

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, January 18, 1991

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

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.

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Member Martin moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on December 14, 1990 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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: David Azran
 APPEARANCES FOR: D. Weiniger
 APPEARANCES AGAINST:

CAL. NO. 1-91-S
 MAP NO. 9-H
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 2337 W. Roscoe Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

THE RESOLUTION:

WHEREAS, David Azran, for Mid Town Bank & Trust Co., Tr. #1633, owner, on November 27, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in the proposed duplexing of the 2nd floor dwelling unit into the basement area of a 3-story brick 3-dwelling unit and basement store building, in a B2-2 Restricted Retail District, on premises at 2337 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 12, 1990, reads

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is improved with a 3-story with basement 3-dwelling unit building; that the applicant proposes to convert the existing first floor office space into residential space by duplexing the 2nd floor dwelling unit with the existing first floor office space by means of a spiral staircase; that the proposed use is necessary at this location in that there is no demand for business uses in the neighborhood which is predominantly residential in character and which will be in conformity with the neighborhood community's desire for residential use at the site rather than business use; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations; that the establishment of residential use below the 2nd floor in the proposed duplexing of the 2nd floor dwelling unit will be compatible with the essentially residential character of the neighborhood and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of residential use below the 2nd floor in the proposed duplexing of the 2nd floor dwelling unit into the basement area of a 3-story brick 3-dwelling unit and basement store building, on premises at 2337 W. Roscoe 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: Robert Atkins
 FRANCES FOR: Robert P. Lizzo
 FRANCES AGAINST:

CAL. NO. 2-91-Z
 MAP NO. 5-H
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 2044 N. Oakley Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Robert Atkins, owner, on November 28, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 20.5' x 20.5' 3rd story addition to a 2-story brick and frame 2-dwelling unit building on the rear of the lot, whose north side yard will be 5 inches and whose south side yard will be 3.1 feet instead of 7.2 feet each and which addition will result in a 15% (366 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 2044 N. Oakley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 21, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 24' x 100' lot improved with a 2-story brick and frame 2-dwelling unit building on the rear of the lot; 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 to the zoning ordinance notwithstanding the provisions of §6.4-2(1)"; that the applicant seeks to erect a 20.5' x 20.5' partial 3rd story addition to the existing 2-story 2-dwelling unit building on the subject site which exceed by 15% the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the existing dwelling units in the subject building are approximately

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800 sq. ft. and were constructed approximately 1915 when this amount of space was considered adequate living space; that the proposed 3rd floor addition is necessary to provide additional bedroom and kitchen space in the 2nd floor dwelling unit; that the plight of the owner is due to the location of the existing building on the rear of the subject lot which necessitates the requested yard variations; that the said addition will conform to existing building lines and will not impair an adequate supply of light and air to adjacent properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 20.5' x 20.5' 3rd story addition to a 2-story brick and frame 2-dwelling unit building on the rear of the lot, whose north side yard will be 5 inches and whose south side yard will be 3.1 feet instead of 7.2 feet each and which addition will result in a 15% (366 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 2044 N. Oakley Avenue, upon condition that plans submitted shall indicate an area at the rear of the subject site for the location of trash receptacles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Dennis & Susan Malnati
VARANCES FOR: Susan Malnati
VARANCES AGAINST:

CAL. NO. 3-91-Z
MAP NO. 13-L
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 4909 W. Ainslie Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Dennis & Susan Malnati, owners, on November 29, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 20' x 45' 2nd story addition and a 9' x 14' 2-story enclosed rear porch to a 1-story brick single-family residence, whose west side yard will be 2.23 feet and whose east side yard will be 2.67 feet instead of combined side yards of 7.5 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 4909 W. Ainslie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 1990. 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, §7.8-2(2), §11.7-4(1), §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 25' x 125.43' lot improved with a 1-story brick residence; that the applicants proposed to erect a 20' x 45' 2nd story addition and a 9' x 14' 2-story enclosed rear porch to the existing building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd story addition and enclosed rear porch is necessary to meet the needs of the applicant and his family; that the plight of the owner is due to the necessity of providing additional living space to accommodate a mother-in-law who will be residing with the applicants; that no one appear in opposition; that the subject is located directly east of a raised railroad right-of-way; that the proposed additions will conform with the perimeter walls of the existing residential structure; and that the variations if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 20' x 45' 2nd story addition and a 9' x 14' 2-story enclosed rear porch to a 1-story brick single-family residence, whose north side yard will be 2.23 feet and whose east side yard will be 2.67 feet instead of combined side yards of 7.5 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 4909 W. Ainslie 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: Noah A. Apata
 APPEALANCES FOR: Anthony Ferguson, Noah A. Apata
 APPEALANCES AGAINST: Ald. Lawrence S. Bloom

