

**MINUTES OF A SPECIAL MEETING OF THE
ZONING BOARD OF APPEALS**

held in Room 569 County Building, on Friday, April 26, 1996
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
Demetri Konstantelos
LeRoy K. Martin, Jr.
Gigi McCabe-Miele
Thomas S. Moore

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

MINUTES OF MEETING

April 26, 1996

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on April 19, 1996 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT: Urbanscape, Inc.

CAL. NO. 42-96-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1832-44 N. Wilmot Avenue

April 19, 1996

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

COPY

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Urbanscape, Inc., owner, on January 5, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 7-dwelling unit townhouse building, whose front yard will be 8' instead of 12', whose north side yard will be 6' and whose south side yard will be 3' instead of 13' each, and to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1832-44 N. Wilmot Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.6-2,.7.7-4, 7.8-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; 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 December 13, 1995, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R4 General Residence specifically for the proposed residential development; that the subject site is a 130' x 100' zoning lot and is part of a parcel of land that has been divided into three zoning lots and is currently improved with a 2-story brick manufacturing building; that the applicant proposes to demolish the existing manufacturing building and erect a 2-story 7-dwelling unit townhouse building and seeks to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum; 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 7-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 2-story 7-dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the side yards than would a yard conforming multi-story rental apartment building; that the front yard variation requested is necessary due to the design

COPY

MINUTES OF MEETING

April 19, 1996

Cal. No. 42-96-Z

of the proposed 2-story 7-dwelling unit townhouse building which provides staggered front bays; that it is necessary to occupy 70% of the required rear yard in order to provide on-site parking on this zoning lot which is only 100 feet deep; that the proposed 2-story 7-dwelling unit townhouse building 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

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 7-dwelling unit townhouse building whose front yard will be 8' instead of 12', whose north side yard will be 6' and whose south side yard will be 3' instead of 13' each, and to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1832-44 N. Wilmot 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: Urbanscape, Inc.

CAL. NO. 43-96-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 19, 1996

PREMISES AFFECTED- 1846-60 N. Wilmot Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

COPY

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Urbanscape, Inc., owner, on January 5, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 9-dwelling unit townhouse building, whose front yard will be 8' instead of 12', whose side yards will be 6' each instead of 16.2' each, and to permit nine 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1846-60 N. Wilmot Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 3, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.6-2, 7.7-4, 7.8-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals its regular meeting held on April 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on January 29, 1996; 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 December 13, 1995, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R4 General Residence specifically for the proposed residential development; that on April 19, 1996, the Board granted variations to the applicant in a companion application for the erection of a 2-story 7-dwelling unit townhouse building, on premises at 1832-44 N. Wilmot Avenue, whose front yard will be 8' instead of 12', whose north side yard will be 6' and whose south side yard will be 3' instead of 13' each, and to permit seven 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, in Cal. No. 42-96-Z; that the subject site is a 162' x 100' zoning lot and is part of a parcel of land that has been divided into three zoning lots and is currently improved with a 2-story brick manufacturing building; that the applicant proposes to demolish the existing manufacturing building and erect a 2-story 9-dwelling unit townhouse building and seeks to permit nine 2-car garages to occupy 70% of the required rear yard instead of 60% maximum; 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

COPY

MINUTES OF MEETING

April 19, 1996

Cal. No. 43-96-Z

that to erect less than the requested 9-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 2-story 9-dwelling unit townhouse building requires greater land coverage and encroachment into the side yards than would a yard conforming multi-story rental apartment building; that the front yard variation is necessary due to the design of the proposed 2-story 9-dwelling unit townhouse building which provides staggered front bays; that it is necessary to occupy 70% of the required rear yard in order to provide on-site parking on this zoning lot which is only 100 feet deep; that the proposed 2-story 9-dwelling unit townhouse building 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

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 9-dwelling unit townhouse building, whose front yard will be 8' instead of 12', whose side yards will be 6' each instead of 16.2' each, and to permit nine 2-car garages to occupy 70% of the required rear yard instead of 60% maximum, on premises at 1846-60 N. Wilmot 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: Carmelo Atilas **CAL. NO.** 60-96-A

APPEARANCES FOR: Carmelo Atilas **MAP NO.** 5-J

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 3581 W. Belden Avenue April 19, 1996

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.

COPY

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Carmelo Atilas, owner, on January 8, 1996, 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 1-story brick building, in an R3 General Residence District, on premises at 3581 W. Belden 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, Section 7.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 19, 1996; 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 non-conforming 1-story brick store building located on the southeast corner of the intersection of N. Central Park Avenue and W. Belden Avenue; that testimony presented indicates that the subject store building was previously occupied by a grocery store which ceased operation in May, 1993; that the appellant purchased the property in May 1993; that the store property has remained vacant and unoccupied since May, 1993 with the exception of a period of one year when it was occupied by a church, a permitted use in the R3 General Residence District; that the Board has no authority under Section 6.4-5 of the zoning ordinance to permit the establishment of the proposed non-conforming grocery store in the subject store building; that the Board finds in this case the appellant needs to seek a rezoning of the property to a Business District from the City Council in order to permit the use intended; 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: Rick Capps **CAL. NO.** 125-96-Z
APPEARANCES FOR: Gary I. Wigoda, Rick Capps **MAP NO.** 5-F
APPEARANCES AGAINST: Richard Mandel **MINUTES OF MEETING:**
April 26, 1996
PREMISES AFFECTED- 1921 N. Cleveland Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Rick Capps, owner, on February 23, 1996, 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 3-story + penthouse single family dwelling whose front yard will be 12' instead of 14.75', whose north side yard will be 1 ½ feet instead of 2.4 feet, whose south side yard will be 0' instead of 2.4', and whose rear yard will be 18' instead of 30', on premises at 1921 N. Cleveland Avenue; 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, Sections 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 a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 24' x 123' lot improved with a 2 ½ story frame residential building and 2 car brick garage in the rear; that the applicant proposes to demolish the existing residential building and erect a 3-story and penthouse single-family dwelling; that no evidence was presented to indicate that the property in question cannot yield a reasonable return nor be put to reasonable use without the requested variations; that the Board finds in this case that the proposed 3 story with penthouse single-family dwelling is an overbuilding of the subject site and that the plight of the owner is self-created; that the proposed variations will adversely affect an adequate supply of light and air to abutting residential buildings to the north and south; and that the proposed 3-story with penthouse building will alter the essential character of the east side of this block of N. Cleveland Avenue; it is therefore

