

**MINUTES OF A SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS**

held in City Council Chambers, 2nd Floor City Hall on May 1, 1996
at 11:00 A.M.

The following members were present and constituted a quorum:

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

MINUTES OF MEETING

May 1, 1996

The Zoning Board of Appeals met in special meeting to vote on the special use application of Scarlett's G.P., Inc., Cal. No. 54-96- S.

* * * * *

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

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

APPLICANT: Scarlett's G.P., Inc. **CAL. NO.** 54-96-S

APPEARANCES FOR: Mark A. Vajdik, Burton F. Natarus **MAP NO.** 2-F

APPEARANCES AGAINST: William J. Hennessy, et al. **MINUTES OF MEETING:**
February 16, 1996, April 19, 1996,
April 26, 1996, May 1, 1996

PREMISES AFFECTED- 750 S. Clinton Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ADSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X	X*	
GIGI McCABE-MIELE	X	X*	
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Scarlett's G. P., Inc., for D.D. Bus Tours, Inc., owner, on January 4, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an Adult Use (adult entertainment cabaret) on the 2nd floor of a 1, 2 & 3 story brick building, in a C3-5 Commercial-Manufacturing District, on premises at 750 S. Clinton Street; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on February 16, 1996 and April 19, 1996 and at special meetings held on April 26, 1996 and May 1, 1996, after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C3-5 Commercial-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 a C3-5 Commercial-Manufacturing District; that the subject site is improved with a 1, 2 & 3 story brick building; that the applicant, Scarlett's G.P., Inc., an Illinois Corporation wholly owned by George J. Vajdik and Mark A. Vajdik as equal shareholders, proposes to establish an Adult Use (adult entertainment cabaret) in the subject site building; that the proposed adult entertainment cabaret will be located on the 2nd floor of the building with the 3rd floor used as dressing rooms for the performers, a kitchen and an office and the ground floor used for the required off-street parking of 20 automobiles; that the adult entertainment cabaret operation will be what the applicant describes as an upscale restaurant and show lounge catering to gentlemen and featuring females dancing in the nude during the hours of 11 A.M. and 4 A.M., daily; and

WHEREAS, that Section 11.10-4.1 of the zoning ordinance provides that no special use shall be granted by the Zoning Board of Appeals for an adult use unless the use:

- (1) Will not increase crime in the neighborhood in which it is located;
- (2) Will not adversely affect other commercial or industrial enterprises in the surrounding area;
- (3) Will not cause substantial injury to the value of other property in the neighborhood in which it is to be located;

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February 16, 1996, April 19, 1996

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- (4) Will not have an adverse effect on traffic-flow or parking within the surrounding area;
- (5) Will not cause the generation of noise in excess of levels permitted under Chapter 11-4 of the Municipal Code of Chicago;
- (6) Will not have an adverse effect on the character of the surrounding neighborhood because of the hours of operation of use;
- (7) Will not be inconsistent with the exterior appearance of other commercial establishments;
- (8) Will conform to the applicable regulations of the district in which it is to be located;
- (9) Is within the provisions of "Special Uses" as set forth in the applicable sections of Articles 9 and 10.

that said Section further provides the following: that the decision of the Board to approve or deny a special use application for an adult use shall be based solely on the considerations set forth in this Section, and all such considerations shall be applied consistently with the applicant's constitutional rights contained in the First, Fifth and Fourteenth Amendments of the United States Constitution, and Sections 2 and 4 of Article 1 of the Illinois Constitution; that the Board shall approve any such application unless substantial evidence is presented that demonstrates that the application fails to meet at least one of the criteria set forth in aforesaid standards (1) through (9) in this Section; that for purposes of this Section, the phrase "substantial evidence" means more than a de minimis quantum of evidence and that if substantial evidence is adduced, this Section shall not be construed to impose a burden of proof on any party objecting to an application other than proof by a preponderance of the evidence; that with respect to paragraph (8) of the governing criteria, Section 9.4-3(8) provides that no Adult Use, as measured between property lines, shall be located:

- a. Within 1,000 feet of another existing Adult Use; nor
- b. Within 1,000 feet of any Zoning District which is zoned for residential use; nor
- c. Within 1,000 feet of an pre-existing school or place of worship.

and

WHEREAS, objectors involved in property within 1,000 feet of the subject site testified in opposition to the granting of the proposed adult entertainment cabaret as follows:

that Jeanne Ulatowski of Northern Trust Bank at Canal and Taylor Streets stated that Northern Trust provides a child development center for 78 children on the 1st floor of their building for employees' children ages 8 weeks to 5 years staffed by qualified persons teaching early development skills and that the use is duly licensed as a day care center and that the proposed use would have a negative impact upon this use and the community;

that Walt Eckenhoff, an architect and owner of a 2-story 22,000 sq.ft. office building and lot at 700 S. Clinton Street, testified that in his opinion the proposed use would not be compatible with his use or other uses in the area and would have a negative impact on the value and use of his property;

that Dennis Michon, partner and part owner in the Canal-Taylor Venture consisting of 12 acres in the area, stated that in his opinion the proposed use would bring prostitution and drugs into the area which would cause a decrease in the value of their property and would discourage future office development;

that Gabriel Godwin, for University Valley Association, stated that he believed that the proposed use would have a negative impact in the area in terms of future office development;

and

WHEREAS, in rebuttal, the applicant presented two expert witnesses in the fields of real estate appraisal and crime

MINUTES OF MEETING

February 16, 1996, April 19, 1996

April 26, 1996, May 1, 1996

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who testified as follows:

that Ivan Rittenberg, a former City of Chicago Police Commander with over 30 years of policing experience, testified that he was familiar with the area of the subject site during his official capacity and that this is a low crime area because the area is industrial in nature and that the nearest dwelling use is 6 blocks away; that he believed that the proposed use would not have an impact on criminal activity in the area because the applicant would have 5 security guards during operation and that their substantial investment in the property would necessitate self-policing so as not to run afoul of the law or the community; that the Greyhound Bus Station now located nearby the subject site was a heavy crime producing operation at its former location in the Loop, but now is not a source of crime in the area due to good law enforcement and that he believed that the proposed use would be scrutinized closely by the police department;

that Steve Albert, a real estate appraiser, testified that he was very familiar with the subject site area with his appraisal involvement in various types of properties and that he believed the proposed use as planned with its proposed physical improvements to the building would be an enhancement in an area that has seen scant new development; that he did a general study of the area surrounding a similar adult use on the near north side and found a bustling business area with many new businesses and that it was his opinion that the existence of the proposed facility would not have a negative impact on the value or marketability of the immediately surrounding properties;

and

WHEREAS, the Zoning Board of Appeals makes the following findings in this matter: that the construction of the Adult Use ordinance limits the Board to deciding whether the objector's testimony constitutes a preponderance of evidence that the applicant fails to meet at least one of the 9 governing criteria set forth in the ordinance; that one of the criteria is that the adult use cannot be located within 1,000 feet of a school; that there is at least one day care center within the 1,000 feet radius; that the zoning ordinance does not define a day care center as a school; that various types of schools are listed in the zoning ordinance and are allowed in various districts; that nursery schools, elementary and high schools are only permitted in residential districts; that universities and colleges are permitted in R4 to R8 districts and also in business and commercial districts; that business and trade schools are only permitted in certain business and commercial districts with trade schools also permitted in manufacturing districts; that day care centers are permitted in all residential, business and commercial districts and may even be allowed in manufacturing districts as a special use; that the construction of the zoning ordinance indicates that "schools" are treated specifically as to their nature and as such are limited to certain zones; that the zoning ordinance does not treat a day care center as a "school" and therefore is not a "school" as intended in the adult use ordinance; that all of the evidence presented by the objectors in this case is insufficient to demonstrate that the applicant fails to meet at least one of the 9 governing criteria set forth in the Adult Use ordinance as required and that it did not overcome the presumption in favor of the applicant; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an Adult Use (adult entertainment cabaret) on the 2nd floor of a 1, 2 & 3-story brick building, on premises at 750 S. Clinton Street, upon the following conditions that the Board finds are necessary to secure the general objectives of the zoning ordinance and the governing criteria of the Adult Use ordinance:

that the patrons of the facility shall not be less than 21 years of age;

that the occupancy shall be limited to no more than 200 persons;

*that the hours of operation shall be limited to 11:00 a.m. until 4:00 a.m.;

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that a minimum of two trained security officers shall be on duty during the hours of 11:00 a.m. to 5:00 p.m. and that five security officers shall be on duty during the peak operating hours of 5:00 p.m. to 4:00 a.m. with at least one of the officers employed for security outside the club and that there shall be no loitering permitted near the premises;

that there shall be no hawking or enticing of customers from the adjoining streets or sidewalks nor shall there be any outside loud speaker systems used in the operation;

that there shall be no sales of paraphernalia, no private rooms, no video booths or movies in the conduct of the operation;

that there shall be 22 inside parking spaces as depicted in the applicant's plans and that the Board urges the applicant to use a valet service in the conduct of the operation;

that signage shall be limited to two canopy signs plus two flat signs at the approximate locations depicted in the applicant's building elevation rendering with the lettering limited to no more than two feet in height; that there shall be no photos of performers visible from outside the building;

that the special use approved herein shall be subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this matter for a period of two years from the date hereof for the purpose of reviewing any community comments or complaints the Board receives regarding the applicant's operation, and to determine if additional conditions are necessary to insure that the public health, safety and welfare continues to be adequately protected or whether any or all of the restrictions imposed herein should be altered, modified or eliminated;

that the special use granted herein shall run only to George J.Vajdik and Mark A.Vajdik and Scarlett's G.P., Inc., an Illinois Corporation, provided George J.Vajdik and Mark A.Vajdik are, and remain, the sole shareholders of the corporation, but that the said, George J.Vajdik and Mark A.Vajdik may establish an Illinois Limited Partnership in which the corporation, Scarlett's G. P., Inc. is, and remains, the general partner;

and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Members Martin and McCabe-Miele voted against the proposed hours of operation and voted that the hours of operation should be 5:00 p.m. to 4:00 a.m.

