

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, January 17, 1992

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

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman

Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

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Member Martin moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on December 13, 1991 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT:
 PERMITANCES FOR:
 PERMITANCES AGAINST:

Michael & Yolanda Bradley
 Michael Bradley, Sharon Taylor

CAL. NO. 1-92-Z
 MAP NO. 10-D
 MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED—
 SUBJECT—

4426 S. Greenwood Avenue
 Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Michael & Yolanda Bradley, for Chicago Title & Trust, Tr. No. 1094205, owner, on December 5, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the vertical extension of the outer walls to provide greater ceiling height in the 2nd floor of a 1½-story brick single-family dwelling located on the rear of a lot additionally improved with a 3-story residence on the front, which alteration will be located in the required 30 feet rear yard, on premises at 4426 S. Greenwood Avenue; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 5, 1991, 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, §5.5, §7.9-4, §11.7-4(1)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; 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 located in an R4 General Residence District; that the subject is a 150.02' x 135' lot improved with a 3-story brick single-family residence on the front of the lot and a 2-story brick coachhouse building located in the rear 30 feet of the lot; that upon suggestion of the contractor, the applicant had the outer walls of the rear coachhouse building vertically extended in order to raise the center portion of the roof 9 inches, thereby creating a new hip roof; that the coachhouse building is to be occupied by the applicant's mother-in-law; that the property in question cannot yield a reasonable return nor be put in a reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the aforesaid vertical extension of the outer walls of the existing coachhouse building is necessary to provide additional ceiling height in the 2nd floor living space; that the plight of the owner is due to the existing coachhouse building being already located in the required 30 feet rear yard; that the said improvement of the structure will negatively affect an adequate supply of light and air to adjacent properties in that the

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building is sufficiently distant from any residence; that the said improvement of the structure is compatible with other coachhouse structures in the neighborhood and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the vertical extension of the outer walls to provide greater ceiling height in the 2nd floor of a 1½-story brick single-family dwelling located on the rear of a lot additionally improved with a 3-story residence on the front, which alteration will be located in the required 30 feet rear yard, on premises at 4426 S. Greenwood 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: Russell G. Schroeder
APPEARANCES FOR: Russell G. Schroeder
APPEARANCES AGAINST:

CAL. NO. 2-92-Z
MAP NO. 26-J
MINUTES OF MEETING
January 17, 1992

PREMISES AFFECTED— 3436 W. 107th Street

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

ACTION OF BOARD—

Case continued to
March 20, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
		x

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

APPLICANT: Ronald G. Chmelar
HEARINGS FOR: Ronald G. Chmelar
HEARINGS AGAINST:

CAL. NO. 3-92-Z
MAP NO. 9-N
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 3458 N. Nagle Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—
 Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli		x	
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Ronald G. Chmelar, owner, on December 13, 1991, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of 4 window dormers on the 2nd floor of a 1½-story frame non-conforming 2-dwelling unit building, whose north side yard will be 1.46 feet instead of 4 feet, on premises at 3458 N. Nagle Avenue; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 16, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-2, §7.8-2, §11.7-4(1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; 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 subject site is a 40' x 123' lot improved with a 1½-story frame non-conforming building with the subject window dormers in place on the north and south sides of the structure; that the applicant repaired the prior existing dormers at the same time a new roof was constructed; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said window dormers are necessary to provide light and air to an existing family room in the applicant's rear dwelling unit; that the plight of the owner is due to unique circumstances in that the existing residential structure is located in the required north side yard which necessitates the requested variation for two dormers located on the north side of the building; that the said window dormers will not impair an adequate supply of light and air to adjacent property and are compatible with other existing dormered residential structures in the block; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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Cal. No. 3-92-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 4 window dormers on the 2nd floor of a 1½-story frame non-conforming 2-dwelling unit building, whose north side yard will be 1.46 feet instead of 4 feet, on premises at 3458 N. Nagle 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: Jonathan J. Cwynar
PEARANCES FOR: Miriam Cooper
PEARANCES AGAINST:

