

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

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

held in Room 569 County Building, 118 N. Clark Street, on Friday, February 21, 1997.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
LeRoy K. Martin
Gigi McCabe-Miele
Joseph S. Moore
Demitri Konstantelos

MINUTES OF MEETING

February 21, 1997

Member LeRoy Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on January 17, 1997 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

MINUTES OF MEETING

February 21, 1997

Cal. No. 17-96-S

James D. Adinamis, for Pamela Wollis, applicant, presented a written request for an extension of time in which to establish a tavern in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 3422 W. 111th Street, approved by the Zoning Board of Appeals on January 19, 1996, in Cal. No. 17-96-S.

Mr. Adinamis stated that due to legal difficulties and delays encountered by his client in dealing with the License Appeal Commission of Chicago and the Mayor's License Commission, the period of validity of the special use granted by the Board on January 19, 1996 has expired. Mr. Adinamis is now on behalf of his client, Pamela Wollis, requesting an extension of time in which to resolve the legal difficulties and obtain the necessary liquor license.

Chairman Spingola moved that the request be granted and the time for obtaining the necessary liquor license be extended to January 19, 1998. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: Venture Enterprises, Ltd.

CAL. NO. 41-97-Z

APPEARANCES FOR:

MAP NO. 26-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 10346 S. Halsted Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Madison Bishop, L. L. C. **CAL. NO.** 42-97-Z
APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 1-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 1 N. Bishop Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Madison Bishop, L. L. C. , owner, on November 26, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story plus penthouse 16-dwelling unit townhouse building, whose front yard will be 1.3' instead of 15' and whose rear yard will be 1' instead of 30', on premises at 1 N. Bishop Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 26, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 7.9-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; 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 on November 7, 1996, the City Council rezoned the subject site from C2-3 General Commercial zoning to R5 General Residence zoning specifically for the proposed residential project; that the subject site is a 125.29' x 169.9' unimproved lot located on the northeast corner of N. Bishop and W. Madison Streets; that the applicant proposes to erect 3-story plus penthouse 16 dwelling unit townhouse building with ground floor parking garages; that an interior courtyard area will be located on top of the ground floor parking garages; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide on-site interior ground floor parking garages and adequate living space in the dwelling units in order to obtain a fair return on investment; that the plight of the owner is due to unique circumstances in that if the front and rear yard requirements were adhered to it would be economically unfeasible to construct the proposed building; that the proposed 16-dwelling unit townhouse building will be compatible with existing improvements in the area, many of which do not comply with yard requirements of the zoning ordinance; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

February 21, 1997

Cal. No. 42-97-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 zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story plus penthouse 16-dwelling unit townhouse building, whose front yard will be 1.3' instead of 15' and whose rear yard will be 1' instead of 30', on premises at 1 N. Bishop Street, upon condition that adequate space shall be provided in the parking 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: Wharton Group, L. L. C.

CAL. NO. 43-97-Z

APPEARANCES FOR:

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 858-72 N. Elston Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Senco, c/o Property Consultants

CAL. NO. 44-97-Z

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 1724 N. Winnebago Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Jetty Gregory

CAL. NO. 45-97-Z

APPEARANCES FOR:

MAP NO. 22-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 9425 S. Throop Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED ON THE BOARD'S OWN MOTION TO APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Dvora & Michael Nussbaum **CAL. NO.** 46-97-Z
APPEARANCES FOR: Dvora & Michael Nussbaum **MAP NO.** 15-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 6141 N. Drake Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Dvora & Michael Nussbaum, owner, on December 18, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 single-Family Residence District, the erection of a 2nd floor 7' x 7.92' addition and a 1-story 18.97'- x 24.65' rear addition to a 2-story brick single family dwelling, whose maximum floor area ratio will be 0.64 instead of 0.50, on premises at 6141 N. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 17, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically Section 7.6-2."

and
 WHEREAS, a public hearing was held on this application by the zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; 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 proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 45' x 124.445' lot improved with a 2-story brick Georgia-style single-family residence; that the applicants propose to erect a 2nd floor 7' x 7.92' addition and a 1-story 18.97'- x 24.65' rear addition to the existing single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to provide additional living space to meet the needs of the applicants and their family; that the plight of the owner is due to unique circumstances in that the applicants belong to a religiously observant Jewish community which requires residence within walking distance to their synagogue; that there is no alternative housing available to the applicants within the immediate community to meet their additional space requirements; that the proposed additions will be compatible with the existing residential improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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February 21, 1997

Cal. No. 46-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd floor 7' x 7.92' addition and a 1-story 18.97'- x 24.65' rear addition to a 2-story brick single family dwelling, whose maximum floor area ratio will be 0.64 instead of 0.50, on premises at 6141 N. Drake Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued..

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

APPLICANT: Joseph Leja
APPEARANCES FOR: Joseph Leja
APPEARANCES AGAINST:
PREMISES AFFECTED- 5950 W. Dakin Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

CAL. NO. 47-97-Z
MAP NO. 9-M
MINUTES OF MEETING:
 February 21, 1997

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Joseph Leja, owner, on December 24, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, a storage addition to the east side of an existing detached garage on the rear of the lot accessory to the residence on the front of the lot, which accessory garage and addition will occupy 70% (778 sq. ft.) of the required rear yard instead of the maximum 60% (676 sq.ft.), on premises at 5950 W. Dakin Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 24, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 5.6-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; 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 37.61' x 122' lot improved with a 2-story frame single-family dwelling on the front of the lot and an existing detached accessory garage on the rear of the lot with a storage addition located on the east side of the garage structure; that testimony presented indicates that the applicant constructed the said storage addition in violation of the building permit which was issued for the construction of the detached accessory garage only; that no testimony was presented to indicate that a unique hardship exists and that the alleged hardship is self-created; 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

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February 21, 1997

Cal. No. 48-96-S

Elka Geller Nelson, for Vinnie Amerson, applicant, presented a written request for an amendment to the special use approved by the Zoning Board of Appeals on February 16, 1996, for the establishment of a tavern in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 2863 E. 93rd Street, in Cal. No. 48-96-S.

