MINUTES OF MEETING

MINUTES OF THE REGULAR MEETING OF THE ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, November 15, 1985

At 9:00 A.M., 10:30 A.M. and 2:00 P.M.

The following were present and constituted a quorum:

Jack Guthman

Chairman

George J. Cullen

Michael J. Howlett

MINUTES OF MEETING
November 15, 1985

Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on October 18, 1985 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Cullen, Howlett and Keane. Nays- None.

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

APPLICANT:

Charles A. Hansen and William Caldwell

CAL. NO. 355-85-S

***PEARANCES FOR:

William F. Dart

MAP NO. 20-H

... PEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1633-39 W. 79th Street

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD-

THE VOTE

Application approved.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT
х		
×		
ж		
ж		

THE RESOLUTION:

WHEREAS, Charles A. Hansen and William Caldwell, for Ever Sunny Building Corp., owners, filed on October 10, 1985, an application for a special use under the zoning ordinance for the approval of the location and the establishment of a self-service launderette in a one-story brick store building, in a B2-1 Restricted Retail District, on premises at 1633-39 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 26, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 8.3-2 and 8.4-2(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on October 28, 1985; and

WHEREAS, the district maps show that the premises are 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 a launderette was in operation at the subject site location prior to July 28, 1971 when the district was rezoned by the City Council from B4-2 to B2-1 and continued to operate until August of 1983; that an ordinance became effective in 1974 which requires a special use under the zoning ordinance for establishment of automatic self-service launderettes in B2 districts; t hat the applicant proposes to rehabilitate the subject building and install 65 coin-operated washing machines and 36 dryers; that the hours of operation of the proposed launderette will be limited to the hours between 6 A.M. and 10 P.M.; that there will be at least one attendant on premises during business hours; that the establishment of an automatic self-service launderette is necessary for the public convenience at this location to provide a needed service for the residents of the adjacent residential areas; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use which will be designed and operated under all applicable city ordinances governing the operation of launderette facilities; and that the proposed launderette will be compatible with the existing business uses on W. 79th Street and will

MINUTES OF MEETING

November 15, 1985 Cal. No. 355-85-S

not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a self-service launderette in a one-story brick building, on premises at 1633-39 W. 79th Street, upon condition that the hours of operation shall be limited to the hours between 6 A.M. and 10 P.M., daily; that at least one attendant shall be on premises during business hours; that there shall be no coin-operated dry cleaning machines on the premises; and that all applicable ordinances of the City of Chicago for the operation of self-service launderettes shall be complied with before a permit is issued.

APPLICANT:

Loyola University of Chicago

CAL. NO. 356-85-S

APPEARANCES FOR:

MAP NO. 17-G

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED—

1052-54 W. Loyola Avenue

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD-

Case continued to December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT
x		
х		
ж		
х		

PAGE 5 OF MINUTES

APPLICANT: 59 E. Randolph Limited Partnership, an Illinois Limited

Partnership

CAL. NO. 357-85-Z

ASSEARANCES FOR:

Kenneth Goldin

MAP NO. 1-E

ZEARANCES AGAINST:

MINUTES OF MEETING
November 15, 1985

PREMISES AFFECTED-

59 E. Randolph Street

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD-

THE VOTE

Variation granted.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT
x		
×		
x		
x		

THE RESOLUTION:

WHEREAS, 59 E. Randolph Limited Partnership, an Illinois Limited Partnership, for American National Bank and Trust Company of Chicago, Tr. #63353, owner, on October 16, 1985, filed an application for a variation of the zoning ordinance to permit, in a B6-7 Restricted Central Business District, the erection of a two-story and basement level building for retail use, with no provision for one required loading berth, on premises at 59 E. Randolph Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 5.8-1(12) and 8.10-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on October 28, 1985; and

WHEREAS, the district maps show that the premises are located in a B6-7 Restricted Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the applicant proposes to construct an approximately 48 feet by 82 feet two-story and basement retail structure with a mezzanine provided over part of the first floor retail space; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that provision for the loading berth would require elimination of approximately 8 percent of prime retail space on the first floor and mezzanine level of the structure, thereby making the proposed structure economically unfeasible; that the plight of the owner is due to unique circumstances in that the narrow access from Garland Court makes it unfeasible for utilization of a loading berth; that the proposed structure at the subject site will serve as the eastern exit to the federally-funded Randolph Street Underground Pedestrianway until completion of the segment of the pedestrian subway through the Chicago Public Library Cultural Center is completed; that the variation, if

MINUTES OF MEETING

November 15, 1985 Cal. No. 357-85-Z

granted, will not change the historic use of Garland Court as a loading area serving the structures fronting on N. Wabash Avenue and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story and basement level building for retail use, with no provision for one required loading berth, on premises at 59 E. Randolph Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Wisconsin Court Associates

CAL. NO. 358-85-Z

APPEARANCES FOR:

Paul T. Wigoda

MAP NO. 5-G

JEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1916-20 N. Halsted Street

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD-

THE VOTE

Variations granted.

