

MINUTES OF THE SPECIAL MEETINGS OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, January 13, 1989,  
Friday, January 27, 1989 and Wednesday, February 22, 1989

The following were present and constituted a quorum:

James E. Caldwell  
Vice Chairman  
Roula Alakiotou  
Anthony J. Fornelli  
Michael J. Howlett, Sr.

MINUTES OF MEETING

February 22, 1989

Vice Chairman Caldwell called the special meeting to order for the continued hearing regarding the Paxton Landfill Corporation application for the establishment of a sanitary landfill at 11601 S. Stony Island Avenue, Calendar No. 1-89-S, previously heard on special hearing dates on January 13 and 27, 1989.

\* \* \* \* \*

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

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

**APPLICANT:** Paxton Landfill Corporation **CAL. NO.** 1-89-S  
**APPEARANCES FOR:** Thomas J. Murphy, et al. **MAP NO.** 28-C  
**APPEARANCES AGAINST:** Henry Henderson, Michael P. Casey, et al. **MINUTES OF MEETING**  
January 13 & 27, 1989,  
February 22, 1989  
**PREMISES AFFECTED--** Area bounded by E. 116th Street, S. Oglesby Ave., E. 117th Street, S. Yates Avenue, E. 119th Street, S. Paxton Avenue, E. 118th Street & S. Stony Island Avenue, known as 11601 S. Stony Island Avenue.  
**SUBJECT--**  
**ACTION OF BOARD--** Application for the approval of a special use.

Application denied.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Paxton Landfill Corporation, for American National Bank and Trust Company, Tr. #33832, owner, on October 17, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a sanitary landfill for the deposit of organic and inorganic material, including the establishment of a methane gas resource recovery facility, in an M3-3 Heavy Manufacturing District, on premises in the area bounded by E. 116th Street, S. Oglesby Avenue, E. 117th Street, S. Yates Avenue, E. 119th Street, S. Paxton Avenue, E. 118th Street and S. Stony Island Avenue, known as 11601 S. Stony Island Avenue; and

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

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

and  
 WHEREAS, public hearings were held on this application by the Zoning Board of Appeals at special meetings held on January 13, 1989, January 27, 1989 and February 22, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988 and in the Daily Calumet on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in an M3-3 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 proposed use is to be located in an M3-3 Heavy Manufacturing District; that the subject site consists of approximately 110 acres historically used as a sanitary landfill, of which the easterly portion is identified as Paxton 1 and the westerly portion as Paxton 2; that Paxton 1 was approved by the Board as a sanitary landfill at various times in the past, but with termination dates that have all expired at least 11 years ago; that Paxton 1 is presently filled to about 8 feet above city datum; that Paxton 2 was approved by the Board as a sanitary landfill on April 11, 1975, Calendar No. 90-75-S, with a termination date of April 11, 1978, which, by motions, was extended at various times to November 30, 1983; that in its previous approvals, the Board found that the sites were unusable in their then present condition and that the establishment of uniform grades to meet city datum was necessary for further development of the land; that on February 15, 1984, the City Council passed a

## MINUTES OF MEETING

January 13 & January 27, 1989,  
 February 22, 1989  
 Cal. No. 1-89-S

moratorium on the establishment or expansion of sanitary landfills in the City of Chicago until February 1, 1990, as amended; that on February 24, 1984, Calendar No. 190-83-S, the Board denied the applicant a special use for the establishment of a sanitary landfill at the subject site, which, effectively, was an application to permit continued filling at the site vertically in that the site had already been filled to city datum and all zoning approvals had terminated; that in the denial of said application the Board found, in part, that the proposed landfill would reach a height of 50 feet above grade and would therefore be unsuitable for future manufacturing uses; that subsequent to the Board's denial on February 24, 1984, the applicant proceeded to challenge said decision in court; that on February 19, 1988, the Board issued a ruling refusing to docket Paxton's repeat application for the sanitary landfill at the subject site, holding that it would be nonproductive to conduct a public hearing on the matter pending the existing moratorium ordinance; that on October 6, 1988, Circuit Court Judge Edward R. Burr issued an order directing the Board to hear Paxton's special use application for the continued use of the site as a sanitary landfill, notwithstanding the moratorium ordinance; that although all zoning approvals had expired, the applicant continued to bring sanitary fill to the subject site and that Paxton 2 now reaches a height of about 60 feet above city datum; that it is proposed that Paxton 2 will be expanded to a height of about 70 feet before closure; it is also proposed to vertically expand Paxton 1 from its present 8 feet above city datum to a comparable height of Paxton 2; that the subject site abuts an active landfill of 80+ acres to the south and a 280+ acre area to the north which was approved by the Board as a sanitary landfill site in 1982, but which has been unable to commence because of the inability to secure U.S. Army Corps of Engineers approval due to the wetlands and wild life it contains; that in 1987 the City Council passed new standards regarding sanitary landfills which require the Board to consider the impact of a proposed landfill upon the surrounding wild life habitats, natural wetlands and water quality and potential risks and effects of accidental releases; that the Board finds that the evidence presented by the applicant is insufficient to convince its members that the design of the proposed operation will adequately protect the public health, safety and welfare and the environment; that on March 18, 1986, the Illinois Environmental Protection Agency denied the applicant an operational and construction permit for Paxton 1 due to deficiencies as they relate to the extent of groundwater contamination, monitor well spacing to detect leakage in the slurry wall, capability of the proposed leachate collection system, subsurface barriers between Paxton 1 and Paxton 2 and numerous other deficiencies, as stated in their denial letter, Log No. 0193-86; that on March 16, 1987, an application to the Illinois Environmental Protection Agency for a permit to modify the groundwater monitoring system for Paxton 2 was deemed not filed due, in part, to the contour shown on the final grading plan which included an unpermitted 50 foot vertical expansion and that the approval of the plan could incorrectly be construed to mean that the Agency approved the vertical expansion; that the fact that the applicant continued to fill Paxton 2 after its zoning approval had terminated on November 30, 1983 and presently reaches a height of about 60 feet above city datum, should not now be used as a basis for determining if the applicant should be permitted to fill Paxton 1 to a similar height; that Paxton 1 was filled to its present grade over 15 years ago when landfill technology was limited and may contain contaminants and that it has not been sufficiently demonstrated that covering this area with additional fill as proposed would not pose a health risk or be detrimental to the environment; and that it is an accepted fact that government must find alternative ways to dispose of its garbage to eliminate reliance on landfill sites with the inherent dangers they pose to the public health, safety and welfare and that the granting of the proposed use would be contrary to this ambition and is not in the public interest; it is therefore

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

MINUTES OF MEETING  
February 22, 1989

Ms. Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on March 17, 1989.