CAL. NO. 4-92-Z
MAP NO. 11-M
MINUTES OF MEETING
January 17, 1992

PREMISES AFFECTED— 6314 W. Berteau Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Case continued to
March 20, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: New Israelite M.B. Church
HEARANCES FOR: J. Tobias Dixon
HEARANCES AGAINST:

CAL. NO. 5-92-Z
MAP NO. 18-H
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1625 W. 75th Place
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, New Israelite M.B. Church, owner, on December 2, 1991, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 65.5' x 41.58' addition to the east side of a 1-story brick church building, with no north front yard instead of 20 feet and no east side yard instead of 12 feet, on premises at 1625 W. 75th Place; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 2, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-3, §7.8-3, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is a 150' x 125' lot improved with a 1 and 2-story church building; that the 2-story 65.5' x 41.58' addition to the east side of the 1-story portion of the building is partially completed; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 2-story addition is necessary to provide fellowship hall space for church activities; that the plight of the owner is due to the applicant's desire to align the said 2-story addition with the north building line of the existing building which was originally built to its north lot line; that the said 2-story addition has been constructed in the same style as the existing 1-story church building and follows the north building line of the existing structure; 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

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zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 65.5' x 41.58' addition to the east side of a 1-story brick church building, with no north front yard instead of 20 feet and no east side yard instead of 12 feet, on premises at 1625 W. 75th Place , upon condition that existing on-site parking area surfacing, fencing, wheel stops, drainage, lighting and driveway shall be maintained; 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: Interfaith Organizing Project of Greater Chicago
APPEARANCES FOR: Joseph P. Gattuso
APPEARANCES AGAINST:
PREMISES AFFECTED— 313 S. Leavitt Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 6-92-Z
MAP NO. 2-H
MINUTES OF MEETING
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ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Interfaith Organizing Project of Greater Chicago, owner, on December 13, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 13.5' high open porch and stairway to the front of a proposed 3-story 2-dwelling unit building, which stairway exceeds the maximum 4 feet height permitted in the required front yard, on premises at 313 S. Leavitt Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 12, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on November 15, 1990 the Board granted a variation to the applicant to permit the erection of a 3-story 2-dwelling unit building with no side yards instead of 2.07 feet each at the subject site; that the testimony presented in Calendar No. 280-92-Z is hereby make part of the record in this case; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the regulations in this district in that without the proposed variation an indoor stairway would be economically unfeasible and would result in a reduction in the interior living space; that the plight of the owner is due to the vintage character of the adjacent rowhouses and the block in general and the desire of the applicant to maintain that character while providing modern, livable low to moderate income dwelling units; that the proposed stairway and open porch will be consistent with the existing vintage character of the adjacent rowhouse structure and will not alter the essential character of the locality; it is therefore

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January 17, 1992
Cal. No. 6-92-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 13.5' high open porch and stairway to the front of a proposed 3-story 2-dwelling unit building, which stairway exceeds the maximum 4 feet height permitted in the required front yard, on premises at 313 S. Leavitt 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: Mr. and Mrs. J. Fritz Skeen CAL. NO. 7-92-Z
 HEARANCES FOR: Joseph P. Gattuso, Helen Morse (Mrs. J.F. Skeen) MAP NO. 5-F
 HEARANCES AGAINST: MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1923 N. Mohawk Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mr. and Mrs. J. Fritz Skeen, for American National Bank, Tr. #114 791 02, owner, on December 13, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story single-family residence with attached garage, whose front yard will be 12 feet instead of 15 feet, and with no north side yard and whose south side yard will be 1.25 feet instead of side yards of 2.45 feet each and whose enclosed garage connecting breezeway will encroach into the required rear yard, on premises at 1923 N. Mohawk Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 12, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §7.9-5, §11.7-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 24.5' x 128.42' lot currently improved with a 2-story residential building on the front of the lot and a 2-story frame residential building at the rear of the lot; that the applicants propose to demolish the existing buildings on the site and erect a 3-story brick single-family residence with a 1-story 2-car garage at the rear of the lot which will be connected to the proposed residential building by an enclosed breezeway located along the north property line; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed yard variations are necessary to construct a modern, livable single-family residence and attached garage as designed, to meet the lifestyle needs of the applicants; that due to the applicants' professions which involve a significant amount of business travel, security concerns for safe access from the garage to the residence and the elimination of narrow confining areas on the lot are paramount in the design of the proposed residence; that the plight of the owner is due to the narrow width of the subject

