

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

held in Room 569 County Building on Friday, July 21, 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
Le Roy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

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Member Moore moved to change his vote in the matter of Cal. No. 304-95-S, Aunt Martha's Youth Service Center, Inc., premises affected at 3125 E. 131st Street, from "Affirmative", as indicated on the resolution in said case, heard by the Zoning Board of Appeals on June 16, 1995, to "Abstain", which resolution merely reflects the applicant's withdrawal of the case. Member Moore stated that he represents the owner of the property, the Archdiocese of Chicago, in legal matters and wishes to avoid any interpretation of a conflict of interest in this aforesaid case.

The motion prevailed by yeas and nays as follows:

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

Member Martin thereupon moved that the Board approve the minutes of the proceedings of the regular meeting held on June 16, 1995 (as submitted and amended by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

In other business, Chairman Spingola introduced a draft of new Zoning Board of Appeals' Rules of Procedure for the Board's consideration, approval and adoption, copies of which had been given to the members at the prior meeting. Member Martin moved to amend the opening paragraph on page 8 under Article V titled Representation of Parties by inserting the words "or the person filing on their behalf" after the words "The applicant". The motion was approved unanimously after which Chairman Spingola moved that the new Zoning Board of Appeals' Rules of Procedure, as amended, be approved and adopted. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin, McCabe-Miele 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: Sorieda J. Derrick

CAL. NO. 165-95-Z

APPEARANCES FOR:

MAP NO. 34-E

PREMISES AFFECTED-- 314 E. 138th Street

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

ACTION OF BOARD--

CASE CONTINUED TO
SEPTEMBER 15, 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: Lauren Moltz & John Clement

CAL. NO. 166-95-Z

APPEARANCES FOR: Lauren Moltz, John Clement

MAP NO. 14-D

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 5748 S. Harper Avenue

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
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Lauren Moltz and John Clement, owner, on May 24, 1995, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the dormering of the attic of a 2-story brick single-family dwelling and the erection of a 23' x 14' rear addition, whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 5748 S. Harper Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 17, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically Sections 7.6-2; 7.8-2(2).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 40.02' x 113' lot improved with a 2-story brick single-family dwelling and a one car brick garage in the rear; that the applicant proposes to erect a 2-story 23' x 14' rear addition to the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2-story 23' x 14' rear addition is necessary to provide additional living space to meet the needs of the applicant; that the plight of the owner is due to the need for additional kitchen, family room and master bedroom space in this Georgian-style single-family dwelling; that the proposed 2-story addition will follow existing building lines and will be compatible with existing

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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 23' x 14' rear addition, whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 5748 S. Harper 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: William B. McPartlin

CAL. NO. 167-95-Z

APPEARANCES FOR: Tom Allen, William B. McPartlin

MAP NO. 9-N

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 3458 N. Nordica 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
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, William B. McPartlin, owner, on May 24, 1995, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, 2nd floor dormer additions on the rear 27.33 feet of a 1-story brick single family dwelling, whose north side yard will be 2.17 feet and whose south side yard will be 2.83 feet instead of combined side yards of 9 feet and neither side yard less than 3 feet and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 3458 N. Nordica Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2; 7.8-2 (2).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 29' x 126.83' lot improved with a 1-story brick single-family dwelling with a frame 2nd floor dormer addition in the rear; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district in that the said 2nd floor dormer addition on the rear 7.3 feet of the existing 1-story brick single-family dwelling is necessary to meet the living space requirements of the applicant and his family; that the plight of the owner is due to the lack of adequate bedroom facilities in the existing single-family residential building; that the said 2nd story dormer addition follows existing building walls and is compatible with

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existing residential improvements in the block, 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 the variation be and it hereby is granted to permit 2nd floor dormer additions on the rear 27.33 feet of a 1-story brick single-family dwelling, whose north side yard will be 2.17 feet and whose south side yard will be 2.83 feet instead of combined side yards of 9 feet and neither side yard less than 3 feet and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 3458 N. Nordica Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Joseph Loduca & Nancy Loduca

CAL. NO. 168-95-Z

APPEARANCES FOR: Nancy Loduca

MAP NO. 14-M

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 6016 S. Austin 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, Joseph Loduca and Nancy Loduca, owner, on June 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 24' x 46' addition to a 1-story brick single family dwelling, whose combined side yards will be 6 feet instead of 9 feet and whose maximum floor area ratio will be approximately 0.59 instead of 0.50, on premises at 6016 S. Austin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 20, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.8-2 (2); 7.6-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 125.48' lot improved with a 1-story brick single-family dwelling and 2-car frame garage in the rear; that the applicant proposes to erect a 2nd story 24' x 46' addition to the existing single-family dwelling; 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 variations requested are necessary provide additional living space to meet the needs of the applicant; that the plight of the owner is due to the necessity of providing a family room and additional bedroom facilities; that the proposed 2nd floor addition will follow existing building walls; that the proposed addition will be compatible with existing residential improvements in the area and that the

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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 2nd story 24' x 46' addition to a 1-story brick single-family dwelling, whose combined side yards will be 6 feet instead of 9 feet and whose maximum floor area ratio will be approximately 0.59 instead of 0.50, on premises at 6016 S. Austin 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: William A. Boone

CAL. NO. 169-95-Z

APPEARANCES FOR: William A. Boone

MAP NO. 5-G

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 1829 N. Bissell Street

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

ACTION OF BOARD--

VARIATIONS DENIED.

