

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

held in Room 569 County Building on January 20, 1995  
at 9:00 A.M. and 2:00 P.M.

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

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

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Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on December 16, 1994 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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

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

APPLICANT: Charles A. Ehredt  
 APPEARANCES FOR: Charles A. Ehredt  
 APPEARANCES AGAINST: M.E. Shober

CAL. NO. 1-95-Z  
 MAP NO. 7-J  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED-- 2634 N. Sawyer Avenue  
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

Variation denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Charles A. Ehredt, owner, on November 18, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 21' x 12' porch enclosure to the rear of a 3-story brick 4-dwelling unit building, whose south side yard will be 6 inches instead of 3 feet, on premises at 2634 N. Sawyer Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in 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 30' x 188.27' lot improved with a 3-story brick 4-dwelling unit building; that the applicant proposes to enclose an existing 3-story porch at the rear of the subject building of which the framework has already been erected; that the width of the enclosure goes beyond the existing porch width to within 6 inches of the south lot line; that although this portion of the enclosure that extends beyond the existing porch width will be open below to provide a walkway, the upper portion will be solid to within 6 inches of the lot line; that the applicant states the variation is necessary to provide for additional living space and storage; and

WHEREAS, the Board finds that any difficulty or hardship in this case has been created by the applicant; that the proposed enclosure as designed creates an unsightly intrusion into

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the established south side yard and that the grant of a variation permitting the porch extension to within 6 inches of the south lot line would alter the essential character of the neighborhood; it is therefore

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

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

APPLICANT: Raymond J. Krumsee  
 APPEARANCES FOR: Raymond J. Krumsee  
 APPEARANCES AGAINST:

CAL. NO. 2-95-Z  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 2101 N. Oakley Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Raymond J. Krumsee, owner, on November 30, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2-story brick two dwelling unit building, with no south side yard instead of 7.3 feet and which dormering will result in a 15% increase (433 sq. ft.) in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2101 N. Oakley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 30, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 30' x 100' lot improved with a pre-1880 2-story with attic brick two dwelling unit building; that the attic has already been dormered which results in a 433 sq. ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide additional bedroom and bathroom space to meet the needs of the applicant who resides on the 2nd floor; that the plight of the owner is due to the lack of adequate living space in this pre-1880 building; that said attic dormer will not impair an adequate supply of light and air to adjacent property, will be compatible with existing residential improvements in the area, and that the variations, if granted will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2-story brick two dwelling unit building, with no south side yard instead of 7.3 feet and which dormering will result in a 15% increase (433 sq. ft.) in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2101 N. Oakley 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: Miguel Herrera  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 3-95-Z  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 1712 N. Ashland Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Miguel Herrera, owner, on December 5, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a dormer addition to the rear of the attic of a 2-story brick and frame 4-dwelling unit building, whose north side yard is 0.22' and whose south side yard is 2.15' instead of 6' each and which addition will result in a 13.43% (433 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1712 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 5, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in 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 24.5' x 108' lot improved with a 2-story brick and frame 4-dwelling unit building; that the applicant constructed a dormer addition to the rear of the attic of the existing building to provide additional bedroom, bath and family room for the 2nd floor front dwelling unit which will result in a 433 sq. ft. or 13.43% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the 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 dormer addition is necessary to provide additional living space in the 2nd floor front dwelling unit; that the estimated cost of the dormer addition is \$40,000 but that to bring the subject building into zoning code compliance would cost \$60,000; that the plight of the owner is due the configuration of the existing building on this lot which has a shallow 108' depth which allows expansion only by the

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proposed attic dormer addition; that the proposed attic dormer addition will follow existing building walls and will be compatible with existing improvements and new construction in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit a dormer addition to the rear of the attic of a 2-story brick and frame 4-dwelling unit building, whose north side yard is 0.22' and whose south side yard is 2.15' instead of 6' each and which addition will result in a 13.43% (433 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1712 N. Ashland 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: Robert Mosky  
 APPEARANCES FOR: Bernard I, Citron, Robert Mosky  
 APPEARANCES AGAINST:

CAL. NO. 4-95-Z  
 MAP NO. 7-G  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 2935 & 2937 N. Lincoln Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Robert Mosky, for Benjamin B. Weiss & Maureen C. Weiss, owners, on November 30, 1994, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 12-dwelling unit building addition to the south side of an existing 3-story 14 condominium dwelling unit building, with no front yard, no south side yard, and no rear yard instead of 15 feet, 15 feet and 30 feet respectively, on premises at 2935 and 2937 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 30, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on January 12, 1995 the City Council rezoned the subject site from B5-2 to R5 General Residence specifically for the proposed residential project; that on June 17, 1994 the Zoning Board of Appeals granted variations to the applicant permitting the erection of a 2-story addition on the 1-story portion and a 3rd story addition on the 2-story portion of a 1 and 2-story brick building all of which will be used as 14 condominium dwelling units, with no south side yard instead of 30 feet, on premises at 2939-47 N. Lincoln Avenue, in Cal. No. 143-94-Z; that the subject site is a 150' x 125' lot presently improved with 2 frame buildings; that the applicant proposes to demolish the existing buildings and to erect a 3-story 12-condominium dwelling unit building with underground parking for 18 automobiles to the south side of the existing 3-story 14-condominium dwelling unit building located at 2939-47 N. Lincoln Avenue, previously approved by the Zoning Board of Appeals; 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 front,

