

MINUTES OF THE RE-SCHEDULED REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

(Originally scheduled for April 16, 1992.)

held in Room 569 County Building, on Thursday, May 14, 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

MINUTES OF MEETING
May 14, 1992

Member Alakiotou moved that the Board approve the minutes of the proceedings of the regular meeting of the Zoning Board of Appeals held on March 20, 1992 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Alakiotou, Fornelli and Moore. Nays- None. Absent (for a portion of the meeting) - Martin.

* * * * *

The Board thereupon held a re-scheduled meeting of its regularly scheduled April 16, 1992 meeting, taking action designated on the face of the resolutions.

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

APPLICANT: Stephen J. Luecking & Margaret Lanterman Luecking

CAL. NO. 66-92-Z

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING

May 14, 1992

PREMISES AFFECTED— 1934 W. Bradley Place

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

ACTION OF BOARD—

Case continued to
June 19, 1992.

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 806

APPLICANT: Morgan Park C.H. Church
VARANCES FOR: Janice Agnew
APPEARANCES AGAINST:

CAL. NO. 67-92-Z
MAP NO. 26-G
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 1357 W. 107th 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, Morgan Park C.H. Church, owner, on March 5, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of 1-story additions to the north and east sides of a 1-story frame church building to contain 120 seats, whose west side yard will be 8.8 feet instead of 12 feet and whose south rear yard will be 2.16 feet instead of 30 feet, on premises at 1357 W. 107th Street; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 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 on March 18, 1988 the Board granted a variation to the applicant for the erection of the proposed 1-story additions to the 1-story frame church building at the subject site; that the applicant was not able to go forward with the proposed additions; that the testimony presented in Calendar No. 39-88-Z is hereby made 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 conditions allowed by the regulations in this district in that the growth of the congregation and its activities necessitates an increase in the size of the existing building; that the plight of the owner is due to the configuration of the existing structure on the lot which includes required off-street parking in the east portion of the lot, and the need for additional space for the proper functioning of the church; and that the variations, if granted, will not alter the essential character of the locality in that the proposed additions to the north will conform with the front yard set backs of other improvements on the block and is located in an area in which many of the improvements do not comply with the

MINUTES OF MEETING

May 14, 1992

Cal. No. 67-92-Z

yard 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 1-story additions to the north and east sides of a 1-story frame church building to contain 120 seats, whose west side yard will be 8.8 feet instead of 12 feet and whose south rear yard will be 2.16 feet instead of 30 feet, on premises at 1357 W. 107th Street, upon condition that the parking area shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails approximately 2 feet in height shall be erected on the periphery of the surfaced area excluding the driveway; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be from W. 107th Street, and the driveway shall be constructed in compliance with all applicable ordinances; 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: James M. Charveriat, by David W. Crookall
PEARANCES FOR: Howard Kilberg, David W. Crookall
PEARANCES AGAINST:

CAL. NO. 68-92-Z
MAP NO. 3-F
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 1404 N. Mohawk Street
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
x		
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, James M. Charveriat, by David W. Crookall, for American National Bank, Tr. #112656, owner, on February 14, 1992, 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 residence, whose front yard will be 1 foot instead of 15 feet, on premises at 1404 N. Mohawk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 6, 1992, reads:

"Application not approved. Requested certification does not comply 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 a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 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 proposed use is to be located in an R4 General Residence District; that the subject site is a 25' x 132.15' unimproved lot with no alley access and a 4' high vaulted front sidewalk; 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 14 feet variation requested in the front yard setback is necessary to provide four 6 feet high retaining walls and stairs for access from the vaulted sidewalk and security gates; that the plight of the owner is due to the vaulted city sidewalk, no alley access to the site which necessitates a garage entrance and curb cut on N. Mohawk street and to the applicant's insistence on an entry close to the street with security gates; that the variation, if granted, will not alter the essential character of the locality in that the 1 and 3-story single-family residence as proposed will be consistent with existing improvements in the neighborhood, many of which do not comply with the front yard setback requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

May 14, 1992

Cal. No. 68-92-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 1 and 3-story single-family residence, whose front yard will be 1 foot instead of 15 feet, on premises at 1404 N. Mohawk Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Alicia Lara
PEARANCES FOR: Alicia Lara
APPEARANCES AGAINST:

CAL. NO. 69-93-Z
MAP NO. 1-H
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2023 W. Huron 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, Alicia Lara, owner, on February 19, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 1½-story frame single-family dwelling, whose west side yard will be 0.67 feet instead of 2.4 feet and which dormering will result in a 4% (95 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2023 W. Huron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 5, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3, §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 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 a 24.08' x 121.5' lot improved with a 1½-story A-frame single-family residence; 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 dormer the attic of the existing single-family dwelling by raising the roof to provide needed headroom space totalling 95 sq. ft. in the existing attic bedrooms which exceeds by 4% the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed dormer is necessary to provide needed headroom space in the existing attic bedrooms; that the plight of the owner is due to the A-frame shape of the existing residential building which

MINUTES OF MEETING

May 14, 1992

Cal. No. 69-92-Z

necessitates the proposed attic dormer; that the proposed attic dormer will not impair an adequate supply of light and air to adjacent properties 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 dormering of the attic of a 1½-story frame single-family dwelling, whose west side yard will be 0.67 feet instead of 2.4 feet and which dormering will result in a 4% (95 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2023 W. Huron 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: Jack Mashni
APPEARANCES FOR: Jack Mashni
APPEARANCES AGAINST:

CAL. NO. 70-92-Z
MAP NO. 7-L
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 5254 W. Drummond 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, Jack Mashni, for American National Bank, Tr. #109740-0-4, owner, on February 27, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 15.33' x 19.58' addition to the rear of a 2-story brick 2-dwelling unit building, whose east side yard will be 2.58 feet instead of 3 feet and which addition will result in an 11% (300 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 5254 W. Drummond Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 13, 1992, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 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 said use is located in an R3 General Residence District; that the subject site is a 30' x 124.1' lot improved with a 2-story brick 2-dwelling unit building including the subject 1-story 15.33' x 19.58' rear addition; 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 said 1-story rear addition was constructed in December, 1991 to provide additional bedroom space totalling 300 sq. ft. for the first floor dwelling unit and exceeds by 11% the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 1-story rear addition is necessary to provide additional living space in the 1st floor dwelling unit;

