

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, April 21, 1995
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
LeRoy K. Martin
Gigi McCabe-Miele

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Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on March 17, 1995 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Boleslaw Potoczak

CAL. NO. 76-95-Z

APPEARANCES FOR:

MAP NO. 12-J

APPEARANCES AGAINST:

MINUTES OF MEETING
April 21, 1995

PREMISES AFFECTED— 4858 S.Springfield Avenue

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

ACTION OF BOARD—

Case continued to
July 21, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: The Gospel Truth M.B. Church

CAL. NO. 77-95-Z

APPEARANCES FOR:

MAP NO. 24-F

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1995

PREMISES AFFECTED— 10015 S. Halsted Street

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

ACTION OF BOARD—

Case continued to
July 21, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: 45 East Cedar L.L.C., by Antunovich Associates
 APPEARANCES FOR: Philip Mandell
 APPEARANCES AGAINST:

CAL. NO. 78-95-Z
 MAP NO. 3-E
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 45 E. Cedar Street

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
		x

THE RESOLUTION:

WHEREAS, 45 East Cedar L.L. C., by Antunovich Associates, for LaSalle National Bank, Tr. #119135, owner, on February 28, 1995, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 5-story four-dwelling unit building, whose front yard will be 4.3 feet instead of 8.7 feet, with no side yards instead of 7 feet each, with no rear yard instead of 30 feet, and with no provision for 1 loading berth, on premises at 45 E. Cedar Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §5.7-5. 7 7-5. §7.8-5, §11-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on September 16, 1994 the Board granted variations to the owner, Philip I. Mappa Interests, Ltd., for the erection of a 5-story 4-dwelling unit condominium building at the subject site, whose front yard will be 7.3 feet instead of 8.7 feet, whose side yards will each be 3.5 feet instead of 7 feet each, whose rear yard will be 22.7 feet instead of 30 feet and with no provision for one loading berth, and on March 17, 1995 granted an extension of time to September 16, 1995 to insure that the variations granted in Cal. No. 222-94-Z not be forfeited pending hearing of the instant application; that the testimony presented in Cal. No. 222-95-Z is hereby made part of the record in this case; that the subject site is a 5,075 sq. ft. lot improved with a 3-story brick residential building; that the applicant proposes to demolish the existing building and erect a 5-story four condominium dwelling unit building with enclosed garage parking facilities on the ground floor; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be

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used only under the conditions allowed by the regulations in this district in that the yard setback variations requested are necessary to construct condominium dwelling units as designed containing adequate living space on this 5,075 sq. ft. lot; that a loading dock is not necessary in this proposed four condominium dwelling unit building due to the probable infrequency of truck deliveries and removals; that the plight of the owner is due to the desire of the applicant to erect the said 5-story 4-dwelling unit building in character with the neighborhood and to provide enclosed garage parking; that the proposed 5-story building will be compatible with existing residential improvements in the area, the majority of which do not comply with the yard setback requirements of the zoning ordinance or provide loading berths; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 5-story four-dwelling unit building, whose front yard will be 4.3 feet instead of 8.7 feet, with no side yards instead of 7 feet each, with no rear yard instead of 30 feet, and with no provision for 1 loading berth, on premises at 45 E. Cedar Street, upon condition that there shall be no driveway cut on E. Cedar Street and that access to the interior ground floor parking garages shall be from the rear alley; 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: Andrew J. Naughton
 APPEARANCES FOR: Andrew J. Naughton
 APPEARANCES AGAINST:

CAL. NO. 79-95-Z
 MAP NO. 5-H
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 2044 W. McLean Avenue

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

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Andrew J. Naughton, owner, on March 8, 1995, 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 2½-story brick 2-dwelling unit building, whose west side yard will be 0.5 foot instead of 2.5 feet and which dormering 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 2044 W. McLean Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §5.3, §7.8-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that that the subject site is a 24' x 100' lot improved with a 2½-story brick 2-dwelling unit building; that the applicant proposes to dormer the attic of the existing 2-dwelling unit building which will result in a 260 sq. ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed attic dormer is necessary to provide additional living space in the 2nd floor dwelling unit; that the plight of the owner is due to the lack of adequate living space in the existing building which is located on a smaller than normal lot; that the variations if granted, will be compatible with existing residential improvements in the area and will not alter the essential character of the locality; it is therefore

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Cal. No. 79-95-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2½-story brick 2-dwelling unit building, whose west side yard will be 0.5 foot instead of 2.5 feet and which dormering 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 2044 W. McLean Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Board of Education/Public Building Commission of Chicago
 APPEARANCES FOR: Langdon Neal
 APPEARANCES AGAINST: Victor Gaidelis, et al.

CAL. NO. 80-95-Z
 MAP NO. 10-I
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 4231 S. Talman Avenue

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Chicago Board of Education/Public Building Commission of Chicago, for Public Building Commission of Chicago, owner, on February 23, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3-story elementary school annex on the north end of the Shield's School site, whose west front yard will be 15 feet and with no east front yard instead of 28.5 feet each, with no north side yard instead of 14 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.60 instead of 0.70, on premises at 4231 S. Talman Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §7.7-3, §7.8-3, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 84,403 sq. ft. lot improved with the 4-story Shields Elementary School; that the applicant proposes to erect a 3-story 35,700 sq. ft. annex on the north end of the existing school site which will serve grades pre-school through third grade; that the proposed annex will contain 12 classrooms, dining area and kitchen, multi-purpose room/gymnasium, library and computer room and administrative space; that the proposed annex can function as a part of or independently of the existing school building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed annex is necessary to alleviate severe overcrowding in the Shields Elementary School which was originally built in 1902; that the plight of the owner is due to the necessity of providing sorely needed space to help alleviate overcrowding at the aforesaid school; that after the proposed annex is opened, the two large mobile classrooms located on the south side of the

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Cal. No. 80-95-Z

existing school building will be removed and the area converted to playground and recreational area for the children who will attend the existing school and new annex building; that the proposed annex will be compatible with existing residential improvements in the neighborhood; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story elementary school annex on the north end of the Shield's School site, whose west front yard will be 15 feet and with no east front yard instead of 28.5 feet each, with no north side yard instead of 14 feet, with no through lot rear yard instead of 60 feet, and whose total floor area ratio will be 1.60 instead of 0.70, on premises at 4231 S. Talman Avenue, upon condition that a proposed fence and gate to be provided on the west side of the property be moved to align with the west building lines of the proposed annex building and the existing school building to provide for better security between the two buildings; 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: Harriet V. Palait
 APPEARANCES FOR: Janice K. Hernen
 APPEARANCES AGAINST: Rita Curtis

CAL. NO. 81-95-Z
 MAP NO. 10-I
 MINUTES OF MEETING
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PREMISES AFFECTED-- 4106 S. Artesian Avenue

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

ACTION OF BOARD--

THE VOTE

Variations denied.