THE VOTE

	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, William A. Boone, owner, on May 24, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 4th floor 21.16' x 27.83' addition to a 3-story brick 3-dwelling unit building, whose front yard will be 7.83 feet instead of 15 feet, with no north side yard instead of 2.4 feet, and which addition will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1829 N. Bissell Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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, Sections 7.6-4; 7.8-4; 7.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 125' lot improved with a 3-story brick residential building; that the applicant proposes to duplex the existing 3rd floor dwelling unit by erecting a 4th floor 21.16' x 27.83' addition to the existing 3-story brick residential building at the subject site, which addition will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the applicant testified that he plans to return to live in the subject building but that because real estate taxes are increasing in the area he plans to lease out the proposed duplexed 3rd floor dwelling unit for more income rather than occupy the unit himself;

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that no evidence was presented to indicate that the applicant cannot obtain a reasonable return on the property under the conditions allowed by the regulations of the R4 General Residence zoning district, nor that any unique circumstances exist; it is therefore

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

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

APPLICANT: David Sweet

CAL. NO. 170-95-Z

APPEARANCES FOR: Herbert Hedeem, Jr., David Sweet

MAP NO. 12-D

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 5105-07 S. University Avenue

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

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

	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, David Sweet, for University-Hyde Park Boulevard Ltd. Partnership #21, owner, on May 30, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2 & 3 story U-shaped 10 dwelling unit townhouse building, with no front yard, no north side yard, no south side yard, and no rear yard, instead of 13.06 feet, 4.98 feet, 8.3 feet, and 30 feet, respectively, on premises at 5105-07 S. University Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 21, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 7.8-5, & 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 proposed use is to be located in an R5 General Residence District; that the subject site is an 83' x 108.86' reversed corner lot with no alley access and is presently improved with a 3 ½ story brick residential building; that the applicant proposes to demolish the existing building and erect a 2 and 3-story U-shaped 10-dwelling unit townhouse building with on-site garage parking for each dwelling unit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 10 dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances

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in that the proposed 2 and 3-story 10-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the required yards than would a yard conforming multi-story rental apartment building and that vehicular circulation space must be accommodated on the site due to lack of alley access to the dwelling units' parking garages; that the proposed 2 and 3-story 10 dwelling unit townhouse building will be compatible with the existing residential improvements in the area, many of which do not comply with the yard setback requirements of the zoning ordinance; 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 and 3-story U-shaped 10-dwelling unit townhouse building, with no front yard, no north side yard, no south side yard, and no rear yard, instead of 13.06 feet, 4.98 feet, 8.3 feet, and 30 feet respectively, on premises at 5105-07 S. University Avenue, upon condition that no fencing shall be erected beyond the subject site's property lines; 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: Scott Ramsey

CAL. NO. 171-95-Z

APPEARANCES FOR: Bernard I. Citron, Scott Ramsey

MAP NO. 3-F

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 1330 N. Cleveland Avenue

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

ACTION OF BOARD--

VARIATIONS 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, Scott Ramsey, owner, on June 14, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 4th story addition to a 3-story brick 3-dwelling unit building, whose north side yard will be 2.3 feet and whose south side yard will be 1.5 feet instead of 2.6 feet each and which addition will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1330 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 7.8-4; 7.6-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 26' x 125' lot improved with a vacant and dilapidated 3-story brick 3-dwelling unit building; that the applicant proposes to duplex the 3rd floor dwelling unit by adding a 4th story, which addition will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the applicant testified that he and his girlfriend will reside in the duplexed living unit and that a portion of the proposed addition will contain a home occupation office for her use; that no evidence was presented to indicate that a hardship exists and that the applicant could not receive a reasonable return on the

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property under the conditions allowed by the regulations in the R4 General Residence District, nor that any unique circumstances exist; it is therefore

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

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

APPLICANT: LaSalle Northwest Bank

CAL. NO. 172-95-S

APPEARANCES FOR: Bernard I. Citron

MAP NO. 9-K

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 3936 N. Kilpatrick Avenue

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, LaSalle Northwest Bank, owner, on June 12, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 3936 N. Kilpatrick Avenue, in a B5-2 General Service District, to serve a bank located at 4747 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

WHEREAS, the district maps show that the premises is located in a B5-2 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-2 General Service District; that the subject site is a 13,565 sq. ft. triangular-shaped unimproved lot; that the applicant proposes to establish a 40-space off-site accessory parking lot at the subject site; that the proposed use is necessary for the public convenience at the subject site to provide accessory parking for customers of a bank located at 4747 W. Irving Park Road and for customers of other business uses in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use will be an asset in an area which is in need of off-street parking spaces and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 3936 N. Kilpatrick Avenue, to serve a bank located at 4747 W. Irving Park Road, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, except at the established entrance and exit, with wrought-iron fencing; that ingress and egress shall be determined by the Department of Transportation-Bureau of Inspections; that the driveway(s) shall be constructed in accordance with applicable ordinances; that striping and lighting shall be provided; that landscaping shall be provided as indicated on the landscape plan prepared by Panoramic Landscape Management Company dated August 18, 1994; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Carmen M. Perez & Mary Stoppert

CAL. NO. 173-95-Z

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 2015 & 2017 W. Balmoral Avenue

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

ACTION OF BOARD--

APPLICATION WITHDRAWN.

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: Kam L. Liu

CAL. NO. 174-95-Z

APPEARANCES FOR: Gary I Wigoda, Kam L. Liu

MAP NO. 6-G

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 2922 S. Archer 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, Kam L. Liu, owner, on June 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2922 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 7.7-4; 7.9-4.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 City Council rezoned the subject site from C1-2 Restricted Commercial to R4 General Residence specifically for the proposed residential project; that the subject site is a 72' x 180' unimproved lot abutting the Stevenson Expressway to the southeast; that the applicant proposes to erect a 3-story 7-dwelling unit townhouse building at the subject site; that the proposed townhouse dwelling units will be 33' x 24' with 2 car garages on the 1st level; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide adequate living space in the dwelling units and to make the project economically feasible; that the plight of the owner is due to unique

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July 21, 1995

Cal. No. 174-95-Z

circumstances in that the proposed 3-story 7-dwelling unit townhouse building as designed requires greater horizontal land coverage and encroachment into the required front and rear yards than would a yard conforming multi-story rental apartment building; that the proposed residential townhouse building will be compatible with existing mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2922 S. Archer 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: Kam L. Liu

