

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, April 21, 1989

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

The following were present and constituted a quorum:

Lawrence E. Kennon
Chairman

James E. Caldwell
Roula Alakiotou
Michael J. Howlett
Anthony J. Fornelli

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Vice Chairman Caldwell moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on March 17, 1989 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou, Howlett and Fornelli. Nays- None.

* * * * *

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

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

APPLICANT: Victor Borchik
 APPEARANCES FOR: Victor Borchik
 APPEARANCES AGAINST:

CAL. NO. 73-89-Z
 MAP NO. 12-L
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 5132 S. Long Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Victor Borchik, owner on February 22, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of 12' x 24' addition to the rear of a one-story brick single-family residence and 26' x 49.17' 2nd story addition above, whose front yard will be 17.12 feet instead of 20 feet, whose north side yard will be 3.1 feet and whose south side yard will be 3.9 feet instead of combined side yards of 12 feet, and whose floor area ratio will be 0.58 instead of 0.50, on premises at 5132 S. Long Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-2, §7.7-2, §7.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; 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 proposed use is to be located in an R2 Single-Family Residence District; that the applicant proposes to erect a 12' x 24' addition to the rear of the existing one-story single-family residence on the subject site and a 26' x 49.17' second story addition 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 proposed variations are necessary to provide additional living space to meet the needs of the applicant and his family; that the plight of the owner is due to the necessity of providing additional bedrooms and bathroom to make the existing structure a more modern, livable residence; that the proposed variations, if granted, will not affect an adequate supply of light and air to adjacent properties and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning

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ordinance and that a variation be and it hereby is granted to permit the erection of 12' x 24' addition to the rear of a one-story brick single-family residence and 26' x 49.17' second story addition above, whose front yard will be 17.12 feet instead of 20 feet, whose north side yard will be 3.1 feet and whose south side yard will be 3.9 feet instead of combined side yards of 12 feet and whose floor area ratio will be 0.58 instead of 0.50, on premises at 5132 S. Long Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Newberry Plaza Condominium Association

CAL. NO. 74-89-S

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

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PREMISES AFFECTED-- 1030 N. State Street

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

ACTION OF BOARD--

Case continued to
May 19, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

APPLICANT: Greater Walters A.M.E. Zion Church
 APPEARANCES FOR: Anne L. Fredd
 APPEARANCES AGAINST:

CAL. NO. 75-89-Z
 MAP NO. 20-H
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 8422 S. Damen Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Greater Walters A.M.E. Zion Church, owner, on March 2, 1989, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of 40' x 60' school addition to the southwest side of a one-story church building, whose west side yard will be 3.5 feet instead of 15 feet, on premises at 8422 S. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; 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 proposed use is to be located in an R2 Single-Family Residence District; that the subject site is improved with a one-story church building located on the north portion of the subject reversed corner lot; that the applicant proposes to erect a 40' x 60' school addition to the southwest side of the existing building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide facilities for a school for mentally and physically handicapped children leased to and operated by the Ada S. McKinley Foundation, as well as to augment the educational and community services provided by the applicant church to the community; that the plight of the owner is due to unique circumstances in that the configuration of the existing church building on the lot necessitates the requested side yard variation in order to allow the proposed addition to align with windows and an elevator in the existing church building; and that the proposed addition will be compatible with the existing improvements in the block and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of 40' x 60' school addition to the southwest side of a one-story church building, whose west side yard will be 3.5 feet instead of 15 feet, on premises at 8422 S. Damen Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: West Willow Street Condominium Association
 APPEARANCES FOR: Rick Smith
 APPEARANCES AGAINST:

CAL. NO. 76-89-S
 MAP NO. 5-F
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 740-42 W. Willow Street

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

ACTION OF BOARD—

Variation granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli		X	

THE RESOLUTION:

WHEREAS, West Willow Street Condominium Association, for Richard Ungaretti and Alan Miretzky, owners, on February 21, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a one-story 15' x 40' garage structure to the front of a three-story two-dwelling unit condominium building, with no front yard instead of 12 feet, on premises at 740-42 W. Willow Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a three-story two-dwelling unit condominium building with each unit containing a one-car garage at a level 5 feet 4 inches below grade; that the applicant proposes to convert the existing garages into storage areas and level the existing excessively sloped driveway and construct thereon an attached 15' x 40' enclosed garage structure for four automobiles in the required front yard; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed garage structure is necessary to meet the needs of the condominium owners; that the plight of the owners is due to unique circumstances in that the present driveway slopes one foot for every three feet and constitutes a dangerous hazard during winter weather and tends also to become a receptacle for water and windblown debris; that the proposed garage structure maintains the side yard setbacks of the existing building and will not impair an adequate supply of light and air to adjacent property; and that the variation, if granted, will not be inconsistent