MINUTES OF MEETING

May 14, 1992

Cal. No. 70-92-Z

that the plight of the owner is due to unique circumstances in that the said 1-story rear addition was constructed without the necessary building permit and that the applicant now seeks to legalize the construction; that the variations, if granted, will not alter the essential character of the locality in that the said 1-story rear addition conforms to the east wall of the existing residential building and will not impair an adequate supply of light and air to adjacent properties; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 15.33' x 19.58' addition to the rear of a 2-story brick 2-dwelling unit building, whose east side yard will be 2.58 feet instead of 3 feet and which addition will result in an 11% (300 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 5254 W. Drummond 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 806

APPLICANT: Louis Alverio
APPEARANCES FOR: Louis Alverio
APPEARANCES AGAINST:

CAL. NO. 71-92-Z
MAP NO. 7-J
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2628 N. Lawndale 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
x		
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, Louis Alverio, owner, on March 4, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2-story frame 2-dwelling unit building, which dormers will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2628 N. Lawndale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 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 a 28' x 125.35' lot improved with a 2-story frame 2-dwelling unit building with the outside construction of the proposed attic dormer addition completed; 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 resides in the 2nd floor dwelling unit and proposes to dormer the existing attic space to provide additional living space, but no kitchen facility, which results in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; 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 attic dormers are necessary to meet the additional space requirements of the applicant and his family who reside in the 2nd floor

MINUTES OF MEETING

May 14, 1992

Cal. No. 71-92-Z

dwelling unit; that the plight of the owner is due to unique circumstances in that the outside construction work on the proposed 2nd floor attic dormers was begun without the necessary building permits due to a misunderstanding between the applicant and his contractor as to who was to obtain the necessary permit, and that the applicant now seeks to legalize the proposed attic dormers; that no one appeared in opposition to the applicant's proposal; that the proposed attic dormers will be compatible with the various sized residential buildings in this block and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2-story frame 2-dwelling unit building, which dormers will result in a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2628 N. Lawndale Avenue, upon condition that the dormered attic space shall contain no kitchen facility and is to be occupied only as accessory living space to the 2nd floor dwelling unit; that the dormered attic shall not be rented out or used as a separate dwelling unit; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: David J. Zimmer
APPEARANCES FOR: Ronald J. Belmonte
APPEARANCES AGAINST:

CAL. NO. 72-92-Z
MAP NO. 16-M
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 6020 W. 65th Street (as amended)
SUBJECT— Application for a variation 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, David J. Zimmer, for W.W. Grainger, Inc., owner, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an M1-1 Restricted Manufacturing District, the erection of a 1-story 15,050 sq. ft. distribution/sales office facility, with no 30 feet yard setback along the north lot line as required when abutting an R4 General Residence District, on premises at 6020 W. 65th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 18 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §10.13-1, §10.15-1, §10.16-1(2), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 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 proposed use is to be located in an M1-1 Restricted Manufacturing District; that the subject site is a 132' x 340' parcel of land improved with a 1-story brick warehouse and office building located in the northeast portion of the property and which abutts residential properties to the north; that the owner, W.W. Grainger, Inc., proposes to erect a new distribution warehouse and sales office building west of the existing structure and then demolish the present structure and establish a new accessory parking lot for employees and customers at that location; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variation requested is necessary to allow for the necessary space and turning radius for trucks to access the distribution facility without having to maneuver on the public street; that the plight of the owner is due to the code requirement of a 30 feet yard setback when abutting an R4 General Residence District; and that with provision for screen fencing along the north lot line between the subject site and abutting residential properties and appropriate landscaping, the proposed variation, if granted,

MINUTES OF MEETING

May 14, 1992

Cal. No. 72-92-Z

will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 15,050 sq. ft. distribution/sales office facility, with no 30 feet yard setback along the north lot line as required when abutting an R4 General Residence District, on premises at 6020 W. 65th Street, upon condition that screen fencing shall be erected along the north lot line to screen the facility from abutting residential properties, and that the proposed parking area to the east of the building shall meet all applicable provisions of the City of Chicago Landscape Ordinance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Northwest Home for the Aged
APPEARANCES FOR: Bernard I. Citron
APPEARANCES AGAINST:

CAL. NO. 73-92-S

MAP NO. 15-I

MINUTES OF MEETING
May 14, 1992

PREMISES AFFECTED— 6300 N. California Avenue
SUBJECT— Application for the approval of a special use

ACTION OF BOARD—

Case continued,
on Board's motion,
to August 21, 1992.

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: Viva Family Center
HEARINGS FOR: Joan Ferraro
APPEARANCES AGAINST:

CAL. NO. 74-92-S
MAP NO. 3-I
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2512 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
Joseph J. Spingola	x		
Roula Alakiotou	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS; Viva Family Center, owner, on March 6, 1992, 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 a C1-2 Restricted Commercial District, on premises at 2512 W. Division Street, to serve a day care center at 2516-18 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 18, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4, §9.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 1992; and

WHEREAS, the district maps show that the premises is located in a C1-2 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 C1-2 Restricted Commercial District; that the subject site is a 24' x 125' unimproved lot; that the applicant is a not-for-profit child welfare agency which also operates a Federal Head-Start program; that the proposed off-site accessory parking lot is necessary for the public convenience at the subject site location to serve the applicant child welfare agency; that the Head-Start program requires parking facilities in order to obtain its license from the Federal government; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed off-site accessory parking lot will be an improvement in this block which contains many vacant lots and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking

MINUTES OF MEETING

May 14, 1992

Cal. No. 74-92-S

lot for the parking of private passenger automobiles, on premises at 2512 W. Division Street, to serve a day care center at 2516-18 W. Division Street, upon condition that the following conditions shall be complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be enclosed, excepting the driveway(s) with a steel beam guard rail approximately 2 feet high; 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 lighting and striping shall be provided; that ingress shall be from W. Division Street; that the driveway shall be constructed in compliance with all applicable ordinances; that there shall be no egress via the alley abutting the site to the north until a waiver of the alley barrier is obtained from the City Council; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