CAL. NO. 175-95-Z

APPEARANCES FOR: Gary I. Wigoda, Kam L. Liu

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 2932 S. Archer 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, Kam L. Liu, owner, on June 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2932 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 7.7-4; 7.9-4.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 City Council rezoned the subject site from C1-2 Restricted Commercial to R4 General Residence specifically for the proposed residential project; that the subject site is a 62' x 180' unimproved lot abutting the Stevenson Expressway to the southeast; that the applicant proposes to erect a 3-story 7-dwelling unit townhouse building at the subject site; that the proposed townhouse dwelling units will be 33' x 24' with 2 car garages on the 1st level; that the property in the question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide adequate living space in the dwelling units and to make the project economically feasible; that the plight of the owner is due to unique

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circumstances in that the proposed 3-story 7-dwelling unit townhouse building as designed requires greater horizontal land coverage and encroachment into the required front and rear yards than would a yard conforming multi-story rental apartment building; that the proposed residential townhouse building will be compatible with the existing mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2932 S. Archer 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: Kam L. Liu

CAL. NO. 176-95-Z

APPEARANCES FOR: Gary I. Wigoda, Kam L. Liu

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 2938 S. Archer 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, Kam L. Liu, owner, on June 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2938 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 7.7-4; 7.9-4.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 City Council rezoned the subject site from C1-2 Restricted Commercial to R4 General Residence specifically for the proposed residential project; that the subject site is a 62' x 180' unimproved lot abutting the Stevenson Expressway to the southeast; that the applicant proposes to erect a 3-story 7-dwelling unit townhouse building at the subject site; that the proposed townhouse dwelling units will be 33' x 24' with 2 car garages on the 1st level; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide adequate living space in the dwelling units and to make the project economically feasible; that the plight of the owner is due to unique

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circumstances in that the proposed 3-story 7-dwelling unit townhouse building as designed requires greater horizontal land coverage and encroachment into the required front and rear yards than would a yard conforming multi-story rental apartment building; that the proposed residential townhouse building will be compatible with the existing mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2938 S. Archer 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: Kam L. Liu

CAL. NO. 177-95-Z

APPEARANCES FOR: Gary I. Wigoda, Kam L.Liu

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 2946 S. Archer 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, Kam L. Liu, owner, on June 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2946 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 7.7-4; 7.9-4.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 City Council rezoned the subject site from C1-2 Restricted Commercial to R4 General Residence specifically for the proposed residential project; that the subject site is a 62' x 180' unimproved lot abutting the Stevenson Expressway to the southeast; that the applicant proposes to erect a 3-story 7-dwelling unit townhouse building at the subject site; that the proposed townhouse dwelling units will be 33' x 24' with 2 car garages on the 1st level; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide adequate living space in the dwelling units and to make the project economically feasible; that the plight of the owner is due to unique

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circumstances in that the proposed 3-story 7-dwelling unit townhouse building as designed requires greater horizontal land coverage and encroachment into the required front and rear yards than would a yard conforming multi-story rental apartment building; that the proposed residential townhouse building will be compatible with the existing mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2946 S. Archer 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: Kam L. Liu

CAL. NO. 178-95-Z

APPEARANCES FOR: Gary I. Wigoda, Kam L. Liu

MAP NO. 6-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 2950 S. Archer Avenue

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

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

	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, Kam L. Liu, owner, on June 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2950 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 7.7-4; 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 City Council rezoned the subject site from C1-2 Restricted Commercial to R4 General Residence specifically for the proposed residential project; that the subject site is a 62' x 180' unimproved lot abutting the Stevenson Expressway to the southeast; that the applicant proposes to erect a 3-story 7-dwelling unit townhouse building at the subject site; that the proposed townhouse dwelling units will be 33' x 24' with 2 car garages on the 1st level; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide adequate living space in the dwelling units and to make the project economically feasible; that the plight of the owner is due to unique

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circumstances in that the proposed 3-story 7-dwelling unit townhouse building as designed requires greater horizontal land coverage and encroachment into the required front and rear yards than would a yard conforming multi-story rental apartment building; that the proposed residential townhouse building will be compatible with the existing mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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 7-dwelling unit townhouse building, whose front yard will be 3 feet instead of 15 feet and whose rear yard will be 2 feet instead of 30 feet, on premises at 2950 S. Archer 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: Kenneth Pasiewicz

CAL. NO. 179-95-Z

APPEARANCES FOR: John J. Pikarski, Jr., Kenneth Pasiewicz

MAP NO. 12-L

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 5324 W. 54th Street

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, Kenneth Pasiewicz, for Robert Monica, owner, on April 18, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District (rezoning to R4 General Residence pending), the erection of a 2-story single family dwelling, whose front yard will be 5 feet instead of 9.25 feet and whose rear yard will be 12.10 feet instead of 30 feet, on premises at 5324 W. 54th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 4, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4; 7.9-4.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 R4 General Residence District; that on July 13, 1995 the City Council rezoned the site from R3 General Residence to R4 General Residence specifically for the proposed 2-story single-family dwelling; that the subject site is an unimproved 24' x 77.10' lot with no alley access abutting railroad tracks to the north; that the applicant proposes to erect a 2-story single-family dwelling with garage parking on the ground level 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 that the front and rear yard variations requested are necessary to construct a marketable single-family dwelling containing adequate habitable living space; that the plight of the owner is due to the shallow depth of the lot and that the design of the single-family dwelling requires a front stairway of which some steps are over 4 feet high which is not allowed under the

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zoning ordinance as a permitted obstruction in a front yard, hence requiring a front yard variation; that the proposed single-family dwelling, as designed, will be compatible with existing 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 single-family dwelling, whose front yard will be 5 feet instead of 9.25 feet and whose rear yard will be 12.10 feet instead of 30 feet, on premises at 5324 W. 54th 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: Ronald Sersen

CAL. NO. 180-95-Z

APPEARANCES FOR: John J. Pikarski, Jr., Margot Sersen

MAP NO. 15-1

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 5908 N. Virginia 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, Ronald Sersen, Ronald and Margot Sersen, owner, on June 6, 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 2-dwelling unit building on a 30' x 119.56' lot of record, whose front yard will be 10 feet instead of 19.12 feet and whose lot area is 3,586 sq. ft. instead of 3,750 sq. ft. required, on premises at 5908 N. Virginia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 16, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5 (2).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 an 30' x 119.56' unimproved lot of record; that the applicant proposes to erect a 2-story 2-dwelling unit building at the subject site; that a paved parking pad for 2 automobiles will be provided at the rear of the lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to construct a marketable 2-dwelling unit building containing adequate living space; that the plight of the owner is due to the shallow depth of the subject lot and the necessity of providing off-street parking spaces; that the proposed 2-story 2-dwelling unit building will be compatible with the existing multi-family residential buildings in area; and that the variations, if granted

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will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 2-dwelling unit building on a 30' x 119.56' lot of record, whose front yard will be 10 feet instead of 19.12 feet and whose lot area is 3,586 sq. ft. instead of 3,750 sq. ft., on premises at 5908 N. Virginia 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: Keith Kazuk

CAL. NO. 181-95-Z

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 928 W. Roscoe Street

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

ACTION OF BOARD--

VARIATIONS GRANTED.