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south side yard and rear yard variations are necessary to erect the proposed 12 condominium dwelling unit building with garage parking and inner courtyard as designed; that the plight of the owner is due to the necessity of providing 12 dwelling units in order to make the residential project economically viable and that the said 12 units cannot be provided on-site without the yard variations requested; that the proposed 3-story 12-dwelling unit building will be compatible with the mixed business and residential improvements in this area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby makes a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 12-dwelling unit building addition to the south side of an existing 3-story 14-condominium dwelling unit building, with no front yard, no south side yard and no rear yard instead of 15 feet, 15 feet and 30 feet, respectively, on premises at 2935 and 2937 N. Lincoln Avenue, upon condition that adequate space shall be provided on site for garbage containers; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Stewart Chan  
 APPEARANCES FOR: Stewart Chan  
 APPEARANCES AGAINST:

CAL. NO. 5-95-Z  
 MAP NO. 6-F  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 224 W. 26th Street

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

ACTION OF BOARD—

THE VOTE

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

Variation granted.

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

THE RESOLUTION:

WHEREAS, Stewart Chan, owner, on December 9, 1994, filed an application for a variation of the zoning ordinance to permit, in a C1-3 Restricted Commercial District, the erection of a 3-story building containing business space on the ground floor and 10 dwelling units above, with parking spaces at the rear for 8 automobiles instead of the 10 spaces required for the dwelling units, on premises at 224 W. 26th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 7, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §9.11-1(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in a C1-3 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 C1-3 Restricted Commercial District; that the subject site is a 50' x 124' lot currently improved with a vacant 1-story brick office and garage building; that the applicant proposes to erect a 3-story building at the subject site containing business space on the ground floor and 10 dwelling units above and with partial underground parking for 8 automobiles; 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 variation requested is necessary in order to make the proposed residential with ground floor business space building an economically viable project; that the plight of the owner is due to unique circumstances in that to require 10 parking spaces on site would reduce the ground floor retail space necessary to make the proposed building marketable; that the waiver of two parking spaces will not cause a significant increase in on-street parking in the area; and that the variation, if granted will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story building containing business space on the ground floor and 10 dwelling units above, with parking spaces at the rear for 8 automobiles instead of the 10 spaces required for the dwelling units, on premises at 224 W. 26th 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: Cynthia Powell, by Lawrence Bryant  
 APPEARANCES FOR: Cynthia Powell  
 APPEARANCES AGAINST:

CAL. NO. 6-95-Z  
 MAP NO. 24-E  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 9619 S. Forest Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Cynthia Powell, by Lawrence Bryant, for Cynthia Powell, owner, on December 13, 1994, 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 addition to a 1-story brick single-family dwelling, whose north side yard will be 2.51 feet instead of 6 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 9619 S. Forest Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 9, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 124.25' lot improved with a 2-story brick single-family dwelling with the said 2nd story addition currently under construction; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 2nd story addition is necessary to provide additional living space for the applicant and her family; that the plight of the owner is due to the necessity of providing additional bedrooms, bath and staircase to meet the needs of the applicant and family members; that the said 2nd story addition will be compatible with the mixed residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story addition to a 1-story brick single-family dwelling, whose north side yard will be 2.51 feet instead of 6 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 9619 S. Forest Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Board of Education & Public Building Commission of Chicago  
 APPEARANCES FOR: Langdon Neal  
 APPEARANCES AGAINST:

CAL. NO. 7-95-Z  
 MAP NO. 2-M  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 1045 S. Monitor Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Chicago Board of Education and Public Building Commission of Chicago, for the Public Building Commission of Chicago, owner, on December 13, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story addition to the north and east sides of an existing elementary school, with no east front yard and whose west front yard will be 17 feet instead of 22.5 feet each, whose north side yard will be 7 feet instead of 12 feet, and with no midway rear yard as required on a through lot, on premises at 1045 S. Monitor Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 5, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-3, §7.8-3(4), §7.9-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in 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 68,748 sq. ft. through lot improved with the 1-story George Rogers Clark Elementary School building; that the applicant proposes to erect a 2-story 33,500 sq. ft. addition to the north and east sides of the existing school building which will contain a library, gymnasium, lunchroom, science lab, computer room, classrooms and administrative space; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to alleviate severe overcrowding in the existing school building which was originally constructed in 1927; that the plight of the owner is due to the necessity of providing additional needed space to help alleviate overcrowding at the aforesaid school and provide necessary educational services; that the proposed addition will be compatible with the mixed residential and business improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOVLED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance, and that a variation be and it hereby is granted to permit the erection of a 2-story addition to the north and east sides of an existing elementary school, with no east front yard and whose west front yard will be 17 feet instead of 22.5 feet each, whose north side yard will be 7 feet instead of 12 feet, and with no midway yard as required on a through lot, on premises at 1045 S. Monitor 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: First Chicago Building Corporation  
 APPEARANCES FOR: Gregory H. Furda  
 APPEARANCES AGAINST:

CAL. NO. 8-95-Z  
 MAP NO. 1-E  
 MINUTES OF MEETING  
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PREMISES AFFECTED— 605 N. Michigan Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION

WHEREAS, First Chicago Building Corporation, for FirstNational Bank of Chicago, owner, on December 14, 1994, filed an application for a variation of the zoning ordinance to permit, partly in a B6-7 Restricted Central Business District and partly in a B7-7 General Central Business District, the change of use of the first floor and portions of the second floor and basement of a 4-story brick building from banking to general retail, with provision for one loading berth instead of two required, on premises at 605 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.10-6(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located partly in a B6-7 Restricted Central Business District and partly 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 partly in a B6-7 Restricted Central Business District and partly in a B7-7 General Central Business District; that the subject site is a parcel of land approximately 20,100 sq. ft. and is improved with a 4-story brick building occupied by the First National Bank of Chicago; that the existing building was originally constructed in 1922 and contained 4 retail stores on the first floor; that a rear addition to the original building was constructed in 1982 and included one loading dock; that a second loading dock can be accomodated between the column lines around the building's facade on the north side; that the said columns provide structural support for the building; that the applicant proposes to renovate the existing first floor area and portions of the basement and second floor into retail space; that the proposed renovation will involve approximately 24,969 sq. ft. of floor area excluding elevator shafts, stairwells, exterior walls and structural columns; that the applicant is required under the zoning ordinance to provide two 10' x 25' loading berths for the 24,969 sq. ft. of improvements in addition

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Cal. No. 8-95-Z

to the one existing loading berth; 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 the districts in that the structural columns and beams cannot reasonably be removed or altered to accommodate a loading berth; that the plight of the owner is due to unique circumstances in that the west portion of the existing building was constructed in 1922 and was not designed or intended to incorporate off-street loading and that the east or rear addition constructed in 1982 was only designed to structurally accommodate a maximum of two loading berths and that one additional loading berth, as required under the zoning ordinance as a result of the proposed renovation to the subject building, would not be possible on the site; that the subject site is served by two alleys which can accommodate delivery vehicles in the unlikely circumstances that the shared use demands of the bank and the proposed retail tenants for the one existing and the one proposed loading berth conflict; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the change of use of the first floor and portions of the second floor and basement of a 4-story brick building from banking to general retail, with provision for one loading berth instead of the two required for the aforesaid changes of use, on premises at 605 N. Michigan 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: Judith and Terry Wilczak  
 APPEARANCES FOR: Mary Ann Phillips, Terry Wilczak  
 APPEARANCES AGAINST:

CAL. NO. 9-95-Z  
 MAP NO. 11-L  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 4835 W. Cullom Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Judith and Terry Wilczak, owners, on December 15, 1995, filed an application for a special use under the zoning ordinance to permit, in an R2 Single-Family Residence District, the dormering of the attic of a 1-story brick single-family dwelling, whose combined side yards will be 5 feet instead of 9 feet required and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 4835 W. Cullom Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 125.45' lot improved with a 1-story brick single-family dwelling with the subject attic dormer currently under construction; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said dormer addition is necessary to provide additional living space to meet the needs of the applicants; that the plight of the owner is due to the applicants' need for additional bedroom space in the existing single-family dwelling; that the applicant proceeded with the construction without obtaining the necessary permit and is now seeking to legalize the said attic dormer; that the existing single-family dwelling with the said attic dormer will be compatible with other residential improvements in the neighborhood, some of which have dormer additions; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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Cal. No. 9-95-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 1-story brick single-family dwelling, whose combined side yards will be 5 feet instead of 9 feet required and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 4835 W. Cullom 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: Francisco Mata  
 APPEARANCES FOR: Francisco Mata  
 APPEARANCES AGAINST:

CAL. NO. 10-95-Z  
 MAP NO. 6-K  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 4320 W. 31st Street

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

ACTION OF BOARD—

THE VOTE

Variations denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Francisco Mata, owner, on December 12, 1994, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story addition to the rear of a 1-story frame single-family dwelling, whose west side yard will be 1 foot instead of 2.5 feet and which addition will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 4320 W. 31st Street; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in 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 1-story frame single-family dwelling with the subject 2-story rear addition currently under construction; that the applicant testified that he is adding a 2nd floor apartment but that the building would still remain a single-family dwelling; that the subject site does not have sufficient lot area for a second dwelling unit; that no evidence was presented to indicate a hardship exists or that the plight of the owner was not self-created; it is therefore

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

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

APPLICANT: Hans G. Heitmann

CAL. NO. 11-95-S

APPEARANCES FOR:

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1995

PREMISES AFFECTED— 1720 S. Loomis Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
March 17, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

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

APPLICANT: Chicago Transit Authority  
 APPEARANCES FOR: Donald J. Vogel  
 APPEARANCES AGAINST:

CAL. NO. 12-95-S  
 MAP NO. 8-E  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 3519-23 S. State Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

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

Application approved.