Ms. Nelson stated that Ms. Amerson is also the sole owner, sole officer and sole director of Nikitazay, Inc., a corporation, incorporated subsequent to obtaining the special use approval. Due to a lack of legal assistance and lack of knowledge, Ms. Amerson applied for a liquor license in the name of the corporation, Nikitazay, Inc. and was denied a liquor license by the License Commission due to the difference in the name of her special use resolution issued by the Zoning Board of Appeals and the liquor license application.

Ms. Nelson now requests, on behalf of Vinnie Amerson, that the resolution granted to her to operate the tavern at 2863 E. 93rd Street in Cal. No. 48-96-S be amended to reflect the applicant in the case as Nikitazay, Inc. which will be the licensee.

Chairman Spingola stated that the record of the case clearly shows that Vinnie Amerson was to be the owner and operator of the tavern and moved that the requested amendment be approved and the resolution approved in Cal. No. 48-96-S be amended to reflect that Nikitazay, Inc. is the applicant in this case. The motion prevailed by yeas and nays as follows:

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

Elka Geller Nelson, for Vinnie Amerson, applicant, presented a written request for an extension of time in which to obtain necessary licenses in the establishment of a tavern in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 2863 E. 93rd Street, approved by the Zoning Board of Appeals on February 16, 1996 in Cal. No. 48-96-S.

Ms. Nelson stated that Vinnie Amerson obtained special use approval on February 16, 1996 for the establishment of a tavern at 2863 E. 93rd Street in Cal. No. 48-96-S. Shortly thereafter, Ms. Amerson applied for a liquor license in the name of a corporation, Nikitasay, Inc. of which she is the sole owner, sole officer and sole director. Ms. Amerson was denied a liquor license on January 8, 1997 in the name of her corporation due to the aforesaid inconsistency. Ms. Amerson now requests that the special use granted be extended as she is appealing the denial of the liquor license and believes the matter may not be completed before the validation of the special use granted by the Board expires on February 16, 1997.

Chairman Spingola moved that the request be granted and the time for obtaining a liquor license be extended to February 16, 1998. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: 730 N. Michigan Avenue Venture **CAL. NO.** 48-97-Z
APPEARANCES FOR: Jack Guthman **MAP NO.** 1-E
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 February 21, 1997
PREMISES AFFECTED- 730 N. Michigan Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, 730 N. Michigan Avenue Venture, for American National Bank & Trust Co. of Chicago, Tr. Nos. 118199-01 & 4866208 & Robert L. Stern, owner, on December 30, 1996, filed an application for a variation of the zoning ordinance to permit, partly in B6-6 and partly in B7-6 Restricted and General Central Business Districts, the erection of a 3 to 4 story building containing 232,000 sq.ft. of floor area for retail and other permitted uses, with 3 of the 4 required loading berths to be 10' x 40' instead of 10' x 50' required, on premises at 730 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 4, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.10-1 (3), 8.10-6."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

WHEREAS, the district maps show that the premises is located partly in B6-6 and partly in B7-5 Restricted and General Central Business Districts; 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 B6-6 and partly in B7-6 Restricted and General Central Business Districts; that the subject site is a 62,062 sq.ft. lot with the 3 to 4-story building under construction; that the said building will contain 232,000 sq. ft. of floor area for retail and other permitted uses; that on July 10, 1996, the City Council passed an ordinance amending Article 11.7-4 of the zoning ordinance to allow the Zoning Board of Appeals to reduce the length of any required 50 foot loading berth, but in no event to a length of less than 25 feet; 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 would allow accommodation of smaller delivery vehicles and an increase in the size of the loading dock area within the property which will result in more storage area on the docks, easier unloading and a quicker turn-around time of delivery vehicles; that the plight of the owner is due to unique circumstances in that almost all deliveries to the proposed 3 to 4 story retail building will be made by smaller delivery vehicles and that to provide four 50 foot berths would result in reduced operating efficiency

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Cal. No. 48-97-Z

and loss of valuable ground floor space; that the proposed loading docks will help alleviate delivery vehicle congestion in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred 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 to 4-story building containing 232,000 sq.ft. of floor area for retail and other permitted uses, with 3 of the 4 required loading berths to be 10' x 40' instead of 10' x 50', on premises at 730 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: Englewood Community Health Organization **CAL. NO.** 49-97-S
APPEARANCES FOR: Thomas Hefty **MAP NO.** 16-G
APPEARANCES AGAINST:
PREMISES AFFECTED- 6859 S. Peoria Street
MINUTES OF MEETING:
 February 21, 1997
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Englewood Community Health Organization for Englewood Community Health Organization and Chicago Title & Trust Co., Tr. #1095770, owner, on December 5, 1996, filed an application for the approval of the location and the establishment of an off-site accessory parking lot for 24 private passenger automobiles, partly in a B4-2 Restricted Service District and partly in an R3 General Residence District, on premises at 6859 S. Peoria Street, to fulfill the parking requirement for a proposed medical clinic building at 845 W. 69th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

WHEREAS, the district maps show that the premises is located partly in a B4-2 Restricted Service District and partly 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 partly in a B4-2 Restricted Service District and partly in an R3 General Residence District; that the subject site is a 75' x 125' lot improved as a parking lot; that the said use is necessary for the public convenience at this location to fulfill the parking requirement for a proposed medical clinic building at 845 W. 69th Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said parking lot to be improved and operated under the conditions herein after set forth; that the said parking lot is located directly north across W. 69th Street from the proposed medical clinic building and with landscaping and fencing 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 24 private passenger automobiles, on premises

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Cal. No. 49-97-S

at 6859 S. Peoria Street, to fulfill the parking requirement for a proposed medical clinic building at 845 W. 69th Street, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed with 4 feet high wrought-iron fencing, excepting the driveway; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential property to the north; that ingress and egress shall be from W. 69th Street; that the alley abutting the site to the east shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that the lot shall be securely locked at all times when not in use by the proposed medical clinic building; that landscaping shall be provided as illustrated on the landscape plan prepared by Wendall Campbell Associates, Inc., dated November 20, 1996; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Walgreen Company