APPLICANT: GTE Spacenet Corporation
APPEARANCES FOR: Richard Connor Riley
APPEARANCES AGAINST:

CAL. NO. 75-92-S
MAP NO. 8-H
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 3111 S. Western 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, GTE Spacenet Corporation, owner, on March 6, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the construction of an additional satellite dish at an existing HUB Earth Station facility and to locate necessary electronic transmission equipment within existing space of an existing building in an M3-4 Heavy Manufacturing District, on premises at 3111 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1992, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 (Chapter 194A) of the Municipal Code of Chicago, specifically, Section 10.4-1(16) and Section 5.10."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992, after due notice thereof of the originally scheduled meeting of April 16, 1992, by publication in the Chicago Sun-Times on March 30, 1992; and

WHEREAS, the district maps show that the premises is located in an M3-4 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 M3-4 Heavy Manufacturing District; that the applicant provides satellite electronic transmissions to various businesses within the Greater Chicago Metropolitan Area; that this HUB facility is existing and as such it is necessary to locate the additional satellite dish as this location; that the proposed use is necessary for the public convenience at this location to meet the public demand for satellite communications systems; that the public health, safety and welfare will be adequately protected in the proposed use which will be operating in compliance with the regulations of the Federal

MINUTES OF MEETING May 14, 1992
75-92-S

Communications Commission; that the operation of the proposed satellite dish will not interfere with other public transmissions or home electrical systems in the neighborhood; that the proposed satellite dish and transmission equipment is self-monitored; and the addition of a 6.1 meter satellite dish will be compatible with the existing improvements at this location and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of an additional satellite dish according to the plans submitted hereof and the installation of the necessary electronic transmission equipment within existing space of an existing one-story commercial building for use by satellite transmission business, on a premises at 3111 S. Western Avenue, upon condition that the equipment and satellite shall be serviced and maintained in a manner to preclude any problems of interference with other public and private transmission; that the proposed transmission equipment and satellite dish and the use thereof shall be in compliance with the regulations of the Federal Communications Commission; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPLICANT: Ameritech Mobile Communications, Inc.
APPEARANCES FOR: Richard Connor Riley
APPEARANCES AGAINST:
PREMISES AFFECTED-- 4930 S. Cottage Grove
SUBJECT-- Application for the approval of a special use.

CAL NO. 76-92-S
MAP NO. 12-E
MINUTES OF MEETING
 May 14, 1992

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, Ameritech Mobile Communications, Inc., for Franciscan Fathers of Illinois, owner, on March 4, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of an 87 foot monopole antenna outside and adjacent to an existing parking and storage garage in which interior space will be utilized to house telecommunications equipment in a R5, General Residence District, at 4930 South Cottage Grove; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 4, 1992, 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, Section 7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992, after due notice thereof of the originally scheduled meeting of April 16, 1992, by publication in the Chicago Sun-Times on March 30, 1992; 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 applicant provides cellular mobile telephone service to the Greater Chicago Metropolitan area; that cellular telephone systems are laid out on a grid pattern and spacing and location of the component cells is critical for the successful operation of the system; that the proposed use is necessary for the public convenience at this location to meet the public demand for mobile communications systems; that the public health, safety and welfare will be adequately protected in the proposed use which will be operating in compliance with the regulations of the Federal

MINUTES OF MEETING May 14, 1992
76-92-S

Communications Commission; that the operation of the proposed antennas will not interfere with other public transmissions or home electrical systems in the neighborhood; that the proposed antennas and transmission equipment is self-monitored; and the 87 foot monopole antenna is compatible with surrounding uses and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of an 87 foot monopole antenna adjacent to the parking and storage garage and to locate cellular telephone equipment in existing space within a parking and storage garage located on the site of a high school on premises at 4930 S. Cottage Grove, on condition that the equipment in said parking and storage garage and antennas located on the 87 foot monopole shall be serviced and maintained in a manner to preclude any problems of interference with other public and private transmission; that the proposed transmission equipment and antennas and the use thereof shall be in compliance with the regulations of the Federal Communications Commission; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Saul Mendoza
APPEARANCES FOR: David Dordek
APPEARANCES AGAINST:

CAL. NO. 77-92-S
MAP NO. 17-H
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2122-22½ W. Devon 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, Saul Mendoza, owner, on February 18, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern on the first floor of a 3-story brick store and apartment building, in a B5-2 General Service District, on premises at 2122-22½ W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 5, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(6), §8.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 1992; and

WHEREAS, the district maps show that the premises is located in a B5-2 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-2 General Service District; that the subject site is a 58' x 107' lot improved with a 3-story brick store and apartment building; that testimony presented indicates that the subject premises was occupied prior to 1987 as a tavern and up to 1990 as a package liquor store; that the applicant has operated a tavern at the subject site since 1991 when he purchased the property but has been closed since December 1992 for lack of special use approval; that the establishment of a tavern is necessary for the public convenience at this location to continue to serve its patrons, the majority of which reside in the local community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be operated under the conditions hereinafter set forth; that the proposed use will be compatible with existing business improvements in the block 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 establishment of a tavern on the

MINUTES OF MEETING

May 14, 1992

Cal. No. 77-92-S

first floor of a 3-story brick store and apartment building, on premises at 2122-22½ W. Devon Avenue, upon condition that the subject tavern shall at all times be operated in such a manner so as not to become a nuisance in the community; that adequate trash receptacles shall be provided on the property; 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: William J. Hyzy, Jr.
APPEARANCES FOR: John J. Pikarski, Jr.
APPEARANCES AGAINST: Lawrence Bloom, Florence Koonce, et al.
PREMISES AFFECTED— 7400 S. Stony Island Avenue
SUBJECT— Application for the approval of a special use.

