

MINUTES OF THE SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, July 6, 1990

at 11:00 A.M.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
James E. Caldwell
Roula Alakiotou
Anthony J. Fornelli
Thomas S. Moore

MINUTES OF MEETING

July 6, 1990

Member Caldwell moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on June 15, 1990 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Caldwell, Alakiotou, Fornelli & Moore. Nays- None

* * * * *

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

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

APPLICANT: Sharon Gale Catering, Inc.
 APPEARANCES FOR: Deborah J. Gubin
 APPEARANCES AGAINST: Jim Cosenza, Shela Lulkin

CAL. NO. 198-90-A
 MAP NO. 5-G
 MINUTES OF MEETING
 July 6, 1990

PREMISES AFFECTED— 6219 N. Sheridan Road
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	x	
Abstain		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Sharon Gale Catering, Inc., for the Chicago Park District, owner, on June 5, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a private catering business to be operated in addition to the appellants outdoor cafe operation in a remodeled coach house in Berger Park, in an R5 General Residence District, on premises at 6219 N. Sheridan Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 1, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically §7.3, §7.3-1, §7.3-2, §11.8-1."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on July 6, 1990; 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 in response to the desire of the community and the North Lakeside Cultural Center to provide an up-scale outdoor cafe in the subject Berger Park, the Chicago Park District, after lengthy negotiations, entered into a 5-year concession agreement with the appellant for the operation of a cafe and outdoor restaurant in and around the north coach house premises in said park; for the purpose of providing an additional park amenity during the periods of May 1st through October 15th; that the agreement also permits the appellant to utilize the proposed cafe's kitchen on a yearly basis for preparation of food for the appellants off-site catering business and to maintain an office in the premises; that the agreement requires the appellant to pay an escalating rent, as specified, to the North Lakeside Cultural Center; that the appellant has expended about \$55,000 to date for the renovation of said coach house for the proposed uses, and that the off-site catering operation is absolutely necessary to make the venture economically viable; that a spokesman for the Park District testified that they were unable to secure a park cafe concessionaire due to the investment necessary and the riskiness of a venture dependent upon weather conditions and limited in operation to about 5 months a year,

MINUTES OF MEETING

July 6, 1990

Cal. No. 198-90-A

and found it necessary, if they were to provide the desired cafe, to permit the appellant the use of the premises to also operate a private off-site catering business; that the Zoning Administrator approved the park cafe use as a permitted accessory use to the park, but denied the private catering operation due to the residential zoning; that the Board finds unique circumstances in this case in that the Park District's response to the desire of the community and the North Lakeside Cultural Center for an outdoor cafe in Berger Park necessitated allowing the appellant to additionally operate the private catering business due to the riskiness of the venture, and that the appellant needs the additional use to be economically successful; that the cafe is a permitted accessory use to the park which is desired by the community, but can not be accomplished without the appellant being allowed to also conduct the catering business and is therefore a necessary adjunct to establishing the permitted accessory park cafe; 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 private catering business to be operated in addition to the appellant's outdoor cafe operation in a remodeled coach house in Berger Park, on premises at 6219 N. Sheridan Road, upon condition that the appellant shall at all times operate the entire use in compliance with the rules and regulations established for Berger Park and with the concession agreement with the Chicago Park District; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Rail-It Limited Partnership
 APPEARANCES FOR: James I. Rubin
 APPEARANCES AGAINST: Pat Barry, Kevin Greene
 PREMISES AFFECTED-- 4501 W. Chicago Avenue
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 173-90-S
 MAP NO. 1-K
 MINUTES OF MEETING
 May 18, 1990 and
 July 6, 1990

ACTION OF BOARD--

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Rail-It Limited Partnership, for Chicago and North Western Transportation Company, owner, on April 11, 1990, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of a waste transfer station in conjunction with a solid waste recycling facility proposed on 30 acres of railroad property, in an M2-2 General Manufacturing District, on premises at 4501 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 9, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.4-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 18, 1990 and at a special meeting held July 6, 1990 after due notice thereof by publication in the Chicago Tribune on April 30, 1990; and

WHEREAS, the district maps show that the premises is located in an M2-2 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-2 General Manufacturing District; that the subject site is an irregular shaped parcel of land consisting of 30.37 acres located south of Chicago Avenue, north of Ohio Street, east of Kenton Street and west of Tripp Street and is the west part of a parcel of land owned by the Chicago and North Western Transportation Company, known as the 40th Street Yard; that a small railroad yard is located on the north half of the site; that the proposed processing buildings will be located south of the railroad yard; that the scale house with queuing space will be located southeast of the main entrance of the site off of Kilbourn Avenue; that administrative offices will be located in a building toward the western tip of the site near the main entrance; that the applicant proposes to establish a solid waste transfer station and associated recycling center which will accept up to 5,000 tons of waste per day; that all transfer, sorting and recycling operations will be conducted within the proposed structures; that no hazardous liquid or solid toxic waste will be accepted by the proposed facility; that recyclable materials will be removed from the refuse materials brought to the site, sorted into different classes of material and shredded, crushed or bailed; that the remaining solid waste will be gathered

MINUTES OF MEETING

July 6, 1990

Cal. No. 173-90-S

and transferred to other disposal facilities; that the bailed and/or compacted waste will be loaded on trucks at the west truck dock area or loaded within the building into "sea-land" type containers to be loaded on railroad container cars; that the applicant has made a strong commitment to recycling at the site and has agreed to fill 75% of all jobs created by the proposed use with persons from the immediate community; that the proposed waste transfer station and recycling facility is necessary for the public convenience at this location in that there is a critical need for such a facility providing affordable refuse collection and processing services to a large segment of Chicago's population and that the subject site provides direct rail access which few locations in the City can provide; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which operation will be conducted within enclosed buildings, is located outside the boundary of the 100-year flood plain as determined by the Illinois Department of Transportation, has sufficient area for vehicle queuing so as not to adversely impact traffic flow in the surrounding area, and will employ the best available pollution control technology to minimize any adverse effects upon the surrounding area; and that the use will be operated in compliance with the applicable rules and regulations of the Federal, State and City of Chicago agencies and the performance standards established under Article 10 of the zoning ordinance; that the proposed operation is located in an M2-2 General Manufacturing District in an area far removed from residential use and surrounded by industrial and commercial uses, one of which is a City of Chicago Waste-to-Energy facility, and that the establishment of the proposed waste transfer station and recycling facility will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a waste transfer station in conjunction with a solid waste recycling facility proposed on 30 acres of railroad property, on premises at 4501 W. Chicago Avenue, upon condition that ingress and egress shall be via Kilbourn Avenue; that no liquid or solid hazardous toxic wastes shall be permitted at the subject site; that all operations shall be conducted within the proposed buildings; that the proposed use shall be conducted in compliance with the requirements of the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, the City of Chicago Environmental Protection Division of the Department of Consumer Services and the Department of Streets and Sanitation, and the performance standards established under Article 10 of the zoning ordinance; that landscaping and other improvements as stated in the Addendum identified as Exhibit 12 shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

July 6, 1990

At the special public hearing held by the Zoning Board of Appeals on July 6, 1990, Martin J. Oberman, appeared on behalf of A. Finkl & Son, General Iron Industries, Inc., Republic Pipe and Supply Co., Graphic Arts Specialties, Inc., and New City YMCA LEED Council and made a motion requesting that the Board issue four subpoenas for discovery depositions in connection with the aforesaid companies' objections to the application for a special use for the approval of the location and the establishment of retail and entertainment uses in a proposed 2-story building in the Clybourn Corridor Planned Manufacturing District pending before the Zoning Board of Appeals in Calendar No. 83-90-S, Marcey Limited Partners, on premises at 1780 N. Marcey Street.

