

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, Friday, March 17, 1995 at 9:00 A.M.
and 2:00 P.M.

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

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

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Member Fornelli moved that the Board approve the minutes of the proceedings of the regular meeting held on February 17, 1995 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Carlton Development Corp.
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 50-95-Z
 MAP NO. 3-G
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1540 N. Greenview Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Carlton Development Corp., owner, on February 2, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 6-dwelling unit townhouse building on a parcel of land having approximately 105 feet of frontage along N. Greenview Avenue and a depth of approximately 63 feet, whose front yard will be 3.33 feet instead of 7.65 feet, whose side yards will be 3 feet each instead of 10.5 feet each, and whose rear yard will be 17.5 feet instead of 30 feet, on premises at 1540 N. Greenview Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 2, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, :7.7-4, §7.8-4. §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is an irregular shaped, unimproved 6,505 sq. ft. parcel of land; that the applicant proposed to erect a 2-story 6-dwelling unit townhouse building with interior garage parking at the subject site; that the proposed 6-dwelling unit building will be located east of a proposed 2-story 7-dwelling unit townhouse building, the subject of Cal. No. 51-95-Z, and will share a common interior courtyard area; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed 6-dwelling unit building and that to erect less than the requested 6 dwelling unit building at the subject site would prove economically unfeasible; that the plight of the owner is due to the irregular shape of the lot and that the proposed 6-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into required yard setbacks than would a yard conforming multi-

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story apartment building; that the proposed 2-story 6-dwelling unit townhouse building will be an improvement of a long-vacant parcel of land and will be compatible with existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 6-dwelling unit townhouse building on a parcel of land having approximately 105 feet of frontage along N. Greenview Avenue and a depth of approximately 63 feet, whose front yard will be 3.33 feet instead of 7.65 feet, whose side yards will be 3 feet each instead of 10.4 feet each, and whose rear yard will be 17.5 feet instead of 30 feet, on premises at 1540 N. Greenview Avenue, upon condition that the south 4 units of the building shall be set back from the front lot line in order to be in line with the building to the south; 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: Carlton Development Corp.
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 51-95-Z
 MAP NO. 3-G
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1548 N. Greenview Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Carlton Development Corp., owner, on February 2, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 7-dwelling unit townhouse building on an L-shaped parcel of land having a frontage of approximately 20 feet along N. Greenview Avenue and 120 feet along the alley lot line and a depth of approximately 61 feet, with no front yard instead of 14 feet, whose south side yard will be 3 feet instead of 12 feet and whose rear yard will be 3.5 feet instead of 30 feet, on premises at 1548 N. Greenview Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator, rendered February 2, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; 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 in an L-shaped unimproved 8,114 sq. ft. parcel of land; that on March 17, 1995 the Board approved the applicant's variation application permitting the erection of a 2-story 6 dwelling unit townhouse building, located east of the proposed 2-story 7-dwelling unit townhouse building and sharing a common interior court yard area, which will have approximately 105 feet of frontage along N. Greenview Avenue and a depth of approximately 63 feet, whose front yard will be 3.33 feet instead of 7.65 feet, whose side yards will be 3 feet each instead of 10.5 feet each, and whose rear yard will be 17.5 feet instead of 30 feet, with the condition that the south four dwelling units of the building shall be set back from the front lot line in order to be in line with the building to the south, on premises at 1540 N. Greenview Avenue, in Cal. No. 50-95-Z; that the applicant proposes to erect at the subject site a 2-story 7-dwelling unit townhouse building with interior garage parking; that the property in question cannot yield a reasonable return nor be put to reasonable use

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if permitted to be used only under the conditions allowed by the regulations in this district in that the yard set back variations requested are necessary to provide adequate living space in the proposed 7-dwelling unit townhouse building and that to erect less than the requested 7-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to the irregular L-shaped parcel of land and that the proposed 2-story 7-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the required yard set backs than would a yard conforming multi-story rental apartment building; that the proposed 7-dwelling unit townhouse building will be an improvement of a long-vacant parcel of land and will be compatible with existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 7-dwelling unit townhouse building on an L-shaped parcel of land having a frontage of approximately 20 feet along N. Greenview Avenue and 120 feet along the alley lot line and a depth of approximately 61 feet, with no front yard instead of 14 feet, whose south side yard will be 3 feet instead of 12 feet and whose rear yard will be 3.5 feet instead of 30 feet, on premises at 1548 N. Greenview 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 Board of Education & Public Building Commission of Chicago CAL. NO. 52-95-Z
 APPEARANCES FOR: Langdon Neal Chicago MAP NO. 10-I
 APPEARANCES AGAINST: MINUTES OF MEETING
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PREMISES AFFECTED— 3014 W. 39th Place
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Chicago Board of Education & Public Building Commission of Chicago, for the Public Building Commission of Chicago, owner, on February 3, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story elementary school annex on the west end of the Davis School site, whose north and south front yards will be 19.75' each instead of 23' each, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be approximately 1.23 instead of 0.70, on premises at 3014 W. 39th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, :7.6-3, §7.7-3, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 159,560 sq. ft. lot improved with the 4-story Davis Elementary School building; that the applicant proposes to erect a 2-story 34,000 sq. ft. annex on the west end of the existing school property; that the proposed annex building will contain 12 classrooms, dining area and kitchen, multi-purpose room/gymnasium, library, and computer room and is designed to serve children in pre-school through third grade; that the annex is designed and located to preserve a large open playground and recreational area for both the existing school and the proposed annex addition; that the property in question cannot yield a reasonable return nor be put to reasonable use is permitted to be used only under the conditions allowed by the regulations in this district in that the proposed annex building is necessary to alleviate severe overcrowding in the Davis School which was originally constructed in 1905; that the plight of the owner is due to the necessity of providing needed space to help

