

**MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS**

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

---

held in the Council Chambers, City Hall, on Friday, January 18, 2002

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

Joseph J. Spingola  
Chairman  
Brian Crowe  
Demetri Konstantelos  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele

MINUTES OF MEETING

January 18, 2002

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on December 14, 2001 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Crowe, Konstantelos, Martin, McCabe-Miele. Nays- None. \

\*\*\*\*\*

The Board thereupon held its regular meeting.

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

**APPLICANT:** 319 W. Erie LLC

**CAL NO.:** 1-02-S

**PEARANCE FOR:** Scott R. Borstein

**MAP NO.:** 1-F

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 319 W. Erie Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 5-story with pent-house residential building in a B4-5 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE   | NEGATIVE | ABSENT |
|---------------|----------|--------|
| X             |          |        |
| X             |          |        |
| X             |          |        |
| X             |          |        |
| R e c u s e d |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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:** 319 W. Erie LLC

**CAL NO.:** 2-02-Z

**APPEARANCE FOR:** Scott R. Borstein

**MAP NO.:** 1-F

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 319 W. Erie Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-5 Restricted Service District, the establishment of a 5-story 7 dwelling unit building with no rear yard instead of 30' for an additional penthouse level which will contain a 12' x 15' stairwell enclosure, and to waive the one required 10' x 25' loading berth.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | R           | e        | c      |
|                      | c           | u        | s      |
|                      | e           | e        | d      |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that on January 18, 2002, the Zoning Board of Appeals approved, in Cal. No. 1-02-S, the establishment of residential use below the 2<sup>nd</sup> floor in a proposed 5-story with penthouse 7 dwelling unit building at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** Chitown Sports Facilities, L.L.C. **CAL NO.:** 3-02-S  
**APPEARANCE FOR:** James J. Banks, Jeff Welsh **MAP NO.:** 6-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 2351-19 S. Throop Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the leasing of an off-site accessory parking lot,, in an M3-4 Heavy Manufacturing District, on premises at 2351-19 S. Throop Street, to satisfy the parking requirement for an indoor soccer facility located at 2315-37 S. Throop Street.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the proposed parking lot shall be operated at all times under the provisions of the lease which commences October 2, 1001 and terminates September 30, 2011;

That the parking lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

(Additional conditions follow on page 5a.)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 3-02-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer located within the lot;

That fencing and landscaping shall be provided in compliance with the Chicago Landscape Ordinance;

That striping and lighting shall be provided;

That ingress and egress shall be from S. Throop Street; that the driveway shall be constructed in accordance with applicable ordinances;

That the lot shall be securely locked at all times when not in use by the applicant;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

**APPLICANT:** The Vincennes Neighborhood Development Corp. **CAL NO.:** 4-02-S

**APPEARANCE FOR:** Steven D. Friedland, Mae Wilson **MAP NO.:** 10-E

**APPEARANCES AGAINST:** Ora L. Harper **MINUTES OF MEETING:** January 18, 2002

**PREMISES AFFECTED:** 4331 S. Vincennes Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a transitional residence for pregnant teenagers, in a 3-story residential building, in an R5 General Residence District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the said use is located in an R5 General Residence District; that the subject site is improved with a 3-story vacant residential building; that a transitional residence for pregnant teenage girls has existed since 1989 at the building located at 4333 S. Vincennes Avenue; that the existing transitional residence is a legal special use in accordance with Section 5.10 of the zoning ordinance; that the applicant proposes to expand the transitional residence to the subject property at 4331 S. Vincennes Avenue; hat the proposed use is necessary for the public convenience at this location to continue to provide counseling and other services to pregnant teenage girls; that security alarms will be provided and curfew regulations enforced to insure that the public health, safety and welfare will be adequately protected; and that the proposed use will be compatible with existing residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional residence for pregnant teenage girls operation to another group or association, the special use granted herein shall become null and void; and that any deviation from the specified use of the subject premises as a transitional residence for pregnant teenager girls as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Filiberto Quiles CAL NO.: 5-02-S

APPEARANCE FOR: John A. Fritchey MAP NO.: 7-I

APPEARANCES AGAINST: MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 3045 N. Kedzie Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 2-story 2 dwelling unit building, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 15, 2002

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |



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

**APPLICANT:** Salvador Hernandez **CAL NO.:** 6-02-S

**APPEARANCE FOR:** James J. Banks, Salvador Hernandez **MAP NO.:** 6-K

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 4206 W. 26th Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory voluntary parking lot, in a B4-1 Restricted Service District, to serve an existing restaurant located at 4209-11 W. 26th Street

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

(Additional conditions follow on page 8a.)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 6-02-S

That fencing and landscaping shall be provided in compliance with applicable provisions of the Chicago Landscape Ordinance; and

That striping and lighting which is directed away from abutting residential properties shall be provided; and

That ingress shall be from W. 26<sup>th</sup> Street; that the driveway shall be constructed in accordance with applicable ordinances; that egress shall be via the alley abutting the site to the north on to S. Keeler Avenue, provided a waiver of the alley barrier requirement is obtained from the City Council; and

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Leo Oliver Mohan

CAL NO.: 7-02-Z

APPEARANCE FOR: Thomas Pikarski

MAP NO.: 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 1732 N. Carmen Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the location and establishment of a 2 1/2-story single family residence with no west side yard instead of 5'.

**ACTION OF BOARD--**

CASE CONTINUED  
TO MARCH 15, 2002.