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

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

THE RESOLUTION:

WHEREAS, Harriet V. Palait, for First National Bank of Evergreen Park, Tr. #12874, owner, on March 7, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 8' x 20.42' front porch enclosure and a 2-story 11' x 20.42' rear addition to a 2-story frame 2-dwelling unit building, whose front yard will be 4 feet instead of 20 feet and whose north side yard will be 2.5 feet instead of 5 feet, on premises at 4106 S. Artesian Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 21, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 44.75' x 123' lot improved with a 2-story with basement frame 2-dwelling unit building on the front of the lot and with a 1-story frame storage shed in the rear of the lot and a 1-car frame garage on the southern portion of the lot, both in a state of disrepair; that the applicant is recently deceased; that appearing for the deceased applicant is Janice K. Hernen, her daughter, who desired to go forward with the application as filed; that no testimony was presented to indicate that the subject property could not yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the applicant testified that the variations requested are necessary to build an addition to make the property marketable and are not necessitated by the applicant's need for more living space; that the applicant testified that neither her mother or herself lived in the subject building; that no evidence was presented to indicate that the plight of the owner is due to unique circumstances; 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: Association House of Chicago
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 82-95-Z
 MAP NO. 5-J
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 1900 N. Sawyer Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Association House of Chicago, for Candida Miranda, owner, on February 28, 1995, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the establishment of a family community home for not more than 8 adolescent boys in a 2-story brick dwelling, which use will be located less than 600 feet from an existing family community home at 3267 W. Cortland Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 28, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story with basement brick residential building; that the location is less than 600 feet from the family community home at 3267 W. Cortland Street operated by the applicant organization; 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 applicant desires to locate an additional family community home at the subject site which will enable them to continue to work with adolescent boys from the immediate neighborhood; that the plight of the owner is due to unique circumstances in that the subject use is a permitted use in the R3 General Residence District but requires a variation of the zoning ordinance only because it will be located less than 600 feet from an existing family community home; that the proposed use, with no visible identification, will be unobtrusive in the neighborhood; and that the variation, if granted, will be compatible with existing residential improvements and will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the establishment of a family community home for not more than 8 adolescent boys in a 2-story brick dwelling, on premises at 1900 N. Sawyer Avenue, which use will be located less than 600 feet from an existing family community home at 3267 W. Cortland 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: John P. Sweeney
 APPEARANCES FOR: William Hennessy
 APPEARANCES AGAINST: David Reifman

CAL. NO. 83-95-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 1749-51 N. Cleveland Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted

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

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

THE RESOLUTION:

WHEREAS, John P. Sweeney, for Donna M. and Robert H. Lyon, owner, on March 3, 1995, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story single-family dwelling with no front yard instead of 8.72 feet, whose north side yard will be 6" and whose south side yard will be 3 feet instead of 5 feet each, and whose rear yard will be 27'1" instead of 30 feet, on premises at 1749-51 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 27, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, absent members Moore and Fornelli have reviewed the file and listened to the tape of the proceedings in this case; 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 February 16, 1990 the Board granted variations to permit the erection of a 3-story single-family residence, with no front yard instead of 8.64 feet, with no north side yard and whose south side yard will be 3 feet instead of 5 feet each, and whose rear yard will be 15 feet instead of 30 feet, at the subject site; that the testimony presented in Cal. No. 42-90-Z is hereby made part of the record in this case; that the subject site is a 50' x 72.2' unimproved lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed yard variations are necessary to construct the proposed single-family residence as designed on this 50' x 72.2' lot; that the plight of the owner is

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due to the shallow depth of the lot; that the applicant has agreed to certain conditions with the neighbor to the north of the subject site; that the proposed 2-story single-family dwelling will be compatible with existing improvements in the neighborhood, and along with the conditions hereinafter set forth, the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story single-family dwelling with no front yard instead of 8.72 feet, whose north side yard will be 6" and whose south side yard will be 3 feet instead of 5 feet each, and whose rear yard will be 27'1" instead of 30 feet, on premises at 1749-51 N. Cleveland Avenue, upon condition that the only obstructions allowed in the proposed 27'1" rear yard are as follows: open stair from 2nd floor to deck; curved window bay with projection not exceeding 3 feet and located not closer to the north property line than 16 feet; a 1-story garage/deck with a solid masonry wall not higher than 10'10" above the elevation of the adjoining sidewalk to the north with an open railing no higher than 14'4"; that said garage shall set back at least 6 inches from the north lot line; that the parapet height of the proposed 2-story residence shall not exceed 27'6" above the elevation of the adjoining sidewalk to the north; that said residence shall be served by roof-mounted air conditioning equipment placed no closer than 10' from the north lot line; that the facade of the proposed 2-story single-family dwelling shall be aligned with the facade of the existing building adjoining the subject site to the south and shall not project west beyond said line; 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: LD Development & Construction Ltd.

CAL. NO. 84-95-Z

APPEARANCES FOR: Rob Buono

MAP NO. 5-H

APPEARANCES AGAINST:

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PREMISES AFFECTED— 2140 N. Winchester Avenue

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
		x

THE RESOLUTION:

WHEREAS, LD Development & Construction Ltd., owner, on February 14, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 12-dwelling unit townhouse building, whose front yard will be 8 feet instead of 12.9 feet, with no south side yard instead of 8 feet, and with no rear yard instead of 30 feet, on premises at 2140 N. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 10, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 12,106 sq. ft. irregular shaped lot located directly south of the Kennedy Expressway; that the applicant seeks to erect a 3-story 12-dwelling unit townhouse building oriented around an open courtyard and including on-site garage parking; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 12-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to the necessity of orientating the proposed 12-dwelling unit building away from the Kennedy Expressway located directly north of the subject property; that the proposed 12-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the front, side and rear yards than would a yard conforming multi-story apartment building; that the front, side and rear yard setback variations requested are necessary in order to orient the proposed townhouse dwelling unit building around the open courtyard; that the proposed 12-dwelling unit townhouse building will be compatible with existing residential improvements in the area, many of

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which do not comply with the yard setback requirements of the zoning ordinance; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 12-dwelling unit townhouse building, whose front yard will be 8 feet instead of 12.9 feet, with no south side yard instead of 8 feet, and with no rear yard instead of 30 feet, on premises at 2140 N. Winchester Avenue, upon condition that garbage pickup areas shall be provided on the west side of the site at the public alley; 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: David W. Ruttenberg
 APPEARANCES FOR: Rob Buono
 APPEARANCES AGAINST:

CAL. NO. 85-95-Z
 MAP NO. 7-G
 MINUTES OF MEETING
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PREMISES AFFECTED— 1041-55 W. Lill Avenue and 2515-25 N. Seminary Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, David W. Ruttenberg, for American National Bank, Tr. Nos. 25514 and 118897-06, owner, on February 9, 1995, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 18-dwelling unit townhouse building, with no front yard instead of 14.9 feet, with no east side yard instead of 18.1 feet, and whose south rear yard will be 3 feet instead of 30 feet, on premises at 1041-55 W. Lill Avenue and 2515-25 N. Seminary Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 28, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that on March 9, 1995 the Council rezoned the subject site from R4 General Residence to R5 General Residence specifically for the proposed residential development; that the subject site is a 124.33' x 181' lot presently improved with a 2-story frame residential building on the northwest corner, a 2½-story frame residential building on the southwest corner and a 2-story brick residential apartment building along the remainder of the site fronting W. Lill Avenue; that the applicant proposes to demolish the existing buildings and erect a 4-story 18-dwelling unit townhouse building at the subject site; that two-car garages will be provided for each townhouse dwelling unit; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 18-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the proposed 4-story 18-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the front and rear yards than would a yard conforming multi-story rental apartment building; that access to the

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garage parking will be from the abutting alleys and that no curb cuts are required on W. Lill or N. Seminary avenues; that the proposed 18-dwelling unit townhouse development will be compatible with other residential improvements in the neighborhood, many of which do not comply with the required yard setbacks; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story 18-dwelling unit townhouse building, with no north front yard instead of 14.9 feet, with no east side yard instead of 18.1 feet, and whose south rear yard will be 3 feet instead of 30 feet, on premises at 1041-55 W. Lill Avenue and 2515-25 N. Seminary Avenue, upon condition that garbage dumpsters shall be located in the southeast corner of the subject site; that the garbage pick-up shall be supplied by a private scavenger service; 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: Presidential Properties, by Eric A. Ephraim
 APPEARANCES FOR: David Ephraim
 APPEARANCES AGAINST:

CAL. NO. 86-95-Z
 MAP NO. 1-F
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 733 N. LaSalle Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Presidential Properties, by Eric A. Ephraim, for Presidential Properties, owner, on March 10, 1995, filed an application for a variation of the zoning ordinance to permit, in a B7-5 General Central Business District, the erection of a 3-story addition above the ground floor open parking at the rear of a 4-story brick office building of which the 2nd, 3rd and 4th floors will be converted to three dwelling units, with no rear yard instead of 30 feet, on premises at 733 N. LaSalle Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 9, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.7-1,"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

WHEREAS, the district maps show that the premises is located in a B7-6 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B7-5 General Central Business District; that the subject site is a 25.06' x 96.38' lot improved with a 4-story brick office building with a rear parking area; that the applicant proposes to erect a 3-story addition over the ground floor open parking area at the rear of the subject building of which the 2nd, 3rd and 4th floors will be converted to three dwelling units; 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 applicant has been unable to rent any of the subject building's office space since purchasing the building in 1992; that the variation requested is necessary to create three dwelling units with bedrooms set back from LaSalle Street for acoustical privacy; that the plight of the owner is due to the inability to obtain business tenants for the office space; that the configuration of the existing building on the subject site necessitates locating the proposed 3-story addition in the required rear yard set-back while still providing on-site parking spaces; that the

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proposed 3-story addition will be compatible with the existing mixed business and residential improvements on N. LaSalle Street; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story addition above the ground floor open parking at the rear of a 4-story brick office building of which the 2nd, 3rd and 4th floors will be converted to three dwelling units, with no rear yard instead of 30 feet, on premises at 733 N. LaSalle Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Love Center Christian Fellowship
 APPEARANCES FOR: Clarence J. Crooks
 APPEARANCES AGAINST:

CAL. NO. 87-95-S
 MAP NO. 20-H
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 8600-20 S. Ashland Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
		x

THE RESOLUTION:

WHEREAS, Love Center Christian Fellowship, owner, on March 1, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a church in a 1-story brick building, in a B5-3 General Service District, on premises at 8600-20 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 1, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-3 General Service District; that the subject site is a 312' x 108' lot improved with a 1-story brick commercial building with parking areas located north and south of the building; that the proposed use is necessary for the public convenience at this location to continue to meet the needs of the church congregation who are presently leasing premises at 7859 S. Ashland Avenue; 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 to be improved and maintained under the conditions hereinafter set forth; that the proposed use will be compatible with the existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a church in a 1-story brick building, on premises at 8600-20 S. Ashland Avenue, upon condition that the parking areas located north and south of the subject building shall be used solely for the parking of

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private passenger automobiles only; that the parking areas 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, graded to drain to a sewer or sewers located within the property which shall be connected by drainage tiles to an established City of Chicago sewer; that the parking areas shall be enclosed by wrought-iron fencing excepting the driveways; that striping shall be provided; that lighting shall be provided directed away from abutting residential properties to the west of the subject site; that ingress and egress shall be via S. Ashland Avenue; that the alley abutting the site to the west shall not be used for ingress or for egress; that the driveways shall be constructed in accordance with applicable ordinances; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; 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 applicable 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: Aquinaldo Bruder
 APPEARANCES FOR: Stephen Timmer
 APPEARANCES AGAINST:

CAL. NO. 88-95-S
 MAP NO. 7-J
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 3908 W. Diversey Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS; Aquinaldo Bruder, owner, on February 1, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit in lieu of a store on the ground floor of a 2-story brick store and one dwelling unit building, in a B4-1 Restricted Service District, on premises at 3908 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(3), §8.6-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; 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 24.6' x 125' lot improved with a 2-story brick building containing office space on the ground floor and a dwelling unit above; that the applicant proposes to establish a dwelling unit in lieu of an existing store on the ground floor of the 2-story brick store and one dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in this predominantly residential area along W. Diversey Avenue; that the public health, safety and welfare will be adequately protected in the design and location of the proposed use which will comply with all applicable building code regulations; that the proposed use will be compatible with the predominantly residential character of 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

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the Zoning Administrator is hereby authorized to permit the establishment of a dwelling unit in lieu of a store on the ground floor of a 2-story brick store and one dwelling unit building, on premises at 3908 W. Diversey 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: Aquinaldo Bruder
 APPEARANCES FOR: Stephen Timmer
 APPEARANCES AGAINST:

CAL. NO. 89-95-Z
 MAP NO. 7-J
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 3908 W. Diversey Avenue