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lot and the desire of the applicants for a safe and secure access from the garage to the residence; that the proposed variations, if granted, will not alter the essential character of the locality in that the proposed improvements are designed in a traditional style to maintain the vintage character of the area and will be compatible with existing improvements in the neighborhood, most of which do not comply with the yard setback requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story single-family residence with attached garage, whose front yard will be 12 feet instead of 15 feet, with no north side yard and whose south side yard will be 1.25 feet instead of side yards of 2.45 feet each and whose enclosed garage connecting breezeway will encroach into the required rear yard, on premises at 1923 N. Mohawk Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Pencil Factory Limited Partnership
APPEARANCES FOR: Joseph P. Gattuso
APPEARANCES AGAINST:

CAL. NO. 8-92-S
MAP NO. 9-H
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1801-07 W. Newport Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Pencil Factory Limited Partnership, for LaSalle National Bank, Tr. 115403 and Chicago Transit Authority, owners, on December 13, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R3 General Residence (proposed B1-4 Local Retail District), on premises at 1801-07 W. Newport Avenue, to serve a 5-story 139-dwelling unit building located at 1800-50 W. Roscoe Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 12, 1991, 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, §8.3-1, §8.4-1(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District (proposed B1-4 Local 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 subject site is located in an R3 General Residence District (proposed B1-4 Local Retail District); that the subject site is a 75' x 125' unimproved lot located adjacent to C.T.A. elevated tracks to the northeast and a Chicago and Northwestern Railroad right-of-way along N. Ravenswood Avenue to the east; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to provide 22 additional off-street parking spaces for a 5-story 139-dwelling unit building located at 1800-50 W. Roscoe Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the applicant has a 25-year lease for the site with a renewal option of an additional 25 years; that the proposed off-site accessory parking lot will help alleviate parking congestion on the streets and by acting as a buffer between the C.T.A. tracks and the railroad right-of-way 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 permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1801-07 W. Newport Avenue, to serve a 5-story 139-dwelling unit building located at 1800-50 W. Roscoe Street, upon condition that no use shall be made of the premises for the use requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that a 4 foot high decorative wood fence shall be erected on the periphery of the lot, excepting the driveway; that landscaping shall be provided as indicated on the site plan prepared by Scott Byron and Company, dated November 7, 1991 and in compliance with the Chicago Landscape Ordinance; 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, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that concrete wheel stops shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be via the public alley abutting the site to the south; that an electric security gate shall be provided at the established entrance/exit; 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 parking lot in accordance with the provisions and standards hereby established under)s order; and be it further

RESOLVED, that the special use is hereby approved subject to the rezoning of the subject site by the City Council to B1-4 Local Retail.

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

APPLICANT: The Salvation Army Child Care Program
 HEARANCES FOR: Gary I. Wigoda
 HEARANCES AGAINST:

CAL. NO. 9-92-S
 MAP NO. 3-K
 MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 4255 W. Division Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
	X	
X		
X		

THE RESOLUTION:

WHEREAS, the Salvation Army Child Care Program, for New Hope Missionary Baptist Church, owner, on December 9, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a day care center as an accessory use to a community center in a 2-story brick building, in a C1-1 Restricted Commercial District, on premises at 4255 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 9, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §9.4-1, §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is improved with a 1 and 2-story brick building occupied by an operating community center; that the applicant seeks to establish a day care center at the site as an accessory use to the said day care center; that the proposed day care center will occupy approximately 3,344-sq. ft. of the total 13,575 sq. ft. building; that the proposed day care center will be operated by the Salvation Army Child Care Program and will provide Head Start activities and care to 68 children in the Humboldt Park community for 3½-hours daily; that family support services will also be provided; that city licensing requirements define a federally-funded Head Start facility the same as a day care center; that the proposed use is necessary for the public convenience at this location in that there is a critical need for Head Start/day care services in this area of the city; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable federal, state and city ordinances governing the establishment and operation of a Head Start/day care facility; that the proposed use will be operated as an accessory use to an established community center at the site and will not cause substantial

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Cal. No. 9-92-S

injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a day care center as an accessory use only to a community center in a 2-story brick building, on premises at 4255 W. Division Street, upon condition that the said day care center shall be operated in compliance with all applicable federal, state and city ordinances governing the establishment and operation of day care centers; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the Head Start/day care center activity to another group or organization the special use at the subject site granted herein shall become null and void.