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

APPLICANT: Scarlett's G.P., Inc. **CAL. NO.** 54-96-S

APPEARANCES FOR: Mark A. Vajdik, Burton F. Natarus **MAP NO.** 2-F

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February 16, 1996, April 19, 1996,
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PREMISES AFFECTED- 750 S. Clinton Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X	X*	
GIGI McCABE-MIELE	X	X*	
THOMAS S. MOORE	X		

THE RESOLUTION:

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MINUTES OF MEETING

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- (4) Will not have an adverse effect on traffic-flow or parking within the surrounding area;
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and

WHEREAS, in rebuttal, the applicant presented two expert witnesses in the fields of real estate appraisal and crime

MINUTES OF MEETING

February 16, 1996, April 19, 1996

April 26, 1996, May 1, 1996

Cal. No. 54-96-S

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WHEREAS, the Zoning Board of Appeals makes the following findings in this matter: that the construction of the Adult Use ordinance limits the Board to deciding whether the objector's testimony constitutes a preponderance of evidence that the applicant fails to meet at least one of the 9 governing criteria set forth in the ordinance; that one of the criteria is that the adult use cannot be located within 1,000 feet of a school; that there is at least one day care center within the 1,000 feet radius; that the zoning ordinance does not define a day care center as a school; that various types of schools are listed in the zoning ordinance and are allowed in various districts; that nursery schools, elementary and high schools are only permitted in residential districts; that universities and colleges are permitted in R4 to R8 districts and also in business and commercial districts; that business and trade schools are only permitted in certain business and commercial districts with trade schools also permitted in manufacturing districts; that day care centers are permitted in all residential, business and commercial districts and may even be allowed in manufacturing districts as a special use; that the construction of the zoning ordinance indicates that "schools" are treated specifically as to their nature and as such are limited to certain zones; that the zoning ordinance does not treat a day care center as a "school" and therefore is not a "school" as intended in the adult use ordinance; that all of the evidence presented by the objectors in this case is insufficient to demonstrate that the applicant fails to meet at least one of the 9 governing criteria set forth in the Adult Use ordinance as required and that it did not overcome the presumption in favor of the applicant; it is therefore

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that the patrons of the facility shall not be less than 21 years of age;

that the occupancy shall be limited to no more than 200 persons;

*that the hours of operation shall be limited to 11:00 a.m. until 4:00 a.m.;

MINUTES OF MEETING

February 16, 1996, April 19, 1996

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that a minimum of two trained security officers shall be on duty during the hours of 11:00 a.m. to 5:00 p.m. and that five security officers shall be on duty during the peak operating hours of 5:00 p.m. to 4:00 a.m. with at least one of the officers employed for security outside the club and that there shall be no loitering permitted near the premises;

that there shall be no hawking or enticing of customers from the adjoining streets or sidewalks nor shall there be any outside loud speaker systems used in the operation;

that there shall be no sales of paraphernalia, no private rooms, no video booths or movies in the conduct of the operation;

that there shall be 22 inside parking spaces as depicted in the applicant's plans and that the Board urges the applicant to use a valet service in the conduct of the operation;

that signage shall be limited to two canopy signs plus two flat signs at the approximate locations depicted in the applicant's building elevation rendering with the lettering limited to no more than two feet in height; that there shall be no photos of performers visible from outside the building;

that the special use approved herein shall be subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this matter for a period of two years from the date hereof for the purpose of reviewing any community comments or complaints the Board receives regarding the applicant's operation, and to determine if additional conditions are necessary to insure that the public health, safety and welfare continues to be adequately protected or whether any or all of the restrictions imposed herein should be altered, modified or eliminated;

that the special use granted herein shall run only to George J.Vajdik and Mark A.Vajdik and Scarlett's G.P., Inc., an Illinois Corporation, provided George J.Vajdik and Mark A.Vajdik are, and remain, the sole shareholders of the corporation, but that the said, George J.Vajdik and Mark A.Vajdik may establish an Illinois Limited Partnership in which the corporation, Scarlett's G. P., Inc. is, and remains, the general partner;

and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Members Martin and McCabe-Miele voted against the proposed hours of operation and voted that the hours of operation should be 5:00 p.m. to 4:00 a.m.

MINUTES OF MEETING

May 1, 1996

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on May 17, 1996.

Marian Rest

Secretary

MINUTES OF MEETING

May 17, 1996

Cal. No. 12-96-S

The Zoning Board of Appeals, on January 19, 1996, approved the special use application of Spectrum Real Estate Services, Inc., for the establishment of an accessory parking lot for 48 private passenger automobiles, in a B7-5 General Central Business District, on premises at 338 W. Grand Avenue, to satisfy the parking requirement for 52 dwelling units to be established in a 6-story building at 300 W. Grand Avenue, in Cal. No. 12-96-S.

Bernard I. Citron, for Spectrum Real Estate Services, Inc., applicant, presented a written request for a determination by the Board as to whether or not certain modifications in the aforesaid accessory parking lot plan would be permitted under the special use that was granted on January 19, 1996.

Mr. Citron stated that the parking lot, as indicated to the Board at the meeting held in January, 1996, was to be completely open but landscaped along Orleans and Grand Avenue. The developer now proposes to construct roofs over the actual parking area and a 7' high masonry screen wall around the site with landscaping in front of it along Grand and Orleans for what would be, in effect, a car-port type of enclosure.

Chairman Spingola moved that the new plans submitted by Mr. Citron for Spectrum Real Estate Services, Inc. constitutes an expansion of the accessory parking lot at the subject site and is not permitted under the special use granted by the Board on January 19, 1996, and requires the filing of a new special use application. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, McCabe-Miele and Moore. Nays- None. Absent-Konstantelos, Martin.

MINUTES OF MEETING

May 17, 1996

Cal. No. 16-96-S

Ms. Bonnie Jackson, owner, for Michael Peoples, applicant, presented a written request for an amendment to the resolution granted by the Board on March 15, 1996, in Calendar No. 16-96-S for the establishment of a tavern in a 2 ½ story brick and frame building, on premises at 938 E. 75th Street.

Ms. Jackson is requesting the resolution in the aforesaid case be amended to allow the continuance of music and dancing at the subject premises as it is the prime source that attracts customers. Ms. Jackson stated that music and dancing has existed at the site in her testimony presented at the Board's meeting on March 15, 1996.

Chairman Spingola moved that the request to amend the resolution in Cal. No. 16-96-S be amended to indicate the approval of a music and dance license in conjunction with the establishment of a tavern at the subject site. The motion prevailed by yeas and nays as follows:

Yeas, Spingola, McCabe-Miele, Moore. Nays- None. Absent- Konstantelos, Martin.

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

APPLICANT: Theresa Frycek Huziej

CAL. NO. 50-96-S

APPEARANCES FOR:

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3108 N. Laramie Avenue

May 17, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Alicia Jonik-Bowling **CAL. NO.** 55-96-A

APPEARANCES FOR: Alicia Jonik-Bowling, Monika Jonik **MAP NO.** 9-O

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 3916 N. Osceola Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Alicia Jonik-Bowling, owner, on December 14, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing 2nd floor dormer addition to a 1-story frame 2-dwelling unit building due to insufficient side yards and excessive floor area ratio, in an R2 Single-Family Residence District, on premises at 3916 N. Osceola Avenue, which is alleged predates the 1957 comprehensive amendment to the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1995, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, Sections 7.6-2, 7.8-2(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1-story frame 2-dwelling unit building containing 2nd floor dormers on the east and west sides; that an Exception was granted to the appellant by the Office of the Zoning Administrator on October 27, 1995, in No. 95-33ZE, for permission to maintain a second dwelling unit which existed in the building prior to July 8, 1957; that the appellant testified that the subject dormer addition existed at the time she purchased the subject property and had been part of the subject property before the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the dormer addition is part of the 2nd floor dwelling unit and is not used as an additional 3rd dwelling unit; 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

MINUTES OF MEETING

May 17, 1996

Cal. No. 55-96-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 certify an existing 2nd floor dormer addition to a 1-story frame 2-dwelling unit building with insufficient side yards and excessive floor area ratio, on premises at 3916 N. Osceola Avenue, upon condition that the 2nd floor dormer addition shall be occupied only as part of the 2nd floor dwelling unit and shall not be used as a 3rd dwelling unit in the building, 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: Alicia Jonik-Bowling **CAL. NO.** 55-96-A

APPEARANCES FOR: Alicia Jonik-Bowling, Monika Jonik **MAP NO.** 9-O

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 3916 N. Osceola 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

COPY

THE RESOLUTION:

WHEREAS, Alicia Jonik-Bowling, owner, on December 14, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing 2nd floor dormer addition to a 1-story frame 2-dwelling unit building due to insufficient side yards and excessive floor area ratio, in an R2 Single-Family Residence District, on premises at 3916 N. Osceola Avenue, which is alleged predates the 1957 comprehensive amendment to the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1995, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, Sections 7.6-2, 7.8-2(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1-story frame 2-dwelling unit building containing 2nd floor dormers on the east and west sides; that an Exception was granted to the appellant by the Office of the Zoning Administrator on October 27, 1995, in No. 95-33ZE, for permission to maintain a second dwelling unit which existed in the building prior to July 8, 1957; that the appellant testified that the subject dormer addition existed at the time she purchased the subject property and had been part of the subject property before the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the dormer addition is part of the 2nd floor dwelling unit and is not used as an additional 3rd dwelling unit; 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

