

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, May 17, 1991

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

The following members were present and constituted a quorum:

Joseph J. Soingola
Chairman

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

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Member Martin moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on April 19, 1991 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

The Board thereupon held its regular meeting, taking action designated on the face of the resolutions.

APPLICANT: Christian Bible Center
 APPEARANCES FOR: Ted Washington
 APPEARANCES AGAINST: Darlene Tribie, et al.

CAL. NO. 95-91-S
 MAP NO. 18-E
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 513-23 E. 75th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
X		
		X

THE RESOLUTION:

WHEREAS, Christian Bible Center, for LaSalle National Bank, Tr. #115201 and Carol H. Reed, owners, on March 11, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 150-seat church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 513-23 E. 75th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 25, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-4(1), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that evidence presented indicates that the building on the subject site is located within 100 feet of an existing licensed tavern/lounge, which is a permitted use under the B4 zoning; that the Board takes judicial notice of statutes in effect under which the rights of a permitted business in the area could be jeopardized by the establishment of a church at this location; that no evidence was presented to indicate that the establishment of a church at this location would not cause substantial injury to the value of other property in the neighborhood; that the proposed use is not in the public interest in that the economic viability and future development of permitted uses in the district would be restricted; it is therefore

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

APPLICANT: Leonard Daniels

CAL. NO. 96-91-Z

APPEARANCES FOR: Leonard Daniels

MAP NO. 14-G

APPEARANCES AGAINST:

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PREMISES AFFECTED— 5927 S. May Street

SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Leonard Daniels, owner, on March 13, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 9' x 20' enclosed front porch to a 2-story frame single-family residence, whose front yard will be 6 feet instead of 20 feet and with no north side yard instead of 2.5 feet, on premises at 5927 S. May Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 13, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story frame single-family residence with a partially completed 1-story 9' x 20' front porch; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the enclosed front porch is necessary to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that the applicant desires an enclosed porch for personal safety reasons; that the variations, if granted, will be compatible with the existing improvements in this block, all of which do not comply with the north side yard and front yard requirements of the zoning ordinance, and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred on it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of

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a 9' x 20' enclosed front porch to a 2-story single-family residence, whose front yard will be 6 feet instead of 20 feet and with no north side yard instead of 2.5 feet, on premises at 5927 S. May Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Mauvolyene Gardner
APPEARANCES FOR: Mauvolyene Gardner
APPEARANCES AGAINST:

CAL. NO. 97-91-7
MAP NO. 24-E
MINUTES OF MEETING
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PREMISES AFFECTED— 9816 S. Calumet Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS Mauvolyene Gardner, for Mauvolyene and Terrill Gardner, owners, on March 18, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 15' x 35' addition to the rear of a 1½-story brick single-family residence and the enclosure of the rear porch, whose total floor area ratio will be 0.65 instead of 0.50, on premises at 9816 S. Calumet Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a 1-story brick residential building and an unattached 2nd garage-size 1-story frame screen house building between the main building and the existing garage structure at the rear; that the applicant proposes to demolish the existing 1-story frame screen house and erect a 15' x 35' addition to the rear of the 1½-story residential structure and enclose the rear porch, which will increase the total floor area ratio from 0.50 to 0.65; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 15' x 35' addition and enclosed porch is necessary to meet the needs of the applicant; that the plight of the owners is due to the applicant's need for additional habitable space which because of frequent flooding cannot be located in the basement of the existing residential structure; that the proposed addition and enclosed rear porch will be compatible with the existing improvements in the block and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 15' x 35' addition to the rear of a 1½-story brick single-family residence and the enclosure of the rear porch, whose total floor area ratio will be 0.65 instead of 0.50, on premises at 9816 S. Calumet Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Samon Rihan
 APPEARANCES FOR: Samon Rihan
 APPEARANCES AGAINST:

CAL. NO. 98-91-Z
 MAP NO. 13-H
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 1616 W. Berwyn Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Samon Rihan, owner, on March 18, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the dormering of the attic of a 2-story frame 2-dwelling unit building, whose front yard will be 13 feet instead of 15 feet, whose west side yard will be 10 inches instead of 2.6 feet and which addition will result in a 15% (552 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1616 W. Berwyn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is a 26' x 125' lot improved with a 2-story frame 2-dwelling unit building; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant resides in the first floor dwelling unit and rents out the 2nd floor dwelling unit; that the applicant proposes to dormer the existing attic to provide bedroom, living room and bath space but no kitchen facility totalling 552 sq. ft. which exceeds by 15% the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the attic dormer addition is necessary to meet additional space needs of the applicant who resides in the 1st floor dwelling unit; that the plight of the owner is due to the need to retain the 2nd floor dwelling unit for rental income and the necessity of providing additional

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living space for him and his family's use; that no one appeared in opposition to the applicant's proposal; that the proposed dormer addition will not impair an adequate supply of light and air to adjacent properties, and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2-story frame 2-dwelling unit building, whose front yard will be 13 feet instead of 15 feet, whose west side yard will be 10 inches instead of 2.6 feet and which addition will result in a 15% (552 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1616 W. Berwyn Avenue, upon condition that the said dormered attic shall contain no kitchen facility and is to be occupied only as accessory living space to the 1st floor dwelling unit; that the said dormered attic shall not be rented out or used as a separate dwelling unit; 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: Rush Oak Limited Partnership
 APPEARANCES FOR: James M. Kane
 APPEARANCES AGAINST:

CAL. NO. 99-91-Z
 MAP NO. 3-E
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 25-35 E. Oak Street and 943-51 N. Rush Street
 SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Rush Oak Limited Partnership, owner, on March 20, 1991, filed an application for a variation of the zoning ordinance to permit, in a B7-6 General Central Business District, the erection of a 4-story building to contain retail uses, with provision for one 10' x 50' loading berth instead of the two required, on premises at 25-35 E. Oak Street and 943-51 N. Rush Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.10-7, §11.7-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