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

APPLICANT: Donald R. Ogilvie
APPEARANCES FOR: Donald R. Ogilvie
APPEARANCES AGAINST:

CAL. NO. 10-92-S
MAP NO. 9-N
MINUTES OF MEETING
January 17, 1992

PREMISES AFFECTED— 3527 N. Harlem Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
March 20, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Richard Van Hattem
APPEARANCES FOR: Joseph Tecson, Richard Van Hattem
APPEARANCES AGAINST:

CAL. NO. 11-92-S
MAP NO. 1-H
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1801-31 W. Walnut Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Richard Van Hattem, for South Holland Trust and Savings Bank, Tr. #6028, owner, on November 21, 1991, 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 Class II Recycling Facility in a proposed 25,575 sq. ft. building, in a C2-2 General Commercial District, on premises at 1801-31 W. Walnut Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered October 23, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §9.3-2, §9.4-2, §9.4-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-2 General Commercial District; that the subject site is a 39,000 sq. ft. unimproved lot; that the applicant proposes to erect a 25,575 sq. ft. building on the site which will contain the proposed recycling operation; that the operation will consist of minimal processing of recyclable office waste paper, cardboard and possibly newspaper, all of which have been pre-sorted prior to delivery to the subject site; that no garbage, liquid or hazardous waste materials or landscape waste will be accepted at the site; that all processing will take place within the proposed building and will consist of the sorting of different grades of paper into bins, baled by machine and shipped elsewhere for processing into reusable products; that any excess waste materials will be stored temporarily in a designated area within the northerly portion of the proposed building and that said material will eventually be placed into the sorting facility and processed; that no excess materials will remain on the building floor when the facility is not in operation; that trucks entering the site for the removal of the sorted or processed materials will enter into the loading area through two driveways located on W. Walnut Street and after being loaded with

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January 17, 1992

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the baled materials will exit the site using the same driveways; that the proposed recycling facility will employ 20 to 25 persons and operate approximately 24 hours, Mondays through Saturdays, in two shifts; that the proposed facility is necessary for the public convenience at this location in that there is a critical need for recycling facilities in the central city area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility to be operated in compliance with federal, state and city environmental protection regulations and in compliance with the performance standards established in Article 10 of the zoning ordinance, and under the conditions hereinafter set forth; that the subject site is located in an area surrounded by manufacturing uses and that the establishment of a Class II Recycling Facility using state-of-the-art equipment and methods, 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 in a proposed 25,575 sq. ft. building, on premises at 1801-31 W. Walnut Street, subject to the following conditions; that an 8 feet high chain link fence shall be erected on the perimeter of the parking lot and loading dock areas located on the premises; that all driveways shall be secured by gates; that ingress and egress shall be from W. Walnut Street; that no garbage, liquid or hazardous waste materials or landscape waste shall be permitted on the subject site; that the operation at the site shall be limited to recyclable paper, cardboard and newspaper; that a rodent control program shall be established consistent with the requirements of the Department of Streets and Sanitation; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; that the proposed operation shall comply with all applicable regulations of the federal, state and city environmental protection agencies and with the performance standards established in 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 806

APPLICANT: Jacinto M. Gabriel
APPEARANCES FOR: Jacinto M. Gabriel
APPEARANCES AGAINST:

CAL. NO. 12-92-A
MAP NO. 15-G
MINUTES OF MEETING
January 17, 1992

PREMISES AFFECTED— 5621 N. Clark Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jacinto M. Gabriel, owner, on December 11, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing retail food store in a 3-story brick store and apartment building, in a B4-2 Restricted Service District, on premises at 5621 N. Clark Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 10, 1991, 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, §11.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992; 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 3-story brick store and apartment building; that the store premises is presently occupied by an existing retail Filipino grocery store; that the appellant offers bulk items at reduced prices to his customers; that said bulk sales activity amounts to approximately 15% of the applicant's business operation and may be considered accessory to the principal retail grocery operation; 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 wholesaling as an accessory use only in conjunction with an existing retail food store, on premises at 5621 N. Clark Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Leopoldo L. Jurado
APPEARANCES FOR: Leopoldo L. Jurado
APPEARANCES AGAINST:

CAL. NO. 13-92-A
MAP NO. 7-G
MINUTES OF MEETING
January 17, 1992

PREMISES AFFECTED— 3056 N. Lincoln 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
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Leopoldo L. Jurado, owner, on December 13, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing bakery and restaurant in a 1-story brick building, in a B3-2 General Retail District, on premises at 3056 N. Lincoln Avenue; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 9, 1991, 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, §8.3-3, §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 January 17, 1992; and

WHEREAS, the district maps show that the premises is located in a B3-2 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 B3-2 General Retail District; that the subject site is improved with a 1-story brick commercial building occupied by an existing retail bakery and restaurant; that the appellant seeks to wholesale special Filipino breads to Filipino groceries in the city; that the appellant has one van and delivers his products once a week; that the proposed wholesaling activity results in approximately 15% of the appellant's business at the subject site and may be considered accessory to the principal bakery/restaurant operation; 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 wholesaling as an accessory use only in conjunction with an existing bakery and restaurant in a one-story brick building, on premises at 3056 N. Lincoln Avenue, upon condition that the said wholesaling activity shall not exceed 15% of the total business operation at the site; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Michael Greenberg
APPEARANCES FOR: Gerard Haderlein
APPEARANCES AGAINST:

CAL. NO. 14-92-A
MAP NO. 5-H
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 2010 W. Concord Place
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Michael Greenberg, owner, on November 26, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 20' x 20.5' attic dormer to a 2-story frame non-conforming single-family dwelling building, in an M1-2 Restricted Manufacturing District, on premises at 2010 W. Concord Place; and

WHEREAS, the decision of the Office of Zoning Administrator rendered November 19, 1991, 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, §6.4-2, §6.4-6, §10.3-2, §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 January 17, 1992; 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 100' lot improved with a 2-story with attic frame non-conforming single-family dwelling approximately 100 years old; that the appellant seeks to erect a 20' x 20.5' attic dormer for additional living space; that the character of the block is residential although it has been zoned Commercial since 1923 until 1957 when it was zoned M1-2 Restricted Manufacturing; that although the subject site's manufacturing zoning renders the single-family dwelling non-conforming, such residential structure is exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and the 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 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 erection of a 20' x 20.5' attic dormer to a 2-story frame non-conforming single-family dwelling building, on premises at 2010 W. Concord Place, 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: Felipe J. Aguilar
APPEARANCES FOR: Felipe J. Aguilar, Juan Garcia, Ramon S. Cervantes
APPEARANCES AGAINST:

CAL. NO. 15-92-A
MAP NO. 3-H
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1558 N. Honore Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
	X	
X		

THE RESOLUTION:

WHEREAS, Felipe J. Aguilar, owner, on December 13, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2½-story brick building as 4 dwelling units, in an R4 General Residence District, on premises at 1558 N. Honore Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 11, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.5-4, §7.12-2(9), §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 January 17, 1992; 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 a 3,125 sq. ft. lot improved with a 2½-story brick residential building; that the appellant is seeking certification to use the building as four dwelling units; that the building on the subject site currently contains two dwelling units on the 1st floor and a duplexed dwelling unit on the 2nd floor; that the appellant testified that the basement of the building was considered a dwelling unit when he purchased the building; that on November 19, 1990, permit No. 732023 was issued by the Department of Buildings for the duplexing of the 2nd floor and attic into one dwelling unit and the deconversion from four to three dwelling units per plans submitted; that the appellant deconverted the building to 3 dwelling units and now seeks to re-establish the 4th dwelling unit; that Section 7.5-4 of the zoning ordinance provides that "in an R4 General Residence District there shall be provided not less than 900 sq. ft. of lot area per dwelling or efficiency unit..."; that the subject site lot has 3,125 sq. ft. of lot area which is sufficient for 3 dwelling units; that four dwelling units would require 3,600 sq. ft.; that under Section 7.5-4 of the zoning ordinance the Board has authority to permit the establishment of a fourth dwelling unit in the subject building; it is therefore