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

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

APPLICANT: Michael & Kimberly Patton **CAL. NO.** 126-96-Z
APPEARANCES FOR: Michael Patton **MAP NO.** 26-1
APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 26, 1996
PREMISES AFFECTED- 2522 W. 109th Place
SUBJECT- Application to vary the requirements of the zoning ordinance

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Michael & Kimberly Patton, owner, on February 29, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 28' x 30' 2nd story addition to a 1-story brick single-family dwelling, whose west side yard will be 3.5' and whose east side yard will be 3' instead of combined side yards of 10.5' and whose maximum floor area ratio will be approximately 0.56 instead of 0.50, on premises at 2522 W.109th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 23, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2, 7.8-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 35' x 124.32' lot improved with a 1-story brick single-family dwelling; that the applicant proposes to erect a 28' x 30' 2nd story addition to the existing 1-story brick single-family dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 28' x 30' 2nd story addition is necessary to provide additional bedroom space to meet the needs of the applicant and family; that the plight of the owner is due to the lack of adequate living space in the existing 1-story brick single-family dwelling; that the proposed addition will follow existing building lines 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

MINUTES OF MEETING

April 26, 1996

Cal. No. 126-96-Z

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 28' x 30' 2nd story addition to a 1-story brick single-family dwelling, whose west side yard will be 3.5' and whose east side yard will be 3' instead of combined side yards of 10.5' and whose maximum floor area ratio will be approximately 0.56 instead of 0.50, on premises at 2522 W. 109th 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: David P. Kaufman

CAL. NO. 127-96-Z

APPEARANCES FOR: Bennett Klasky

MAP NO. 7-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1846 W. Oakdale Avenue

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, David P. Kaufman, owner, on March 18, 1996, 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 3-story frame single-family dwelling, whose west side yard will be 0.45' and whose east side yard will be 2.27' instead of 6.8' each and which dormering will result in a 15% (309 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1846 W. Oakdale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-3, 7.8-3(2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 25' x 125.04' lot improved with a 3-story frame single family dwelling; that the attic of the existing single-family dwelling was dormered which results in 309 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 said dormer addition is necessary to provide additional floor area in the attic and to make a master bedroom suite as part of the deconversion of the building from a two-dwelling unit into the presently existing single-family dwelling; that the plight of the owner is due to unique circumstances in that the said dormer addition was constructed without the necessary building permit; that the variations, if granted, will not alter the essential character of the locality in that the said dormer follows existing building lines and does not impair an adequate supply of light and air to adjacent properties; it is therefore

MINUTES OF MEETING

April 26, 1996

Cal. No. 127-96-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 3-story frame single-family dwelling, whose west side yard will be 0.45' and whose east side yard will be 2.27' instead of 6.8' each and which dormering will result in a 15% (309 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1846 W. Oakdale 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: JFJ Development Co., by Jon Zitzman **CAL. NO.** 128-96-Z
APPEARANCES FOR: Michelle Laiss, Jon Zitzman **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 April 26, 1996
PREMISES AFFECTED- 2500-02 N. Sheffield Avenue/1000-02 W. Altgeld Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, JFJ Development Co., by Jon Zitzman, for Sonia B. Bryant and Trustee for the Minna E. Bryant Trust and Eric Wojcikiewicz, owner, on March 11, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 4-dwelling unit building on a 58' x 57.5' lot, whose south front yard will be 2' instead of 6.9', whose west side yard will be 1' instead of 5.8' and whose north rear yard will be 6 inches instead of 30', on premises at 2500-02 N. Sheffield Avenue/1000-02 W. Altgeld Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 28, 1996, reads:
 :Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically Sections 7.7-4, 7.9-5, 7.8-5.”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; 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 R. General Residence District; that the subject site is a 58' x 57.5' unimproved lot with no alley access located on the northwest corner of N. Sheffield Avenue and W. Altgeld Avenue; that the applicant proposes to erect a 4-story 4-dwelling unit building with interior garage parking at the subject site; that the property in question cannot yield a reasonable return not be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to the unusual size of the subject lot; that the proposed 4-story 4-dwelling unit building will be compatible with the predominantly residential character of the area 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

MINUTES OF MEETING

April 26, 1996

Cal. No. 128-96-Z

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 4-dwelling unit building on a 58' x 57.5' lot, whose south front yard will be 2' instead of 6.9', whose west side yard will be 1' instead of 5.8' and whose north rear yard will be 6 inches instead of 30', on premises at 2500-02 N. Sheffield Avenue/1000-02 W. Altgeld Avenue, upon condition that the applicant shall adhere to the terms of the Development Agreement with Wrightwood Neighbors Conservation Association dated April 12, 1996; 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: 2nd Apostolic Assembly

CAL. NO. 129-96-Z

APPEARANCES FOR: Fernando Baiza

MAP NO. 6-K

APPEARANCES AGAINST: Josephine Bulaga, et al.