WHEREAS, the district maps show that the premises is located in a B7-6 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-6 General Central Business District; that the subject site is located on the southeast corner of Oak and Rush Streets; that the proposed development of the subject site by Barneys New York provides for a 4-story 40,000 sq. ft. structure which will be utilized for a retail clothier; that under current zoning ordinance requirements the proposed development requires two 10' x 50' loading berths; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the frontage on Oak Street is 119' while the frontage at the rear of the subject site adjacent to the 10 foot public alley is only 86 feet; that if required to provide a second loading berth of 10' x 50' at the rear of the site the remaining amount of ground floor space available for retail activity would be insufficient to generate a reasonable return to the applicant; that the plight of the owner is due to unique circumstances in that a second loading berth would make it impossible for delivery trucks to manuever in the existing 10 foot public alley at the rear of site and that the addition of a second loading berth would result in significant cost to the construction of the proposed structure; that the proposed development is consistent with existing retail uses located on Oak Street and the in this case one loading berth for the

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proposed development will be more than sufficient to meet the required loading needs of the development; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story building to contain a retail use, with provision for one 10' x 50' loading berth instead of the two required, on premises at 25-35 E. Oak Street and 943-51 N. Rush Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Dennis Liarakos, d/b/a 3 Point Play, Inc.
 APPEARANCES FOR: Dennis Liarakos
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 800 N. Cicero Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 100-91-S
 MAP NO. 3-L
 MINUTES OF MEETING
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ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Dennis Liarakos, d/b/a 3 Point Play, Inc., for Garfield Park Realty Corp., owner, on March 25, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing restaurant, in a B4-2 Restricted Service District, on premises at 800 N. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 7, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick restaurant building formerly occupied by a Burger King restaurant and on-site parking spaces; that the restaurant and said drive-through facility are in operation at this time; that on July 1, 1984, an ordinance became effective which requires a special use under the zoning ordinance for establishments of the "drive-in" or "drive-through" type in B4 districts; that the applicant is seeking to legalize the drive-through facility; that the drive-through facility is necessary for the public convenience at this location to provide an additional service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said drive-through facility with provision of the following: lighted directional ingress and egress signs, ingress to the drive-through portion of the facility from N. Cicero Avenue from the north east corner of the site and egress from the drive-through portion from the southwest corner of the site onto W. Chicago Avenue; that the said use is compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the area; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a drive-through facility in conjunction with an existing restaurant, on premises at 800 N. Cicero Avenue, upon condition that the ingress to the drive-through portion of the facility shall be from N. Cicero Avenue from the northeast corner of the site and that egress from the drive-through portion of the facility shall be from the southwest corner of the site onto W. Chicago Avenue; that lighted directional signs shall be erected at the established entrance and exit to the subject site; that there shall be no ingress nor egress from the alley abutting the site; 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: Burger King Corporation
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 101-91-S
 MAP NO. 18-E
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 418 E. 79th Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Burger King Corporation, for Joseph Davis, owner, on March 26, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing Burger King Restaurant, in a B4-2 Restricted Service District, on premises at 418 E. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-4(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that on September 19, 1986, the Board approved a special use application for the establishment of a drive-through facility in conjunction with an existing Burger King Restaurant on the subject site, in Calendar No. 241-86-S; that the drive-through use did not commence within the twelve months of the Board's granting of the special use on September 19, 1986; that the proposed drive-through facility is necessary for the public convenience at this location to provide an additional service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility with provision of the following: directional ingress and egress signs, ingress to the drive-through portion of the facility from E. 79th Street at the southeast corner of the subject site and egress from the drive-through portion of the facility from the southwest corner of the subject site or via W. 79th Street, no ingress to or egress from the drive-through facility via the alley onto S. Vernon Avenue; a 6 feet high solid fence along north lot line to screen the facility from abutting residential property; that the proposed use is compatible with the existing business improvements on E. 79th Street and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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Cal. No. 101-91-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a drive-through facility in conjunction with an existing Burger King Restaurant, on premises at 418 E. 79th Street, upon condition that the ingress and egress of the proposed drive-through facility shall be from E. 79th Street; that lighted directional signs shall be erected at the established entrance and exit to the subject site; that a 6 feet high solid fence shall be erected along the north lot line to screen the facility from abutting residential property; that there shall be no ingress nor egress via the alley nor from S. Vernon Avenue; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jay & Felicia Reed
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST: John Nee and Dean Genzlinger

CAL. NO. 102-91-Z
 MAP NO. 19-0
 MINUTES OF MEETING
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PREMISES AFFECTED— 7405 N. Odell Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

WHEREAS, Jay & Felicia Reed, owners, on April 3, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 24' x 42' addition to a 1-story brick single-family residence, whose north side yard will be 2.8 feet and whose south side yard will be 3 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.54 instead of 0.50, on premises at 7405 N. Odell Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 3, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.8-2, §11.7-4(1), §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a 1-story brick single-family residence on a 3,744 sq. ft. lot; that on December 14, 1990, the Board denied the applicants a variation to permit the erection of a 2nd story 26' x 42' addition to the existing 1-story single-family residence, whose north side will be 1.81 feet and whose south side yard will be 1.99 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.57 instead of 0.50, at the subject site, finding, in part, that the applicants could expand the residence in compliance with the floor area ratio and yard requirements of the zoning ordinance and that the Board would be more amendable to granting the applicants' proposal if the proposed addition followed the existing building wall lines; that the applicants revised their plans to follow the existing building wall lines and subsequently filed the application for a variation of the zoning ordinance this instance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd story addition, consisting of additional bedroom space, is

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necessary to meet the needs of the applicants and their family; that the plight of the owners is due to the smaller than normal size of the subject lot which requires the requested yard variations; that the proposed 2nd story addition will conform to existing side yards as established by the first floor of the existing residential structure and will not impair an adequate supply of light and air to abutting residential properties; and that the variations, if granted, will not alter the essential character of the neighborhood in that it will be compatible with existing improvements in this block of N. Odell Avenue, several of which have 2nd floor additions; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story 24' x 42' addition to a 1-story brick single-family residence, whose north side yard will be 2.8 feet and whose south side yard will be 3 feet instead of combined side yards of 9 feet and whose total floor area ratio will be approximately 0.54 instead of 0.50, on premises at 7405 N. Odell Avenue, upon condition that the eaves of the addition shall not overhang more than 12 inches; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Universal Savings and Loan Association
 APPEARANCES FOR: Sherwin M. Winer
 APPEARANCES AGAINST:

CAL. NO. 103-91-S
 MAP NO. 4-G
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED-- 813-23 W. 18th Street
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Universal Savings & Loan Association, by Sherwin M. Winer, for Universal Savings & Loan Association, owner, on March 14, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R4 General Residence District, on premises at 813-23 W. 18th Street, to serve a savings and loan located at 1800 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 12, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4, §7.4-4(1), §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 151' x 204' vacant lot surrounded on three sides by alleys; that an accessory parking lot is necessary for the public convenience at this location to provide customer parking for the savings and loan located across the alley to the east at 1800 S. Halsted Street; 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 herein-after set forth; that the proposed use will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking for the parking of private passenger automobiles, on premises at 813-23 W. 18th Street, to serve a savings and loan located at 1800 S. Halsted Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied

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with: 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 enclosed, excepting the driveway(s), with a steel beam guard rail approximately 2 feet high; that landscaping shall be provided within the required 15 feet front yard on the north; that the west 31 feet of the subject site shall be used only as a buffer area and shall be landscapped that the balance of the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that lighting and striping shall be provided; that ingress and egress shall be from W. 18th Street; that there shall be no ingress nor egress via the alley abutting the site to the east until a waiver of the alley barrier is obtained from the City Council; that the driveway on W. 18th Street shall be constructed in accordance with applicable ordinances; that the alley located west of the subject site shall not be used for ingress nor for egress; that the parking lot shall be secured by an appropriate device during all hours when not in use by the applicant savings and loan; and that all applicable ordinances of the City of Chicago including the Landscape Ordinance shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Rick Lang
 APPEARANCES FOR: Dan Starr, Rick Lang
 APPEARANCES AGAINST:

CAL. NO. 104-91-Z
 MAP NO. 15-H
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 1632 W. Edgewater Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Rick Lang, owner, on April 8, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3rd story addition to a 2-story frame 2-dwelling unit building, whose west side yard will be 1 foot instead of 2.5 feet and which addition will result in a 15% (543 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1632 W. Edgewater Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 8, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 25' x 117' lot improved with a 2-story 2-dwelling unit building and a practically completed 3rd story addition with deck to the rear and partially completed rear porches of the 1st and 2nd floors; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant was informed by his architect that dormering of the existing 2nd floor was not cost effective and that the erection of a 3rd story was a better solution to the applicant's need for additional living space in the 2nd floor dwelling unit; that the said 3rd floor addition with deck and 1st and 2nd floor rear porches total 543 sq. ft. which exceeds by 15% the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 3rd floor addition is necessary to duplex the applicant's 2nd floor

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dwelling unit to meet additional space needs; that the plight of the owner is due to unique circumstances in that the applicant was led to believe by his architect that the erection of a 3rd story was the only feasible way to obtain additional living space in the 2nd floor dwelling unit, but that this cannot be accomplished without the requested variations; that the 3rd floor addition will not be used as an additional dwelling unit in the subject building; that the footprint of the existing building is not increased by the said 3rd floor addition; that no one appeared in opposition to the applicant's proposal; that the variations, if granted, will be compatible with existing improvements in the block, several of which are three stories in height, and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3rd story addition to a 2-story frame 2-dwelling unit building, whose west side yard will be 1 foot instead of 2.5 feet and which addition will result in a 15% (543 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1632 W. Edgewater Avenue, upon condition that the said 3rd floor addition shall contain no kitchen facility and is to be occupied only as accessory living space to the 2nd floor dwelling unit; that the said 3rd floor addition shall not be rented out or used as a separate dwelling unit; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Churchview Limited Partnership
 APPEARANCES FOR: Gintaras P. Cepenas
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 2636-52 W. 63rd Street and 6250 S. Talman Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 105-91-S
 MAP NO. 14-I
 MINUTES OF MEETING
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ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Churchview Limited Partnership, for Marquette National Bank, Tr. #11169, owner, on March 22, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor of a proposed 5-story housing for the elderly building consisting of 60-dwelling units, in a B2-3 Restricted Retail District, on premises at 2636-52 W. 63rd Street and 6250 S. Talman Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 23, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-2(3), §8.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

WHEREAS, the district maps show that the premises is located in a B2-3 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 B2-3 Restricted Retail District; that on September 12, 1990, the City Council rezoned the subject site from B2-1 to B2-3 specifically for the proposed 5-story housing for the elderly building; that the applicant proposes to construct a 5-story 60-dwelling unit building at the subject site and is seeking approval to establish 4 dwelling units on the ground floor; that the proposed ground floor dwelling units are necessary for the public convenience at this location to provide four one-bedroom handicap accessible dwelling units in the proposed 5-story residential building; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed dwelling units which will comply with all applicable building code regulations and with the parking requirements as determined by the Department of Planning; that there is a large senior population residing in the area which has no elderly housing; that the entire residential project, although located in a business zone, is in character with the residential neighborhood located north of the subject site, and that the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor of a proposed 5-story housing for the elderly building, on premises at 2636-52 W. 63rd Street and 6250 S. Talman Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Churchview Limited Partnership
APPEARANCES FOR: Gintaras P. Cepenas
APPEARANCES AGAINST:

CAL. NO. 106-91-Z
MAP NO. 14-I
MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED-- 2636-52 W. 63rd Street and 6250 S. Talman Avenue
SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Churchview Limited Partnership, for Marquette National Bank, Tr. #11169, owner, on March 22, 1991, filed an application for a variation of the zoning ordinance to permit, in a B2-3 Restricted Retail District, the erection of a 5-story housing for the elderly building, whose east front yard will be 5 feet instead of 15 feet, on premises at 2636-52 W. 63rd Street and 6250 S. Talman Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 23, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-2(3), §8.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