Marcia H. Rust  
Secretary

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, January 20, 1989

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

The following were present and constituted a quorum:

James E. Caldwell  
Vice Chairman  
Roula Alakiotou  
Anthony J. Fornelli

MINUTES OF MEETING  
January 20, 1989

Vice Chairman Caldwell moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on December 16, 1988 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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 808

APPLICANT: Edward Hirshfield & Susan McMillian  
 APPEARANCES FOR: Stuart Cohen  
 APPEARANCES AGAINST:

CAL. NO. 2-89-Z  
 MAP NO. 7-F  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED--- 2664 N. Burling Street  
 SUBJECT--- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD---

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Edward Hirshfield & Susan McMillian, owners, on November 22, 1988, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a one-story with basement addition to the rear of a two-story frame single-family residence, whose south side yard will be 1.74 feet instead of 2.5 feet, whose rear yard will be 22.4 feet instead of 30 feet and which addition will result in an 11% (353 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2664 N. Burling Street; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-4, §7.8-4, §7.9-4, §11.7-4(7)(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on October 30, 1986 the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence district by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)."; that the applicants seek to erect a 353 sq. ft. one-story with basement addition to the rear of the subject site two-story frame residential building which will exceed by 11% the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition consisting of an enlarged kitchen and dining area is necessary to meet the needs of the applicants; that the plight of the owners is due to the configuration of the existing building

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January 20, 1989

Cal. No. 2-89-Z

on the subject site; and that the proposed addition will not alter the essential character of the locality in that the proposed addition follows the existing residential structure along its south and west building lines and will not alter the essential character of the locality nor affect an adequate supply of light and air to adjoining property; 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 one-story with basement addition to the rear of a two-story frame single-family residence, whose south side yard will be 1.74 feet instead of 2.5 feet, whose rear yard will be 22.4 feet instead of 30 feet and which addition will result in an 11% (353 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2664 N. Burling 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:** Walter J. Lawrence & Patricia G. Lawrence  
**APPEARANCES FOR:** Elvin E. Charity  
**APPEARANCES AGAINST:** James Kochevar, et al.

**CAL. NO.** 3-89-Z  
**MAP NO.** 7-G  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED:** 2441 N. Seminary Avenue

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

**ACTION OF BOARD:**

Application denied.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Walter J. Lawrence & Patricia G. Lawrence, for National Boulevard Bank of Chicago, Tr. #8306, owner, on November 28, 1988, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the legalization of a recently constructed two-story two-dwelling unit building, with no rear yard at the 2nd floor level instead of 2 feet as previously approved in Calendar No. 68-87-Z, on premises at 2441 N. Seminary Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §11.3-4, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that on April 16, 1987, in Calendar No. 68-87-Z, the Board granted a variation to the applicants to erect a two-and three-story single-family residence on the subject site whose front yard will be 5 feet instead of 14.4 feet and with no north side yard instead of 2.4 feet and whose rear yard will be 2 feet instead of 30 feet, finding, in part, "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 variations requested are necessary to erect a single-family dwelling which meets the lifestyle needs of the applicant"; that the applicants now seek to legalize the recently constructed building as two dwelling units in lieu of a single-family residence and with no rear yard instead of 2 feet; that although the plans submitted in the original application may depict a second kitchen facility in the rear portion above the garage with a two foot overhang, the applicants testified and their application so stated that the building was to be a single-family dwelling for their own use and that the rear yard would be 2 feet; that they also testified the variations were necessary due to the

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need to use the existing foundation and to meet their lifestyle needs; that in the instant case objectors testified that the applicants were less than truthful when they originally presented their proposal to the community; that they stated the applicant said that he was trying to build a "dreamhouse" for his family and that the area above the garage would merely be used as his studio, when in fact the building has been listed for sale at an asking price of \$627,000 and as possible two-dwelling units; that they stated the passageway connection situated on the north lot line between the main building and the coachhouse would be 12 feet high but is now 18 feet high; that the need to utilize the existing foundation was a myth because it was removed before construction began; that the Board now believes that the testimony by the applicants in the original application was more pretense than fact and that on its face it would appear the proposal was merely a speculative venture; that while this does not mean the application would not have been granted if accurately presented, it does mean that the findings of fact would necessarily have had to support different contentions as they relate to the standards of reasonable return and unique circumstances; that no evidence was presented in this case in support of the facts as required under Standards for Variations, Sections 11.7-1 and 11.7-3; it is therefore

RESOLVED, that the application for a variation of the zoning ordinance to legalize the recently constructed two-story building, on premises at 2441 N. Seminary Avenue, as two-dwelling units and with no rear yard in lieu of a single-family residence and a 2 foot rear yard as approved in Calendar No. 68-87-Z, be and it hereby is denied.

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

**APPLICANT:** Monica Caesar, Erik Hendrickson & Assoc., Architects.  
**APPEARANCES FOR:** Monica Casesar  
**APPEARANCES AGAINST:**

**CAL. NO.** 4-89-Z  
**MAP NO.** 7-F  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED**— 2641 N. Burling Street  
**SUBJECT**— Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD**—

Variations granted.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Monica Caesar, Erik Hendrickson & Assoc., Architects, for Linda Ashton, owner, on November 29, 1988, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the dormering of the attic of a two-story frame two-dwelling unit building and replacement of the front porch, with no front yard instead of 12.67 feet, whose north side yard will be 1.25 feet instead of 2.5 feet and which expansion will result in a 12.6% (388 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; on premises at 2641 N. Burling Street; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on October 30, 1986 the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2."; that the owner seeks to dormer the attic and also replace the existing front porch and stairs of the two-story frame two-dwelling unit building on the subject site, which rehabilitation will exceed by 12.6% (388 sq.ft.) the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide additional

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living space in the owner's second floor dwelling unit and to replace the existing deteriorated front porch and stairs; that the plight of the owner is due to the need to increase the living space in the second floor dwelling unit and to the unusual angled design of the front porch and stairs which presently go beyond the front property line; and that the variations, if granted, will not alter the essential character of the locality in that the proposed dormer addition will be compatible with the many existing improvements in the area which have dormers and that the proposed design for the replacement of the existing front porch and stairs will be more compatible with the traditional porch and stair design of existing improvements in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a two-story frame two-dwelling unit building and replacement of the front porch, with no front yard instead of 12.67 feet, whose north side yard will be 1.25 feet instead of 2.5 feet and which expansion will result in a 12.6% (388 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2641 N. Burling Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: JoAnn C. Butler  
 APPEARANCES FOR: JoAnn C. Butler  
 APPEARANCES AGAINST:

CAL. NO. 5-89-Z  
 MAP NO. 3-H  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED— 1737 W. Pierce Avenue