CAL. NO. 4-91-Z
 MAP NO. 18-C
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 7737 S. Crandon Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Application denied.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Noah A. Apata, owner, on November 30, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 25' x 50' 2nd story addition to a 1-story brick single-family residence, whose front yard will be 18.25 feet instead of 20 feet, whose north side yard will be 2.75 feet instead of 3.5 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 7737 S. Crandon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 1990, 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(2), §11.7-4(1)(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 35' x 125.5' lot improved with a 1½-story brick single-family residence constructed approximately 1918; that the applicant proposes to erect a 25' x 50' 2nd story addition to the existing residential building by removing the existing hip room and rear dormer and add a 2nd floor above the existing bearing walls; that the proposed 2nd floor walls will be vinyl siding and the new roof will be a gable design; that the applicant proposes to establish four bedrooms on the 2nd floor, in addition to the two existing bedrooms on the 1st floor; that the applicant further testified that the existing architectural and structural problems in the building necessitates the additional bedrooms; that the subject single-family residence is located in a neighborhood of mostly 2-story single-family residences having small original construction dormers in front; that Chairman Spingola felt that insufficient evidence was presented indicating the existence of any extreme hardship to the applicant, and that the erection of the 2nd floor addition, as proposed, is not in character

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with the existing single-family residential improvements in the block and is not in the public interest at the site; Member Alakiotou concurred stating that the proposed addition was not compatible with the traditional single-family residential character of the block; Members Fornelli and Martin felt that the testimony of the applicant met the applicable standards and voted to grant the variations requested; it is therefore

RESOLVED, that the application for a variation be and it hereby is denied for lack of three affirmative votes.

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

APPLICANT: Raymond L. Jagielski
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 5-91-Z
 MAP NO. 2-G
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 1130-32 W. Polk Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Raymond L. Jagielski, owner, on December 3, 1990, filed an application for a variation of the zoning ordinance to permit; in an R5 General Residence District, the erection of a 2-story 2-dwelling unit townhouse building, with no east front yard instead of 13.49 feet, with no north side yard and whose south side yard will be 3 feet instead of 6 feet each, and with no west rear yard instead of 30 feet, on premises at 1130-32 W. Polk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 16, 1990, 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, §7.7-5, §7.8-5, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 60.11' x 112.48' lot located on the northeast corner of W. Polk and S. May Streets; that the applicant proposes to erect a 2-story 2-dwelling unit townhouse building at the subject site which dwelling units will be connected by a 5 foot common entranceway on the W. Polk Street frontage; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to construct the proposed 2-story 2-dwelling unit townhouse building as designed; that 16 dwelling units could be erected at the site under the R5 General Residence zoning; that the plight of the owner is due to the contemporary luxury design of the development which includes a common garden courtyard area, and on-site parking which is necessary to make the proposed development viable; that the proposed 2-story 2-dwelling unit townhouse building requires greater horizontal and vertical land coverage and encroachment into the required yards than would a

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yard conforming multi-story apartment building; that the proposed 2-story 2-dwelling unit townhouse building will be compatible with existing residential improvements in the neighborhood and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 2-dwelling unit townhouse building, with no east front yard instead of 13.49 feet, with no north side yard and whose south side yard will be 3 feet instead of 6 feet each, and with no west rear yard instead of 30 feet, on premises at 1130-32. W. Polk Street, upon condition that plans shall designate a portion of the northwest corner of the site, at the rear of the west townhouse building, for location of trash receptacles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Alfred & Zenia Sweich
 VARIANCES FOR: Zenia Sweich
 VARIANCES AGAINST:

CAL. NO. 6-91-Z
 MAP NO. 7-1
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 3037 N. Linder Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Alfred and Zenia Sweich, owners, on December 3, 1990, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a 20' x 22' attic dormer addition to a 1-story brick single-family residence, whose north side yard is 2 feet instead of 3 feet and which addition results in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 3037 N. Linder Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 23, 1990, 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, §7.8-2, §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 January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story brick residential building including the subject 20' x 22' attic dormer addition located on the south half of the building's roof; 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 erected without obtaining the necessary building permit a 536.25 sq. ft. attic dormer addition to the south portion of the building, which addition exceeds by 15% the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance; that the applicant testified that they were misled by the contractor hired to erect the dormer addition who informed them that they needed a building permit for the inside construction work only; that the said dormer addition does not extend beyond the perimeter of the existing residential building;

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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 dormer addition is necessary to provide additional living space for the applicants and their family; that the plight of the owners is due to the necessity of providing additional living space to accommodate additional family who may be residing with the applicants in the future; that no kitchen facilities will be installed in the dormer addition; that the proposed addition will be compatible with existing improvements in the block, several of which have dormer additions; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a 20' x 22' attic dormer addition to a 1-story brick single-family residence, whose north side yard is 2 feet instead of 3 feet and which addition results in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 3037 N. Linder Avenue, upon condition that no kitchen facility shall be installed in the said dormer addition; 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 809

APPLICANT: Steven & Mary Friedheim
 APPEARANCES FOR: John Mathias, Mary Friedheim
 APPEARANCES AGAINST: Allen R. Smart, et al.

CAL. NO. 7-91-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 1819 N. Orleans Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Steven & Mary Friedheim, owners, on December 4, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, a 21' high gazebo addition above an accessory garage on the rear of the lot, which addition is located in the required 30 feet rear yard and exceeds the height permitted by 6 feet, on premises at 1819 N. Orleans Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 29, 1990. 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, §11.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R5 General Residence District; that the subject site is a 25' x 125' lot improved with a 1-story with high basement brick Victorian single-family residence on the front of the lot and a frame gazebo or cabana-type addition located above an accessory garage on the rear of the lot and which is connected to the existing residence by a deck and bridge-type walkway; that the applicants purchased the subject property in 1988 at which time there was no on-site accessory garage structure at the rear of the site; that the applicants were advised by architects and others that erecting an accessory garage building in the back yard would not be a problem; that the applicants hired a contractor and commenced construction of the garage without obtaining a building permit; that the architect suggested erecting the gazebo addition for an additional amenity to the property; that a stop work order was issued by the City; that on July 24, 1989, the applicants applied for a building permit for the garage and gazebo addition, submitting plans in conjunction with the project which fully disclosed that the total structure would reach 21 feet in height at certain points; that on July 25, 1989 the Department of Buildings issued Permit No. 713159 to construct the structure disclosed by the plans submitted with their permit application and were advised that a certain amount of discretion in permitting

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measurement of structure height was allowed and that the structure disclosed by their plans would be permitted; that on November 14, 1989, well after work had been completed on the gazebo addition, the City of Chicago revoked Permit No. 713159, contending that it had been issued in error; that the applicants now seek to legalize the said gazebo addition which is located in the required 30 feet rear yard and exceeds the 15 feet height permitted by 6 feet; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that notwithstanding the fact that construction of the aforesaid garage and gazebo/deck structure was begun before issuance of a building permit, the applicants did apply for, and received, a building permit from the City of Chicago based on advice that the proposed additions as indicated in the plans submitted and reviewed did not constitute a serious departure from the municipal and zoning code regulations; that the subject property is now up for sale because Mr. Freidheim is presently employed out of state and that the prospective buyer is interested in the subject property because of the additional deck and gazebo amenities; that the applicant stated that the gazebo and deck, as designed, were needed to meet the lifestyle needs of the applicants and to also provide an enclosed, out of the sun, recreational area for Mrs. Friedheim for health reasons; that the plight of the owners is due to unique circumstances in that the building permit granted by the City of Chicago was revoked after the said additions were built in reliance of that permit; that the existing gazebo and deck cannot be removed without considerable expense to the applicants; that the said gazebo addition is not incompatible with existing improvements in the neighborhood which includes a 5-story apartment building located directly across the alley from the subject property in that property's rear yard and which is also characterized by structures of varying heights on each side of the alley; that the said addition will not impair an adequate supply of light and air to any existing improvements in the rear yards of adjacent properties and does not significantly alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a 21' high gazebo addition above an accessory garage on the rear of the lot, which addition is located in the required 30 feet rear yard and exceeds the height permitted by 6 feet, on premises at 1819 N. Orleans 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: Denise Rosenbloom
APPEARANCES FOR: Rodney F. Reeves, Denise Rosenbloom
APPEARANCES AGAINST: Juris Kins