MINUTES OF MEETING

May 17, 1996

Cal. No. 55-96-A

JUN 17 1996

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 2nd floor dormer addition to a 1-story frame 2-dwelling unit building with insufficient side yards and excessive floor area ratio, on premises at 3916 N. Osceola Avenue, upon condition that the 2nd floor dormer addition shall be occupied only as part of the 2nd floor dwelling unit and shall not be used as a 3rd dwelling unit in the building, 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: Alicia Jonik-Bowling **CAL. NO.** 55-96-A

APPEARANCES FOR: Alicia Jonik-Bowling, Monika Jonik **MAP NO.** 9-0

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 3916 N. Osceola Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

COPY

THE RESOLUTION:

WHEREAS, Alicia Jonik-Bowling, owner, on December 14, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing 2nd floor dormer addition to a 1-story frame 2-dwelling unit building due to insufficient side yards and excessive floor area ratio, in an R2 Single-Family Residence District, on premises at 3916 N. Osceola Avenue, which is alleged predates the 1957 comprehensive amendment to the zoning ordinance; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1995, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, Sections 7.6-2, 7.8-2(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1-story frame 2-dwelling unit building containing 2nd floor dormers on the east and west sides; that an Exception was granted to the appellant by the Office of the Zoning Administrator on October 27, 1995, in No. 95-33ZE, for permission to maintain a second dwelling unit which existed in the building prior to July 8, 1957; that the appellant testified that the subject dormer addition existed at the time she purchased the subject property and had been part of the subject property before the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the dormer addition is part of the 2nd floor dwelling unit and is not used as an additional 3rd dwelling unit; 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

copy

MINUTES OF MEETING

May 17, 1996

Cal. No. 55-96-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 certify an existing 2nd floor dormer addition to a 1-story frame 2-dwelling unit building with insufficient side yards and excessive floor area ratio, on premises at 3916 N. Osceola Avenue, upon condition that the 2nd floor dormer addition shall be occupied only as part of the 2nd floor dwelling unit and shall not be used as a 3rd dwelling unit in the building, 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: Nick Spinos and Paul G. Spinos **CAL. NO.** 71-96-S
APPEARANCES FOR: Harry Gabrielides **MAP NO.** 18-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 March 15, 1996 and
PREMISES AFFECTED- 7856-58 S. Ashland Avenue May 17, 1996
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Nick Spinos and Paul G. Spinos, owner, on January 16, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility with an existing carry-out restaurant, in a B4-1 Restricted Service District, on premises at 7856-58 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 29, 1995, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on March 15, 1996 and May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on February 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 146.75' x 106.5' lot improved with a 1-story carry-out restaurant with an off-street parking area; that there is also an adjacent vacant lot to the north of the existing restaurant building; that the applicant proposes to establish a drive-through facility in conjunction with the existing carry-out restaurant; that no evidence was presented to indicate that the establishment of a drive-through facility as proposed in conjunction with the existing carry-out restaurant is necessary for the public convenience at the subject site; that the public health, safety and welfare will not be adequately protected in the operation of the proposed drive-through facility as designed which provides for two driveways on S. Ashland Avenue, one of which will be located less than the required 20 feet from the corner of S. Ashland Avenue and W. 79th Street; that although the Bureau of Traffic in a memorandum dated March 20, 1996 to the Department of Transportation indicates that the proposed drive-through facility is feasible if the exit only driveway on Ashland Avenue is reduced from 10 to 9 feet in width and limiting the exit traffic to right-turn only on Ashland Avenue, the Board finds, in

MINUTES OF MEETING

March 15, 1996 and

May 17, 1996

Cal. No. 71-96-S

this case, that this recommendation still results in the exit driveway being located too close to the corner of W. 79th Street and S. Ashland Avenue; that a driveway located this near to a heavily trafficked intersection would create a potential for hazardous exiting by the applicant's customers and add congestion near the intersection to on-coming Ashland Avenue traffic and, as designed, is not in the public interest at this location; 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 806

APPLICANT: Rogers Park Auto Shop **CAL. NO.** 74-96-S
APPEARANCES FOR: Shahid Pervaz **MAP NO.** 17-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 6830 N. Clark Street March 15, 1996 and
May 17, 1996
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD---

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Rogers Park Auto Shop, for Shahid Pervaz, owner, on January 23, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an Automobile Laundry (hand car wash) in a 1-story brick garage building, in a C2-2 General Commercial District, on premises at 6830 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 9.3-1, 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 March 15, 1996 and May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on February 26, 1996; and

WHEREAS, the district maps show that the premises is located in a C2-2 General 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 C2-2 General Commercial District; that the subject site is improved with a large 1-story brick garage building with an overhead door on N. Clark Street and operating as "Rogers Park Auto Repair"; that the applicant proposes to use approximately one-half of the existing building space for a hand car wash which will include vacuuming the inside of autos and detailing work; that the proposed use is necessary for the public convenience at this location in order to provide a necessary service to the nearby residential community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide an entrance on W. Farwell Avenue and an exit onto N. Clark Street; that the proposed use will be compatible with the existing business improvements on N. Clark Street and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an Automobile Laundry (hand car wash) in a 1-story brick garage building, on premises at 6830 N. Clark 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: Dubin Residential Communities, Inc. **CAL. NO.** 80-96-Z

APPEARANCES FOR: Gary I. Wigoda, David Dubin **MAP NO.** 1-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 742 N. Willard Court

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

ACTION OF BOARD--

THE VOTE

VARIATIONS DENIED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Dubin Residential Communities, Inc. owner, on February 2, 1996, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 10-dwelling unit townhouse building on an irregularly shaped lot, with no front yard, no south side yard, and no rear yard instead of 12 feet, 17.4 feet and 30 feet, respectively, on premises at 742 N. Willard Court, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 2, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 7.8-5 and 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on February 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on October 2, 1995, the City Council rezoned the subject site from B4-2 Restricted Service and R4 General Residence to R5 General Residence specifically for the proposed residential development; that the subject site is a 9,325 sq. ft. irregularly shaped unimproved lot which is bordered to the east by the Kennedy Expressway; that the applicant proposes to erect a 3-story 10-dwelling unit townhouse building at 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 finds in this case that the proposed 3-story 10-dwelling unit townhouse building is too dense for this irregularly shaped lot; that the plight of the owner is self-created and that no unique hardship exists; and that the proposed 3-story 10-dwelling unit townhouse building will alter the essential character of the neighborhood: 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: Chicago Paintball Factory, Inc.

CAL. NO. 84-96-S

APPEARANCES FOR: Victoria Almeida

MAP NO. 2-G

APPEARANCES AGAINST: William S. Schwartz

MINUTES OF MEETING:

May 17, 1996

PREMISES AFFECTED- 1001 W. Van Buren Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Chicago Paintball Factory, Inc., for LaSalle National Bank,, Tr. No. 117638, owner, on January 30, 1996, filed an application for the approval of the modification of conditions specified in the Board's resolution of March 17, 1995, in Cal. No. 66-95-S, which approved the establishment of a paint pellet arena on the 3rd floor of a 6-story brick building, in a C2-3 General Commercial District, by changing the minimum age of participants to 10 years old in lieu of 18 years old, by changing the hours of operation to 24 hours daily in lieu of from noon to 10:00 P.M., and by removing the condition that all business signage for the use shall be limited to the W. Van Buren Street facade of the building only, on premises at 1001 W. Van Buren Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 18, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 9.4-1 (9a), 9.4-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on February 26, 1996; and

WHEREAS, the district maps show that the premises is located in a C2-3 General 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 on March 17, 1995, in Cal. No. 66-95-S, the Zoning Board of Appeals granted the applicant a special use, upon certain conditions, for the establishment of a paint pellet arena on the 3rd floor of the subject site building, the record of which is made part of the record as it relates to instant application; that the applicant amended its request in the instant application and now is seeking modification of the conditions imposed in the special use previously granted by changing the minimum age of the participants to 13 years old instead of 18 years old, by changing the hours of operation to 8:00 A.M. to 2:00 P.M. instead of noon to 10:00 P.M., and by allowing a freestanding 120 sq. ft. business identification sign facing the incoming Eisenhower Expressway traffic in the building's parking lot adjacent to the west side; that the testimony presented indicates that the proposed changes to the original special use are necessary for the public convenience at this location to meet the increased demand for this type of recreational and amusement activity; that the public health, safety and welfare will be adequately protected with the proposed

MINUTES OF MEETING

May 17, 1996

Cal. No. 84-96-S

changes in that the 13 to 17 year old participant must have a notarized consent authorization form from their parents or legal guardian to gain admittance to the paint pellet arena and that the 13 to 15 year old participants must be accompanied and supervised by an adult or legal guardian who must remain on the premises during their play time, that a security detail would escort patrons from the premises to their car between the hours of 10:00 P.M. and closing, that the proposed increased hours of operation and reduction of the minimum age of the participants to 13 years old as proposed to be operated will not violate the curfew ordinance of the City of Chicago, and that the proposed business identification sign in the parking lot must conform with the size allowance permitted under Section 9.9(6) of the zoning ordinance; and that the proposed changes will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the special use granted in Calendar No. 66-95-S for a paint pellet arena on the 3rd floor of a 6-story brick building, on premises at 1001 W. Van Buren Street, be and it hereby is modified to permit the following: that the hours of operation of the facility shall be 8:00 A.M. to 2:00 A.M. in lieu of noon to 10:00 P.M.; that the minimum age of the participants shall be 13 years old in lieu of 18 years old; and that a freestanding maximum 120 sq.ft. single faced business identification sign facing west to the incoming Eisenhower Expressway traffic may be placed in the building's parking lot adjacent to the west side; that the following conditions shall apply: that the 13 to 17 year old participant shall have a notarized consent authorization form signed by their parents or legal guardian to gain admittance to the paint pellet arena and that the 13 to 15 year old participant shall be accompanied and supervised by an adult or legal guardian who shall remain on the premises during their play time; that a security detail shall escort patrons from the premises to their car between the hours of 10:00 P.M. and closing; that the proposed business identification sign in the parking lot shall be in conformance with Section 9.9(6) of the zoning ordinance; that there shall be no other signage on the building other than the signage permitted on the W. Van Buren facade; and that nothing in this order or the Board's original order shall be construed as having any effect or application regarding the murals existing on the walls of the subject building.