CAL. NO. 50-97-S

APPEARANCES FOR: David Grobart

MAP NO. 7-L

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 5140 W. Diversey Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Walgreen Co., for Capitol Bank & Trust of Chicago, Tr. #841 and Chicago Title & Trust Co., Tr. #51843, owner, on December 6, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with an existing drug store, in a B4-2 Restricted Service District, on premises at 5140 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered, December 6, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.3-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 410' x 125' lot improved with an existing retail drug store and parking area; that the subject site premises was previously occupied by an F & M discount store; that the applicant proposes to establish a double drive-through facility in conjunction with the existing retail drug store at the subject site; that the proposed use is necessary for the public convenience at this location to provide pharmacy customers, particularly the elderly, handicapped and mothers with small children, with a convenient drop-off and pick-up service; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions and standards hereinafter set forth; that the proposed drive-through facility 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 a drive-through facility in conjunction with an existing retail drug store, on premises

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February 21, 1997

Cal. No. 50-97-S

at 5140 W. Diversey Avenue, upon condition that lighted directional ingress and egress signs shall be erected at the established entrance and exit; that ingress to the drive-through facility shall be from W. Diversey Avenue at the southwest portion of the site and egress shall be from the southeast corner of the site onto W. Diversey Avenue; that the alley abutting the site to the north shall not be used for ingress nor for egress; that a 4-foot high wrought-iron fence shall be erected on the north and east lot lines; that striping and lighting shall be provided; that landscaping shall be provided in accordance with applicable provisions of the Chicago Landscape Ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Kenneth Pasiewicz **CAL. NO.** 51-97-S
APPEARANCES FOR: John J. Pikarski, Jr., Kenneth Pasiewicz **14-K MAP NO.**
APPEARANCES AGAINST: Donna Krivich, Ed Tully, et al **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 4401-15 W. 55th Street
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Kenneth Pasiewicz, for Danny Trousdale, owner, on December 9, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in six proposed 2-story 2-dwelling unit buildings, in a B4-1 Restricted Service District, on premises at 4401-15 W. 55th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.4-2 (3). 8.7-2."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is composed of six 26.67' x 125' lots which is presently improved with a gas station; that the applicant proposes to establish dwelling units below the 2nd floor in six proposed 2-story 2-dwelling unit buildings at the subject site; that no evidence was presented to indicate that the establishment of dwelling units below the 2nd floor in the proposed six 2-dwelling units buildings is necessary for the public convenience at this location; that representatives of community organizations testified in opposition to the proposed project to the effect that the proposed residential project is an overbuilding of the site and that single-family dwellings or business uses with off-street parking are desired in the neighborhood and not multi-family dwelling units; that no evidence was presented to indicate that the establishment of the six proposed 2-dwelling unit buildings are so designed and located that the public health, safety and welfare will be protected; 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: Kenneth Pasiewicz **CAL. NO.** 52-97-Z
APPEARANCES FOR: John J. Pikarski, Jr., Kenneth Pasiewicz **MAP NO.** 14-K
APPEARANCES AGAINST: Donna Krivich, Ed Tully, et al. **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 4401, 4405, 4407, 4411, 4413 and 4415 W. 55th Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Kenneth Pasiewicz, for Danny Trousdale, owner, on December 9, 1996, filed an application for a variation of the zoning ordinance to permit, in a B2-1 Restricted Retail District, the erection six 2-story 2-dwelling unit buildings, whose side yard will be 2.5' each instead of 5 feet each, on premises at 4401, 4405, 4407, 4411, 4413 and 4415 W. 55th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.4-2 (3), 8.7-2."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is composed of six 26.67' x 125' lots and is improved with a gasoline filling station; that on February 21, 1997, in Cal. No. 51-97-S, the Zoning Board of Appeals denied the applicant's companion request for approval of the establishment of dwelling units below the 2nd floor in six proposed 2-story 2-dwelling unit buildings at the subject site finding that the proposed use was not necessary for the public convenience at the subject site and that no evidence was presented to indicate that the six proposed 2-dwelling unit buildings are so designed and located that the public health, safety and welfare will be protected; that the denial by the Zoning Board of Appeals of the applicant's special use application negates the need for the yard variations requested in the instant application; 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: Michael J. Gannon **CAL. NO.** 53-97-S
APPEARANCES FOR: John J. Pikarski, Jr., Michael J. Gannon **MAP NO.** 5-H
APPEARANCES AGAINST: P. Wilk, Stanley Odom **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 1925 N. Damen Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Michael J. Gannon, for Paulette M. Golan, owner, on December 9, 1996, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building, in a B4-2 Restricted Service District, on premises at 1925 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 1996, 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, 8.4-4 (3), 8.7-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 24' x 125' lot improved with a 2-story with basement single family dwelling located at the rear of the lot and below grade level; that the applicant proposes to demolish the exiting single-family dwelling and erect a 3-story 3-dwelling unit condominium building with a dwelling unit below the 2nd floor; that on-site parking space will be provided at the rear of the lot; that the proposed use is necessary for the public convenience at this location in that there is no demand for first floor business uses in the area and a growing demand for residential units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed 3-dwelling unit building which provides adequate on-site parking spaces at the rear of the proposed building; and that the proposed 3-dwelling unit building will be compatible with the predominantly residential character of the neighborhood in which it is to be located; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building, on premises at 1925 N. Damen Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Michael J. Gannon **CAL. NO.** 54-97-Z
APPEARANCES FOR: John J. Pikarski, Jr., Michael J. Gannon **MAP NO.** 5-H
APPEARANCES AGAINST: P. Wilk, Stanley Odom **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 1925 N .Damen Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Michael J. Gannon, for Paulette M. Golan, owner, on December 9, 1996, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 3-dwelling unit building, whose front yard will be 7.5' instead of 15', whose north side yard will be 2' and whose south side yard will be 2.33' instead of 2.4' each, on premises at 1925 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 1996, 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, 8.4-4(3), 8.7-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that on February 21, 1997, the Board approved the establishment of dwelling units below the 2nd floor in a proposed 3-story 3-dwelling unit building at the subject site, in Cal. No. 53-97-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the 3 dwelling unit building at the subject site would prove economically unfeasible; that the plight of the owner is due to narrow width of the subject lot which necessitates the requested yard variations in order to provide adequate living space in the 3 dwelling units as designed; that the proposed 3-story 3-dwelling unit building will be compatible with existing improvements in the area and will not alter the essentially residential character of the locality; it is therefore

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MINUTES OF MEETING

February 21, 1997

Cal. No. 54-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 3-dwelling unit building, whose front yard will be 7.5' instead of 15', whose north side yard will be 2' and whose south side yard will be 2.33' instead of 2.4' each, on premises at 1925 N. Damen Avenue, upon condition that adequate space shall be provided on the 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: Joseph Grodman **CAL. NO.** 55-97-Z