WHEREAS, the district maps show that the premises is located in a B2-3 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 B2-3 Restricted Retail District; that on May 17, 1991, the Zoning Board of Appeals approved the establishment of dwelling units on the ground floor of a proposed 5-story housing for the elderly building, at the subject site, in Calendar No. 105-91-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the east front yard variation to 5 feet instead of 15 feet is necessary to provide a convenient access to the proposed building for the elderly and handi-capped; that the plight of the owner is due to the zoning ordinance which requires a 15 foot front yard in a B2-3 Restricted Retail District only for residential buildings but not for business buildings; that the proposed 5 feet front yard will be compatible with the front yards of the residential buildings located in the residential district to the north; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 5-story housing for the elderly building whose east front yard will be 5 feet instead of 15 feet, on premises at 2636-52 W. 63rd Street and 6250 S. Talman Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Double Drive-Thru, Inc.
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 107-91-S
 MAP NO. 22-D
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 8720 S. Stony Island Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Chicago Double Drive-Thru, Inc., owner, on March 14, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing restaurant, in a B4-2 Restricted Service District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 6, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-4A(6), §8.4-4(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the applicant proposes to provide drive-through service in conjunction with a Checkers Restaurant to be established in the existing restaurant building on the subject site; that the proposed restaurant will provide drive-through service and carry-outs only, with approximately 8 outdoor tables for patron use; that the proposed drive-through facility is necessary for the public convenience at this location to provide a convenient service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility with provision for the following: directional ingress and egress signs, ingress to and egress from the drive-through portion of the site via S. Stony Island Avenue; a 6 feet high slatted wood fence along the west property line to screen the facility from residential property across the alley; that the proposed drive-through facility is compatible with the existing building improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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Zoning Administrator is authorized to permit the establishment of a drive-through facility in conjunction with an existing restaurant, on premises at 8720 S. Stony Island Avenue, upon condition that ingress to and egress from the drive-through facility shall be from S. Stony Island Avenue; that lighted directional signs shall be erected at the established entrance/exit; that lighting shall be provided; that a 6 feet high slatted wood fence shall be erected along the west lot line to screen the facility from residential property across the alley; that there shall be no ingress nor egress from the alley; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Craig Gutmann

CAL. NO. 108-91-A

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING

May 17, 1991

PREMISES AFFECTED— 3721 N. Hermitage Avenue

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

ACTION OF BOARD—

Case continued to
July 19, 1991.

THE VOTE

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

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

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

APPLICANT: Craig Gutmann
APPEARANCES FOR: Steven Wilensky, Graig Gutmann
APPEARANCES AGAINST:

CAL. NO. 109-91-Z
MAP NO. 9-H
MINUTES OF MEETING
May 17, 1991

PREMISES AFFECTED— 3721 N. Hermitage Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued upon motion of the Board to July 19, 1991.

THE VOTE

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

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

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

APPLICANT: 1951 W. Dickens Corp.
 APPEARANCES FOR: Peter D. Finocchiaro
 APPEARANCES AGAINST: Gary I. Wigoda, et al.

CAL. NO. 110-91-A
 MAP NO. 5-H
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 1951 W. Dickens Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

Appeal dismissed for lack of jurisdiction.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, on March 11, 1991, Peter D. Finocchiaro on behalf of 1951 W. Dickens Corp., filed an appeal from the decision of the Zoning Administrator rendered on September 20, 1990 which refused to certify a beer garden in conjunction with an existing tavern in a 2-story brick building, in a B4-2 Restricted Service District, on premises at 1951 W. Dickens Avenue, which alleges said beer garden pre-dates the 1987 zoning amendment and constitutes a legal special use; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1991; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties, hereby finds: that Article III of the Board's Rules of Procedure provides, in concert with Sections 11.3-3 and 11.8-1 of the Chicago Zoning Ordinance and Chapter 24 - Section 11-13-12 of the Illinois Revised Statutes, that an application for appeal must be filed with the Board within 90 days¹ after the entry of the final decision by the Zoning Administrator; that the Zoning Administrator's decision in this case was rendered on September 20, 1990; that the time period for filing an appeal from said decision has expired and that the instant appeal is not timely; it is therefore

RESOLVED, that the appeal is hereby dismissed for lack of jurisdiction.

¹ Amended by the Board on March 22, 1991 from 90 days to 45 days, effective May 22, 1991.

APPLICANT: 1951 W. Dickens Corp.
 APPEARANCES FOR: Peter D. Finocchiaro
 APPEARANCES AGAINST: Gary I. Wigoda, et al.
 PREMISES AFFECTED— 1951 W. Dickens Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 111-91-S
 MAP NO. 5-H
 MINUTES OF MEETING
 May 17, 1991

ACTION OF BOARD—

Application denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, 1951 W. Dickens Corp., for Cosmopolitan National Bank. Tr. #27531, owner, on March 26, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a beer garden in conjunction with an existing tavern in a 2-story brick building, in a B4-2 Restricted Service District, on premises at 1951 W. Dickens Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 7, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-4(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 2-story brick store and apartment building containing a licensed tavern; that a tavern has been operating at the subject site for over 30 years; that an amendment to the zoning ordinance passed by the City Council in February of 1987 made the existing tavern a legal special use at the subject site, pursuant to Section 5.10 of said code; that the applicant is now seeking a special use to expand the tavern by the establishment of a beer garden at the site; that the proposed beer garden is an approximately 20' x 40' area located at the rear of the existing building with entrance to the beer garden through the tavern premises; that a solid wood fence approximately 7 feet high screens the site from a residential building to the west, the north end abuts the tavern building rear wall and the south end abuts a 1-story brick garage at the rear of the lot, and the east side is alongside a 4-dwelling unit apartment building; that the Board finds that no evidence was presented to indicate that the establishment of a beer garden is necessary for the public convenience at this location; that testimony presented indicates that the subject beer garden abuts a 4-dwelling unit building with many bedroom windows overlooking the beer garden site; that although the