Jack Guthman George J. Cullen Michael J. Howlett Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ARRENI
x		
x		
×		
ж		

THE RESOLUTION

WHEREAS, Wisconsin Court Associates, owner, on October 18, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story eight dwelling unit townhouse condominium building whose front yard will be 1 foot instead of 15 feet, whose side yards will be 3.5 feet each instead of 7.5 feet each, and whose rear yard will be 22 feet instead of 30 feet, on premises at 1916-20 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 18, 985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194 A of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.8-4(1), 7.9-4 and 11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on October 28, 1985; and

WHEREAS, the district maps show that the premises are 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 applicant proposes to construct an eight dwelling unit townhouse condominium development on a 74 feet by 125 feet lot; that the said project will be constructed in a sawtooth arrangement with four units on the north side of the side and four units on the south side and connected at the rear by an on-site parking garage; 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 development cannot be constructed as designed without the requested variations; that the plight of the owner is due to the proposed building configuration and the desire to provide the required off-street parking in a garage, both of which require greater land coverage; that the site could be developed with as many as ten units under the existing district zoning requirements; and that the variations, if granted, will not alter the essential character of the locality in that the proposed development will enhance the neighborhood

MINUTES OF MEETING

November 15, 1985 Cal. No. 358-85-Z

and will be compatible with the existing residential improvements in the area, many of which do not comply with side yard requirements of the zoning ordinance; 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 two-story eight dwelling unit townhouse condominium building whose front yard will be 1 foot instead of 15 feet, whose side yards will be 3.5 feet each instead of 7.5 feet each, and whose rear yard will be 22 feet instead of 30 feet, on premises at 1916-20 N. Halsted Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Holy Trinity Pentecostal Church, an Illinois Not-for-Profit

CAL. NO. 359-85-S

APPEARANCES FOR:

Corporation

MAP NO. 22-G

PEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

9215 S. Ashland Avenue

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD-

THE VOTE

Case continued to December 13, 1985. **Jack Guthman**

George J. Cullen

Michael J. Howlett

AFFIRMATIVE	NEGATIVE	ABSENT
ж		
х		
x		
ж		

APPLICANT:

Schain, Firsel & Brown, Ltd.

CAL. NO. 360-85-S

MAP NO. 13-H

APPEARANCES FOR:
EARANCES AGAINST:

100 100, 13 11

MINUTES OF MEETING
November 15, 1985

PREMISES AFFECTED-

5036-44 N. Ashland Avenue

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT
ж		
×		
x		
ж		

PAGE 11 OF MINUTES

APPLICANT:

Schain, Firsel & Brown, Ltd.

CAL. NO. 361-85-Z

MAP NO. 13-H

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED—

JEARANCES AGAINST:

APPEARANCES FOR:

5036-44 N. Ashland Avenue

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to

December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

AFFIRMATIVE	NEGATIVE	ABSENT
х		
×		
ж		
ж		

APPLICANT:

Illinois Masonic Medical Center Warren Barr Pavillon

CAL NO. 362-85-S

APPEARANCES FOR:

Leo Cinquino

MAP NO. 3-F

PEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

46-74 W. Oak Street

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

THE RESOLUTION:

WHEREAS, Illinois Masonic Medical Center Warren Barr Pavillon, for Illinois Masonic Medical Center, owner, on October 18, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a one-story 925 square feet addition to the northwest side of an eight and nine-story nursing home, mostly in an R7 General Residence District and partly in a C2-4 General Commercial District, on premises at 46-74 W. Oak Street, thereby connecting the nursing home to a four-story medical office building at 1011-13 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 11.10-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on October 28, 1985; and

WHEREAS, the district maps show that the premises are located mostly in an R7 General Residence District and partly in a C2-4 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties, and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be mostly located in an R7 General Residence District and partly in a C2-4 General Commercial District; that the proposed use is necessary for the public convenience at this location to connect the nursing home to a medical office building at 1011-13 N. Clark Street and to provide additional space for patient reception and waiting areas, administrative offices and record storage rooms; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed addition which will comply with all applicable code requirements and which will allow nursing home residents to have access to the physicians' offices in the medical building without having to venture outside; and that the proposed addition will utilize a currently vacant portion of the nursing home site which will blend in with the nursing home building and the physicians' office building site and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

November 15, 1985 Cal. No. 362-85-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a one-story 925 square feet addition to the northwest side of an eight and nine-story nursing home, on premises at 46-74 W. Oak Street, thereby connecting the nursing home to a four-story medical office building at 1011-13 N. CLark Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Kevin J. Rielley

CAL. NO. 363-85-Z

ARPEARANCES FOR:

MAP NO. 5-G

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1925 N. Maud Avenue

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD-

Case continued to December 13, 1985.