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alleviate the overcrowding at the aforesaid school whose current enrollment is 1,241 children; that the variations requested are necessary to construct an annex building as designed providing the needed facilities and still provide adequate playground space; that the proposed annex will be compatible with existing residential improvements in the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story elementary school annex on the west end of the Davis School site, whose north and south front yards will be 19.75' each instead of 23' each, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be approximately 1.23 instead of 0.70, on premises at 3014 W. 39th Place, 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: Nivaldo Montes
 APPEARANCES FOR: Porfirio Fregoso
 APPEARANCES AGAINST:

CAL. NO. 53-95-Z
 MAP NO. 5-H
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 2019 W. Homer Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Nivaldo Montes, owner, on February 6, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 9.75' x 17.33' 2nd story addition above the rear 1-story portion of a 1 and 2-story brick and frame single-family dwelling, which addition will result in a 15% (226 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2019 W. Homer Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; 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 a 24' x 100' lot improved with a 1 and 2-story brick and frame single-family dwelling with the second floor attic dormered; 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 2nd-story addition is necessary to provide additional bedroom and bath facilities to meet the needs of the owners; that the plight of the owner is due to lack of adequate living space in the existing building; that the said 2nd story addition will be compatible with existing residential improvements in the area and 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

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a 9.75' x 17.33' 2nd story addition above the rear 1-story portion of a 1 and 2-story brick and frame single-family dwelling, whose addition will result in a 15% (226 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2019 W. Homer 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: Ana Berger, by Peter J. Troy
 APPEARANCES FOR: Richard J. Troy
 APPEARANCES AGAINST:

CAL. NO. 54-95-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 2212 W. Augusta Boulevard
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Ana Berger, by Peter J. Troy, for Ana Berger, owner, on February 7, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 10.25' x 21' addition to the rear of a 2-story brick single-family dwelling on the rear of a lot additionally improved with a 2-story brick single-family dwelling at the front, whose rear yard will be 1.58 feet instead of 30 feet, on premises at 2212 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §5.5, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 24' x 127.79' lot improved with a new 2-story brick residential building on the front of the lot and partial remains of a brick building in the rear of the lot; that on December 2, 1994 the Board granted variations to the applicant to permit the reconstruction of a 2-story brick single-family dwelling on the front of a lot improved additionally with a brick coachhouse at the rear, whose front yard is 10.67 feet instead of 14.97 feet and whose east side yard is 4 inches instead of 2.4 feet at the subject site; that the testimony presented in Calendar No. 323-94-Z is hereby made part of the record in this case; 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 original 2-story coachhouse building was originally built 1.58 feet from the rear lot; that the plight of the owner is due to the delapidated condition of the existing rear coachhouse remains and the desire to replace the structurally unsafe walls utilizing the same footprint of the original rear coachhouse building; that the variation, if granted, will not alter the essential character

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of the locality in that the proposed variation will allow the complete restoration of the residential buildings on the lot and would be an improvement of a former neighborhood eyesore; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 10.25' x 21' addition to the rear of a 2-story brick single-family dwelling on the rear of a lot additionally improved with a 2-story brick single-family dwelling at the front, whose rear yard will be 1.58 feet instead of 30 feet, on premises at 2212 W. Augusta Boulevard, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Mohawk Partners, L.P.

CAL. NO. 55-95-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1995

PREMISES AFFECTED— 1931 N. Mohawk Street

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

ACTION OF BOARD—

THE VOTE

Case continued to
May 19, 1995.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: John E. Kirk
 APPEARANCES FOR: John E. Kirk
 APPEARANCES AGAINST:

CAL. NO. 56-95-S
 MAP NO. 28-J
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 3225 W. 111th Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, John E. Kirk, for Standard Bank, Tr. #4046, owner, on January 30, 1995, filed an application for the approval of the location and the establishment of two dwelling units in lieu of two offices on the ground floor of a 3-story brick building containing six offices on the ground floor and 12 dwelling units above, in a B4-2 Restricted Service District, on premises at 3225 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.11-1(7)(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; 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 3-story brick office and residential building; that the applicant proposes to establish two dwelling units in lieu of two offices on the ground floor of the subject building; that the two offices the applicant wishes to convert to dwelling units are located on the side of the building; that the proposed use is necessary for the public convenience at this location in that there is no demand for business uses in the area but a strong demand for residential dwelling units; that the applicant stated that most of his residential unit tenants are elderly and/or infirmed and that several have expressed a desire to move to ground floor units, if possible; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed two ground floor dwelling units which will comply with all applicable building code regulations pertaining to apartment dwelling units; that the proposed conversion of two ground floor office premises to dwelling units will be compatible with existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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Cal. No. 56-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of two dwelling units in lieu of two offices on the ground floor of a 3-story brick building containing six offices on the ground floor and 12 dwelling units above, on premises at 3225 W. 111th 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: John E. Kirk
 APPEARANCES FOR: John E. Kirk
 APPEARANCES AGAINST:

CAL. NO. 57-95-Z
 MAP NO. 28-J
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 3225 W. 111th Street

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

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, John E. Kirk, for Standard Bank, Tr. #4046, owner, on January 30, 1995, filed an application for a variation to permit, in a B4-2 Restricted Service District, two dwelling units on the ground floor of a 3-story brick building for a total of 14 dwelling units on a lot whose area is 11,407 sq. ft. instead of 12,600 sq. ft. required, on premises at 3225 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.6-4(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; 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 March 17, 1995, the Board approved the establishment of two dwelling units in lieu of two offices on the ground floor of a 3-story brick building containing six offices on the ground floor and 12 dwelling units above, at the subject site, in Calendar No. 56-95-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 there is little demand for business uses in the area but there is a demand for apartment dwelling units; that the plight of the owner is due to the existing configuration of the subject building; that the proposed offices to be converted are located directly below apartments, are of the same size, and have necessary plumbing and sewer lines; that the conversion of two offices to dwelling units will be compatible with existing mixed residential and business improvements in the area; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