CAL. NO. 8-91-Z
MAP NO. 5-F
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 528 W. Dickens Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
		X

THE RESOLUTION:

WHEREAS, Denise Rosenbloom, for American National Bank, Tr. #105854-04, owner, on December 5, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story garage attached to the east side of a 3-story brick residence on an irregular-shape lot, whose front yard will be 6 feet instead of 15 feet and whose east side yard will be 1 foot instead of 6.4 feet, on premises at 528 W. Dickens Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 1990 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, §7.7-5, §7.8-5, §11.7-4(1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is an irregular-shaped parcel of land approximately 6,000 sq. ft.; that the subject site, when purchased by the applicant in 1988, originally consisted of the irregular-shaped parcel of land with an existing triangular-shaped 3-story brick Victorian residential building at the southwest corner of the lot; that the lot at that time had no yards and a public alley ran next to the residential building on the northeast; that the currently existing back yard and side yard of the property were acquired from the City of Chicago and is of unique shape and dimensions; that an existing parking pad is located in the currently existing rear yard and is approximately 90 feet from the residential building; that the applicant proposes to erect a one-story garage which will be attached to the east side of the existing 3-story building; that the proposed garage will be accessed from a small portion of the former public alley onto W. Dickens Street; that the applicant testified that the proposed location of the garage is necessary for security and to provide protection in inclement weather; that the proposed garage will abut the rear of a 2-story coach house/garage structure on property

MINUTES OF MEETING

January 18, 1991

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located northeast of the subject site; that the portion of the property on which the proposed garage is to be erected, and the existing rear yard, are enclosed by a solid 7 foot high wood fence; that the Board feels in this case that insufficient evidence was presented to indicate that the subject property can not yield a reasonable return under the conditions allowed by the district zoning regulations; that there is ample room in the rear yard to erect a garage with access from a public alley running east/west at the rear of the property; that the owner's plight is self-created; that the proposed garage will be located approximately 1 foot from the rear of the abutting coach house/garage structure located northeast of the subject site and does not provide sufficient space for the owner of the coach house/garage to access the rear wall of said building for repairs and which also creates a potential safety hazard in that the applicant and the abutting property owner would be using approximately the same space for ingress and egress from their garages; and that the proposed garage is not compatible with the existing improvements on this block of W. Dickens 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 806

APPLICANT: St. Xavier College

CAL. NO. 9-91-S

APPEARANCES FOR:

MAP NO. 24-J

APPEARANCES AGAINST:

MINUTES OF MEETING
January 18, 1991

PREMISES AFFECTED— 3700 W. 103rd Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 15, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

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

APPLICANT: Division & Western Garage, Inc.
APPEARANCES FOR: Ronald L. Farkas, Leonard Gordon
APPEARANCES AGAINST:

CAL. NO. 10-91-S
MAP NO. 9-H
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 3355 N. Western Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Division & Western Garage, Inc., for Leonard Gordon, Melvin Gordon and Elaine Lang, owners, on November 30, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a Class I- Recycling Facility in a 1-story brick garage building, in a C1-2 Restricted Commercial District, on premises at 3355 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 28, 1990, 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(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