After consideration of the motion and arguments of counsel, the motion was denied by yeas and nays as follows:

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

MINUTES OF MEETING

July 6, 1990

Cal. No. 292-89-Z

Rev. Elias J. Jones, for First United Missionary Baptist Church, presented a written request for an extension of time in which to obtain building permits for the erection of a 1-story school room and office addition to the rear of a 2 and 3-story brick church building, with no rear yard instead of 30 feet and with a portion of the off-site parking located within the required 15 feet front yard, on premises at 5129-35 S. Indiana Avenue, which variations were approved by the Zoning Board of Appeals on November 17, 1989, in Calendar No. 292-89-Z.

Rev. Jones stated that the request for the extension of time was necessitated by a delay in receiving the architect's plans for the proposed 1-story school room and office addition.

Chairman Spingola moved that the request be granted and that the time for obtaining necessary building permits be extended to November 17, 1990. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

July 6, 1990

Member Alakiotou moved that the Board do not adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on July 20, 1990.

Marian Rest

Secretary

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, July 20, 1990

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

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman

Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

MINUTES OF MEETING

July 20, 1990

Member Caldwell moved that the Board approve the record of the proceedings of the special meeting of the Zoning Board of Appeals held on July 6, 1990 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Caldwell, Alakiotou, Fornelli 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 808

APPLICANT: Jehovah's Witnesses, Fernwood Unit
APPEARANCES FOR: Kenneth S. Jacobs
APPEARANCES AGAINST:

CAL NO. 199-90-S
MAP NO. 24-G
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 10126 S. Vincennes Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Jehovah's Witnesses, Fernwood Unit, for John and Sandra Carolan, owners, on May 16, 1990, filed an application for a special use under the zoning ordinance for the approval of additional parking area accessory to an adjacent church, in a C1-1 Restricted Commercial District, on premises at 10126 S. Vincennes Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.11-3, §11.1-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that on May 17, 1974, the Board approved a special use application for the approval of the location and the establishment of the applicant church in an existing 1-story brick building at 10134-44 S. Vincennes Avenue, in Calendar No. 107-74-S; that the subject site is approximately 11,000 sq. ft. and is located directed north of the applicant church building; that the proposed use is necessary for the public convenience at this location in that the existing on-site parking area is inadequate due to the expanding congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking area to be improved and operated under the conditions hereinafter set forth; and that the proposed parking area is compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit an additional parking area accessory to an adjacent church, on premises at 10126 S. Vincennes Avenue, upon condition that no use shall be made of the site for the use requested until the following conditions shall have been

MINUTES OF MEETING

July 20, 1990

Cal. No. 199-90-S

complied with: that a 6 foot high chain link fence shall be erected along the north, east and west property lines, excepting the driveway(s); that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, 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 striping shall be provided, that lighting shall be provided; that ingress and egress shall be from S. Vincennes Avenue; that the driveway(s) shall be constructed in accordance with applicable ordinances; that the alley abutting the site shall not be used for ingress nor for egress; that the parking area shall be securely locked at all times when not in use by the applicant church; 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 said parking area in accordance with the provisions and standards hereby established under this order.

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

APPLICANT: Michael O'Leary
EARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST:

CAL NO. 200-90-S
MAP NO. 9-P
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED-- 8008 and 8010 W. Addison Street
SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--
 Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Michael O'Leary, for Julia Rowland and Paul Nizynski, owners, on May 17, 1990, 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 1st floor of two proposed 2-story 2-dwelling unit buildings, in a B4-1 Restricted Service District, on premises at 8008 and 8010 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 7, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-3, §8.3-4, §8.6-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 consists of two 25' x 125' lots, improved with a 1-story party-wall brick commercial building; that the applicant proposes to demolish the existing structures and erect two 2-story 2-dwelling unit buildings at the site; that the balance of the block is improved with similar apartment buildings; that the proposed use is necessary for the public convenience at this location in that due to the proximity of shopping centers there is no demand for business uses in the area and a growing demand for residential uses; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed 2-dwelling unit buildings which will comply with all applicable code regulations; and that the proposed 2-dwelling unit buildings will not cause substantial injury to the value of other property in the neighborhood in which they are located in that the proposed buildings will be compatible with the existing improvements in the block and will not alter the essentially residential character of the locality; it is therefore

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

MINUTES OF MEETING

July 20, 1990

Cal. No. 200-90-S

the Zoning Administrator is authorized to permit the establishment of dwelling units on the 1st floor of two proposed 2-story 2-dwelling unit buildings, on premises at 8008 and 8010 W. Addison Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Michael O'Leary
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 201-90-Z
 MAP NO. 9-P
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 8008 and 8010 W. Addison Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Michael O'Leary, for Julia Rowland and Paul Nizynski, owners, on May 17, 1990, filed an application for a variation of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of two 2-story 2-dwelling unit buildings whose lot area will each be 3,125 sq. ft. instead of 3,300 sq. ft. and whose side yards will each be 2.5 feet instead of 3 feet, on premises at 8008 and 8010 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 7, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.803, §8.3-4, §8.6-1,"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 on July 20, 1990, in Calendar No. 200-90-S, the Board approved a special use permitting the establishment of dwelling units on the 1st floor of two proposed 2-story 2-dwelling unit buildings at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that two dwelling units are necessary in each building to make the development economically feasible; that the plight of the owner is due to unique circumstances in that there is no demand for business uses in the area but there is a demand for the type of residential housing as proposed and that the size of the subject lots necessitate the requested variations; that the proposed 2-story 2-dwelling unit buildings are compatible with the existing improvements in this block which do not comply with the lot area and side yard 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

MINUTES OF MEETING

July 20, 1990

Cal. No. 201-90-Z

zoning ordinance and that a variation be and it hereby is granted to permit the erection of two 2-story 2-dwelling unit buildings whose lot area will each be 3,125 sq. ft. instead of 3,300 sq. ft. and whose side yards will each be 2.5 feet instead of 3 feet, on premises at 8008 and 8010 W. Addison 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: James H. Corcoran
 EARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 202-90-Z
 MAP NO. 15-K
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 6212 N. Kirkwood Avenue
 SUBJECT— Application to vary the requirements of the Zoning Ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, James H. Corcoran, for James H. Corcoran and Dorothy A. Corcoran, owners, on June 1, 1990, filed an application for a variation of the zoning ordinance to permit, in an R1 Single-Family Residence District, the erection of a 1-story 14' x 14' addition to the rear of a 1-story brick single-family residence, whose rear yard will be 10.33 feet instead of 30 feet, on premises at 6212 N. Kirkwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 29, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.9-1, §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 July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in an R1 Single-Family Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R1 Single-Family Residence District; that the subject site is improved with a split-level single-family residence with a drive-under garage entrance at the front of the structure; that the applicant proposes to erect a 1-story 14' x 14' addition to the rear of the existing structure; 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 addition is necessary to meet the lifestyle needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that it would prove architecturally and economically unfeasible to locate the proposed family room addition other than at the rear of the existing residence; that the proposed addition will be compatible with the existing improvements in the neighborhood 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

MINUTES OF MEETING

July 20, 1990

Cal. No. 202-90-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 1-story 14' x 14' addition to the rear of a 1-story brick single-family residence, whose rear yard will be 10'33 feet instead of 30 feet, on premises at 6212 N. Kirkwood 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 808

APPLICANT: Travis Oil Service, Inc.
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST:

CAL. NO. 203-90-S
MAP NO. 20-D
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED-- 8050 S. Stony Island Avenue
SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE RESOLUTION:

WHEREAS, Travis Oil Service, Inc., owner, on June 1, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of an auto laundry facility, in a C2-2 General Commercial District, on premises at 8050 S. Stony Island Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 29, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a C2-2 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-2 General Commercial District; that the subject site is a 150.5' x 129' parcel of land improved with an existing 1-story brick 3-bay and office building located in the south portion of the site and occupied by an express lubrication business for drive-through automobiles; that the applicant proposes to erect a 3,000 sq. foot automatic car wash building containing a 60 foot long automobile conveyor at the north end of the subject site, as indicated in the site plan submitted; that state-of-the-art washing equipment will be used in the operation; that most water drainage will be reclaimed on site; that two blow dry systems will be provided; that two concrete speed bumps will be provided at the exist of the wash building to shake off excess water; that the drive-in lane to the automatic facility has sufficient length for the queuing of 6 automobiles; that a detailing area is available on-site if needed; that the hours of operation of the automatic car wash will be from 8 A.M. to 8 P.M., weekdays, 8 A.M. to 6 P.M., Saturday and 9 A.M. to 3 P.M., Sunday; that attendants will be on duty during all hours of operation; that the proposed use is necessary for the public convenience at this location in that there is a need for a moderately priced car washing facility of this type in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed auto laundry to be