THE VOTE

Jack Guthman -

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		

PAGE 15 OF MINUTES

APPLICANT: Deborah's Place, an Illinois Not-for-Profit Corporation

REARANCES FOR: William J. Hennessey, Martha Whelan

1404½ N. Sedgwick Street

CAL. NO. 364-85-S

MAP NO. 3-F

... LEARANCES AGAINST:

PREMISES AFFECTED-

MINUTES OF MEETING
November 15, 1985

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

FFIHMATIVE	NEGATIVE	ABSENT
x		
x	,	
x		
x		

THE RESOLUTION:

WHEREAS, Deborah's Place, an Illinois Not-for-Profit Corporation, for the United States Department of Housing and Urban Development, owner, on October 21, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a temporary overnight shelter facility for women in the basement of a four-story brick store and apartment building, in a B4-3 Restricted Service District, on premises at $1404\frac{1}{2}$ N. Sedgwick Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 18, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 8.4-1(15)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on October 28, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the applicant organization proposes to establish a temporary overnight shelter facility for women in the basement of the four-story brick store and apartment building on the subject site; that a temporary overnight shelter facility is defined in Chapter 78.4-1 of the Municipal Ordinances as a "building, or portion thereof, in which sleeping accommodations are provided for no more than 12 hours per day, for three or more persons who are not related to the owner, operator, manager, or other occupants by blood or marriage"; that the proposed shelter facility will contain a maximum of 30 beds; that the proposed shelter will accept as clients women and women with children; that no male children past the age of 13 years will be accepted by the facility; that the proposed shelter will operate between the hours of 7 P.M. and 6:30 A.M., seven days a week; that there will be at least three staff persons who are professionally trained or have been trained by the applicant organization to monitor the shelter's activities during all hours of operation;

MINUTES OF MEETING

November 15, 1985 Cal. No. 364-85-S

that no drugs or alcohol will be allowed or tolerated on the premises; that the establishment of a temporary overnight shelter facility is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use to be operated under the conditions hereinafter set forth and which use will also meet all applicable provisions of the municipal ordinances governing the establishment of temporary overnight shelter facilities; and that the proposed use, which fulfills a need in the community is consistent with the historical use of the premises as an apartment building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a temporary overnight shelter facility for women and women with children, limited to 30 beds, in the basement of a four-story brick store and apartment building, on premises at 1404½ N. Sedgwick Street, upon condition that the building is brought into compliance with all applicable building code regulations; that the subject premises shall not be used as a shelter facility until the building complies with all applicable code regulations and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a temporary overnight shelter facility for women and women with children, including male children under the age of 13 years, or any increase in the number of beds as delineated herein, shall cause the special use hereby to immediately become null and void; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the temporary overnight shelter activity to another group or association, the special use granted herein becomes null and void.

APPLICANT:

Laura Sampson

CAL NO. 365-85-S

ARPEARANCES FOR:

MAP NO. 3-F

EARANCES AGAINST:

MINUTES OF MEETING
November 15, 1985

PREMISES AFFECTED-

1410 N. Orleans Street

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to

December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT
Abs	tain	
x		
ж		
ж		

PAGE 18 OF MINUTES

APPLICANT:

Robert Bless

CAL. NO. 366-86-A

APPEARANCES FOR:

None

MAP NO. 15-M

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

5895-97 N. Elston Avenue

SUBJECT-

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

ACTION OF BOARD---

THE VOTE

Case dismissed for want of prosecution.

Jack Guthman

George J. Cullen

Michael J. Howlett

FFIRMATIVE	NEGATIVE	ABSENT
ж		
×		
ж		
x		

APPLICANT:

Bernice Elstner

CAL. NO. 367-85-A

MINUTES OF MEETING

FEARANCES FOR:

Anne Burke

MAP NO. 14-J

A. LEARANCES AGAINST:

November 15, 1985

PREMISES AFFECTED-

5834 S. Kedzie 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.

Jack Guthman George J. Cullen Michael J. Howlett Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
х		
х		

THE RESOLUTION:

WHEREAS, Bernice Elstner, as Administrator of the Estate of Lottie Pazdzior, on September 27, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern in a one-story brick building, in a B2-1 Restricted Retail District, on premises at 5834 S. Kedzie Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 29,)985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 Lottie Pazdzior, deceased, was the owner and licensee of the subject tavern business until May 5, 1980, at which time she became ill and incapacitated; that during the time of her illness she was unable to operate the tavern business and on May 13, 1983, she died; that from November 1, 1981 through November 2, 1982, William Heizberger was lessee of the premises; that the tavern operation ceased after termination of the lessee's liquor licence and lease; that due to the circumstances of Lottie Pazdzior's illness, death and probate proceedings, the continued use of the tavern business was curtailed; that there was no intent by the heirs and administrator of the estate of Lottie Pazdzior to abandon the use of the premises as a tavern, the fixtures remaining intact since the last liquor license expired; that the probate proceedings have been concluded and the appellant now has a contract purchaser who wants to re-open the tavern business at the subject site; that the Board hereby tolls Section 6.4-5 of the zoning ordinance as it relates to the subject site in this instance only and finds that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