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with the Willow Street setbacks of the improvements in the block nor 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 one-story 15' x 40' garage structure to the front of a three-story two-dwelling unit condominium building, on premises at 740-42 W. Willow Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Cragin Federal Bank for Savings
 APPEARANCES FOR: Katie Newsham
 APPEARANCES AGAINST:

CAL. NO. 77-89-S
 MAP NO. 13-M
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 5466 N. Milwaukee Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Cragin Federal Bank for Savings, owner, on February 17, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of an existing bank drive-through from two to four lanes, in a B4-1 Restricted Service District, on premises at 5466 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, 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 improved with a one-story bank facility having two drive-through lanes; that the proposed use is necessary for the public convenience at this location to more efficiently serve the bank's drive-through customers; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use in that along with the proposed expansion of the bank's parking facility, the additional drive-through lanes will help alleviate traffic congestion in the abutting street; and that the proposed use will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is hereby authorized to permit the expansion of an existing bank drive-through from two to four lanes, on premises at 5466 N. Milwaukee Avenue, upon condition that the ingress to the drive-through portion of the facility shall be from N. Menard Street and the egress from the drive-through portion of the facility shall be onto N. Milwaukee Avenue; that lighted directional signs shall be erected at the established entrance and exit to the subject site; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Timothy M. Shinnick
 APPEARANCES FOR: Timothy M. Shinnick
 APPEARANCES AGAINST:

CAL. NO. 78-89-S
 MAP NO. 8-F
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 3758 S. Union Avenue

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

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Timothy M. Shinnick, owner, on February 27, 1989, filed an application for a special use under the zoning ordinance for the approval of the change of licensee and continued operation of an existing tavern in a two-story brick building, in an R3 General Residence District, on premises at 3758 S. Union Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 15, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District in a two-story brick building occupied by a tavern on the first floor; that on April 1, 1987 the City Council passed an ordinance requiring a special use for the approval of the change of licensee of an existing tavern located in a residence district; that the existing tavern in the subject building has been operated by the applicant's family at the subject site for the past 55 years; that City of Chicago records indicate that a liquor license, No. 010737, for the subject tavern was issued to the applicant's mother, Celine Shinnick, and is currently valid; that said licensee recently passed away and that the applicant's family has formed a corporation and proposes to operate the existing tavern under a new license; that the majority of the tavern's patrons come from the local neighborhood and that the continued operation of the tavern at this location is necessary for the public convenience; that the applicant proposes to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; and that the continued operation of the existing tavern will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the change of licensee and continued operation of an existing tavern in a two-story brick building, on premises at 3758 S. Union Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant Timothy M. Shinnick or his corporation as licensee, and that a change of licensee shall render the special use granted herein null and void; and be it further

RESOLVED, that the tavern in this subject building is, and shall continue to be, subject to all applicable provisions of Article 6 of the zoning ordinance.

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

APPLICANT: Craig P. Kragness, D.V.M.
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 79-⁸⁹28-S
 MAP NO. 28-D
 MINUTES OF MEETING
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PREMISES AFFECTED— 11332 S. Doty Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
Michael J. Howlett	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, Craig P. Kragness, D.V.M., owner, on March 15, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a one-story animal hospital building, in an M3-3 Heavy Manufacturing District, on premises at 11332 S. Doty Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 15, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

WHEREAS, the district maps show that the premises are located in an M3-3 Heavy 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 M3-3 Heavy Manufacturing District; that on April 17, 1986, the Board approved a special use application by the applicant for the approval of the erection of a one-story animal hospital building at the subject site, Calendar No. 96-86-S; that said special use is now invalid due to more than two years having elapsed since its approval, pursuant to §11.10-5 of the zoning ordinance; that the testimony had on April 17, 1986 in Calendar No. 96-86-S, is hereby made part of the record in this case; that the proposed use is necessary for the public convenience at this location to provide a needed service of this type in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility which will meet all applicable provisions of municipal and state regulations governing animal hospitals; that no animal remains will be incinerated or otherwise disposed of on the premises; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in that it is compatible with the existing improvements in the area; 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 erection of a one-story animal hospital building, on premises at 11332 S. Doty Avenue, upon condition that no animal remains shall be incinerated or otherwise disposed of on the premises; 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: Charles and Lynn Shotwell
 APPEARANCES FOR: Lynn Shotwell, John Holbert
 APPEARANCES AGAINST:

CAL NO. 80-89-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 2111 N. Clifton Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
Michael J. Howlett	x		
James E. Caldwell	x		
Anthony J. Fornelli	x		

THE RESOLUTION:

WHEREAS, Charles and Lynn Shotwell, owners, on March 11, 1989, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a partial 4th story addition to a three-story (includes basement) brick single-family residence on the front of the lot improved additionally at the rear with a two-and-a-half story brick accessory building, with no north side yard instead of 2.5 feet and which addition will result in an approximately 11% (604 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2111 N. Clifton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 15, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-4, §7.8-4.1, §11.7-4(1), §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on October 30, 1986 the City Council passed an ordinance giving the Zoning Board of Appeals authority under §11.7-4(7) of the zoning ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicants seek to erect an approximate 604 sq. ft. partial fourth story addition to a three-story (includes basement) brick single-family residence on the front of the lot improved additionally with a two-and-a-half story accessory building which will exceed by approximately 11% the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted

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to be used only under the conditions allowed by the regulations in this district in that the proposed addition, consisting of a bedroom and bathroom, is necessary to meet the needs of the applicants; that the plight of the owner is due to the configuration of the existing building on the lot which is additionally improved with a two-and-a-half story brick accessory building at the rear and which necessitates the variations requested; that the proposed addition will be set back from both the front and the rear of the existing building and only partially visible from the street; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a partial 4th story addition to a three-story (includes basement) brick single-family residence on the front of the lot improved additionally at the rear with a two-and-a-half story brick accessory building, with no north side yard instead of 2.5 feet and which addition will result in an approximately 11% (604 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2111 N. Clifton 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: Thomas Liskowski
 APPEARANCES FOR: Paul T. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 81-89-Z
 MAP NO. 9-K
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 3753 N. Kilbourn Avenue
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variations granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Thomas Liskowski, owner, on March 7, 1989, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a full 2nd story addition to a one-story brick former commercial garage all of which will be used as a single-family dwelling, with no front yard instead of 10.5 feet, with no north side yard instead of 5 feet and whose rear yard will be 14 feet instead of 30 feet, on premises at 3753 N. Kilbourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 16, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-3, §7.8-3, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is an irregular shaped lot of 2,353 sq. ft. improved with a one-story brick non-conforming former commercial storage building; that the applicant proposes to erect a full 2nd story addition to the existing building, all of which will be used as a single-family residence with indoor garage and storage space to be located in the original commercial space on the ground floor level; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that due to the irregularity and size of the lot the only location to add living space is above the existing structure; that the plight of the owner is due to the configuration of the existing building on the irregular lot; that the proposed addition will not adversely affect an adequate supply of light and air to adjacent property, and that the variation if, granted, will enhance the essential character of the locality in that the proposal will bring a former non-conforming commercial building into compliance as a permitted residential improvement in this residential area; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a full 2nd story addition to a one-story brick former commercial garage all of which will be used as a single-family dwelling, with no front yard instead of 10.5 feet, with no north side yard instead of 5 feet and whose rear yard will be 14 feet instead of 30 feet, on premises at 3753 N. Kilbourn Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ted Murzanski

CAL. NO. 82-89-Z

APPEARANCES FOR:

MAP NO. 15-K

APPEARANCES AGAINST:

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PREMISES AFFECTED— 6114 N. Tripp Avenue

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

ACTION OF BOARD—

Case dismissed for
lack of jurisdiction.

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

Lawrence E. Kennon

X		
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Roula Alakiotou

X		
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Michael J. Howlett

X		
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James E. Caldwell

X		
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Anthony J. Fornelli

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

APPLICANT: Madison Plaza Corporation
 APPEARANCES FOR: Gregory H. Furda
 APPEARANCES AGAINST:

CAL. NO. 83-89-A
 MAP NO. 2-F
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 321 S. Plymouth Court

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

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Madison Plaza Corporation, owner, on March 14, 1989 filed, and subsequently amended, an appeal from the decision of the Office of the Zoning Administrator in requiring two loading berths for a proposed 17-story building containing a private club and non-accessory rental offices, in a B6-7 Restricted Central Business District, on premises at 321 S. Plymouth Court, which it is alleged requires only one loading berth; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.10-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site contains 6,509 square feet of lot area; that the appellant proposes to construct a 17-story building on the site containing approximately 104,000 square feet of floor area; that the Chicago Bar Association, an Illinois not-for-profit corporation, will occupy about 50% of the building with the balance to be used as non-accessory rental office space; that the Chicago Bar Association is a "private club" as defined in Article 3 of the zoning ordinance; that the Zoning Administrator has determined that the proposed building requires two loading berths by separating the proposed use of the building into two categories, stating that one loading berth is required for the private club pursuant to §8.10-2(4) and one additional loading berth for the non-accessory offices is required pursuant to §8.10-2(2); that the appellant argues that this interpretation results in the doubling of the loading requirement for the proposed building; that the Board finds that loading requirements in Business Districts is based upon floor area of buildings containing specific uses and various groupings of uses; that §8.10-2(4) covers, "Hotels, Private Clubs and Lodges - containing Retail Shops, Convention Halls, Auditoriums, Exhibit Halls, or Business or Professional Offices (other than accessory). For buildings containing 10,000 to 150,000 square feet of floor area, one loading berth

MINUTES OF MEETING

April 21, 1989

Cal. No. 83-89-A

shall be provided, plus one additional loading berth for each additional 150,000 square feet of floor area or fraction thereof."; that said Section contemplates non-accessory office space in a Private Club building and is inclusive of same; that the proposed Private Club and non-accessory office building containing approximately 104,000 square feet of floor area is most analogous to the grouping of uses provided for in §8.10-2(4) as it applies to loading requirements and that pursuant to said Section, only one loading berth is required for the proposed building; 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 that only one loading berth is required for a proposed 17-story building containing a private club and non-accessory rental offices, on premises at 321 S. Plymouth Court.