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

MINUTES OF MEETING

July 20, 1990

Cal. No. 203-90-S

improved and operated under the conditions hereinafter set forth; and that the proposed use is compatible with the existing improvements on S. Stony Island Avenue in this 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 erection of an auto laundry facility, on premises at 8050 S. Stony Island Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., weekdays, 8 A.M. and 6 P.M., Saturday and 9 A.M. and 3 P.M., Sunday; that attendants shall be on duty on-site during all hours of operation; that a 6 foot high screening fence shall be provided along the west property line to screen the facility from residential properties located across the alley to the west; that ingress to the automatic washing facility shall be via a new driveway installed on E. 81st Street at the southwest corner of the site and egress from the automatic wash facility shall be from the existing driveway onto to S. Stony Island Avenue at the northeast corner of the site; that "Do Not Enter" and "Right Turn Only" signs shall be erected at the S. Stony Island Avenue exit; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the driveway on E. 81st Street shall be constructed in accordance with applicable ordinances; that no additional driveways shall be added onto S. Stony Island Avenue; that appropriate landscaping shall be provided along the street frontage of S. Stony Island Avenue, excepting the driveways; that there shall be a stacking area for automobiles sufficient to handle the automatic car wash operation without causing a traffic backup onto E. 81st Street; 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: Anthony Perry
APPEARANCES FOR: Anthony Perry, Frank Francis
APPEARANCES AGAINST: Peter A. Loutos, Joseph Pecarro

CAL. NO. 204-90-Z
MAP NO. 13-P
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 8206 W. Berwyn Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Anthony Perry, for Frank Francis, owner, on May 21, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 10.17' x 22.37' garage addition to the east side of a 1-story brick single-family residence, with no east side yard instead of 4 feet, on premises at 8206 W. Berwyn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 14, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-2, §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 July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 60' x 159.16' lot improved with a 1-story brick single-family residence with an approximately 10' x 26' one-story attached utility building at the rear and a 1-story brick 1-car attached garage with side drive on the east side of the residence; that the subject site is bordered at the rear by Norwood Park Township and has no alley access; that the interior space of the existing garage is approximately 12 feet wide and has a 9 foot wide door; that the applicant proposes to erect a 1-story 10.17' x 23.37' addition to the east side of the existing garage and to widen the existing side driveway; that the proposed garage addition will be hip-roofed as the existing garage and will be of similar brick construction and materials; 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 garage addition is necessary to help meet the applicant's automobile parking needs and that the said addition's location is the only functionally and economically feasible location available on the subject site lot; that the plight of the owner is due to unique circumstances in that the subject property has no alley access and that the

MINUTES OF MEETING

July 20, 1990

Cal. No. 204-90-Z

configuration of the building on the lot restricts the establishment of additional enclosed parking to the location requested; that the proposed garage addition will be at least 10 feet distant from the adjoining building to the east and will not impair an adequate supply of light and air to adjacent property; and that the variation, if granted, will not alter the essential character of the locality in that other buildings in the area have similar attached garages; 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 1-story 10.17' x 22.37' garage addition to the east side of a 1-story brick single-family residence, with no east side yard instead of 4 feet, on premises at 8206 W. Berwyn 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 808

APPLICANT: Demetrios Pirpiris

CAL. NO. 205-90-Z

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 20, 1990

PREMISES AFFECTED— 2000-14 W. Montrose Avenue

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

ACTION OF BOARD—

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Demetrios Pirpiris
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 206-90-S
MAP NO. 11-H
MINUTES OF MEETING
July 20, 1990

PREMISES AFFECTED— 2000-14 W. Montrose Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Nora McDonagh
 APPEARANCES FOR: Patrick McDonagh
 APPEARANCES AGAINST:

CAL. NO. 207-90-Z
 MAP NO. 13-O
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 7754 W. Berwyn Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	x	
	x	
	x	
	x	
	x	

Variation denied.

THE RESOLUTION:

WHEREAS Nora McDonagh, owner, on May 18, 1990, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 6.33' x 22.9' 2nd story addition to the front of a 2-story frame non-conforming 2-dwelling unit building, with combined side yards of 7.1 feet (3.125' east side-3.98' west side) instead of combined side yards of 9 feet, on premises at 7754 W. Berwyn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 30, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-2(2), §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 July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a 2-story frame 2-dwelling unit building; that the 2nd floor was illegally converted to a dwelling unit at some time prior to 1957; that the applicant proposes to construct a 6.33' x 22.9' 2nd story addition to the front of the building in order to provide a second entrance/exit for the 2nd floor dwelling unit; that the applicant is also seeking to legalize the structure as two dwelling units; that the existing building is non-conforming under the R2 Single-Family Residence zoning classification; that Section 11.7A-3(4) of the zoning ordinance states that "in the case of building permit applications for the repair, remodeling and/or alteration of pre-ordinance (built before July 8, 1957) residential buildings ---- for the voluntary rehabilitation of such structures, in which there is evidence that the building has been converted, altered or used for a greater number of dwelling units than existed at the time of its construction, the Zoning Administrator may make zoning certification of the increased density, not to exceed more than 1 unit above its original construction ; upon review of the documentary evidence supporting such increase in density, submitted by the owner and pursuant to Article 11.5-1; that evidence presented indicates that the subject building has contained 2-dwelling units since prior to the passage of the

MINUTES OF MEETING

July 20, 1990

Cal. No. 207-90-S

1957 comprehensive amendment to the zoning ordinance; that pursuant to aforesaid Section 11.7A-3(4), the applicant has a right to continue the use of the 2nd floor of the existing building as a 2nd dwelling unit, but that Article 6.4-1 of the zoning ordinance prohibits structural expansions to a non-conforming building and therefore the requested variation in the required side yards can not be granted; it is therefore

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

RESOLVED, that the applicant has a right to continue the occupancy of the 2nd floor as a dwelling unit, provided the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Kristopher D. Hardy
 APPEARANCES FOR: Kristopher D. Hardy
 APPEARANCES AGAINST:

CAL. NO. 208-90-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 1512 W. Melrose Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
Abstain		
X		

THE RESOLUTION:

WHEREAS, Kristopher D. Hardy, owner, on May 31, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story addition to the front and a 2-story addition to the rear of a 1-story frame single-family residence on the rear of a lot additionally improved with a 2-story frame 2-dwelling unit building on the front, whose west side yard will be .97 feet instead of 2.5 feet, with no rear yard instead of 30 feet and which additions will result in a 4% increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1512 W. Melrose Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 22, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 3,130 sq. ft. lot improved with a 2-story frame 2-dwelling unit building on the front of the lot and a rear 1-story frame single family residence, the back of which is 8 feet from the rear lot line; that the applicant resides in the rear building and is seeking to erect an 8' x 20' 2-story addition to the rear and an 8' x 20' 1-story addition to the front of said building; that the rear addition will contain a 2-car garage on the first floor, the inward extension of which necessitates removal of existing living area; that the living area lost will be replaced in the proposed front and 2nd floor additions; that the property in question cannot yield a reasonable return not 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 additions are necessary to meet the needs of the applicant and to provide needed off-street parking; that the plight of the owner is due to the configuration of the two residential structures on the lot