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

THE RESOLUTION:

WHEREAS, Chicago Transit Authority, for Harris Trust & Savings Bank, Tr. #42034, owner, on December 8, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an electric sub-station, in a C1-3 Restricted Commercial District, on premises at 3519-23 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 6, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in a C1-3 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 C1-3 Restricted Commercial District; that on April 15, 1994 the Board approved the establishment of electric sub-stations at 4710-12 S. Calumet Avenue and 5905-11 S. Prairie Avenue, and June 17, 1994 approved the establishment of an electric sub-station at 1706-12 S. Wabash Avenue; that the testimony presented in Calendar Nos. 96-94-S, 97-94-S and 151-94-S, respectively, is hereby made part of the record in this case; that the subject site in this case is a 64.5' x 119.5' unimproved lot with CTA elevated train tracks abutting its east property line; that the applicant proposes to erect an approximately 33' x 72' electric sub-station facility at the subject site; that the proposed use is necessary for the public convenience at this location due to the track configuration and requirement for providing power to the CTA Green Line trains; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be enclosed by security fencing and which will be continuously monitored from the CTA Command Center at the Merchandise Mart; that the proposed use will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

January 20, 1995

Cal. No. 12-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an electric sub-station, on premises at 3519-23 S. State Street, upon condition that the subject site shall be enclosed by a 6 feet high wrought iron fence including a lockable entry gate permitting entry to the site for regular maintenance purposes; 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: The Catholic Charities of the Archdiocese of Chicago  
 APPEARANCES FOR: David Narefsky  
 APPEARANCES AGAINST:

CAL. NO. 13-95-S  
 MAP NO. 1-F  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 641 N. LaSalle Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, the Catholic Charities of the Archdiocese of Chicago, owner, on December 14, 1994, filed an application for a special use under the zoning ordinance to permit an existing off-site accessory parking lot for use by employees, clients and visitors of the Catholic Charities Building located at 721 N. LaSalle Street, approved by the Board on August 19, 1994 in Cal. No. 208-94-S, to also function at night and on weekends as a customer and/or valet parking lot for area restaurants, in a B7-5 General Central Business District, on premises at 641 N. LaSalle Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 14, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in a a B7-5 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 B7-5 General Central Business District; that on August 19, 1994 the Board approved the applicant's special use application for the continued operation of an existing off-site accessory parking lot for the parking of private passenger automobiles at the subject site, for use by employees, clients and visitors of the Catholic Charities Building located at 721 N. LaSalle Street; that the testimony presented in Cal. No. 208-94-S is hereby made part of the record in this case; that the applicant now seeks a special use to allow the subject site property to be used at night and on weekends as a customer and/or valet parking lot for area restaurants; that the proposed use is necessary for the public convenience at this location to provide additional parking for area restaurants; that the public health, safety and welfare will be adequately protected in the location and operation of the proposed additional use of the subject parking lot which is fully improved; that the use of the subject parking lot for customer/valet parking for area restaurants will remain compatible with the existing business improvements in the area

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January 20, 1995  
Cal. No. 13-95-S

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 Zoning Administrator is authorized to permit an existing off-site accessory parking lot for use by employees, clients and visitors of the Catholic Charities Building located at 721 N. LaSalle Street, approved by the Board on August 19, 1994 in Cal. No. 208-94-S to also function at night and on weekends as a customer and/or valet parking lot for area restaurants, on premises at 641 N. LaSalle 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: Red Barrel Restaurant  
 APPEARANCES FOR: William Tarsa  
 APPEARANCES AGAINST:

CAL. NO. 14-95-S  
 MAP NO. 12-K  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 5230 S. Archer Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, Red Barrel Restaurant, for Miclei, Inc., owner, on December 15, 1994, 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 private passenger automobiles, in an M1-1 Restricted Manufacturing District, on premises a 5230 S. Archer Avenue, to serve a restaurant located at 5220 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 7, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M1-1 Restricted Manufacturing District; that the subject site is a 10,400 sq. ft. lot improved with a paved parking lot being used by patrons of the applicant restaurant which is located directly east across S. Kilbourn Avenue from the applicant restaurant; that the said use is necessary for the public convenience at this location to provide adequate off-street parking for the patrons of the restaurant; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said parking lot which will help alleviate parking congestion in the neighborhood and which will be improved and operated under the conditions hereinafter set forth; that the said parking lot will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for private passenger automobiles, on premises at 5230 S. Archer Avenue, to