CAL. NO. 78-92-S
MAP NO. 18-D
MINUTES OF MEETING
 May 14, 1992

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, William J. Hyzy, Jr., for William J. Hyzy, Jr. and Daniel Fronczak, owners, on February 20, 1992, 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 a 3-story brick building, in a C2-2 General Commercial District, on premises at 7400 S. Stony Island Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 5 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §9.3-2, §9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 1992; 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 9,375 sq. ft. parcel of land located at the southwest corner of 74th Street and Stony Island Avenue and is improved with a 3-story brick building which was vacant and vandalized until the applicant rehabilitated and began using it; that the applicant proposes to operate a Class II recycling facility at the subject site which will comprise accepting and minimally processing metals, paper and other recyclable materials, by crushing and compacting them, placing them in dumpsters for removal to other processors; that the hours of operation will be from 8 A.M. to 5 P.M. Monday through Friday and 8 A.M. to 3 P.M. Saturday; that no burning of any materials will take place at the site; that all loading and unloading will take place within the premises; that no dumpsters will be located outside of the building; that all collecting and processing will take place within the building; that no hazardous wastes will be allowed to remain on the site; that no disposal of any materials will be made into the city sewer; that trucks exiting the site will be required to make a right turn only eastbound on 74th Street; that the proposed use is necessary for the public convenience at this location in that there is a critical need for local area recycling facilities in the City of Chicago; that

MINUTES OF MEETING

May 14, 1992

Cal. No. 78-92-S

the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will be operated in compliance with all applicable ordinances of city and state environmental protection agencies and with the performance standards established under Article 10 of the zoning ordinance; that no toxic or hazardous materials will be handled at the site; that the proposed use will be compatible with existing commercial and industrial 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 Class II Recycling Facility in a 3-story brick building, on premises at 7400 S. Stony Island Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 5 P.M. Monday through Friday and 8 A.M. and 3 P.M. Saturday; that there shall be no burning of any materials at the subject site; that all loading and unloading shall take place within the premises; that no dumpsters shall be located outside of the building; that all collecting and processing of materials shall take place within the building; that no hazardous or toxic wastes shall be allowed on the premises; that there shall be no disposal of any waste materials into the city sewer; that a "Right Turn Only" sign shall be erected at the 74th Street exit; that the recycling facility shall be operated at all times in compliance with all applicable provisions of city and state environmental protection agencies 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 806

APPLICANT: Carl Federici
APPEARANCES FOR: J.C. Ambrose
APPEARANCES AGAINST:

CAL. NO. 79-92-S
MAP NO. 18-D
MINUTES OF MEETING
May 14, 1992

PREMISES AFFECTED— 6633 S. Kedzie Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
July 17, 1992.

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: The Gospel Truth M.B. Church
HEARANCES FOR: Benjamin Duster, Rev. W. Mobley
APPEARANCES AGAINST:

CAL. NO. 80-92-S
MAP NO. 24-F
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 10015 S. Halsted 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 Gospel Truth M.B. Church, owner, on March 5, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 1-story 400-seat church building, in a B4-1 Restricted Service District, on premises at 10015 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof of the originally scheduled meeting of April 16, 1992 by publication in the Chicago Sun-Times on March 30, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 200.2' x 108.15' unimproved parcel of land; that the applicant church presently holds services at 10133 S. Halsted Street and is seeking to erect a 1-story 400-seat church building at the subject site; that the proposed use is necessary for the public convenience at the subject site location to continue to provide needed services to its congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will comply with all applicable building code regulations and which will provide adequate off-street parking spaces to be improved and operated under the conditions hereinafter set forth; that the proposed church at the subject site will be an improvement in this block which contains many vacant lots and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 1-story 400-seat church building, on premises at 10015 S. Halsted Street, upon condition that the on-site parking area for 35 automobiles located south of the proposed church building shall be limited to the parking of

MINUTES OF MEETING

May 14, 1992

Cal. No. 80-92-S

private passenger automobiles only and that no commercial vehicles shall be parked upon said parking area at any time; that steel beam guard rails 2 feet in height shall be erected on the east, south and west property lines, excepting the driveway; that the parking area 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 concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided which is directed away from residential properties located across the alley to the east; that ingress and egress shall be from S. Halsted Street; that the alley to the east shall not be used for ingress nor for egress; that the driveway shall be constructed in compliance with all applicable ordinances; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: George A. Nelson
HEARANCES FOR: George A. Nelson
APPEARANCES AGAINST:

CAL. NO. 81-92-A
MAP NO. 28-J
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 3307 W. 111th 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, George A. Nelson, owner, on February 14, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing non-conforming automobile sales lot, in a B4-1 Restricted Service District, on premises at 3307 W. 111th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is located in a B4-1 Restricted Service District and is improved with an existing operating used automobile sales lot; that evidence presented indicates that the site has been occupied by a used automobile sales business 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 that the applicant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing non-conforming automobile sales lot, on premises at 3307 W. 111th 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: Ruben Delgado
APPEARANCES FOR: Federico Hernandez, Ruben Delgado
APPEARANCES AGAINST:

CAL. NO. 82-92-A
MAP NO. 6-I
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2601-03 W. 23rd 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, Ruben Delgado, for Sanjuana Ramos, owner, on March 5, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an auto repair shop in a 1-story brick garage building on the rear of a lot additionally improved with two 2-story brick apartment buildings, in an R4 General Residence District, on premises at 2601-03 W. 23rd Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1992, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 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 located in an R4 General Residence District; that the subject site is improved with two 2-story residential buildings and a 1-story brick garage at the rear of the lot presently occupied by a motor vehicle repair shop; that on March 18, 1983, the Board sustained an appeal permitting the continued operation of an automobile repair shop in the subject garage building at the site; that the testimony presented in Calendar No. 88-83-A is hereby make part of the record in this case; that city records indicate that the non-conforming garage building on the rear of the lot was constructed as an automobile repair garage and so occupied 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 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 auto repair shop in a 1-story brick garage building on the rear of a lot additionally improved with two 2-story brick apartment buildings, on premises at 2601-03 W. 23rd Place, upon condition that all operations shall be conducted within the garage building; and that all applicable ordinances of the City of Chicago