MINUTES OF MEETING

July 20, 1990

Cal. No. 208-90-Z

which necessitates the rear yard variation; that the proposed additions will not impair an adequate supply of light and air to abutting properties; that the proposed additions will be compatible with the existing improvements in the area, all of which do not comply with the side and rear yard requirements of the zoning ordinance, and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story addition to the front and a 2-story addition to the rear of a 1-story frame single-family residence on the rear of the lot additionally improved with a 2-story frame 2-dwelling unit building on the front, whose west side yard will be .97 feet instead of 2.5 feet, with no rear yard instead of 30 feet and which additions will result in a 4% increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1512 W. Melrose Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jerome Pott, by Hedberg, Tobin, Flaherty & Whalen **CAL. NO.** 209-90-Z
APPEARANCES FOR: Edward J. Whalen **MAP NO.** 17-M
APPEARANCES AGAINST: **MINUTES OF MEETING**
 July 20, 1990
PREMISES AFFECTED— 6949 N. Medford Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Hedberg, Tobin, Flaherty & Whalen for Jerome Pott, owner, filed, on May 31, 1990, an application for a variation of the zoning ordinance to permit, in an R1 Single-Family Residence District, the erection of 1st and 2nd story additions to a 1-story brick single-family residence, whose north side yard will be 6 inches instead of 5 feet, on premises at 6949 N. Medford Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 19, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-1(2), §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 July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in an R1 Single-Family Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the proposed use is to be located in an R1 Single-Family Residence District; that the subject site is a 60' x 125' lot improved with a 996 sq. ft. 1-story single-family residence; that the applicant proposes to erect 1 and 2-story additions to the existing structure; 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 1st and 2nd floor additions which includes a centrally located elevator are necessary to provide additional living space for the applicant's family and accessibility for a blind and handicapped child confined to a wheelchair; that the plight of the owner is due to unique circumstances in that the proposed north side yard reduction to 6 inches instead of 5 feet is necessitated by the needed elevator shaft; that the proposed 1st and 2nd story additions will not impair an adequate supply of light and air to adjacent property and will be compatible with the existing improvements in the area 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

MINUTES OF MEETING

July 20, 1990

Cal. No. 209-90-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 1st and 2nd story additions to a 1-story brick single-family residence, whose north side yard will be 6 inches instead of 5 feet, on premises at 6949 N. Medford 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: KOAR-SHAW Chicago Investment Limited Partnership
 GUARANCES FOR: James M. Kane
 APPEARANCES AGAINST:

CAL. NO. 210-90-S
 MAP NO. 1-F
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 600 N. State Street
 SUBJECT— Application for the approval of a special use

ACTION OF BOARD—

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

Application approved.

THE RESOLUTION:

WHEREAS, KOAR-SHAW Chicago Investment Limited Partnership, owner, on June 5, 1990, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the erection of a 10' diameter earth station antenna/satellite dish on the roof of a proposed 11-story hotel building, in a B7-6 General Central Business District, on premises at 600 N. State Street; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-6 General Central Business District; that the applicant proposes to erect an earth station antenna/satellite dish approximately 10' in diameter and 15' in height on the roof of the proposed 11-story hotel building at the subject site; that the proposed use is necessary for the public convenience at this location to provide additional television station reception for the hotel guests and to also provide teleconferencing reception; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use in that the antenna/satellite dish will operate on a frequency which will not cause interference with other transmitting and receiving equipment in the area; that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that the said dish will be located on the southwest corner of the roof surrounded by a 15 feet high screening wall and will hardly be discernable; 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 erection of a 10' diameter earth station antenna/satellite dish on the roof of a proposed 11-story hotel building, on premises at 600 N. State Street, upon condition that the antenna/satellite dish shall be operated in compliance with the regulations of the Federal Communications Commission; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: St. Leonard's House
 APPEARANCES FOR: Rolando Acosta
 APPEARANCES AGAINST:

CAL NO. 211-90-S
 MAP NO. 1-H
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 2100-10 W. Warren Boulevard
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, St. Leonard's House, for the Episcopal Diocese of Chicago, owner, on June 5, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of an existing transitional shelter for ex-offenders at 2100 W. Warren Boulevard into the 2-story brick residential building at 2110 W. Warren Boulevard, in an R4 General Residence District, on premises at 2100-10 W. Warren Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.4-4, §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 July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with two 2-story residential buildings and a 2-story brick garage and office building at the rear of the lot; that the building at 2100 W. Warren Boulevard is partially occupied with a portion of the first floor being renovated; that the building at 2110 is vacant and in need of renovation; that on August 24, 1984, the Board sustained an appeal legalizing the use of the building at 2100 W. Warren Boulevard as a residential care (half-way) home, in Calendar No. 314-84-A; that the 2100 building has been used for over 30 years as a transitional shelter for ex-felons and the 2110 building was used from prior to 1957 to approximately 1985 as a group home and pre-existing legal special uses; that due to the contemplated use of the 2110 building as an expansion of the pre-existing legal special use in the 2100 building and because the use of the 2110 building as a pre-existing legal special use ceased in 1985, the special use requested in this case is required; that the proposed use is necessary for the public convenience at this location in that the use of the 2110 building for expansion of the existing program is the most logical location for that expansion as it is adjacent to the applicant's existing facility; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility which will

MINUTES OF MEETING

July 20, 1990

Cal. No. 211-90-S

conform to all applicable building code regulations and which will provide adequate professional and volunteer staff to assure continuation of the applicant's excellent reputation in the community; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that the proposed expansion of the applicant's activities and programs will be accompanied by the renovation of the existing structure and will be located in a building adjacent to the one which houses its existing program; 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 transitional shelter for ex-offenders at 2100 W. Warren Boulevard into the 2-story brick residential building at 2110 W. Warren Boulevard, upon condition that the buildings are brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; that all applicable city and state regulations governing the establishment and operation of transitional shelters for ex-offenders shall be complied with; 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 808

APPLICANT: Peter and Margaret Elliott
 HEARANCES FOR: Rolando Acosta
 APPEARANCES AGAINST: Richard G'Sell

CAL. NO. 212-90-Z
 MAP NO. 3-E
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 1442 N. Astor Street

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

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Peter & Margaret Elliott, owners, on June 6, 1990, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story garage and room addition to the rear of a 1-and 3-story brick single-family residence, with no rear yard instead of 30 feet, on premises at 1442 N. Astor Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 6, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.9-4, §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 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 5,501 sq. ft. lot improved with a 1 and 3-story brick single-family residence containing 6,349 sq. ft.; that the applicants propose to erect an approximately 1,251 sq. ft. L-shaped addition to the rear of said building extending from the existing kitchen along the property's north boundary line to and along the entire rear of the property, as depicted in the site plans presented; 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 addition consisting of an expanded kitchen, two single-car garages and a family room located between the two garages, is necessary to meet the needs of the applicants; that the plight of the owners is due to unique circumstances in that the portion of the addition which comprises the garages is a permitted obstruction under the zoning ordinance within the rear yard and that the requested rear yard variation is necessary to construct the expanded kitchen and family room; that the location of the proposed family room between the two one-car garages allows the family room to face an existing open courtyard; that the proposed addition will be compatible with the existing improvements in this

MINUTES OF MEETING

July 20, 1990

Cal. No. 212-90-Z

area the majority of which do not comply with the rear yard requirement of the zoning ordinance and will not impair an adequate supply of light and air to adjacent property; 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 1-story garage and room addition to the rear of a 1 and 3-story brick single-family residence, with no rear yard instead of 30 feet, on premises at 1442 N. Astor 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: Nikolaus Schneider
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST:

CAL. NO. 213-90-Z
MAP NO. 17-L
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 6969 N. Chicora Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Nikolaus Schneider, owner, on June 6, 1990, 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 1,030 sq. ft. addition to a tri-level single-family residence, whose combined side yards will be 8 feet (3.7' north side-4.3' south side) instead of combined side yards of 12 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6969 N. Chicora Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 on July 11, 1966, the City Council rezoned the subject site from R1 to R2 General Residence; that the subject site is a 5,450 sq. ft. lot improved with a 1-story 2,484 sq. ft. tri-level single-family residence; that the applicant proposes to erect a 2nd story 1,030 sq. ft. addition to the existing residential building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd floor addition is necessary to meet the needs of the applicant and his family; that the plight of the owner is due to the configuration of the existing tri-level residential structure on this 50' x 109' lot; that the proposed 2nd floor addition will follow existing building lines; and that the proposed variations, if granted, will be compatible with the existing improvements in this block 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

MINUTES OF MEETING

July 20, 1990

Cal. No. 213-90-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 2nd story 1,030 sq. ft. addition to a tri-level single-family residence, whose combined side yards will be 8 feet (3.7' north side-4.3' south side) instead of combined side yards of 12 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6969 N. Chicora 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 808

APPLICANT: Sporty's F.J., Inc.
 APPEARANCES FOR: Mark Ballard
 APPEARANCES AGAINST:

CAL. NO. 214-90-S
 MAP NO. 7-M
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED-- 5920 W. Fullerton Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

Application approved.