**THE VOTE**

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

APPLICANT: Leo Oliver Mohan

CAL NO.: 8-02-Z

APPEARANCE FOR: Thomas Pikarski

MAP NO.: 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 1734 N. Carmen Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2 ½-story single family dwelling whose front yard will be 8' instead of 20', and whose east and west side yards will be 3' each instead of 5' each.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 15, 2002.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** Teen Living Programs, Inc. **CAL NO.:** 9-02-S  
**APPEARANCE FOR:** Jack Guthman, David Myers **MAP NO.:** 8-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 3739-41 S. Indiana Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of an existing 12 bed transitional shelter facility in a 4-story brick apartment building, in an R5 General Residence District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| R           | e        | c      |
| u           | s        | e      |
| s           | e        | d      |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the said use is located in an R5 General Residence District; that the subject site is improved with a 4-story apartment building; that on January 21, 1994, the Zoning Board of Appeals approved the establishment of a 6 bed transitional shelter to serve teenage runaways, homeless youths, and young women with children in a 4-story brick apartment building at the subject site; that the testimony presented in Cal. No. 15-94-S is hereby made part of the record in this case; that the applicant now seeks an expansion of the aforesaid special use now in place by adding 12 beds to the existing 6 beds, for a total of 36 beds; that the public health, safety and welfare will be protected in the design, location and operation of the said use; that the expansion of said use will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That no additional off-street parking spaces are required as determined by the Department of Planning and Development; that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional residence facility operation to another group or association, the special use granted herein shall become null and void; that any deviation from the specified use of the subject premises as a transitional residence facility for teenage runaways, homeless youths and young women with children, or any increase in the number of beds, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

**APPLICANT:** Public Building Commission of Chicago **CAL NO.:** 10-02-S  
**APPEARANCE FOR:** Laura A. LeDoux **MAP NO.:** 6-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 1124-36 W. 31st Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, in a B4-2 Restricted Service District, to satisfy the parking requirement for the Holden Elementary School located at 1104 W. 31st Street.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT    |
|----------------------|-------------|----------|-----------|
| JOSEPH J. SPINGOLA   | X           |          |           |
| DEMETRI KONSTANTELOS | X           |          |           |
| LEROY K. MARTIN, JR. | X           |          |           |
| GIGI McCABE-MIELE    | X           |          |           |
| BRIAN L. CROWE       | R           | e        | c u s e d |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the parking lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

(Additional conditions follow on page 12a)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 10-02-S

That striping, and lighting which is directed away from adjacent residential properties shall be provided;

That fencing and landscaping shall be provided in accordance with applicable provisions of the Chicago Zoning Ordinance;

That ingress and egress shall be from W. 31<sup>st</sup> Street in accordance with the revised site plan submitted January 30, 2002; that there shall be no ingress from nor egress to S. Loomis Street; that the W. 31<sup>st</sup> Street driveway shall be constructed in accordance with applicable ordinances;

That the lot shall be securely locked at all times when not in use by the Holden Elementary School located at 1104 W. 31<sup>st</sup> Street;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Xiu Min Xie

CAL NO.: 12-02-A

APPEARANCE FOR: Xiu Min Xie

MAP NO.: 22-G

APPEARANCES AGAINST:

MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 2922 S. Canal Street

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
FEBRUARY 15, 2002.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |



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

**APPLICANT:** Xiu Min Xie

**CAL NO.:** 13-02-Z

**APPEARANCE FOR:** Xiu Min Xie

**MAP NO.:** 22-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 2922 S. Canal Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story enclosed rear porch to an existing 2-story residential building, whose north side yard will be .61' instead of 2' 6".

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 15, 2002.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** Dennis Zybora **CAL NO.:** 14-02-S

**APPEARANCE FOR:** Thomas J. Murphy, Dennis Zybora **MAP NO.:** 17-O

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 6711-15 N. Olmsted Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the expansion of an existing tavern in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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:** Nextel Communications **CAL NO.:** 15-02-Z  
**APPEARANCE FOR:** J. A. Fritchey **MAP NO.:** 22-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 8927 S. Ashland Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in C2-2 General Commercial District, the erection of a wireless communication facility within 1,320' of an existing facility and on the same zoning lot.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   |             |          | X      |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** Ralf LaMonthe **CAL NO.:** 16-02-Z  
**APPEARANCE FOR:** Ralf LaMonthe **MAP NO.:** 3-M  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 1411 N. Mayfield Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single Family Residence District, the erection of a 1-story masonry 4' 6" x 19' rear addition to a single family residence not to exceed 15% (275.5 sq .ft.) of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   |             |          | X      |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: The District

CAL NO.: 17-02-S

APPEARANCE FOR:

MAP NO.: 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 812-16 W. Lake Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the leasing of an off-site accessory parking lot for the parking of 23 private passenger automobiles, in a C2-4 General Commercial District, to fulfill the parking requirement for a Public Place of Amusement license for an existing tavern located at 858 W. Lake Street.\*

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the existing paving and fencing shall be maintained; that striping and lighting shall be provided; that ingress and egress shall be from an existing driveway on W. Lake Street

amended at the public hearing.  
(Additional conditions follow on page 19a.)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 17-02-S

That concrete wheel stops shall provided on the east and west lot lines; and be it further

RESOLVED, that inasmuch as the current lease of the premises is a two year lease terminating December 31, 2004, the granting of this special use runs only during the 2 year term of the lease and that upon termination of said lease the applicant shall reapply for a special use and submit a new parking lease with a minimum 5 year term.