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 2712 S. Kildare Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, 2nd Apostolic Assembly, owner, on February 26 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 120-seat 2-story 6,460 sq. ft. church building on a lot improved with a 1-story 1,566 sq. ft. church building, whose front yard will be 3' instead of 20', whose south side yard will be 2.8' instead of 12', with off-street parking for 8 automobiles instead of 10 required, and whose maximum floor area ratio will be 0.92 instead of 0.70, on premises at 2712 S. Kildare Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 20, 1996, reads:

“Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 7.6-3, 7.7-3, 7.8-3, 7.12-1(2).”

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; 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 8,732 sq. ft. lot improved with a 2-story brick building occupied by the applicant church; that the applicant proposes to erect a 120-seat 2-story 6,460 sq.ft. church building at the subject site and continue to use the existing 2-story building at a fellowship hall; that no evidence was presented to indicate that the property cannot yield a reasonable return under the conditions allowed by the regulations in this district; that the proposal represents an overbuilding of the subject lot and that no testimony was presented to indicate that any unique circumstances exist; that the variations, if granted, will alter the essential character of the locality in that the proposed 2-story church building, as designed, will eliminate required off-street parking spaces; 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: Curtis Smith

CAL. NO. 130-96-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 1342 W. George Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 1996, ON
BOARD'S OWN MOTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Holy Rock Baptist Church

CAL. NO. 131-96-S

APPEARANCES FOR: Robert Power

MAP NO. 14-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5854 S. Morgan Street

April 26, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Holy Rock Baptist Church, owner, on February 23, 1996, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the erection of a 258-seat church building, in a B4-1 Restricted Service District, on premises at 5854 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17, of the Municipal Code of Chicago, specifically, Section 8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special hearing held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; 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 is 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 107.7' x 125' unimproved lot on the northwest corner of S. Morgan Street and W. 59th Street; that the applicant proposes to erect a 258-seat church building at the subject site; that the proposed use is necessary for the public convenience at this location to continue to serve the needs of the church congregation which currently is located at 5843 S. Morgan Street; 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 located on the property which is presently occupied by the applicant church; that the applicant church which is currently located in this block of S. Morgan Street, will be compatible with 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

MINUTES OF MEETING

April 26, 1996

Cal. No. 131-96-S

authorized to permit the erection of a 258-seat church building, on premises at 5854 S. Morgan Street, upon condition that off-site accessory parking shall be located at 5843 S. Morgan Street as provided for in companion application 132-96-S; 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: Holy Rock Baptist Church

CAL. NO. 132-96-S

APPEARANCES FOR: Robert Power

MAP NO. 14-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5843 S. Morgan Street

April 26, 1996

SUBJECT- Application for the approval of a special use

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Holy Rock Baptist Church, owner, on February 23, 1996, filed and subsequently amended, an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 20 private passenger automobiles, in an R3 General Residence District, on premises at 5843 S. Morgan Street, to fulfill the parking requirement for a proposed 258-seat church at 5854 S. Morgan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 7, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; 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 50' x 150' lot improved with a frame church building; that on April 26, 1996, the Board approved the erection of a 258-seat church building at 5854 S. Morgan Street, in Cal. No. 131-96-S; that the applicant proposes to demolish the existing church building located on the subject property and establish an off-site accessory parking lot for 20 private passenger automobiles on the site; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for the proposed 258-seat church at 5854 S. Morgan Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions and standards hereinafter set forth; that the proposed parking lot will be located east of the applicant church building across S. Morgan Street and a public alley 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

MINUTES OF MEETING

April 26, 1996

Cal. No. 132-96-S

authorized to permit the establishment of an off-site accessory parking lot for 20 private passenger automobiles, on premises at 5843 S Morgan Street, to fulfill the parking requirement for a proposed 258-seat church at 5854 S. Morgan Street, upon condition that no use shall be made of the property 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 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 a 5 feet high solid wood fence shall be provided on the north lot line to screen the parking facility from abutting residential property; that 5 feet high chain link fencing shall be provided on the east and south lot lines; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be from S. Morgan Street; that the public alleys abutting the site to the south and east shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that the lot shall be securely locked at all times when not in use by the applicant church; that a 20 foot landscaped front yard shall be provided and that all other applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Apostolic Church of God

CAL. NO. 133-96-S

APPEARANCES FOR: Allison Davis

MAP NO. 16-D

APPEARANCES AGAINST: Randolph Smith

MINUTES OF MEETING:
April 26, 1996

PREMISES AFFECTED- 6325 S. Dorchester Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Apostolic Church of God, for City of Chicago, owner, on March 1, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 55 private passenger automobiles, in a C1-3 Restricted Commercial District, on premises at 6325 S. Dorchester Avenue, to serve a church at 6320 S. Dorchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 27, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.11-2(1)."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-3 Restricted Commercial District; that the subject site is an irregularly shaped 108.86' x 297.8' unimproved parcel of land located to the east of the applicant church across S. Dorchester Avenue and abutting railroad tracks to the east; that the applicant proposes to establish an off-site accessory parking lot for 55 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to serve the approximately 5,000 seat applicant church at 6320 S. Dorchester Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions and standards hereinafter set forth; that the proposed accessory parking lot will be an improvement of a vacant lot 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 55 private passenger automobiles, on premises

MINUTES OF MEETING

April 26, 1996

Cal. No. 133-96-S

at 6325 S Dorchester Avenue, to serve a church at 6320 S. Dorchester 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 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 a concrete retaining wall shall be erected on the east property line to separate the parking lot from railroad property; that a 2 feet high steel beam guard rail shall be erected on the east line of the parking area as indicated in its site plan prepared by Ray/Dawson, P.C, dated October 4, 1995; that decorative wrought-iron fencing shall be provided on the north, west and south lot lines, excepting driveways; that lighting and striping shall be provided; that ingress and egress shall be from S. Dorchester Avenue and E. 64th Street; that the driveways shall be constructed in accordance with applicable ordinances; that the parking 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 aforesaid site plan; and that all other applicable ordinances 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: Jim Young (Rev.)