THE VOTE

	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, Keith Kazuk, for Keith and Katherine S. Kazuk, owner, on June 6, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 3-dwelling unit building, whose front yard will be 7 feet instead of 15 feet and with no west side yard and whose east side yard will be 2 feet instead of 2.2 feet each, on premises at 928 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 22, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5; 7.8-5.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 proposed use is to be located in an R5 General Residence District; that the subject site is a 22' x 125' lot improved with a 2-story brick coach house building in the rear; that the applicant proposes to erect a 4-story 3-dwelling unit building at the front of the lot, with the 3rd and 4th stories consisting of a duplex living unit for the applicant and his family; that the applicant presently lives in the existing coach house building at the rear of the lot; that the said coach house building will be converted to garage parking space for 2 automobiles on the first floor and storage space above; that a three feet easement for ingress and egress to the third parking space exists to the west and adjoining the subject property; that the roof of the coach house has a deck which will be connected to the proposed 4-story residential building; that the property in question cannot yield a reasonable return nor be put to reasonable

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use if permitted to be used only under the conditions allowed by the regulations in this district; in that the front and side yard variations requested are necessary to provide habitable living space in the proposed 3-dwelling unit building as designed; that the plight of the owner is due to the narrow width of the subject lot; that the proposed 4-story 3-dwelling unit building will be compatible with existing residential improvements in the area, many of which do not comply with the side and front yard setback requirements of the zoning ordinance; 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 4-story 3-dwelling unit building, whose front yard will be 7 feet instead of 15 feet and with no west side yard and whose east side yard will be 2 feet instead of 2.2 feet each, on premises at 928 W. Roscoe Street, upon condition that the existing coach house building in the rear of the subject property shall be deconverted from residential use to a garage for 2 required parking spaces on the first floor with storage above; that the proposed 4-story building shall be connected to the rear coach house building by means of extending the existing coach house roof deck to the proposed 4-story building; that the existing 3 feet easement to the west and adjoining the coach house building shall be maintained as a means of ingress and egress to the third required parking space situated between the buildings; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John L. Kirkwood, Jr.

CAL. NO. 182-95-Z

APPEARANCES FOR: John J. Pikarski, Jr., John L. Kirkwood, Jr.

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 1742-44 N. Winchester 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, John L. Kirkwood, Jr., owner, on June 6, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2nd story addition and a 2-story addition to the 1-story portion of a 1 & 2 story brick former factory building all of which will be converted to 6-dwelling units with interior parking, with no north side yard instead of 4.8 feet and no rear yard instead of 30 feet, on premises at 1742-44 N. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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, Sections 7.8-5; 7.9-5.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 proposed use is to be located in an R5 General Residence District; that on March 9, 1995, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence; that the subject site is a 48' x 121' lot improved with a 1 and 2-story brick business building undergoing rehabilitation; that the applicant proposes to erect a 2nd story addition and a 2-story addition to the 1-story portion the existing 1 and 2-story brick building at the subject site all of which will be converted to a 6-dwelling unit building with interior parking; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect the proposed additions without the yard variations requested would prove economically unfeasible; that the plight of the owner is due to the existing

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configuration of the subject building which is already located in the required north side yard and rear yard; that the proposed 2nd story addition will fill in the one story portion of the building at the northwest corner and the proposed 2-story addition to the rear thereof will create a completely rectangular 2-story building; that the proposed use will be compatible with the existing mixed residential and business improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story addition and a 2-story addition to the 1-story portion of a 1 and 2-story brick former factory building all of which will be converted to 6-dwelling units with interior parking, with no north side yard instead of 4.8 feet and no rear yard instead of 30 feet, on premises at 1742-44 N. Winchester 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: Nick Giannis

CAL. NO. 183-95-S

APPEARANCES FOR: John J. Pikarski, Jr., Nick Giannis

MAP NO. 1-E

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 534-38 N. St. Clair 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, Nick Giannis, for Dante and Gisella Cantieri, owner, on June 6, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot, on premises at 534-38 N. St. Clair Street, in a C3-6 Commercial-Manufacturing District, to serve an adjacent restaurant at 164 E. Grand Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 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, Sections 9.11-5.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

WHEREAS, the district maps show that the premises is located in a C3-6 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 said use is located in a C3-6 Commercial-Manufacturing District; that the subject site is improved with a paved parking lot; that the said use is necessary for the public convenience at this location to serve Boston Blackie’s Restaurant located at 164 E. Grand Avenue directly west of the subject site; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said use to be improved and operated under the conditions hereinafter set forth; that the said use is located in an area containing multi-level parking garages; and that the said 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

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authorized to permit the establishment of an off-site accessory parking lot, on premises at 534-38 N. St. Clair Street, to serve an adjacent restaurant at 164 E. Grand Avenue, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the existing paving, striping and drainage shall be maintained; that a landscape screen shall be installed along the northern and southern property lines; that ingress and egress shall be from N. St. Clair Street; that the hours of operation shall be limited to the hours of operation of the restaurant, 11:00 A.M. to 11:00 P.M. and that the lot shall be securely locked at all times when not in use by the restaurant; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Michael Brooks