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

APPLICANT: Taryn Edwards **CAL. NO.** 87-96-A
APPEARANCES FOR: Larry D. Blust **MAP NO.** 5-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996
PREMISES AFFECTED- rear of 218 W St. Paul 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Taryn Edwards, owner, on January 17, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a 2-story frame 2-dwelling unit building on a 31' x 32' (982 sq. ft.) lot abutting the rear alley due to the premises having no street frontage, insufficient yards, and no off-street parking, in an R5 General Residence District, on premises at the rear of 218 W. St. Paul Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 21, 1995, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-5, 7.7-5, 7.8-5, 7.9-5, 7.12-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; 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 31' x 32' lot improved with a 2-story frame residential building located behind a 2-story frame residential building and abutting a vacated alley; that the evidence presented indicates that the subject building has been occupied as two dwelling units as far back as 1938; that the subject site was part of one lot that also contained the front two buildings at 218 and 220 W. St. Paul Avenue in the 1870's and in 1947 became an individual lot by a subdivision by legal description and with an easement over a walkway to W. St. Paul Avenue; that the subject building has no access to the rear vacated alley; that the Board finds that the subject building has existed since the 1870's, as two dwelling units since prior to the passage of the 1942 zoning ordinance, on its present lot size with an easement over a walkway to W. St. Paul Avenue since a 1947 subdivision and prior to the 1957 comprehensive amendment to the zoning ordinance, and with no off-street parking since prior to the 1953 parking ordinance; 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

MINUTES OF MEETING

May 17, 1996

Cal. No. 87-96-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 certify an existing 2-story frame building, on a 31' x 32' lot at the rear of 218 W. St. Paul Avenue, as two dwelling units whose lot has a walkway easement to St. Paul Avenue and with insufficient yards and no off-street parking, upon condition that the building is brought into compliance with applicable Building Code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Taryn Edwards

CAL. NO. 87-96-A

APPEARANCES FOR: Larry D. Blust

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- rear of 218 W St. Paul 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

COPY

THE RESOLUTION:

WHEREAS, Taryn Edwards, owner, on January 17, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a 2-story frame 2-dwelling unit building on a 31' x 32' (982 sq. ft.) lot abutting the rear alley due to the premises having no street frontage, insufficient yards, and no off-street parking, in an R5 General Residence District, on premises at the rear of 218 W. St. Paul Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 21, 1995, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-5, 7.7-5, 7.8-5, 7.9-5, 7.12-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; 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 31' x 32' lot improved with a 2-story frame residential building located behind a 2-story frame residential building and abutting a vacated alley; that the evidence presented indicates that the subject building has been occupied as two dwelling units as far back as 1938; that the subject site was part of one lot that also contained the front two buildings at 218 and 220 W. St. Paul Avenue in the 1870's and in 1947 became an individual lot by a subdivision by legal description and with an easement over a walkway to W. St. Paul Avenue; that the subject building has no access to the rear vacated alley; that the Board finds that the subject building has existed since the 1870's, as two dwelling units since prior to the passage of the 1942 zoning ordinance, on its present lot size with an easement over a walkway to W. St. Paul Avenue since a 1947 subdivision and prior to the 1957 comprehensive amendment to the zoning ordinance, and with no off-street parking since prior to the 1953 parking ordinance; 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

COPY

MINUTES OF MEETING

May 17, 1996

Cal. No. 87-96-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 certify an existing 2-story frame building, on a 31' x 32' lot at the rear of 218 W. St. Paul Avenue, as two dwelling units whose lot has a walkway easement to St. Paul Avenue and with insufficient yards and no off-street parking, upon condition that the building is brought into compliance with applicable Building Code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Demetrio Garcia

CAL. NO. 89-96-A

APPEARANCES FOR: None

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1717 W. Chicago Avenue

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Mac Realty, Inc.

CAL. NO. 140-96-S

APPEARANCES FOR: Robert Weber

MAP NO. 1-F

APPEARANCES AGAINST: John J. Pikarski, Jr.

MINUTES OF MEETING:

PREMISES AFFECTED- 416 W. Erie Street

April 26, 1996 and

May 17, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Mac Realty, Inc., for Western Textiles Co., Inc., owner, on March 14, 1996, filed, and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the establishment of off-site accessory parking in a proposed 6-story 130 space parking deck, in an M1-5 Restricted Manufacturing District, on premises at 416 W. Erie Street, to satisfy the parking requirement for 155 dwelling units to be established in the building at 373-421 W. Erie Street, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 13, 1996, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.16-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 and at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

WHEREAS, the district maps show that the premises is located in an M1-5 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 M1-5 Restricted Manufacturing District; that the subject site is a 96.04' x 100.22' lot improved with a parking lot and a 3 ½ story brick commercial building on the east portion of the lot; that on January 20, 1996, the Board approved the applicant's special use application for the establishment of an off-site accessory parking lot for 31 automobiles, at the subject site, to fulfill the parking requirement for 105 dwelling units to be established in an existing 5 and 6-story building at 373-421 W. Erie Street, in Cal. N. 15-95-S, with the special condition that the owner(s) of the land shall be bound by covenants filed of record in the Office of the Recorder of Deeds of Cook County, Illinois requiring the owner(s), his or her heirs and assigns to maintain the required number of parking spaces through the existence of the principal use; that the conversion of the 5 and 6-story building at 373-421 W. Erie Street to 104 dwelling units did not take place and the applicant now seeks to convert the building to 155 dwelling units and to provide off-site accessory parking in a proposed 6-story 130 space parking deck at the subject site; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for 155 dwelling

MINUTES OF MEETING

April 26, 1996 and

May 17, 1996

Cal. No. 140-96-S

units to be established in the building at 373-421 W. Erie Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed 6-story accessory off-site parking deck at the subject site; that the proposed parking deck will be compatible with existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of off-site accessory parking in a proposed 6-story 130-space parking deck, on premises at 416 W. Erie Street, to satisfy the parking requirement for 155 dwelling units to be established in the building at 373-421 W. Erie Street, upon condition that the proposed 6-story parking deck shall be improved with a masonry facade along the W. Erie Street frontage; 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 owner(s) of the subject site shall be bound by covenants filed of record in the Office of the Recorder of Deeds of Cook County, Illinois requiring the owner(s), his or her heirs and assigns to maintain the required number of parking spaces at the subject site parking deck through the existence of the 155 dwelling units at 373-421 W. Erie Street.

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

APPLICANT: The Christ Way Church

CAL. NO. 165-96-Z

APPEARANCES FOR: Clarence L. Burch

MAP NO. 14-D

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 1210 E. 62nd Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE			X

THE RESOLUTION:

WHEREAS, The Christ Way Church, owner, on April 2, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story addition to the east side of a 1 and 2-story church building, with no south front yard instead of 12 feet and whose north rear yard will be 6.5 feet instead of 30 feet, on premises at 1210 E. 62nd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 20, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 165.92' x 100' lot improved with a 1 and 2-story brick church building built in the late 1890's; that the applicant proposes to erect a 1-story addition to the east side of the existing church 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 1-story addition which will contain a gymnasium/dining hall, library and kitchen, is necessary to provide needed space and facilities for the applicant church's community outreach activities; that the plight of the owner is due to unique circumstances in that the front and rear yard variations are necessary in order to provide for a regulation-size gymnasium; that the proposed 1-story addition will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 165-96-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 1-story addition to the east side of a 1 and 2-story church building, with no south front yard instead of 12 feet and whose rear north yard will be 6.5 feet instead of 30 feet, on premises at 1210 E. 62nd 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: Douglas R. & Laural P. Macmillan **CAL. NO.** 166-96-Z
APPEARANCES FOR: John KaKacek **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 17, 1996
PREMISES AFFECTED- 2635 N. Magnolia Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Douglas R. & Laural P. Macmillan, owner, on April 3, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 16' x 20' addition to the northeast corner of a 2 ½ story brick single-family dwelling on the front of the lot additionally improved with a 1 and 2-story frame residence at the rear, which addition will result in a 15% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2635 N. Magnolia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 28, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 7.6-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 and R3 General Residence District; that the subject site is a 50.05' x 124.45' double lot improved with a 2 ½ story brick 2 dwelling unit building, built in about 1894, located on the front of the lot which additionally is improved with a 1 & 2-story frame residence at the rear; that the applicant proposes to erect a 2-story 16. X 20' addition to the northeast corner of the residential building on the front of the lot as part of its deconversion to a single-family dwelling, which addition will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2-story 16' x 20' addition is necessary to provide additional living space for the applicants and their family; that the plight of the owner is due to the location of the existing 2 ½ story brick residential building on the front of the subject lot which also has a 1 and 2-story frame residence at the rear of the lot; that the proposed 2 story addition will not impair an adequate supply of light and air to adjacent properties and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 166-96-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 2-story 16' x 20' addition to the northeast corner of a 2 ½ story brick single family dwelling on the front of the lot additionally improved with a 1 and 2-story frame residence at the rear, which addition will result in a 15% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2635 N. Magnolia 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: Robert J. Ennis **CAL. NO.** 167-96-Z
APPEARANCES FOR: Kenneth Paul Dobbs, Robert J. Ennis **MAP NO.** 9-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996
PREMISES AFFECTED- 3217 N. Clifton Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE			X