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

APPLICANT: Madison Plaza Corporation
 APPEARANCES FOR: Gregory H. Furda
 APPEARANCES AGAINST:

CAL. NO. 84-89-Z
 MAP NO. 2-F
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 321 S. Plymouth Court
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Madison Plaza Corporation, for Chicago Bar Association, owner, on March 14, 1989, filed an application for a variation of the zoning ordinance to permit, in a B6-7 Restricted Central Business District, the erection of a 17-story building containing a private club and non-accessory rental offices, with no provision for one loading berth, on premises at 321 S. Plymouth Court; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.10(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is located on the east side of S. Plymouth Court and contains approximately 6,509 square feet of lot area; that the applicant proposes to erect a 17-story building containing approximately 104,000 square feet of floor area that will be partially occupied by the Chicago Bar Association and by non-accessory rental office space; that on April 21, 1989, in Calendar No. 83-89-A, the Board sustained an appeal by the applicant which determined that only one loading berth is required for the proposed 17-story building on the subject site; that the applicant now seeks to waive the one loading berth requirement; that the alley at the rear of the subject site is an 8' 10" wide L-shaped deadend alley with a 9.4 foot entrance at Plymouth Court and an approximately 90° turn to the north about 90 feet to the east of Plymouth Court; that the fire escapes in the alley are between 10.25 feet and 12.5 feet above grade; that the alley is used primarily for the location of small-wheeled dumpsters used by the businesses located on State Street, Van Buren Street and Plymouth Court; 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

MINUTES OF MEETING

April 21, 1989
Cal. No. 84-89-Z

district in that a loading berth is highly impractical at the site due to the physical constraints of the alley; that the common practice for deliveries and refuse pickup in this locality is for deliveries to be made either through the front doors of the establishments along Plymouth Court or by wheeling goods down the alley on hand dolly carts and for refuse trucks to back up only to the entrance of the alley and wheel the dumpsters to the vehicles; that the plight of the owner is due to unique circumstances in that the configuration and physical characteristics of the alley make it impossible for trucks and vehicles to maneuver in it to a loading berth; that deliveries to the proposed building will be made through a receiving room facility located at the rear of the building by the aforesaid methods which are in common use in the block; and that the waiver of one loading berth 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 17-story building containing a private club and non-accessory rental offices, with no provision for one loading berth, on premises at 321 S. Plymouth Court, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Michael West
APPEARANCES FOR: Michael West
APPEARANCES AGAINST:

CAL. NO. 85-89-S
MAP NO. 2-K
MINUTES OF MEETING
April 21, 1989

PREMISES AFFECTED-- 4101-59 W. Taylor Street
SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Case continued to
May 19, 1989.

THE VOTE

Lawrence E. Kennon
Roula Alakiotou
Michael J. Howlett
James E. Caldwell
Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Russell J. Sutherland, Jr. & Noreen Sutherland
 APPEARANCES FOR: Edward Shenoo
 APPEARANCES AGAINST:

CAL. NO. 86-89-S
 MAP NO. 9-K
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 4700 W. Belmont Avenue
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Russell J. Sutherland, Jr. and Noreen Sutherland, owners, on February 22, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a Class II Recycling Facility, in an M1-1 Restricted Manufacturing District, on premises at 4700 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.3-1, §10.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M1-1 Restricted Manufacturing District; that the subject site is a 9,654 square feet parcel of land improved with a one-story brick former automobile filing station building; that the applicant has operated a recycling facility at the subject site for the past four years; that the entire site is fenced and has sliding security gates at the entrance/exit; that the applicant processes non-ferreous metals; that the hours of operation are limited to the hours between 6 A.M. and 7 P.M., Mondays through Fridays and 6 A.M. and 3 P.M., Saturdays; that no materials will remain on the premises longer than one day; that the applicant does not accept or recycle automobile parts; that no liquid or household garbage will be permitted on the subject site; that the proposed use is necessary for the public convenience at this location in that there is a critical need for local area facilities for recycling materials in the City of Chicago; that the public health, safety and welfare will be adequately protected in the design, location and operation of said recycling facility to be operated under the conditions hereinafter set forth and which will be operated in compliance with the U.S. Environmental Protection Agency, the Illinois Environmental Protection Agency, the City of Chicago Environmental Protection Division of the Department of Consumer Services, and in compliance with the performance standards established in Article 10 of the zoning ordinance; that the subject site is located near vacant lots and a