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

**APPLICANT:** Benjamin Pourkhalili **CAL NO.:** 18-02-S

**APPEARANCE FOR:** Thomas Pikarski, Benjamin Pourkhalili **MAP NO.:** 3-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** January 18, 2002

**PREMISES AFFECTED:** 1559 N. Wells Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a packag goods liquor store in a 1-story brick building, in a B4-4 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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:** Wilton Development Corp. **CAL NO.:** 19-02-S  
**APPEARANCE FOR:** John J. George **MAP NO.:** 13-N  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 6401-27 W. Higgins Road/5217-27 N. Natchez Road  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment a drive-through facility in conjunction with a proposed CVS Drug Store, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan dated December 21, 2001 and elevation drawings dated December 5, 2001, as prepared by De Stefano & Partners; that the final landscape plan shall be approved by the Department of Planning and Development.



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

**APPLICANT:** Todd Polcyn **CAL NO.:** 20-02-Z  
**APPEARANCE FOR:** James J. Banks, Todd Polcyn **MAP NO.:** 7-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 3032 N. Leavitt Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a single family residence whose front yard will be 7' instead of 15', whose north side yard will be 2.5' instead of 5.166', and whose rear yard will be 14' instead of 30'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** 5235 North Winthrop Limited Partnership **CAL NO.:** 21-02-S  
**APPEARANCE FOR:** Charles B. Friedman **MAP NO.:** 13-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 5236 Kenmore Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 21 private passenger automobiles, in an R4 General Residence District, to serve the property located at 5235-39 N. Winthrop Avenue.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That the existing fencing shall be maintained; that lighting shall be provided directed away from abutting residential properties; that striping shall be provided;

(Additional conditions follow on page 23a.)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 21-02-S

That ingress and egress shall be via the alley abutting the site to the west provided a waiver of the alley barrier requirement is obtained from the City Council;

That landscaping shall be installed as illustrated on the landscape plan prepared by Appold Design, Inc., dated November 1, 2001;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

**APPLICANT:** 5235 North Winthrop Limited Partnership **CAL NO.:** 22-02-Z  
**APPEARANCE FOR:** Charles B. Freidman **MAP NO.:** 13-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 5236 Kenmore Avenue  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the establishment of an off-site accessory parking lot whose front yard will be 7' instead of 15'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that on January 18, 2002, the Zoning Board of Appeals, approved in Cal. No. 231-02-S, the establishment of an off-site accessory parking lot for the parking of 21 private passenger automobiles at the subject site, to serve the property located at 5235-39 N. Winthrop Avenue; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** McDonald's Corporation **CAL NO.:** 23-02-S  
**APPEARANCE FOR:** Elvin E. Charity **MAP NO.:** Map 11-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 4536 N. Kedzie Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in conjunction with a proposed McDonald's restaurant, in a B7-6 General Central Business District..

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIBLE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the proposed drive-through shall be construction consistent with the layout and design represented on the site plan and elevation drawings prepared by McDonald's Corporation, dated January 17, 2002; and that the final landscape plan shall be approved by the Department of Planning and Development.

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

**APPLICANT:** Crate & Barrel Holdings

**CAL NO.:** 24-02-S

**APPEARANCE FOR:** Graham C. Grady

**MAP NO.:** 3-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 1526-60 N. Dayton Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, in a C5-5 Commercial Office District, to serve the building located at 833-41 W. North Avenue

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
MARCH 15, 2002.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** Euromarket Designs, Inc.

**CAL NO.:** 25-02-Z

**APPEARANCE FOR:** Graham C. Grady

**MAP NO.:** 3-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 833-41 W. North Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C5-5 Commercial Office District, the erection of a new retail building with a waiver of one of the two required loading (10' x 25') berths.

**ACTION OF BOARD--**

CASE CONTINUED TO  
MARCH 15, 2002.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** Perspectives Charter School **CAL NO.:** 26-02-Z  
**APPEARANCE FOR:** Matt Shaw **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 74 E. 16<sup>th</sup> Street\*

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of an elementary and high school building with no front yard instead of 15', no north side yard instead of 5.2', with no west rear yard instead of 30', and to increase the floor area beyond the permitted floor area ratio.\*

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following conditions:

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:** Nextel Communications

**CAL NO.:** 27-02-Z

**APPEARANCE FOR:** John A. Fritchey

**MAP NO.:** 24-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 10235 S. Michigan Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-1 Restricted commercial District, the erection of a wireless communication tower within 1,320' of an existing tower.

**ACTION OF BOARD--**

CASE CONTINUED TO  
FEBRUARY 15, 2002.

**THE VOTE**

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** McDonald's Corporation **CAL NO.:** 29-02-S  
**APPEARANCE FOR:** Bridget M. O'Keefe **MAP NO.:** 3-G  
**APPEARANCES AGAINST:** Al Geiser et al. **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 1521-29 W. North Avenue  
**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed McDonald's Restaurant, in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DENIED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
|             | X        |        |
|             | X        |        |
|             | X        |        |
|             | X        |        |
|             | X        |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 23,401 sq.ft. vacant lot located on the southeast corner of W. North Avenue and N. Bosworth Avenue, bounded on the north by W. North Avenue, the Kennedy Expressway onway ramp/Greenview Avenue on the east, a 12 foot public alley on the south which is next south and parallel to W. North Avenue; and N. Bosworth Avenue to the west; that the subject site was previously occupied by a gas service station; that an R4 General Residence District is located immediately south of the subject site; that the applicant proposes to establish a 4,500 sq. ft. restaurant building with a 99 seat capacity and 7 on-site parking spaces and a drive-through facility at the subject site; that the restaurant with seating is a permitted use in a B4-2 Restricted Service District; that the drive-through facility requires special use approval; that ingress to the drive-through facility will be from W. North Avenue and egress will be onto N. Boswoth Avenue; that testimony presented indicates that the drive-through facility has been designed to handle 60 vehicles in an hour and that 9 vehicles may queue for drive-through service without interfering with traffic on the subject property; that the peak hours of drive-through activity are from 6 A.M. to 11 A.M. and 5 P.M. to Midnight; and