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

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

APPLICANT: Richard A. Polewaczyk
APPEARANCES FOR: Henry M. Soltysinski, Richard A. Polewaczyk
APPEARANCES AGAINST:

CAL. NO. 16-92-A
MAP NO. 12-G
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 9601 S. Torrence 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
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Richard A. Polewaczyk, owner, on November 19, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing non-conforming junk yard in an M1-1 Restricted Manufacturing District, on premises at 9601 S. Torrence Avenue; and

WHEREAS, the decision of the Office of Zoning Administrator rendered November 19, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.3-1, §10.4-1, §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 January 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is a large parcel of land improved with an existing non-conforming automobile junk yard; that the evidence presented indicates that an automobile junk yard has been in operation at the subject site since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and the the appellant has established the basis of his appeal; and that the appellant has a right to continue operation of an automobile junk yard at the subject site, provided the junk yard is operated in compliance with the appropriate city ordinances; 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 existing non-conforming junk yard, on premises at 9601 S. Torrence Avenue, upon condition that the said junk yard shall be operated in compliance with the appropriate city ordinances; and that all other applicable ordinances of the City of Chicago shall be complied with before license is issued.

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

APPLICANT: S.T. Anderson
APPEARANCES FOR: Irene Kelly, S.T. Anderson
APPEARANCES AGAINST:

CAL. NO. 17-92-A
MAP NO. 12-G
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 5358 S. Bishop Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, S.T. Anderson, for Irene Kelly, owner, on November 25, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the re-establishment of a grocery/liquor store in a 2-story frame store and apartment building, in an R3 General Residence District, on premises at 5358 S. Bishop Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered November 20, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on January 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story frame store and apartment building owned by Irene Kelly since 1973; that the subject site non-conforming store has been continuously occupied by a grocery/liquor business until damaged by fire on July 4, 1989; that subsequently the fire damage was repaired pursuant to a permit that identified the use of the subject building as one dwelling unit and retail; that the owner then leased the store to Monif Hasin who filed an appeal on June 20, 1990 to reopen the grocery/liquor store, in Calendar No. 251-90-A, which was dismissed by the Board on August 17, 1990, when the appellant failed to appear; that the owner has a new lessee, S.T. Anderson, the appellant in this case, who now seeks to re-establish the grocery/liquor store at the subject site; that the Board finds that there was no intent to abandon the non-conforming grocery/liquor store at the subject site and that its closure was caused by delays in the fire damage repairs, insurance settlement and licensing snags; and 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

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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 he is authorized to permit the re-establishment of a grocery/liquor store in a 2-story frame store and apartment building, on premises at 5358 S. Bishop Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 10 P.M., daily; 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: Miguel Mata
 APPEARANCES FOR: Miguel Mata
 APPEARANCES AGAINST:

CAL. NO. 18-92-A
 MAP NO. 1-H
 MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1941 W. Huron Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Miguel Mata, owner, on November 22, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a ground floor store into an apartment in a 3-story brick store and 2-dwelling unit building on the front of a lot additionally improved with a 2-story frame 3-dwelling unit building at the rear, in an R3 General Residence District, on premises at 1941 W. Huron Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered November 20, 1991, 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, §5.5, §7.5-3, §7.12-1(4), §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 January 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 3-story brick 2-dwelling unit building with a store on the ground floor on the front of a lot additionally improved with a 2-story frame 3-dwelling unit building at the rear; that the appellant seeks to convert the ground floor store in the front building to a dwelling unit for a total of 3 dwelling units in the subject building; that the conversion of a non-conforming store to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance in this R3 General Residence District; 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 conversion of a ground floor store into an apartment in a 3-story brick store and 2-dwelling unit building on the front of a lot additionally improved with a 2-story frame 3-dwelling unit building at the rear, on premises at 1941 W. Huron Street, upon condition that conversion of the store into a dwelling unit shall comply with all applicable building code regulations with plans and permits obtained indicating such compliance and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: C.S. Productions/The Prop House