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

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Aquinaldo Bruder, owner, on February 1, 1995, filed an application for a variation of the zoning ordinance to permit, in a B4-1 Restricted Service District, the conversion of a ground floor store to a dwelling unit in a 2-story brick store and one dwelling unit building, whose lot area is 3,062 sq. ft. instead of 3,300 sq. ft. required, on premises at 3908 W. Diversey Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 11, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(3), §8.6-1(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; 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 on April 21, 1995, the Zoning Board of Appeals approved the establishment of a dwelling unit in lieu of a store on the ground floor of a 2-story brick store and one dwelling unit building at the subject site, in Cal. No. 88-95-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variation requested is necessary to allow the applicant to renovate the existing building for use as a two dwelling unit building which will generate needed income; that the plight of the owner is due to unique circumstances in that the applicant has not been able to lease the ground floor office space due to the lack of demand for business improvements in the area and that there is no adjacent property available for purchase of the additional 298 sq. ft. necessary to comply with the lot area requirement of the zoning ordinance; that the proposed use will be compatible with the predominantly residential character of the area; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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April 21, 1995

Cal. No. 89-95-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the conversion of a ground floor store to a dwelling unit in a 2-story brick store and one dwelling unit building, whose lot area is 3,062 sq. ft. instead of 3,300 sq. ft. required, on premises at 3908 W. Diversey Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Robert Friedlander
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 90-95-S
 MAP NO. 5-H
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 2064 N. Leavitt Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Robert L. Friedlander, for American National Bank, Tr. #106399-04, owner, on March 3, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in the rehabilitation of a 1½ story brick single-family dwelling on the front of the lot and the conversion of a 1½ story frame garage on the rear of the lot to a studio apartment and garage, in a B4-2 Restricted Service District, on premises at 2064 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 22, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4A(1), §8.4-4(1), §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 24' x 100' lot improved with a 1½-story brick residential building on the front of the lot and a frame 1-story frame garage on the rear of the lot; that the applicant proposes to establish a ground floor dwelling unit in the rehabilitation of the 1½-story single-family dwelling on the front of the lot and to convert the existing 1½-story frame garage on the rear of the lot to a studio apartment and garage; that the proposed ground floor dwelling units are necessary for the public convenience at this location in that although the subject site is zoned B4-2 Restricted Service, the neighborhood is residential in character and there is no demand for business improvements in the area; that the building on the rear of the lot is unsuitable for business use; that the public health, safety and welfare will be adequately protected in the design and location of the proposed use which will conform to all applicable building code regulations; that in the rehabilitation and conversion of the

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two buildings a portico will be added, connecting the two buildings and creating a courtyard; that the proposed establishment of dwelling units on the ground floors of the subject buildings will be compatible with existing residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor in the rehabilitation of a 1½-story brick single-family dwelling on the front of the lot and the conversion of a 1½-story frame garage on the rear of the lot to a studio apartment and garage, on premises at 2064 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: John E. Hiera
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 91-95-S
 MAP NO. 9-G
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 3835 N. Southport Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Johe E. Hiera, for Bank of Ravenswood, Tr. #2910, owner, on March 3, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building, in a B4-2 Restricted Service District, on premises at 3835 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 22, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4A(1), §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 25' x 120' lot improved with a vacant 2-story frame residential building in disrepair; that the applicant proposes to demolish the existing building and erect a 3-story 3-dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential dwelling units; that the public health, safety and welfare will be protected in the design and location of the proposed 3-dwelling unit building which will conform with all applicable building code regulations and which provides adequate off-street parking spaces; that the proposed 3-dwelling unit building will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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Cal. No. 91-95-S

Zoning Administrator is authorized to permit the establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building, on premises at 3835 N. Southport 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: John E. Hiera
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 92-95-Z
 MAP NO. 9-G
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 3835 N. Southport Avenue

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, John E. Hiera, for Bank of Ravenswood, Tr. #2910, owner, on March 3, 1994, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 3-dwelling unit building, whose front yard will be 7 feet instead or 14.4 feet and whose north side yard will be 1.5 feet instead of 2.5 feet, on premises at 3835 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4, §8.8-4, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that on April 21, 1995, the Zoning Board of Appeals approved the establishment of a dwelling unit on the ground floor of a proposed 3-story 3-dwelling unit building at the subject site, in Calendar No. 91-95-S; that the the applicant is seeking variations in the front and north side yard requirements in the erection of the aforesaid 3-dwelling unit building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide adequate living space in the proposed 3-dwelling unit building as designed; that the plight of the owner is due to the shallow depth of this 25' x 120' lot and the necessity of retaining adequate space at the rear of the lot for off-street parking space; that the proposed 3-dwelling unit building will be compatible with the existing mixed business and residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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April 21, 1995

Cal. No. 92-95-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 3-dwelling unit building, whose front yard will be 7 feet instead of 14.4 feet and whose north side yard will be 1.5 feet instead of 2.5 feet, on premises at 3835 N. Southport 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: Peter Ryan
 APPEARANCES FOR: John J. Pikarski, Jr., Peter Ryan
 APPEARANCES AGAINST:

CAL. NO. 93-95-S
 MAP NO. 12-N
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 6945 S. Archer Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Peter Ryan, for Jacenty and Bozena Lassak, owner, on March 9, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit on the ground floor of a proposed 2-story 2-dwelling unit building, in a B4-1 Restricted Service District, on premises at 6945 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; 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 25' x 125' unimproved lot; that the applicant seeks to erect a 2-story 2-dwelling unit at the subject site; that no evidence was presented to indicate that the proposed 2-dwelling unit building is necessary for the public convenience at this location; that S. Archer Avenue in this area is almost completely improved with business uses; that the establishment of residential use at the subject site would cause injury to the economic viability of this business area and is not in the public interest at this location; it is therefore

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

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

APPLICANT: Peter Ryan
 APPEARANCES FOR: John J. Pikarski, Jr., Peter Ryan
 APPEARANCES AGAINST:

CAL. NO. 94-95-Z
 MAP NO. 12-N
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED-- 6945 S. Archer Avenue

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

ACTION OF BOARD--

Variations denied.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Peter Ryan, for Jacenty and Bozena Lassak, owner, on March 9, 1995, filed an application for a variation of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a 2-story 2-dwelling unit building, whose side yards will be 2.5 feet each instead of 3 feet each and whose lot area is 3,125 sq. ft. instead of 3,300 sq. ft. required, on premises at 6945 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-4, §8.6-4, §8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; 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 on April 21, 1995 the Zoning Board of Appeals denied approval for the establishment of a dwelling unit on the ground floor of a proposed 2-story 2-dwelling unit at the subject site, in Calendar No. 93-95-S; that the denial of the special use application, Calendar No. 93-95-S hereby negates the variations requested in this application; it is therefore

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

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

APPLICANT: Andriyous P. Youkhana
 APPEARANCES FOR: John J. Pikarski, Jr., Andriyous P. Youkhana
 APPEARANCES AGAINST:

CAL. NO. 95-95-S
 MAP NO. 2-E
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 320-40 S. Wabash Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Andriyous P. Youkhana, for Harris Bank, Tr. #L3703 and DePaul University, owner, on March 16, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of a public parking facility in a 5-story building at 320-32 S. Wabash Avenue (approved by the Board on 8/30/62-Cal. No. 276-62-S) into the adjoining 2-story building at 334-40 S. Wabash Avenue, in a B6-7 Restricted Central Business District, on premises at 320-40 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.3-6."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is a 14,792 sq. ft. lot improved with a 5-story and an adjoining 2-story building; that on August 30, 1962 the Zoning Board of Appeals approved the erection of a 5-story and basement public parking facility on premises at 320-32 S. Wabash Avenue, which is part of the subject site in the instant case; that the testimony presented in Calendar No. 276-62-S is hereby made part of the record in this case; that the applicant seeks to expand the existing public parking facility at 320-32 S. Wabash Avenue into the adjoining 2-story building at 334-40 S. Wabash Avenue; that the proposed use is necessary for the public convenience at this location in that this is a high density neighborhood with a need for public parking facilities; 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 impact on area traffic will be negligible and that the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

April 21, 1995

Cal. No. 95-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of a public parking facility in a 5-story building at 320-32 S. Wabash Avenue (approved by the Board on 8/30/62-Cal. No. 276-62-S) into the adjoining 2-story building at 334-40 S. Wabash Avenue, on premises at 320-40 S. Wabash Avenue, upon condition that there shall be no further removal of the original stone, masonry or iron work and that any that is deteriorated shall be repaired; that iron work shall be rustproofed, primed and painted a deep reddish brown in keeping with the historic period of the structure; that the west facade of the building shall be cleaned of loose masonry and painted deep dark brown; that the cement blocks in the upper windows shall be painted a deep dark brown consistent with the iron work; that the chain link fence shall be replaced with a fence of vertical iron bars, painted black; that the interior of the structure shall be painted white; that on the south facade, the base of the iron column that is now missing shall be replaced with a metal plate and that the horizontal iron spandrel that is missing shall be replaced with a metal strip; that on the east facade the wood siding on either side of the opening shall be removed and the iron work underneath shall be painted dark reddish brown; that the southern most curb cut on Wabash Avenue and the eastern most curb cut on Van Buren Street shall be removed; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued.

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

APPLICANT: Harry J. & Mark S. Seigle
 APPEARANCES FOR: David Narefsky
 APPEARANCES AGAINST:

CAL. NO. 96-95-S
 MAP NO. 5-G
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 1700-12 N. Clybourn Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Harry J. and Mark S. Seigle, for Harry J. and Mark S. Seigle and the City of Chicago, owner, on March 3, 1995, 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 25 private passenger automobiles, in an M1-2 Restricted Manufacturing District, on premises at 1700-12 N. Clybourn Avenue, to serve a home and building center at 900 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-2 Restricted Manufacturing District; that the subject site is a 12,400 sq. ft. irregular shape unimproved lot located north, across W. Concord Street, from the use served; that the proposed use is necessary for the public convenience at this location to provide 25 off-site accessory parking spaces to serve Seigle's Home and Building Center at 900 W. North Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use is compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

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Cal. No. 96-95-S

Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 25 private passenger automobiles, on premises at 1700-12 N. Clybourn Avenue, to serve a home and building center at 900 W. North Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed by wrought-iron fencing, excluding the driveways; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be via W. Concord Place; that the driveways shall be constructed in accordance with applicable ordinances; that landscaping shall be provided consistent with the site plan submitted by Lasko and Associates, dated April 21, 1995; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Henry J. and Mark S. Seigle
 APPEARANCES FOR: David Narefsky
 APPEARANCES AGAINST:

CAL. NO. 97-95-S
 MAP NO. 5-G
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 926 W. Concord Place
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Henry J. and Mark S. Seigle, owner, on March 3, 1995, 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 4 private passenger automobiles, in an M1-2 Restricted Manufacturing District, on premises at 926 W. Concord Place, to serve a home and building center at 900 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 3, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; 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 5,600 sq. ft. triangular shape unimproved parcel of land located north across W. Concord Place from the use served and west across a public alley from an off-site accessory parking lot for 25 private passenger automobiles approved by the Board on April 21, 1995, in Cal. No. 96-95-S; that the applicant proposes to establish an off-site accessory parking lot for 4 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to provide accessory parking to serve Seigle's Home and Building Center located at 900 W. North Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed use is compatible with existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING

April 21, 1995

Cal. No. 97-95-S

the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 4 private passenger automobiles, on premises at 926 W. Concord Place, to serve a home and business center at 900 W. North Avenue, upon condition that no use shall be made of the site for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that lighting shall be provided; that ingress and egress shall be via the public alley; that wrought-iron fencing and landscaping shall be provided consistent with the site plan prepared by Lasko and Associates, dated April 21, 1995; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Elizabeth Street Partnership
 APPEARANCES FOR: Donald J. Vogel
 APPEARANCES AGAINST:

CAL. NO. 98-95-S
 MAP NO. 1-G
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 407 N. Elizabeth Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Elizabeth Street Partnership, owner, on March 10, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units, on the ground floor of a 2 and 3-story brick building, in a B4-5 Restricted Service District, on premises at 407 N. Elizabeth Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 2, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

WHEREAS, the district maps show that the premises is located in a B4-5 Restricted Service District; and

WHEREAS, absent members Moore and Fornelli have reviewed the file and listened to the tape of the proceedings in this case; 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 B4-5 Restricted Service District; that on February 15, 1991, the Zoning Board of Appeals denied the applicant's special use application for the establishment of dwelling units on the ground floor of a 2 and 3-story brick building at the subject site, in Cal. No. 22-91-S, finding, in part, that no evidence was presented to indicate that the establishment of the proposed dwelling units on the ground floor of the existing building is necessary for the public convenience at the subject site location, and that the establishment of dwelling units on the ground floor of the subject building would create the potential for nuisance complaints by the dwellers against the existing manufacturing uses in the area; that based on new evidence presented, the Board finds in this case that the nature of the neighborhood has changed in that there is little demand for ground floor commercial premises and a growing demand for residential use in the area and that therefore the proposed use is necessary for the public convenience

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Cal. No. 98-95-S

at this location; that the public health, safety and welfare will be adequately protected in the establishment of dwelling units at the subject site in that the site is buffered from existing manufacturing uses by railroad embankments immediately to the north and south; that the proposed use is compatible with a recently converted 2-story commercial building to residential dwellings just east of the subject site, approved by the Board on May 15, 1992 in Calendar No. 34-92-S, and that the establishment of dwelling units on the ground floor of the subject site 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 dwelling units on the ground floor of a 2 and 3-story brick building, on premises at 407 N. Elizabeth 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: Chicago Academy of Sciences & Chicago Park District