WHEREAS, that no evidence was presented to indicate that a McDonald's drive-through facility is necessary for the public convenience at the subject site; that, indeed, the evidence presented indicated that a drive-through facility is deemed necessary at the subject site due to the proximity of the Kennedy Expressway which is less than 200 feet to the east of the subject site and not for the convenience of the area residents; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the location and operation of a drive-through facility at the subject site; that evidence presented indicates that reported traffic accidents between 1256 W. North Avenue and 1700 W. North Avenue during 2001 were extremely heavy; that over 30,000 vehicles use W. North Avenue daily and approximately 180,000 vehicles

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 29-02-S

use the Kennedy Expressway daily; that the proposed drive-through will generate an increased amount of traffic from W. North Avenue and the Kennedy expressway into this predominantly pedestrian neighborhood; that no testimony was presented to indicate the height or number of pylon advertising signs proposed for the subject site nor what kind of advertising message(s) are proposed; that no evidence was presented to indicate that the proposed drive-through facility is compatible with the existing abutting residential neighborhood and that it 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 denied.

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

**APPLICANT:** McDonald's Corporation **CAL NO.:** 30-02-S  
**APPEARANCE FOR:** Bridget M. O'Keefe **MAP NO.:** 3-G  
**APPEARANCES AGAINST:** Al Geiser et al. **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 1550-56 N. Bosworth Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, in a B4-2 Restricted Service District, to serve a proposed McDonald's restaurant to be located at 1521-29 W. North Avenue.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is an 11,543 sq. ft. vacant lot; that the applicant proposes to establish an off-site accessory parking lot at the subject site to serve a 99-seat McDonald's Restaurant to be located at 1521-29 W. North Avenue; that 7 on-site parking spaces will be provided; that on January 18, 2002, the Zoning Board of Appeals denied, in Cal. No. 29-02-S, the establishment of a drive-through facility in conjunction with the proposed restaurant; that the proposed restaurant is a permitted use in a B4-2 Restricted Service District; that the proposed off-site accessory parking lot will be located approximately 95 feet, and across N. Bosworth Avenue, from the restaurant's entrance; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to provide accessible parking for the customers of the proposed McDonald's Restaurant; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions and standards hereinafter set forth; and that the proposed parking lot will help alleviate parking congestion in the area, and with decorative and solid screen fencing and landscaping, will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the parking lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

(Additional conditions follow on page 32a.)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 30-02-S

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That 5 feet high decorative solid wood fencing shall be provided on the west and south lot lines; that 5 feet high decorative wrought iron fencing shall be provided on the north and east lot lines, excepting the driveways;

That striping shall be provided; that lighting shall be provided which shall be directed away from adjacent residential property;

That ingress and egress shall be from driveways located on W. North Avenue and on N. Boswell Avenue; the alley abutting the site to the west shall not be used for ingress nor for egress; that the driveways on North Avenue and Boswell Avenue shall be constructed in accordance with applicable ordinances;

That the parking lot shall be securely locked at all times when not in use by the applicant restaurant;

That landscaping shall be installed as illustrated on the landscape plan prepared by Wolff Clements and Associates, dated January 7, 2002;

That garbage receptacles shall be provided at the subject site; that applicant shall cause the subject site to be regularly policed by restaurant employees to insure that trash is disposed of and that no loitering and/or unauthorized activities take place;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

**APPLICANT:** R.E.N.U. LLC Diann Bishop **CAL NO.:** 31-02-Z  
**APPEARANCE FOR:** Richard E. Zulkey, Diann Bishop **MAP NO.:** 10-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 801 E. Oakwood Boulevard  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story single family dwelling, whose rear yard will be 7' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED,

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** R.E.N.U. LLC Diann Bishop **CAL NO.:** 32-02-Z

**APPEARANCE FOR:** Richard E. Zulkey, Diann Bishop **MAP NO.:** 10-D

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 815 E. Oakwood Boulevard

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story single family dwelling whose rear yard will be 23' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** R.E.N.U. LLC Diann Bishop **CAL NO.:** 33-02-Z  
**APPEARANCE FOR:** Richard E. Zulkey, Diann Bishop **MAP NO.:** 10-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 821 E. Oakwood Boulevard  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story single family dwelling whose east and west side yards will be 3' each instead of 6.6' each, and whose rear yard will be 7' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

- . 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:** R.E.N.U. LLC Diann Bishop **CAL NO.:** 34-02-Z  
**APPEARANCE FOR:** Richard E. Zulkey, Diann Bishop **MAP NO.:** 10-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 827 E. Oakwood Boulevard

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story single family dwelling whose east and west side yards will be 3.25' each instead of 6' each, and whose rear yard will be 17' instead of 30'.

**ACTION OF BOARD--**

VARIATION GRANTED

**THE VOTE**

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on January 3, 2002; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** Yen Nguyen

**CAL NO.:** 35-02-Z

**APPEARANCE FOR:** Yen Nguyen

**MAP NO.:** 13-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 4925 N. Broadway

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C2-3 General Commercial District, an off-site required parking lot for the parking of 25 private passenger automobiles at 4941 N. Broadway, which parking lot will serve more than one use located at 4941 N. Broadway.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 19, 2002.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** Elias Mansour **CAL NO.:** 36-02-A