MINUTES OF MEETING

November 15, 1985 Cal. No. 367-85-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 permit the re-establishment of a tavern in a one-story brick building, on premises at 5834 S. Kedzie Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with and that all permits and licenses are secured and the tavern business commenced within one year of the date of this resolution.

APPLICANT:

Susan S. Skotnik

CAL. NO. 368-85-A

APPEARANCES FOR:

Susan S. Skotnik

MAP NO. 8-G

JEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

3216-18 S. Racine 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.

Jack Guthman

THE VOTE

George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
х		
x		
х		
x		

THE RESOLUTION:

WHEREAS, Susan S. Skotnik, for Lawrence C. and Susan S. Skotnik, owners, on October 2, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a tavern in a one-story brick building, in an R3 General Residence District, on premises at 3216-18 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 non-conforming one-story brick building on the subject site has been occupied by a tavern, which ceased operation approximately May 1, 1983; that the tavern fixtures have remained intact and the premises used for storage in the interim; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has the right to reestablish a tavern in the building on the subject 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 re-establishment of a tavern in a one-story brick building, on premises at 3216-18 S. Racine Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 12 Midnight; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

M.P.D., Inc.

CAL. NO. 369-85-A

EARANCES FOR:

Richard E. Zulkey

MAP NO. 8-G

്പൾEARANCES AGAINST:

MINUTES OF MEETING November 15, 1985

PREMISES AFFECTED-

3156 S. Aberdeen 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

Jack Guthman

George J. Cullen
Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
x		
х		
х		
ж		

THE RESOLUTION:

WHEREAS, M.P.D., Inc., for Rodney Szulczewski, owner, on October 17, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food in an existing tavern in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 3156 S. Aberdeen Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 11, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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, makes the following findings of fact: that the proposed use is to be located in an R3 General Residence; that the non-conforming store in the building on the subject site has been operated as a tavern and restaurant for the past 50 years; that the tavern is duly licensed and the appellant requires a license for the dispensing of food, which also had been a continuous use at the premises until 1983 when the last food dispenser license expired; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the dispensing of food in an existing tavern in a two-story brick store and apartment building, on premises at 3156 S. Aberdeen Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

APPLICANT:

Canaryville Video, Inc.

APPEARANCES FOR:

Michael R. Lynch

MAP NO. 10-F

MINUTES OF MEETING

CAL. NO. 370-85-A

November 15, 1985

PREMISES AFFECTED-

EARANCES AGAINST:

4624 S. Union 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

Jack Guthman George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
х		
х		
x		
х		

THE RESOLUTION:

WHEREAS, Canaryville Video, Inc., owner, on October 17, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the purveying of packaged snacks in an existing video rental shop in a three-story brick store and apartment building, in an R3 General Residence District, on premises at 4624 S. Union Avenue;

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 7. 985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 in a non-conforming store occupied by an existing video rental shop; that the appellant desires to add as an accessory use the sale of carryout packaged snacks to the customers of the existing video rental shop; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the purveying of packaged snacks as an accessory use only in an existing video rental shop in a three-story brick store and apartment building, on premises at 4624 S. Union Avenue, upon condition that the purveying of food to the customers of the existing video rental shop shall be limited to carryout packaged snacks only; that no kitchen facility shall be opened for the preparation of food; that there shall be no table service of food on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

APPLICANT:

Leroy Campbell

CAL. NO. 371-85-A

PPEARANCES FOR:

Leroy Campbell

MAP NO. 9-H

¿EARANCES AGAINST:

MINUTES OF MEETING November 15, 1985

PREMISES AFFECTED-

2201 W. Roscoe 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.

Jack Guthman George J. Cullen

THE VOTE

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
х		
x		
x		
ж		

THE RESOLUTION:

WHEREAS, Leroy Campbell, owner, on September 26, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a sign painting business in a two-story frame store and apartment building, in a B2-2 Restricted Retail District, on premises at 2201 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 25 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the store in the building on the subject site has been occupied by the subject sign painting business for the past 25 years; that the appellant's need to secure a general business license has caused the case to be filed; that the appellant has a right to continue the sign painting business in the store on the subject site; and that the City of Chicago is estopped from refusing to certify an existing sign painting business in the store on the subject 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 certify a sign painting business in a two-story frame store and apartment building, on premises at 2201 W. Roscoe Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Gloria Scott-Wilson