CAL. NO. 99-95-S

APPEARANCES FOR: Langdon Neal

MAP NO. 7-F

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1995

PREMISES AFFECTED— In Lincoln Park at the northwest corner of Cannon Drive & Fullerton Pkwy.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Chicago Academy of Sciences & Chicago Park District, for Chicago Park District, owner, on March 20, 1995, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a public museum of approximately 73,000 sq. ft., in an R7 General Residence District, on premises in Lincoln Park at the northwest corner of Cannon Drive and Fullerton Parkway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 20, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-1(30), §7.4-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on April 3, 1995; and

WHEREAS, the district maps show that the premises is located in an R7 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 R7 General Residence District; that that the subject site is located in Lincoln Park; that the applicant proposes to erect a new, expanded Chicago Academy of Sciences museum building at the subject site; that the approximately 73,000 sq. ft. proposed museum will be constructed entirely within the footprint of the existing North Shops Park District maintenance facility currently located at the subject site; that the building which currently houses the Chicago Academy of Sciences will be rehabilitated for use by the offices of the Lincoln Park Zoological Society; that the proposed use is necessary for the public convenience at this location to provide additional space for expanded exhibition and educational facilities which will include a unique indoor/outdoor aspect as a central part of its programing; that the proposed museum will be so designed and operated to insure that the public health, safety and welfare will be adequately protected; that the proposed museum will eliminate approximately 20,000 sq. ft. of asphalt and concrete paving, which land will be returned to landscaped public green areas; that the applicant museum has been located in Lincoln Park for many years and that its relocation in a new expanded building in Lincoln Park will be compatible with other Lincoln Park recreational

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Cal. No. 99-95-S

and educational facilities and will not cause substantial injury to the value of other property in the area; 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 public museum of approximately 73,000 sq. ft., on premises in Lincoln Park at the northwest corner of Cannon Drive and Fullerton Parkway, 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: Shabbir Shareef
 APPEARANCES FOR: Asma Shareef, Dana Blay
 APPEARANCES AGAINST:

CAL. NO. 100-95-A
 MAP NO. 9-I
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 3810 N. Sacramento Avenue

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Shabbir Shareef, owner, on March 9, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1½-story frame building as two dwelling units, in an R3 General Residence District, on premises at 3810 N. Sacramento Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the evidence presented indicates that the 1½-story frame building has been occupied as two dwelling units since prior to July, 1957; that the appellant has a right to continue the occupancy of the 1½-story frame building at the subject site as two dwelling units provided the building is brought into compliance with applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 1½-story frame building as two dwelling units, on premises at 3810 N. Sacramento Avenue, upon condition that the building is brought into building code compliance with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with.

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

APPLICANT: Panaderia Acambaro Gto., Inc.
 APPEARANCES FOR: Israel Duran
 APPEARANCES AGAINST:

CAL. NO. 101-95-A
 MAP NO. 14-I
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 3044-46 W. 59th Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Panaderia Acambaro Gto., Inc., for Lory Hersmann, owner, on March 7, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling as an accessory use to an existing retail bakery in a 1-story brick store building, in a B4-1 Restricted Service District, on premises at 3044-46 W. 59th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 22, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995; 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 locate in a B4-1 Restricted Service District; that the subject site is improved with a 1-story brick building store building occupied by the applicant bakery; that the appellant is seeking a wholesale license to permit wholesaling of bakery items as an accessory use to the existing retail bakery at the subject site; that the appellant testified that he sells and delivers bakery goods to approximately 50 stores; that the deliveries are made by van by an employee of the bakery; that the delivery van is parked in front of the subject store premises when not in use; that the appellant testified that his business is steadily growing and that the wholesaling activity is now more than half of his business at the site; that wholesaling activity which constitutes more than 50% of the total business activity at a site cannot be considered an accessory use to an existing retail business; that the aforesaid wholesaling operations at the subject site requires Commercial zoning; that under Section 8.3-4 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Ruby Hooker
 APPEARANCES FOR: Ruby Hooker
 APPEARANCES AGAINST:

CAL. NO. 102-95-A
 MAP NO. 2-K
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 4058 W. Van Buren Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS Ruby Hooker, owner, on March 8, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 2-story brick store and apartment building, in an R4 General Residence District, on premises at 4058 W. Van Buren Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact; that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 2-story brick store and apartment building; that the appellant seeks to establish a grocery store in the vacant store on the first floor of the subject building; that the subject store premises has been occupied by business uses, the last use having been a grocery store which ceased operated approximately 4 years ago; that under Section 6.4-5 of the zoning ordinance "a building, structure or portion thereof, all or substantially all of which is designed or intended for use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use requirements of the district in which it is located"; that under Section 6.4-5 of the zoning ordinance, the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Jerome P. Masterson
 APPEARANCES FOR: Jerome P. Masterson
 APPEARANCES AGAINST:

CAL. NO. 103-95-A
 MAP NO. 10-H
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 4358 S. Wood Street

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Jerome P. Masterson, owner, on March 8, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a fast food restaurant in a store in a 2-story frame building, in an R3 General Residence District, on premises at 4358 S. Wood Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 8, 1995, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story frame building containing a non-conforming store on the ground floor and living space above; that the appellant proposes to establish a hot dog stand in the subject non-conforming store premises; that the store was previously occupied by a tavern which ceased operation in 1992; that under Section 6.4-5 of the zoning ordinance, "a building, structure or portion thereof, all or substantially all of which is designed or intended for a use which is not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use requirements of the district in which it is located"; that under Section 6.4-5 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Simpson & Sons Automotive

CAL. NO. 104-95-A

APPEARANCES FOR:

MAP NO. 17-I

APPEARANCES AGAINST:

MINUTES OF MEETING
April 21, 1995

PREMISES AFFECTED— 6632 N. California Avenue

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

ACTION OF BOARD—

Case continued to
June 16, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: Gannett Outdoor

CAL. NO. 105-95-A

APPEARANCES FOR:

MAP NO. 13-M

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1995

PREMISES AFFECTED— 5566 N. Northwest Highway

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

ACTION OF BOARD—

Case continued to
July 21, 1995.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: Hernan Aguilar
 APPEARANCES FOR: Hernan Aguilar, Jesus Callupe
 APPEARANCES AGAINST:

CAL. NO. 48-95-A
 MAP NO. 11-I
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 4243 N. Whipple Street