**APPEARANCE FOR:** Elias Mansour **MAP NO.:** 14-I

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 2838 W. 63rd Street

**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, Elias Mansour, for Nancy Martinez, owner, on December 10, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of TV/VCR repair service in substitution of a Dollar Store in a 2-story store and apartment building, in a B-1 Restricted Retail District, on premises at 2838 W. 63<sup>rd</sup> Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 5, 2001, 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 January 18, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building; that the subject store premises was previously occupied by a Dollar Plus store which operated without a city business license until May, 2001 when it closed; that the appellant is seeking a business license for the repair of televisions and video cassette recorders; that the appellant also sells televisions and video cassette recorders; that the change of use from a dollar store to a retail television and video cassette recorder store and repair service is a proper substitution of use under Section 6.4-7 of the zoning ordinance; 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 establishment of a TV/VCR repair service in substitution of Dollar Plus store, in a 2-story brick store and apartment building, on premises at 2838 W. 63<sup>rd</sup> Street, upon condition that applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

**APPLICANT:** Doyle Signs **CAL NO.:** 37-02-A

**APPEARANCE FOR:** Thomas J. Murphy **MAP NO.:** 9-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 3930 N. Pine Grove Avenue

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

**APPLICANT:** Larry Bishop **CAL NO.:** 38-02-A  
**APPEARANCE FOR:** Larry Bishop **MAP NO.:** 22-D  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 1331 E. 89th Street  
**NATURE OF REQUEST:** 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.

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   |             | X        |        |
| DEMETRI KONSTANTELOS |             | X        |        |
| LEROY K. MARTIN, JR. |             | X        |        |
| GIGI McCABE-MIELE    |             | X        |        |
| BRIAN L. CROWE       |             | X        |        |

**THE RESOLUTION:**

WHEREAS, Larry Bishop, owner, on October 17, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a private garage containing 880 sq. ft. instead of a garage with 630 sq. ft., in an R2 Single-Family Residence District, on premises at 1331 E. 89<sup>th</sup> Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 4, 2001, 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 5.6-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; 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 a 35' x 125' lot improved with a 1-story brick single-family residence on the front of the lot and a 1-story garage at the rear of the lot; that an addition was made to the existing garage without the proper permits; that the subject garage exceeds the 630 sq. ft. permitted by 250 sq. ft.; that Section 5.6-2 of the zoning ordinance states that no detached accessory building or buildings shall occupy more than 60 percent of the area of a required rear yard; that pursuant to Section 5.6-2 of the zoning ordinance the Zoning Board of Appeals has no authority to permit the private garage containing 880 sq. ft. at the subject site; it is therefore

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

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

**APPLICANT:** White Way Sign and Maintenance Co. **CAL NO.:** 39-02-A  
**APPEARANCE FOR:** Peter A. Tomaselli **MAP NO.:** 8-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 244 E. Pershing Road  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, White Way Sign and Maintenance Co. for Chicago Board of Education, owner, on October 17, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a n electronic, flashing and animated school bulletin sign, in an R5 General Residence District, on premises at 244 E. Pershing Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 24, 2001, 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 7.10."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with the Phillips Academy High School; that the appellant proposes to erect an electronically controlled announcement board at the subject site to enable Phillips Academy to post school-related announcements; that no products and/or services unrelated to the school will be displayed; that the elapsed time between announcements will be no less than 10 minutes; that the Board finds that the proposed electronically controlled sign board is not a moving, flashing advertising sign but an announcement board for the sole purpose of announcing school-related bulletins; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its 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 an electronically controlled announcement board for the Phillips Academy, on premises at 244 E. Pershing Road, upon condition that no products and/or services unrelated to the school will be displayed; that the elapsed time between announcements will be no less than 10 minutes; 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:** William Franceschi **CAL NO.:** 40-02-A  
**APPEARANCE FOR:** William Franceschi **MAP NO.:** 5-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002  
**PREMISES AFFECTED:** 2165 N. Milwaukee Avenue  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, William Franceschi, for Fortunado Rubio, owner, on October 23, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to grant the appellant a business license for a day labor service in a location where a previous business license had expired for an employment agency, in a C3-1 Commercial Manufacturing District, on premises at 2165 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 22, 2001, 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(12)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; and

WHEREAS, the district maps show that the premises is located in a C3-1 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 C3-1 Commercial Manufacturing District; that the subject site is improved with a 3-story brick store and apartment building; that the subject premises was previously occupied by an employment agency; that the appellant contends that his business operation is an employment agency as typically define and not a day laborer employment service; that testimony presented indicates that the appellant's business operation consists of marketing through companies to place clients; that clients are interviewed by the businesses seeking employees but there is no guarantee that the client will be hired; that no transportation to and from places of employment is furnished by the appellant; that the Board finds that the said business operation is not a day laborer employment service; 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 a business license for an employment agency in a 3-story brick store and apartment building where a previous business license for an employment agency had expired, on premises at 2165 N. Milwaukee Avenue, upon condition that there shall be no loitering by prospective clients outside the subject premises; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

**APPLICANT:** Ronald Popp **CAL NO.:** 41-02-A

**APPEARANCE FOR:** Thomas S. Moore, Ronald Popp, **MAP NO.:** 17-M  
Brendan McCormack

**APPEARANCES AGAINST:** Bruce Longanecker, et al. **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 6872 N. Lehigh Street

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
|             | X        |        |
|             | X        |        |
|             | X        |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, Roanld Popp, for Ronald Popp and Neb and Carmilla Tarailo, owners, on October 29, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a current zoning lot to be divided into 2 separate zoning lots; the new lot, with house, to be 8,254 sq.ft. with a frontage of 40'; and the new vacant lot to be 8,964 sq. ft. with a frontage of 141.121', in an R1 Single-Family Residence District, on premises at 6872 N. Lehigh Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 4, 2001, 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 7.5(9)."