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

APPLICANT: William Loster
APPEARANCES FOR: William Loster
APPEARANCES AGAINST:

CAL. NO. 83-92-A
MAP NO. 7-I
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2437 W. Diversey 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, William Loster for A. Saccone & Sons, owner, on February 24, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an electronics sales (phones & pagers) business in a store on the 1st floor of a 4-story brick store and apartment building, in an R3 General Residence District, on premises at 2437 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 21, 1991, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 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 a rescheduled meeting held on May 14, 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 located in an R3 General Residence District; that the subject site is improved with a 4-story brick store and apartment building; that the non-conforming store premises has been previously occupied by business uses, the last use having been a telemarketing business which ceased operation at the site in December, 1991; that the appellant has operated his electronics business, consisting of the sale of pagers and hand-held mobile telephones, at the site since January, 1992; that the change of use from a telemarketing business to an electronics sales business is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an electronics sales (phones & pagers) business in a store on the 1st floor of a 4-story brick store and apartment building, on premises at 2437 W. Diversey Avenue, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 7:30 P.M. Mondays through Fridays and from 11 A.M. to 6 P.M. 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: Guy Williams
APPEARANCES FOR: Warren E. Spitz, Guy Williams
APPEARANCES AGAINST:

CAL. NO. 84-92-A
MAP NO. 5-G
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED-- 1808 N. Sheffield 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, Guy Williams, owner, on February 20, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 3rd story 22.5' x 35.1' addition to a 2-story brick non-conforming 3-dwelling unit building on a through lot additionally improved with a 1-story frame non-conforming single-family dwelling, in an M1-2 Restricted Manufacturing District, on premises at 1808 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §6.4, §10.3-1, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 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 subject site is a 3,250 sq. ft. irregular-shaped through lot with frontage on N. Sheffield Avenue and N. Clybourn Avenue and is improved with a non-conforming 2-story with English-style basement building containing 3 dwelling units and a new mansard roof; that the subject through lot is additionally improved with a building facing N. Clybourn Avenue; that the subject building on N. Sheffield Avenue sustained fire damage and that a new mansard roof was erected which provided additional living space in the attic area for a duplexed 2nd floor dwelling unit; that the building facing N. Clybourn Avenue was also damaged by fire and is in the process of being repaired; that testimony presented indicates that the building on N. Clybourn Avenue is to be used by residents of the Sheffield Avenue building for storage and garage parking purposes; that although the district in which the subject site is located is zoned Manufacturing, the immediate area is predominantly residential in character; that although the subject site's manufacturing zoning renders the residential building non-conforming such residential buildings are exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and the said mansard roof addition is 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

MINUTES OF MEETING

May 14, 1992

Cal. No. 84-92-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the erection of a 3rd story 22.5' x 35.1' addition to a two story brick non-conforming 3-dwelling unit building on a through lot additionally improved with a 1-story frame building, on premises at 1808 N. Sheffield Avenue, upon condition that the said 22.5' x 35.1' addition shall comply with all applicable building code regulations with plans and permits obtained indicating such compliance; that not more than three dwelling units shall be located on the subject through lot; 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: Margret Balfanz
APPEARANCES FOR: Jess Forest
APPEARANCES AGAINST: Robert Fioretti, et al.

CAL. NO. 85-92-S
MAP NO. 15-K
MINUTES OF MEETING
May 14, 1992

PREMISES AFFECTED-- 5736 N. Pulaski Road
SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Case continued to
July 17, 1992.

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 806

APPLICANT: Mieczyslaw & Halina Skiba
APPEARANCES FOR: Paul A. Kolpak
APPEARANCES AGAINST:

CAL. NO. 86-92-A
MAP NO. 7-L
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 3110 N. Lotus 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, Mieczyslaw & Halina Skiba, owners, on March 24, 1992, filed an appeal from the decision of the Zoning Administrator which caused revocation of a permit for a substantially completed 2-story two-dwelling unit building on a 30' x 125.84' (3,775 sq. ft.) lot of record, in an R3 General Residence District, which alleges does not violate the minimum lot area requirements of the zoning ordinance, on premises at 3110 N. Lotus Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 21, 1992, reads:
 "Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.5-3, §11.8-1."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 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 a 30' x 125.84' lot of record improved with a partially completed 2-story 2-dwelling unit building; that the appellant demolished a 1-story single-family dwelling and proceeded to construct a 2-story 2-dwelling unit building on the subject lot under building permit No. 747473 issued November 25, 1991 which was subsequently revoked; that the subject lot is presently a lot of record containing 3,775 sq. ft.; that by demolishing the former 1-story single-family dwelling the lot becomes an unimproved lot of record and that under Section 7.5(2) of the zoning ordinance, a 2-story 2-dwelling unit building may be established on a lot if the gross lot area is at least 3,750 sq. ft.; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a substantially completed 2-story two-dwelling unit building on a 30' x 125.84' (3,775 sq. ft.) lot of record, on premises at 3110 N. Lotus 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: Dollar Signs, Inc.
VARANCES FOR: Roger O. Zerbe
A. VARANCES AGAINST:

CAL. NO. 87-92-A
MAP NO. 6-G
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 2843 S. Archer 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, Dollar Signs, Inc., for Florence Kozdemba, owner, on February 21, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an advertising sign painted on the east elevation of a 3½-story brick building due to its location within 500 feet of an expressway and visible therefrom, in a B4-2 Restricted Service District, on premises at 2843 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 18, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.9(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 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 said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 3½-story brick store and apartment building with an approximately 25 feet high by 40 feet wide painted advertising sign on the east wall of the upper 2½-stories of the building on the site; that the said sign is within 500 feet of the Stevenson Expressway and visible therefrom; that the sign advertises a local car dealer business; that the owner of the building, Florence Kozdemba, purchased the building in 1961 before the Stevenson Expressway was constructed in 1963; that the subject wall space on the building at the site has been used for advertising purposes since the 1950's, which constitutes a pre-existing non-conforming use at the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a non-conforming advertising sign painted on the east elevation of a 3½-story brick building within 500 feet of an expressway and visible therefrom, on premises at 2843 S. Archer Avenue, upon condition that said sign shall at all times be subject to the provisions of Section 6.7-1 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: Target Media, Inc.
APPEARANCES FOR: Robert W. Fioretti
APPEARANCES AGAINST: Elmer Hansberg