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serve a restaurant located at 5220 S. Archer Avenue, upon condition that the lot shall be used solely for the parking of private passenger automobiles of patrons of the applicant restaurant located at 5220 S. Archer Avenue and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and property graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway, with a 6 feet high wrought iron fence; that striping shall be provided; that lighting shall be provided; that ingress to and egress from the parking lot shall be from S. Kilbourn Avenue; that the alley abutting the site to the north shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that landscaping shall be provided as indicated on the applicant's site plan, dated October 25, 1994; that that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: MAC Realty, Inc.  
 APPEARANCES FOR: Bernard I. Citron  
 APPEARANCES AGAINST:

CAL. NO. 15-95-S  
 MAP NO. 1-F  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 416 W. Erie Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, MAC Realty, Inc., for Western Textile Co., Inc., owner, on November 23, 1994, 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 33 private passenger automobiles, in an M1-5 Restricted Manufacturing District, on premises at 416 W. Erie Street, to fulfill the parking requirement for 105 dwelling units to be established in an existing 5 and 6 story building at 373-421 W. Erie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 23, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.4-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in an M1-5 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-5 Restricted Manufacturing District; that the subject site is a 96' x 100.22' lot improved with a parking lot and a 3-story brick commercial building; that the applicant proposes to demolish the existing building in order to utilize the entire lot for off-site accessory parking; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for 105 dwelling units to be established in an existing 5 and 6-story building at 373-421 W. Erie Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot will be compatible with existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

January 20, 1995  
Cal. No. 15-95-S

Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 31 automobiles, on premises at 416 W. Erie Street, to fulfill the parking requirement for 105 dwelling units to be established in an existing 5 and 6-story building at 373-42 W. Erie Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles only and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot; that wrought iron fencing shall be provided on the north and south lot lines, excepting the driveways; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from W. Erie Street; that the alley abutting the site to the north shall not be used for ingress nor for egress; that the driveways shall be constructed in accordance with applicable ordinances; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance; and be it further

RESOLVED, that the owner(s) of the land shall be bound by covenants filed of record in the Office of the Recorder of Deeds of Cook County requiring the owner(s), his or her heirs and assigns to maintain the required number of parking facilities throughout the existence of the principal use.

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

APPLICANT: C<sub>2</sub> Ltd., Inc.

CAL. NO. 16-95-S

APPEARANCES FOR:

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1995

PREMISES AFFECTED— 1420 W. Grace Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
March 17, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Monument of Faith Evangelistic Church  
 APPEARANCES FOR: Ana Cusak Marcyan  
 APPEARANCES AGAINST:

CAL. NO. 17-95-S  
 MAP NO. 18-I  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 2600-2766 W. Columbus Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

Application approved.

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

THE RESOLUTION:

WHEREAS, Monument of Faith Evangelistic Church, for Southwest Investment Corporation, owner, on October 17, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 2,000-seat church in a former shopping center building, in a C2-1 General Commercial District, on premises at 2600-2766 W. Columbus Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 14, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-1(1), §9.11-1(5),"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in a C2-1 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 C2-1 General Commercial District; that the subject site is an irregular shape 425,736 sq. ft. lot improved with a large 1-story vacant shopping center with parking lot; that the applicant church is presently located at 7359 S. Chappel Avenue; that the applicant seeks to establish a 2,000-seat church in the former shopping center building; that the applicant church congregation has outgrown its present facilities and that the establishment of the proposed church at the subject site is necessary to meet the needs of the congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will comply with all applicable building code regulations and which will provide on-site parking for 528 automobiles; that the subject shopping center building has been vacant for some time and that the establishment of a 2,000-seat church at the subject site will be an improvement 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



MINUTES OF MEETING  
January 20, 1995  
Cal. No. 17-95-S

Zoning Administrator is authorized to permit the establishment of a 2,000-seat church in a former shopping center building, on premises at 2600-2766 W. Columbia Avenue, upon condition that no use shall be made of the premises for the purpose requested until the premises conforms to all applicable building code regulations with plans and permits obtained indicating such compliance and that the following conditions shall have been complied with: that the parking area 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 wrought iron fencing shall be provided on the periphery of the lot, excepting driveways; that security sliding gates shall be provided at the established entrances/exits; that lighting shall be provided; that striping shall be provided; that the driveways shall be constructed in accordance with applicable ordinances; that landscaping shall be provided as indicated on the applicant's master plan prepared by Gazso Design Architects and Landscape Architects, dated January 20, 1995; 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 the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Marcey Street Venture

CAL. NO. 18-95-S

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1995

PREMISES AFFECTED— 1780 N. Marcey Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
February 17, 1995.