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beer garden does not have live outdoor music or amplifiers, testimony indicated that the music coming from within the tavern is extremely loud, especially when the door connecting the tavern with the beer garden area is open; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed beer garden in that although the site is zoned business, it abuts residential zoning and uses to the east and residential buildings to the west and that with the exception of the subject site and a business building on the corner of Damen Avenue, the entire block is improved with residential buildings; that the establishment of a beer garden at the subject site will impair the quiet enjoyment of abutting residential uses by their owners and will cause injury to the value of other properties in the block and is not in the public interest in this essentially residential 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 808

APPLICANT: George Butler
APPEARANCES FOR: George Butler, Annie L. Gandy
APPEARANCES AGAINST:

CAL. NO. 112-91-A
MAP NO. 19-G
MINUTES OF MEETING
May 17, 1991

PREMISES AFFECTED— 1436 W. Jarvis Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, George Butler, for Blau Realty, owner, on March 18, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a basement store in a 3-story brick apartment building, in an R4 General Residence District, on premises at 1436 W. Jarvis Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 12, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District in a basement store in a 3-story brick apartment building on the subject site; that the subject store has been previously occupied by a beauty salon, which use ceased in late 1989; that there was no intention to abandon the use of the premises for business use, the beauty salon fixtures having remained in place during the interim; that the establishment of a beauty salon at the subject premises is a proper 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 beauty salon in a basement store in a 3-story brick apartment building, on premises at 1436 W. Jarvis Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 9 P.M., Tuesday through Saturday; 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 808

APPLICANT: Roberto Lastre T/V Island
 APPEARANCES FOR: Roberto Lastre
 APPEARANCES AGAINST:

CAL. NO. 113-91-A
 MAP NO. 3-G
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 951 N. Ashland Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Roberto Lastre T/V Island, for Theresa Race, owner, on March 22, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an audio/video repair shop in a 2-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 951 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 28, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building; that the store in the building on the subject site has been previously occupied by a TV and Video sales and repair business which use was taken over by the appellant in 1983; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of 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 certify an audio-video sales and repair shop in a 2-story brick store and apartment building, on premises at 951 N. Ashland Avenue, upon condition 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: Tom Reed

APPEARANCES FOR: None

APPEARANCES AGAINST:

CAL. NO. 114-91-A

MAP NO. 5-F

MINUTES OF MEETING
May 17, 1991

PREMISES AFFECTED— 415 W. Armitage Avenue

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

ACTION OF BOARD—

Appeal dismissed for
want of prosecution.

THE VOTE

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

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

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

APPLICANT: Harry Kidonakis

CAL. NO. 115-91-A

APPEARANCES FOR: None

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING

May 17, 1991

PREMISES AFFECTED— 3508 W. 63rd Street

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

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

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

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

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

APPLICANT: Jose M. Garcia
 APPEARANCES FOR: Jose M. Garcia
 APPEARANCES AGAINST:

CAL. NO. 116-91-A
 MAP NO. 10-H
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 4321 S. Honore Street

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

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Jose M. Garcia, owner, on May 12, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1 and 2-story frame building as 4-dwelling units, in an R3 General Residence District, on premises at 4321 S. Honore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 14, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is improved with a 1 and 2-story frame building; that the appellant purchased the building in December of 1969 at which time it contained 4-dwelling units; that although Water Department records indicate the premises as a 2-story 3-flat building, a 1958 Poll Sheet submitted as evidence indicates four different families resided at the subject site; that a field inspection indicates 4 chimneys on the subject building; that the appellant has a right to continue the occupancy of the building on the subject site as four-dwelling units, provided the building is 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 certify the use of a 1 and 2-story frame building as 4-dwelling units, on premises at 4321 S. Honore Street, upon condition that the building is 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: Jesus Pena Garcia, Jr.
 APPEARANCES FOR: Jesus Pena Garcia, Jr.
 APPEARANCES AGAINST: Joseph Kuizin

CAL. NO. 118-91-A
 MAP NO. 10-H
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 4500 S. Honore Street

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

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Jesus Pena Garcia, Jr. for Jesus Pena Garcia, Sr., owner, on April 11, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery in a 2-story frame store and apartment building, in an R3 General Residence District, on premises at 4500 S. Honore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 2, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the appellant seeks to establish a grocery store in the non-conforming store in the 2-story frame store and apartment building at the subject site; that testimony presented indicates that the store premises was occupied by a grocery store approximately 45 years ago; that inspection of the site indicates that the store was converted some time in the past to residential use; that under Sections 6.4-5 and 6.4-7 of the zoning ordinance, the Board has no authority to permit the establishment of a grocery store in the 2-story building 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.

APPLICANT: Peter Lambiris
 APPEARANCES FOR: Peter Lambiris
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- 4955 N. Milwaukee Avenue
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 119-91-A
 MAP NO. 13-L
 MINUTES OF MEETING
 May 17, 1991

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Peter Lambiris, for Dr. Milroy Emmanuel, owner, on March 15, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an employment agency in a 1-story brick building, in a B3-2 General Retail District, on premises at 4955 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

WHEREAS, the district maps show that the premises is located in a B3-2 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B3-2 General Retail District in the south portion of a 1-story brick business building at the subject site; that the appellant has been located at the subject site for the past three years; that the appellant's business operation consists of obtaining part time nursing and housekeeping help for the elderly and sick; that no typical employment agency activity is conducted at the subject site other than the usual office activities necessary to place persons in temporary or part time positions by telephone; that there is no permanent employment placing out of the subject premises; that the appellant receives requests for his services through referrals and does no advertising; 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 an employment agency, as delineated above, in a 1-story brick building, on premises at 4955 N. Milwaukee Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Lois Butsch
 APPEARANCES FOR: Lois Butsch
 APPEARANCES AGAINST:

CAL. NO. 120-91-A
 MAP NO. 11-M
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 4720 N. Central Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Lois Butsch, for Constance Meeks, owner, on March 15, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an employment office in a 1-story frame store attached to the front of a 2-story frame dwelling, in an R3 General Residence District, on premises at 4720 N. Central Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 20, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District in a non-conforming 1-story frame store attached to the front of a 2-story frame dwelling at the subject site; that the subject store premises has been occupied by business uses, the last use having been a real estate office, a B2 use, which recently ceased operation; that the appellant's business operation has been located at the subject premises for 6 months and consists of supplying the elderly and sick with part-time nursing aide assistance; that the appellant does not place persons in permanent employment positions and that nothing is done on-site other than the usual office activities to place persons in temporary and part-time positions; that said placement is done mostly by telephone and that there is very little pedestrian traffic to and from the subject premises; that licensing requirements have caused the case to be filed; that the change of use from a real estate office to an employment office, as proposed, for the placing of temporary and part-time nursing aides 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 an employment office, as proposed, in a 1-story frame store attached to the front of a 2-story frame dwelling, on premises at 4720 N. Central Avenue, upon condition 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 808

APPLICANT: Earl Manesky
 APPEARANCES FOR: Earl Manesky
 APPEARANCES AGAINST:

CAL. NO. 121-91-A
 MAP NO. 17-G
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 7017 N. Glenwood Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Earl Manesky, for Tom Luddy/Metro Property Mgmt., owner, on March 14, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a wholesale storage business in a 3-story brick multi-store building, in a B4-3 Restricted Service District, on premises at 7017 N. Glenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 13, 1991, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-3 Restricted Service District; that the subject site is improved with a 3-story brick multi-store building containing such business uses as musical instrument repair, artist, photography and dance studios, furniture store, retail books and record store, which are uses permitted in a B4 district; that the appellant has been located in the subject store premises since June, 1989 and uses the premises for the making and storage of sauces packaged in plastic containers and stored in cartons that are refrigerated for delivery by van the next day to other businesses; that manufacturing and wholesaling activity is first permitted in a Commercial zoning district; that the Board has no authority to permit the establishment of said wholesale storage business at the subject premises in a B4-3 Restricted Service District; 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: William M. Kelly, Sr. & Margaret B. Kelly

CAL. NO. 122-91-A

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING
May 17, 1991

PREMISES AFFECTED— 3701 N. Kenmore Avenue

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

ACTION OF BOARD—

Case continued to
July 19, 1991.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPLICANT: George A. Graham
 APPEARANCES FOR: William J. Hennessey, George A. Graham
 APPEARANCES AGAINST:

CAL. NO. 188-90-Z
 MAP NO. 13-O
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED-- 5348 N. Osceola Avenue
 SUBJECT-- Application to vary the requirements of the Zoning Ordinance.
 Remand from the Circuit Court
 ACTION OF BOARD--

Variation denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
	x	
	x	
x		
	x	

THE RESOLUTION:

WHEREAS, George A. Graham, for Columbia National Bank, Tr. #10635, owner, on May 10, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a detached 24' x 34' x 14' high accessory garage of which a portion will be used to store a Drug Enforcement Administration B-license plate oversize vehicle, which garage will occupy 68% (816 sq. ft.) of the required rear yard instead of the maximum 60% (720 sq. ft.), on premises at 5348 N. Osceola Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 29, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.6-2, §11.7-4:"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on April 29, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that on June 15, 1990, in Calendar No. 188-90-Z, the Board denied an application by the applicant for a variation of the zoning ordinance to permit the erection of a detached 24' x 34' x 14' high accessory garage of which a portion will be used to store a Drug Enforcement Administration B-license plate oversize vehicle, which garage will occupy 68% (816 sq. ft.) of the required rear yard instead of the maximum 60% (720 sq. ft.) at the subject site; that on April 4, 1991, the case was remanded by the Circuit Court of Cook County in 90 CH 7655 to the Zoning Board of Appeals for a rehearing due to the unavailability of the transcript of the proceedings taken at the public hearing on June 15, 1990; that testimony premises at said hearing in said case is hereby made part of the record in this hearing; that Members Alakiotou, Fornelli and Moore voted to affirm their decision rendered on June 15, 1990 denying the requested variation for the following reasons: that no further evidence was presented to indicate that the existing garage is not an overbuilding in the required rear yard; that the applicant could have erected a garage of sufficient size for three automobiles in compliance with the maximum permitted; that the alleged hardship is self-created and that no evidence was presented to indicate a

MINUTES OF MEETING

May 17, 1991

Cal. No. 188-90-Z

hardship in carrying out the rear yard regulations of the district as required under §11.7-1 of the zoning ordinance; that members Spingola and Martin find that the applicant satisfactorily met the required standards and voted to grant the requested variation; it is therefore

RESOLVED, that the application for a variation of the zoning ordinance be and it hereby is denied due to a lack of 3 affirmative votes and that the Board's decision rendered on June 15, 1990 is hereby affirmed.

APPLICANT: Wing Lee Liu
 APPEARANCES FOR: Wing Lee Liu
 APPEARANCES AGAINST:

CAL. NO. 68-91-A
 MAP NO. 8-F
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 3710 S. Emerald Avenue

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Wing Lee Liu, owner, on January 18, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as 4-dwelling units, in an R3 General Residence District, on premises at 3710 S. Emerald Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 18, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.5-4, §7.12-2(9), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story frame building; that testimony presented by the neighbor residing at 3708 S. Emerald Avenue indicates that the 2-story frame building at the subject site has contained 4 dwelling units for approximately 60 years; that the appellant has a right to continue the occupancy of the building as 4-dwelling units, provided the building is brought into compliance with applicable building code regulations; 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 certify the use of a 2-story frame building as 4-dwelling units, on premises at 3710 S. Emerald Avenue, 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.