CAL. NO. 88-92-A
MAP NO. 9-K
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 4001 W. Irving Park Road

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Target Media, Inc., for G & F Mobil Service, owner, on February 18, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 16' x 60' advertising sign mounted on an 80' high pole due to its location within 500 feet of an expressway and visible therefrom, in a B4-2 Restricted Service District, on premises at 4001 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 14, 1992, reads:
 "Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.9(5)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 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 said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story Mobil service station building with an 80' high monopole with attached electrical sign structure located in the northwest portion of the site, which sign structure faces due west and is within 500 feet of the Kennedy Expressway which curves south of the subject site as it continues southeast towards the Chicago Loop, and which is visible from the Expressway; that the Zoning Certification Denial from the Office of the Zoning Administrator refuses to certify the construction of the advertising sign which is less than 500 feet from the Kennedy Expressway; that the appellant argues that a City of Chicago electrical sign permit, No. 337862-6, issued to the appellant on June 12, 1989 was suspended but not revoked by the city as a result of the appellant's attempts to relocate the subject sign pursuant to the request of the property owner; that the Bureau of Electrical Inspection refuses to process the permit based on the sign's proximity to the reversible lanes of the Kennedy Expressway; that at the time the permit was issued, the zoning code was and continues to be silent in relation to the setbacks from the reversible lanes of the Comprehensive Superhighway System of the City of Chicago; that the evidence presented indicates that when

MINUTES OF MEETING

May 14, 1992

Cal. No. 88-92-A

the reversible lane of the Kennedy Expressway is in its southbound mode, the subject sign cannot be read from a distance less than 502 feet of said lane; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its 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 16' x 60' advertising sign mounted on an 80' high pole located within 500 feet of an expressway due to the fact that it cannot be read from a distance less than 502 feet of the expressway, on premises at 4001 W. Irving Park Road, 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: Frank Burrell
 APPEARANCES FOR: Frank Burrell
 APPEARANCES AGAINST:

CAL. NO. 309-91-A
 MAP NO. 16-F
 MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 7045 S. Halsted 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
Joseph J. Spingola	X		
Roula Alakiotou	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Frank Burrell, for Albert P. Nowicki & Co., owner, on November 6, 1991, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing tire repair and sales shop in a 1-story brick store building, in a B2-2 Restricted Retail District, on premises at 7045 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 5, 1991, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-2, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the subject site is improved with a 1-story brick multi-store building which contains the appellant's business at the north end of the building; that the subject store premises has been previously occupied by a used and new tire repair and sales business which was taken over by the appellant two years ago; that the appellant's business is one-half sales and one-half repair work; that licensing requirements have caused the case to be filed; that no violation exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing tire repair and sales shop in a 1-story brick store building, on premises at 7045 S. Halsted Street, upon condition all activities shall take place within the subject store premises and that there shall be no storage of tires outside the premises; 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: George Dachno
APPEARANCES FOR: Ralph Sammarco, George Dachno
APPEARANCES AGAINST:

CAL. NO. 28-92-Z
MAP NO. 13-L
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 5451 N. Linder Avenue
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, George Dachno, owner, on January 8, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 19' x 38' 2nd story addition to a 1-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 7.5 feet and whose total floor area ratio will be 0.63 instead of 0.50, on premises at 5451 N. Linder Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 7, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-2, §7.8-2(2), §11.7-4(1), (13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof by publication in the Chicago Sun-Times on January 27, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a R2 Single-Family Residence District; that the subject site is a 25' x 125' lot improved with a 1-story brick single-family dwelling with the subject 19' x 38' partially completed 2nd floor addition; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 2nd story addition is necessary to meet additional living space requirements of the applicant and family; that the plight of the owner is due to unique circumstances in that the said addition, consisting of 2 bedrooms and a bath, resulted from the repair of a rotted and leaking roof, which new roof was constructed higher than anticipated; that the variations, if granted, will be not alter the essential character of the location in that the said addition will be compatible with existing residential improvements in the block, many of which have similar 2nd story additions; 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

MINUTES OF MEETING

May 14, 1992

Cal. No. 28-92-Z

ordinance and that a variation be and it hereby is granted to permit the erection of a 19' x 38' 2nd story addition to a 1-story brick single-family dwelling, whose side yards will be 3 feet each instead of combined side yards of 7.5 feet and whose total floor area ratio will be 0.63 instead of 0.50, on premises at 5451 N. Linder 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: New City Construction Co., an Illinois Corporation
APPEARANCES FOR: John P. Fitzgerald
APPEARANCES AGAINST:

CAL. NO. 31-92-Z
MAP NO. 7-G
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 829 W. Wolfram Street
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation denied.

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, New City Construction Co, an Illinois Corporation, for First National Bank of Evergreen Park, Tr. #11919, owner, on January 9, 1992, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the establishment of a dwelling unit in the basement of a 3-story brick 3-dwelling units building, with off-street parking space for 3 instead of 4 automobiles, on premises at 829 W. Wolfram Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 27, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.12-2(1), §11.7-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 after due notice thereof by publication in the Chicago Sun-Times on January 27, 1992; 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 124' lot improved with a very recently constructed but not yet occupied 4-story brick 3-dwelling unit building; that the 25' wide lot has sufficient parking space for only 3 automobiles on-site; that the applicant proposes to provide the 4th required parking space at a site located approximately 130 feet to the east of the subject site under a 5-year lease with the owner of that property; that a request to waive an on-site required parking space due to lack of space requires a variation of the zoning ordinance, but that the relocation of a required parking space to another location requires Special Use approval under Section 7.4-4(2) of the zoning ordinance; 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: Joseph Virgil
APPEARANCES FOR: Richard Flowers
APPEARANCES AGAINST: Essie Wier, et al.

CAL. NO. 305-91-S
MAP NO. 18-E
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— 220 E. 79th Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application denied.