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

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Hernan Aguilar, owner, on January 19, 1995, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 3-dwelling units, in an R3 General Residence District, on premises at 4243 N. Whipple Street; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the appellant is seeking certification of the use of a 2-story brick building at the subject site as 3 dwelling units; that no evidence was presented to indicate that 3 dwelling units existed in the subject building since prior to the year 1942 when the area was rezoned to Duplex residence; that the appellant has a right to two dwelling units in the subject building; it is therefore

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

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

APPLICANT: Greater St. John M.B. Church
 APPEARANCES FOR: Kyna Payne
 APPEARANCES AGAINST:

CAL. NO. 26-95-Z
 MAP NO. 2-K
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 308-18 S. Kostner Avenue

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Greater St. John M.B. Church, owner, on December 9, 1994, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story with basement 295-seat church building, whose front yard will be 13 feet, whose north side yard will be 5 feet and whose rear yard will be 5 feet instead of 13.26 feet, 13.3 feet and 30 feet respectively, on premises at 308-18 S. Kostner Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 29, 1994, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on January 30, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 133.15' x 110.45' unimproved lot; that the applicant church is presently located at 4414-16 W. Gladys Street; that the applicant proposes to erect a 1-story with basement 295-seat church building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to construct the subject church as designed and to allow space on the property for a portion of the required off-street parking spaces; that the plight of the owner is due the applicant's desire to provide some off-street parking spaces on the subject site property; that the proposed church will be compatible with the existing residential improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

April 21, 1995

Cal. No. 26-95-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story with basement 295-seat church building, whose front yard will be 13 feet, whose north side yard will be 5 feet and whose rear yard will be 5 feet instead of 13.26 feet, 13.3 feet and 30 feet respectively, on premises at 308-18 S. Kostner Avenue, upon condition that off-street parking for 11 private passenger automobiles shall be located at 332 S. Kostner Avenue and 5 parking spaces for private passenger automobiles at 4414-16 W. Gladys Avenue as provided for in Calendar Nos. 27-95-S and 28-95-S, respectively, to fulfill the parking requirement for the aforesaid 1-story church building at the subject site; that the on-site parking area to be located south of the proposed church building shall be used solely for the parking of private passenger automobiles only; 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 the parking area shall be enclosed by wrought-iron fencing, except the driveway(s); that striping and lighting shall be provided; that ingress and egress to the parking lot shall be determined by the Bureau of Street Traffic Engineering; that the alley abutting the site to the west shall not be used for ingress nor for egress; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a 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: Greater St. John M.B. Church
 APPEARANCES FOR: Kyna Payne
 APPEARANCES AGAINST:

CAL. NO. 27-95-S
 MAP NO. 2-K
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 332 S. Kostner Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Greater St. John M.B. Church, owner, on December 9, 1994, filed, and subsequently amended, 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 11 private passenger automobiles, in an R4 General Residence District, on premises at 332 S. Kostner Avenue, to fulfill the parking requirement for a 295-seat church proposed at 308-18 S. Kostner Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 29, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-1(4), §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on January 30, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 53.26' x 110.43' unimproved lot located south of and across W. Gladys Street from the proposed 295-seat church site; that on April 21, 1995, the Zoning Board of Appeals granted approval for the erection of a 1-story with basement 295-seat church building, whose front yard will be 13 feet, whose north side yard will be 5 feet and whose rear yard will be 5 feet, instead of 13.26 feet, 13.3 feet, and 30 feet respectively, on premises at 308-18 S. Kostner Avenue, in Cal. No. 26-95-Z; that the applicant proposes to establish an off-site accessory parking lot for 11 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for the aforesaid proposed church building; 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 use will be an improvement in the immediate area which has several vacant lots and buildings and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

April 21, 1995
Cal. No. 27-95-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 11 private passenger automobiles, on premises at 332 S. Kostner Avenue, to fulfill the parking requirement for a 295-seat church proposed at 308-18 S. Kostner Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles only; that the lot shall be improved with a compacted macadam base, not less than four inches thick and surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting driveways, by wrought-iron fencing; that lighting shall be provided directed away from residential property; that striping shall be provided; that ingress and egress shall be determined by the Bureau of Street Traffic and Engineering; that the lot shall be securely locked at all times when not in use by the applicant church; that landscaping shall be provided as indicated on the site plan prepared by Cumberland America, Inc., dated February 17, 1995; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

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

APPLICANT: Greater St. John M.B. Church
 APPEARANCES FOR: Kyna Payne
 APPEARANCES AGAINST:

CAL. NO. 28-95-S
 MAP NO. 2-K
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 4414-16 W. Gladys Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

THE RESOLUTION:

WHEREAS, Greater St. John M.B. Church, owner, on December 9, 1995, filed, and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 5 private passenger automobiles, in an R4 General Residence District, on premises at 4414-16 W. Gladys Avenue, to fulfill the parking requirement for a 295-seat church proposed at 308-18 S. Kostner Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 29, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-1(4), §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on January 30, 1995; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on April 21, 1995, the Zoning Board of Appeals approved the erection of a 1-story with basement 295-seat church building with front yard, north side yard and rear yard variations, on premises at 308-18 S. Kostner Avenue, in Cal. No. 26-95-S, and the establishment of an off-site accessory parking lot for the parking of 11 private passenger automobiles at 332 S. Kostner Avenue to fulfill the parking requirement for the aforesaid proposed church building, in Cal. No. 27-95-S; that the subject site is a 50' x 125.13' lot improved with a 1½-story brick church building presently occupied by the applicant church; that the applicant proposes to continue using the existing building for classroom facilities and other church activities; that off-street parking for 5 automobiles will be established at the rear of the subject site, behind the existing 1½-story church building; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for the proposed 295-seat church building to be located at 308-18 S. Kostner Avenue; that the public health, safety and welfare will be adequately protected in

MINUTES OF MEETING

April 21, 1995

Cal. No. 28-95-S

the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed use is located behind an existing church building, across an alley from the proposed 295-seat church building and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 5 private passenger automobiles, on premises at 4414-16 W. Gladys Avenue, to fulfill the parking requirement for a 295-seat church proposed at 308-18 S. Kostner Avenue, upon condition that the parking area shall be used for the parking of private passenger automobiles; 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 an established City of Chicago sewer; that lighting and striping shall be provided; that ingress and egress shall be determined by the Bureau of Street Traffic and Engineering; that landscaping shall be provided as indicated on the site plan prepared by Cumberland America, Inc., dated February 17, 1995; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with §5.8-5 of the zoning ordinance.