APPEARANCES FOR: John J. Pikarski, Jr., Joseph Grodman **MAP NO.** 1-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997

PREMISES AFFECTED- 24 W. Erie Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
			X
X			
X			
X			
X			

THE RESOLUTION:

WHEREAS, Joseph Grodman, for River Forest State Bank, Tr. #3150, owner, on December 24, 1996, filed an application for a variation of the zoning ordinance to permit, in a B7-5 General Central Business District, the erection of a 5th story addition to a 4-story brick building all of which will contain business use and accessory parking on the ground floor and 4 dwelling units above, whose rear yard will be 13.67' instead of 30' required for the residential portion of the building and with no provision for one required loading berth, on premises at 24 W. Erie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered, December 18, 1996, 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, 8.7-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

WHEREAS, the district maps show that the premises is located in 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 the subject site is a 44' x 102.21' lot improved with a 4-story brick building; that the applicant proposes to erect a 5th story addition to the subject building all of which will contain business use and accessory parking on the ground floor and 4 dwelling units above; 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 rear yard variation requested is necessary to erect the 5th floor addition consistent with the existing building walls; that provision of the one required loading berth would eliminate first floor commercial space; that the plight of the owner is due to the necessity of following existing building walls in the erection of the proposed 5th floor addition; that the building will be developed as condominium dwelling units and with limited business use on the ground floor creating a minimum of in and out movement, the need for one required loading berth is unnecessary; that the proposed use will be compatible with the mixed business and residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

February 21, 1997

Cal. No. 55-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 5th story addition to a 4-story brick building all of which will contain business use and accessory parking on the ground floor and 4-dwelling units above, whose rear yard will be 13.67' instead of 30' required for the residential portion of the building and with no provision for one required loading berth, on premises at 24 W. Erie 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: Vencor Hospitals Illinois, Inc. **CAL. NO.** 56-97-S
APPEARANCES FOR: John McCaffrey , R. John Cowgill **MAP NO.** 11-I
APPEARANCES AGAINST: Fred Murman **MINUTES OF MEETING:**
 February 21, 1997
PREMISES AFFECTED- 2529 W. Montrose Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Vencor Hospitals Illinois, Inc., for LaSalle National Bank, Tr. #107534, owner, on December 11, 1996, 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 5 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 2529 W. Montrose Avenue, to serve a hospital located at 2544 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 3, 1996, 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 (6), 8.4-4 (1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 25' x 125' lot improved as a parking lot; that the applicant proposes to establish an off-site accessory parking lot for 5 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to serve a hospital located a 2544 W. Montrose Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and maintained under the conditions and standards hereinafter set forth; that the proposed use of the subject site as an off-site accessory parking lot is consistent with its present use 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 5 private passenger automobiles, on premises at 2529 W. Montrose Avenue, to serve a hospital located at 2544 W. Montrose Avenue, 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

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used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, 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 6 feet high wrought iron fencing shall be provided on the east and west lot lines; that lighting shall be provided; that striping shall be provided; that ingress to the parking lot shall be from W. Montrose Avenue; that egress shall be via the public alley abutting the site to the south provided a waiver of the alley barrier requirement shall be obtained from the City Council; that the driveway on W Montrose Avenue shall be constructed in accordance with applicable ordinances; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; that electrical security gates shall be provided at the W. Montrose Avenue entrance and at the alley exit; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Vencor Hospitals Illinois, Inc.

CAL. NO. 57-97-S

APPEARANCES FOR: John McCaffrey, R. John Cowgill

MAP NO. 11-I

APPEARANCES AGAINST: Fred Murman

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 2537 W. Montrose Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Vencor Hospitals Illinois, Inc., for LaSalle National Bank, Tr. #107534, owner, on December 11, 1996, 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 75 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 2537 W. Montrose Avenue, to serve a hospital located at 2544 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 3, 1996, 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, 6.4-1 (6), 8.4-4 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 225' x 125' lot improved with a 1-story brick building with an adjoining parking lot on the west side; that the applicant proposes to demolish the existing building and establish an off-site accessory parking lot for 75 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to serve a hospital located at 2544 W. Montrose Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be improved and operated under the conditions and standards hereinafter set forth; that the proposed parking lot will be compatible with existing business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 75 private passenger automobiles, on premises at 2537 W. Montrose Avenue to serve a hospital located at 2544 W. Montrose Avenue, upon condition that no use shall be

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made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed with 6 feet high wrought-iron fencing, excepting the driveway, which fencing shall end adjacent to the corner of the existing building abutting the site to the west; that striping shall be provided; that lighting shall be provided; that ingress to and egress from the parking lot shall be from W. Montrose Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that a motorized security gate shall be provided at the W. Montrose Street entrance/exit; that the alley abutting the site to the south shall not be used for ingress nor for egress; that landscaping shall be provided as illustrated on the site plan prepared by Luckell & Farley, dated December 9, 1996; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Mercy Hospital and Medical Center **CAL. NO.** 58-97-S
APPEARANCES FOR: Morgan F. Murphy, Jr. **MAP NO.** 14-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 5501-11 S. Pulaski Road/3945 W. 55th Street
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mercy Hospital and Medical Center, for Mercy Hospital and Medical Center and American National Bank, Tr. #4790. owner, on December 20, 1996, 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 46 private passenger automobiles, in a B5-3 General Service District, on premises at 5501-11 S. Pulaski Road/3945 W. 55th Street, to fulfill the parking requirement for a proposed medical office building at 5513-27 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 29, 1996, 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 (6), 8.4-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is a 123' x 134' unimproved lot; that the applicant proposes to establish an off-site accessory parking lot for 46 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for a proposed medical office building at 5513-27 S. Pulaski Road; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions and standards hereinafter set forth; that the proposed parking lot is located directly north of and across a public alley from the proposed medical office building and with fencing and landscaping 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 46 private passenger automobiles, on premises at 5501-11 S. Pulaski Road/3945 W. 55th Street, to fulfill the parking requirement for a proposed medical office building

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

MINUTES OF MEETING

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at 5513-27 S. Pulaski Road, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles 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, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that wrought-iron fencing shall be provided on the north lot line, excepting the driveway, and on the west and south lot lines and a solid wood privacy fence shall be provided on the east lot line to screen the parking lot from abutting residential property; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the public alley abutting the site to the south; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and 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 Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Chester Grzybek