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

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, JoAnn C. Butler, for James A. Hennessey, owner, on December 5, 1988, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the dormering of a two-and-a-half story brick single-family residence, whose west side yard will be 6 inches instead of 2.4 feet, on premises at 1737 W. Pierce Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 5, 1988 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the owner dormered the two-and-a-half story brick single-family residence without obtaining necessary building permits and is now seeking to legalize the dormer in order to secure the necessary building permits; 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 dormer is necessary to increase the living space in the existing single family residence to meet the needs of the owner; that the plight of the owner is due to unique circumstances in that the owner constructed the said dormer without obtaining necessary building permits and now finds himself in a fait accompli situation; that no one appeared in opposition to the granting of the requested variation; and that the variation, if granted, will not affect an adequate supply of light and air to adjacent properties 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

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zoning ordinance and that a variation be and it hereby is granted to permit the dormering of a two-and-a-half story brick single-family residence, whose west side yard will be 6 inches instead of 2.4 feet, on premises at 1737 W. Pierce Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Seymour Goldberg & Associates  
 APPEARANCES FOR: Monte Viner et al.  
 APPEARANCES AGAINST:

CAL. NO. 6-89-S  
 MAP NO. 14-G  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 5710 S. Halsted Street  
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Seymour Goldberg & Associates, for Branch in the Body of Christ Holiness Church, owner, on November 29, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a one-story 299-seat church building, in a C1-2 Restricted Commercial District, on premises at 5710 S. Halsted Street; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject church is presently located at 117 W. 103rd Street; that the proposed church is necessary at the subject site to provide larger facilities to continue to serve the church congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will continue to provide needed services in the community and which will provide adequate off-street parking to be improved and operated under the conditions hereinafter set forth; that the subject site is located in a block containing many vacant lots; and that the proposed church will be an enhancement in the block 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 one-story 299-seat church building, on premises at 5710 S. Halsted Street, upon condition that the on-site parking area shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to

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Cal. No. 6-89-S

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 shall be erected on the periphery of the parking area, excepting the driveway; that the parking stalls shall be designated by striping; that lighting shall be provided; that ingress and egress shall be from W. 57th Street; that the alley abutting the site shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked when not in use by the church; 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:** Barukh & Jean P. Joshua  
**APPEARANCES FOR:** Howard Alan  
**APPEARANCES AGAINST:**

**CAL. NO.** 7-89-Z  
**MAP NO.** 15-J  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED--** 6122 N. Monticello Avenue  
**SUBJECT--** Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD--**

Variations granted.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Barukh & Jean P. Joshua, owners, on November 30, 1988, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story addition to a one-story brick single-family residence, whose front yard will be 16.32 feet instead of 20 feet; whose north side yard will be 3.02 feet and whose south side yard will be 2.89 feet instead of combined yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6122 N. Monticello Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.7-2, §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 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the applicants seek to erect a 2nd story addition to an existing one-story brick single-family residence on the subject site; that on January 20, 1989 the applicants submitted a revised plan showing a reduction in the size of the proposed addition to 1,012 sq. ft. to conform to a floor area ratio of 0.65; 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 variations are necessary to provide additional bedrooms and bathroom for the applicants and family; that the plight of the owners is due to the configuration of the existing building on the subject lot which necessitates upward expansion; and that the variations, if granted, will not alter the essential character of the locality in that the proposed 2nd floor addition will follow existing building walls and will be compatible with the majority of the improvements in this block; 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 partial 2nd story addition to a one-story brick single-family residence whose front yard will be 16.32 feet instead of 20feet, whose north side yard will be 3.02 feet and whose south side yard will be 2.89 feet instead of combined side yards of 9 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6122 N. Monticello Avenue, upon condition that the proposed 2nd floor addition shall be constructed in accordance with the revised plan submitted on January 20, 1989 indicating an addition of 1,012 sq. ft.; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Barukh and Jean P. Joshua  
APPEARANCES FOR: Howard Alan  
APPEARANCES AGAINST:

CAL. NO. 8-89-A

MAP NO. 15-J

MINUTES OF MEETING  
January 20, 1989

PREMISES AFFECTED— 6122 N. Monticello Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon  
motion of appellants.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

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

APPLICANT: Omega Baptist Church  
 APPEARANCES FOR: John Babbington  
 APPEARANCES AGAINST:

CAL. NO. 9-89-S  
 MAP NO. 10-E  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 4621-41 S. State Street  
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Omega Baptist Church, owner, on December 14, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 580-seat church building, in a C1-2 Restricted Commercial District, on premises at 4621-41 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 12, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-1, §9.4-1,"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the applicant church is presently located at 4621 S. State Street; that it is proposed to remove the present store-front church structure upon completion of the proposed 580-seat church building and to utilize the site for off-street parking for the church; that the church is necessary at the subject site to continue to meet the needs of the church congregation who reside in the neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will provide needed services in the community and adequate off-street parking as provided for in Calendar Nos. 10-89-Z and 11-89-S; and that the proposed church will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 580-seat church building, on premises at 4621-41 S. State Street, upon condition that the requirements for off-street parking shall be satisfied as provided for in Calendar Nos. 10-89-Z and 11-89-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Omega Baptist Church  
 APPEARANCES FOR: John Babbington  
 APPEARANCES AGAINST:

CAL. NO. 10-89-Z  
 MAP NO. 10-E  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 4621-41 S. State Street

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

ACTION OF BOARD--

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Omega Baptist Church, owner, on December 14, 1988, filed an application for a variation of the zoning ordinance to permit, in a C1-2 Restricted Commercial District, the erection of a 580-seat church with off-street parking for 40 instead of 48 automobiles, on premises at 4621-41 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 2, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.11-1(5), §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that on January 20, 1989, in Calendar No. 9-89-S, the Board approved the erection of a 580-seat church building at the subject site; that the applicant proposes to partially satisfy the off-street parking requirement by providing 30 on-site parking spaces to be located north of and adjacent to the proposed church building upon completion of the building's construction and the demolition of the existing building on the site which is presently used for church services and 10 additional spaces off-site at 4643-45 S. State Street as provided in Calendar No. 11-89-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 regulations in this district in that the design of the proposed church limits the amount of available space for required off-street parking spaces; that the plight of the owner is due to the design of the building as proposed; and that the waiver of 8 parking spaces in this case will not materially alter the essential character of the locality; 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 erection of a 580-seat church with off-street

MINUTES OF MEETING

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Cal. No. 10-89-Z

parking for 40 instead of 48 automobiles, on premises at 4621-41 S. State Street, upon condition that the parking area abutting north of the subject church building shall be improved with a compacted macadam base, not less than 4 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 shall be erected on the periphery of the parking area, excepting the driveway; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from S. State Street; that the alley abutting the site shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked at all times when not in use by the applicant church; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Omega Baptist Church  
**APPEARANCES FOR:** John Babbington  
**APPEARANCES AGAINST:**

**CAL. NO.** 11-89-S  
**MAP NO.** 10-E  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED--** 4643-45 S. State Street  
**SUBJECT--** Application for the approval of a special use.