CAL. NO. 19-92-A

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

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PREMISES AFFECTED— 1675 N. Elston Avenue

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

ACTION OF BOARD—

Case continued to
March 20, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Michael J. Graney
APPEARANCES FOR: Robert M. Terzich
APPEARANCES AGAINST:

CAL. NO. 20-92-A
MAP NO. 6-F
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 200 W. 31st Street

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Michael J. Graney, for Southwest Financial Bank, Tr. #1-0172, owner, on December 12, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an existing advertising sign within 500 feet of an expressway, in a C1-3 Restricted Commercial District, on premises at 200 W. 31st Street, which is alleged is a business identification sign; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 3, 1991, 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, §8.9(5), §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 January 17, 1992; and

WHEREAS, the district maps show that the premises is located in a C1-3 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a C1-3 Restricted Commercial District; that the subject site is located at the northwest corner of W. 31st Street and S. Wentworth Avenue and is improved with a 1-story brick building occupied by a fast food restaurant; that a double-faced sign attached at the top of a freestanding pole exists at the southeast corner of the subject site, which sign is within 500 feet of the Dan Ryan Expressway and visible therefrom; that the sign depicts the lettering J J Italian Beef and Sausage and what the appellant describes is a Pepsi-Cola logo; that the zoning certification denial from the Office of the Zoning Administrator states that the sign is an advertising sign and is prohibited due to its being within 500 feet of an expressway; that the appellant argues that the sign is a business identification sign which directs attention to commodities sold upon the premises; that the definition under the zoning ordinance of a business sign is "a sign which directs attention to a business or profession conducted or to a commodity, service or entertainment sold or offered upon the premises where such sign is located, or to which it is affixed"; that the Board finds in this case that the subject sign meets the definition of a business sign in that it clearly directs attention to a restaurant business and to commodities sold upon the site where

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the sign is located, namely, Italian Beef & Sausage and Pepsi-Cola; that no violation of the zoning ordinance exists or is contemplated and that the appellant has established the basis of his appeal, provided that the sign complies with the size limitations imposed under Section 9.9(6) 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 an existing pole-mounted double-faced sign depicting J J Italian Beef and Sausage and a Pepsi-Cola logo as a business sign within 500 feet of an expressway, on premises at 200 W. 31st Street, upon condition that the sign complies with the size limitations imposed under Section 9.9(6) 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: Juan D. Bacerott
APPEARANCES FOR: Steve Bacerott
APPEARANCES AGAINST:

CAL. NO. 21-92-A
MAP NO. 6-I
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 3124 W. 25th Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
	x	
x		
x		
x		

THE RESOLUTION:

WHEREAS, Juan D. Bacerott, owner, on December 5, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food in conjunction with an existing retail bakery in a 2-story brick store and apartment building, in an R4 General Residence District, on premises at 3124 W. 25th Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered November 29, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-4. §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 January 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is improved with a 2-story brick store and apartment building; that the store premises has been occupied by a retail bakery for approximately 20 years, which bakery is presently operated by the appellant's son; that the appellant is seeking a food dispenser license in order to sell deli items, pizza slices, soda pop, etc. at the site; that there are a few small tables and chairs in the store area; that the proposed food dispensing operation will be no more than 40% of the total business activity at the site; that the proposed food dispensing is subordinate to the principal retail bakery operation and may be considered an accessory use; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the dispensing of food as an accessory use only in conjunction with an existing retail bakery in a 2-story brick store and apartment building, on premises at 3124 W. 25th Street, upon condition that the hours of operation shall be limited to the hours between 1 P.M. and 11 P.M. daily; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold on the premises; that the food dispensing activity shall be no more than 40% of the total business activity at the site; that the approval of the requested use

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shall be an accessory use only and shall not be construed as approval for the operation of a restaurant at the site; that the number of tables and chairs at the site shall not be increased; and that all other 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: David W. Ferris
APPEARANCES FOR: John J. Pikarski, David Ferris
APPEARANCES AGAINST: Joseph Szuba