March 17, 1995

Cal. No. 57-95-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit two dwelling units in lieu of two offices on the ground floor of a 3-story brick building for a total of 14 dwelling units on a lot whose area is 11,407 sq. ft. instead of 12,600 sq. ft. required, on premises at 3225 W. 111th 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: Mark Sutherland and Walter F. Bochenek

CAL. NO. 58-95-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

APPEARANCES AGAINST:

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PREMISES AFFECTED— 1866-74 N. Oakley Avenue and 1908 N. Wilmot Avenue

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

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Mark Sutherland and Walter F. Bochenek, for Chicago Title & Trust Co., Tr. #1100375, owner, on February 3, 1995, filed an application for a variation to permit, in an R4 General Residence District, the erection of a 3-story arc-shaped 6-dwelling unit townhouse building on a trapazoidal lot, with no northwesterly side yard instead of approximately 9.5 feet (mean) and whose rear yard will be 8 inches instead of 30 feet, on premises at 1866-74 N. Oakley Avenue and 1908 N. Wilmot Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 2, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; 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 9,615 sq. ft. trapazoidal-shaped unimproved lot located on the southwest corner of N. Oakley Avenue and N. Wilmot Avenue; that the applicant proposes to erect a 3-story arc-shaped 6-dwelling unit townhouse building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 6 townhouse dwelling at the subject site would prove economically unfeasible; that the plight of the owner is due to the unusual trapazoidal shape of the subject lot which requires encroachment into the northwesterly side yard and the rear yard; that the proposed 6-dwelling unit townhouse building which will include interior garage parking will be compatible with existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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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 3-story arc-shaped 6-dwelling unit townhouse building on a trapazoidal lot, with no north-westerly side yard instead of approximately 9.5 feet (mean) and whose rear yard will be 8 inches instead of 30 feet, on premises at 1866-74 N. Oakley Avenue and 1908 N. Wilmot 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: Michael LaCoCo, by Adrienne M. Geary
 APPEARANCES FOR: Adrienne M. Geary, Michael LaCoco
 APPEARANCES AGAINST:

CAL. NO. 59-95-S
 MAP NO. 16-I
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 6621-25 S. Kedzie Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Michael LaCoCo, by Adrienne M. Geary, for Michael LaCoCo, owner, on January 25, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a coin-operated laundrette in a proposed 1-story building, in a B2-1 Restricted Retail District, on premises at 6621-25 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 23, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-2(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is a 75' x 125' unimproved lot; that the applicant proposes to establish a coin-operated laundrette with on-site parking for 11 automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to provide a much needed service in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable city regulations governing the establishment and operation of laundrette facilities; that the proposed use will be compatible with existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a coin-operated laundrette

MINUTES OF MEETING
March 17, 1995
Cal. No. 59-95-S

in a proposed 1-story building, on premises at 6621-25 S. Kedzie Avenue, upon condition that the parking area shall be improved in compliance 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.

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

APPLICANT: Vic & Paula Battiato

CAL. NO. 60-95-S

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1995

PREMISES AFFECTED— 3151 N. Southport Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
May 19, 1995.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Vic & Paula Battiato

CAL. NO. 61-95-Z

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING
March 17, 1995

PREMISES AFFECTED— 3351 N. Southport Avenue

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

ACTION OF BOARD—

Case continued to
May 19, 1995.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Weigel Broadcasting
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 62-95-S
 MAP NO. 1-G
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 30 N. Halsted Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Weigel Broadcasting, for Howard Shapiro Qualified Trust, owner, on January 30, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of four earth station (satellite) dishes exceeding 8 feet (2.4 meters) in diameter on the roof of a 2-story building housing Channel 26 Broadcasting, in a C3-3 Commercial-Manufacturing District, on premises at 30 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 27, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-1(11i), §9.4-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; and

WHEREAS, the district maps show that the premises is located in a C3-3 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-3 Commercial-Manufacturing District; that the applicant proposes to erect for four earth station (satelite) receiving dishes, two at 16 feet and two at 10 feet in diameter on the roof of a 2-story building housing Channel 26 Broadcasting company at the subject site; that the proposed use is necessary for the public convenience at this location to receive the necessary satellite signals for television broadcasting by the applicant television station; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be operated in compliance with the regulations of the Federal Communications Commission in such a manner as to preclude any problems of interference with other public and private transmissions; that the proposed earth station receiving dishes will be minimally visual from the street and will not cause substantial injury to the value of other property; it is therefore

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

MINUTES OF MEETING

March 17, 1995

Cal. No. 62-95-S

the Zoning Administrator is authorized to permit the establishment of four earth station (satellite) dishes exceeding 8 feet (2.4 meters) in diameter on the roof of a 2-story building housing Channel 26 Broadcasting, on premises at 30 N. Halsted Street, upon condition that the earth station satellite receiving dishes shall be serviced and maintained in a manner to preclude any problems of interference with other public and private transmissions, and that the use thereof shall be in compliance with the regulations of the Federal Communications Commission; 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: Marquette National Bank

CAL. NO. 63-95-S

APPEARANCES FOR:

MAP NO. 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING
March 17, 1995

PREMISES AFFECTED— 615 W. 31st Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
May 19, 1995.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Andriyous P. Youkhana

CAL. NO. 64-95-S

APPEARANCES FOR:

MAP NO. 2-E

APPEARANCES AGAINST:

MINUTES OF MEETING

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PREMISES AFFECTED— 531-45 S. Wabash Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
May 19, 1995.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Richard J. Bandemer, by Monte Viner
 APPEARANCES FOR: Monte Viner, Richard J. Bandemer
 APPEARANCES AGAINST: Julio Martinez, et. al.