THE RESOLUTION:

WHEREAS, Robert J. Ennis, for the Living Trust of Edward and Signe Ennis, owner, on April 4, 1996, filed an applicable for a variation of the zoning ordinance to permit, in an R4 General Residence District, the extension of the enclosed rear porch up to the peak of the roof of a 3 ½ story frame 3-dwelling unit building, whose north side yard will be 0.69' instead of 2.5' and which extension will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3217 N. Clifton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 25, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-4, 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 May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises; hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 25' x 123.62' lot improved with a 3 ½ story frame 3-dwelling unit building with an enclosed frame rear porch; that the applicant proposes to extend the enclosed rear porch up to the peak of the roof of the existing building which will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed extension of the enclosed rear porch up to the roof of the existing building is necessary to provide sufficient living space for the adult children of the owners of the subject site; that the plight of the owner is due to unique circumstances in that the adult children, Edward Ennis and Linnea Ennis, of the owners of the subject site care for their octogenarian parents and that the variation requested will enable them to avoid moving their parents to another house or nursing home by providing additional living space; that the proposed porch extension does not change the footprint of the

MINUTES OF MEETING

May 17, 1996

Cal. No. 167-96-Z

existing enclosed porch and that the variations, if granted, will not alter the essential character of the location; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make 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 extension of the enclosed rear porch up to the peak of the roof of a 3 ½ story frame 3-dwelling unit building, whose north side yard will be 0.69' instead of 2.5' and which extension will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3217 N. Clifton 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: Joseph V. Farago **CAL. NO.** 168-96-Z

APPEARANCES FOR: Bernard I. Citron, Joseph V. Farago **MAP NO.** 7-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 2873-75 N. Clark Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Joseph V. Farago, for American National Bank, Tr. Nos. 113363-02 and 121481-02, owner, on April 4, 1996, filed an application for a variation under the zoning ordinance to permit, in a B5-3 General Service District, the erection of a 5-story building containing business space and 10 accessory parking spaces on the ground floor and 9 dwelling units above, with the dwelling unit portion of the building having a 10' residential rear yard instead of 30' required, on premises at 2873-75 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 4, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.8-5, 8.10-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B5-3 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-3 General Service District; that the subject site is a 43.85' x 122' unimproved irregular shaped lot; that the applicant proposes to erect a 5-story building containing business spaces and 10 accessory parking spaces on the ground floor and 9 dwelling units above; 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 complying with the 30' rear yard requirements would make the project economically unfeasible by eliminating 2 or 3 dwelling units or requiring a taller building; that the plight of the owner is due to the zoning ordinance requirement that the dwelling unit portion of the proposed 5-story building have a 30' residential rear yard on this irregularly shaped lot; that the proposed development will be compatible with the existing improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is

MINUTES OF MEETING

May 17, 1996

Cal. No. 168-96-Z

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 5-story building containing business space and 10 accessory parking spaces on the ground floor and 9 dwelling units above, with the dwelling unit portion of the building having a 10' residential rear yard instead of 30' required, on premises at 2873-75 N. Clark 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 Miller

CAL. NO. 169-96-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 4627 N. Winthrop Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE			X

THE RESOLUTION:

WHEREAS, Thomas Miller, for Metro Development Group L.L.C., owner, on April 17, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 5-dwelling unit townhouse building on an irregularly shaped lot, whose front yard will be 2.74', whose north side yard will be 3.5', and whose rear yard will be 2', instead of 15', 10', and 30', respectively, on premises at 4627 N. Winthrop Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 17, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 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 on May 17, 1996 after due notice there of by publication in the Chicago Sun-Times on April 29, 1996; 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 an unimproved irregularly shaped 5, 482 sq. ft. lot; that the applicant proposes to erect a 3-story 5-dwelling unit townhouse building at the subject site; that the evidence presented indicates that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 5 dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to the irregularly shaped lot and that there is no demand for multi-story rental units in the area but there is a demand for attached single-family townhouses; that the proposed 3-story 5-dwelling unit townhouse building requires greater horizontal land coverage and encroachment in tot he front and rear yards than would a yard conforming multi-story apartment building; that the proposed 3-story 5-dwelling unit townhouse building is compatible with existing improvements in the area and will not alter the essential

MINUTES OF MEETING

May 17, 1996

Cal. No. 169-96-Z

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 3-story 5-dwelling unit townhouse building on an irregularly shaped lot whose front yard will be 2.74', whose north side yard will be 3.5', and whose rear yard will be 2', instead of 15', 10', and 30', respectively, on premises at 4627 N. Winthrop 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: Singer Loft Apartments **CAL. NO.** 170-96-Z

APPEARANCES FOR: Bernard I. Citron **MAP NO.** 2-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 1015-19 W. Jackson Boulevard

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

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Singer Loft Partners, for U. S. Bank, Tr. #3375, owner, on April 12, 1996, filed an application for a variation of the zoning ordinance to permit, in a C1-4 Restricted Commercial District, the erection of a 4th story addition to an existing 3-story former warehouse building all of which will contain store space and 24 accessory parking spaces on the ground floor and 22 dwelling units above, with no residential rear yard provided for the addition instead of 30' required, on premises at 1015-19 W. Jackson Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1995, reads "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.7-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C1-4 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 on April 15, 1995, the City Council rezoned the subject site from M1-3 Restricted Manufacturing to C1-4 Restricted Commercial specifically for the proposed retail and residential development at the subject site; that the subject site is improved with a 3-story brick former warehouse building; that the applicant proposes to erect a 4th story penthouse addition to an existing 3-story former warehouse building which will contain retail store space located along the Jackson Boulevard frontage and 24 accessory parking spaces on the ground floor and 22 dwelling units above; 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 4th story penthouse addition is necessary to make the proposed building at the subject site an economically viable structure; that the plight of the owner is due to unique circumstances in that provision of a 30' residential rear yard would eliminate the 4th story penthouse and one dwelling unit on the 3rd floor which would adversely affected the economics of the development; that

MINUTES OF MEETING

May 17, 1996

Cal. No. 170-96-Z

the proposed use will be compatible with the existing mixed business and residential improvements in this block of W. Jackson Boulevard and that the variation, 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 4th story addition to an existing 3-story former warehouse building all of which will contain store space and 24 accessory parking spaces on the ground floor and 22 dwelling units above, with no residential rear yard provided for the addition instead of 30' required, on premises at 1015-19 W. Jackson Boulevard, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Dewey D. Suster

CAL. NO. 171-96-S

APPEARANCES FOR: Dewey D. Suster

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 920 W. Sheridan Road

May 17, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Dewey D. Suster, Pioneer Bank & Trust Co., Tr. #26106, owner, on March 26, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor (22 accessory parking spaces) in the conversion of a brick 3-story building which includes a 4th story addition into 22 condominium dwelling units, in a B4-4 Restricted Service District, on premises at 920 W. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 26, 1996, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically 8.4-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-4 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-4 Restricted Service District; that the subject site is a 100.04' x 122.45' lot improved with a 3-story brick commercial building in the process of being rehabbed; that the applicant proposes to convert the existing 3-story building to 22 loft-style condominium dwelling units and to build a 4th story 8,400 sq. ft. addition and convert the ground floor to indoor required parking of 22 spaces; that the proposed use is necessary for the public convenience at this location in that to provide business space for even part of the ground floor would omit parking spaces and therefore would limit the number of dwelling units; that the nature of the parking provided is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; that the propose use will not cause substantial injury to the value of other property in the area in that the conversion of the existing building to 22 condominium dwelling units is consistent with the predominantly residential improvements in the area and that the interior parking garage is merely an extension of the proposed residential units; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 171-96-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 dwelling units below the 2nd floor (22 accessory parking spaces) in the conversion of a brick 3-story building which includes a 4th story addition into 22 condominium dwelling units, on premises at 920 W. Sheridan Road, 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: Dewey D. Suster

CAL. NO. 172-96-Z

APPEARANCES FOR: Dewey D. Suster

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 920 W. Sheridan Road

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Dewey D. Suster, for Pioneer Bank & Trust Co., Tr. #26106, owner, on March 26, 1996, filed an application for a variation of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a partial 4th story addition to a 3-story brick building all of which will contain 22 accessory parking spaces on the ground floor and 22 condominium dwelling units above, whose rear yard will be 15' instead of 30' and with a waiver of the required loading berth, on premises at 920 W. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1996, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.7-4, 8.10-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-4 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-4 Restricted Service District; that on May 17, 1996, the Board approved the applicant's special use application for the establishment of dwelling units below the 2nd floor (22 accessory parking spaces) in the conversion of a brick 3-story building which includes a 4th story addition into 22 condominium dwelling units, at the subject site, in Cal. No. 171-96-S; that the applicant is seeking in this application a reduction in the rear yard requirement and a waiver of the required loading berth; 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 rear yard variation requested is necessary in order to construct 2 additional dwelling units in order to make the proposed residential project economically viable; that to accommodate the required loading berth three parking spaces would be eliminated and to accommodate the 14 feet high requirement the second floor level would have to be extended upwards by at least 10 inches which would necessitate restructuring that part of the second floor thereby causing an economic hardship; that the residential nature of the proposed building requires no regular use of a loading berth and that the variations, if granted, will not alter the essential character of