CAL. NO. 134-96-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 20-H

APPEARANCES AGAINST: Thomas Murphy

MINUTES OF MEETING:
April 26, 1996

PREMISES AFFECTED- 1939 W. 79th Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Jim Young (Rev.), for Jack Gilliam, owner, on March 6, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 60-seat church in a 1 and 2-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 1939 W. 79th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 21, 1996, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick store and apartment building; that the store premises is presently occupied by an auto parts business; that the applicant is pastor of Word of the Holy Ghost Apostolic Church which has a membership of 35 persons and presently conducts services at premises located at 78th Street and Ashland Avenue; that the applicant proposes to establish a 60-seat church in the subject store premises; that within the immediate vicinity of the intersection of W. 79th Street and Damen Avenue there is an auto body shop, a fast food chicken restaurant, a shoe store and a drug store; that the Board finds that the establishment of a church at the subject site in this viable business area would not adequately protect the public health, safety and welfare in that it would be injurious to the economic viability of W. 79th Street in this 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: New Foundation Baptist Church **CAL. NO.** 135-96-S
APPEARANCES FOR: Rev. Walter Kims **MAP NO.** 26-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 April 26, 1996
PREMISES AFFECTED- 10632 S. Wentworth Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, New Foundation Baptist Church, owner, on March 15, 1996, filed an application for the approval of the location and the establishment of a 125-seat church in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 10632 S. Wentworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 15, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building with an adjacent off-street parking area; that the applicant church has been located at 10858 S. Michigan Avenue for the past five years; that the establishment of the proposed 125-seat church is necessary for the public convenience at the subject site to continue to serve the members of the congregation; that the public health, safety and welfare will be adequately protected in the design and location 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 operated under the conditions and standards hereinafter set forth; that although the subject site is zoned B2-1 Restricted Retail, the proposed church 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 the Zoning Administrator is authorized to permit the establishment of a 125-seat church in a 1-story brick store building, on premises at 10632 S. Wentworth Avenue, upon condition that the parking area abutting the existing 1-story building on the subject site shall be

MINUTES OF MEETING

April 26, 1996

Cal. No. 135-96-S

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, excepting the driveways, with decorative wrought-iron fencing on the east and west property lines; that a 6 feet high solid wood fence shall be provided on the south lot line to screen the parking lot from abutting residential property; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential property; that ingress and egress shall be from S. Wentworth Avenue, and from the public alley abutting the site to the west, provided a waiver of the alley barrier is obtained from the City Council; that the driveway located on S. Wentworth Avenue shall be constructed in accordance with applicable ordinances; that the lot shall be securely locked at all times when not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: St. Anthony Mother Mary's Temple

CAL. NO. 136-96-S

APPEARANCES FOR: Eric Graham, Mae Washington

MAP NO. 22-D

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1034-36 E. 93rd Street

April 26, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
X		
	X	
	X	

THE RESOLUTION:

WHEREAS, St. Anthony Mother Mary's Temple, owner, on March 20, 1996, 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 and 2-story brick building, in a B4-1 Restricted Service District, on premises at 1034-36 E. 93rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 20, 1996, reads, "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-1(4)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; 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 said use is located in a B4-1 Restricted Service District; that the subject site is improved with a 1 and 2-story brick building containing a dining area and sanctuary on the 1st floor and a dwelling unit above; that the applicant testified that the subject church has existed at the site for 11 years and has a 15 member congregation; that there is no signage or other indication on the outside of the subject premises that a church exists within the building; that the Board received letters from people in the community and the East 93rd Street Block Club stating that the building has had drug use complaints and arrests that could be verified by the 4th District Police Station and they oppose the granting of the special use; that the alderman of the ward stated in a letter that she opposed the application because she had received numerous calls and letters objecting to the application; that the Board finds that a church use, which the applicant states has existed at the subject site for 11 years but for which no identification is apparent from outside the building, is a use usually welcomed by a community; that the community opposition in this case indicates that the use which has been conducted at the subject site has not been a positive influence in the area; that the community's response to this application indicates that the public health, safety and welfare would not be adequately protected by the granting of the proposed special use; 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: Naomi Avendano

CAL. NO. 137-96-S

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1474 W. Webster Avenue

April 26, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: A T & T Wireless Services, Inc.

CAL. NO. 138-96-S

APPEARANCES FOR:

MAP NO. 2-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 250 S. Wacker Drive

April 26, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: A T & T Wireless Service

CAL. NO. 139-96-S

APPEARANCES FOR:

MAP NO. 18-B

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 7100 S. South Shore Drive

April 26, 1996

SUBJECT- Applicaton for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 1996.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Mac Realty, Inc.

CAL. NO. 140-96-S

APPEARANCES FOR: Robert J. Weber

MAP NO. 1-F

APPEARANCES AGAINST: John J. Pikarski, Jr.