CAL. NO. 65-95-S
 MAP NO. 5-I
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1634 N. Whipple Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application denied.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola		X	
Anthony J. Fornelli		X	
LeRoy K. Martin, Jr.		X	
Gigi McCabe-Miele		X	
Thomas S. Moore		X	

THE RESOLUTION:

WHEREAS, Richard J. Bandemer, by Monte Viner, for Richard J. Bandemer, owner, on January 3, 1995, filed an application for a special use under the zoning ordinance for the application of the location and the establishment of a transitional residence for male ex-offenders in a 2-story frame building, in an R3 General Residence District, on premises at 1634 N. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 12, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §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 March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; 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 residential building; that the applicant is seeking approval for the establishment of a transitional residence for 11 male ex-offenders at the subject site; that the applicant testified that since February 1988 he has rented rooms to ex-offenders who have all been through post-release programs; that testimony presented indicates that there is no full or part-time supervisory staff at the premises nor is there any security staff; that the occupants reside at the premises on a voluntary basis and not as part of a formal rehabilitation program; that no evidence was presented to indicate that the said use is necessary for the public convenience at the subject site location nor that the public health, safety and welfare will be adequately protected in the design, location and operation of the said use; that the Board finds that the said use is not a transitional residence as defined under Article 3, Section 3.2 of the zoning ordinance, which states that a transitional residence is "a temporary residential living arrangement for persons who are receiving therapy or counseling for purposes such as, but not limited to the following:.....
(b) to help persons re-enter society while housed under supervision while under the constraints of alternatives to imprisonment including, but not limited to pre-release, work-

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release and probationary programs....."; that no evidence was presented to indicate that the said use will not cause substantial injury to the value of other property in the neighborhood; that the proposed use is similar to a lodging house use, a use not permitted in an R3 General Residence District; that the housing of 11 unrelated persons in the subject 2-story residential building is an inappropriate use for this type of residential structure in an R3 General Residence District and is not in the public interest at this location; it is therefore

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

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

APPLICANT: What-A-Blast, Inc.
 APPEARANCES FOR: Joan E. Hoseman, Michael Murdock
 APPEARANCES AGAINST: Tina Weiss
 PREMISES AFFECTED— 1001 W. Van Buren Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 66-95-S
 MAP NO. 2-G
 MINUTES OF MEETING
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ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
	X	

THE RESOLUTION:

WHEREAS, What-A-Blast, Inc., for LaSalle National Bank, as Trustee, Tr. #117638, owner, on February 3, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a paint pellet arena on the 3rd floor of a 6-story brick building, in a C2-3 General Commercial District, on premises at 1001 W. Van Buren Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 2, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, :3.2, §9.3-1, §9.11-1(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on February 27, 1995; and

WHEREAS, the district maps show that the premises is located in a C2-3 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-3 General Commercial District; that the subject site is improved with a 6-story brick building; that on March 9, 1995 the City Council rezoned the subject site from M1-3 Restricted Manufacturing to C2-3 General Commercial; that the applicant proposes to establish a paint pellet arena in a 35,000 sq. ft. space on the 3rd floor of the subject 6-story building at the subject site; that the proposed use will be open from Noon to 10:00 P.M.; that full capacity of the proposed facility is forty people; that customers must reserve playing time in advance; that the proposed use is necessary for the public convenience at this location to provide a popular recreational and amusement activity for the citizenry; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will operate according to a strict set of safety rules including participants must show identification verifying they are at least 18 years old, that no one under 18 years old may participate; that all participants must attend a 20 minute safety session where they are instructed on the safety rules, that all participants must wear a safety mask covering the entire face and that removal of the mask will result in expulsion from the games; that participants are not allowed

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to bring in to the premises or take out of the premises any game equipment and specifically any paint pellet guns; that the exterior of the building in which the proposed use will be located will not be altered, and that with signage limited to the W. Van Buren facade only, the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a paint pellet arena on the 3rd floor of a 6-story brick building, on premises at 1001 W. Van Buren Street, upon condition that the hours of operation of the paint pellet arena only shall be limited to the hours between Noon and 10:00 P.M.; that the operating and safety rules and regulations promulgated and delineated herein by the applicant shall be strictly adhered to; that no game equipment of any kind shall be brought into or taken out of the premises at any time by participants; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that all business signage pertaining to the proposed use shall be limited to the W. Van Buren Street facade of the building only.

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

APPLICANT: Mary Newman
 APPEARANCES FOR: Mary Newman
 APPEARANCES AGAINST:

CAL. NO. 67-95-A
 MAP NO. 3-J
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 956 N. Central Park Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mary Newman, for Grant & Mary Newman, owner, on January 26, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty shop in a 2-story brick stores and apartment building, in an R3 General Residence District, on premises at 956 N. Central Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 1, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §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 March 17, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick stores and apartment building; that the subject store premises was previously occupied by business uses, including a beauty shop and a deli-convenience store which are B1 uses; that the appellant proposes to establish a beauty shop, a B1 use, in the subject store premises; that the change of use from a deli-convenience store to a beauty shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty shop in a 2-story brick stores and apartment building, on premises at 956 N. Central Park Avenue, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 7 P.M., Tuesdays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Charles Trawick
 APPEARANCES FOR: Charles Trawick
 APPEARANCES AGAINST:

CAL. NO. 68-95-A
 MAP NO. 18-G
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1158 W. 79th Street

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

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Charles Trawick, for Henry Gentry, owner, on January 26, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit repair and sale of tires in a 2-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 1158 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-2, §8.3-4(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District; that the subject site is improved with a 2-story brick building containing a non-conforming tire sales and tire repair store on the ground floor which has been operated by the appellant for the last 4 months; that the prior use of the store was a similar non-conforming use for 2-3 years which ceased about a month before the appellant's operation began; that tires are removed from vehicles outside of the subject building at the rear of the store; that the Board finds the sale of tires is first permitted in a Commercial District and that repair of tires is first permitted in a B4 district; that all business shall be conducted within completely enclosed buildings; that no evidence was presented that would justify permitting the proposed use in the subject 2-story building in a B2-1 Restricted Retail 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: Jose Riesco
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 69-95-A
MAP NO. 1-G
MINUTES OF MEETING
March 17, 1995

PREMISES AFFECTED— 543 N. Noble 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
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Gigi McCabe-Miele	x		
Thomas S. Moore	x		

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

APPLICANT: All Type Automotive Repair

CAL. NO. 70-95-A

APPEARANCES FOR:

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING
MARCH 17, 1995

PREMISES AFFECTED— 5928 S. Kedzie Avenue

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

ACTION OF BOARD—

THE VOTE

Appeal withdrawn upon motion of appellant.