MINUTES OF MEETING

May 17, 1996

Cal. No. 172-96-Z

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 zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4th story addition to a 3-story brick building all of which will contain 22 accessory parking spaces on the ground floor and 22 condominium dwelling units above, whose rear yard will be 15' instead of 30' and with a waiver of the required loading berth, on premises at 920 W. Sheridan Road, 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: Angel R. Gonzales **CAL. NO.** 173-96-Z
APPEARANCES FOR: Robert B. Bishop, Angel R. Gonzales **MAP NO.** 3-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996
PREMISES AFFECTED- 1525 W. Chestnut Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Angel R. Gonzalez, owner, on April 15, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of an accessory garage attached to the rear of a 2-story single-family dwelling on a through lot, whose Pearson Street front yard will be 0.06' instead of 10.8', on premises at 1525 W. Chestnut Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.7-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 24' x 90' through lot improved with a 2-story frame and brick residential building; that the applicant proposes to erect an accessory garage to be attached to the rear of the existing 2-story single family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed accessory garage is necessary to provide necessary storage for the applicants personal motor vehicles; that the plight of the owner is due to the subject property being a through lot on a block commonly having W. Pearson Street used as frontage for garages, rear yards or parking surfaces; that the proposed accessory garage will be consistent with existing improvements in this block and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 173-96-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 an accessory garage attached to the rear of a 2-story single-family dwelling on a through lot, whose Pearson Street front yard will be 0.06' instead of 10.8', on premises at 1525 W. Chestnut 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: Michael Difoggio **CAL. NO.** 174-96-Z
APPEARANCES FOR: Gary I. Wigoda, Michael Difoggio **MAP NO.** 8-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 336 W. 33rd Street May 17, 1996
SUBJECT- Application to vary the requirements of the zoning ordinance.
ACTION OF BOARD-- **THE VOTE**

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE			X

THE RESOLUTION:

WHEREAS, Michael Difoggio, owner, on April 3, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story 6 dwelling unit townhouse building on a through lot, with no east and west front yards instead of 15 feet each, on premises at 336 W. 33rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 3, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 on September 13, 1995, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence; that the subject site is a 47' x 125' through lot with frontages on S. Stewart Avenue and s. Shields Avenue and is improved with the proposed 2-story 6 dwelling unit townhouse building with interior garage parking for each dwelling unit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to have erected less than the said 6-dwelling unit townhouse building at the subject site would be economically unfeasible; that the plight of the owner is due to unique circumstances in that the said 6-dwelling unit townhouse building was erected without necessary permits under pressure and demand of the market for this type of townhouse dwelling units; that the yard variations requested are necessary in that the said 2-story 6-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the east and west front yards of this through lot than would a yard conforming multi-story apartment building; that the said 2-story 6-dwelling unit townhouse building is consistent with the emerging residential character of the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 174-96-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 2-story 6-dwelling unit townhouse building on a through lot, with no east and west front yards instead of 15 feet each, on premises at 336 W. 33rd 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: Paul Cecchini **CAL. NO.** 175-96-S
APPEARANCES FOR: Gary I. Wigoda, Paul Cecchini **MAP NO.** 5-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996
PREMISES AFFECTED- 1853 N. Damen Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Paul Cecchini, owner, on April 17, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit below the 2nd floor in a proposed 4-story 3-dwelling unit building, in a B4-2 Restricted Service District, on premises 1853 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 17, 1996, reads:
 "Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4A(1), 8.7-4."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 24.12' x 125.42' unimproved lot; that the applicant proposes to erect a 4-story 3-dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential dwelling units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed 4-story 3-dwelling unit building which will conform with all applicable building code regulations and which provides adequate off-street parking spaces; that the proposed 3-dwelling unit building will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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 dwelling unit below the 2nd floor in a proposed 4-story 3-dwelling unit building, on premises at 1853 N. Damen 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: Paul Cecchini **CAL. NO.** 176-96-Z

APPEARANCES FOR: Gary I Wigoda, Paul Cecchini **MAP NO.** 5-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 1853 N. Damen Avenue May 17, 1996

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

ACTION OF BOARD-- **THE VOTE**

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Paul Cecchini, owner, on April 17, 1996, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 3-dwelling unit building, whose front yard will be 7.5' instead of 15' and whose north side yard will be 1.2' instead of 2.4', on premises at 1853 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 17, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance. Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4A(1), 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that on May 17, 1996, the Zoning Board of Appeals approved the establishment of a dwelling unit below the 2nd floor in a proposed 4-story 3-dwelling unit building to be erected at the subject site, in Cal. No. 175-96-S; that the 1st and 2nd floors of the proposed 4-story building will each contain a dwelling unit and that the 3rd and 4th story will be duplexed to contain one dwelling unit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front and north side yard variations requested are necessary to provide adequate living space in the proposed 3 dwelling unit building as designed; that the plight of the owner is due to unique circumstances in that the subject lot is narrower in width than a standard-size city lot; that the proposed 4-story 3-dwelling unit building will be compatible with existing mixed business and residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 176-96-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 4-story 3-dwelling unit building, whose front yard will be 7.5' instead of 15' and whose north side yard will be 1.2' instead of 2.4', on premises at 1853 N. Damen 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: McCohen Development Corp./33 West Huron L.L.C. **CAL. NO.** 177-96-Z

APPEARANCES FOR: Robert Buono, Howard Weiner **MAP NO.** 1-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 11-33 W. Huron Street **May 17, 1996**

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE			X

THE RESOLUTION:

WHEREAS, McCohen Development Corp./33 West Huron L.L.C., for First Bank & Trust Co. of IL, Tr. #10-1825 and American National Bank & Trust Co. of Chicago, Tr. #121407-03, owner, on April 29, 1996, filed an application for a variation of the zoning ordinance to permit, in a B7-5 General Central Business District, the erection of a 9-story building containing 10,000 sq. ft. of business space and 25 parking spaces on the 1st floor, 55 parking spaces on the 2nd floor and 57 condominium dwelling units above, with no residential rear yard instead of 30 feet required for the dwelling unit portion of the building, and with provision for 1 loading berth instead of 2 required, on premises at 11-33 W.Huron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 25, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.7-7, 8.10-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B7-5 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-5 General Central Business District; that the subject site is 271' x 109' lot improved with two 3-story brick apartment buildings; that the applicant proposes to demolish the existing buildings and erect a 9-story building containing 10,000 sq. ft. of business space and 25 parking spaces on the 1st floor, 55 parking spaces on the 2nd floor and 67 condominium dwelling units above; 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 under the regulations in this district in that providing the required 30' residential rear yard setback would necessitate building a narrower building with less living space on the subject site lot which is only 109' deep; that there is no necessity for a second loading berth in that the building will be primarily residential which would require a loading berth only when residents move in and out of the building which will be infrequent compared to rental property and that the proposed retail space will most likely be leased to a light retail use that does not require significant off-street loading capacity;

MINUTES OF MEETING

May 17, 1996

Cal. No. 177-96-Z

that the plight of the owner is due to unique circumstances in that the depth of the existing property makes it difficult to construct the proposed residential units, retail space and on-site parking as designed; that the proposed 9-story building containing retail space and condominium dwelling units will be compatible with the existing mixed business and residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 9-story building containing 10,000 sq.ft. of business space and 25 parking spaces on the 1st floor, 55 parking spaces on the 2nd floor and 67 condominium dwelling units above, with no residential rear yard instead of 30 feet required for the dwelling unit portion of the building, and with provision for 1 loading berth instead of 2 required, on premises at 11-33 W. Huron Street, upon condition that the use of the loading berth shall be coordinated between the retail user and condominium owners pursuant to the condominium declaration and the property manager; 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: Annie Properties, Inc.

CAL. NO. 178-96-S

APPEARANCES FOR: Robert Buono, Lewis Kostiner

MAP NO. 2-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 844 W. Adams Street

May 17, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
		X

THE RESOLUTION:

WHEREAS, Annie Properties, Inc., owner, on April 5, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units (accessory parking) below the 2nd floor in the conversion of a 7-story brick building to 43 dwelling units, in a B4-5 Restricted Service District, on premises at 844 W. Adams Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 4, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4, 8.4-4(3), 8.11."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-5 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on July 13, 1995, the City Council rezoned the subject site from M1-3 Restricted Manufacturing to B4-5 Restricted Service specifically for the proposed residential development; that the subject site is a 146' x 125.92' lot improved with a gutted 7-story brick former manufacturing building; that the applicant proposes to convert the existing 7-story brick building to 43 dwelling units with on-site accessory parking; that the proposed use is necessary for the public convenience in this location to provide necessary accessory parking for the proposed 43 dwelling units to be constructed on floors two through seven of the proposed 7-story building; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected in that the proposed ground floor parking will use the existing service drive located at the north end of the subject property and that no new curb cuts are necessary on W. Adams Street; that the proposed project will significantly improve the subject building and will help alleviate on-street parking in the area; and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 178-96-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 dwelling units (accessory parking) below the 2nd floor in the conversion of a 7-story brick building to 43 dwelling units, on premises at 844 W. Adams Street, upon condition that the applicant complies with the revised parking plan prepared by Mayer, Jeffers, and Gillespie Architects and dated May 17, 1996; 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: John Cannis