CAL. NO. 59-97-S

APPEARANCES FOR:

MAP NO. 3-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1812 W. Division Street

February 21, 1997

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Westwind Terrace, L.L.C. **CAL. NO.** 60-97-S
APPEARANCES FOR: Barry Ash **MAP NO.** 9-N
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 3525-27 N. Harlem Avenue February 21, 1997
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Westwind Terrace, L.L.C., owner, on December 24, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 5-story 20-dwelling unit building, in a B4-2 Restricted Service District, on premises at 3525-27 N. Harlem Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 15, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 150' x 126.58' unimproved lot; that the applicant proposes to erect a 5-story 20-dwelling unit building at the subject site and provide ground floor parking spaces for 20 automobiles; that the proposed use is necessary for the public convenience at this location in that there is no demand for business space in this area but a continuing demand for residential space; that the nature of the parking provided is so designed, location and proposed to be operated that the public health, safety and welfare will be protected; that the proposed use will not cause substantial injury to the value of other property in the area in that the proposed 5-story 20-dwelling unit building will be compatible with the mixed business and residential improvements in the area and that the interior ground floor parking is merely an extension of the proposed residential units; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 5-story

MINUTES OF MEETING

February 21, 1997

Cal. No. 60-97-S

20-dwelling unit building, on premises at 3525-27 N. Harlem Avenue, upon condition that an individual parking space shall be deeded with each condominium dwelling unit; 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: Benjamin J. Lewis **CAL. NO.** 61-97-S

APPEARANCES FOR: Mike Fulton, Benjamin J. Lewis **MAP NO.** 9-G

APPEARANCES AGAINST: Lydin Londini, et al. **MINUTES OF MEETING:**
February 21, 1997

PREMISES AFFECTED- 1459 W. Irving Park Road

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Benjamin J. Lewis, for Michael Wing, owner, on December 27, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tattoo parlor in a 1-story brick store building, in a B4-2 Restricted Service District, on premises at 1459 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 27, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on February 3, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick store building; that the applicant proposes to establish a tattoo parlor in the subject 1-story store building; that the proposed use is necessary for the public convenience at this location to provide a service in the community; that the proposed use will not be a high traffic business in that the applicant does custom tattoo work on one or two persons a day; that the operation of the proposed tattoo parlor will utilize state-of-the-art tattooing procedures so as to insure that the public health, safety and welfare will be adequately protected; that all used needles are deposited in bio-hazardous containers which will be kept on the premises until picked up for disposal; that all equipment used in the tattooing process is sterilized in an autoclave machine; that no one under the age of 21 will be served by the applicant, with the exception of persons 18 years and older that have written consent of both parents; that the proposed use will be compatible with the 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

February 21, 1997

Cal. No. 61-97-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 a tattoo parlor in a 1-story brick building, on premises at 1459 W. Irving Park Road, upon condition that the hours of operation shall be limited to the hours between 12 Noon and 8 P.M.; that all used needles shall be kept in bio-hazardous containers kept on the premises until pickup for disposal; that customers shall be at least 21 years old with the exception of persons 18-20 years old who have written consent from both parents; 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: Maryville Academy

CAL. NO. 62-97-S

APPEARANCES FOR:

MAP NO. 24-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1209 W. 98th Street

February 21, 1997

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Joseph Mitrenga & James P. Pieczonka **CAL. NO.** 63-97-A
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 1-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 619 N. Racine Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND
THE DECISION OF THE
OFFICE OF THE ZONING
ADMINISTRATOR REVERSED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Joseph Mitrenga & James P. Pieczonka, for Joseph Mitrenga, owner, on November 26, 1996, filled an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a 4-story 22' x 20' addition to the rear of a 4-story brick non-conforming 4-dwelling unit building, in an M1-2 Restricted Manufacturing District, on premises at 619 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 25, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-1."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

WHEREAS, the district maps show that the premises is located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is a 24' x 116.5' lot improved with a 4-story non-conforming 4-dwelling unit building built in 1891; that the applicant proposes to erect a 4-story 22' x 20' addition to the rear of the existing building in order to renovate the building and provide additional living space in the currently functionally obsolete dwelling units; that although the district in which the subject site is zoned Manufacturing, the immediate area is predominantly residential in character; that although the subject site's manufacturing zoning renders the residential building non-conforming, such residential buildings are exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and proposed addition are well below the permitted floor area ratio for the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

MINUTES OF MEETING

February 21, 1997

Cal. No. 63-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a 4-story 22' x 20' addition to the rear of a 4-story brick non-conforming 4-dwelling unit building, in an M1-2 Restricted Manufacturing District, on premises at 619 N. Racine 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: St. Camillus Parish

CAL. NO. 64-97-A

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 12-L

APPEARANCES AGAINST:

MINUTES OF MEETING:

February 21, 1997

PREMISES AFFECTED- 5360 W. 55th Street

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

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

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

THE RESOLUTION:

WHEREAS, St. Camillus Parish, for Archdiocese of Chicago, owner, on November 27, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a recycling center in a parked trailer on the church parking lot, in an R3 General Residence District, on premises at 5360 W. 55th Street; and

WHEREAS, the decision the Office of the Zoning Administrator rendered November 12, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-3"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is an improved accessory parking lot belonging to St. Camillus Church and School which is located on the north side of W. 55th Street; that the applicant proposes to establish an outside drop-off recycling center on a small portion of the existing parking lot for the recycling of aluminum cans, foil, used aluminum, copper and brass; that the proposed recycling facility will consist of a 40' trailer and one 30 yard capacity sealed dumpster; that the facility will be in operation six days a week, 9 A.M. to 4:30 P.M., Mondays through Saturdays; that the filled containers are removed from the site bi-monthly or as the need arises; that the recycling trailer belongs to Reynolds Aluminum Recycling Company which has a lease with the applicant to maintain the trailer at the subject site; that the Reynolds Company sponsors a recycling campaign teaching how to lead a successful aluminum recycling program at schools as a part of ecology studies; that the proposed recycling center is subordinate in area and purpose to the principal parking lot; that the proposed use is accessory to the use of the property as a parking lot by the applicant church's school programs; that no violation the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