and  
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; and

WHEREAS, the district maps show that the premises is located in an R1 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 R1 Single-Family Residence District; that the subject site is an irregular shaped 17,218 sq.ft. through lot with frontages located on N. Lehigh Avenue and N. Loran Avenue; that the appellant seeks to divide the existing lot into 2 separate zoning lots; that the lot containing an existing single-family dwelling will have 8,254 sq. ft. with a frontage of 40' on N. Loran Avenue; that the new 8,964 sq.ft. will have a frontage of 141.121' on N. Lehigh Avenue; under Section 7.5(9) of the zoning ordinance, each zoning lot, in a R1 Single-Family Residence District, shall have a frontage on a public street which is equal to the predominant widths of the zoning lots on the same side of the street between the two nearest intersecting streets or a minimum of 25 feet of frontage, whichever is greater; that the appellant contends that the 40' frontage on N. Loran Avenue was, is, and always will be 40 feet and will have no effect whatsoever on the front footage on the N. Loran Avenue side of the through lot; that the proposed new 8,964 sq.ft. lot on N. Lehigh Avenue, will have a frontage of 141.121' which is not equal to the predominant widths of the zoning lots fronting N. Lehigh Avenue; that under Section 7.5(9) of the zoning ordinance the Board has no authority to permit the requested division of the zoning lot; 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:** Frieda Floodas

**CAL NO.:** 42-02-A

**APPEARANCE FOR:** Frieda Floodas

**MAP NO.:** 15-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 5864 N. Magolia Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 19, 2002.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

APPLICANT: Marin & Carmen Garcia

CAL NO.: 43-02-A

APPEARANCE FOR: Carmen Garcia

MAP NO.: 16-K

APPEARANCES AGAINST:

MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 6434 S. Kildare Avenue

NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO  
MARCH 15, 2001.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

**APPLICANT:** Migdalia Ruiz **CAL NO.:** 44-02-A

**APPEARANCE FOR:** Migdalia Ruiz **MAP NO.:** 4-J

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 816 N. Maplewood Street

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
|             | X        |        |
|             | X        |        |
|             | X        |        |
|             | X        |        |
|             | X        |        |

**THE RESOLUTION:**

WHEREAS, Migdalia Ruiz, owner, on November 6, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of 4 dwelling units with only 2 required on-site parking spaces, in an R4 General Residence District, on premises at 816 N. Maplewood Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 2001, 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 7.12."  
and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; 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 35' x 125' (4,375 sq. ft.) lot improved with a 3-story with high basement brick 3-dwelling unit building and a detached accessory garage in the rear of the lot; that the appellant seeks to convert the the building to 4 dwelling units; that pursuant to Section 7.5-4 of the zoning ordinance the appellant has sufficient lot area for 4 dwelling units; that 8' of space is required for each on-site parking space; that the appellant's lot is 35 feet wide and has sufficient space to accommodate 4 parking spaces; that the appellant testified that she does not want to convert the existing garage or give up a portion of rear yard space for parking space; that pursuant to Section 7.12-2(9) of the zoning ordinance, in an R4 General Residence District, parking spaces equal in number to 100 percent of the number of dwellings shall be provided; that the Zoning Board of Appeals, under Section 7.12-2(9) of the zoning ordinance has no authority to waive 2 required on-site parking spaces at the subject site; it is therefore

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

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

**APPLICANT:** Sherwin Packer **CAL NO.:** 45-02-A

**APPEARANCE FOR:** Gary I. Wigoda, Sherwin Packer **MAP NO.:** 13-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 1064-70 W. Berwyn Avenue

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, Sherwin Packer, owner, on November 7, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a 30 dwelling unit building with 3 dwelling units in former commercial spaces on the 1<sup>st</sup> floor, and no on-site parking, in an R5 General Residence District, on premises at 1064-70 W. Berwyn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 2001, 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 7.5-5, 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 January 18, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 4-story brick building containing 30 dwelling units and commercial space in a portion of the first floor; that the subject building was constructed in 1925, at which time it contained 27 dwelling units and all commercial space on the first floor, and no on-site parking spaces; that the appellant seeks to convert 3 non-conforming commercial spaces on the ground floor into 3 dwelling units for a total of 30 dwelling units with the balance of the first floor remaining commercial in nature; that the change of use from 3 non-conforming commercial spaces to 3 dwelling units is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a 30 dwelling unit building, with no on-site parking required, on premises at 1064-70 W. Berwyn Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Joseph, Rocco, and Mary Carrozza **CAL NO.:** 46-02-A  
**APPEARANCE FOR:** Ted O'Shea **MAP NO.:** 9-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 January 18, 2002  
**PREMISES AFFECTED:** 3323-25 N. Halsted Street  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, Joseph, Rocco and Mary Carrozza, owners, on November 9, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 8 dwelling units in an existing 3-story brick store and apartment building, in a C1-3 Restricted Commercial District, on premises at 3323-25 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 15, 2001, 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 9.6-1(3), 9.11-2(3)."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; and

WHEREAS, the district maps show that the premises is located in a C1-3 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-3 Restricted Commercial District, that the subject site is a 53' x 56' lot improved with a 3-story brick store and apartment building; that evidence presented indicates that permit No. B76080, was issued June 16, 1952 for the conversion of 4 apartments into 8 apartments, which apartments were located on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of the subject building; that the appellants seek to maintain the 8 dwelling units and retail space currently existing in the building; that the appellants have a right to continue the occupancy of the subject building as 8 dwelling units with first floor retail space and with no on-site parking provided the building is brought into compliance with all applicable building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 8 dwelling units in an existing 3-story brick store and apartment building with no on-site parking required, on premises a 3323-25 N. Halsted Street, 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 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:** Longstreet Renovation and Development Co. **CAL NO.:** 349-01-Z

**APPEARANCE FOR:** James J. Banks **MAP NO.:** 5-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 443 W. Webster Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the establishment of a 3-story addition to an existing 3-story proposed single family residence with no rear yard instead of 30', and with no west side yard instead of 3' 6".