CAL. NO. 179-96-Z

APPEARANCES FOR: John Cannis

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2143 N. Sedgwick Street

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, John Cannis, owner, on April 10, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story and 2nd story addition to the rear of a 2 ½ story brick single-family dwelling, with no north side yard instead of 2.3' and with no rear yard instead of 30', on premises at 2143 N. Sedgwick Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 4, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections. 7.8-5, 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 27, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a 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 23.29' x 67.32' lot improved with a 2 ½ story brick row-type residential building with an attached one-car garage with roof deck; that the applicant proposes to expand the existing 2-story rear addition which presently contains a one-car garage and a small sun room and deck on the second level; that the proposed addition would include a second garage space and a larger family room with deck on the second level; 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 additions are necessary to provide for additional parking space and improved security for the applicant and his family; that the plight of the owner is due to the shallow depth of this non-typical city zoning lot and the existing rowhouse type of building on the lot which necessitates the side and rear yard variations requested; that the proposed additions will be compatible with existing residential improvements in the block, many of which do not comply with the rear and north side yard requirements of the zoning ordinance and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 179-96-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 and the Zoning Administrator is authorized to permit the erection of a 2-story and 2nd story addition to the rear of a 2 ½ story brick single-family dwelling, with no north side yard instead of 2.3' and with no rear yard instead of 30', on premises at 2143 N. Sedgwick Street, upon condition that adequate space shall be provided at the subject site for garbage containers; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jerry Kulas **CAL. NO.** 180-96-Z

APPEARANCES FOR: John J. Pikarski, Jr., Jerry Kulas **MAP NO.** 11-L

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 4920-32 W. Belle Plaine Avenue May 17, 1996

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

ACTION OF BOARD-- **THE VOTE**

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE			X

THE RESOLUTION:

WHEREAS, Jerry Kulas, for Cosmopolitan National Bank, Tr. #30351, owner, on April 10, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 3-dwelling unit building on a triangular lot, whose front yard will be 4' instead of 15' and whose rear yard will be 9' instead of 30', on premises at 4920-32 W. Belle Plaine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 11 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 on March 6, 1996, the City Council rezoned the subject site from R3 General Residence to R4 General Residence specifically for the proposed residential development; that the subject site is a triangular shaped lot measuring 138' x 117' x 73' which was previously used as a parking lot; that the applicant proposes to erect a 3-story 3-dwelling unit building with on-site parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 3-story 3-dwelling unit building on the subject site would prove economically unfeasible; that the plight of the owner is to due to the triangular shape of the subject lot which necessitates the requested front and rear yard variations; that the proposed 3-story 3-dwelling unit building will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 180-96-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 3-story 3-dwelling unit building on a triangular lot, whose front yard will be 4' instead of 15' and whose rear yard will be 9' instead of 30', on premises at 4920-32 W. Belle Plaine Avenue, upon condition that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Arla G. Rosenthal **CAL. NO.** 181-96-Z
APPEARANCES FOR: John J. Pikarski, Jr., Arla G. Rosenthal **MAP NO.** 9-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 3925 N. Hamilton Avenue May 17, 1996
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Arla G. Rosenthal, owner, on April 10, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the north side of the attic of a 2-story frame 2-dwelling unit building, whose north side yard will be 2.85' instead of 5.7' and which dormering will result in a 10% (383 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3925 N. Hamilton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections. 7.6-3, 7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice by publication in the Chicago Sun-Times on April 29, 1996; 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 30' x 124' lot improved with a 2-story frame 2-dwelling unit building; that the applicant proposes to dormer the north side of the attic of the existing 2-story frame 2-dwelling unit building which will result in a 383 sq. ft. or 10% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the dormering of the north side of the existing attic is necessary to provide a master bedroom and bath space in the applicant's second floor dwelling unit; that the plight of the owner is due to the need for additional living space to meet the needs of the applicant and family; that the proposed attic dormer will follow the existing roof line and will not alter the front facade of the existing building; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 181-96-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 dormering of the north side of the attic of a 2-story frame 2-dwelling unit building, whose north side yard will be 2.85' instead of 5.7' and which dormering will result in a 10% (383 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 3925 N. Hamilton 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: Anthony Limonciello **CAL. NO.** 182-96-Z

APPEARANCES FOR: John J. Pikarski, Jr., Anthony Limonciello **MAP NO.** 11-M

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 4233 N. Melvina Avenue May 17, 1996

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

ACTION OF BOARD-- **THE VOTE**

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Anthony Limonciello, for Anthony and Annette M. Limonciello, owner, on April 10, 1996, 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 2-story frame single-family dwelling, whose north side yard will be 2.55' and whose south side yard will be 2.58' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 4233 N. Melvina Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provision of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2, 7.8-2(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 125' lot improved with a 2-story frame single-family dwelling; that the applicant proposes to erect a 2nd story addition to the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd floor addition is necessary to provide additional bedrooms, baths and laundry area to meet the needs of the applicant and his family; that the plight of the owner is due to the necessity of following existing load bearing walls in erecting the proposed 2nd floor addition; that the proposed 2nd floor addition will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 182-96-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 2nd story addition to a 1-story frame single-family dwelling, whose north side yard will be 2.55' and whose south side yard will be 2.58' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 4233 N. Melvina 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: David Wish **CAL. NO.** 183-96-Z
APPEARANCES FOR: John J. Pikarski, Jr., David Wish **MAP NO.** 5-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996
PREMISES AFFECTED- 1716 & 1728 N. Kedzie Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, David Wish, for Gateway Foundation, Inc., owner, on April 10, 1996, filed and subsequently amended, an application of a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of two 2-story 12-dwelling unit townhouse buildings, whose front yards will be 2.33' instead of 15', whose north side yard of the north building will be 6' and whose south side yard of the south building will be 6' instead of each 6.75', and with no rear yards instead of 30', on premises at 1716 and 1728 N. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 7.8-5, 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 constitutes two 67.5' x 177' unimproved lots; that the applicant proposes to erect two 2-story 12-dwelling unit townhouse buildings with interior garage parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested two 12-dwelling unit townhouse buildings at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed two 2-story 12-dwelling unit townhouse buildings requires greater horizontal land coverage and encroachment into the north and south side yards than would a yard conforming multi-store rental apartment building; that the proposed two 2-story 12-dwelling unit townhouse buildings will be compatible with the existing mixed residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 183-96-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 two 2-story 12-dwelling unit townhouse buildings, whose front yards will be 2.33' instead of 15', whose north side yard of the north building will be 6' and whose south side yard of the south building will be 6' instead of each 6.75', and with no rear yard instead of 30', on premises at 1716 and 1728 N. Kedzie 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: Masjid Al-Mu'Minun, Inc.

CAL. NO. 184-96-S

APPEARANCES FOR:

MAP NO. 18-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 2523-25 W. 71st Street

SUBJECT- Applicatoin for the approval of a special use.

ACTION OF BOARD---

THE VOTE

CASE CONTINUED TO
AUGUST 16, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Daniel Whitman

CAL. NO. 185-96-Z

APPEARANCES FOR: Barry Ash

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 1014 W. Fry Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
		X

THE RESOLUTION:

WHEREAS, Daniel Whitman, for Jeffrey Sadur, owner, on March 28, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 3-dwelling unit townhouse building on a triangularly shaped lot, with no front yard, no side yards, and no rear yard, instead of 5.65', 7.75' each, and 30' respectively, on premises at 1014 W. Fry Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 12, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 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 on May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 on March 26, 1996, the City Council rezoned the subject site from M3-4 Heavy Manufacturing to R4 General Residence specifically for the proposed residential project; that the subject site is an unimproved 3,650 sq.ft. triangular shaped lot which abuts railroad tracks to the northeast; that the applicant proposes to erect a 3-story 3-dwelling unit townhouse building with interior garage parking; 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 due to the triangular shape of the subject property which necessitates the yard variations requested; that the plight of the owner is due to the triangularly shaped subject property; that the proposed use will be compatible with the existing mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 185-96-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 3-story 3-dwelling unit townhouse building on a triangularly shaped lot, with no front yard, no side yards, and no rear yard, instead of 5.65', 7.75' each, and 30' respectively, on premises at 1014 W. Fry 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: 1867 N. Bissell Condominium Association

CAL. NO. 186-96-Z

APPEARANCES FOR: Barry Ash

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1867 N. Bissell Street

May 17, 1996

SUBJECT- Application to vary the requirements of the zoning ordinance

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Kevin Wheeler

CAL. NO. 187-96-Z

APPEARANCES FOR: Barry Ash

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 1871 N. Bissell Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: All Clean Hand Car Wash

CAL. NO. 188-96-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 907 S. Western Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: Golden Tiger Tattoo, Inc. **CAL. NO.** 189-96-S
APPEARANCES FOR: Bernard I. Citron, Joseph Miedzianowski **MAP NO.** 7-G
APPEARANCES AGAINST: Gregory Garger, Allan Mellis, et al. **MINUTES OF MEETING:**
 May 17, 1996
PREMISES AFFECTED- 2509 N. Lincoln Avenue
SUBJECT- Application for the approval of a special use.
ACTION OF BOARD-- **THE VOTE**

APPLICATION DENIED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Golden Tiger Tattoo, Inc., for Cynthia Moy, owner, on April 4, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tattoo parlor in a 1-story brick building, in a B4-3 Restricted Service District, on premises at 2509 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 14, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-3 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is improved with a 1-story brick commercial building containing 2 vacant store premises; that the applicant proposes to establish a tattoo parlor in the 2509 premises at the subject site which will provide tattooing and body piercing; that the applicant proposes to operate the tattoo parlor between the hours of 12 Noon and 12 Midnight, seven days a week; that no persons under 21 years of age will be permitted to obtain tattoos and that no person under 18 years of age will be permitted to obtain body piercing; that testimony in opposition stated that three tattoo parlors were located within less than a mile from the subject site; that no evidence was presented to indicate that the establishment of the proposed tattoo parlor is necessary for the public convenience at the subject site location; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that the proposed tattoo parlor is not compatible with existing business improvements on N. Lincoln Avenue in this area; that the proposed use will have a negative effect on the value of other property in the neighborhood and is not in the public interest at this location; it is therefore