WHEREAS, the district maps show that the premises is 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 site is improved with a 1-story commercial building occupied by an existing auto repair garage; that the applicant proposes to use the southwest 2,100 sq. ft. of the approximately 9,500 sq. ft. building as a Class I - Recycling Facility; that the remainder of the building will continue to be used as an auto repair garage; that the applicant proposes to buy and sell non-ferrous scrap metals which will be sorted into drums and sold; that no paper refuse will be accepted or processed at the site; that all deliveries and loading and unloading will take place inside the subject building through an entrance on N. Western Avenue; that the existing auto repair garage will be serviced through two entrances on W. Roscoe Street; that the proposed recycling facility is necessary for the public convenience at this location in that there is a lack of such facilities in the area, as well as the City of Chicago emphasis on recycling indicates a need for such a facility; that the public health, safety and welfare will be adequately protected in that all operations relating to the recycling facility will be conducted inside the existing building in the area specified as the recycling facility; that the proposed use will not cause substantial injury to the value of other property

MINUTES OF MEETING

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in the neighborhood in that it will be located in an existing commercial building and will be compatible with existing commercial uses 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 Class I - Recycling Facility in a 1-story brick garage building, on premises at 3355 N. Western Avenue, upon condition that only non-ferrous metals shall be processed on the premises; that no paper refuse shall be processed on the premises; that all processing of materials shall take place inside the building in the portion designated as the recycling facility; that all deliveries, loading and unloading shall take place inside the building from an entrance on N. Western Avenue only; and that the proposed use shall be conducted in compliance with the regulations of the City of Chicago Environmental Control Division of the Department of Consumer Services; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Francine Wallace

APPEARANCES FOR:

CAL. NO. 11-91-S

MAP NO. 4-E

MINUTES OF MEETING
January 18, 1991

APPEARANCES AGAINST:

PREMISES AFFECTED-- 1339 S. Michigan Avenue

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

ACTION OF BOARD--

Case continued to
March 22, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

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

APPLICANT: Michael P. Schnell
APPEARANCES FOR: Michael P. Schnell
APPEARANCES AGAINST:

CAL. NO. 12-91-Z
MAP NO. 8-J
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 3635 W. 31st Street

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

ACTION OF BOARD—

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Michael P. Schnell, owner, on December 13, 1990, filed an application for a variation of the zoning ordinance to permit, in a B2-1 Restricted Retail District, the erection of a 1-story 40.78' x 125' office and retail store addition to the west and south side of an existing 1-story brick retail store building, whose transitional yard at the northwest corner of the site will be 5' x 20' instead of 20' x 20', on premises at 3635 W. 31st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 1990. 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, §8.8-4(1)(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 January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that on May 15, 1988, the City Council rezoned the subject site from R3 General Residence to B2-1 Restricted Retail; that the subject site is a 45.78' x 125' lot improved with a 1-story brick store building occupied by a video rental store; that the applicant proposes to erect a 40.78' x 125' office and retail store addition to the west and south sides of the existing 1-story store building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the requested northwest transitional yard variation is necessary in order to construct an addition which will be in line with the adjoining buildings; that the plight of the owner is due to the code requirement of a 20' x 20' transitional yard when abutting a residential district; that the proposed 1-story addition will follow the front building line of the existing 1-story store building; that with provision of a 5 foot concrete walkway on the west side of the property, the proposed addition will not impair an adequate supply of light and air to adjacent property; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

January 18, 1991

Cal. No. 12-91-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 40.78' x 125' office and retail store addition to the west and south sides of an existing 1-story brick retail store building, whose transitional yard at the northwest corner of the site will be 5' x 20' instead of 20' x 20', on premises at 3635 W. 31st 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: Allen Gragam Van Hulle Enterprises, Inc.
APPEARANCES FOR: Michael J. Haynes, Paul Sorensen
APPEARANCES AGAINST:

CAL. NO. 13-91-S
MAP NO. 7-F
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 3169 N. Halsted Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Allen Gragam Van Hulle Enterprises, Inc., for Anthony Nichols, owner, on December 13, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 1-story 17' x 39' addition to the rear of an existing tavern in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 3169 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 6, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that in July, 1991, the City Council rezoned the subject site from C1 to B4-2 Restricted Service District; that the subject site is improved with a 1 and 2-story L-shape multi-store building occupied by a dry cleaners, a pet grooming shop, a restaurant, and the applicant tavern; that the applicant proposes to erect a 1-story 17' x 39' addition at the rear of the subject 1-story tavern premises; that the proposed use is necessary for the public convenience at this location to provide needed storage and washroom facilities in the tavern premises; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be constructed in compliance with applicable building code regulations; that the proposed 1-story addition will not be visible from the street due to the L-shape configuration of the existing 1 and 2-story brick building at the subject site; and that the erection of the proposed addition 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 1-story 17' x 39' addition to the rear of an existing tavern in a 1-story brick building, on premises at 3169 N. Halsted 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: Thomas and Ellen Tully
APPEARANCES FOR: James E. Doherty
APPEARANCES AGAINST:

CAL. NO. 14-91-Z
MAP NO. 5-G
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 2234 N. Fremont Street

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

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Thomas and Ellen Tully, owners, on December 17, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story L-shaped addition to the rear of a 3-story brick single-family dwelling, whose north side yard will be 2.13 feet instead of 3.6 feet, whose rear yard will be 25 feet instead of 30 feet, and which addition will result in a 15% (818 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 2234 N. Fremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1990. 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991, after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 36' x 124.08' lot improved with a 3-story 3-dwelling unit building originally constructed in approximately 1910; 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 convert the existing 3-story 3-dwelling unit building to a single-family residence and erect a 3-story L-shaped addition to the rear of the existing building, which addition will exceed by 15% (818 sq. ft.) the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations

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Cal. No. 14-91-Z

requested are necessary in the conversion of the existing 3-dwelling unit building into a modern livable single-family residence; that the plight of the owners is due to the narrow width of the existing building, the necessity of repairing fire damage to the rear of the existing structure and the applicants' desire to align the proposed addition with the existing structural walls of the building on the subject site; that the proposed conversion of the 3-story 3-dwelling unit building to a single-family residence and the erection of the proposed 3-story L-shaped addition to the rear of the existing building will be compatible with many of the existing residential improvements in the area which are being deconverted to single-family residences; that the proposed addition will not impair an adequate supply of light and air to adjacent properties; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to eprmit the erection of a 3-story L-shaped addition to the rear of a 3-story brick residential building to be deconverted from 3-dwelling units to a single-family residence, whose north side yard will be 2.13 feet instead of 3.6 feet, whose rear yard will be 25 feet instead of 30 feet, and which addition will result in a 15% (818 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 2234 N. Fremont Street, upon condition that an area for trash receptacles shall be provided at the rear of the lot; 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: Illinois Department of Corrections, by Richard L, Kruse

CAL. NO. 15-91-S

APPEARANCES FOR:

MAP NO. 1-I

APPEARANCES AGAINST:

MINUTES OF MEETING
January 18, 1991

PREMISES AFFECTED— 100 N. Western Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 15, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Siding-1, Inc.
APPEARANCES FOR: Bill Conforti
APPEARANCES AGAINST:
PREMISES AFFECTED— 3301 N. Southport Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 16-91-A
MAP NO. 9-G
MINUTES OF MEETING
 January 18, 1991

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Siding-1, Inc., for Bill Conforti, owner, on December 7, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a business office in a 2-story frame store and apartment building, in an R4 General Residence District, on premises at 3301 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 4, 1990; reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4, §11.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District in a 2-story frame store and apartment building; that on August 21, 1989, in Calendar No. 207-89-A the Board sustained an appeal permitting the sale of baby products, balloons, baskets and flowers in the store in the 2-story frame store and apartment building on the subject site; that the appellant testified that he is part owner of the subject premises and that he proposes to establish a business office consisting of a desk and telephones for use in his vinyl aluminum siding business in a portion of the operating store premises; that the appellant also testified that he will eventually take over the lease of the existing store premises; that license requirements have caused the case to be filed; that the Board finds that the proposed use at the premises is an expansion of the use of an existing non-conforming store premises in a Residence District and that under §6.5-1 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: James C. Jones

CAL. NO. 17-91-A

APPEARANCES FOR: None

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING

January 18, 1991

PREMISES AFFECTED— 1437 N. Sedgwick Street

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

ACTION OF BOARD—

Case dismissed for want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

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

APPLICANT: Daniel Mammoo, by Bogdan Glusac
APPEARANCES FOR: Ronald M. Lake, Bogdan Glusac
APPEARANCES AGAINST:

CAL. NO. 18-91-A
MAP NO. 17-I
MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 6624 N. California Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE RESOLUTION:

WHEREAS, Daniel Mammoo, by Bogdan Glusac, for Daniel Mammoo, owner, on December 11, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a dwelling unit in the basement of a 2-story brick 2-dwelling unit building, in an R3 General Residence District, on premises at 6624 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 28, 1990, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story with basement 2-dwelling unit building; that the appellant testified that the 2-story brick with basement building was constructed approximately 1955 as a 3-dwelling unit building and that the former owners of the premises used the basement as an in-law dwelling unit; that no evidence was presented to indicate that the basement was a legal dwelling unit prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that a related living, or "in-law" apartment, does not constitute a legal apartment under zoning ordinance regulations, and therefore, the Board has no authority to permit the use requested; it is therefore

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	x	
	x	
	x	
	x	
		x

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

APPLICANT: Salah Daoudi/Mahmoud Dajani
 APPEARANCES FOR: Salah Daoudi/Mahmoud Dajani
 APPEARANCES AGAINST:

CAL. NO. 19-91-A
 MAP NO. 16-H
 MINUTES OF MEETING
 January 18, 1991

PREMISES AFFECTED— 6604-06 S. Damen Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Salah Daoudi/Mahmoud Dajani, owners, on December 5, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a food and liquor store in a 1-story brick and frame non-conforming store building, in an R3 General Residence District, on premises at 6604-06 S. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 5, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held January 18, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District in a 1-story brick and frame non-conforming store building; that the subject premises is presently occupied by an audio/video repair shop; that on April 21, 1989, the Board denied an appeal by the appellants for the establishment of a food and liquor store in the subject store premises, in Calendar No. 95-89-A, finding, in part, that the appellants were seeking a zoning declaration to permit a non-conforming business use to establish in the non-conforming building without having a specific user who could testify as to its specific operation in order that the Board could determine if the use was a proper substitution of non-conforming use as required under §6.4-7 of the zoning ordinance; that the appellant's propose to maintain the existing audio/video repair shop in half of the non-conforming store premises and partition the remaining portion of the premises for the proposed food and liquor business; that the appellants testified that they will operate the proposed food and liquor business themselves, in addition to the existing audio/video repair operation, with an additional 2 part-time employees; that the change of use of a portion of the subject premises from an audio/video repair shop to a food and liquor store is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

MINUTES OF MEETING

January 18, 1991

Cal. No. 19-91-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a food and liquor store in a portion of a 1-story brick and frame non-conforming store building, on premises at 6604-06 S. Damen Avenue, upon condition that the hours of operation of the food and liquor store operation shall be limited to the hours between 8 A.M. and 8 P.M., daily, 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: Dr. Carey Weiss
APPEARANCES FOR: Peter Mayer
APPEARANCES AGAINST:

CAL. NO. 20-91-A
MAP NO. 7-G
MINUTES OF MEETING
January 18, 1991

PREMISES AFFECTED— 2634 N. Dayton Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case dismissed.

THE VOTE

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

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

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

APPLICANT: Eusebio Soto

CAL. NO. 315-90-A

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING
January 18, 1991

PREMISES AFFECTED— 2335 W. Moffat Street

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

ACTION OF BOARD—

Case continued to
March 22, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

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

APPLICANT: Joseph Matiello

APPEARANCES FOR:

CAL. NO. 255-90-S

MAP NO. 4-H

MINUTES OF MEETING

January 18, 1991

APPEARANCES AGAINST:

PREMISES AFFECTED— 1335-57 S. Damen Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
February 15, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Lee Chong Hoon
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 299-90-S
MAP NO. 15-K
MINUTES OF MEETING
January 18, 1991

PREMISES AFFECTED— 5943 N. Rogers Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case dismissed for
want of prosecution.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Consolidated Processing Service, Inc.

CAL. NO. 307-90-S

APPEARANCES FOR:

MAP NO. 6-H

APPEARANCES AGAINST:

MINUTES OF MEETING

January 18, 1991

PREMISES AFFECTED-- 2553-2701 S. Hoyne Avenue, accessed from 2600 S. Damen Avenue

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

ACTION OF BOARD--

Case continued to
March 22, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Waste Management of Illinois, Inc.