**ACTION OF BOARD--**

Application approved.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Omega Baptist Church, for Flora Bell, Representative of Ernest J. Herring, owner, on December 14, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of off-site parking for 10 automobiles on leased land, in a C1-2 Restricted Commercial District, on premises at 4643-45 S. State Street; to partially satisfy the parking requirements for a proposed 580-seat church building on adjoining property at 4621-41 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 2, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.4-1, §9.11-1."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that on January 20, 1989 in Calendar Nos. 9-89-S and 10-89-Z the Board approved the erection of a 580-seat church building with off-street parking for 40 instead of 48 automobiles at 4621-41 S. State Street; that in conjunction therewith the applicant church proposes to establish off-site leased parking for 10 automobiles at the subject site directly south of the church site; that the terms of the lease are for a period of ten years, beginning October 1, 1988 and ending September 30, 1998, with an option to purchase the leased premises and the remaining portion of the property owned by the lessor; that the subject parking facility is necessary for the public convenience at this location to partially satisfy the parking requirements for the proposed church building on adjoining property at 4621-41 S. State Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking facility to be improved and operated under the conditions hereinafter set forth; and that the proposed parking facility located at the rear of the subject site and adjacent to the proposed church building will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

January 20, 1989

Cal. No. 11-89-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 off-site parking for 10 automobiles on leased land, on premises at 4643-45 S. State Street, to partially satisfy the parking requirements for a proposed 580-seat church building on adjoining property at 4621-41 S. State Street, upon condition that no use shall be made of the property for the purpose requested until the following conditions shall have been complied with: that the parking area shall be limited to the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the parking area shall be improved with a compacted macadam base, not less than 4 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 lighting shall be provided; that ingress and egress shall be determined by the Bureau of Traffic Engineering and Operations; that the parking area shall be securely locked at all times when not in use by the applicant church and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the parking area continuously in conformance with the provisions and standards hereby established under this order and §5.8-5 of the zoning ordinance.

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

**APPLICANT:** Albany Steel & Brass Corp.  
**APPEARANCES FOR:** David Lebovitz  
**APPEARANCES AGAINST:** Ted Matson

**CAL. NO.** 12-89-S  
**MAP NO.** 1-H  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED—** 1934-38 W. Grand Avenue  
**SUBJECT—** Application for the approval of a special use.

**ACTION OF BOARD—**

Application approved.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Albany Steel & Brass Corp., for David Lebovitz, owner, on December 13, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an M1-2 Restricted Manufacturing District, on premises at 1934-38 W. Grand Avenue, to serve a hardware distribution business located at 1900-22 W. Grand Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the proposed parking lot is necessary for the public convenience at this location to provide parking required for the employees of the applicant company located at 1900-22 W. Grand Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a variation be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1934-38 W. Grand Avenue, required to serve a hardware distribution business located at 1900-22 W. Grand Avenue, upon condition that no use shall be made of the property for the purpose requested until the

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following conditions shall have been complied with: that the parking lot shall be used solely for the parking of private passenger automobiles belonging to the employees of the applicant company; that the lot shall be improved with a compacted macadam base, not less than 4 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 a 5 feet high chain link fence shall be provided, excepting the driveway, on the west, south and east lot lines; that a 5 feet high solid fence shall be erected along the north lot line to screen the facility from residential property across the alley; that concrete wheel stops shall be provided; that each parking stall shall be designated by striping; that lighting shall be provided which is directed away from abutting residential property; that ingress and egress shall be from W. Grand Avenue; that there shall be no ingress nor egress from the public alley; that the driveway shall be constructed in accordance with applicable ordinances; that the parking lot shall be securely locked at all times when not in use by the applicant company; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and §5.8-5 of the zoning ordinance.

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

APPLICANT: Zygmunt Lubowicki  
 APPEARANCES FOR: Wally Kula, Zygmunt Lubowicki  
 APPEARANCES AGAINST:

CAL. NO. 13-89-Z  
 MAP NO. 9-0  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 3713 N. Olcott Avenue

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

ACTION OF BOARD--

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Zygmunt Lubowicki, owner, on December 15, 1988, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, dormers on the front portion of a one-and-a-half story frame residence, whose front yard is 12.58 feet instead of 19.95 feet, whose north side yard is 2.77 feet instead of 3 feet and whose total floor area ratio is 0.514 instead of 0.5, on premises at 3713 N. Olcott Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 9, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.7-2, §7.8-2, §11.7-4(1)(12)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1 & 2 story frame single-family residence; that the said dormers on the front portion of the existing building were constructed without the necessary building permits; that on September 19, 1988 an Exception filed with the Office of the Zoning Administrator was denied to reduce the minimum front and side yard requirements for the proposed construction of a partial 2nd floor measuring 10.63' x 20.0' to the front of the existing single family residence at the subject site, finding, in part, that the proposed construction would affect the supply of light and air to adjacent properties, be detrimental to the public welfare and be injurious to other properties and improvements in the neighborhood; that no evidence was presented to the Board indicating that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located, nor that the plight of the owner is due to unique circumstances; that the Board finds that the said dormer construction does not conform with the one-story single family residence character of this block; it is therefore

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Cal. No. 13-89-Z

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

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

APPLICANT: E.J. Hallmann  
 APPEARANCES FOR: Susan Connelly  
 APPEARANCES AGAINST:

CAL NO. 14-89-Z  
 MAP NO. 17-0  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 6615 N. Avondale Avenue  
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, E.J. Hallmann, for E.C. Hallmann & Sons, owner, on December 15, 1988, filed an application for a variation of the zoning ordinance to permit, in an M1-1 Restricted Manufacturing District, the erection of a one-story addition to the south side of a one-story office building, with no front yard instead of the 20 feet required when located across the street from a residence district, on premises at 6615 N. Avondale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.13-1, §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 20, 1989 after due notice thereof by publication in the Chicago Tribune on December 27, 1988; and

WHEREAS, the district maps show that the premises are located in an M1-1 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 M1-1 Restricted Manufacturing District; that the subject site is improved with a one-story brick office building built to the front lot line; that the applicant proposes to construct a one-story addition which will be aligned with the existing building along the existing front lot line; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested variation is necessary to erect an addition to provide additional office space for the applicant's expanding business; that the plight of the owner is due to the code requirement of a 20 feet setback when located across the street from a residence district; and that the variation, if granted, will not alter the essential character of the locality in that the proposed addition will follow the existing south front building line and will also enhance the locality by enclosing a visible storage yard; 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