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

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

APPLICANT: Uptown Habitat for Humanity

CAL. NO. 190-96-Z

APPEARANCES FOR: David Norton

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2215 N. Warren Boulevard

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Uptown Habitat for Humanity **CAL. NO.** 191-96-Z
APPEARANCES FOR: David Norton **MAP NO.** 1-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 2223-33 W. Warren Boulevard May 17, 1996
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Uptown Habitat for Humanity, owner, on April 19, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 12-dwelling unit building, whose front yard will be 6' instead of 15' and whose side yards will each be 0.5' instead of 11.6' each, on premises at 2223-33 W. Warren Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 29, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 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 May 17, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; 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 116' x 124.12' unimproved lot presently used as a parking lot; that the applicant is a not-for-profit organization that develops low income family housing; that the applicant proposes to erect a 3-story 12-dwelling unit building with on-site parking spaces at the subject site; 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 front and side yard variations requested are necessary to erect the proposed 3-story 12-dwelling unit building as designed; that the plight of the owner is due to unique circumstances in that the need to provide off-street parking spaces at the rear of the lot requires the front yard variation requested; that the side yard variations requested are necessary to provide adequate living space in the proposed 12-dwelling unit building; that the proposed 3-story 12-dwelling unit building will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No. 191-96-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 3-story 12-dwelling unit building, whose front yard will be 6' instead of 15' and whose side yards will each be 0.5' instead of 11.6' each, on premises at 2223-33 W. Warren Boulevard, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Uptown Habitat for Humanity

CAL. NO. 192-96-Z

APPEARANCES FOR: David Norton

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2253 W. Warren Boulevard

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
CLEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Job Hamilton

CAL. NO. 193-96-A

APPEARANCES FOR:

MAP NO. 20-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 7901 S. Damen Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Nury H. Marroquin **CAL. NO.** 194-96-A

APPEARANCES FOR: John T. Lynch, Nury Marroquin **MAP NO.** 7-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 3150 N. Oak Park Avenue

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Nury H. Marroquin, for Charles E. Koclanes, owner, on March 25, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a beauty salon in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 3150 N. Oak Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 25, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; 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 located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick store building; that testimony presented indicates that the subject premises had been occupied by a beauty shop from 1981 to September 30, 1995 when a fire occurred at the subject premises; that on March 18, 1994, the City Council rezoned the subject site from B4-1 Restricted Service to B2-1 Restricted Retail which made the prior beauty shop use non-conforming; that the interim time after the fire has been spent in readying the premises for a beauty shop business; that there has been no intent to abandon the non-conforming beauty shop use at the premises; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the re-establishment of a beauty salon in a 1-story brick store building, on premises at 3150 N. Oak Park Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Valerie J. Trentz

CAL. NO. 195-96-A

APPEARANCES FOR: Valerie J. Trentz

MAP NO. 10-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 437 W. 41st Street

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: The American Legion, McKinley Park Post #231 **CAL. NO.** 196-96-A

APPEARANCES FOR: James C. Prucha **MAP NO.** 8-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 17, 1996

PREMISES AFFECTED- 1954 W. 35th Street

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, The American Legion, McKinley Park Post #231, owner, on April 3, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 1-story 25' x 25.17' addition for handicapped-accessible toilets to an existing, 1, 2 & 3-story brick building containing a non-conforming fraternal hall and meeting rooms, in an R3 General Residence District, on premises at 1954 W. 35th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 29, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 May 17, 1996; and

WHEREAS, the district maps show that the premises is located in a 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 1,2 & 3-story brick building containing a fraternal hall and meeting rooms; that on January 10, 1996, the City Council rezoned the subject site from B4-2 Restricted Service to R3 General Residence which made the existing 1, 2 & 3 story building containing a fraternal hall and meeting rooms a non-conforming use; that the appellant proposes to erect a 1-story 25' x 25.17' addition for handicapped-accessible toilets; that although the zoning ordinance prohibits structural expansions of non-conforming uses, the proposed addition is in order to provide handicapped accessible toilets; that Section 6-4-1 of the ordinance provides "that ordinary repairs and alterations may be made to a non-conforming building or structure, provided that no structural alterations shall be made in or to a building or structure, all or substantially all of which is designed or intended for a use not permitted in the district in which it is located, except those required by law..."; that under the Americans with Disabilities Act, handicapped-accessible toilets are required in public buildings and, therefore, no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

MINUTES OF MEETING

May 17, 1996

Cal. No 196-96-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 it he authorized to permit the erection of a 1-story 25' x 25.17' addition for handicapped accessible toilets to an existing 1, 2 & 3-story brick building containing a non-conforming fraternal hall and meeting rooms, in an R3 General Residence District, on premises at 1954 W. 35th 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: Belinda Rodriguez

CAL. NO. 197-96-A

APPEARANCES FOR: Belinda Rodriguez

MAP NO. 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 3139 S. Halsted Street

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

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR AFFIRMED.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Belinda Rodriguez, for Eastern Options, Inc., owner, on April 8, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a liquor license for consumption on premises in conjunction with an existing non-conforming restaurant use in a 2-story brick store building, in a B1-2 Local Retail District, on premises at 3139 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 2, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1996; and

WHEREAS, the district maps show that the premises is located in a B1-2 Local 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 B1-2 Local Retail District; that the subject site is improved with a 2-story brick store building containing a non-conforming restaurant; that on February 15, 1984, the City Council rezoned the subject site from B5-2 General Service to B1-2 Local Retail which made the restaurant use a legal non-conforming use; that the appellant is seeking liquor license for consumption of liquor on the premises in conjunction with the existing non-conforming restaurant; that Section 8.3-1(6) of the zoning ordinance provides that the sale of alcoholic liquor is not permitted in a B1 district; that the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: James Sample

CAL. NO. 198-96-A

APPEARANCES FOR:

MAP NO. 6-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 2201 S. State Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
AUGUST 16, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Silverio Mendoza

CAL. NO. 199-96-A

APPEARANCES FOR:

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 1824 S. Carpenter Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Aunt Martha's Youth Service Center, Inc.

CAL. NO. 253-95 -S

APPEARANCES FOR: Roger B. Derstine

MAP NO. 32-B

APPEARANCES AGAINST: Thomas J. Murphy

MINUTES OF MEETING:
May 17, 1996

PREMISES AFFECTED- 3125 E. 131st Street

SUBJECT- Application for the approval of a special use

ACTION OF BOARD--

Remanded to the Zoning Administrator for the purpose of determining the appropriate classification for the applicant's proposed use.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
A	b	s t a i n

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

APPLICANT: Willie J. Harlan

CAL. NO. 345-95-A

APPEARANCES FOR:

MAP NO. 2-K

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 306 S. Kolmar Avenue

May 17, 1996

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

ACTION OF BOARD--

THE VOTE

APPEAL WITHDRAWN UPON
MOTION OF APPELLANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Daniel Quigley **CAL. NO.** 347-95-A
APPEARANCES FOR: Gary I. Wigoda, Daniel Quigley **MAP NO.** 11-K
APPEARANCES AGAINST: Avidan Stern, et al. **MINUTES OF MEETING:**
February 16, 1996 and
May 17, 1996
PREMISES AFFECTED- 4030 N. Kildare Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE
 DECISION OF THE OFFICE
 OF THE ZONING ADMINISTRATOR
 AFFIRMED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Daniel Quigley, owner of the property at 4026 N. Kildare Avenue, on September 8, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in the zoning certification of a building permit for remodeling of an existing single-family dwelling in a 2 ½ story brick building, in an R3 General Residence District, on premises at 4030 N. Kildare Avenue; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on February 16, 1996 and May 17, 1996; and

WHEREAS, due to lack of notice to the appellee Lydia Home Association, all of the testimony had on February 16, 1996, is hereby stricken from the record in this case, except applicant's exhibits A, B & C which have been reintroduced; 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 ½ story frame residential building; the subject site is owned by Lydia Home Association whose main facility is located at 4300 W. Irving Park Road; that Lydia Home Association is a licensed child care agency providing care for approximately 40 residential care children and 40 day care children and is a legal non-conforming use; that in addition to the subject site property, Lydia Home Association owns three other residential properties located at 4019, 4023 and 4027 N. Lowell Avenue; that the appellant contends that Lydia Home Association is attempting to circumvent the zoning ordinance, alleging that as it is contiguous to Lydia Home Association main facility and the manner in which they have been using the property, that the use of the subject site constitutes an illegal expansion of a non-conforming use; that evidence submitted indicates that on June 26, 1996, a building permit application for remodeling of the 2 ½ story frame residential building at the subject site was submitted by a permit expediter on behalf of Doris Bauer, director of Lydia Home Association and was approved for zoning on July 26, 1996, which indicated Bob and Becky Williams as the building's owner; that testimony presented indicates that Bob and Becky Williams rent the subject premises from Lydia Home Association; that the children living at the subject site are one natural and five foster children belonging to Bob and Becky Williams and are not children under the care of Lydia Home Association; that the Board finds that the subject premises is occupied as a single-family residence and not a transitional shelter for children operated by Lydia Home Association and that no violation of the zoning ordinance exists nor is contemplated; it is therefore

MINUTES OF MEETING

February 16, 1996 and

May 17, 1996

Cal. No. 347-95-A

RESOLVED, that the appeal be and it hereby is denied and the decision of the Office of the Zoning Administrator in the issuance of a building permit for remodeling of an existing single family dwelling in a 2 ½ story brick building , on premises at 4030 N. Kildare Avenue, be and it hereby is affirmed, upon condition that the subject premises shall be occupied as a single-family dwelling only and shall not be used by Lydia Home Association as an expansion of their transitional shelter for children located at 4300 W. Irving Park Road.