MINUTES OF MEETING

April 21, 1989

Cal. No. 86-89-S

manufacturing use, and that the said use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a Class II Recycling Facility, on premises at 4700 W. Belmont Avenue, upon condition that the entire site shall be enclosed with fencing, including security gates; that the hours of operation shall be limited to the hours between 6 A.M. and 7 P.M., Mondays through Fridays and 6 A.M. and 3 P.M. on Saturdays; that the facility shall be securely locked during all hours when not in operation; that no materials shall remain on the premises longer than one day; that no automobile parts shall be accepted for recycling; that no liquid or household garbage shall be accepted or processed; that no vehicles, equipment or materials shall be stored outside the fenced premises on public streets or ways; that the proposed use shall be conducted in compliance with the requirements of the U.S Environmental Protection Agency, the Illinois Environmental Protection Agency, the City of Chicago Environmental Protection Division of the Department of Consumer Services, and the performance standards established under Article 10 of the zoning 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 808

APPLICANT: Ravenswood Disposal Service, Inc.

CAL. NO. 87-89-S

APPEARANCES FOR:

MAP NO. 1-L

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1989

PREMISES AFFECTED— 200-54 N. Talman Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
May 19, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou			X
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

APPLICANT: Joseph J. Lutz

CAL. NO. 88-89-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1989

PREMISES AFFECTED— 4055-57 N. Hermitage Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

APPLICANT: James R. Holmes
 APPEARANCES FOR: James R. Holmes
 APPEARANCES AGAINST:

CAL. NO. 89-89-A
 MAP NO. 7-N
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 2530 N. Neva 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

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, James R. Holmes, owner, on March 16, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the rear two-story brick building as two-dwelling units on a lot improved additionally with a two-story frame two-dwelling unit building, in an R3 General Residence District, on premises at 2530 N. Neva Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.5, §7.5-3, §7.12-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a two-story frame two-dwelling unit building on the front of the lot and a two-story brick two-dwelling unit building at the rear; that the proof presented indicates that the building in question at the rear of the lot has been occupied as two dwelling units since prior to the time of the passage of the 1942 amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building on the rear of the lot as two dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to legalize the rear two-story brick building as two dwelling units, on a lot improved additionally with a two-story frame two-dwelling unit building, on premises at 2530 N. Neva 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.

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

APPLICANT: Gerardo Lopez
 APPEARANCES FOR: Irma Lopez
 APPEARANCES AGAINST:

CAL. NO. 90-89-A
 MAP NO. 16-I
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 2437 W. 69th Street

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Gerardo Lopez, owner, on March 10, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of an existing store to a dwelling unit in a two-story brick store and five-dwelling unit building, in a B2-2 Restricted Retail District, on premises at 2437 W. 69th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 9, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.6-2(2), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is improved with a two-story brick store and five-dwelling unit building; that the subject B2-2 zoning requires 900 square feet of lot area per dwelling unit; that the subject building now contains five dwelling units and one vacant store on a 3,500 square feet lot; that the building is presently non-conforming as to the amount of dwelling units it may contain and that the proposal would require 5,400 square feet of land; that the proposed conversion is not allowed under Section 8.6 of the zoning ordinance which provides that no residential use shall be established on a lot which is of less area than prescribed for such use in the district wherein it is located, and that no existing residential use shall be converted so as to conflict with, or further conflict with, the lot area per dwelling unit requirements of the district in which such use is located; that the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Jamil Almashni
 APPEARANCES FOR: Jamil Almashni
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 5357-59 S. Damen Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 91-89-A
 MAP NO. 12-H
 MINUTES OF MEETING
 April 21, 1989

ACTION OF BOARD—

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Jamil Almashni, for Assad Mashni, owner, on March 4, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an illuminated overhanging business identification sign affixed to the front of a 1-story brick grocery store building, in an R3 General Residence District, on premises at 5357-59 S. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 8, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3, §7.10-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a one-story brick store building; that the business sign in question is 8 feet square and is located one story above the ground level and projects over the sidewalk approximately 4 feet and has existed for six years; that the appellant testified that a similar sign has existed on the subject building for over 20 years; that the appellant hired a contractor to replace the old sign, but that the contractor failed to obtain a permit for the installation of the new business sign; that the appellant now finds himself in a fait accompli situation; 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 an illuminated overhanging business identification sign affixed to the front of a one-story brick grocery store building, on premises at 5357-59 S. 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 808

APPLICANT: Andrew Alinovich
 APPEARANCES FOR: Andrew Alinovich
 APPEARANCES AGAINST:

CAL. NO. 92-89-A
 MAP NO. 6-F
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 611 W. 29th Street