CAL. NO. 372-85-A

ARPEARANCES FOR:

Gloria Scott-Wilson

MAP NO. 20-E

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

8147 S. Dr. Martin Luther King, Jr. Drive

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

Jack Guthman -

George J. Cullen

Michael J. Howlett

Thomas P. Keane

х		
x		
x		
х		
AFFIRMATIVE	NEGATIVE	ABSENT

THE RESOLUTION:

WHEREAS, Gloria Scott-Wilson, owner, on September 27, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a custom dressmaking and accessory shop in a one story brick store building, in an R4 General Residence District, on premises at 8147 S. Dr. Martin Luther King, Jr. Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 non-conforming one-story brick building on the subject site has been previously occupied by a beauty shop; that the appellant seeks a general business license for the purpose of establishing a retail custom dressmaking business by appointment only; that retail custom dressmaking and limited production are uses permitted in a B2 zone and, in this case, are a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail custom dressmaking and accessory shop in a one-story brick store building, on premises at 8147 S. Dr. Martin Luther King, Jr. Drive, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays through Saturdays; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Janet Szafran

APPEARANCES FOR:

Janet Szafran

MAP NO. 9-H

PEARANCES AGAINST:

MINUTES OF MEETING

CAL. NO. 373-85-A

November 15, 1985

PREMISES AFFECTED-

2236 W. Roscoe 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

Jack Guthman

George J. Cullen Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
х		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Janet Szafran, for Leonard Levin, owner, on October 1, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a second-hand dealer license for an existing antique shop in a three-story brick multi-store and apartment building, in a B2-2 Restricted Retail District, on premises at 2236 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 30, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the appellant sells typical antique merchandise which is a permitted use in a B2 district; that the appellant is seeking a general business license; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to approve a general business license for an existing antique shop in a three-story brick multi-store and apartment building, on premises at 2236 W. Roscoe Street, upon condition that there shall be no sale of used appliances or furniture at the site; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

APPLICANT:

Fascosio Godoy

CAL. NO. 374-85-A

APPEARANCES FOR:

Raul Gomez

MAP NO. 28-E

PEARANCES AGAINST:

MINUTES OF MEETING November 15, 1985

PREMISES AFFECTED-

221 E. Kensington 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.

Jack Guthman

THE VOTE

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABŞENT
х		
х		
х		
x		

THE RESOLUTION:

WHEREAS, Fascosio Godoy, for Bernice Quiros, owner, on October 2, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery store in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 221 E. Kensington Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 11, 1985 reads:

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

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals

and

at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 premisess, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the non-conforming store in the building on the subject site has been occupied as a grocery store which use was discontinued in April of 1985; that the appellant has a right to re-establish a grocery store in the non-conforming store in the building on the subject 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 re-establishment of a grocery store in a two-story brick store and apartment building, on premises at 221 E. Kensington Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 9 P.M., daily, that no alcoholic beverages shall be sold or served on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Eliseo Carrillo

CAL. NO. 375-85-A

ADDEARANCES FOR:

Michael Favia, Eliseo Carrillo

MAP NO. 6-I

ZEARANCES AGAINST:

MINUTES OF MEETING
November 15, 1985

PREMISES AFFECTED-

2405 S. Whipple Street

SUBJECT--

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

ACTION OF BOARD—

THE VOTE

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

Jack Guthman George J. Cullen Michael J. Howlett Thomas P. Keane

AFFIHMATIVE	NEGATIVE	ABSENT
x		
ж		
x		
x		

THE RESOLUTION:

WHEREAS, Eliseo Carrillo, owner, on October 17, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery store in a one-story brick store and apartment building, in an R4 General Residence District, on premises at 2405 S. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 9, 1985 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 non-conforming store in the one-story brick store and apartment building on the subject site has been occupied as a grocery store, which use was discontinued in December of 1984; that the appellant has a right to re-establish a grocery store in the building on the subject 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 re-establishment of a grocery store in a one-story brick store and apartment building, on premises at 2405 S. Whipple Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 9 P.M., daily; that no alcoholic beverages shall be sold or served on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Long Tran

CAL. NO. 376-86-A

MAP NO. 15-G

APPEARANCES FOR:

None

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

EARANCES AGAINST:

5846 N. Glenwood Avenue

SUBJECT-

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

ACTION OF BOARD—

THE VOTE

Case dismissed for want of prosecution.