MINUTES OF MEETING

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Cal. No. 14-89-Z

zoning ordinance and that a variation be and it hereby is granted to permit the erection of a one-story addition to the south side of a one-story office building, with no front yard instead of the 20 feet required when located across the street from a residence district, on premises at 6615 N. Avondale 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: Helen Papuga  
 APPEARANCES FOR: Frank Kuta, Helen Papuga  
 APPEARANCES AGAINST:

CAL NO. 15-89-A  
 MAP NO. 12-K  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED— 5241 S. Kenneth Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Helen Papuga, owner, on December 5, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-and-a-half story brick building as three-dwelling units, in an R3 General Residence District, on premises at 5241 S. Kenneth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 26, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-3. §7.12-1(4), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the two-and-a-half story brick building on the subject site has been occupied as three dwelling units since prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as three dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the use of the two-and-a-half story brick building, on premises at 5241 S. Kenneth Avenue, as three dwelling units, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Anna Subko  
 APPEARANCES FOR: Stan Lihosit  
 APPEARANCES AGAINST:

CAL NO. 16-89-A  
 MAP NO. 12-K  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 4831 S. Komensky Avenue  
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Anna Subko, owner, on December 14, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the use of a two-story brick building as three-dwelling units, in an R3 General Residence District, on premises at 4831 S. Komensky Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-3, §7.12-1(4), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the two-story brick building on the subject site has been occupied as three-dwelling units since prior to the time of the passage of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as three-dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the use of the two-story brick building, on premises at 4831 S. Komensky Avenue, as three dwelling units, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Paul Williams

APPEARANCES FOR: None

APPEARANCES AGAINST:

CAL. NO. 17-89-A

MAP NO. 16-E

MINUTES OF MEETING  
January 20, 1989

PREMISES AFFECTED-- 6901 S. South Chicago Avenue

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

ACTION OF BOARD--

Case dismissed for want of prosecution.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

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

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

APPLICANT: Odessa Dommond  
 APPEARANCES FOR: Benjamin Stark, Odessa Dommond  
 APPEARANCES AGAINST:

CAL. NO. 18-89-A  
 MAP NO. 28-E  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED— 32 E. 119th Street

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

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Odessa Dommond, owner, on November 30, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing beauty shop in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 32 E. 119th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 28, 1988 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said beauty shop, a B1 use, has been located in the non-conforming store in the two-story brick store and apartment building on the subject site for the past year; that the subject store was previously occupied by a grocery store, a B1 use; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her 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 certify an existing beauty shop in a two-story brick store and apartment building, on premises at 32 E. 119th Street, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 6:30 P.M., Tuesdays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

APPLICANT: Wilbert Williams  
 APPEARANCES FOR: Phyllis Williams  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED-- 6058 S. Sangamon Street  
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator

CAL. NO. 19-89-A  
 MAP NO. 14-G  
 MINUTES OF MEETING  
 January 20, 1989

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Wilbert Williams, for Ora Brooks, owner, on November 28, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery and restaurant in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 6058 S. Sangamon Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 28, 1988 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming store in the two-story frame store and apartment building on the subject site has been occupied by a grocery store for many years; that the applicant rented the store in 1973 and continued to operate the premises as a grocery store; that the appellant's wife, Phyllis Williams, seeks to continue to operate the premises as a grocery store and to dispense cooked foods such as polish sausage, sandwiches, hot dogs, etc.; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery and restaurant in the two-story frame store and apartment building, on premises at 6058 S. Sangamon Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 5 P.M., Mondays through Saturdays; that no alcoholic beverages shall be sold on premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Rafael Gonzalez

CAL. NO. 20-89-A

APPEARANCES FOR:

MAP NO. 4-H

APPEARANCES AGAINST:

MINUTES OF MEETING

January 20, 1989

PREMISES AFFECTED-- 1713 W. 19th Street

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

ACTION OF BOARD--

Case continued to February 17, 1989.

THE VOTE

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

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

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 803

APPLICANT: Patrick T. Duquette

CAL. NO. 21-89-A

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1989

PREMISES AFFECTED-- 957 W. Webster Avenue

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

ACTION OF BOARD--

Case continued to  
March 17, 1989.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

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

APPLICANT: John Bellovia, Bridgeport Electronic  
APPEARANCES FOR: None  
APPEARANCES AGAINST:

CAL. NO. 227-88-A  
MAP NO. 8-F  
MINUTES OF MEETING  
January 20, 1989

PREMISES AFFECTED-- 3255 S. Halsted Street

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

ACTION OF BOARD--

Case dismissed for want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

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

APPLICANT: Normal Candies & Drop Off Cleaning

CAL. NO. 259-88-A

APPEARANCES FOR:

MAP NO. 14-F

APPEARANCES AGAINST:

MINUTES OF MEETING

January 20, 1989

PREMISES AFFECTED-- 5517 S. Normal Boulevard

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

ACTION OF BOARD--

Case continued to  
February 17, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 809

APPLICANT: Edward Weber c/o Environ, Inc.

CAL. NO. 263-88-A

APPEARANCES FOR:

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING

January 20, 1989

PREMISES AFFECTED-- 1535-39 W. Division Street and 1184 N. Milwaukee Avenue

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

ACTION OF BOARD--

Appeal withdrawn upon motion of appellant.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

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

APPLICANT: Angel Andrade  
APPEARANCES FOR: Angel Andrada  
APPEARANCES AGAINST:

CAL. NO. 268-88-A  
MAP NO. 12-H  
MINUTES OF MEETING  
January 20, 1989

PREMISES AFFECTED— 5122 S. Winchester Avenue

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

ACTION OF BOARD—

Case continued to  
April 21, 1989.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

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

APPLICANT: KingsGard Cleaners, Inc.  
 APPEARANCES FOR: Jeff Markus  
 APPEARANCES AGAINST:

CAL. NO. 291-88-A  
 MAP NO. 24-F  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED— 9707 S. Halsted Street  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—  
 Appeal sustained and the decision of the Office of the Zoning Administrator reversed.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, KingsGard Cleaners, Inc., for Jim Flemming, owner, on October 28, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a drop-off cleaners in a one-story brick multi-store building, in an R3 General Residence District, on premises at 9707 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 28, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject store is located in a non-conforming multi-store building which also contains a tavern and a restaurant; that the subject store was previously occupied by a currency exchange, which use ceased operation in May, 1988; that the change of use to a drop-off cleaners, a B1 use, is a proper substitution of use under §6.4-7 of the zoning ordinance; 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 approve the establishment of a drop-off cleaners in a one-story brick multi-store building, on premises at 9707 S. Halsted Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 7 p.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jules D. Banks  
 APPEARANCES FOR: Robert H. Holloway  
 APPEARANCES AGAINST:

CAL. NO. 293-88-A  
 MAP NO. 18-G  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED: 1281 W. 71st Street

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

**ACTION OF BOARD**

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

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Jules D. Banks, for Board Investors, Inc., owner, on November 4, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a hardware and variety store in a one-story brick store and apartment building, in an R3 General Residence District, on premises at 1281 W. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 26, 1988 reads:

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

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming store in the one-story brick store and apartment building was previously occupied by a food and variety store which use ceased operation in 1986; that there was no intent to abandon the use of the premises for business purposes; the fixtures having remained intact during the interim period; that the change of use to a hardware and variety store is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a hardware and variety store in a one-story brick store and apartment building, on premises at 1281 W. 71st Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Harry Irgang

CAL NO. 297-88-S

APPEARANCES FOR:

MAP NO. 9-J

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1989

PREMISES AFFECTED-- 3282 N. Milwaukee Avenue

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

ACTION OF BOARD--

Case continued to  
February 17, 1989.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

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

APPLICANT: Sakabh Farhoud d/b/a Sharif Food & Liquors, Inc.  
 APPEARANCES FOR: James Hamilton  
 APPEARANCES AGAINST:

CAL. NO. 301-88-A  
 MAP NO. 14-G  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED— 5659 S. Racine Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Sakabh Farhoud d/b/a Sharif Food & Liquors, Inc., for Otis James, owner, on November 8, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store including packaged liquor in a two-story brick store and apartment building, in an R3 General Residence District, on Premises at 5659 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 3, 1988 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming store in the two-story brick store and apartment building on the subject site was previously occupied as a tavern, a B4 use, which ceased operation about one-and-a-half years ago due to tax problems; that there was no intent to abandon the use of the premises for business purposes, the fixtures having remained intact during the interim period; that the change of use to a food and liquor store, a B2 use, is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED; that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store including packaged liquors in a two-story brick store and apartment building, on premises at 5659 S. Racine Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 10 P.M., daily; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Mahmoud Sandoka  
 APPEARANCES FOR: Mahmoud Sandoka  
 APPEARANCES AGAINST: L. Eugene Davis, et al.

CAL. NO. 302-88-A  
 MAP NO. 16-C  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 6656 S. Morgan Street

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

ACTION OF BOARD--

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Mahmoud Sandoka, owner, on November 10, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fast food restaurant in a one and two-story frame store and apartment building, in an R3 General Residence District, on premises at 6656 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 2, 1988 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a one and two-story frame store and apartment building which also contains an active grocery store; that the subject store was previously occupied as a tavern, a B4 use; that the subject store has been vacant and unoccupied in excess of one year; that under §6.4-5 of the zoning ordinance the Board has no authority to permit the establishment of the use requested in the store on the subject site; it is therefore

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

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

APPLICANT: Samuel R. Sherwin  
 APPEARANCES FOR: Larry Jones  
 APPEARANCES AGAINST: George S. Nezlek

CAL. NO. 240-88-S  
 MAP NO. 13-G  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED: 843 W. Margate Terrace  
 SUBJECT: Application for the approval of a special use.

ACTION OF BOARD:

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Samuel R. Sherwin, for Devon Bank, Tr. #5245, owner, on August 23, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a four-level 112' x 120' x 27' high parking facility, in an R7 General Residence District, on premises at 843 W. Margate Terrace, for the use of residents of apartment buildings located at 4920 and 4950 N. Marine Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 25, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on October 3, 1988; and

WHEREAS, the district maps show that the premises are located in an R7 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 R7 General Residence District; that the applicant proposes to erect a four-level 112' x 120' x 27' high parking facility containing approximately 206 parking spaces; that the proposes use is necessary for the public convenience at this location to serve the residents of apartment buildings located at 4920 and 4950 N. Marine Drive; that the applicant also proposes to make 50 parking spaces available to other community residents; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking facility to be improved and operated in compliance with all applicable building code regulations and in accordance with an agreement with the Margate-Ainslie Neighbors; that the proposed use as designed will help alleviate parking congestion on the streets in this densely populated neighborhood and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a four-level 112' x 120' x 27' high parking facility, on premises at 843 W. Margate Terrace, for the use of residents of apartment buildings located at 4920 and 4950 N. Marine Drive, upon condition that the west wall

MINUTES OF MEETING

January 20, 1989  
Cal. No. 240-88-S

of the structure be setback from the west lot line for a distance of 3.5 feet at the center to 9.5 feet at the ends as shown in the plans presented, as agreed to by the parties, to provide adequate light and air to the abutting building; that the west wall shall be constructed of appropriate solid materials to screen the parked automobiles from the abutting residential building; that ingress and egress to the parking structure shall be determined by the Bureau of Traffic Engineering and Operations; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Samuel R. Sherwin  
 APPEARANCES FOR: Larry Jones  
 APPEARANCES AGAINST: George S. Nezlek

CAL. NO. 241-88-Z  
 MAP NO. 13-G  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED-- 843 W. Margate Terrace  
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Samuel R. Sherwin, for Devon Bank, Tr. #5245, owner, on August 23, 1988, filed an application for a variation of the zoning ordinance to permit, in an R7 General Residence District, the erection of a four-level 112' x 120' x 27' high parking facility, whose front yard will be 6 feet instead of 14.16 feet, on premises at 843 W. Margate Terrace; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 25, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on October 3, 1988; and

WHEREAS, the district maps show that the premises are located in an R7 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 R7 General Residence District; that on January 20, 1989, in Calendar No. 240-88-S, the Board approved a special use for the erection of a four-level 112' x 120' x 27' high parking facility with a west wall setback of 9.5 feet on the ends to 3.5 feet in center, on premises at 843 W. Margate Terrace for the use of residents of apartment buildings located at 4920 and 4950 N. Marine Drive; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested front yard variation is necessary to construct a parking facility of a size sufficient to meet the needs of the residents of the apartment buildings located at 4920 and 4950 N. Marine Drive; that the plight of the owner is due to the need to fully maximize the space available for parking; and that the variation, if granted, along with the west yard setback, will be compatible with the existing front yard setbacks and will not alter the essential character of the locality nor impair an adequate supply of light and air to adjoining property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred

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January 20, 1989

Cal. No. 241-88-Z

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 four-level 112' x 120' x 27' high parking facility whose front yard will be 6 feet instead of 14.16 feet, on premises at 843 W. Margate Terrace, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Patrick & Elizabeth Flynn  
**APPEARANCES FOR:** Thomas B. King  
**APPEARANCES AGAINST:** Thomas Allison, et al.