**ACTION OF BOARD--**

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

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

**APPLICANT:** Luis Bermudez **CAL NO.:** 364-01-A

**APPEARANCE FOR:** Paul A. Kolpak, Luis Bermudez **MAP NO.:** 4-G

**APPEARANCES AGAINST:** None+ **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 1936 S. Carpenter Street

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   |             | X        |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. |             | X        |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, Luis Bermudez, owner, on June 28, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of 5\* dwelling units in an R4 General Residence District, on premises at 1936 S. Carpenter Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 26, 2001, 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, 7.5-4, 7.123-2."

and  
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; 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 25' x 100' lot improved with a 2-story frame building on the front of the lot and a 2-story frame coach house building on the rear of the lot; that the subject buildings predate the 1923 zoning ordinance, having been built at the turn of the century or earlier, and which renders the coach house building a legal non-conforming use at the site; that the appellant is seeking to legalize 5 dwelling units at the subject site, 3 units in the front building and 2 in the rear building; that testimony presented indicates that the architectural details in the subject buildings indicates that 5 dwelling units existed at the subject site prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building on the front of the lot as 3 dwelling units and the building on the rear of the lot as 2 dwelling units provided the buildings are brought into compliance with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize 3 dwelling units in the building located on the front of the lot and 2 dwelling units in the building at the rear of the lot, for a total of 5 dwelling units, with no on-site parking required, on premises at 1936 S. Carpenter Street, upon condition that the buildings are brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Freeman Jewelers Inc.

**CAL NO.:** 376-01-S

**APPEARANCE FOR:**

**MAP NO.:** 20-H

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 8130 S. Ashland Avenue

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story masonry commercial building in a B4-2 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |



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

APPLICANT: Walter T. Rice

CAL NO.: 414-01-S

APPEARANCE FOR: None

MAP NO.: 18-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:  
January 18, 2002

PREMISES AFFECTED: 7542-58 S. Halsted Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a coin-operated laundrette in a 4-story brick multi store building, in a B2-4 Restricted Retail District.

**ACTION OF BOARD--**

CASE DISMISSED FOR  
WANT OF PROSECUTION.

**THE VOTE**

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

**APPLICANT:** Stanley Mullins **CAL NO.:** 421-01-S

**APPEARANCE FOR:** Richard E. Zulkey, Stanley Mullins **MAP NO.:** 10-E

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 427 E. Pershing Road

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an auto laundry and detail shop in a C1-3 Restricted Commercial District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION DENIED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE   | NEGATIVE | ABSENT |
|---------------|----------|--------|
|               | X        |        |
|               | X        |        |
| R e c u s e d |          |        |
|               | X        |        |
|               | X        |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 31, 2001; 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 finds the following; that the proposed use is to be located in a C1-3 Restricted Commercial District; that the subject site is improved with a 1-story brick commercial building; that the subject building was previously occupied by a car wash facility but has been vacant since 1998; that no evidence was presented to indicate that the proposed auto laundry and detail shop is necessary for the public convenience at the subject site; that City records indicate that existing car wash operations are located at 3837 S. Wabash Avenue, 349 W. 31<sup>st</sup> Street and 114 E. 35<sup>th</sup> Street, which locations are within one mile of the subject site; that no evidence was presented to indicate that the establishment of an auto laundry and detail shop would 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 denied.

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

**APPLICANT:** Yen Nguyen

**CAL NO.:** 425-01-S

**APPEARANCE FOR:** Anthony Mancini, Yen Nguyen

**MAP NO.:** 13-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 4925 N. Broadway

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of off-site required parking for 25 automobiles for a PPA license located at 4941 N. Broadway and which will be used for two or more uses at this address in a C2-3 General Commercial District.

**ACTION OF BOARD--**

CASE CONTINUED TO  
APRIL 19, 2002.

**THE VOTE**

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

**APPLICANT:** Yen Nguyen

**CAL NO.:** 426-01-Z

**APPEARANCE FOR:** Anthony Mancini, Yen Nguyen

**MAP NO.:** 13-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

**PREMISES AFFECTED:** 4941 N. Broadway

January 18, 2002

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C2-3 General Commercial District, the establishment of a PPA license for a banquet and restaurant facility in a 1-story building.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
APRIL 19, 2002.

JOSEPH J. SPINGOLA  
DEMETRI KONSTANTELOS  
LEROY K. MARTIN, JR.  
GIGI McCABE-MIELE  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

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

**APPLICANT:** Little Company of Mary Affiliated Services, Inc **CAL NO.:** 434-01-S

**APPEARANCE FOR:** Geroge J. Arnold, Belinda Dixon **MAP NO.:** 22-F

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** January 18, 2002

**PREMISES AFFECTED:** 9455 S. Halsted Street/758 W. 95th Street

**NATURE OF REQUEST:** Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-street accessory parking lot to provide parking for a proposed medical center located at 744 W. 95th Street in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

| AFFIRMATIVE   | NEGATIVE | ABSENT |
|---------------|----------|--------|
| X             |          |        |
| X             |          |        |
| X             |          |        |
| X             |          |        |
| R e c u s e d |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on October 31, 2001; 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 finds the following; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the lot shall be improved with a compacted macadam base, not less than four inches, thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

(Additional conditions follow on page 56a.)