Jack Guthman -

George J. Culien

Michael J. Howlett

FFIRMATIVE	NEGATIVE	ABSENT
×		
х		
х		
ж		

APPLICANT:

Arthur and Vera Norfleet

CAL. NO. 377-85-A

APPEARANCES FOR:

EARANCES AGAINST:

MAP NO. 22-D

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

9200 S. Woodlawn Avenue

SUBJECT-

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

ACTION OF BOARD-

Case continued to

December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

FFIRMATIVE	NEGATIVE	ABSENI
x		
x		
x		
x		
		·

APPLICANT: American National Bank & Trust Co. of Chicago, Tr. #64666

CAL. NO. 378-85-A

AEPEARANCES FOR:

Arnold M. Schwartz

MAP NO. 9-I

EARANCES AGAINST:

MINUTES OF MEETING
November 15, 1985

PREMISES AFFECTED-

3280 N. California 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

Jack Guthman George J. Cullen Michael J. Howlett Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
х		
x		
ж		
ж		

THE RESOLUTION:

WHEREAS, American National Bank & Trust Co., of Chicago, Tr. #64666, for Loyal Casket Co., owner, on October 17, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an insurance agency in a one-story brick non-conforming business building, in an R3 General Residence District, on premises at 3280 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 30, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.3-1, 7.3-2 and 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 November 15, 1985; and

WHEREAS, the district maps show that the premises are 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 non-conforming one-story brick business building on the subject site has been occupied by business uses since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance, the current use being a business for the assembly, display and sale of caskets, a use permitted in a business district and established under an appeal sustained by the Board on August 25, 1970 in Cal. No. 161-70-A; that the change of use from a non-conforming casket assembly, display and sales business to that of a non-conforming insurance sales agency, a B2 use, in the non-conforming building on the subject site is a less intensive use of the premises and is permitted under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an insurance agency in a one-story brick non-conforming business building, on premises at 3280 N. California Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 6 P.M., Mondays through Saturdays; and that all

PAGE 32 OF MINUTES applicable ordinances of the City BAZ 1 Chicago shall be complied with before a permit is issued.

APPLICANT:

John R. Damron

CAL. NO. 379-85-A

APPEARANCES FOR:

John R. Damron

MAP NO. 3-H

EARANCES AGAINST:

MINUTES OF MEETING
November 15, 1985

PREMISES AFFECTED—

1305 N. Hoyne 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.

Jack Guthman George J. Cullen Michael J. Howlett Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
ж		
х		
x		
x		<i>'</i>

THE RESOLUTION:

WHEREAS, John R. Damron, owner, on September 30, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a two-story brick building as four dwelling units, in an R4 General Residence District, on premises at 1305 N. Hoyne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 10 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 7.5-4."

and

WHEREAS, a public hearing was held on this application the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the building on the subject site contained three dwelling units prior to the year 1957 and that the 4th dwelling unit was in existence prior to that date as indicated by the architectural details of the 2nd floor; that the appellant has a right to continue the occupancy of the building as four dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of the two-story brick building, on premises at 1305 N. Hoyne Avenue, as four dwelling units, with no additional off-street parking required, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Elena Antainaitis

APPEARANCES FOR:

Warren Spitz

MAP NO. 4-G

CAL. NO.

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

380~85~A

PREMISES AFFECTED—

967 W. 19th 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

Jack Guthman George J. Cullen Michael J. Howlett Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
ж		
х		
ж		
x		-

THE RESOLUTION:

WHEREAS, Elena Antainaitis, owner, on October 11, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a three-story brick building as eight dwelling units, in an R4 General Residence District, on premises at 967 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.5-4 and 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the building on the subject site has been occupied as eight dwelling units since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as eight dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a three-story brick building, on premises at 967 W. 19th Street, as eight dwelling units including the installation of an overhanging fire escape as an additional means of egress and with no on-site parking required, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Windy City Florists, Inc.

CAL. NO. 381-85-A

APPEARANCES FOR:

EARANCES AGAINST:

MAP NO. 11-H

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

4107 N. Damen Avenue

SUBJECT-

Appeal from the decision of the Office of the Zoning Administrtor.

ACTION OF BOARD—

Case continued to December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

FFIRMATIVE	NEGATIVE	ABSENT
x		
x		
ж		
×		

APPLICANT:

Keefer Bakery

MAP NO. 6-F

APPEARANCES FOR:

None

MINUTES OF MEETING

CAL. NO. 382-85-A

November 15, 1985

PREMISES AFFECTED-

BEARANCES AGAINST:

249 W. Cermak Road

SUBJECT-

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

ACTION OF BOARD—

Case dismissed for want of prosecution. THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

FFIRMATIVE	NEGATIVE	ABSENT
x		·
x		
x		
x		

APPLICANT:

Dorin C. McCalla

CAL. NO. 383-85-A

APPEARANCES FOR:

Dorin C. McCalla

MAP NO. 19-G

PEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1551 W. Howard 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

Jack Guthman George J. Cullen

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
ж		
x		
ж		
ж		

THE RESOLUTION:

WHEREAS, Dorin G. McCalla, for Commercial Management, owner, on October 2, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing retail bakery in a one-story brick building, in a B5-3 General Service District, on premises at 1551 W. Howard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 27, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Section 8.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-3 General Service District in a one-story brick business building occupied by an existing retail bakery; that the appellant is seeking to wholesale Jamaican bakery specialties on a limited basis to the customers of the existing retail bakery; that the limited wholesale activity is accessory to the primary retail bakery operation; 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 wholesaling, as an accessory use only, in conjunction with an existing retail bakery in a one-story brick building, on premises at 1551 W. Howard Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Charles W. Ager

CAL. NO. 126-85-A

APPEARANCES FOR:

John B. Schwartz

MAP NO. 3-F

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1403-05 N. Wells Street

SUBJECT--

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

ACTION OF BOARD—

THE VOTE

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

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
x		
ж		
x		
x		

THE RESOLUTION:

WHEREAS, Charles W. Ager, owner, on February 26, 1985, filed an appeal from the decision of the Office of the Zoning Administrator in refusing zoning certification for an existing non-conforming "Adult Use" arcade in a one and four-story brick building, in a B4-4 Restricted Service District, on premises at 1403-05 N. Wells Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 25, 1985 reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 8.3-5 and 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 November 15, 1985; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-4 Restricted Service District; that "Swinging Times Adult Bookstore, Inc.", owned and operated an "Adult Use" in the subject site building from May, 1973 until it was dissolved about 1980; that sometime thereafter the "Adult Use" has been owned and operated by "Ye Olde Town Bookstore, Inc.", a new entity, operating under the name Swinging Times Adult Bookstore; that the original Swinging Times Adult Bookstore Corporation was in existence at the subject site prior to the passage of the "Adult Use" Ordinance in July, 1977, which permits "Adult Uses" only in districts zoned C2; that thereafter the "Adult Use" in the subject building became a non-conforming use; that no evidence was presented that would indicate that a break in the continuity of said use did not occur after the dissolution of "Swinging Times Adult Bookstore, Inc."; that under Section 6.5-2 of the zoning ordinance the Board has no authority to permit zoning certification of the "Adult Use" existing in the subject site building; it is therefore

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

APPLICANT:

Zora Crooms and Barbara Connelly

CAL. NO. 321-85-A

APPEARANCES FOR:

None

MAP NO. 9-O

EARANCES AGAINST:

Case dismissed for

want of prosecution.

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

3306 N. Harlem Avenue

SUBJECT-

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

ACTION OF BOARD—

THE VOTE

Jack Guthman .

George J. Cullen

Michael J. Howlett

Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT	
×			
ж			l
x			l
x			

PAGE 39 OF MINUTES

APPLICANT:

William J. Milmine

APPEARANCES FOR:

None

CAL. NO. 341-85-A

MAP NO. 28-E

PEARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

225 E. Kensington Avenue

SUBJECT-

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

ACTION OF BOARD—

THE VOTE

Case dismissed for want of prosecution.

Jack Guthman

George J. Culien

Michael J. Howlett

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
х		
x		

APPLICANT:

Antonio DeLao

APPEARANCES FOR:

Nathaniel D. Lawrence

MAP NO. 4-G

PEARANCES AGAINST:

MINUTES OF MEETING

CAL. NO. 352-85-A

November 15, 1985

PREMISES AFFECTED-

1255 S. Newberry Avenue

SUBJECT-

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

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of the appellant.

Jack Guthman George J. Cullen

Michael J. Howlett

APPIRMATIVE NEGATIVE ASSENT		
х		
x		,
×		
×		

APPLICANT:

Charles J. Pawl

CAL. NO. 225-85-Z

APPEARANCES FOR:

Nicholas P. Black

MAP NO. 7-G
MINUTES OF MEETING

EARANCES AGAINST:

Raffaella Leonardi

November 15, 1985

PREMISES AFFECTED-

2621 N. Wayne Avenue

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman .

George J. Culien

Michael J. Howlett

Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
ж		
x		
x		
ж		

THE RESOLUTION:

WHEREAS, Charles J. Pawl, for Charles J. Pawl and Mildred L. Strmic, owners, on May 30, 1985, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story three dwelling unit townhouse building whose front yard will be 12 instead of 15 feet and with no side yards instead of 2.4 feet each, on premises at 2621 N. Wayne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 13, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.7-4 and 7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on June 24, 1985; and

WHEREAS, the district maps show that the premises are 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 applicant proposes to construct a two-story three dwelling unit townhouse building on the subject site; that it is proposed to set back the south wall of the first floor of the building 4 feet from the south lot line to allow for light and air circulation; that the 2nd floor level will be built to the south lot line; 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 narrow width of the subject lot necessitates the requested front and side yard variations of the zoning ordinance to provide marketable townhouses; that the plight of the owner is due to the applicant's desire to construct modern, marketable townhouses suitable to the character of the neighborhood; and that the variations, if granted, will not alter the essential character of the locality in that the proposed yards will be compatible with the existing front and side yards of the improvements in the area; it is therefore

MINUTES OF MEETING

November 15, 1985 Cal. No. 225-85-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a two-story three-dwelling unit townhouse building whose front yard will be 12 instead of 15 feet and with no side yards instead of 2.4 feet each, on premises at 2621 N. Wayne Avenue, upon condition that the first floor level be set back 4 feet from the south lot line and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Robert Tomich

CAL. NO. 95-85-S

APPEARANCES FOR:

John J. Pikarski, Jr.