AFFIRMATIVE NEGATIVE ABSENT

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

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

APPLICANT: Dorothy Prokop
 APPEARANCES FOR: Dorothy Prokop
 APPEARANCES AGAINST:

CAL. NO. 71-95-A
 MAP NO. 3-H
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 901 N. Damen Avenue

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

THE RESOLUTION:

WHEREAS, Dorothy Prokop, owner, on January 25, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with retail sales of delicatessen foods in a 3-story brick store and apartment building, in a B4-2 Restricted Service District, on premises at 901 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §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 March 17, 1995; 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 subject site is improved with a 3-story brick store and apartment building; that the store is occupied by Caesar's Foods, Inc., a Polish deli which has been located at the subject site for over 30 years; that the appellant is one of the owners of the business and testified that Caesar's Foods Inc. makes Pierogi and wants to expand their existing deli business by providing this specialty food to neighborhood grocery and other specialty food stores; that no delivery trucks will be use in the distribution of the product which will be picked up by the purchaser; that the appellant testified that the wholesaling activity will be approximately 10 to 15% of the existing retail food operation; that the proposed wholesaling activity which is subordinate in scope to the principal retail food operation, may be considered an accessory use to the principal retail business at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit wholesaling as accessory to the retail sales of delicatessen foods in a 3-story brick store and apartment building, on premises at 901 N. Damen 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: Xingwu Liu
 APPEARANCES FOR: Xingwu Liu
 APPEARANCES AGAINST:

CAL. NO. 72-95-A
 MAP NO. 3-F
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1433 N. Wells Street

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

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore			X

THE RESOLUTION:

WHEREAS, Xingwu Liu, for Peter Flinch, owner, on February 6, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with the retail sale of herb foods in a 4-story brick building, in a B4-4 Restricted Service District, on premises at 1433 N. Wells Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 3, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §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 March 17, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-4 Restricted Service District; that the subject site is improved with a 4-story brick store and apartment building; that the subject premises is occupied by Panda Arts and Gifts operated by the appellant; that the appellant has established a new company, Health King Herb Foods, Inc. for the importing and wholesale of herb teas; that the appellant intends to retail some of the herb teas from Panda Arts and Gifts; that the proposed wholesaling activity will, at this time, be subordinate in scope to the existing retail operations at the site; that the appellant testified that when the volume of the Health King Herb Foods business becomes larger, warehouses elsewhere will be used and efforts made to move goods directly from ports of entry to retailers' storage or warehouses; that the limited wholesaling at this time, as stated by the appellant, may be considered an accessory use to the principal retail activity at the subject premises; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office

MINUTES OF MEETING

March 17, 1995

Cal. No. 72-95-A

of the Zoning Administrator be and it hereby is reversed and he is authorized to permit wholesaling of herb foods (teas) as an accessory use only in conjunction with the retail activity of Panda Arts and Gifts, in a 4-story brick building, on premises at 1433 N. Wells Street, upon condition that the wholesaling shall at all times be limited to that of an accessory use to the principal retail activity; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Dickinson Associates

CAL. NO. 73-95-A

APPEARANCES FOR:

MAP NO. 8-I

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1995

PREMISES AFFECTED— 2750 W. 35th Street

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

ACTION OF BOARD—

THE VOTE

Case continued to
May 19, 1995.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Mark Shore
 APPEARANCES FOR: Mark Shore
 APPEARANCES AGAINST:

CAL. NO. 74-95-A
 MAP NO. 5-F
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1750 N. Wells 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Mark Shore, for Susan Packer, owner, on February 3, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an employment agency in a store in a 3-story brick apartment building, in an R5 General Residence District, on premises at 1750 N. Wells Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R5 General Residence District; that the subject site is improved with a 3-story brick condominium dwelling unit building with a 5 feet high brick wall surrounding the front of the building; that the appellant proposes to establish an employment agency in a 300 sq. ft. space on the ground floor of the subject building, which employment agency will be operated by his wife; that the appellant testified that the subject office space was previously occupied by a home appraisal business about 1½ years ago; that the subject space is not large enough for any use other than office use; that there is no signage at the site other than on the door of the subject premises and that the premises is not visible from the street due to the aforesaid 5 feet high brick wall in front of the building; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an employment agency in a store in a 3-story brick apartment building, on premises at 1750 N. Wells Street, upon condition that no signage shall be posted on the existing building or wall advertising the said employment agency and that signage shall be limited to the door of the subject office premises; that all applicable ordinances of the City of Chicago shall be complied with before a permit **PAGE 40 OF MINUTES** is issued.

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

APPLICANT: Bratislav Vasiljevic
 APPEARANCES FOR: Michael Fulton, Bratislav Vasiljevic
 APPEARANCES AGAINST:

CAL. NO. 75-95-A
 MAP NO. 5-H
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 1757 W. Webster Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Bratislav Vasiljevic, owner, on February 9, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a 2 foot height addition to an existing 1-story brick non-conforming single-family dwelling, in an M3-3 Heavy Manufacturing District, on premises at 1757 W. Webster Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 9, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995; and

WHEREAS, the district maps show that the premises is located in an M3-3 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M3-3 Heavy Manufacturing District; that the subject site is a 24' x 100' lot improved with a 1-story brick and frame single-family residence including the subject 2 foot high addition; that the 2 foot high addition was erected for the purpose of providing additional living space; that the subject building was erected prior to the adoption of the 1923 zoning ordinance; that the subject site has been zoned manufacturing since the adoption of the 1923 zoning ordinance; that although the district in which the subject site is located is zoned Heavy Manufacturing, the immediate area to the east and west is predominantly residential in character; that although the subject site's heavy manufacturing zoning renders the residential building non-conforming, such residential buildings are exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and the said addition thereto is well below the permitted floor area ratio for the site; that no violation of the zoning ordinance exists or is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a 2 foot height addition to an existing 1-story brick non-conforming single-family

MINUTES OF MEETING

March 17, 1995

Cal. No. 75-95-A

dwelling, on premises at 1757 W. Webster Avenue, upon condition that the said 2 foot height addition shall comply 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: Human Resources Development Institute, Inc.
 APPEARANCES FOR: Emory Smith
 APPEARANCES AGAINST: Josephine Villarreal et al.