APPLICANT: Duane R. Pleasant
 APPEARANCES FOR: Gay Lloyd E. Smith
 APPEARANCES AGAINST:

CAL. NO. 59-91-A
 MAP NO. 28-G
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 11625 S. Ashland Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Duane R. Pleasant, for Bert Ostring, c/o B & G Stamping, owner, on February 4, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a truck repair business in a 1-story brick building, in an R2 Single-Family Residence District, on premises at 11625 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District in a 1-story brick non-conforming commercial building at the subject site; that the subject premises has been occupied by business uses, the last use having been a business that produced truck and trailer axle parts and weldments for trucks and trailers, which recently ceased operation; that the subject site was rezoned on July 8, 1964 from M1-1 to R2 Single-Family Residence which made the previous uses at the site non-conforming; that the change of use from a metal parts stamping business to a truck repair business 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 truck repair business in a 1-story brick building, on premises at 11625 S. Ashland Avenue, upon condition that all repair work shall be done within the building on the subject site; that all trucks that have been repaired or are awaiting repairs shall be stored within the subject building; that no trucks or cars shall be parked on the public sidewalks; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Ted's Auto Parts, Inc.

CAL. NO. 64-91-A

APPEARANCES FOR:

MAP NO. 18-D

APPEARANCES AGAINST:

MINUTES OF MEETING
May 17, 1991

PREMISES AFFECTED— 7440 S. South Chicago Avenue

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

ACTION OF BOARD—

Case continued to
July 19, 1991.

THE VOTE

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

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

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

APPLICANT: BVTV. Inc./Bob Vila
 APPEARANCES FOR: Thomas Valenti, Bob Vila
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1310 N. Leavitt Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 46-91-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 March 22, 1991 and
 May 17, 1991

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, BVTV, Inc/Bob Vila, for Bob Vila, owner, on January 25, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2-story brick single-family residence on the rear of a lot additionally improved with a 2-story brick residence on the front, with no north side yard and whose south side yard will be 2 feet instead of each 5.8 feet, whose rear yard will be 4.45 feet instead of 30 feet and which addition will result in a 15% increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1310 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 2, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3, §7.9-3, §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 22, 1991 and May 17, 1991 after due notice there of by publication in the Chicago Tribune on March 4, 1991; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story brick single-family residence, including the subject dormers, on the rear of the lot additionally improved with a 2-story 2-dwelling unit building on the front of the lot; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the two residential structures on this subject site lot are the subject of a television home renovation program series produced by BVTV, Inc./ Bob Vila; that the 2-story 2-dwelling unit building on the front of the lot was renovated under proper permits; that the contractor in the project believed that the renovation of the coachhouse building on the rear of the lot and the subject dormering of the attic; that the applicant was in the midst of the television project before learning that the subject building was not properly permitted; that the dormer addition will be

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March 22, 1991 and

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considerably less than the maximum allowed 15% due to the inclusion of ground floor garage space and existing attic space; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the application of the district regulations of the zoning ordinance in that the variations requested are necessary to make the rehabilitation, as designed, of the coachhouse building an economically viable project; that the plight of the owner is due to the necessity of providing needed habitable living space, consisting of a master bedroom and bath in a residential structure already located in the required rear yard; that the proposed dormer addition will not impair an adequate supply of light and air to adjacent properties and will be a substantial improvement of a previously abandoned building; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2-story brick single-family residence on the rear of a lot additionally improved with a 2-story brick 2-dwelling unit building on the front, with no north side yard and whose south side yard will be 2 feet instead of each 5.8 feet, whose rear yard will be 4.45 feet instead of 30 feet and which addition will result in less than a 15% increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1310 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Eduardo G. Rodriguez
 APPEARANCES FOR: Alexander G. Poulakidas
 APPEARANCES AGAINST:

CAL. NO. 49-91-S
 MAP NO. 12-J
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 5158 S. Kedzie Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Eduardo G. Rodriguez, for Eduardo G. Rodriguez and Evelia Rodriguez, owners, on January 23, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-1 Restricted Service District, on premises at 5158 S. Kedzie Avenue, to serve a retail food store at 5159 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 17, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-4, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on March 4, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Retail District; that the subject site is a 36' x 126' vacant lot on the northwest corner of 52nd Street and Kedzie Avenue; that the establishment of an accessory off-site parking lot at the subject site is necessary for the public convenience to provide customer parking for the retail food store located across the street at 5159 S. Kedzie Avenue; that the public health, safety and welfare will be adequately protected in the design and location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot with provision for landscaping and fencing will help alleviate street parking and will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 5158 S. Kedzie Avenue, to serve a retail food store at 5159 S. Kedzie Avenue, upon condition that no use shall be made of the lot for

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the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles belonging to customers of the applicant retail food store at 5159 S. Kedzie Avenue and that no commercial vehicles shall be parked upon said lot at any time; that 5 feet high chain link fencing shall be erected on the periphery of the lot excepting the driveway(s); that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the landscaping and trees located on the 52nd Street parkway shall be preserved; that lighting shall be provided; that ingress and egress shall be determined by the Bureau of Traffic Engineering and Operations; that no ingress nor egress shall be via the public alley abutting the site to the west; that the hours of operation shall be limited to the hours of operation of the retail food store located at 5159 S. Kedzie Avenue; that the lot shall be secured with an appropriate security device when not in use by the retail food store; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Illinois Department of Corrections
 APPEARANCES FOR: Richard L. Kruse, et al.
 APPEARANCES AGAINST: Patrick Keys, et al.

CAL. NO. 15-91-S
 MAP NO. 1-I
 MINUTES OF MEETING
 May 17, 1991

PREMISES AFFECTED— 100 N. Western Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, the Illinois Department of Corrections, by Richard L. Kruse, for Edward W. Ross, owner, on December 11, 1990; filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a correctional center for 200 residents in a portion of a 3-story brick building, in an M2-3 General Manufacturing District, on premises at 100 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 11, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.4-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 17, 1991 after due notice thereof by publication in the Chicago Tribune on January 2, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-3 General Manufacturing District; that the subject site is a 218,500 sq. ft. parcel of land presently improved with a 3-story brick commercial building; that the applicant proposes to establish a community correctional center operated by the Illinois Department of Corrections at the subject site, which will occupy 46,900 sq. ft. on the first floor at the southwest corner of the building; that the proposed correctional center will accommodate 200 male residents ranging in age from 18 to 60 and will consist of 33 sleeping rooms sub-divided into four areas for control purposes; that the main entrance to the proposed facility will be located on Campbell Avenue and will contain a control area, security area and visitors area; that an electronic detention program will be provided in a separate area with an entrance on Washington Street; that the proposed correctional center will provide kitchen, dining rooms, training rooms, counsellors' offices, administration offices, visitor and staff facilities and other ancillary facilities; that the residents of the proposed facility are offenders who have 24 months left to serve of their sentences and considered to be low-risk individuals; that the residents of the correctional center are usually first-time offenders and are not gang-oriented offenders, sex offenders or violent offenders; that all residents must have a place to go when they are released from the facility;