**CAL. NO.** 242-88-Z  
**MAP NO.** 19-0  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED--** 7218 N. Oriole Avenue  
**SUBJECT--** Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD--**

Application denied.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Patrick & Elizabeth Flynn, owners, on September 14, 1988, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a full 2nd story addition to a 1-story brick single-family residence, whose south side yard will be 2.84 feet and whose north side yard will be 3.04 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.52 instead of 0.50; on premises on 7218 N. Oriole Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 17, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.7-2, §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 20, 1989 after due notice thereof by publication in the Chicago Tribune on October 31, 1988; and

WHEREAS, the district maps show that the premises are located in an 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 one-story brick single-family residence on a 3,730 sq. ft. lot; that the applicants propose to erect a full second story addition to the existing brick single-family residence on the subject site; that no evidence was presented to indicate that the property in question cannot yield a reasonable return without the requested variations; that the Board feels in this case that the applicants could expand their residence in compliance with the floor area ratio and yard requirements of the zoning ordinance and that the plight of the owner is self-created; that the proposed variations will adversely affect an adequate supply of light and air to the one-story residences abutting the subject site to the north and south; and that the proposed addition will alter the essentially one-story residence character of the block and is not in the public interest; it is therefore

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

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

**APPLICANT:** Mohammad Muzaffar  
**APPEARANCES FOR:** James Cockrell  
**APPEARANCES AGAINST:** Lawrence L. Gorski, et al.

**CAL. NO.** 278-88-Z  
**MAP NO.** 11-G  
**MINUTES OF MEETING**  
 January 20, 1989

**PREMISES AFFECTED---** 4711 N. Magnolia Avenue  
**SUBJECT---** Application to vary the requirements of the zoning ordinance.

**ACTION OF BOARD---**

Application denied.

**THE VOTE**

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

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

**THE RESOLUTION:**

WHEREAS, Mohammad Muzaffar, owner, on November 8, 1988, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story addition to the front of a two-story brick three-dwelling unit building, whose north side yard is 9 inches and whose south side yard is 3 feet instead of 3.5 feet each, on premises at 4711 N. Magnolia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 1988 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on November 28, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that a two-story brick addition on pillar supports has been erected to the front of the subject two-story brick three-dwelling unit building; that the addition projects to within 17 feet of the front lot line and wraps around the side of the building into the required side yards; that the entire building has been vacated by court order due to shoddy construction of the addition; that the subject site is located within the boundaries of the Sheridan Park Historic District; that the Board finds that the official subdivision maps of the City of Chicago indicates that all the lots in this block and many surrounding blocks have a 30 feet building line restriction recorded in the original subdivision which prohibits the placing of buildings within the front 30 feet of said lots; that with the exception of porches, all the buildings in the subject block have 30 feet front yard setbacks and yard-conforming side yards, as indicated on the Sanborn Maps; that the subject addition projects well beyond the front yard setbacks of the existing buildings in the block; that the granting of the requested variations would alter the essential character of the block; it is therefore

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

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

APPLICANT: John W. McGee and Elizabeth McSwiney  
 APPEARANCES FOR: Timothy Crowley  
 APPEARANCES AGAINST: John E. Witanen

CAL. NO. 249-88-S  
 MAP NO. 9-0  
 MINUTES OF MEETING  
 November 18, 1988

PREMISES AFFECTED— 7551 W. Addison Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
		X
	X	
X		

THE RESOLUTION:

WHEREAS, John W. McGee and Elizabeth McSwiney, for Elizabeth McSwiney, owner, on September 22, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a one-story brick store building, in a B4-1 Restricted Service District, on premises at 7551 W. Addison Street; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on October 31, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed tavern is to be located in a B4-1 Restricted Service District in a store in a one-story brick double-store building; that the subject store was previously occupied by a hair salon but has been vacant and unoccupied for the past 11 months; that the proposed tavern will operate from 10:00 A.M. till Midnight; that a day-care center for about 100 children between the age of 2 to 5 years abuts the subject building at 7555-59 W. Addison Street and operates between the hours of 6:30 A.M. and 6:30 P.M.; that no evidence was presented to indicate that the proposed tavern is necessary for the public convenience at the subject site nor that its establishment would not be injurious to the value of other property or uses in the neighborhood; that the Board finds that in this case the proposed establishment of a tavern next door to a large day-care center is not in the public interest; it is therefore

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

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

APPLICANT: Tex's Truck & Parts, Inc.  
 APPEARANCES FOR: Joseph P. Cacciatore  
 APPEARANCES AGAINST:

CAL. NO. 200-88-S  
 MAP NO. 10-H  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED— 2200-2300 W. 47th Street  
 SUBJECT— Application for the approval of a special use.

**ACTION OF BOARD—**

Application approved.

**THE VOTE**

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

**THE RESOLUTION:**

WHEREAS, Tex's Truck & Parts, Inc., for Cosmopolitan National Bank, Tr. #28537, owner, on August 5, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a junk yard on the vacant portion of a 15-acre site containing two buildings all of which to be used in conjunction with a truck and automobile parts business, in an M2-3 General Manufacturing District, on premises at 2200-2300 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 7, 1988 reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.4-2."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on August 29, 1988; and

WHEREAS, the district maps show that the premises are located in an M2-3 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-3 General Manufacturing District; that the subject site is approximately 15 acres of land improved with a two-story brick office and sales building and a second one-story brick and metal structure which is approximately 8 acres in size and covers more than half of the subject property; that the subject site is surrounded by heavy manufacturing uses and railroad yards to the north and east and by smaller business uses to the south and west; that the proposed operation will consist of pick-up and dismantling of junk automobiles and trucks for reusable parts which are sold at retail and exported; that the junk automobiles and trucks are dismantled within the aforesaid large brick and metal structure with the usable parts stored inside; that the unusable body and chassis are crushed, baled and stored outside to the north of the building; that crushing is done with a deisel engine crusher and is a relatively quiet operation; that the applicant will employ a professional exterminator to provide for continuous rat abatement in its operation and will install evergreen trees along its 47th Street frontage, pursuant to an agreement with the community; that the proposed use is necessary for the public convenience at this location

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Cal. No. 200-88-S

to provide a necessary service to 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 be operated in compliance with the regulations of the Environmental Protection Division of the Department of Consumer Services of the City of Chicago and the Illinois Department of Environmental Protection; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that it is located in an area surrounded by business and railroad uses; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a junk yard on the vacant portion of a 15-acre site containing two buildings all of which to be used in conjunction with a truck and automobile parts business, on premises at 2200-2300 W. 47th Street, upon condition that ingress and egress shall be from W. 47th Street; that the junk yard shall be securely locked during all hours when not in operation; that the applicant shall employ a professional exterminator to provide for continuous rat abatement in its operations; that evergreen trees shall be planted along its 47th Street frontage; that the operation at all times shall be conducted in conformance with the performance standards established for the M2-1 to M2-5 Districts under the zoning ordinance and in compliance with the regulations of the Environmental Protection Division of the Department of Consumer Services of the City of Chicago and the Illinois Environmental Protection Agency; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John Cooper, Englewood Auto Parts

APPEARANCES FOR:

APPEARANCES AGAINST:

PREMISES AFFECTED-- 612-14 W. 59th Street and 5833-59 S. Lowe Avenue

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

ACTION OF BOARD--

Case continued to  
February 17, 1989.