CAL. NO. 300-94-S
 MAP NO. 4-H
 MINUTES OF MEETING
 March 17, 1995

PREMISES AFFECTED— 2207 W. 18th Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application denied.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Human Resources Development Institute, Inc., for Lakeside Bank, Tr. No. 10-1200, owner, on September 22, 1994, filed and subsequently amended an application for the approval of the location and the establishment of a transitional residence for 30 live-in adult males addicted to alcohol and other drugs in a 2-story brick former convent building, in an R4 General Residence District, on premises at 2207 W. 18th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 8, 1994; reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-1(12)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on October 31, 1994; 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 improved with a 2-story brick building formerly occupied as a convent by the church and school located to the south; that the applicant has owned the subject building since 1986; that the said use has been in operation for several years and that the applicant thought it was in compliance with city ordinances at the time it was opened because the building had been formerly occupied by a convent, a residential-type of use; that the applicant has amended their application to eliminate out-patient services; that no evidence was presented to indicate that the said use is necessary for the public convenience at the subject site location; that testimony presented by community residents indicates that the said use is not being operated in such a manner that the public health, safety and welfare is being adequately protected; that the property owner of 2209 W. 18th Street, next door to the subject site, testified that the subject transitional residence clients are rude and inconsiderate of her property and that she and her family are constantly harrassed by the transitional residence's clients; that no evidence was presented that the management of the said transitional residence

MINUTES OF MEETING

March 17, 1995

Cal. No. 300-94-S

have made any effort to work with the community to correct or eliminate problems between the transitional residence clients and neighborhood residents; that no evidence was presented to indicate that the use of the subject premises as a transitional residence will not cause substantial injury to the value of other property; that the Board finds that use of the subject site as a transitional residence, as it now exists, is not in the public interest at this location; it is therefore

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

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

APPLICANT: Human Resources Development Institute, Inc.

CAL. NO. 302-94-S

APPEARANCES FOR:

MAP NO. 24-C

APPEARANCES AGAINST:

MINUTES OF MEETING
March 17, 1995

PREMISES AFFECTED— 2311 E. 98th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
June 16, 1995.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	A	b	s t a i n

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

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

CAL. NO. 304-94-S

APPEARANCES FOR:

MAP NO. 32-B

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1995

PREMISES AFFECTED— 3125 E. 131st Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
June 16, 1995.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

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

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

APPLICANT: Hans G. Heitmann

CAL. NO. 11-95-S

APPEARANCES FOR:

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1995

PREMISES AFFECTED— 1720 S. Loomis Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
May 19, 1995.

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: C² Limited, Inc.
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 16-95-S
MAP NO. 9-G
MINUTES OF MEETING
March 17, 1995

PREMISES AFFECTED— 1420 W. Grace Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
May 19, 1995.

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Ravenswood Disposal Service, Inc.

CAL. NO. 60-94-S

APPEARANCES FOR:

MAP NO. 1-I

APPEARANCES AGAINST:

MINUTES OF MEETING

March 17, 1995

PREMISES AFFECTED— Area bounded by: W. Fulton St., N. Talman Ave.,
 W. Lake St., & N. Washtenaw Ave., known as 200-70 N. Talman Ave.
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
 June 16, 1995.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

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

APPLICANT: Genesis Day School Central
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST: Gregory H. Furda, et al.

CAL. NO. 354-94-S

MAP NO. 18-J

MINUTES OF MEETING

January 20, 1995 and
 March 17, 1995.

PREMISES AFFECTED— 7831 S. Lawndale Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Genesis Day School Central, for Steel City National Bank, Tr. #3203, owner, on October 13, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional residence for approximately 20 youths who are wards of the state in a 1-story brick former public school building, in an M1-1 Restricted Manufacturing District, on premises at 7831 S. Lawndale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.3-1, §10.16-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on January 20, 1995 and March 17, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

WHEREAS, the district maps show that the premises is located in an M1-1 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-1 Restricted Manufacturing District; that on October 13, 1994, the applicant filed a special use application for the establishment of a transitional residence in a 1-story brick former public school building at the subject site; that on December 7, 1994, the attorney for the applicant filed a letter with the Board stating that he was amending the application to reflect that the use being sought is that of a transitional shelter in lieu of a transitional residence; that the applicant seeks to establish a transitional shelter in the 1-story brick building at the subject site originally built by the Chicago Public School system as a middle grade public school and subsequently used for administrative offices; that the applicant, Genesis, is a private not-for-profit special education school and residential center that provides services and residence for children who have emotional problems as a result of abuse and neglect and who may or may not be wards of the state and homeless without parents; that Genesis has been operating at the subject site as a school since January, 1987 and added the residential program component in January, 1994; that the mission of the applicant is to reintegrate the children back into the mainstream of

MINUTES OF MEETING

January 20, 1995 and
March 17, 1995
Cal. No. 354-94-S

society through a combination of educational and vocational training, therapeutic support and transitional services; that as stated in the applicant's residential program description, support services provided clients include psychotherapy, medical monitoring, psychiatric services, intensive therapeutic intervention, and numerous medical services including administration of psychiatric drugs; that the program presently has 22 male children, with the intention of expanding to a maximum 34 male children; that there is no specific limitation as to the length of residency of clients at the site stated in the program's discharge policy; and