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Sporty's F.J., Inc., for John and Janina Sulkowski, owners, on June 7, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the re-establishment of a tavern in a 2-story brick building, in a B4-2 Restricted Service District, on premises at 5920 W. Fullerton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 7, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the proposed use is to be located in a B4-2 Restricted Service district; that the subject site is improved with a 2½-story brick building which contained a tavern on the first floor and an apartment on the second floor; that a tavern had been operated at the subject site for at least 30 years prior to 1988; that the last lessee of the tavern left the country in early 1989, after which there was a foreclosure of the property; that the lessee in this case proposes to re-establish a tavern under a new license; that the majority of the tavern's patrons come from the local neighborhood and that the re-establishment of a tavern at this location is necessary for the public convenience; that the applicant proposes to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; and that the re-establishment of a tavern in the building on the subject site is compatible with the mixed residential and business uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

July 20, 1990

Cal. No. 214-90-S

the Zoning Administrator is authorized to permit the re-establishment of a tavern in a 2-story brick building, on premises at 5920 W. Fullerton Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 2 A.M., Mondays through Saturdays and 12 Noon and 2 A.M. Sundays; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: The Honey Tree, Inc., by Lawrence M. Freedman
APPEARANCES FOR: Joseph Ash, Leah Nelson
APPEARANCES AGAINST:

CAL NO. 215-90-S
MAP NO. 1-E
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 185 N. Wabash Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Honey Tree, Inc., by Lawrence M. Freedman, for American National Bank & Trust Co., Tr. #102836-04, owner, on June 8, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a day care center on the 3rd floor of a 23-story office building, in a B7-7 General Central Business District, on premises at 185 N. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 18, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-7(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a B7-7 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-7 General Central Business District; that the applicant has leased 10,000 sq. ft. of the 3rd floor of the subject office building on the subject site and proposes to establish a day care center for children ages 2 through 6 at the site; that the applicant corporation operates two day care centers in Aurora, Illinois, and is experienced in providing quality day-care services; that the proposed day care center will have a staff of 22-25 persons with the capacity to serve 147 children; that the proposed use will provide morning and afternoon meals and snacks; that structured and unstructured activities/curriculum based on the children's age groups will be provided with the goal of enhancing the children's overall intellectual and social growth; that the children attending the center will be dropped off by parents at the Lake Street entrance and will be taken in small groups by staff members to the 3rd floor center; that parents may also personally take their children to the center; that parents may visit their children at any time by means of an access card to the 3rd floor; that drop off and pick up times are arranged in advance at time of enrollment; that staff members will remain on the premises until all children are picked up; that 15 closed circuit television cameras are located throughout the facility to monitor

MINUTES OF MEETING

July 20, 1990

Cal. No. 215-90-S

the center's activities and for security; that the elevator used by the center will be locked when not needed by the applicant for use by the children; that qualified personnel trained for medical emergency situations will be on premises at all times and that parents will be notified of an emergency situation; that the proposed use is necessary for the public convenience at this location to provided needed day care services in the central Loop area of the City; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will meet all applicable building code ordinances and state and municipal regulations governing the establishment and operation of day care centers; and that the proposed day care center located on the 3rd floor of a 23-story office building will not be discernable from the street 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 day care center on the 3rd floor of a 23-story office building, on premises at 185 N. Wabash Avenue, upon condition that all applicable city and state regulations governing the establishment and operation of day care centers shall be complied with before a permit is issued.

SPECIALLY CONCURRING OPINION

The applicant filed an application for a variation in the nature of a special use pursuant to the provisions of the Zoning Ordinance of the City of Chicago to operate a day-care center on the third floor of a 23-story office building located at 185 N. Wabash Avenue. The testimony demonstrated the facts recited in the above resolution. Additional testimony revealed that in the event children were not picked up by 5:30 P.M., the day-care center would also provide the evening meal for each child. The cost for each child to attend this day care center was up to \$150.00 per week. The applicant testified that she did not anticipate that secretaries earning up to \$30,000.00 per year would be among those persons who could afford the services of this day-care center. Further testimony demonstrated that, at times, the children would be taken outside for recreational purposes. Children would exit the building on Lake Street and be escorted west to Wabash Avenue, then south one block to Randolph Street, where they would then enter a below ground pedway which would take them east two blocks to Grant Park. The evidence did not reveal whether such outside activity would occur on a daily basis or for what duration of time. It should be noted that no one appeared in opposition to the application for a special use.

Generally, the Zoning Board of Appeals (Board) for the City of Chicago has found that the testimony described above meets the burden of proof for a variation in the nature of a special use for a day-care center. When coupled with the fact that no one appeared in opposition to the application, the Board would normally grant its approval. For these reasons, I have voted to approve this application. However, my vote is not without some reservation and concern.

While the Board may generally grant an application for a variation in the nature of a special use where no one appears in opposition, it is the Board's duty to protect the public health, safety and welfare. Municipal Code of Chicago (1957), Chapter 194A, §11.10-4. In this regard, it is necessary for the Board to weight the evidence to determine if, in fact, the public health, safety and welfare is being protected even where there is no opposition. In the case of day-care centers, the Board has accepted the fact that the public health, safety and welfare will be protected, not so much by virtue of the requirements of the Zoning Ordinance or the power of the Board, but by virtue of the requirements placed upon the operator under licensing requirements imposed by both the City of

MINUTES OF MEETING

July 20, 1990

Cal. No. 215-90-S

Chicago and the State of Illinois. This, I believe, is an abrogation of the Board's duty and authority.

I am keenly aware that the concept of day-care centers is viewed as a product of a political movement for women's rights. At first blush, the users of such facilities are perceived to be single parents with young children who, by choice or by necessity, maintain professional careers. In this case, the applicant testified that the cost for each child to attend this facility will be up to \$150.00 per week. Assuming a child attends these facilities for fifty weeks of each year and the accompanying cost of transportation and clothing, it is fair to infer the total cost to a parent for the use of these facilities is approximately \$10,000.00 per year. This conclusion is supported by the testimony of the applicant who testified that she did not anticipate secretaries or persons earning less than \$30,000.00 a year to be among those persons who could afford her services. I would, therefore, estimate that to afford the services of the facility herein, it would be necessary for the parent or parents of each child to earn a minimum of \$50,000.00 per year. This leads me to the conclusion that the services offered by the applicant herein are less likely to be utilized by single parents and more likely to be utilized by two-parent, two-income families where those parents both choose to pursue professional careers. As a result, I do not see these facilities being accessible to those persons for whom the concept of day-care was intended.

In prior cases where the Board has granted a variation in the nature of a special use for a day-care center, the evidence has been that the majority of the parents who would use the day-care facilities, also work in the same building where the day-care facilities exist. In this case, the evidence was that the parents would drop off their children from a car parked at a curbside loading zone. There was no evidence where the parents are anticipated to be working thereafter, and therefore, it is unclear how far the parents will be from their children during the course of each day. Certainly, the conclusion to be drawn is that the parents will not be working within the office building which houses this day-care center.