MINUTES OF MEETING:

PREMISES AFFECTED- 416 W. Erie Street

April 26, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 17, 1996.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Jack Berger **CAL. NO.** 141-96-Z
APPEARANCES FOR: Richard J. Troy, Jack Berger **MAP NO.** 3-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 26, 1996
PREMISES AFFECTED- 925 N. Willard Court
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Jack Berger, for American National Bank, Tr. #107126-02., owner, on March 21, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2 & 3 story 6-dwelling unit townhouse building, whose front yard will be 1' instead of 11.24', whose north side yard will be 1' and whose south side yard will be 3' instead of 7.2' each, and whose rear yard will be 1' instead of 30'. on premises at 925 N. Willard Court; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 29, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-4, 7.7-4, 7.8-4, 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; 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 72' x 93.66' unimproved lot; that on January 19, 1990 the Board granted variations to the applicant to permit the erection of a 3-story with penthouse 4-dwelling unit townhouse building, whose front yard will be 1 foot instead of 11.36 feet, whose north side yard will be 3 feet instead of 7.2 feet and whose rear yard will be 1 foot instead of 30 feet, at the subject site; that the testimony presented in Cal. No. 3-90-Z is hereby made part of the record in this case; that the applicant proposes to erect a 2 and 3-story 6-dwelling unit townhouse building with interior garage parking 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 to erect less than the proposed 6-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for townhouse units and that the proposed 2 and 3-story 6-dwelling unit townhouse building requires greater horizontal land coverage than would a yard-conforming multi-story apartment building; that the proposed townhouse building will be an

MINUTES OF MEETING

April 26, 1996

Cal. No. 141-96-Z

improvement in this sparsely developed area and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2 and 3-story 6-dwelling unit townhouse building, whose front yard will be 1' instead of 11.24', whose north side yard will be 1' and whose south side yard will be 3' instead of 7.2' each, and whose rear yard will be 1' instead of 30'. on premises at 925 N. Willard Court, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Nelia Reformado **CAL. NO.** 142-96-S
APPEARANCES FOR: Edward G. Shenoo, Nelia Reformado **MAP NO.** 11-I
APPEARANCES AGAINST: Stephanie Sievers, Glenn Swift **MINUTES OF MEETING:**
 April 26, 1996
PREMISES AFFECTED- 3151 W. Lawrence Avenue
SUBJECT- Application for the approval of a special use

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Nelia Reformado, for Sardar Sheikh, owner, on March 13, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 3151 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.4-4(8), 9.3-1."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1 and 2-story multi-store building located on the southeast corner of W. Lawrence Avenue and N. Kedzie Avenue; that the subject store premises is currently vacant; that the applicant proposes to establish a pawn shop in the subject store premises; that no evidence was presented to indicate that the establishment of a pawn shop at the subject site is necessary for the public convenience; that the applicant testified that her family has had some experience in running pawn shops but that she herself has not had experience in the pawn shop business; that the applicant further testified that she would be at the premises during only a portion of the proposed business's operating hours and that another employee will operate the pawn shop business when she is not there; that no evidence was presented to indicate that the proposed pawn shop is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; that the proposed use 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: The Enterprising Kitchen, Inc.

CAL. NO. 143-96-A

APPEARANCES FOR: Rolando R. Acosta, Joan Pikus

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 4554 N. Broadway, Suite 384

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, The Enterprising Kitchen, Inc., for Vincenzo D'Agostino, owner, on March 8, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a business school with wholesale food preparation in a 3-story brick building, in a B3-5 General Retail District, on premises at 4554 N. Broadway, Suite 384; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

WHEREAS, the district maps show that the premises is located in a B3-5 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-5 General Retail District; that the subject site is improved with a 3-story brick building; that the proposed use is to be located on the third floor of the existing building at the subject site; that the appellant is a not-for-profit corporation created to provide job training and gainful employment to women living in Chicago's Uptown community; that the appellant's program is designed to assist chronically unemployed women with the skills necessary to obtain and hold a job on a long-term basis; that the appellant's program combines classroom instruction with an actual hands-on paying job; that participants in the program will package quality, nonperishable rice/herb mixes and spices from large supplies to smaller packages for sale to specialty markets and food brokers; that the program will be limited to a maximum of 15 participants at any one time; that the appellant has obtained a limited business license to operate a business school at the subject site; that inasmuch as the proposed business operation does involve an active business which consists of the packaging of quality non-perishable food products for subsequent sale to retailers, a wholesale food establishment license must also be obtained; that the Office of the Zoning Administrator would not approve a wholesale food establishment license due to the subject property being located

MINUTES OF MEETING

April 26, 1996

Cal. No. 143-96-A

in a B3-5 General Retail District; that the Board finds that the wholesale food packaging element of the business operation to subordinate to and serves the principal business school use, which is permitted in a B3-5 General Retail District; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a business school with wholesale food preparation as an accessory use on the third floor of a 3-story brick building, on premises at 4554 N. Broadway, Suite 384, 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: Henry Lee Hoskin

CAL. NO. 144-96-A

APPEARANCES FOR: Henry Lee Hoskin

MAP NO. 18-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 7432 S. Racine Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Henry Lee Hoskin, owner, on March 13, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a music and dance license in conjunction with an existing tavern in a 1-story brick building, in an M1-2 Restricted Manufacturing District, on premises at 7432 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 21, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

WHEREAS, the district maps show that the premises are 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 located in an M1-2 Restricted Manufacturing District; that the subject site is improved with a 1-story brick store building occupied by an existing tavern; that the applicant has operated a tavern with music and dancing at the subject site since 1978; that the dance area in the existing tavern is 12' x 12'; that licensing requirements have caused the case to be filed; that music and dancing on a limited scale and which is subordinate to the principal tavern operation may be considered an accessory use to the tavern operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a music and dance license as an accessory use only in conjunction with an existing tavern in a 1-story brick building, on premises at 7432 S. Racine Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Stevie D's Pizzeria & Sports Bar