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

ACTION OF BOARD—

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Andrew Alinovich, owner, on February 24, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail hardware and auto parts store in a one-story brick building on the rear of the lot improved additionally with a two-story brick store and apartment building, in an R3 General Residence District, on premises at 611 W. 29th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District in a one-story brick building on the rear of the lot additionally improved with a two-story brick store and apartment building; that the subject one-story building has been previously occupied by business uses, the last use having been for the manufacture of small electrical parts for automobiles, a C use; that the appellant proposes to established a retail hardware store, a B2 use, with accessory retail sale of small auto parts; that the change of use to a hardware store is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail hardware store and accessory sale of auto parts in a one-story brick building on the rear of the lot improved additionally with a two-story brick store and apartment building, on premises at 611 W. 29th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., Mondays through Saturdays; 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: Milan and Elizabeth Vasich
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 93-89-A
MAP NO. 13-O
MINUTES OF MEETING
April 21, 1989

PREMISES AFFECTED-- 7632 W. Foster Avenue

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

ACTION OF BOARD--

Appeal withdrawn upon
motion of appellants.

THE VOTE

Lawrence E. Kennon
Roula Alakiotou
Michael J. Howlett
James E. Caldwell
Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

APPLICANT: Charles Woltz
 APPEARANCES FOR: Helen Burlson
 APPEARANCES AGAINST: Stephanie Wasik, et al.

CAL. NO. 94-89-A
 MAP NO. 8-H
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 3741-43 S. Wood Street

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

ACTION OF BOARD—

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

THE RESOLUTION:

WHEREAS, Charles Woltz, owner, on February 17, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an off-site catering business including liquor in a one-story brick building formerly used as a tavern and hall, in an R3 General Residence District, on premises at 3741-43 S. Wood Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 5, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §6.4-5, §7.3-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a one-story brick building formerly used as a tavern and hall; that the appellant operated the tavern and hall at the subject site for many years until failing health caused him to cease operation in 1986; that during the period from 1984 to 1988 both the appellant and his wife had serious illnesses that caused them to temporarily stop work; that due to his inability to run the tavern business, the appellant has endeavored to sell the premises for potential business uses and that at no time did he abandon, nor intend to abandon, the subject building for business purposes, the tavern fixtures having remained intact; that contract purchaser William Mahoney proposes to establish an off-site catering business in the subject building under the name La Fleu De Lys Catering, Inc., a "white glove" operation catering complete dinners including liquor to clients in the North Shore and Northern suburbs area; that only food and beverage preparation will be conducted in the subject building for delivery to clients and that no walk-in business will be accommodated other than occasional clients invited to the site to sample menus to determine party selections; that the building usage will consist of a kitchen for food preparation, storage of food, beverages and equipment, and a sales office; that the proposed use will operate 7 days a week; that deliveries will be made from the rear of the premises from 8 A.M. to 5 P.M.; that there will be no deliveries

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on Saturdays or Sundays; that there will be one van, one 18 ft. box truck, and one company car in the operation; that the proposed operation employs two full-time persons in addition to the owner; that although a liquor license is required for the operation, liquor will only be provided as part of the outgoing prepared food orders and will not be sold on the premises; that the Board finds that the change of use from a tavern and hall to the catering business, as proposed, is a proper substitution of non-conforming use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an off-site catering business including liquor in a one-story brick building formerly used as a tavern and hall, on premises at 3741-43 S. Wood Street, upon condition that no food or liquor shall be dispensed or sold within the premises; that walk-in business shall be limited to occasional clients invited to the site to sample menus to determine party selections; that delivery hours shall be limited to the hours between 8 A.M. and 5 P.M. Monday through Friday; that there shall be no deliveries on Saturdays and Sundays; that the vehicles utilized in the operation of the business shall be limited to one van, one 18 ft. box truck and one company car; that the parking area at the rear of the property 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 shall be completely enclosed with a 6 feet high chain link fence including gate; that all delivery vehicles and employee vehicles shall be parked in said parking area and not in public ways; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Salah Daoudi & Mahmoud Dajani
 APPEARANCES FOR: Salah Daoudi & Mahmoud Dajani
 APPEARANCES AGAINST:

CAL NO. 95-89-A
 MAP NO. 16-H
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 6604-06 S. Damen Avenue

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

ACTION OF BOARD—

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
X		
X		
	X	

THE RESOLUTION:

WHEREAS, Salah Daoudi and Mahmoud Dajani, owners, on February 27, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a food and liquor store in a one-story brick and frame store building, in an R3 General Residence District, on premises at 6604-06 S. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District in a one-story brick and frame non-conforming building; that the subject premises is presently occupied by an audio/video repair shop; that the appellants propose to maintain the existing radio and television repair shop in the north portion of the non-conforming business building and partition the remaining portion for an additional business use; that the appellants do not now have a specific operator of the proposed food and liquor store at the site and are seeking permission to rent the premises to an unidentified prospective user; that the Board finds that the appellants are actually seeking a zoning declaration to permit a non-conforming business use to establish in the non-conforming building at the subject site without having a specific user who can testify as to its specific operation in order that the Board can determine if the use is a proper substitution of non-conforming use, as required under Section 6.4-7 of the zoning ordinance; that the Board has no authority to issue such a declaration; it is therefore