The Board's duty to protect the public health, safety and welfare includes the health, safety and welfare of the children who are to use these facilities. I have concern for the day-care center's ability to contact the parents of these children when an emergency arises and which is not satisfied by the applicant's mere statement that parents will be contacted in the event of an emergency. There is no evidence to indicate how far these parents will be located from their children. In this regard, I take notice of the fact that persons pursuing higher income professions are generally more difficult to contact in the course of the day. Unfortunately, this gets more complicated because of technology. A significant number of businesses, principally those with greater numbers of employees, have, and are, converting their telephone systems to electronic answering machines. Such technology may be cost-efficient for an employer, but it concerns me when a parent must be reached immediately in the event of an emergency with a child. I must also consider the response time for a parent to travel through the downtown area of Chicago to assist his/her child when an emergency arises.

In addition, no evidence was presented to indicate at what time it would be necessary for children to get up each morning in order to be at this day-care center in time for their parents to be at work. The evidence does show that two to six year old children will spend more time each day at these day-care facilities than their parents will at their

MINUTES OF MEETING

July 20, 1990

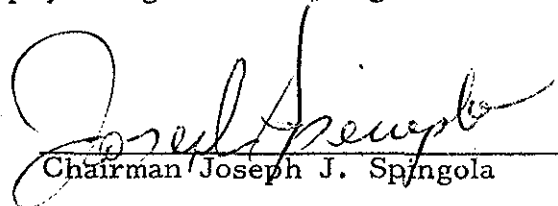
Cal. No. 215-90-S

employment. Assuming the parents take a two week vacation each year, the children will be in these facilities for fifty weeks of each year. As a result, these two to six year old children will spend more time at this day-care facility than older children spend in school.

This, as well as other factors, cause me to be concerned for the psychological development and well-being of a two-to six year old child who may spend the majority of his/her earliest years in a downtown office building. The testimony was that if a parent were late picking up a child, the day-care center would provide the evening meal. As a result, potentially, the day-care center herein may be providing all three meals of the day for some children. I must conclude, therefore, that each child will have to be awakened as early as 5:30 A.M. each morning and will not return home until 6:00 or 7:00 each evening. If I assume a 9:00 bedtime, then each child at these facilities will enjoy no more than two to three hours each day in the warmth of his/her own home.

While in attendance at this day-care center, these children will have no exposure to fresh air and sunlight which they would have at their home or at some neighborhood nursery or pre-school. In other day-care centers approved by this Board there have been outdoor recreational activity areas planned within the framework of the building itself. No such facilities exist at this location. While it is commendable that the children may use Grant Park for outdoor recreational activities, there is no evidence to indicate the frequency of such use. I question whether children will enjoy outdoor activities on a daily basis, particularly during the winter months. I am skeptical of the children's safety walking along Wabash Avenue and through a pedway system. These are two to six year old children accompanied by one adult. I have concern for children whose attentions are easily distracted and who may get lost in downtown crowds, who may run into a street, or who may even be stolen. I find all of these potentials to involve the health, safety and welfare of these children and their parents. Therefore, this Board should not be satisfied that the licensing laws of the City of Chicago and the State of Illinois will be adequate to provide all of the necessary safeguards. After all, licensing requirements do not vary with the characteristics of the area surrounding the use - zoning requirements do.

By this opinion, I do not mean to say that this applicant will not adequately provide for these children. I do not claim to conclude that these facilities will have a detrimental effect on the psychological development of these children. However, I do believe that the quantum of proof in this, and other such cases, should require the testimony of an expert child psychologist who has reviewed the anticipated hours of operation, the environment in which the children will spend their day, the availability of fresh air and sunlight, the recreational facilities, if any, and the program for their use. Henceforth, this Board should not grant variations in the nature of a special use for downtown day-care centers unless, and until, such an expert child psychologist testifies that the facilities and its programs have been reviewed and are found to be designed and to be operated in such a manner that there will be no detrimental effect upon the psychological well-being and development of two to six year old children.


Chairman Joseph J. Spingola

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

APPLICANT: Allright Parking Chicago, Inc.
 APPEARANCES FOR: Kenneth Rosenberg
 APPEARANCES AGAINST:

CAL. NO. 216-90-S
 MAP NO. 1-F
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 122 W. Grand Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Allright Parking Chicago, Inc., for American National Bank and Trust Co. of Chicago, Tr. #1099534-04, owner, on June 11, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a public parking lot, in a C3-5 Commercial-Manufacturing District, on premises at 122 W. Grand Avenue; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the subject site is a 4,000 sq. ft. lot; that the applicant proposes to establish a 12-space public parking lot at the subject site; that the proposed use is necessary for the public convenience at this location in that this is a high density area with a demand for public parking spaces; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the proposed use will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a public parking lot, on premises at 122 W. Grand Avenue, upon condition that no use shall be made of the premises for the use 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 steel beam guard rails approximately 2 feet in height shall be erected along the north and south lot lines, excepting the

MINUTES OF MEETING

July 20, 1990

Cal. No. 216-90-S

driveway; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that each parking space shall be designated by striping; that lighting shall be provided; that ingress and egress shall be from W. Grand Avenue; that the alley abutting the site shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that access to the parking lot shall be by meter card; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain said parking lot in accordance with the provisions and standards hereby established under this order.

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

APPLICANT: Heartland Development Company

CAL. NO. 217-90-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING

July 20, 1990

PREMISES AFFECTED-- 661 N. LaSalle Street

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

ACTION OF BOARD--

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

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

APPLICANT: Heartland Development Company

CAL NO. 218-90-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
July 20, 1990

PREMISES AFFECTED— 665 N. Wells Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

Case continued to
September 21, 1990.

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Bill Boards, Inc.

CAL NO. 219-90-A

APPEARANCES FOR:

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING

July 20, 1990

PREMISES AFFECTED— 404-12 S. Wells Street

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

ACTION OF BOARD—

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: William B. Taylor

CAL. NO. 220-90-A

APPEARANCES FOR:

MAP NO. 17-H

APPEARANCES AGAINST:

MINUTES OF MEETING

July 20, 1990

PREMISES AFFECTED— 2039 W. Touhy Avenue

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

ACTION OF BOARD—

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

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

APPLICANT: Community Thrift
HEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 221-90-A
MAP NO. 16-F
MINUTES OF MEETING
July 20, 1990

PREMISES AFFECTED— 6713 S. Halsted Street

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

ACTION OF BOARD—

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Thomas Hughes/Durite Stamp and Engraving
HEARANCES FOR: Mitchell Asher
APPEARANCES AGAINST:

CAL. NO. 222-90-A
MAP NO. 9-L
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 4858 W. Addison Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

THE RESOLUTION:

WHEREAS, Thomas Hughes/Durite Stamp and Engraving, for Thomas Hughes, owner, on May 23, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a machine shop in conjunction with a stamp and engraving business in a 1-story brick business building, in an R3 General Residence District, on premises at 4858 W. Addison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1990, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 20, 1990; 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 in a one-story brick non-conforming business building occupied by an existing stamp and engraving business; that the applicant has operated a stamp and engraving business at the subject site for the past 15 years; that the machine shop operation is accessory to the existing business; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a machine shop as an accessory use only in conjunction with an existing stamp and engraving business in a 1-story brick building, on premises at 4858 W. Addison Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Larry and Margaret Ward
PEARANCES FOR: Larry Ward & Margaret Ward
APPEARANCES AGAINST:

CAL. NO. 223-90-A
MAP NO. 8-H
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 3662 S. Paulina Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Larry and Margaret Ward, owners, on June 5, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 5 dwelling units, in an R3 General Residence District, on premises at 3662 S. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 10, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence district; that the subject site is improved with a 2-story brick building; that the appellants testified that the subject building contained 5 dwelling units when they purchased it in 1980; that the subject building originally had a store on the first floor, one apartment behind the store, a barber shop behind the apartment and 2 apartments on the 2nd floor; that the subject site was zoned apartments in 1923 and has been zoned for residential use ever since; that at some time past the non-conforming business uses were converted to residential uses; that the appellants have a right to continue the occupancy of the building as 5 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 2-story brick building as 5 dwelling units, on premises at 3662 S. Paulina Street, upon condition that the building is brought into compliance with all applicable building code regulations, with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Todos Amigos, Ltd., Inc.