CAL. NO. 145-96-A

APPEARANCES FOR: Steve Dimoulas

MAP NO. 9-L

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 26, 1996

PREMISES AFFECTED- 3612 N. Cicero Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Stevie D's Pizzeria & Sports Bar, for Steve Dimoulas, owner, on March 20, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a portion of an existing restaurant and bar in a 1-story brick building as a banquet hall (PPA) due to insufficient off-street parking, in a B4-1 Restricted Service District, on premises at 3612 N. Cicero Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 8, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.11-1(6)."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; 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 said use is located in a B4-1 Restricted Service District; that the subject site is improved with a 1-story brick building occupied by the applicant pizzeria and sports bar; that the testimony presented indicates that a small patron dining area of approximately 100 sq.ft. exists in the back of the main dining room which is separated from the main dining area by a door; that this small dining area is used merely to provide a little privacy for private parties several times a month but during the rest of the time the door is kept open and the small dining area is used in conjunction with the main dining area of the restaurant; that this arrangement has existed in the subject restaurant prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the Board finds that the small portion of the dining room used for private parties on a limited basis does not technically constitute a banquet hall and does not require off-street parking; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

MINUTES OF MEETING

April 26, 1996

Cal. No. 145-96-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a portion of an existing restaurant and bar in a 1-story brick building as a banquet hall (PPA) as an accessory use with no off-street parking required, on premises at 3612 N. Cicero Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Mercedes Cuate

CAL. NO. 146-96-A

APPEARANCES FOR: Mercedes Cuate

MAP NO. 4-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2001 W. 21st Place

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mercedes Cuate, for Rafael Mendiola, owner, on February 15, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty shop on the 1st floor of a 2-story brick non-conforming store and apartment building, in an R4 General Residence District, on premises at 2001 W. 21st Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 14, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; 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 non-conforming store and apartment building; that on October 19, 1995 the Board sustained an appeal to permit the establishment of a grocery store in the 2-story brick non-conforming store and apartment building at the subject site, in Cal. No. 273-95-S; that the grocery store did not open due to lack of funds; that the appellant proposes to establish a beauty shop in the non-conforming store on the first floor of the existing 2-story building; that in this case the change of use from the previously approved grocery store to a beauty shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty shop on the 1st floor of a 2-story brick non-conforming store and apartment building, on premises at 2001 W. 21st Place, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 6 P.M., Monday through Saturday; 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: Rhonda McGinnis

CAL. NO. 147-96-A

APPEARANCES FOR: None

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 2501 W. 69th Street

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

ACTION OF BOARD--

THE VOTE

APPEAL DISMISSED FOR
WANT OF PROSECUTION.

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

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

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

APPLICANT: Mayra L. Fesser

CAL. NO. 148-96-A

APPEARANCES FOR: Mayra L. Fesser

MAP NO. 14-1

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3054 W. 63rd Street

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Mayra L. Fesser, for Samir Khalil, owner, on March 14, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 1-story brick building, in a B2-1 Restricted Retail District, on premises at 3054 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 13, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick building; that the prior use of the subject premises was an insurance agency office which ceased operation approximately 2 months ago; that the appellant seeks to establish a beauty salon in the existing 1-story brick building at the subject site; that in this case the change of use from an office use to a beauty salon is a proper substitution of use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 1-story brick building, on premises at 3054 W. 63rd Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., Monday through Thursday and between 9 A.M. and 9 P.M. Friday and Saturday; 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: Yolonda Taylor
APPEARANCES FOR: Yolonda Taylor
APPEARANCES AGAINST:
PREMISES AFFECTED- 1102 N. Pulaski Road

CAL. NO. 149-96-A
MAP NO. 3-K
MINUTES OF MEETING:
 April 26, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Yolonda Taylor, owner, on March 19, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a beauty salon in a 1 ½ story brick store and apartment building, in an R3 General Residence District, on premises at 1102 N. Pulaski Road; and

WHEREAS, the decision of the Officer of the Zoning Administrator rendered March 18, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; 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 1 ½ story brick non-conforming store and apartment building; that on February 19, 1988, the Board sustained the appellant's appeal for the establishment of a beauty salon the subject building, in Cal. No. 34-88-A; that due to medical problems the appellant ceased the beauty shop operation at the subject site but now seeks to reopen the business; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a beauty salon in a 1 ½ story brick non-conforming store and apartment building, on premises at 1102 N. Pulaski Road, upon condition that the hours of operation shall be limited to the hours between 9:30 A.M. and 6:00 P.M. Wednesday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Michelle Strassburger **CAL. NO.** 150-96-A

APPEARANCES FOR: Michelle Strassburger, Brad Rath **MAP NO.** 1-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**

April 26, 1996

PREMISES AFFECTED- 1230 W. Hubbard 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Michelle Strassburger, owner, on February 13, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to allow the erection of a 4th floor, 21.5' x 23.5' addition to an existing 3-story brick non-conforming 3-dwelling unit building, in an M2-2 General Manufacturing District, on premises at 1230 W. Hubbard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 24, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-2 General Residence District; that the subject site is a 37.5' x 99' lot improved with a 3-story brick non-conforming 3-dwelling unit building; that the appellant proposes to add a 4th floor 21.5' x 23.5' recreation room addition to the existing non-conforming 3-dwelling unit building; that under Section 6.4-2 of the zoning ordinance the Board has no authority to permit "a non-conforming building or structure which is non-conforming as to bulk, or all or substantially all of which is designed or intended for a use not permitted in the district in which it is located to be added to or enlarged in any manner unless such additions and enlargements thereto are made to conform to all the regulations of the district in which it is located...."; 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: Knockout, by Anthony Coletto

CAL. NO. 151-96-A

APPEARANCES FOR:

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1229 N. Branch Street

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

APPEAL WITHDRAWN BY
MOTION OF APPELLANT.