CAL. NO. 184-95-A

APPEARANCES FOR: Gerry Haderlin. Deborah Mooney

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 3609 N. Damen 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, Deborah Mooney, for Daniel and Deborah Mooney, owner, on June 7, 1995, filed, and subsequently amended, an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the 3-dwelling units in a 3-story brick store and 3-dwelling unit building with 2 off-street parking spaces instead of 3 required, in a B1-2 Local Retail District, on premises at 3609 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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, Sections 8.11-1 (7).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995; and

WHEREAS, the district maps show that the premises is located in a B1-2 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B1-2 Local Retail District; that the subject site is a 3,125 sq. ft. lot improved with a 3-story brick store and apartment building with a 1-story frame addition in the rear and a 2-car frame garage at the rear of the lot; that Michael Brooks purchased the subject property on June 28, 1995 from Deborah and Daniel Mooney; that evidence presented indicates that the three story building at the subject site contained a store on the first floor and a dwelling unit at the rear and dwelling units on the second and third floors with a garage at the rear of the lot for two automobiles since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to maintain three dwelling units with two parking spaces at the subject

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site; that no violation of the zoning ordinance exists and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the 3-dwelling units in a 3-story brick store and 3-dwelling unit building with provision for 2 off-street parking spaces instead of 3 required, on premises at 3609 N. Damen Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Michael Brooks

CAL. NO. 185-95-S

APPEARANCES FOR: Gerry Haderlin, Deborah Mooney

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 3609 N. Damen Avenue

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, Deborah Mooney, for Daniel and Deborah Mooney, owner, on May 29, 1995, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the expansion of an existing dwelling unit at the rear of a store into the entire store on the ground floor of a 3-story brick store and 3-dwelling unit building, in a B1-2 Restricted Retail District, on premises at 3609 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 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, Sections 8.4-1 (14).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

WHEREAS, the district maps show that the premises is located in a B1-2 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B1-2 Local Retail District; that the subject site is a 3,125 sq. ft. lot improved with a 3-story brick store and apartment building with a 1-story frame addition in the rear and a 2-car frame garage at the rear of the lot; that on July 21, 1995, the application for a special use was amended to indicate that Michael Brooks is now the owner of the subject property, having purchased the property on June 28, 1995 from Deborah and Daniel Mooney; that on July 21, 1995, the Zoning Board of Appeals sustained the applicant’s appeal certifying the 3 dwelling units in the 3-story brick store building with provision for 2 off-street parking spaces instead of 3 required, at the subject site, in Cal. No. 184-95-A; that the applicant is seeking special use approval to expand the existing rear ground floor dwelling unit into the entire ground floor store premises; that the proposed use is

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necessary for the public convenience at this location in that there is no demand for ground floor business uses in the area and there is a demand for residential units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed use which will comply with all applicable building code regulations; that the proposed use will be compatible with existing improvements in this predominantly residential 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 expansion of an existing dwelling unit at the area of a store into the entire store on the ground floor of a 3-story brick store and 3-dwelling unit building, on premises at 3609 N. Damen Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bernard Berry & Nicholas Patete

CAL. NO. 186-95-S

APPEARANCES FOR: Gary I. Wigoda, Bernard Berry

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 1256 W. Chicago Avenue

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, Bernard Berry and Nicholas Patete, owners, on June 14, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor of a proposed 3-story 6-dwelling unit townhouse building, in a B4-2 Restricted Service District, on premises at 1256 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 8.3-2 (1); 8.7-4."

and,

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 a 48' x 122.50' unimproved lot; that the applicant seeks to establish dwelling units on the ground floor of a proposed 3-story 6-dwelling unit townhouse building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is little demand for ground floor business uses in the area and a growing demand for residential units, particularly townhouse dwelling units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed use which will comply with all applicable building code regulations and which will provide interior ground floor parking garages; that the proposed use will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of

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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 dwelling units on the ground floor of a proposed 3-story 6-dwelling unit townhouse building, on premises at 1256 W. Chicago Avenue, upon condition that the applicant shall install a 2-1/2 feet landscaped setback along N. Elizabeth Street and a 2 feet landscaped setback along W. Chicago Avenue, each planted with hedges consisting of shrubs of a minimum of 24 inches in width planted at 36-inch intervals and that street trees shall be installed consistent with provisions of the Chicago Landscape Ordinance; 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: Bernard Berry & Nicholas Patete

CAL. NO. 187-95-Z

APPEARANCES FOR: Gary I. Wigoda, Bernard Berry

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 1256 W. Chicago 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, Bernard Barry and Nicholas Patete, owners, on June 14, 1995, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 6-dwelling unit townhouse building, whose front yard will be 2 feet instead of 14.7 feet, whose east side yard will be 1.5 feet instead of 4.8 feet, and whose rear yard will be 2.83 feet instead of 30 feet, on premises at 1256 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 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, Sections 8.3-2 (1); 8.7-4.”

and,

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 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 a 48' x 122.50' unimproved lot; that on July 21, 1995, the Zoning Board of Appeals approved the establishment of dwelling units on the ground floor of a proposed 3-story 6-dwelling unit townhouse building, at the subject site, in Cal. No. 186-95-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 to erect less than the requested 6 dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed 3-story 6-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into required yard setbacks than would a yard conforming multi-story rental apartment building; that the proposed 6-dwelling unit townhouse building will be compatible with existing mixed

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business and residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 6-dwelling unit townhouse building, whose front yard will be 2 feet instead of 14.7 feet, whose east side yard will be 1.5 feet instead of 4.8 feet, and whose rear yard will be 2.83 feet instead of 30 feet, on premises at 1256 W. Chicago 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: United Credit Union