CAL. NO. 224-90-A

APPEARANCES FOR:

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 20, 1990

PREMISES AFFECTED— 1036 W. 21st Street

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

ACTION OF BOARD—

Case continued to
September 21, 1990.

THE VOTE

Joseph J. Spingola

Roula Alakiotou

James E. Caldwell

Anthony J. Fornelli

Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

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

APPLICANT: Bando Restaurant, Inc.
HEARANCES FOR: Robert B. Hoellen
APPEARANCES AGAINST:

CAL. NO. 225-90-S
MAP NO. 11-H
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 2127 W. Lawrence Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Bando Restaurant, Inc., for Pleasing Supermarket, Inc., owner, on May 23, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of parking spaces in an existing food store parking lot, in a C1-1 Restricted Commercial District, on premises at 2127 W. Lawrence Avenue, to satisfy the parking requirement for a restaurant and banquet hall at 2200 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 8, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is a 35,258 sq. ft. lot improved with a grocery store containing on-site improved parking for 60 automobiles; that the applicant proposes to lease parking spaces at the subject site; that the proposed use of the subject site at this location is necessary for the public convenience to serve the applicant restaurant and banquet hall located at 2200 W. Lawrence Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be operated under the conditions hereinafter set forth; that the owner of the subject parking lot, Pleasing Supermarket, Inc., agrees to lease to the applicant the parking lot at the subject site from 7 P.M. to Midnight on Saturdays and from 5 P.M. to Midnight on Sundays; that parking will be valet parking and that an attendant will be at the site to supervise the parking of restaurant patron's cars; that the use of the existing improved parking lot as leased parking will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

July 20, 1990

Cal. No. 225-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of parking spaces in an existing food store parking lot on premises at 2127 W. Lawrence Avenue, to serve a restaurant and banquet hall at 2200 W. Lawrence Avenue, upon condition that the use of the subject lot by the applicant restaurant and banquet hall shall be limited to the hours from 7 P.M. to Midnight, Saturdays, and from 5 P.M. to Midnight, Sundays; that all parking shall be valet parking; that an attendant shall be at the site during all hours of operation to supervise the parking of the restaurant patron's automobiles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bando Restaurant
APPEARANCES FOR: Robert B. Hoellen
APPEARANCES AGAINST:

CAL. NO. 226-90-S
MAP NO. 11-H
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 2201-09 W. Lawrence Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Bando Restaurant, Inc., for Sung K. Lee, owner, on May 23, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of parking spaces in an existing service station lot, in a B4-2 Restricted Service District, on premises at 2201-09 W. Lawrence Avenue, to satisfy the parking requirement for a restaurant and banquet hall located at 2200 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 18, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-4. §.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 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 an 8,625 sq. ft. lot improved with an automobile service station and 20 automobile parking spaces; that the applicant proposes to lease the parking spaces on the subject lot; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the applicant restaurant and banquet hall located at 2200 W. Lawrence Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be operated under the conditions hereinafter set forth; that the terms of the lease between Sung K. Lee, owner of the subject site, and the applicant is for a term commencing on July 9, 1990 and terminating March 30, 1995 for the hours between 7 P.M. and Midnight, Mondays through Fridays and 2 P.M. and Midnight on Saturdays and all day on Sunday; that the lessee will be entitled to two successive renewals, each for a term of two years; that the leasing of parking spaces in the existing improved parking area is compatible with uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

July 20, 1990

Cal. No. 226-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of parking spaces in an existing service station lot, on premises at 2201-09 W. Lawrence Avenue, to satisfy the parking requirement for a restaurant and banquet hall at 2200 W. Lawrence Avenue, upon condition that provision of the requisite parking shall be the applicant's continuous obligation, as pursuant to Section 5.8-5 of the zoning ordinance; that the use of the site for parking by restaurant patrons shall be limited to the hours between 7 P.M. and Midnight, Mondays through Fridays, 2 P.M. and Midnight, Saturdays and all day 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 808

APPLICANT: Mercy Hospital and Medical Center
 APPEARANCES FOR: Michelle J. Klein
 APPEARANCES AGAINST:

CAL. NO. 227-90-S
 MAP NO. 20-E
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 8545-57 S. State Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Mercy Hospital and Medical Center, for Chatham Avalon Church of Christ, owner, on June 12, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of 24 off-site parking spaces in an existing church parking lot, in a C1-1 Restricted Commercial District, on premises at 8545-57 S. State Street, to fulfill the parking requirement for a proposed medical office building at 8529-33 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 21, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-1, §11.7-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is a 23,103 sq. ft. lot in use as an accessory parking lot to meet the parking requirements of a church located at 8601 S. State Street; that the applicant proposes to lease 24 parking spaces in the said parking lot; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for a proposed medical office building at 8529-33 S. State Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking to be operated under the conditions hereinafter set forth; that the terms of the lease between Chatham-Avalon Church of Christ, as lessor and Physicians for Better Health Care Building Partnership, for the applicant, as lessee, is for a period commencing March 1, 1990 and terminating on March 1, 2025; that the leasing of 24 parking spaces in an existing parking lot is compatible with the existing use of the site for accessory parking 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

MINUTES OF MEETING

July 20, 1990

Cal. No. 227-90-S

Zoning Administrator is authorized to permit the leasing of 24 off-site parking spaces in an existing church parking lot, on premises at 8545-57 S. State Street, to fulfill the parking requirement for a proposed medical office building at 8529-33 S. State Street, upon condition that provision of the requisite parking shall be the applicant's continuous obligation, as pursuant to Section 5.8-5 of the zoning ordinance; that landscaping, driveway access and other details shall be provided in accordance with the site plan A-1 submitted, dated September 13, 1989; 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 808

APPLICANT: Mercy Hospital and Medical Center
VARANCES FOR: Michelle J. Klein
APPEARANCES AGAINST:

CAL. NO. 228-90-Z
MAP NO. 20-E
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED-- 8545-57 S. State Street
SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mercy Hospital and Medical Center, for Chatham Avalon Church of Christ, owner, on June 12, 1990, filed an application for a variation of the zoning ordinance to permit, in a C1-1 Restricted Commercial District, the use of 24 parking spaces in an existing church parking lot to be used collectively as required parking for a proposed medical office building at 8529-33 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 21, 1990, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-1, §11.7-4(3)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that on July 20, 1990, in Calendar No. 227-90-S, the Board approved a special use for the leasing of 24 off-site parking spaces in an existing church parking lot, at the subject site, to fulfill the parking requirement for a proposed medical office building at 8529-33 S. State Street; 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 leasing of 24 parking spaces in the subject lot is necessary to fulfill the parking requirement for a proposed medical office building; that the plight of the owner is due to unique circumstances in that the applicant's medical office building site contains 17 parking spaces and a loading berth area and that the applicant needs 40 parking spaces to fulfill the parking requirement under the zoning ordinance; that the nearest available location for parking is the subject site parking lot which also is necessary to fulfill the parking requirement for Chatham-Avalon Church of Christ located a 8601 S. State Street; that the use of the subject parking spaces by the applicant will occur only during doctor's office hours on Monday through Friday and will not interfere with the church's use of the site during week-ends and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 20, 1990

Cal. No. 228-90-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 use of 24 parking spaces in an existing church parking lot, on premises at 8545-57 S. State Street, to be used collectively as required parking for a proposed medical office building at 8529-33 S. State 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: Park Manor Christian Church
 ARGUMENTS FOR: Dr. James L. Demus
 APPEARANCES AGAINST:

CAL. NO. 229-90-S
 MAP NO. 18-E
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 7301 S. St. Lawrence Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Park Manor Christian Church, owner, on June 14, 1990, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R3 General Residence District, on premises at 7301 S. St. Lawrence Avenue, to serve a church located at 600 E. 73rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 13, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.4-3, §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 32' x 123.7' vacant lot located on the southwest corner of E. 73rd Street across the street from the applicant church located at 600 E. 73rd Street; that the applicant church was built in 1915, prior to the implementation of zoning and does not require on-site parking under the provisions of the current zoning ordinance amendment; that the applicant is seeking to establish a voluntary off-site accessory parking lot containing 8 spaces at the subject site; that the proposed parking lot is necessary for the public convenience at this location to serve the members of the church congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the establishment of the proposed parking lot at the site will be an improvement in the appearance of the lot in this block and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

July 20, 1990

Cal. No. 229-90-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 7301 S. St. Lawrence Avenue, to serve a church located at 600 E. 73rd Street, upon condition that no use shall be made of the site for the use 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 a 20 foot front yard set back on S. St. Lawrence Avenue shall be provided; that the lot shall be enclosed with steel beam guard rails 2 feet in height excepting at the entrance and exit; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material; that each parking space shall be designated by striping; that lighting shall be provided directed away from abutting residential property; that the ingress and egress shall be determined by the Department of Public Works; that the lot shall be adequately secured during all hours when not in use by the church; 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 said parking lot in accordance with the provisions and standards hereby established under this order.