THE VOTE

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

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

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

APPLICANT: Robert Stevens  
 APPEARANCES FOR: Robert Stevens  
 APPEARANCES AGAINST:

CAL. NO. 19-95-A  
 MAP NO. 17-1  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 2811 W. Touhy Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Robert Stevens, for Chicago Title & Trust Co., Tr. #1073493, owner, on December 1, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a Reader and Advisor (ESP) business in a 1-story brick multi-store building, in a B2-1 Restricted Retail District, on premises at 2811 W. Touhy Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District in a store located in a 1-story brick multi-store building which also contains a gift shop, and surgical supply store, B2 uses; that the said Reader and Advisor (ESP) business is first permitted in a B4 Restricted Service District; that under Section 8.3-2 of the zoning ordinance the Board has no authority to permit the said use at the subject site; it is therefore

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

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

APPLICANT: Juan Ojeda & Bertha Najera Ojeda  
 APPEARANCES FOR: Juan Ojeda  
 APPEARANCES AGAINST:

CAL. NO. 20-95-A  
 MAP NO. 5-K  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 2318 N. Karlov Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Juan Ojeda and Bertha Najera Ojeda, owners, on November 21, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an additional dwelling unit in the attic of a 1½-story frame single-family dwelling, in an R3 General Residence District, on premises at 2318 N. Karlov Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is located in an R3 General Residence District and is improved with a 1½-story frame residential building with attic dormer and separate entrance to said dormer located on the south side of the building; that although the appellant's appeal stated he was seeking to establish an additional dwelling unit in the attic of the subject building and the Denial of Zoning Certification stated he was seeking to establish a dwelling unit in the attic, the appellant testified that he was not seeking to establish the said dwelling unit but to legalize the outside staircase which was built without proper permit; that no testimony was presented indicating a second dwelling unit exists in the subject residential building; that the appellant has insufficient space on this 3,704 sq. ft. lot for a second dwelling unit; that under Section 7.5-3 of the zoning ordinance the Board has no authority to permit a second dwelling unit at the subject site; it is therefore

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

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

APPLICANT: Benito Galvan  
 APPEARANCES FOR: Benito Galvan  
 APPEARANCES AGAINST:

CAL. NO. 21-95-A  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 932 N. Noble Street  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Benito Galvan, for Ronald G. and Yolanda Borchardt, owners, on December 6, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 3-story brick store and apartment building, in an R4 General Residence District, on premises at 932 N. Noble Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 25, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 3-story brick store and apartment building; that the appellant seeks to establish a grocery store in the first floor store premises in the subject building; that the appellant testified that the subject store premises has been vacant and unoccupied for the past 10 years; that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the establishment of the proposed use in the subject store premises; it is therefore

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

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

APPLICANT: Brian Udell  
 APPEARANCES FOR: James M. Bailey, Brian Udell, Bart Udell  
 APPEARANCES AGAINST: Gary I. Wigoda et al.

CAL. NO. 22-95-A  
 MAP NO. 9-G  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 3701-09 N. Clifton Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Brian Udell, owner, on December 9, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing parking lot as a Class III parking lot, in an R4 General Residence District, on premises at 3701-09 N. Clifton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 6, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is located in an R4 General Residence District and improved as a paved parking lot consisting of four 25' x 120' lots identified in the legal description as lots 24, 25, 26 and 27; that the appellant or his family has owned the south 2 lots, lots 26 and 27, about forty years and the north 2 lots, lots 24 and 25, about thirty years; that the previous owner of the south 2 lots was granted a special use, under certain conditions, to use the lots as a parking lot by the Zoning Board of Appeals on June 8, 1954 in Cal. No. 277-54-S; that the south 2 lots have been used as a parking lot since the Board's grant and that the north 2 lots have also been used as a parking lot since 1964, but without any Board approval; that the appellant has used all 4 lots as a public parking lot since 1987 under a Public Garage Class III license originally using 3701 N. Clifton Avenue as a common address and seeks to continue to operate the lot in such a manner; that said license permits the operation of the subject site as a parking lot only during the times when the Chicago Cubs are playing at Wrigley Field and no more than two hours before and after the games; that objectors stated that the lot has been used at various times when the Cubs are not playing as a parking lot for other businesses in the area, truck and bus parking, and sale of Christmas trees; and

MINUTES OF MEETING  
January 20, 1995  
Cal. No. 22-95-A

WHEREAS, the Board finds that all four of the lots comprising the subject site have been used as a Public Garage Class III parking lot since 1987 at which time the use was permitted in the R4 district; that an amendment to the zoning ordinance on February 9, 1994 making a Public Garage Class III a special use in the district now makes the use of the subject site as a Public Garage Class III a legal special use pursuant to Section 5.10 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of the 100' x 120' subject site as a Public Garage Class III parking lot as a legal special use pursuant to Section 5.10 of the zoning ordinance, on premises at 3701-09 N. Clifton Avenue, upon condition that the use of the site as a parking lot shall be operated only during those times that the Chicago Cubs are playing at Wrigley Field and no more than two hours before and after the game but at no other times; that to insure that the parking lot is not operated beyond the scope of Sections 4-232-170(c) and 4-232-190 of the Municipal Code of Chicago and in order to be more compatible with the residential uses in the area, a 4 feet high wrought iron fence including wrought iron lockable gates shall be erected along the east, west and south lot lines; that the existing wooden fence and steel beam guard rail along the north lot line shall be maintained; that there shall be no use of the subject site other than that permitted under the Public Garage Class III license as stated in the above-referenced municipal codes and that the access gates shall be locked at all times the parking lot is not legally operating; and that all other applicable ordinances of the City of Chicago shall be complied with before the license is issued.