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

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

APPLICANT: Hyun K. Kim
 APPEARANCES FOR: Hyun K. Kim
 APPEARANCES AGAINST:

CAL. NO. 96-89-S
 MAP NO. 9-M
 MINUTES OF MEETING
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PREMISES AFFECTED— 3920 N. Central Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, Hyun K. Kim, for Austin Bank of Chicago, Tr. #4261, owner, on March 16, 1989, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a one-story brick building, in a B4-2 Restricted Service District, on premises at 3920 N. Central Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on April 3, 1989; and

WHEREAS, the district maps show that the premises are 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 applicant church is presently located at 3912 W. Lawrence Avenue; that a church at the subject site is necessary to continue to meet the needs of the 55-member congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will provide needed services in the community and which will provide adequate off-street parking on-site to be improved and operated under the conditions hereinafter set forth; and that the proposed church will be compatible with the existing residential and institutional 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 church in a one-story brick building, on premises at 3920 N. Central Avenue, upon condition that the on-site parking area abutting the subject building shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable

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all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the parking area shall be enclosed, excepting the driveway, with a 5 feet high chain link fence; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential properties; that ingress and egress shall be from W. Dakin Street; that the driveway shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked at all times when not in use by the applicant church; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: General Parking Corporation

CAL. NO. 97-89-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1989

PREMISES AFFECTED— 111-23 W. Kinzie Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
May 19, 1989.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Rene Dayan

CAL NO. 98-89-Z

APPEARANCES FOR:

MAP NO. 3-E

APPEARANCES AGAINST:

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PREMISES AFFECTED— 73 E. Cedar Street

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

ACTION OF BOARD—

Case continued to
May 19, 1989.

THE VOTE

Lawrence E. Kennon
Roula Alakiotou
Michael J. Howlett
James E. Caldwell
Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Stephen Mack
 APPEARANCES FOR: Stephen Mack
 APPEARANCES AGAINST:

CAL. NO. 99-89-A
 MAP NO. 1-H
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED-- 2001 W. Ohio Street

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Stephen Mack, owner, on March 23, 1989, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a video rental business in a three-story brick store and apartment building, in an R3 General Residence District, on premises at 2001 W. Ohio Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 15, 1989 reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a three-story brick store and apartment building; that the non-conforming store has been occupied by business uses for the past 60 years, the last use having been a resale and used furniture store, a B4 use, which ceased operation in August of 1988; that the change of use to a video rental business, a B2 use, is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a video rental business in a three-story brick store and apartment building, on premises at 2001 W. Ohio Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 10 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Angel Andrade

CAL. NO. 268-88-A

APPEARANCES FOR:

MAP NO. 12-H

APPEARANCES AGAINST:

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PREMISES AFFECTED— 5122 S. Winchester Avenue

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

ACTION OF BOARD—

Appeal dismissed
without prejudice.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

James E. Caldwell

Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

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

APPLICANT: Thomas Neal
 APPEARANCES FOR: Bennett P. Applegate & Janet M. Johnson
 APPEARANCES AGAINST: Thomas J. Murphy et al.

CAL. NO. 55-89-Z
 MAP NO. 3-E
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 1224 N. Astor Street

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

ACTION OF BOARD—

Variation denied.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
	X	
X		
X		

THE RESOLUTION:

WHEREAS, Thomas Neal, for LaSalle National Bank, Tr. #102896, owner, on January 30, 1989, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a two-story 4' x 13.75' addition to the north side and an addition on the roof of an existing three-story brick single-family residence, with no south side yard instead of 2.2 feet, whose west rear yard will be 7.9 feet instead of 30 feet, and which addition will result in an approximately 12% (522 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1224 N. Astor Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 27, 1989 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago; specifically, §7.6-5, §7.8-5, §7.9-5, §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1989 after due notice thereof by publication in the Chicago Tribune on February 27, 1989; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is located in a Chicago Historic Landmark District characterized by many late 19th Century and early 20th Century residential buildings; that the subject site is improved with a three-story residence originally constructed in approximately 1909; that the applicant proposes to renovate the interior of the existing structure and to erect a 12' x 27.5' steel and glass-enclosed sun room addition on the southwest corner of the roof of the building and a 2-story 4' x 14' addition on the Scott Street facade of the building, which will contain a foyer and closet/bathroom extension and which is located in a dedicated public right-of-way; that the floor area ratio of the existing building is 2.46; that the proposed addition would increase the floor area ratio 12.6% to 2.76; that the Board finds that the rezoning of the district from R7 to R5 in 1979 sought to prevent the encroachment of increased density development in the area in which the subject site is located in order to preserve the character