CAL. NO. 188-95-S

APPEARANCES FOR: Frank J. Kuta

MAP NO. 10-K

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 4444 S. Pulaski Road

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, United Credit Union, owner, on June 13, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of two additional drive-through lanes in the expansion of an existing banking facility, in a B4-1 Restricted Service District, on premises at 4444 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 8, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4; 8.11-1.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995 after due notice thereof by publication in the Chicago Sun-Times on July 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 189.44' x 108.43' lot improved with a 1-story brick bank building with 2 drive-through lanes on the northern portion of the site; that the applicant is seeking to establish 2 additional drive-through lanes for a total of 4 lanes in the expansion of an existing banking facility at the subject site; that the proposed use is necessary for the public convenience at this location to provide a banking service necessary in today's banking operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the existing 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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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 additional drive-through lanes in the expansion of an existing banking facility, on premises at 4444 S. Pulaski Road, upon condition that lighted directional ingress and egress signs shall be provided at the established entrance and exit; that a "Stop-Do Not Enter" sign shall be erected at the exit onto S. Pulaski Road at the northeast corner of the subject site; that ingress to the drive-through facilities shall be from W. 45th Street at the southwest corner of the site; that there shall be no ingress nor egress from the public alley abutting the site to the west; that wrought-iron fencing shall be provided on the periphery of the lot, excepting the driveways; that the driveway for the additional 2 drive-through lanes shall be constructed in accordance with applicable ordinances; that landscaping shall be provided as indicated on the landscape plan prepared by The Hezner Corporation, dated June 8, 1995; 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: Victor Orozco

CAL. NO. 189-95-A

PEARANCES FOR: Osvaldo Hernandez, Victor Orozco

MAP NO. 7-M

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 3029 N. Austin Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Victor Orozco, owner, on May 31, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a two story with basement brick store and apartment building as six dwelling units, in an R3 General Residence District, on premises at 3029 N. Austin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 24, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 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 3,720 sq. ft. lot improved with a 3-story brick building with what appears to have been two store fronts at some time on the ground floor and apartments above; that the appellant purchased the property in 1989 at which time the building was totally residential containing 6 dwelling units which constitutes a non-conforming use in the R3 General Residence District; that the appellant testified that he believed that the subject building was built in the 1930's as 2 store units and 4 dwelling units and that the store fronts were converted to 2 dwelling units by a former owner; that the subject site was Commercial zoning under the 1923 ordinance, Business zoning under the 1942 ordinance, and R3 General Residence under the present 1957 zoning ordinance; that the lot area per dwelling unit requirement in the R3 district

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would have permitted not more than 2 dwelling units to be established at the site since the passage of the 1957 code; that in response to a violation notice by the City, the appellant seeks to legalize the use of the subject building as 6 dwelling units; that the Board finds that no evidence was presented that would indicate that the appellant has a legal right within the terms of the zoning ordinance to establish 6 dwelling units at the subject site; it is therefore

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

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

APPLICANT: Hoai Xuan Nguyen

CAL. NO. 190-95-A

APPEARANCES FOR: Hoai Xuan Nguyen

MAP NO. 24-C

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 9529 S. Jeffrey Boulevard

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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Hoai Xuan Nguyen, for Chung S. Nam, owner, on June 3, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a finger nail salon in a one story brick commercial building, in a B2-1 Restricted Retail District, on premises at 9529 S. Jeffrey Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 30, 1995, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 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 improved with a vacant 1-story store in a strip shopping mall; that the subject store premises was previously occupied by a beauty salon; that the appellant seeks to operate a finger nail salon specializing in repairing of finger nails and attachment of false finger nails; that a finger nail salon is not individually listed in the zoning ordinance but that it is a service use dealing directly with consumers such as medical and dental clinics, business and professional offices, physical culture and health service type uses; that such service type uses that deal directly with consumers are permitted in a B2 zoning district; 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

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July 21, 1995

Cal. No. 190-95-A

be and it hereby is reversed and he is authorized to permit the establishment of a finger nail salon in a one story brick commercial building, on premises at 9529 S. Jeffery Boulevard, upon condition that the hours of operation shall be limited to the hours between 10:00 A.M. and 8:00 P.M., Monday through Saturday; 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: Genuine Parts Co.

CAL. NO. 191-95-A

APPEARANCES FOR: Terry Reelitz

MAP NO. 16-K

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 6555 S. Cicero 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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Genuine Parts, Co., for Anthony Izzo, owner, on June 3, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the license application for a retail/wholesale auto parts store in a 1-story brick commercial building, in a B2-1 Restricted Retail District, on premises at 6555 S. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 1, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 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 1-story brick commercial building occupied by NAPA Auto Parts; that the appellant signed a lease for the premises in November, 1991 and moved in in February, 1992 under the impression that the zoning was proper for a retail/wholesale auto parts business; that testimony presented indicates that the premises had been previously occupied by automobile related businesses; that the subject site was rezoned by the City Council on February 29, 1980 from C2-1 General Commercial to B2-1 Restricted Retail which made the use of the premises for automobile-related uses non-conforming; 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

MINUTES OF MEETING

July 21, 1995

Cal. No. 191-95-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the license application for a retail/wholesale auto parts store in a 1-story brick commercial building, on premises a 6555 S. Cicero 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: Lila L. Italia & Nancy Roy, Ignacio Loera

CAL. NO. 192-95-A

APPEARANCES FOR: Philip A. Mullenix

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING

July 21, 1995

PREMISES AFFECTED-- 2535 N. Laramie 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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for each name with 'X' in the AFFIRMATIVE column.

THE RESOLUTION:

WHEREAS, Lila L. Italia and Nancy Roy, owners, on June 3, 1995, filed and subsequently amended, an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 1-story brick store building, in an R3 General Residence District, on premises at 2535 N. Laramie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 11, 1995, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 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 on July 21, 1995, the application was amended to include Ignacio Loera, the contract purchaser of subject premises, as an appellant in this case; that the subject site is improved with a 1-story brick non-conforming store building which was occupied by RAYCO Paint Company from 1959 to January, 1993 at which time the business ceased operation at the subject premises; that the subject premises has been used for storage by RAYCO Paint Company in the interim period; that testimony presented indicates that the former business use at the site operated as a wholesale paint and supply company for commercial and industrial uses and not as a local walk-in consumer paint store; that appellant Ignacio Loera, the contract purchaser of the subject premises, proposes to establish a neighborhood grocery store at the subject site; that the change of use from a commercial/industrial paint business, a C use, to a grocery store, a B use,