MINUTES OF MEETING

February 21, 1997

Cal. No. 64-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a recycling center in a parked trailer on the church parking lot, on premises at 5360 W. 55th Street, upon condition that the hours of operation of the recycling center shall be limited to the hours between 9:00 A.M. and 4:30 P.M., Mondays through Saturdays; that the containers shall be secured and locked after each regular hours of operation; that the filled containers shall be removed from the site bi-monthly or as often as the need arises; that there shall be no signage used in the conduct of the operation excepting the signage that appears on the parked trailer; that the facility shall be policed by the employees of the facility and St. Camillus Parish and shall be kept clean at all times of trash and cans; 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: Janine M. Barsh

CAL. NO. 65-97-A

APPEARANCES FOR:

MAP NO. 5-L

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1906 N. Cicero Avenue

February 21, 1997

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Annie Tillis **CAL. NO.** 66-97-A

APPEARANCES FOR: Annie Tillis, Ezra Witherspoon **MAP NO.** 24-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997

PREMISES AFFECTED- 10230 S. Normal 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Annie Tillis, owner, on November 22, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1 ½ story frame building as 2 dwelling units, in an R2 Single-Family Residence District, on premises at 10230 S. Normal Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 31, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.3-2, 7.5-2, 7.12-1 (4)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

WHEREAS, the district maps show that the premises are 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 improved with a 1 ½ story frame building; that the appellant purchased the subject site in February, 1987 as a two dwelling units building; that although evidence presented indicate that the real estate sales contract, FHA, and Allstate Insurance company indicates that the building is a 2-dwelling unit building, no evidence was presented to indicate that two dwelling units existed in the building prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the subject site has been zoned single-family since 1942; that under Section 7.3-2 of the Zoning Ordinance the Board has no authority to permit the occupancy of the building as two dwelling units; 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: Robert Wooten **CAL. NO.** 67-97-A

APPEARANCES FOR: Lawrence E. Kennon, Robert Wooten **MAP NO.** 28-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997

PREMISES AFFECTED- 1751 W. Steuben Street

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE
DECISION OF THE OFFICE OF
THE ZONING ADMINISTRATOR
REVERSED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Robert Wooten, owner, on December 18, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as 3 dwelling units, in an R2 Single-Family Residence District, on premises at 1751 W. Steuben Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 17, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.3-1 (1), 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 February 21, 1997; 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 improved with a 2-story frame building; that the evidence presented indicates that the subject building has been occupied as 3 dwelling units since prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 3 dwelling units provided the building is brought into compliance with applicable building code regulations; 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 a 2-story frame building as 3 dwelling units, on premises at 1751 W. Steuben Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Janice S. Martin
APPEARANCES FOR: Michael Olu-Ajeigbe
APPEARANCES AGAINST:
PREMISES AFFECTED- 4703 N. Broadway
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 68-97-A
MAP NO. 11-G
MINUTES OF MEETING:
 February 21, 1997

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Janice S. Martin, owner, on December 3, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a "hair-braiding" beauty parlor in a 3-story brick multi-story building, in a B3-5 General Retail District, on premises at 4703 N. Broadway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 19, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

WHEREAS, the district maps show that the premises is located in a B3-5 General 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 B3-5 General Retail District; that the subject site is improved with a 3-story brick multi-store building; that the lessee of the subject store premises, Michael Olu-Ajeigbe, proposes to establish a beauty salon specializing in hair-braiding; that evidence presented indicates that the subject multi-store building contains a night club and art studio, both non-conforming B4 uses; that a beauty salon is also a B4 use; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a "hair-braiding" beauty parlor in a store in a 3-story brick multi-store building, on premises at 4703 N. Broadway, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Monday through Thursday, 9 A.M. and 8 P.M., Friday and 9 A.M. and 6 P.M., Saturday; 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: Jeanette Djokwe

CAL. NO. 69-97-A

APPEARANCES FOR: Jeanette Djokwe

MAP NO. 16-C

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2054 E. 71st Street

February 21, 1997

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jeanette Djokwe, for Cheryl A. Simms, owner, on December 11, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a "hair-braiding" beauty parlor in a 1-story brick multi-store building, in a B3-3 General Retail District, on premises at 2054 E. 71st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 10, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1996; and

WHEREAS, the district maps show that the premises is located in a B3-3 General 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 B3-3 General Retail District; that the subject site is improved with a 1-story brick multi-store building; that the appellant proposes to establish a "hair-braiding" salon in a store in the subject multi-store building; that proposed use consists of providing African culture hair braiding and involves no chemicals as in typical hair salons which provide coloring, permanents, etc; that the subject premises has been previously occupied by business uses; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a "hair-braiding" beauty parlor in a 1-story brick multi-store building, on premises at 2054 E. 71st Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Tuesday through Sunday; 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: Arun Dihenia **CAL. NO.** 70-91-A
APPEARANCES FOR: John J. Pikarski, Jr., Arun Dihenia **MAP NO.** 15-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 2339 W. Devon Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Arun Dihenia, for S & S Investments, owner, on December 10, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 2-story brick multi-store building, in a B3-2 General Retail District, on premises at 2339 W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 9, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

WHEREAS, the district maps show that the premises are located in a B3-3 General 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 B3-3 General Retail District; that the subject site is improved with a 2-story brick multi-store building containing other non-conforming B4 uses; that the appellant proposes to establish a beauty parlor, a B4 use, in the subject store premises which will be operated by his wife; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty parlor in a 2-story brick multi-store building, on premises at 2339 W. Devon Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Monday through Saturday; 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: Albert Simmons

CAL. NO. 71-97-A

APPEARANCES FOR: Albert Simmons

MAP NO. 14-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 5800 S. Wabash 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Albert Simmons, for Delay Willman, owner, on December 17, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an auto repair shop in a 1-story brick building, in an R4 General Residence District, on premises at 5800 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 8, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is to be located in an R4 General Residence District; that the subject site is improved with an auto wrecking yard and a 1-story brick building in use as an auto repair shop; that on June 23, 1925 and February 3, 1931, the Board denied the establishment of auto-related business uses at the subject site, in Calendar Nos. 360-25 and 6-31-Z, respectively; that the subject site has been zoned for residential use since the adoption of the 1923 zoning ordinance; that that under Section 7.3-4 of the zoning ordinance the Board has no authority to permit the use of the premises as an auto repair shop and auto wrecking yard; 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: Bennie D. Pearce

CAL. NO. 72-97-A

APPEARANCES FOR: Bennie D. Pearce

MAP NO. 24-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 9542 S. Wallace Street

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

ACTION OF BOARD--

THE VOTE

APPEAL SUSTAINED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR REVERSED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Bennie D. Pearce, owner, on December 24, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a 1-story 19' x 24' addition to the front of an existing 1-story frame single-family dwelling on the rear of the lot, in an R2 Single-Family Residence District, on premises at 9542 S. Wallace Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 12, 1996 reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-2.