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of the improvements in this landmark neighborhood; that when determining a variation request for an addition to a single-family residence, the Board considers the standard of reasonable return as that of a lifestyle return rather than a monetary return; that the proposed glass-enclosed rooftop addition will be used as a relaxation area and is necessary to the applicant for reason of lifestyle; that no unique circumstances or particular hardship was demonstrated that would indicate that the subject site three-story single-family residence containing over 4,000 square feet of floor area cannot yield a reasonable lifestyle return without the requested variations; that the proposed glass-enclosed rooftop addition would not be consistent or harmonious with the 19th and early 20th Century architecture predominant in the immediate area and would alter the essential character of the locality; that the Board has no authority to consider the Scott Street addition due to its location on city property; 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: Just Us Enterprises, Inc.
 APPEARANCES FOR: Hilda Gutierrez, Linda Skarett
 APPEARANCES AGAINST:

CAL. NO. 27-88-S
 MAP NO. 4-H
 MINUTES OF MEETING
 April 21, 1989

PREMISES AFFECTED— 1800 W. 21st Place

SUBJECT— Review of approval granted by the Zoning Board of Appeals for the continued operation of a tavern in a 2-story brick building.

ACTION OF BOARD—

Approval affirmed.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 James E. Caldwell
 Anthony J. Fornelli

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou		X	
Michael J. Howlett	X		
James E. Caldwell	X		
Anthony J. Fornelli	X		

THE RESOLUTION:

WHEREAS, on March 18, 1988, the Zoning Board of Appeals approved a special use application by Just Us Enterprises, Inc., Linda Skarett, President, for the approval of the change of licensee and continued operation of an existing tavern in a two-story brick building, in an R4 General Residence District, on premises at 1800 W. 21st Place, subject to the condition that in the spring of 1989, upon written notice to the applicant and property owners, the Board will review the approval granted herein for the purpose of determining if the licensee is operating in the community in a proper manner for the purpose of determining if the public health, safety and welfare is being protected; and

WHEREAS, a public hearing was held by the Zoning Board of Appeals at its regular meeting on April 21, 1989 to review said special use granted by the Board; and

WHEREAS, the records of the Liquor License Commission of the City of Chicago indicates that no official complaints have been made by the Police Department concerning the operation of said tavern; and

WHEREAS, although some neighbors complained of noisy motorcycles and vehicles illegally parking near the premises, it appears to the Board that the applicant has endeavored to operate the said tavern in a manner that protects the public health, safety and welfare; it is therefore

RESOLVED, that the Zoning Board of Appeals hereby affirms its approval granted on March 18, 1988 for the continued operation of an existing tavern in a two-story brick building, on premises at 1800 W. 21st Place, with advice that the applicant be more considerate of their neighbors by informing their patrons to refrain from reving their motor vehicles and to not park their vehicles on public sidewalks, alleys, or any neighbor's lots.

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Cal. No. 212-88-Z

Mr. Meyer Magence, for Sherwin I. Ray, owner, presented a request for an extension of time in which to obtain necessary building permits for the erection of a two-story 25' x 32' addition to the rear of a two-story brick single-family residence, whose total floor area ratio will be approximately 0.63 instead of 0.50, on premises at 5914 N. Bernard Street, which variation was granted by the Board on October 21, 1988, Calendar No. 212-88-Z.

Mr. Magence stated that due to pressing business matters the project has not been completed and although architect's plans have been submitted to appropriate city offices and contractor bids have been received, the necessary permits have not yet been obtained.

Chairman Kennon moved that the request be granted and the time extended to October 21, 1989 in which to obtain necessary building permits. The motion prevailed by yeas and nays and follows:

Yeas- Kennon, Caldwell, Alakiotou, Howlett and Fornelli. Nays- None.

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Cal. No. 94-86-Z

Mr. David Trent Zilmer, for Robert W. and Sandra H. Thomas, owners, presented a request of an extension of time in which to obtain necessary building permits for the erection of a three-story single-family residence, whose front yard will be 12.11 feet instead of 15 feet and with no north and south side yards instead of 2.5 feet each, on premises at 2039 N. Mohawk Street, which variations were granted by the Zoning Board of Appeals on July 18, 1986, Calendar No. 94-86-A and for which extensions of time were granted on September 18, 1987 and September 16, 1988.

Mr. Zilmer stated that the request for an additional extension of time is necessitated by the long period of negotiation between the owners of the property and the general contractor but that the owners now have a signed contract and wish to proceed with the building permit application at this time.

Chairman Kennon remarked that the zoning ordinance provides that no order of the Board granting a variation is valid for a period longer than 6 months from the date of such order unless a building period is obtained within such period. He further stated that the applicants have already been granted two extensions of time in order to obtain the necessary permits and that the length of time since the granting of the original order and the present request for an additional extension is excessive.

Chairman Kennon moved that the request for an extension of time be denied and that no further extensions will be granted on the subject property. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Caldwell, Alakiotou, Howlett and Fornelli. Nays- None.

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Member Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on May 19, 1989.

Marian Rest
Secretary