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

MINUTES OF MEETING

July 21, 1995

Cal. No. 192-95-A

is a less intensive use of the premises and that under Section 6-4.7 of the zoning ordinance is a proper substitution of non-conforming use at the site; 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 grocery store in a 1-story brick store building, on premises at 2535 N. Laramie Avenue, upon condition that the hours of operation shall be limited to the hours between 8:00 A.M. and 9:00 P.M., Monday through Saturday and from 8:00 A.M. to 5:00 P.M., Sunday; 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: Jerome P. Masterson

CAL. NO. 193-95-A

APPEARANCES FOR: Jerome P. Masterson

MAP NO. 10-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 4358 S. Wood 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, Jerome P. Masterson, owner, on June 15, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fast food restaurant in a 2-story frame building, in an R3 General Residence District, on premises at 4358 S. Wood Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 15, 1995, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 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 frame building containing a non-conforming store on the ground floor and living space above; that on April 21, 1995, the Board denied an appeal filed by the appellant to permit the establishment of a fast food restaurant in the non-conforming store on the ground floor of the 2-story frame building at the subject site, finding that under Section 6.4-5 of the zoning ordinance the subject premises remained vacant and unoccupied for a period exceeding one year; that subsequently, the Board granted the appellant the right to file a new appeal based on evidence not presented at the previous hearing; that the testimony presented on April 21, 1995, in Cal. No. 103-95-
^, is hereby made part of the record in this case; that the appellant proposes to establish a hot dog stand in the store premises

MINUTES OF MEETING

July 21, 1995

Cal. No. 193-95-A

at the subject site; that the prior use of the store was a tavern which ceased operation in the latter part of 1992; that in the interim the appellant has spent at least \$8,687.34 during 1992, 1993 and 1994 purchasing restaurant equipment as evidenced by invoices presented along with remodeling costs and labor in preparation of opening the hot dog stand business; that the Board finds that there has been continuous activity in the building at the subject site for the proposed use and that there was no intent to abandon the use of the building for business purposes; that the change of use from a tavern, a B4 use, to a hot dog stand, a B2 use, is a proper substitution of non-conforming use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a fast food restaurant in a 2-story frame building, on premises at 4358 S. Wood Street, upon condition that the hours of operation shall be limited to the hours between 9:00 A.M. and 9:00 P.M. daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Steve Shoptz

CAL. NO. 194-95-A

APPEARANCES FOR:

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 2954 N. Lamon Avenue

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

ACTION OF BOARD--

CASE CONTINUED TO SEPTEMBER 15, 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: David Calvano

CAL. NO. 195-95-A

APPEARANCES FOR: David Calvano

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 534-536 N. Leavitt 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
JOSEPH J. SPINGOLA	X		
ANTHONY J. FORNELLI	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, David Calvano, for David Calvano and Alfredo Capitanini, owners, on June 8, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a zoning lot improved with a 2-story brick non-conforming 4-dwelling unit building situated on two 25' x 106' lots of record to be divided at its party wall into two zoning lots each consisting of one lot of record with the building on Lot 34 (534 N. Leavitt) to be converted to a single family dwelling and the building on Lot 33 (536 N. Leavitt) retaining its original two dwelling units, in an R3 General Residence District, on premises at 534-536 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 7, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.7-2(1); 7.5-3.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 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 composed of two 25' x 106' lots of record improved with two attached 2-story with basement brick residential buildings built approximately in 1906; that the existing 2-story residential building was built on the subject site zoning lot prior to the adoption of the zoning ordinance in 1923; that the appellant seeks to divide the lots of record at the existing buildings' party wall into two zoning lots each consisting of one lot of record with the building at 534 N. Leavitt Street to be converted into a single-family dwelling and the building at 536 N. Leavitt Street to remain its original two dwelling units; that the appellant testified that a building permit was issued for the renovation and

MINUTES OF MEETING

July 21, 1995

Cal. No. 195-95-A

rehabilitation of the buildings; that each building will be situated on its own lot of record subject to party wall agreements; that no additions or enlargements are contemplated; that the only change in the bulk of the building when separated will be a decrease in the 534 N. Leavitt building from two dwelling units into a single-family dwelling; that the proposed division is merely for creating separate ownership; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a zoning lot improved with a 2-story brick non-conforming 4-dwelling unit building situated on two 25' x 106' lots of record to be divided at its party wall into two zoning lots each consisting of one lot of record with the building on Lot 34 (534 N. Leavitt) to be converted to a single family dwelling and the building on Lot 33 (536 N. Leavitt) retaining its original two dwelling units, on premises at 534-536 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Boleslaw Potoczak

CAL. NO. 76-95-Z

APPEARANCES FOR: None

MAP NO. 12-J

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 4858 S. Springfield Avenue

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

ACTION OF BOARD--

CASE 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
X		
X		
X		
X		
X		

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

APPLICANT: The Gospel Truth M.B. Church

CAL. NO. 77-95-Z

APPEARANCES FOR: None

MAP NO. 24-F

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 10015 S. Halsted Street

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

ACTION OF BOARD--

CASE 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: Gannett Outdoor

CAL. NO. 105-95-A

APPEARANCES FOR: Gary I. Wigoda, Tom Walsh

MAP NO. 13-M

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 5566 N. Northwest Highway

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

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Gannett Outdoor, for Noral Color Press, owner, on February 24, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-use of an existing derelict sign structure for a new business identification sign due to its exceeding the gross area permitted because of its distance from an expressway, in an M1-2 Restricted Manufacturing District, on premises at 5566 N. Northwest Highway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.14(6).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995; and

WHEREAS, the district maps show that the premises is located in an M1-2 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 M1-2 Restricted Manufacturing District; that the subject site is improved with a 1-story brick commercial/manufacturing building with a derelict roof top sign consisting of two separated horizontal signs placed on top of one another, measuring a total of 754 sq.ft.; that the top sign states “Walton Rug” and the bottom sign is blank and is located along the southwest corner of the building facing the Kennedy Expressway which is approximately 150 feet in proximity to the site; that Walton Rug has not been located at the subject site premises for the past 10 years; that the appellant proposes to replace the existing signs with a single 672 sq.ft. sign for the purpose of identifying the new owner of the subject site premises, Noral Color Press; and