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, Joseph Virgil, for Abe Robinson, owner, on November 8, 1991, filed an application for a special use under the zoning ordinance for the approval of the location and the re-establishment of a tavern in a 1 and 2-story brick building, in a B4-2 Restricted Service District, on premises at 220 E. 79th Street; and

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

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 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 a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1 and 2-story brick store and apartment building; that the applicant proposes to re-establish a tavern in the store premises at the site; that testimony presented indicates that the subject premises has been previously occupied by a tavern, which use ceased operation in 1989; that there are two other taverns located in the immediate area of the subject site; that Ruggles Elementary School is located approximately a half-block east of the subject site; that no evidence was presented to indicate that the re-establishment of a tavern at the subject site is necessary for the public convenience at that location or that the public health, safety and welfare will be adequately protected in the location and operation of a tavern at the subject premises; that no evidence was presented to indicate that the establishment of a tavern at the subject premises will not cause substantial injury to the value of other business and residential property in the neighborhood and is not in the public interest at this location; it is therefore

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

APPLICANT: Ameritech Mobile Communications, Inc.
APPEARANCES FOR: Richard Connor Riley
APPEARANCES AGAINST:
PREMISES AFFECTED— 1800 W. Roscoe Street
SUBJECT— Application for the approval of a special use.

CAL. NO. 35-92-S
MAP NO. 9-H
MINUTES OF MEETING
 May 14, 1992

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, Ameritech Mobile Communications, Inc., for The Pencil Factory Limited Partnership, owner, on March 24, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and to locate electronic cellular switching equipment within an abandoned elevator penthouse on the rooftop and to place necessary cellular antennas on a railing encircling an existing water tank on the roof of a residential apartment building in a B-1-4 General Business District, on premises known as 1800 W. Roscoe; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 21, 1991, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 (Chapter 194A) of the Municipal Code of Chicago, specifically, Section 8.4-1(I)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992, after due notice thereof of the originally scheduled meeting of February 21, 1992, by publication in the Chicago Tribune on January 27, 1992; and

WHEREAS, the district maps show that the premises is located in an B1-4 General 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 an B1-4 General Business District; that the applicant provides cellular mobile telephone service to the Greater Chicago Metropolitan area; that cellular telephone systems are laid out on a grid pattern and spacing and location of the component cells is critical for the successful operation of the system; that the proposed use is necessary for the public convenience at this location to meet the public demand for mobile communications systems; that the public health, safety and welfare will be adequately protected in the proposed use which will be operating in compliance with the

regulations of the Federal Communications Commission; that the operation of the proposed antennas will not interfere with other public transmissions or home electrical systems in the neighborhood; that the proposed antennas and transmission equipment is self-monitored; and the antennas are compatible with the existing improvements on the roof of the subject site building and will not cause substantial injury to the value of other property in the neighborhood; and

WHEREAS, the Newport Neighbor's Association, Inc., through its President, Carole Rosenkoetter, as the result of meetings with Ameritech Mobile Communications, Inc., and the Zoning Board of Appeals, does affirm the following finding of fact; namely, that AMCI's use, a cellular telephone facility, consisting of electronic transmission equipment and necessary antennas, is a public utility installation and as such is not considered to be a retail or commercial installation, and, therefore, is not affected by the previously recorded deed restrictions, it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of cellular antennas on a railing encircling an existing water tank on the roof and the installation of cellular telephone equipment within an abandoned elevator penthouse (also on the roof) of a residential apartment building commonly known as 1800 W. Roscoe, upon condition that the equipment in said abandoned elevator penthouse and antennas on a railing encircling an existing water tank shall be serviced and maintained in a manner to preclude any problems of interference with other public and private transmissions; that the proposed transmission equipment and antennas and the use thereof shall be operated in compliance with the regulations of the Federal Communications Commission; and that all applicable ordinances of the City of Chicago shall be complied with before a permit issued.

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

APPLICANT: Children's Oncology Services of Illinois, Inc.
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST: Thomas F. Geselbracht, Andrew Brainerd, et al.
 PREMISES AFFECTED-- 622 W. Deming Place
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 39-92-A
 MAP NO. 7-F
 MINUTES OF MEETING
 February 21, 1992 &
 May 14, 1992

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, Children's Oncology Services of Illinois, Inc., by Bernard I. Citron, for Children's Oncology Services of Illinois, Inc., owner, on January 15, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the construction of a 3-story addition to the rear of the 3-story Ronald McDonald House, in an R5 General Residence District, on premises at 622 W. Deming Place, which alleges that the addition meets all zoning requirements and is not prohibited due to the Board's prior order Calendar No. 151-85-Z; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 14, 1992, reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §11.7-4(1), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a regularly scheduled meeting held on February 21, 1992 and at a re-scheduled meeting held on May 14, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on January 14, 1992, the appellant sought zoning certification to erect 3-story additions to the rear and west sides of the 3-story brick Ronald McDonald lodging house at the subject site; that the proposed additions were not to be situated within any required yard; that the Zoning Administrator denied certification for said additions believing that the matter should be subject to a public hearing due to the fact that the Board had granted a variation to the appellant on June 14, 1985, in Calendar No. 151-85-Z, to erect a 2-story addition in the required 30 feet rear yard upon condition that the building line of the proposed addition shall not extend more than 40 feet south of the rear lot line, except for the permanently enclosed and heated ramp connecting the addition to the existing building; that the various parties to the instant case agree that no variations would be necessary for the proposed construction were it not for the two-story addition which was erected in the

MINUTES OF MEETING

February 21, 1992 and

May 14, 1992

Cal. No. 39-92-A

required rear yard pursuant to the aforesaid granted variation; that the appellant argues that nothing contained in the Board's previous resolution prohibits the proposed construction and that the zoning certification should be issued as a matter of right; that the opponents argue that the prior variation contains specific language that prohibits the proposed rear 3-story addition; and