WHEREAS, the Board finds that a Transitional Shelter is a listed special use within the provisions of Special Uses as set forth in a Manufacturing District, but that said district contains no provision for a Transitional Residence either as a permitted use or as a special use; that the zoning ordinance defines a Transitional Shelter as a building in which temporary residential accommodations are provided for three or more persons who are not related to the owner, operator, manager or other occupants thereof by blood or by marriage, as described in Chapter 13-212 of the Municipal Code; that under said Chapter, Section 13-212-040 states that no person shall remain as a resident in any transitional shelter for a period in excess of 120 consecutive days and Section 13-212-050 states that it shall be unlawful for any person to provide or to offer, as part of the regular accommodations or services of any transitional shelter, any medical care or treatment, nursing care or any other health-related care for the residents of such thereof; that the zoning ordinance defines a Transitional Residence, in part, as a temporary residential living arrangement for persons who are receiving therapy or counseling for family or school adjustment problems that require specialized attention and care in order to achieve personal independence or for domestic abuse; that the Genesis program proposed at the subject site does not restrict the residency of its clients to a maximum 120 consecutive days and provides numerous medical services to its clients; that calling the applicant's proposed use at the subject site a Transitional Shelter would be a misnomer and inappropriate in this case; that the use proposed at the subject site is that of a Transitional Residence, a use not within the provisions of "Special Uses" as set forth in the applicable section of Article 10 as required under Section 11.10-4 of the zoning ordinance; it is therefore

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

MINUTES OF MEETING

March 17, 1995

Cal. No. 29-94-Z

Gary I. Wigoda, for Chicago Community Kolliel, owner, filed a written request for a further extension of time in which to implement the erection of a 1-story institutional building for religious studies (similar to a college) with no north side transitional yard instead of a 15' x 20' required yard and no transitional front yard instead of a 15' x 20' required yard, when abutting a residential district, on premises at 6506 N. California Avenue, granted by the Zoning Board of Appeals on February 18, 1994 in Calendar No. 29-94-A, and for which an extension of time was granted on August 19, 1994 to February 18, 1994.

Mr. Wigoda stated that the property of the applicant was severely damaged due to vandalizing by fire of the property just prior to the original Zoning Board hearing on February 18, 1994 and that the delays this created both financially and logistically have continued to impede the start of the project. It is still the intent of the applicant to begin work on the project and are therefore requesting an additional extension of time.

Chairman Spingola moved that the request for an extension of time be granted and the time extended to August 18, 1995 in order to implement the erection of the aforesaid 1-story institutional building approved by the Board. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

March 17, 1995

Cal. No. 222-94-Z

Gregory S. Gorski, for Philip I. Mappa Interests, Ltd., applicant, submitted a written request for an extension of time in which to erect a 5-story four dwelling unit condominium building, whose front yard will be 7.3 feet instead of 8.7 feet, whose side yards will each be 3.5 feet instead of 7 feet each, whose rear yard will be 22.7 feet instead of 30 feet, and with no provision for 1 loading berth, at 45 E. Cedar Street, Calendar No. 222-94-Z, granted by the Zoning Board of Appeals, on September 16, 1994.

Mr. Mappa stated that on February 27, 1995 an application was filed to further decrease the front and rear yard setbacks based on design improvements and that said application was scheduled to be heard by the Zoning Board of Appeals on April 21, 1995. It is the request of the property owner, 45 E. Cedar L.L.C., at this time, for a 6 months extension of time of the variations granted on September 16, 1994, Cal. No. 222-94-Z to insure that the variations granted at that time are not forfeited.

Chairman Spingola moved that the request for an extension of time be granted and that the time be extended to September 16, 1995 to insure that the variations granted in Cal. No. 222-94-Z on September 16, 1994 not be forfeited. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: Marcey Street Venture
 APPEARANCES FOR: Gregory H. Furda
 APPEARANCES AGAINST: Martin J. Oberman

CAL. NO. 18-95-S

MAP NO. 5-G

MINUTES OF MEETING

February 17, 1995 and
 March 17, 1995

PREMISES AFFECTED— 1780 N. Marcey Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Marcey Street Venture, for American National Bank & Trust Co., Tr. # 109779-08, owner, on December 14, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of retail business/commercial uses in the existing "Pump House" structure and proposed 1-story 32,000 sq. ft. building, in the "buffer area" of the Clybourn Corridor Planned Manufacturing District #1, on premises at 1780 N. Marcey Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 13, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §J(3)(b)(20)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 17, 1995 and March 17, 1995, after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in the Clybourn Corridor Planned Manufacturing District #1; and

WHEREAS, on December 6, 1990, the Zoning Board of Appeals approved a special use application authorizing specific enumerated uses in a proposed maximum 62,000 sq. ft. building and in an existing 10,000 sq. ft. building subject to certain restrictions governing authorized uses, traffic and parking; and

WHEREAS, on December 31, 1990, a lawsuit (90 CH 12650) was filed by A. Finkl & Sons Company, General Iron Industries, Inc., Republic Pipe & Supply Company and the LEED Council in the Circuit Court of Cook County challenging the Zoning Board of Appeals' decision approving the special use application; and

WHEREAS, on June 28, 1991, the Court remanded this matter to the Zoning Board of Appeals to examine two issues: First, the impact of traffic generated by the proposed project on surrounding existing businesses; and second, the effect of dust and pollution currently in the area on shopping mall workers and customers to the mall; and

WHEREAS, on October 25, 1991, in response to the Court's directive, the Zoning Board

MINUTES OF MEETING

February 17, 1995 and

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of Appeals held a special hearing to receive testimony and examine evidence introduced to address these issues, and found that the evidence with respect to these issues favored the Applicant-Defendant, Marcey Limited Partners; and

WHEREAS, on April 9, 1992, the Court again issued an order remanding the matter to the Zoning Board of Appeals for hearing on the effect on the application for special use for 1780 N. Marcey Street of: First, the failure to pay real estate taxes with respect to the 1800 N. Clyburn Avenue property and second, all issues relating to the filing of a foreclosure action, any disposition thereof, and the appointment of a receiver for the 1800 N. Clybourn property; and