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 25' x 124.47' lot improved with a 1-story frame single-family dwelling at the rear of the lot; that the appellant proposes to erect a 1-story 19' x 24' addition to the front of the existing single-family dwelling to provide additional living space; that the appellant also owns the abutting lot to the north which is improved with a 1 ½ story brick single-family dwelling on the front of the lot and a 2-car brick garage at the rear; that the appellant was denied certification because the Office of the Zoning Administrator determined that these two lots which have individual lot numbers and separate tax numbers is one zoning lot; that the Sanborn Map clearly indicates that the two buildings at these 2 lots were erected at different times, although the 1 ½ story single-family dwelling on the front of the abutting lot has a slight encroachment into the subject site lot; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

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

MINUTES OF MEETING

February 21, 1997

Cal. No. 72-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a 1-story 19' x 24' addition to the front of an existing 1-story frame single-family dwelling on the rear of the lot, on premises at 9542 S. Wallace Street, upon condition that the 1-story frame single-family dwelling shall be brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Scadron Enterprises

CAL. NO. 73-97-A

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 319 W. Ontario Street

SUBJECT-

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 16, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

MINUTES OF MEETING

February 21, 1997

Cal. No. 151-93-S

Scott E. Saef for Norfolk & Western Railway Company, applicant, presented a written request for an amendment to the special use approved with certain conditions by the Zoning Board of Appeals on April 23, 1993, in Calender Number 151-93-S for the establishment of a waste transfer station in conjunction with a solid waste recycling facility proposed on 27.59 acres of railroad property, in an M3-3 Heavy Manufacturing District, on premises at 2054 E. 110th Street.

Mr. Saef stated that the special use resolution issued in the aforesaid case contemplated that the transfer station site would be accessed from a 2,700 foot north-south driveway starting at the intersection of Doty Avenue and E. 103rd Street and terminating at the northern tip of the site. The applicant now requests an amendment to the resolution to allow access to the site via a 900 foot, east-west driveway from the site's southwestern corner to S. Stony Island Avenue, a point roughly 4,000 feet south of the E. 103rd Street and Doty Avenue intersection.

Mr. Saef further stated that the railway company's engineers have determined that an east-west driveway terminating at S. Stony Island Avenue is preferable from a technical standpoint given the complexity of the Doty Avenue and E. 103rd Street intersection. There are unobstructed sight lines both north and south along Stony Island at the proposed intersection with the access road and ample roadway capacity. No improvements to Stony Island Avenue are necessary to accommodate the proposed access road.

Chairman Spingola moved that the request be granted and that said resolution be amended to reflect that access to the site be via a 900 foot, east-west driveway from the site's southwestern corner to S. Stony Island Avenue, a point roughly 4,000 feet south of the E. 103rd Street and Doty Avenue intersection.

The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: Benchwarmers, Inc., d/b/a Hi-Tops Cafe **CAL. NO.** 258-96-A
APPEARANCES FOR: Gary I. Wigoda, Michael Moses **MAP NO.** 9-G
APPEARANCES AGAINST: Ken Schmetterer, et al. **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 3551 N. Sheffield Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

CASE CONTINUED TO
APRIL 18, 1997.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Mary Melchor

CAL. NO. 290-96-S

APPEARANCES FOR: None

MAP NO. 14-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 5914-18 S. Racine Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

MINUTES OF MEETING

February 21, 1997

Cal. No. 321-94-Z

Pastor Willie Henderson, for McGee Temple Church of God in Christ, applicant, presented a written request for a further extension of time in which to obtain necessary permits for the erection of a 2-story 36' x 71' auxiliary use addition to the rear of a 1-story church building at 4946 S. Vincennes Avenue with the condition that the proposed 2-story addition shall not exceed the height of the existing church building at the subject site, approved by the Zoning Board of Appeals on January 19, 1996 as an amendment to the original variations granted by the Board on December 2, 1994, in Cal. No. 19-94-Z. and for which an extension of time was granted January 19, 1996 to June 2, 1996.

Mr. Henderson stated that the aforesaid church encountered delays in obtaining the necessary permits due to the necessity of requesting and obtaining a waiver of the alley barrier requirement by the City Council in order to use the alley abutting the subject site for off-street parking area ingress and egress. The church is now requesting a further extension of time in which to complete the permit process.

Chairman Spingola moved that the request be granted and the time for obtaining necessary permits be extended to June 2, 1997. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: John DeTommaso

CAL. NO. 387-96-S

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 2125 W. Roscoe Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: John DeTommaso

CAL. NO. 388-96-Z

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 2125 W. Roscoe Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Donald J. Vogel, Esq.

CAL. NO. 443-96-A

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 1776 W. Berwyn Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Nirmal S. Singha, Jaiddev S. Bhattal & Gurcharn S. Jhaj

CAL. NO. 444-96-S

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 1776 W. Berwyn Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Nirmal S. Singha, Jaiddev S. Bhattal & Gurcharn S. Jhaj

CAL. NO. 445-96-Z

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 1776 W. Berwyn Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
APRIL 18, 1997.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Michael Reese

CAL. NO. 447-96-S

APPEARANCES FOR: None

MAP NO. 20-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 8221-27 S. State Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Western Recycling, Ltd.