WHEREAS, that the fundamental facts are not in dispute; that all parties agree the proposed construction does not violate any yard requirements and that neighbors with similar houses would be permitted to erect similar additions as a matter of right; that they also agree that the appellant would have a right to zoning certification on a building permit for the proposed additions where it not for the variation granted in 1985 and the construction resulting therefrom; that the parties filed briefs in support of their relative positions which further indicate that no facts are in dispute; therefore, the appellant presents a question of law, as opposed to a question of fact, which turns on the impact, if any, of the 1985 variation for the construction of a 2-story building in the required rear yard of the subject property; and

WHEREAS, that the Board finds nothing in the Chicago Zoning Ordinance which contemplates new and additional construction that meets all zoning criteria after construction resulting from a prior variation but, in its opinion, does find that Section 11-13-11 of the Illinois Cities and Villages Act to be helpful and an applicable guide in deciding this case, wherein provides:

"Every variation or special use, whether made by the Board of Appeals directly, or by an ordinance after a hearing before the board of appeals, shall be accompanied by findings of fact and shall refer to any exhibits containing plans and specifications for the proposed use or variation, which shall remain a part of the permanent records of the board of appeals. The findings of fact shall specify the reason or reasons for making the variation.

The terms of the relief granted shall be specifically set forth in a conclusion or statement separate from the findings of fact of the board of appeals or ordinance. Property for which relief has been granted shall not be used in violation of the specific terms of the board of appeals's findings of fact or ordinance, as the case may be, unless its usage is changed by further findings of fact of a board of appeals, or additional ordinances (emphasis provided). Ill. Rev. Stat., Chpt. 24, §11-13-11;

that the Board finds that the appellant's proposed construction in this case would constitute a change in the usage of the property which was previously the subject of a variation and concludes that the above statute contemplates new findings of fact, and therefore, a new variation whenever subsequent construction is proposed after construction resulting from a previously approved variation; and that the Zoning Administrator did not err in determining that the additional construction after construction resulting from the previous variation requires a new public hearing and new findings of fact; and

WHEREAS, the Board finds this decision to be a practical result; that when the appellant filed for and was granted a variation in 1985, the order included findings that a particular hardship existed in the property which necessitated construction within the required rear yard; that for the appellant to argue that it is now permitted to construct the 3-story addition is to deny the evidence of hardship presented at the hearing for the prior

MINUTES OF MEETING
February 21, 1992 and
May 14, 1992
Cal. No. 39-92-A

variation; that to find otherwise would circumvent the entire purpose of Section 11.7-1 et seq. of the zoning ordinance and lead to any myriad of over-built properties; that by requiring a new variation application in this case, the Board may look at the newly proposed construction in conjunction with the construction resulting from the prior variation in order to determine if the proposed additions compromise any of the findings based upon the standards necessary in granting the original variation at the subject site; it is therefore

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

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

APPLICANT: Waste Management of Illinois, Inc.

CAL. NO. 290-90-S

APPEARANCES FOR: Roger J. Kiley, Jr.

MAP NO. 32-D, 32-C, 34-C

APPEARANCES AGAINST:

MINUTES OF MEETING

May 14, 1992

PREMISES AFFECTED—

Area bounded by E. 130th St. on the north, Little Calumet River on the east, City Limits on the south and the Calumet Expressway on the west, commonly known as 13001-13745 S. Calumet Expressway.

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to August 10 & 11, 1992.

During the pendency of the instant application, the current use termination date of June 1, 1992 is hereby extended to October 1, 1992, to allow the applicant to continue operation, subject to all applicable governmental regulations applying to the conduct of the business at the subject location. For this purpose, the Board's rule under Article VI, paragraph 3, is hereby extended to October 1, 1992.

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 806

APPLICANT: Land and Lakes Company
APPEARANCES FOR: Daniel L. Houlihan
APPEARANCES AGAINST:

CAL. NO. 291-90-S
MAP NO. 34-D
MINUTES OF MEETING
 May 14, 1992

PREMISES AFFECTED— Area bounded by the Little Calumet River on the north and east, City Limits on the south and the extension of S. Cottage Grove Avenue on the west, commonly known as 1000-1220 E. 138th Street.
SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to August 10 & 11, 1992.

During the pendency of the instant application, the current use termination date of June 1, 1992 is hereby extended to October 1, 1992, to allow the applicant to continue operation, subject to all applicable governmental regulations applying to the conduct of the business at the subject location. For this purpose, the Board's rule under Article VI, paragraph 3, is hereby extended to October 1, 1992.

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		

MINUTES OF MEETING

May 14, 1992

Cal. No. 257-91-Z

Sarah K. Nadelhoffer, for North Park College, owner, presented a written request for an extension of time to establish an off-site accessory parking lot to be located 625 feet from the principal use instead of the maximum 500 feet, on premises at 5214 N. Kedzie Avenue, granted by the Zoning Board of Appeals on October 18, 1991 in Calendar No. 257-91-Z.

Ms. Nadelhoffer stated that North Park College requested the variation to reduce the distance to an existing off-site parking lot for a new chapel it plans to build. The construction of the new chapel was delayed for financial reasons. The plans for the proposed chapel have been scaled down and it can now be constructed with the funds at hand.

Chairman Spingola moved that the request be granted and the time extended to October 18, 1992 to tie in with the validity date of companion special use application 256-92-S. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
May 14, 1992
Cal. No. 53-91-Z

M.G. Coan, for Alex Anagnostopoulos, owner, presented a further request for time in which to obtain building permits for the erection of a 2-story 6-dwelling unit townhouse building, whose east front yard will be 1 foot instead of 14.4 feet and whose west rear yard will be 20 feet instead of 30 feet, on premises at 2500 N. Greenview Avenue, which was approved with certain conditions by the Zoning Board of Appeals on April 19, 1991, in Calendar No. 53-92-Z and for which an extension of time was granted on October 18, 1991 to April 19, 1992.

Mr. Coan stated that additional time is necessary for further soil study and the cassin solution must be bid constructors and also the tenant in the existing building must be evicted.

Chairman Spingola moved that the request be granted and the time extended to November 19, 1992 in order to obtain the necessary building permits and commence construction. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

May 14, 1992

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on May 15, 1992.



Secretary