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

APPLICANT: The Home of Moo and Oink

CAL. NO. 306-94-S

APPEARANCES FOR:

MAP NO. Map I-L

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1995

PREMISES AFFECTED— 12 N. Cicero Avenue/4801-15 W. Washington Boulevard

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: St. Elizabeth the Catholic Worker
 APPEARANCES FOR: Langdon Neal
 APPEARANCES AGAINST: Leon Bailey, Sandra Bennett

CAL. NO. 352-94-S
 MAP NO. 20-H
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 8025 S. Honore Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

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

THE RESOLUTION:

WHEREAS, St. Elizabeth the Catholic Worker, for the Archdiocese of Chicago, owner, on November 8, 1994, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional shelter to serve up to 35 homeless mothers with children in a 3-story brick former convent building, in an R4 General Residence District, on premises at 8025 S. Honore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 7, 1995, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-4(8)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on November 28, 1994; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 3-story brick former convent building; that the applicant proposes to establish a transitional shelter to serve homeless mothers with children; that the maximum number of clients at any time will be 35 persons; that no male children over the age of 11 will be housed at the site; that the maximum length of stay at the proposed shelter is 90 days; that the proposed shelter will provide health assessments, parenting and other educational services, employment services; that residents are expected to abide by established rules and regulations, help with daily chores and keep resident children disciplined; that no alcohol or drugs are allowed on the premises; that visitors must be screened before allowed at the site; that professional staff personnel will be on-site 24 hours daily; that the proposed use is necessary for the public convenience at this location to provide a necessary service in the area in which there are no other such facilities available; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed transitional shelter which will

MINUTES OF MEETING
April 21, 1995
Cal. No. 352-94-S

comply with all applicable city and state regulations governing the establishment and operation of transitional shelters and which building will comply with all applicable building code regulations; that the proposed use, which fulfills a need in the community, is consistent with the historical use of the premises as a convent, 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 transitional shelter to serve up to 35 homeless mothers with children in a 3-story brick former convent building, on premises at 8025 S. Honore Street, upon condition that no use shall be made of the premises as requested until the building is brought into compliance with building code regulations with plans and permits obtained indicating such complied; that no alcohol or drugs shall be permitted at the site at any time; that professional staff personnel shall be on-site 24 hours daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional shelter activity to another group or association the special use granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as a transitional residence for homeless mothers with children or any increase in beds, as stated by the applicant and delineated herein, shall cause the special use granted herein to immediately become null and void.

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

APPLICANT: Chicago City Day School
 APPEARANCES FOR: Jerome H. Torshen
 APPEARANCES AGAINST:

CAL. NO. 29-95-Z
 MAP NO. 9-F
 MINUTES OF MEETING
 April 21, 1995

PREMISES AFFECTED— 541-67 W. Hawthorne Place
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Chicago City Day School, owner, on December 20, 1994, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R1 Single-Family Residence District, the erection of a 4-story addition to the west side of a 2 and 3 story private elementary school building, whose rear yard will be 3 feet instead of 30 feet and which addition will exceed the 0.50 floor area ratio permitted at the site by approximately 0.50, on premises at 541-67 W. Hawthorne Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 20, 1994, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §17-28-580(7.9-1), §17-28-110 (7.6-1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 21, 1995, after due notice thereof by publication in the Chicago Sun-Times on January 30, 1995; and

WHEREAS, the district maps show that the premises is located in an R1 Single-Family Residence District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R1 Single-Family Residence District; that the subject site is a 75,991 sq. ft. irregular shaped lot improved with a 2 and 3-story L-shaped brick school building on the east, a 2-story residential building built in the 1890's and known as the "Hettler House" on the northwest corner of the site, a 2-story frame coachhouse building containing storage facilities and caretaker's dwelling unit on the southwest corner of the site, and a small structure known as the gazebo near the site of the proposed 4-story addition; that on January 18, 1985 the Board granted variations to the applicant permitting the erection of a 3-story approximately 100' x 110' addition containing educational facilities, cafeteria, gymnasium, pool and auditorium to the southwest side of the 3-story private elementary school building, with no west side yard instead of 20 ft., with no rear yard instead of 30 feet and which exceeded the permitted floor area ratio, at 533-41 W. Hawthorne Place; that the testimony presented in Cal. No. 9-85-Z is hereby made part of the record in this case; that the applicant proposes to erect a 4-story addition to the west side of the 2 and 3-story existing private elementary school at the subject site;

MINUTES OF MEETING

April 21, 1995
Cal. No. 29-95-Z

that the proposed 4-story addition will contain specialty classrooms, a multi-purpose play area, administrative offices, and storage space; that the aforesaid Hettler House and coach-house buildings will remain on the subject property; that the aforesaid gazebo structure will be moved to another location on the property; 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 4-story addition is necessary to continue to maintain the high quality of education provided by the applicant school; that the plight of the owner is due to unique circumstances in that the applicant school cannot adequately fulfill its educational purposes created by advances in educational methodology and technology without the proposed facilities to be provided by the proposed addition; that the proposed addition will be compatible with the existing improvements in the neighborhood and lakefront, and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story addition to the west side of a 2 and 3-story private elementary school building, whose rear yard will be 3 feet instead of 30 feet and which addition will exceed the 0.50 floor area ratio permitted at the site by approximately 0.50, on premises at 541-67 W. Hawthorne 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: Faith Revival Center Church, by Rev. Wyatt McCray
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 35-95-S
MAP NO. 20-H
MINUTES OF MEETING
April 21, 1995

PREMISES AFFECTED— 8042-44 S. Ashland Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
June 16, 1995

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
		X

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

APPLICANT: Golden Dream, Inc.

CAL. NO. 45-95-S

APPEARANCES FOR:

MAP NO. 17-H

APPEARANCES AGAINST:

MINUTES OF MEETING

April 21, 1995

PREMISES AFFECTED-- 6609 N. Clark Street

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

ACTION OF BOARD--

Application withdrawn upon motion of applicant.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
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MINUTES OF MEETING

April 21, 1995

Cal. No. 177-94-Z

Adrienne M. Geary for Jim Yamamoto, applicant, presented a written request for an amendment to the resolution granted by the Zoning Board of Appeals on September 16, 1994, in Calendar No. 177-94-Z, which permitted the erection of a 2-story 2-dwelling unit townhouse building, in an R4 General Residence District, with no front yard instead of 5.7 feet and whose rear yard will be 8 feet instead of 30 feet, on premises at 232-34 W. 23rd Street.

Ms. Geary is requesting the resolution in Calendar No. 177-94-Z be amended to correct the address of the subject site from 232-234 W. 23rd Street to 234-236 W. 23rd Street. Ms. Geary stated that the address was inadvertently misstated and that the two vacant lots comprising the subject site exist between established buildings.

Chairman Spingola moved that the request to amend the resolution approved in Calendar No. 177-94-Z be granted and the resolution is hereby amended to indicate the address of the subject site as 234-236 W. 23rd Street in lieu of 232-234 W. 23rd Street. The motion prevailed by yeas and nays as follows:

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

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Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on May 19, 1995.

Marian Pest
Secretary