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that all residents must abide by the center's rules and that no drugs, liquor, violence or threatening behavior is allowed or tolerated; that there must be one security staff person on duty for every 6 residents; that there is 24-hour supervision; that residents are not allowed to come and go on their own; that all movement by residents is electronically monitored; that all residents must abide by the established curfews of 11 P.M. on weekdays and 12 midnight on weekends; that the proposed correctional center is necessary for the public convenience at this location to provide a needed facility to enable the residents to return to society as useful members of the community, under strict supervision and guidance; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed correctional center which is designed in accordance with American Correctional Association standards and will be operated under all state and municipal statutes governing the establishment and operation of correctional institutions; that evidence presented by the district superintendent of schools for the area stated that there have been no adverse experiences involving public schools in his district with other correctional facilities located near them; that the proposed correctional center operated for the term of the lease of the site until the year 2001 and administered under all applicable state and municipal statutes will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a correctional center for 200 residents in a portion of a 3-story brick building, on premises at 100 N. Western Avenue, on condition that the building shall be brought into compliance with all applicable building code regulations; that the facility shall be designed in accordance with standards of the American Correctional Association; that the subject portion of the premises shall not be used as a correctional center until the building complies with all applicable code regulations; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the said premises shall be occupied by the correctional center only for the term of the lease of the site until the year 2001; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the correctional center use to another group or association the special use at the subject site granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject portion of the premises as a correctional center or any increase in the number of residents, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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Cal. No. 125-89-S

David T. Cohen, for Maranatha Assembly of God, presented a written request for a further extension of time in which to complete the construction of a 278-seat church in a 1-story brick store building at 3542 W. 59th Street, approved by the Zoning Board of Appeals on May 19, 1989, in Calendar No. 125-89-S, and for which an extension of time was granted by the Board on April 20, 1990, to May 19, 1991.

Mr. Cohen stated that the church will not be able to complete construction on the property prior to May 19th and requests an additional one-year period during which they may be able to complete construction and rehabilitation of the church property.

Chairman Spingola moved that the request for an additional extension of time be denied, citing Section 11.10-5 of the zoning ordinance which states that an order of the Board of Appeals granting a variation in the nature of a special use shall be valid for a period not longer than twelve months from the date of such order unless a building permit is obtained or the use is commenced within such period, and that the Board may, at its own discretion and upon valid showing of cause, extend the period of validity of a special use for a period not to exceed twelve months. He further stated that if the applicant has obtained a building permit to remodel the subject building for the church use, upon completion, no further extension of time is necessary to commence the church activities at the site. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

May 17, 1991

Cal. No. 282-90-Z

Gary I. Wigoda, for Raymond S. Cahnman, owner, presented a written request for an extension of time in which to obtain necessary building permits and commence construction of a 2-story with penthouse single-family residence, whose front yard will be 7.5 feet instead of 15 feet, whose north side yard will be 4 feet and with no south side yard instead of 4.1 feet each, and with no rear yard instead of 30 feet, on premises at 1937 N. Howe Street, granted by the Board on October 19, 1990, in Calendar No. 282-90-Z.

Mr. Wigoda stated that the applicant has not been able to obtain a building permit and commence work within the required period due to the winter weather, difficulties in finishing the architectural drawings and other problems.

Chairman Spingola moved that the request be granted and the time for obtaining building permits be extended to October 19, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

May 17, 1991

Cal. No. 304-90-Z

Marvin F. Long, for The Beacon of Sheridan Park Joint Venture, owner, presented a written request for an extension of time in which to obtain necessary permits to permit the parking of automobiles in the required 7.5 feet side yards of a proposed parking lot, on premises at 4620-24 N. Beacon Street, which will serve an 18-dwelling unit building at 4601 N. Beacon Street, which variation was granted by the Board on November 16, 1990, in Calendar No. 304-90-Z.

Mr. Long stated that the applicant was in the process of obtaining the necessary permits and that construction will follow soon after.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary permits be extended to November 16, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

May 17, 1991

Cal. No. 35-87-S

Richard Connor Riley, for Ameritech Mobile Communications, Inc. (AMCI), presented a written request for an amendment of the resolution approved by the Board on February 20, 1987 for the erection of a 1-story 11 feet by 20 feet telephone transmission equipment building and a 117 feet high tower and antenna for use by a cellular mobile telephone service business, on premises at 5900-06 S. Sawyer Avenue, in Calendar No. 35-87-S.

Mr. Riley stated that due to the increase in AMCI's customer base, it is necessary to exchange the unmanned 11' x 20' equipment building for a larger one having dimensions of 12' x 26', and that the previously approved 117 feet tower will not be changed and all other aspects of the operation, as previously approved in Calendar No. 35-87-S, will remain the same. Mr. Riley stated that he felt that the increase in square footage of the equipment building does not warrant another hearing as all other aspects of the operation remains the same and that the impact on the area will be negligible in that AMCI is not bringing the building any closer to any of the surrounding residential properties and none of the existing trees and shrubs will be disturbed.

Chairman Spingola moved that the request be granted and that the resolution in Calendar No. 35-87-S be amended to allow the substitution of a 12' x 26' 1-story telephone transmission equipment building for the previously approved 1-story 11' x 20' equipment building, upon condition that all other aspects of the operation, as previously approved in Calendar No. 35-87-S, remains the same. The motion prevailed by yeas and nays as follows:

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

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May 17, 1991

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on June 28, 1991.

Marian Rest

Secretary