MAP NO. 17-Q

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

6754 N. Harlem Avenue

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE NEGATIVE ABSENT

X

X

X

X

X

THE RESOLUTION:

WHEREAS, Robert Tomich, for Citizens Bank and Trust Co., Tr. #66-2717, owner, on January 31, 1985, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor in the construction of a two-story two dwelling unit building, in a B4-1 Restricted Service District, on premises at 6754 N. Harlem Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 8.3-4(1) and 8.4-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on February 25, 1985; and

WHEREAS, the district maps show that the premises are 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 this 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 proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential structures; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that the character of N. Harlem Avenue in this area is predominantly residential and that the subject site is located directly across N. Harlem Avenue from a cemetery; 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 residential use on the ground floor in the construction of a two-story two dwelling unit building, on premises at 6754 N. Harlem Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT:

Robert Tomich

APPEARANCES FOR:

John J. Pikarski, Jr.

CAL. NO. 96-85-Z

MAP NO. 17-0

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

EARANCES AGAINST:

6754 N. Harlem Avenue

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIHMATIVE NEGATIVE ABSENT		
x		
x		
ж		
x		

THE RESOLUTION:

WHEREAS, Robert Tomich, for Citizens Bank and Trust Company, Tr. #66-2717, owner, on January 31, 1985, filed an application for a variation of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a two-story two dwelling unit building on a lot whose area is 3,125 square feet instead of 3,300 square feet and whose side yards will each be 2.5 feet instead of 5 feet, on premises at 6754 N. Harlem Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31, 1985 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, Sections 7.8-3(1), 8.6-1(1), 8.7-4, 11.7-4(1) and 11.7-4(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1985 after due notice thereof by publication in the Chicago Tribune on February 25, 1985; and

WHEREAS, the district maps show that the premises are 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, makes the following findings of fact: that on November 15, 1985 the Board approved a special use in Cal. No. 95-85-S, permitting the establishment of residential use on the ground floor in the construction of a two-story two dwelling unit building on the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that if required to comply with the side yard requirements of the zoning ordinance the building would be narrower and less marketable; that the plight of the owner is due to the narrow width of the lot; and that the variations, if granted, will not alter the essential character of the locality in that the proposed use will be compatible with the existing residential improvements in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred

MINUTES OF MEETING
November 15, 1985
Cal. No. 96-85-Z

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 two-story two dwelling unit building on a lot whose area is 3,125 square feet instead of 3,300 square feet, and whose side yards will each be 2.5 feet instead of 5 feet, on premises at 6754 N. Harlem Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the applicant shall comply with an Agreement with the owner of the property at 6750 N. Harlem Avenue to allow said property owner to trim and maintain any parts of the trees situated on the 6750 N. Harlem Avenue site that may overhang into the applicant's property.

APPLICANT:

Ernest A. Walter and Helga Walter

APPEARANCES FOR:

None

CAL. NO. 325-85-S

MAP NO. 13-G

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1101-15 W. Berwyn Avenue

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case dismissed for want

of prosecution.

Jack Guthman .

George J. Cullen

Michael J. Howlett

FFIRMATIVE	NEGATIVE	ABSENT
х		
х		
x		***************************************
х		

APPLICANT:

Jo Ann LaCassa

CAL. NO. 329-85-Z

APPEARANCES FOR:

MAP NO. 2-G

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

1437 W. Flournoy Street

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to December 13, 1985.

THE VOTE

Jack Guthman

George J. Cullen

Michael J. Howlett

Thomas P. Keane

FFIRMATIVE	NEGATIVE	ABSENT
x		
ж		
×		
x		

PAGE 48 OF MINUTES

APPLICANT:

New Directions

CAL. NO. 337-85-S

APPEARANCES FOR:

MAP NO. 20-E

EARANCES AGAINST:

MINUTES OF MEETING

November 15, 1985

PREMISES AFFECTED-

753 E. 79th Street

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

Jack Guthman

George J. Cullen

Michael J. Howlett

AFFIRMATIVE NEGATIVE ABSENT			
x			
x			
х			
x			

MINUTES OF MEETING

November 15, 1985

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on December 13, 1985.

Secretary