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

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

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

APPLICANT: Luis Guzman
APPEARANCES FOR: Luis Guzman
APPEARANCES AGAINST:
PREMISES AFFECTED- 1957 W. 23d Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 152-96-A
MAP NO. 6-H
MINUTES OF MEETING:
 April 26, 1996

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE
 DECISION OF THE OFFICE
 OF THE ZONING ADMINISTRATOR
 AFFIRMED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Luis Guzman, owner, on February 15, 1996, filed an appeal from the decision of the Officer of the Zoning Administrator in refusing to permit the establishment of a grocery store on the first floor of a 3-story brick non-conforming store and apartment building, in an R3 General Residence District, on premises at 1957 W. 23rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 14, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provision of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 3-story brick building having a ground floor storefront; that the ground floor is completely vacant and the above floors contain dwelling units; that the appellant purchased the premises in early 1995 at which time the ground floor store area contained a dwelling unit; that the appellant now seeks to establish a grocery store on the ground floor; that Section 6.5-2 of the zoning ordinance provides that if a non-conforming use of a building or structure, all or substantially all of which building or structure is designed or intended for a use permitted in the district in which it is located is discontinued for a period of six consecutive months, it shall not be renewed and any subsequent use of the building or structure shall conform to the use regulations of the district in which the premises are located; that any business use that had been in the premises has been discontinued for more than 6 consecutive months and that the Board has no authority to permit the requested grocery store to be established at the site pursuant to Section 7.3 of the zoning ordinance; it is therefore

MINUTES OF MEETING

April 26, 1996

Cal. No. 152-96-A

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: and be it further

RESOLVED, that the appellant has a right to establish a dwelling unit in lieu of the former store space on the ground floor of the subject 3-story brick building under Section 6.4-7 of the zoning ordinance; and that the property would have to be rezoned to a business classification in order to re-establish a business use in the building.

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

APPLICANT: Mario Ojeda

CAL. NO. 153-96-A

APPEARANCES FOR: Mario Ojeda

MAP NO. 6-I

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 2458 S. Whipple Street

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR AFFIRMED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Mario Ojeda, owner, on February 16, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a tire repair shop in a 1 ½ story brick building, in an R4 General Residence District, on premises at 2458 S. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 13, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; 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 1 ½ story brick building; that the appellant proposes to establish a tire repair shop at the site; that although the area in which the site is located has been zoned R4 General Residence since the adoption of the 1957 comprehensive amendment to the zoning ordinance, the appellant states in his application that the subject premises was occupied by a butcher's shop which ceased operation approximately 20 years ago; that at some time since then the site reverted back to residential use; that the appellant purchased the property 4 months ago as a residential property; that under Section 7.3-4 of the zoning ordinance, the Board has no authority to permit the establishment of the non-conforming tire shop in this residential 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: Dean Hylton, by Victor Brown

CAL. NO. 154-96-A

APPEARANCES FOR: Victor Brown

MAP NO. 3-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 26, 1996

PREMISES AFFECTED- 1248-50 N. Pulaski Road

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Dean Hylton, by Victor Brown, for Howard Quam, owner, on February 23, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an auto laundry in a 1-story masonry building, in a B4-1 Restricted Service District, on premises at 1248-50 N. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered, January 10, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; 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 improved with a 1-story masonry building; that the appellant's business, D & H Auto Trim and Accessories, has been located at the subject site since 1986; that the appellant specializes in automobile detailing for antique automobiles and now seeks to provide car washing as an additional service to his customers; that the proposed auto laundry will be limited to one bay area handling 3 or 4 cars daily; that the proposed auto laundry is subordinate to the principal auto detailing operation and that the Board finds that it may be permitted as an accessory use; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an auto laundry as accessory use only in conjunction with an existing auto detailing and accessories business in a 1-story brick masonry building, on premises at 1248-50 N. Pulaski Road, upon condition that the hours of operation of the auto laundry shall be limited to the hours between 9:30 A.M. and 5:30 P.M. Monday through Friday and 8:00 A.M. and 6 P.M. Saturday; 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: Danny Adams

CAL. NO. 155-96-A

APPEARANCES FOR: None

MAP NO. 14-C

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1711 1/2 E. 55th Street

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

APPEAL DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Mohammed S. Shah

CAL. NO. 156-96-A

APPEARANCES FOR:

MAP NO. 13-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 4941-45 N. St. Louis Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 21, 1996.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Justyna Wisniewski

CAL. NO. 157-96-A

APPEARANCES FOR: Justyna Wisniewski

MAP NO. 13-M

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5148 N. Monitor Avenue

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Justyna Wisniewski, owner, on February 21, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the conversion of a non-conforming store to a dwelling unit in a 3-story brick store and 7-dwelling unit building, in an R2 Single-Family Residence District, on premises at 5148 N. Monitor Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 21, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.3-2, 7.5-3, 7.6-3, 7.12-1."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 3-story brick 7-dwelling unit building containing a non-conforming ground floor store on the corner; that the appellant proposes to convert the non-conforming store premises to a dwelling unit; that the change of use from a non-conforming store to a permitted dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the conversion of a non-conforming store to a dwelling unit in a 3-story brick store and 7-dwelling unit building for a total of 8 dwelling units, on premises at 5148 N. Monitor Avenue, upon condition that the subject dwelling unit is brought into compliance with applicable building code regulations with plans and permits indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: James C. Prucha