CAL. NO. 22-92-Z
MAP NO. 3-E
MINUTES OF MEETING
 January 17, 1992

PREMISES AFFECTED— 1444 N. Astor Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, David W. Ferris, for David W. Farris and Jane Williams Ferris, owners, on December 16, 1991, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the expansion of the 3rd floor dwelling unit into the 4th floor storage area of a 4-story brick 3-dwelling unit condominium buildings, which expansion will be located in the required 30 feet rear yard and will result in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1444 N. Astor Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered December 16, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-5, §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 January 17, 1992 after due notice thereof by publication in the Chicago Tribune on December 23, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 25' x 110' lot improved with a 4-story brick 3-dwelling unit condominium building with passive storage area located in the rear yard; that the applicant owns and resides in the 3rd floor with penthouse dwelling unit; that on October 30, 1986, the City Council passed an 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 applicant proposes to expand his 3rd floor with penthouse dwelling unit into a rear 4th floor passive storage area which will result in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that permission by the building's condominium association was granted to the applicant for the proposed expansion; that the property in

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Cal. No. 22-92-Z

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 3rd floor expansion is necessary to provide additional bedroom space for the applicant and his family; that the plight of the owners is due to unique circumstances in that the proposed expansion into the passive rear storage space on the 4th floor is the only feasible method of obtaining the additional living space needed by the applicant; that the rear yard variation requested is necessitated by the passive storage area already existing in the required 30 feet rear yard; that the variations, if granted, will not alter the essential character of the locality in that the proposed expansion of the applicant's dwelling unit into the 4th floor rear storage area involves only interior remodelling work and will not change the exterior of the building in any way; 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 expansion of the 3rd floor dwelling into the 4th floor storage area in a 4-story brick 3-dwelling unit condominium building, which expansion will be located in the required 30 feet rear yard and will result in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1444 N. Astor Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Frances P. Wager

CAL. NO. 23-92-A

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
January 17, 1992

PREMISES AFFECTED— 1857 N. Burling Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Judith M. Davis
APPEARANCES FOR: Kristi Osga, Judith M. Davis
APPEARANCES AGAINST:

CAL. NO. 295-92-Z
MAP NO. 3-G
MINUTES OF MEETING
 December 13, 1991 and
 January 17, 1992

PREMISES AFFECTED— 1537 W. Chestnut Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Judith M. Davis, owner, on November 7, 1991, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1 and 3-story single-family dwelling on a through lot whose front yard along Chestnut Street will be 10.67 feet and whose front yard along Pearson Street will be 3 inches instead of front yards of 10.85 feet each and with no east side yard instead of 4 feet only for a distance of 21.92 feet running north from Pearson Street, on premises at 1537 W. Chestnut Street; and

WHEREAS, the decision of the Office of Zoning Administrator rendered October 30, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §11.7-4(1)."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on December 13, 1991 and January 17, 1992 after due notice thereof by publication in the Chicago Tribune on November 25, 1991; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 40' x 90.25' vacant through lot with frontages on W. Chestnut and W. Pearson Streets; that the applicant proposes to erect a 1 and 3-story L-shaped single-family dwelling which will include a 16 feet wide 1-automobile attached garage to be located in the Chestnut Street front yard and a 2-automobile attached garage in the east portion of the Pearson Street 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 variations requested are necessary to erect a single-family dwelling as designed, including two attached garages, to meet the needs of the applicant and her family; that the plight of the owner is due to unique circumstances in that the subject site is a shallow through lot which necessitates the two front yard and side yard variations requested; that the variations, if granted, will not alter the essential character of the locality in that they will not impair an adequate supply of light and air to adjacent properties and will be an improvement in this neighborhood which is undergoing rehabilitation; it is therefore

MINUTES OF MEETING

December 13, 1991 and
January 17, 1992
Cal. No. 295-91-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 1 and 3-story single-family dwelling on a through lot whose front yard along Chestnut Street will be 10.67 feet and whose front yard along Pearson Street will be 3 inches instead of front yards of 10.83 feet each and with no east side yard instead of 4 feet only for a distance of 21.92 feet running north from Pearson Street, on premises at 1537 W. Chestnut Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.