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

APPLICANT: Craig Coretz
 VARIANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 230-90-Z
 MAP NO. 3-F
 MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 1407 N. Mohawk Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Craig Coretz, owner, on June 15, 1990, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story addition to the rear of the front 3½-story brick 3-dwelling unit building and connected to the rear 2½-story frame 2-dwelling unit building by a proposed stair and deck structure, whose north side yard will be 0.29' instead of 2.4' and which addition will result in a 15% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment, on premises at 1407 N. Mohawk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 14, 1990, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990 after due notice thereof by publication in the Chicago Tribune on July 2, 1990; 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 2,978 sq. ft. lot improved with a vacant 3-story 3-dwelling unit building on the front of the lot and a vacant 2-story frame 2-dwelling unit building on the rear of the lot; that the applicant proposes at this time to renovate the front 3-story 3-dwelling unit building and erect a 3-story addition to the rear of the building and may eventually connect the two buildings with a stair and deck structure; 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 additional needed living space for the applicant and also allow the remaining two units to be marketed successfully; that the plight of the owner is due to the configuration of the two existing residential buildings on the lot; that the proposed 3-story addition will conform with the side walls of the existing building and will not impair an adequate supply of light and air to abutting property; and that the variations, if granted, will not alter the essential character of the locality, it is therefore

MINUTES OF MEETING

July 20, 1990

Cal. No. 230-90-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 3-story addition to the rear of the front 3½-story 3-dwelling unit building, which may be connected to the rear 2½-story frame 2-dwelling unit building by a proposed stair and deck structure, whose north side yard will be 0.29' instead of 2.4' and which addition will result in a 15% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment, on premises at 1407 N. Mohawk Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Joseph and Eddie Mathers
APPEARANCES FOR: Joseph and Eddie Mathers
APPEARANCES AGAINST: John Buchanan

CAL. NO. 166-90-A
MAP NO. 22-C
MINUTES OF MEETING
 July 20, 1990

PREMISES AFFECTED— 2008 E. 93rd Street

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 James E. Caldwell
 Anthony J. Fornelli
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Joseph and Eddie Mathers, owners, on April 9, 1990, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a general business license for a video production business operated from a 1½-story brick residence, in an R3 General Residence District, on premises at 2008 E. 93rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 30, 1990, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3. §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 20, 1990; 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 1-story brick single-family residence; that the appellants are seeking a general business license to operate a movie production business from the residential building; that the appellants testified that by August 1, 1990, they will have obtained a business location in the Loop area of the City; that the proposed use does not fit within the definition of permitted Home Occupations and is not permitted in a Residence District; it is therefore

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

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

APPLICANT: Marcey Limited Partners, an Illinois Limited Partnership
APPEARANCES FOR: Gregory H. Furda
APPEARANCES AGAINST: Martin J. Oberman

CAL. NO. 83-90-S
MAP NO. 5-G
MINUTES OF MEETING
July 20, 1990

PREMISES AFFECTED— 1780 N. Marcey Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to a special hearing on August 31, 1990. For the purpose of said hearing, the Board's rule under Article VI, paragraph 3, is hereby extended two months.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
James E. Caldwell
Anthony J. Fornelli
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		
Thomas S. Moore	X		

MINUTES OF MEETING

July 20, 1990

Mr. Gregory H. Furda, for Gary Goodman Realty, presented a written request for permission to file new special use and variation applications for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles in an R5 General Residence District at 930 W. George Street to serve commercial buildings located at 945 W. George Street and 2835 N. Sheffield Avenue, for which similar applications were denied by the Board on March 16, 1990 in Calendar Nos. 66-90-S and 67-90-Z and for which an Administrative Review was filed in the Circuit Court of Cook County on May 11, 1990, No. 90 CH 4664.

Mr. Furda stated in his written request that the proposed lot has been reconfigured and internal traffic flow has been altered so as to make the use of the lot more compatible with the nearby residential uses. Draft copies of the new applications were submitted seeking a five year special use to allow a 34 automobile parking lot at 930 W. George Street to benefit the two buildings at 945 W. George Street and 2835 N. Sheffield Avenue and the following variations: a 13' front yard (south) side yard instead of 15', no west side yard instead of 7'6", and a 3' east side yard instead of 7.6".

That in deliberating Mr. Furda's request, the Board noted that notwithstanding the reconfiguration and internal traffic alteration of the proposed parking lot, the result is still a parking lot in a residential district accessory to a business use located elsewhere. That the consensus of the majority of the Board in denying the original special use parking lot application was that such a use would be an intrusion upon the residential character of the block.

Chairman Spingola then moved that the request to file the new special use and variation applications be denied, finding that the Board's original decision in this matter is final and that the applicant's filing of the Administrative Review was the appropriate action. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

July 20, 1990

Cal. No. 11-90-Z

Mr. Peter F. Anderson, owner, presented a written request for an extension of time in which to obtain necessary building permits to begin construction of a 14' x 21' 2-story addition to the front of a 2-story frame single-family residence, whose north side yard will be 1.4' instead of 2.5' and the erection of a 19.5' x 21' detached garage on the front of the lot whose front yard will be 4' instead of 15' and with no side yards instead of 2.15' each, on premises at 1915 N. Halsted Street, which variations were granted by the Zoning Board of Appeals on January 19, 1990, in Calendar No. 11-90-Z.

Mr. Anderson stated in his request that unforeseen personal circumstances have made it impossible to begin construction before July 19, 1990.

Chairman Spingola moved that the request be granted and the time in which to obtain necessary building permits to begin construction be extended to January 1, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

July 20, 1990

Cal. No. 12-90-Z

Mr. Albert H. Meers, owner, presented a written request for an extension of time in which to obtain necessary building permits to begin construction of a 19.5' x 31' garage with 2nd floor living space addition to the south side of a 2-story brick single-family dwelling on the front of a lot improved additionally with a 2-story residence at the rear, whose front yard will be 4' instead of 15' and with no south side yard instead of 5.3', on premises at 1919 N. Halsted Street, which variations were granted by the Zoning Board of Appeals on January 19, 1990, in Calendar No. 12-90-Z.

Mr. Meers stated in his request that unforeseen personal circumstances have made it impossible to begin construction before July 19, 1990.

Chairman Spingola moved that the request be granted and the time in which to obtain necessary building permits to begin construction be extended to January 1, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

July 20, 1990

Cal. No. 13-90-Z

Ms. Reven Uihlein, owner, presented a written request for an extension of time in which to obtain necessary building permits for the construction of an 11.5' x 26.34' 2-story garage with 2nd floor living space addition to the south side of a 2-story frame single-family residence on the rear of a lot improved additionally with a 2-story brick residence at the front, with no rear yard instead of 30', on premises at 1921 N. Halsted Street, which variations were granted by the Zoning Board of Appeals on January 19, 1990, in Calendar No. 13-90-Z.

Ms. Uihlein stated in her request that unforeseen personal circumstances have made it impossible to begin construction before July 19, 1990.

Chairman Spingola moved that the request be granted and the time in which to obtain necessary building permits to begin construction be extended to January 19, 1991. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
July 20, 1990

Member Fornelli moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on August 17, 1990.

Marian Rest

Secretary