WHEREAS, the Board finds that at the time Walton Rug occupied the subject building the subject sign constituted

MINUTES OF MEETING

July 21, 1995

Cal. No. 105-95-Z

a permitted identification sign but that the size of the signage, 754 sq. ft., constituted a non-conforming use due to the proximity of the Kennedy Expressway; that after Walton Rug vacated the building 10 years ago, the sign became an illegal advertising sign because it depicted a use not being conducted at the site; that the non-conforming size of the signage has not supported a legal sign for 10 years; that certain parts of Sections 6.1, 6.2 and 6.3 of the zoning ordinance provide that a sign is a "structure" that shall be subject to the provisions applicable to non-conforming structures and the use thereof; that under Section 6.4-5 of the zoning ordinance, which provides for the discontinuance of non-conforming structures that are not used for a continuous period of one year, the size of the subject site sign has lost its legal continuity; that the appellant has a right to erect a business identification sign provided it meets the size requirements of the zoning ordinance due to its proximity to the Kennedy Expressway; 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: The Atchison, Topeka & The Santa Fe Railroad Co.

CAL. NO. 144-95-Z

APPEARANCES FOR: Daniel L. Houlihan

MAP NO. 10-J

APPEARANCES AGAINST: Eugene Krumroy, et al.

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 4300-4620 S. Drake Avenue

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
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Atchison, Topeka & The Santa Fe Railroad Co., owner, on May 15, 1995, filed an application for variation of the zoning ordinance to permit, in an M1-2 Restricted Manufacturing District, the erection of an 11 feet high concrete sound barrier wall along the eastern boundary of a railroad classification yard, whose front yard will be 1 foot instead of 20 feet required when located across the street from an R3 General Residence District, on premises at 4300-4620 S. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 10, 1995, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically Section 10.13-1.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on May 30, 1995; and

WHEREAS, the district maps show that the premises is located in an M1-2 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 M1-2 Restricted Manufacturing District; that the subject site consists of several hundred acres in a ‘T’ formation extending from 47th Street north to Pershing Road and from Kedzie Avenue west to Pulaski Road, known as the Corwith Railroad Classification Yard; that Drake Avenue extends north from Archer Avenue and terminates in a cul-de-sac at 43rd Street; that a current sound wall extends from 43rd Street on the south, a distance of 1,900 linear feet, and ends approximately 800 feet from Archer Avenue; that the existing sound barrier wall is 8 feet high with 3 strands of barbed wire above and has seriously deteriorated and is presently not an effective sound or safety barrier; that the existing barrier wall is set back from the applicant’s property line 5 feet and that there is an additional 15 feet of public parkway which extends to the west curb

MINUTES OF MEETING

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Cal. No. 144-95-Z

line of Drake Avenue so that there is currently a 20 feet open space to the Drake Avenue curbline; that there are no sidewalks on this side of Drake Avenue; that the applicant proposes to remove the existing wall and erect a 10 feet high concrete barrier wall with a 1 foot setback from the property line, leaving 16 feet of open space on Drake, and extending south to Archer Avenue an additional 800 feet, for a total lineal foot distance of approximately 2,700 feet; that a new wall height of 10 feet would eliminate the need for security barbed wire; that the applicant has agreed with the community to fill, compact and regrade the entire parkway to establish a uniform grade level, to establish a 4 feet high berm raised from Drake Avenue and set the 10 feet high wall atop the berm, which work would require the applicant to remove all trees and topsoil in the parkway; that upon completion of the work, all of the topsoil would be replaced and reseeded and trees would be replanted; that the applicant will create a similar interior berm to protect the sound wall from interior railroad-connected truck traffic in the railroad classification yard; that the applicant stipulated to the following: that they will not expand existing traffic closer to the barrier wall nor expand the existing truck roadway, that there will be no barbed wire atop the proposed barrier wall and that the Santa Fe Railroad will not relocate existing railroad trackage closer to the sound barrier wall nor expand the exterior roadway closer to the wall; that there will be no utilization of Drake Avenue during construction except for the erection of a temporary construction security fence; that all trucks and grading equipment will enter from the applicant's property and work east to the construction fence; that the Corwith railroad yard has extensive sewer systems of its own on its property and roadway which connects with the city sewer system to handle drainage; that the proposed berm will act as a dike along the entire length of Drake Avenue from 43rd Street to Archer Avenue and will also absorb rainwater; and

WHEREAS, the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 10 feet high sound barrier wall is necessary to provide more effective means of controlling noise, glare and vibration generated by, or inherent in, the use of the subject premises as a railroad classification yard; that the plight of the owner is due to the immediate proximity of the railroad trackage to the South Drake Avenue public way which precludes the establishment of a 20 feet yard setback; that the proposed sound barrier wall will enhance the character of the locality by shielding the residents in the area from the sight and sound of the site's railroad operations; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby makes 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 10 feet high concrete sound barrier wall along the eastern boundary of a railroad classification yard, whose front yard will be 1 foot instead of 20 feet required when located across the street from an R3 General Residence District, on premises at 4300-4620 S. Drake Avenue, upon condition that the applicant shall not expand existing traffic closer to the barrier wall nor expand the existing interior truck roadway; that no barbed wire shall be placed atop the sound barrier wall; that the applicant shall not relocate existing railroad trackage closer to the proposed sound barrier wall; that there shall be no utilization of Drake Avenue during construction except for the erection of a temporary construction security fence; that all trucks and grading equipment shall enter from the applicant's property and work east to the construction fence; that all topsoil shall be replaced and reseeded upon completion of the construction work and that all trees previously removed shall be replanted; 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: Erasmus Ezeji

CAL. NO. 146-95-S

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING
July 21, 1995

PREMISES AFFECTED-- 841 W. Irving Park Road

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

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

THE VOTE

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

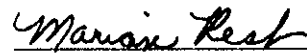
AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

MINUTES OF MEETING

July 21, 1995

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on August 18, 1995.



Secretary