CAL. NO. 290-90-S

APPEARANCES FOR:

MAP NO. 32-D, 32-C, 34-C

APPEARANCES AGAINST:

MINUTES OF MEETING

January 18, 1991

PREMISES AFFECTED—

Area bounded by E. 130th St. on the north, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, commonly known as 13001-13745 S. Calumet Expressway.

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 22, 1991 for status.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Land and Lakes Company

CAL. NO. 291-90-S

APPEARANCES FOR:

MAP NO. 34-D

MINUTES OF MEETING

January 18, 1991

PREMISES AFFECTED—

Area bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Ave. on the west, commonly known as 1000-1220 E. 138th Street.

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 22, 1991 for status.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Edward Kaloo
APPEARANCES FOR: Thomas Johnson, et al
APPEARANCES AGAINST: Mark Kupiec

CAL. NO. 129-88-A
MAP NO. 11-H
MINUTES OF MEETING
January 18, 1991

PREMISES AFFECTED— 4750 N. Hermitage Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator
Circuit Court Remand, Re: White v. ZBA, No. 88CH8096

ACTION OF BOARD—

Case continued to
February 15, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

MINUTES OF MEETING

January 18, 1991

Cal. No. 233-90-Z

Mr. Gary I. Wigoda, for LaSalle National Bank, Tr. #11305, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 3-story retail and office building, with no provision for one loading berth, on premises at 932 N. Rush Street, granted by the Zoning Board of Appeals on August 17, 1990 in Calendar No. 233-90-Z.

Mr. Wigoda stated that due to delays in the designing of the building and winter weather, the applicant has not been able to obtain the necessary permits.

Chairman Spingola moved that the request be granted and the time extended to August 17, 1991 in order to obtain necessary building permits and commence construction. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
January 18, 1991
Cal. No. 39-90-Z

Jeffery Bowles and Paul McHugh, owners, presented a written request for an additional extension of time in which to obtain building permits for the erection of a U-shaped 3-story 16-dwelling unit townhouse building, whose front yard will be 4 feet instead of 23 feet, whose side yards will each be 3 feet instead of 17.5 feet each, whose rear yard will range from 1 foot to 15 feet, on premises at 923-35 N. Racine Avenue, which variations were granted by the Zoning Board of Appeals on February 16, 1990, in Calendar No. 39-90-Z and for which an extension of time to February 16, 1991, was granted on October 19, 1990.

The applicants stated that because of the Middle East crisis and economic conditions they have decided not to build the aforesaid townhouse building at this time but would start the project as soon as the economy gives a clear sign that it has improved, and requested that the variation period be extended to February 16, 1992.

Chairman Spingola moved that the request for an extension of time to February 16, 1992 be denied on the basis that there is no provision in the Zoning Ordinance that allows the Board to grant two consecutive 6-month extensions for a variation, but that the applicants have a right to file a new variation application for the townhouse project when they feel the time is right for them to proceed with the project. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
January 18, 1991

Mr. Michael Lustig, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2 and 3-story single-family residence whose front yard will be 7.83 feet to the front of the open stairs that exceed 4 feet in height and 12.83 feet to the face of the building instead of 14.28 feet, with no side yards instead of 2.4 feet each, with no rear yard instead of 30 feet, on premises at 1840 N. Cleveland Avenue, which variations were granted by the Zoning Board of Appeals on March 16, 1990, in Calendar No. 68-90-Z.

Mr. Lustig stated that due to financial difficulties he was not able to start the construction work within the 6-month validity period of the resolution granted by the Board.

Chairman Spingola moved that the request be granted and the time extended to April 16, 1991 in which to obtain necessary building permits. The motion prevailed by yeas and nays as follows:

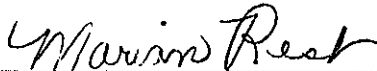
Yeas- Spingola, Alakiotou, Fornelli, and Martin. Nays- None. Absent- Moore.

MINUTES OF MEETING

January 18, 1991

Member Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on February 15, 1991.


Secretary