CAL. NO. 252-88-S

MAP NO. 14-F

MINUTES OF MEETING

January 20, 1989

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 608

APPLICANT: Josephine Bass & Neopolitan Lighthouse  
 APPEARANCES FOR: Robert Grossinger  
 APPEARANCES AGAINST:

CAL. NO. 287-88-S  
 MAP NO. 1-J  
 MINUTES OF MEETING  
 January 20, 1989

PREMISES AFFECTED: 713 N. Spaulding Avenue  
 SUBJECT: Application for the approval of a special use.

ACTION OF BOARD:

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Josephine Bass & Neopolitan Lighthouse, for Josephine Bass, owner, on November 2, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional shelter facility for homeless women and their children in a two-story brick residential building, in an R3 General Residence District, on premises at 713 N. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 28, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3. §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1989 after due notice thereof by publication in the Chicago Tribune on November 28, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the applicant proposes to establish a transitional shelter facility for homeless women and their children in the two-story brick residential building on the subject site; that the shelter will provide a maximum of 25 beds for homeless women and their children for the maximum period of 120 days permitted under Chapter 78.3-4 of the Municipal Code of the City of Chicago; that the clients to be served by the proposed facility will be referred through the Department of Human Services and other city agencies and will be screened for admittance to the transitional shelter facility by the Department of Human Services and the applicant organization; that no persons with drug, alcohol or mental problems will be accepted as clients by the facility; that professional staff members will be on the premises at all times to monitor the shelter's activities; that the shelter will provide parenting services, legal and vocational assistance and other services to its clients; that the establishment of a transitional shelter facility for homeless women and their children is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility which will meet all building code regulations

MINUTES OF MEETING

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Cal. No. 287-88-S

and all applicable provisions of the municipal ordinances governing the establishment and operation of transitional shelter facilities; and that the proposed use of the building on the subject site as a transitional shelter facility fulfills a need in the community and is consistent with the prior use of the premises as a residential building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a transitional shelter facility limited to 25 beds for homeless women and their children in a two-story brick residential building, on premises at 713 N. Spaulding Avenue, upon condition that the building is brought into compliance with all applicable building code regulations; that the premises shall not be used as a shelter facility until the building complies with all applicable code regulations; that no persons with drug, alcohol or mental problems shall be accepted as clients by the shelter; 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 facility activity to another group or association, the special use at the subject site granted herein shall become null and void; and be it further

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

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Cal. No. 103-88-Z

Mr. Gary I. Wigoda presented a request for an extension of time in which to obtain necessary building permits for a four-story addition to the rear of three three-story brick attached buildings all of which will be used as 15 dwelling units, with no north side yard and a 3 feet south side yard instead of 10.3 feet each, whose rear yard will be 8 feet instead of 30 feet and with no provision for one loading berth and one handicapped parking space, on premises at 1422-26 N. LaSalle Street, which variations were granted by the Board on July 15, 1988, Calendar No. 103-88-Z.

Mr. Wigoda stated that subsequent to the Board's approval of the aforesaid variations, certain objectors filed a complaint in the Circuit Court of Cook County for administrative review, case number 88 CH 8059, and that due to the pendency of this matter the applicant has been unable to proceed with obtaining the necessary building permits and the commencement of construction.

Vice Chairman Caldwell stated that the Board should take no action in this case until the matter has been adjudicated by the Circuit Court and moved that Mr. Wigoda's request for an extension of time be denied.

The motion prevailed by yeas and nays as follows:

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

## MINUTES OF MEETING

January 20, 1989

Cal. No. 298-88-A

Mr. Christopher P. Koback presented a request to refile an appeal by Mrs. Lennie Scales from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile repair shop, excluding body repair, spray painting or engine rebuilding, in a one-story brick garage building on the rear of a lot improved additionally with a residential building, in an R3 General Residence District, on premises at 942 E. 76th Street, which was denied by the Board on December 16, 1988, Calendar No. 298-88-A.

Mr. Koback stated in his request that on April 16, 1982, Calendar No. 97-82-A, the Board sustained an appeal by Roy C. Nichols on behalf of the then owner Joe Scales, permitting the continued operation of an automobile repair shop excluding body work, at the subject premises, which use ceased operation in March of 1988. The site was then leased to Mr. Lemmie Blaylock for use as an automobile repair shop including body work. On September 16, 1988, Calendar No. 106-88-A, the Board denied Mr. Blaylock's appeal, finding, in part, that the proposed body repair and spray painting was a more intensive use of the site than the previous use granted by the Board on April 16, 1982, Calendar No. 97-82-A. When Mrs. Scales became aware of the restriction placed upon the use of the premises by the Board in its resolution granted in Calendar No. 97-82-A, she amended her request and appealed a second time seeking the same use granted by the Board in 1982. At the hearing held by the Board on December 16, 1988, Calendar No. 298-88-A, the Board denied her appeal finding, in part, that since 1982 the premises had no proper business license since the granting of the automobile repair shop use in Cal. No. 97-82-A on April 16, 1982. Mr. Koback stated in his request that a motor vehicle repair license was issued to Mr. Nichols on July 1, 1985, valid until June 30, 1986.

Vice Chairman Caldwell stated that under Article II of the Rules of Procedure of the Zoning Board of Appeals, "the Board shall not hear or decide any matter where a decision has been rendered therein by the Board within the preceeding year (365 days) unless upon remand by a court or upon good cause shown." Although Mr. Koback presented a copy of the aforesaid license issued to Mr. Nichols, valid until June 30, 1986, there was still a two year hiatus in the legal use of the premises for business use. Vice Chairman Caldwell moved that good cause has not been shown in this case and that the request to refile the appeal be denied.

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

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Ms. Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on January 27, 1989.

*Marian Rest*  
Secretary