CAL. NO. 158-96-A

APPEARANCES FOR:

MAP NO. 10-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 4422-24 S. Sawyer Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 19, 1996.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Shahriar Biazar **CAL. NO.** 159-96-A
APPEARANCES FOR: Shahriar Biazar **MAP NO.** 5-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 26, 1996
PREMISES AFFECTED- 2164 N. Claremont AVenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Shahriar Biazar, owner, on March 5, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the conversion of a non-conforming store to a dwelling unit in a 3-story brick store and 5 dwelling unit building, in an R4 General Residence District, on premises at 2164 N. Claremont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 26, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-4, 7.12-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 3-story brick 5-dwelling unit building containing a non-conforming store on the ground floor; that the appellant proposes to convert the non-conforming store to a dwelling unit; that the testimony presented indicates that the building at the subject site has contained 5 dwelling units since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the conversion of the existing non-conforming ground floor store to a dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal: it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the conversion of a non-conforming store to a dwelling unit in a 3-story brick store and 5 dwelling unit building for a total of 6 dwelling units, on premises at 2164 N. Claremont Avenue, upon condition that the dwelling unit shall be brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Richard D. Holland

CAL. NO. 160-96-A

APPEARANCES FOR: Richard D. Holland

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 1408 N. Mohawk Street

April 26, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richard D. Holland, owner, on March 5, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story brick building at 4 dwelling units, in an R4 General Residence District, on premises at 1408 N. Mohawk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 26, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-4, 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 3-story brick residential building originally containing six dwelling units; that the applicant is deconverting and rehabbing the subject building from 6 dwelling units to 4 dwelling units; that evidence presented indicates that at least 4 dwelling units existed in the subject building since prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to occupy the said building as 4 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 3-story brick building as 4 dwelling units, on premises at 1408 N. Mohawk Street, upon condition that the building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Martha C. Del Rio **CAL. NO.** 161-96-A

APPEARANCES FOR: Alan K. Klein, Martha C. Del Rio **MAP NO.** 11-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 26, 1996

PREMISES AFFECTED- 1965 W. Montrose Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Martha C. Del Rio, for Guz Gzamouyanis, owner, on March 1, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the re-establishment of a coin-operated launderette in a 2-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 1965 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-2 Restricted Retail District; that the subject site is improved with a 2-story brick store and apartment building in which the subject coin-operated launderette is located on the ground floor; on October 28, 1958, the Board sustained an appeal permitting the issuance of a certificate of occupancy for the operation of a laundromat on the first floor of an existing 2-story brick store and apartment building at the subject site, in Cal. No. 420-58-A; that in May, 1995, the laundry closed due to fire damage; that during the interim period the subject premises was repaired and remodeled for a new launderette business; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the re-establishment of a coin-operated launderette in a 2-story brick store and apartment building, on premises at 1965 W. Montrose Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 6 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Carlos & Rosa Miranda

CAL. NO. 162-96-A

APPEARANCES FOR: Carlos & Rosa Miranda

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 26, 1996

PREMISES AFFECTED- 1037 W. 19th Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Carlos & Rosa Miranda, owner, on February 26, 1996, 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 frame non-conforming store building, in an R4 General Residence District, on premises at 1037 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 23, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; 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 frame non-conforming store and apartment building; that the appellant proposes to establish a grocery store in the subject building; that testimony presented indicates that the store premises has been previously occupied by business uses, the last use having been a grocery store which use ceased operation approximately February, 1995; that the re-establishment of a grocery store in the non-conforming store premises is a proper use of the premises under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a 2-story frame non-conforming store building, on premises at 1037 W. 19th Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 9 P.M., daily; that no alcoholic beverages shall be sold on the premises; that there shall be no automatic amusement machines on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Glenn Swift **CAL. NO.** 163-96-A
APPEARANCES FOR: Monte Viner, Glenn Swift **MAP NO.** 11-1
APPEARANCES AGAINST: **MINUTES OF MEETING:**
April 26, 1996
PREMISES AFFECTED- 4012 N. Francisco Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE DECISION OF THE OFFICE OF THE ZONING ADMINISTRATOR AFFIRMED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Glenn Swift, for Louise Swift, owner, on February 26, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 19.5' x 20' x 18.5' detached garage in the rear yard which exceeds the maximum 15' height limitation, in an R5 General Residence District, on premises at 4012 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 20, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.6-3, 7.9-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a special meeting held on April 26, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 25' x 125' lot improved with a 2-story frame residential building in the front of the lot with an enclosed rear porch and a detached 2-story frame 2-car garage in the rear of the lot; that the said detached garage was erected without the necessary permit because the appellant thought that a building permit was not necessary for a garage structure; that the height of the existing garage structure exceeds the maximum 15' height limitation; that the appellant testified that the excess loft space is used for storage purposes and that existing doors on the west alley side of the building are for ventilation and egress, if necessary; that the Board has authority under the zoning ordinance to grant this request but only as an authorized variation for a vertical encroachment into the rear yard; it is therefore

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

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

APPLICANT: David L. Travis

CAL. NO. 164-96-A

APPEARANCES FOR: David L. Travis

MAP NO. 6-F

APPEARANCES AGAINST: .

MINUTES OF MEETING:

April 26, 1996

PREMISES AFFECTED- 3014 S. Wentworth Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
AUGUST 16, 1996, UPON
THE BOARD'S OWN MOTION.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

MINUTES OF MEETING

April 26, 1996

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on May 1, 1996.


Secretary