CAL. NO. 478-96-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 5-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
February 21, 1997

PREMISES AFFECTED- 4613 W. Grand Avenue/4612 W. North Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Western Recycling, Ltd., for Jerry Wald, owner, on September 11, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a junk yard, in an M2-2 General Manufacturing District, on premises at 4613 W. Grand Avenue/4612 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on November 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is to be located in an M2-2 General Manufacturing District; that the subject site is an approximately 3 acre irregularly shaped parcel of land bordered by railroad tracks to the east and west, W. Grand Avenue to the north and W. North Avenue to the south; that the applicant has been in the auto dismantling and parts resale business at the subject site since 1970 and is seeking special use approval in order to obtain the necessary junk dealers license; that the said use is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design, location and operation in that the said use will continue to be operated in compliance with all city and state ordinances governing the operation of junk yards and with the conditions hereinafter set forth; that the said use is compatible with existing manufacturing and commercial uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the establishment of a junk yard, on premises at 4613 W. Grand Avenue/4612 W. North Avenue, upon condition that the operation shall at all times be conducted in conformance with the performance standards established for the M2-1 to M2-5 General Manufacturing Districts under the zoning ordinance and in compliance with the regulations of the City of Chicago Department of Environment; and that all other applicable ordinances of the City of Chicago shall be complied

MINUTES OF MEETING

February 21, 1997

Cal. No. 478-96-S

with before a license is issued; and be it further

RESOLVED, that the following conditions shall be complied with: that an eight feet high solid fence shall be provided along the W. Grand Avenue side of the property; that the applicant shall maintain the 8 feet high fencing so as to eradicate graffiti immediately upon its occurrence; that customers shall not be allowed to make repairs to their automobiles on the streets adjacent to the site which can be accomplished by asking for "no parking" signs on the south side of Grand Avenue and placing signs within the property and aggressively patrolling the property; that the frequency of on-site patrols shall be increased so as to prevent fly-dumping of abandoned automobiles and alerting police to increased patrols; that the area adjacent to the subject site shall be swept clean not less than twice a week; that no cars or parts shall be stacked over the height of the fence; and that automobiles shall be crushed more frequently to avoid stacking on the site. It shall be the continuing responsibility of the applicant to operate and maintain the said use at the subject site in compliance with these conditions.

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

APPLICANT: Western Recycling, Ltd. **CAL. NO.** 479-96-S
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 5-K
APPEARANCES AGAINST: **MINUTES OF MEETING:**
February 21, 1997
PREMISES AFFECTED- 4545 W. Grand Avenue/1638 N. Kolmar Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Western Recycling, Ltd., for Jerry Wald, owner, on September 11, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a junk yard, in an M2-2 General Manufacturing District, on premises at 4545 W. Grand Avenue/1638 N. Kolmar Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 14, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997 after due notice thereof by publication in the Chicago Sun-Times on November 25, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a M2-2 General Manufacturing District; that the subject site is composed of two parcels of land of approximately 18,000 sq.ft. and 6,600 sq.ft. respectively and currently occupied as a junk yard; that the applicant has been in the auto dismantling and parts resale business at the subject site since 1975 and is seeking special use approval in order to obtain a junk dealers license; that the said use is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said use which will continue to be operated in compliance with all applicable city and state ordinances governing the operation of junk yards and with the conditions hereinafter set forth; that the said use is compatible with existing manufacturing and commercial uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a junk yard, on premises at 4545 W. Grand Avenue/1638 N. Kolmar Avenue, upon condition that the operation at all times shall be conducted in conformance with the performance standards established for the M2-1 to M2-5 General Manufacturing Districts under the zoning ordinance and in compliance with the regulations of

MINUTES OF MEETING

February 21, 1997

Cal. No. 479-96-S

regulations of the City of Chicago Department of Environment; that all other applicable ordinances of the City of Chicago shall be complied with before a license is issued; and be it further

RESOLVED, that the following conditions shall be complied with in the operation of the said junk yard: that the subject site shall be enclosed by an 8 feet high solid fence; that the said fence shall be maintained in a manner so as to eradicate graffiti immediately upon its occurrence; that trees shall be planted along the N. Kolmar Avenue property line; that customers shall not be allowed to make repairs to their automobiles on the streets adjacent to the site, which can be accomplished by asking for "No Parking" signs on N. Kolman to the viaduct and placing signs within the subject property and aggressively patrolling the site; that on-site patrols shall be increased to prevent fly-dumping of abandoned automobiles and alerting police to increased patrols; that the area adjacent to the subject site shall be swept clean no less than twice a week; that no cars or parts shall be stacked over the height of the fence; and that automobiles shall be crushed more frequently to avoid stacking on the site. It shall be the continuing responsibility of the applicant to operate and maintain the said use at the subject site in compliance with these conditions.

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

APPLICANT: Tae Hwan Han **CAL. NO.** 480-96-A

APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 15-G

APPEARANCES AGAINST: Christopher Gilhooly, Robert Donnelly **MINUTES OF MEETING:**
February 21, 1997

PREMISES AFFECTED- 1101 W. Granville 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, Tae Hwan Han, for American National Bank & Trust Co., Tr. #109128-06, on December 1, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 10 dwelling units in a 2-story brick store and apartment building with no off-street parking, in a B2-3 Restricted Retail District, on premises at 1101 W. Granville Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.4-2, 8.11-2 (3)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 21, 1997; and

WHEREAS, the district maps show that the premises is located in a B2-3 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 B2-3 Restricted Retail District; that the subject site is a 4,332 sq. ft. lot improved with a 2-story brick store and apartment building built to its lot lines with no space for off-street parking; that testimony presented indicates that the subject building has existed at the site since at least 1933 as evidenced by a permit for alterations issued April 21, 1933; that on October 28, 1983, a remodeling permit was issued for the subject building which stated the use of the building as 10 apartments and 2 vacant stores; that the Cook County Assessor's records of its original assessment of the subject building indicate that there were 10 apartments in the building; that an architect testified that it was his opinion that the architectural details, flooring, doorways and electrical outlets presently existing in the 2nd floor of the subject building indicates the 10 apartments have existed at least since 1950; that the zoning of the subject site would presently permit 10 dwelling units provided 10 off-street parking spaces were provided; that the Board finds that the evidence in this case clearly shows that 10 dwelling units have existed on the 2nd floor of the subject building prior to passage of the city's first off-street parking ordinance in 1953; that the appellant has a right to continue the occupancy of the subject 2-story building as 10-dwelling units on the 2nd floor and a store on the first floor with no off-street parking, provided the building is brought into compliance with building code regulations; it is therefore

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

MINUTES OF MEETING

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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 the Zoning Administrator is authorized to certify 10 dwelling units in a 2-story brick store and apartment building with no off-street parking, on premises at 1101 W. Granville Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

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Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on March 21, 1997.


Secretary