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

APPLICANT: Hector Gramajo  
 APPEARANCES FOR: Hector Gramajo  
 APPEARANCES AGAINST:

CAL. NO. 23-95-A  
 MAP NO. 13-H  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 5216 N. Damen Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Hector Gramajo, for S & P Management, owner, on December 14, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an audio-video repair shop in conjunction with retail sales of same in a store in the basement of a 3-story brick multiple apartment building, in a B2-2 Restricted Retail District, on premises at 5216 N. Damen Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is improved with a 3-story brick multiple apartment building with store premises located on the ground/basement level; that the appellant proposes to sell at retail audio-video electronics in the subject store at the subject site; that the appellant also intends to do repair of audio-video equipment as an accessory use only to the principal retail sales activity; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of audio-video repair as an accessory use only in conjunction with the retail sales of same in a store in the basement of a 3-story brick multiple apartment building, on premises at 5216 N. Damen Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.



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

APPLICANT: U Send Me Travel, Inc.  
 APPEARANCES FOR: Alfrieda Dockery  
 APPEARANCES AGAINST:

CAL. NO. 24-95-A  
 MAP NO. 12-D  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 841 E. 47th Street  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, U Send Me Travel, Inc., for Near North Properties, owner, on December 15, 1994, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a travel agency in a store in the basement of a 3-story brick multiple apartment building, in an R5 General Residence District, on premises at 841 E. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 7, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 20, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 3-story brick multiple apartment building with basement stores occupied by a beauty shop, a real estate office and doctors' offices, all B2 uses; that the appellant seeks to establish a travel agency, a B2 use, in a store in the subject building which was previously occupied by business uses, the last use having been a day care center which ceased operation due to inability to secure adequate financing; that licensing requirements have caused the case to be filed; that the change of use from a day care center to a travel agency is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a travel agency in a store in the basement of a 3-story brick multiple apartment building, on premises at 841 E. 47th Street, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Monday through Friday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: BBI Enterprises, Inc. d/b/a Top Shelf  
 APPEARANCES FOR: John J. Pikarski, Jr., Reed Lee  
 APPEARANCES AGAINST: Rob Buono

CAL. NO. 25-95-S  
 MAP NO. 1-F  
 MINUTES OF MEETING  
 January 20, 1995

PREMISES AFFECTED— 310 W. Huron Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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

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

THE RESOLUTION:

WHEREAS, BBI Enterprises, Inc. d/b/a Top Sheff, for Jose A. Bilbao, owner, on December 20, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of 20 leased spaces in an existing parking lot as off-site accessory parking, in an M1-5 Restricted Manufacturing District, on premises at 310 W. Huron Street, to satisfy the parking requirement for an Adult use (adult entertainment cabaret) at 600 N. Orleans Street, which use has been formerly denied by the Zoning Board of Appeals on December 8, 1993 in Cal. No. 303-93-S; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 16, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provision of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.4-1(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on January 3, 1995; and

WHEREAS, the district maps show that the premises is located in an M1-5 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is an existing parking lot having 257 feet of frontage along W. Huron Street with a depth of 105 feet and operated as a public parking lot by Allright Parking Chicago, Inc., as lessee under three separate land leases; that the applicant has submitted a lease for 20 parking spaces at the subject premises executed between the applicant and the lessee Allright Parking Chicago, Inc. for a term running from August 1, 1994 until October 31, 1999, but which has a termination clause stating that Allright may terminate the lease upon 30 days notice to the applicant in the event Allright's lease is terminated by the landlord; that the applicant seeks a Special Use to establish said 20 parking spaces as off-site accessory parking to satisfy the parking requirement imposed by the Department of Planning for an Adult Use at 660 N. Orleans Street, which use has been formerly denied by the Board on December 8, 1993 in Cal. No. 303-93-S; that evidence was presented that indicates a lease for 125 feet of frontage of the subject parking lot exists between Jerome H. Meyer and Co., owner and beneficiary of the land trust, and Allright Parking Chicago,

MINUTES OF MEETING

January 20, 1995

Cal. No. 25-95-S

Inc. only until February 29, 1996 and contains no renewal options; that a letter from Allright Parking to the applicant, dated January 19, 1995, stating that the "lease" between Allright Parking and the applicant is canceled for non-payment was presented and stipulated to by the parties; and