WHEREAS, on September 24, 1993, in response to the Court's directive, the Zoning Board of Appeals held a special hearing to receive testimony and examine evidence introduced to address these issues; and found that none of the events regarding the Applicant-Defendant's loss of ownership of the 1800 N. Clybourn Avenue property had any effect or impact on the Board's decision granting a special use for the establishment of retail uses at 1780 N. Marcey Street; and

WHEREAS, on October 21, 1994, the Zoning Board of Appeals denied the Applicant's request for a 1-year extension of the validity of the order of the Zoning Board of Appeals issued on October 20, 1993 with regard to Calendar No. 83-90-S which, on December 6, 1990, approved a special use to Marcey Limited Partners for the establishment of retail and service uses, subject to certain conditions and restrictions, in a proposed 2-story building on premises at 1780 N. Marcey Street, finding that no stay order of the Zoning Board of Appeals' resolution in Calendar No. 83-90-S approved on December 6, 1990 was ever issued during the subsequent court proceedings and that pursuant to Section 11.10-5, the validity of the resolution in Cal. No. 83-90-S expired on December 6, 1992; and

WHEREAS, on December 14, 1994, the applicant filed a new special use application for the approval of the location and the establishment of retail business/commercial uses in the existing "Pump House" structure and proposed 1-story 32,000 sq. ft. building in the "buffer area" of the Clybourn Corridor Planned Manufacturing District #1, at the subject site; 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 lies within an overall 115 acre area designed as a Planned Manufacturing District and is identified as the Clybourn Corridor Planned Manufacturing District #1; that the PMD is a balanced approach to industrial policy and land use planning on the city's north side, allowing for continued and coordinated industrial investment within an overall planning context sensitive to area wide commercial and residential needs; that the PMD is split into two sub-districts; the core area, which permits only manufacturing and related uses, and the buffer area, which permits manufacturing and related uses but also allows specified commercial and retail uses when approved by the Board as special uses; that the buffer area is designed and intended to promote development of uses compatible with the manufacturing/industrial uses existing in the core area; that the subject site is located in the buffer area consisting of 89,805 sq. ft. running north from Willow Street and from Marcey Street west to the 20' Peoples Gas Utility right-of-way fronting on the east side of Kingsbury Street and is improved with a pump house and that the balance of the block to the north is improved by a Commonwealth Edison sub-station and yard; that the other surrounding uses,

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all in the buffer area, are various retail and service uses; that the applicant proposes to establish retail business//commercial uses in the existing "Pump House" structure and a proposed 1-story 32,000 sq. ft. building; that the applicant has secured leases with Smith & Hawkin, an outdoor furniture/garden equipment retail business to occupy the pump house premises and with Mikasa China who will occupy 70% of the proposed 1-story building; that the actual uses in the existing pump house structure and the proposed 1-story building as well as future tenants, are those uses deemed viable to the marketplace and, as such, the proposed uses are necessary for the public convenience at this location to provide those retail and service uses dictated by the needs of the growing number of people living and working in the area; that the public health, safety and welfare will be adequately protected in the design, location and establishment of the proposed uses for the following reasons: that the surrounding existing uses are non-manufacturing in nature and the potential for land use conflicts and nuisances upon these uses or upon the somewhat distant actual manufacturing uses in the core area is minimal; that there is no evidence that the establishment of the proposed uses would cause any loss of manufacturing jobs in the area; that the development will have no adverse effect on the property values in the core area; that the proposed uses will meet the off-street parking requirements of the PMD ordinance, and with ingress and egress to the parking and loading areas limited to W. Willow and N. Marcey Streets and with traffic improvements installed by the Applicant which effectively funnel westbound Willow Street traffic to southbound Kingsbury Street, will ease potential peak time traffic flow conflicts with the manufacturers' traffic along Kingsbury Street; that the subject property was for sale for) years prior to the granting of the Board's resolution No. 83-90-S on October 19, 1990 and subsequently has had no competitive offers made by potential manufacturers; that the proposed development will help to enhance the viability of the buffer area retail uses and will be compatible with other uses in the buffer area and with parking limited to ingress and egress off of Willow Street and N. Marcey Street, the establishment of the proposed uses will not cause substantial injury to the value of other property in the area and will not have any deleterious effect upon the manufacturing uses in the core 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 approval of retail business/commercial uses in the existing "Pump House" structure and proposed 1-story 32,000 sq. ft. building in the "buffer area" of the Clybourn Corridor Planned Manufacturing District #1, on premises at 1780 N. Marcey Street, upon condition the business uses are limited and restricted to those permitted in the B3 General Retail District, except that the retail furniture/garden equipment business planned for the "Pump House" may have outdoor display of merchandise for sale to the public; that the applicant shall install traffic improvements that effectively funnel westbound Willow Street traffic to southbound Kingsbury Street and that such traffic improvements shall be in substantial compliance with applicant's traffic plan, Exhibit B - "Dimension Sketch", subject to the review and approval of the Department of Transportation, and shall be installed, at the applicant's expense, prior to the issuance of building permits for 1780 N. Marcey Street; that the applicant provides not less than 1 parking space for every 350 sq. ft. of retail floor area exclusive of storage areas incidental to the operation of retail businesses; that ingress and egress to the parking and loading areas shall be limited to W. Willow and N. Marcey Streets; that no driveways or access off of Kingsbury Street shall be permitted; that landscaping shall be installed in substantial compliance with the landscape plan prepared by)FDA, Incorporated, and dated February 17, 1995; that any additional construction substantially beyond the 40,800 sq. ft. requested in the application shall require a separate application

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to the Zoning Board of Appeals; that the applicant shall install a decorative wrought-iron, cast-iron, or cast-aluminum fence along that portion of the parking lot that faces W. Willow and N. Marcey Streets; that no roof-top signs shall be permitted and any free-standing pylon sign shall be limited to no more than 35 feet in height; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on April 21, 1995.

Marian Pesi
Secretary