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

**MINUTES OF MEETING**

January 18, 2002

Cal. No. 434-01-S

That 6' high decorative wrought iron type metal fencing shall be provided on the west, south and east lot lines, excepting the driveway; that a 6' high decorative solid wood fence shall be provided on the north lot line to screen the parking facility from abutting residential property;

That striping shall be provided; that lighting shall be provided which reflects away from abutting residential property;

That ingress and egress shall be via the alley abutting the site to the east onto W. 95th Street, provided a waiver of the alley barrier requirement is obtained from the City Council;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

**APPLICANT:** Rock-Wall Construction **CAL NO.:** 440-01-Z

**APPEARANCE FOR:** Bernard I.Citron **MAP NO.:** 1-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 2000-02 W. Race Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 4 dwelling unit whose front yard shall be 1'2" instead of 11', whose west side yard will be 1'10-3/8" instead of 4', and with no rear yard instead of 30'.\*

**ACTION OF BOARD--**

**THE VOTE**

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA  
 DEMETRI KONSTANTELOS  
 LEROY K. MARTIN, JR.  
 GIGI McCABE-MIELE  
 BRIAN L. CROWE

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    | X           |          |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on October 31, 2001; 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 finds the following; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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

\*Amended at the public hearing.

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

**APPLICANT:** Jack Berger **CAL NO.:** 465-01-Z

**APPEARANCE FOR:** Bernard I. Citron, Jack Berger **MAP NO.:** 7-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
December 14, 2001 and  
January 18, 2002

**PREMISES AFFECTED:** 1700 W. Wellington Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story single family residence whose front yard shall be 15' instead of 20' and whose east and west side yards shall be .5' instead of 5.9'.

**ACTION OF BOARD--**

VARIATIONS GRANTED.

**THE VOTE**

|                      | AFFIRMATIVE | NEGATIVE | ABSENT |
|----------------------|-------------|----------|--------|
| JOSEPH J. SPINGOLA   | X           |          |        |
| DEMETRI KONSTANTELOS | X           |          |        |
| LEROY K. MARTIN, JR. | X           |          |        |
| GIGI McCABE-MIELE    |             | X        |        |
| BRIAN L. CROWE       | X           |          |        |

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on December 14, 2001 and January 18, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on November 16, 2001; 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 finds the following; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; 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 the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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:** Elfie Bishop **CAL NO.:** 478-01-A

**APPEARANCE FOR:** Gary I. Wigoda, Elfie Bishop **MAP NO.:** 3-I

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
January 18, 2002

**PREMISES AFFECTED:** 2507 W. Augusta Boulevard

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

| AFFIRMATIVE | NEGATIVE | ABSENT |
|-------------|----------|--------|
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |
| X           |          |        |

**THE RESOLUTION:**

WHEREAS, Elfie Bishop, owner, on August 27, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an office use on the first floor of a 3-story brick store and apartment building for which no business license was issued since 1999, in an R4 General Residence District, on premises at 2507 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 16, 2001, 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 7.3-4, 7.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 18, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 3-story brick building containing a non-conforming store premises on the first floor and residential use on the 2<sup>nd</sup> and 3<sup>rd</sup> floors; that the store premises has been continuously occupied by business uses, the last use having been an art gallery which never obtained a business license and which ceased operation at the subject site in June, 2000; that the appellant seeks to establish a mortgage business office in the subject store premises; that there has been no intent to abandon the use of the 1st floor store premises for business use; that under Section 6.4-7 of the zoning ordinance the change of use from an art gallery to a business office is a proper substitution of use; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an office use on the first floor of a 3-story brick store and apartment building, on premises a 2507 W. Augusta Boulevard, upon condition that the hours of operation shall be limited to the hours between 8 A.M. through 6 P.M. Monday through Friday and from 9 A.M. to 1 P.M. Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

**MINUTES OF MEETING**

January 128, 2002

Ca. No. 63-01-S

Sara A. McNear, for Spacenet, Inc., applicant, presented a written request for an extension of time in which to obtain the necessary permit for the expansion of an existing earth station facility by the erection of three 30' antennas and pads, in an M3-4 Heavy Manufacturing District, on premises at 3111 S. Western Avenue, approved by the Zoning Board of Appeals on February 16, 2001, in Cal. No. 63-01-S.

Ms. McNear stated that Spacenet, Inc. has not yet applied for a building permit for the installation of the earth station antennas and pads or commenced the use because contracts with the end users have not be finalized, and that the allocation of funds budgeted for the proposed installation was shifted from the year 2001 to 2002.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permit be extended to February 16, 2003. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Crowe, Konstantelos, Martin, McCabe-Miele. Nays- None.

**MINUTES OF MEETING**

January 128, 2002

Ca. No. 63-01-S

Sara A. McNear, for Spacenet, Inc., applicant, presented a written request for an extension of time in which to obtain the necessary permit for the expansion of an existing earth station facility by the erection of three 30' antennas and pads, in an M3-4 Heavy Manufacturing District, on premises at 3111 S. Western Avenue, approved by the Zoning Board of Appeals on February 16, 2001, in Cal. No. 63-01-S.

Ms. McNear stated that Spacenet, Inc. has not yet applied for a building permit for the installation of the earth station antennas and pads or commenced the use because contracts with the end users have not be finalized, and that the allocation of funds budgeted for the proposed installation was shifted from the year 2001 to 2002.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary building permit be extended to February 16, 2003. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Crowe, Konstantelos, Martin, McCabe-Miele. Nays- None.

**MINUTES OF MEETING**

January 18, 2002

Motion was made by Member Crowe to recess the Zoning Board of Appeals for deliberation on the matters heard; motion was seconded by Member Konstantelos. The motion passed unanimously. The Board thereupon recessed, taking action designated on the face of the resolutions.

\* \* \* \* \*

The Board adjourned to meet in regular meeting on Friday, February 15, 2002.

  
Secretary