building located at 2043 N. Sheffield Avenue has been used on a continuous basis for the treatment of patients recovering from problems associated with chemical dependence since 1972; that the State of Illinois initially operated such substance abuse programs from this location; and that commencing in July, 1976, the State of Illinois contracted with Interventions to operate chemical drug dependency programs from this location;

5. That the average length of stay for a participant at the subject facility is six to twelve months;

ZONING BOARD OF APPEALS, CITY OF CHICAGO

MINUTES OF MEETING

February 19, 1993

March 19, 1993

July 16, 1993

November 19, 1993

February 4, 1994

CAL. NO. 12-93-S

6. That all of the participants in the program live at the facility, and there are not outpatient treatment services provided at the facility;

7. That the treatment of patients includes psychotherapy, health education, vocational training, skill development and other similar services associated with substance abuse programs;

8. That the Illinois Department of Alcoholism and Substance Abuse has found the subject facility to be properly licensed and its programs in compliance with all applicable governmental regulations and policies;

9. That expert testimony, based on an analysis of comparable property sales within the vicinity of the subject property, shows that the applicant's operation of its substance abuse program has not caused and will not cause substantial injury to surrounding property values, and that the applicant's use of the subject facility is compatible with other residential and institutional uses within the surrounding neighborhood;

10. That expert testimony from the Department of Alcoholism and Substance Abuse shows that there is a significant shortage of residential facilities providing substance abuse treatment programs in this area of the city, especially for young males; that there is a significant backlog of individuals, especially young males, who are in need of substance abuse treatment programs; and that there are no other residential substance abuse treatment facilities for young males in this area of the city.

11. That a highly educated and experienced professional staff, including physicians, administers the applicant's substance abuse treatment program on a 24-hour basis; and that all participants are closely monitored on a 24-hour basis;

12. That based on the foregoing, and based on all of the evidence and testimony constituting the record before this Board, it is hereby found that:

ZONING BOARD OF APPEALS, CITY OF CHICAGO

MINUTES OF MEETING

February 19, 1993

March 19, 1993

July 16, 1993

November 19, 1993

February 4, 1994

CAL. NO. 12-93-S

- a. the proposed use is necessary for the public convenience at this location;
- b. the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be operated under the conditions hereinafter set forth;
- c. the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is located.

NOW, THEREFORE, BE IT RESOLVED, that the application for a special use be and is hereby approved, and the Zoning Administrator is authorized to permit the establishment of a 30-bed Transitional Residence for the treatment of patients suffering from problems associated with substance abuse in a 3-story brick building located at 2043 N. Sheffield Avenue, subject to compliance with the following conditions:

1. No outpatient program shall be operated from the subject property.
2. Deliveries to the subject property shall only be made from the adjoining alley and permitted only on weekdays, from 9:00 a.m to 4:00 p.m.
3. No advertising or other signage shall be placed on the subject property identifying the site as an institutional facility.
4. The property owner and operator shall use their best efforts to screen the interior of the building from view from the public way by use of blinds or other appropriate window treatment.
5. The number of participants in the permitted program shall not exceed 30.
6. The median age of program participants shall not exceed 24 years, and no program participant shall exceed 26 years of age.

ZONING BOARD OF APPEALS, CITY OF CHICAGO

MINUTES OF MEETING

February 19, 1993

March 19, 1993

July 16, 1993

November 19, 1993

February 4, 1994

CAL. NO. 12-93-S

7. An individual shall not be eligible for participation in the residential rehabilitation treatment program at the subject property if:

- a. The individual has been convicted of, or is currently charged with any of the following crimes: treason, murder, attempted murder, voluntary manslaughter, reckless homicide, criminal sexual assault, aggravated criminal sexual assault, statutory rape, robbery, armed robbery, home invasion, arson, kidnapping, aggravated battery and aggravated arson, or any other felony which involves the use of threat of physical force or violence against any other individual;
- b. The individual has been convicted of a violation of Section 401, 402(a), 405 or 407 of the Illinois Controlled Substances Act, or Section 4(d), 4(e), 5(d), 5(e), 7 or 9 of the Cannabis Control Act;
- c. The individual is on probation or parole and the appropriate parole or probation authority does not consent to the individual's participation in the program; or
- d. The individual has been convicted of residential burglary and one or more felonies.

In addition, the applicant shall utilize its own internal screening criteria with respect to potential participants to ensure that individuals who in its opinion pose a threat to the safety of other program participants, staff or the general public shall not be admitted as a program participant at the subject property. The internal screening process will include a criminal background review of each potential program participant. If any individual fails to consent to the criminal background review, the individual shall not be eligible for participation in the program offered at the subject property. A copy of the applicant's internal screening guidelines shall be filed with the Department of Zoning.

ZONING BOARD OF APPEALS, CITY OF CHICAGO

MINUTES OF MEETING

February 19, 1993

March 19, 1993

July 16, 1993

November 19, 1993

February 4, 1994

CAL. NO. 12-93-S

8. The floor area of the building shall not be increased unless otherwise permitted by the Chicago Zoning Ordinance at a subsequent date.

9. Participants in the program at the subject property shall not be permitted to keep a car or any other motor vehicle at or near the property while in the program.

10. The applicant is urged to establish an advisory committee consisting of representatives from the applicant and the community for purposes of meeting on a periodic basis to address issues of community concern regarding the applicant's program operations and keeping the community advised of the applicant's program activities.

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

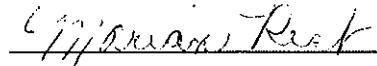
BE IT FURTHER RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the Transitional Residence to another group or association the special use at the subject site granted herein shall become null and void. That any deviation from the specified use of the subject premises as a Transitional Residence for persons recovering from problems associated with chemical dependency or any increase in the number of beds as stated by the applicant and delineated herein, shall cause the special use granted hereby to immediately become null and void.

MINUTES OF MEETING

February 4, 1994

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on February 18, 1994.



Secretary