WHEREAS, the Board finds the Standards required under Section 11.10-4 of the zoning ordinance for the granting of any Special Use have not been met in this case for the following reasons: that the instant special use application is for an off-site accessory parking lot for 20 automobiles to satisfy the parking requirement for a use that the Board denied as a Special Use on December 8, 1993 in its Cal. No. 303-93-S; that the principal use for which this application is accessory to has been found by this Board to be unlawful, therefore there is no logical way that the Board can determine that the proposed use in this case is necessary for the public convenience at this location and that the application appears to be a request for an advisory opinion which the Board has no authority to render; that the public health, safety and welfare cannot be adequately protected in the granting of this application in that Section 5.8-5 of the zoning ordinance requires that an accessory off-site parking lot shall be in the same possession as the principal use to which it is accessory to, such possession may be by deed or long term lease, the term of such lease, when provided for as a Special Use, to be determined by this Board; that the lease submitted by the applicant for the subject site with its 30 day cancellation clause inuring to the lessor is effectively a month to month tenancy agreement that does not constitute a long term lease that guarantees the required parking at all times the principal use is operating as required in Section 5.8-5; that it may even prove out that the applicant does not have any legal right to use the subject lot as evidenced by the cancellation letter from Allright Parking; that the application itself appears to be faulty in that the land owner of almost 50% of the subject site is not listed on the application nor in the letter required to property owners, as required by law; and that the testimony presented by the applicant's traffic expert is found to be irrelevant and not germane to the standards required for the special use approval requested in this case; it is therefore

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

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

APPLICANT: Philip L. Goldberg, by Barry Ash  
 APPEARANCES FOR: Barry Ash, Philip L. Goldberg  
 APPEARANCES AGAINST: James Kellerman

CAL. NO. 326-94-Z  
 MAP NO. 3-H  
 MINUTES OF MEETING  
 December 2, 1994 and  
 January 20, 1995

PREMISES AFFECTED— 1468-72 N. Paulina Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Philip L. Goldberg, by Barry Ash, for Philip L. Goldberg, owner, on October 31, 1994, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a U-shape 3-story 8-dwelling unit townhouse building, with no north front yard, no east side yard, and whose south rear yard will be 2.4 feet, instead of 8.4 feet, 6 feet, and 30 feet, respectively, on premises at 1468-72 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 28, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §7.9-5, §8-5(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on December 2, 1994 and its regular meeting held on January 20, 1995 after due notice thereof by publication in the Chicago Sun-Times on November 17, 1994; 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 on October 5, 1994 the City Council rezoned the subject site from R4 General Residence to R5 General Residence specifically for the proposed residential development; that the subject site is a 70' x 100' unimproved lot; that the applicant proposes to erect a 3-story 8 dwelling unit townhouse building with courtyard and interior garage parking spaces 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 the yard variations requested are necessary to make the project financially feasible and aesthetically acceptable; that the plight of the owner is due unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for attached single-family townhouses, which arrangement, as designed, require greater land coverage and encroachment into the required front, south and east yard setbacks; that the proposed 3-story 8 dwelling unit townhouse building will be compatible with the majority of existing residential improvements in the area, many of which do not conform with the front and side yard setback requirements of the zoning

MINUTES OF MEETING

December 2, 1994 and  
January 20, 1995  
Cal. No. 326-94-Z

ordinance; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a U-shape 3-story 8-dwelling unit townhouse building, with no north front yard, no east side yard, and whose south rear yard will be 2.4 feet, instead of 8.4 feet, 6 feet, and 30 feet respectively, on premises at 1468-72 N. Paulina Street, upon condition that adequate space shall be provided within the townhouse's garages for garbage containers; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: St. Elizabeth the Catholic Worker

CAL. NO. 352-94-S

APPEARANCES FOR:

MAP NO. 20-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1995

PREMISES AFFECTED— 8025 S. Honore Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
April 21, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Genesis Day School Central

CAL. NO. 354-94-S

APPEARANCES FOR:

MAP NO. 18-J

APPEARANCES AGAINST:

MINUTES OF MEETING  
January 20, 1995

PREMISES AFFECTED— 7831 S. Lawndale Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
March 17, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

MINUTES OF MEETING

January 20, 1995

Cal. No. 92-94-Z

Terry L. Diamond, for The Chicago Board of Education, applicant, presented a request for an extension of time in which obtain necessary building permits for the erection of a 3-story annex addition to the south side of an existing elementary school (Hedges Elementary School), whose front yard will be 4 feet instead of 20 feet, with no rear yard instead of 30 feet, and whose total floor area ratio will be 1.68 instead of 0.70, on premises at 4735-47 S. Winchester Avenue, which variations were granted by the Zoning Board of Appeals on April 15, 1994, in Calendar No. 92-94-Z.

Ms. Diamond stated that the State of Illinois Capital Development Board is providing the funds for this aforesaid 3-story addition to the Hedges Elementary School and on November 14, 1994 authorized the construction of the new addition. The architects for the project could not apply for a building permit for this project until it received authorization from the Capital Development Board and subsequently are requesting an extension of the variation granted by the Board on April 15, 1994.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to April 15, 1995. The motion prevailed by yeas and nays as follows:

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



MINUTES OF MEETING  
January 20, 1995

Member McCabe-Miele moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on February 17, 1995.

*Marian Rest*  
\_\_\_\_\_  
Secretary