

**MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS**

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

held in Room 569 County Building, 118 N. Clark Street, on Friday, May 16, 1997.

The following members were present for all or part of the meeting and constituted a quorum:

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

MINUTES OF MEETING

May 16, 1997

Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on April 18, 1997 (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. Nays- None.

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 32-96-Z

Laura D. Ryan, for St. Edmund's Tower, Inc., applicant, presented a written request for an extension of time in which to commence construction of a 6-story 60-dwelling unit housing for elderly building, with no side yards instead of 13.3' each and whose lot area is 21,650 sq.ft. instead of 24,000 sq.ft. required (10% reduction), on premises at 6139-49 S. Michigan Avenue, granted by the Board on February 16, 1996, in Cal. No. 32-96-Z

Ms. Ryan stated that the extension of time requested is needed because the negotiation and financing of the project has taken longer than expected but that the applicant expects to begin construction shortly.

Chairman Spingola moved that the request for an extension of time be granted and the time extended to August 16, 1997 in which to complete financing and begin construction of the aforesaid 60-dwelling unit building. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele. Nays- None. Absent- Martin.

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 36-95-S

Walter Butts, Pastor, for Mt. Carmel Children of God Church., applicant, presented a written request for a further extension of time in which to obtain necessary permits for the establishment of a 280-seat church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 5135-41 S. Damen Avenue, approved by the Board on February 17, 1995, in Cal. No. 36-95-S, and for which an extension of time was granted March 15, 1996 to February 17, 1997.

Rev. Butts stated that the request for the further extension of time is due to the inability of the church to go forward with the establishment of the 280-seat church in the subject building at 5134-41 S. Damen Avenue.

Chairman Spingola moved that the request for a further extension of time in which to establish the aforesaid church be denied. Under Section 11.10-5 of the zoning ordinance the Board may, at its own discretion, and upon valid showing of cause, extend the period of validity of a special use for a period not to exceed 12 months. The applicant's request for a 2nd 1-year extension of time in this case is beyond the Board's authority to grant. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele. Nays- None. Absent- Martin.

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

APPLICANT: Scadron Enterprises **CAL. NO. 73-97-A**
APPEARANCES FOR: Lawrence J. Suffredin, William J. Marovitz **MAP NO. 1-F**
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 319 W. Ontario Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Scadron Enterprises for C. R. Adlake Ltd. Partnership, owner, on December 27, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing 3,058 sq.ft. sign painted on the west wall of a 6-story brick building, in a B7-5 General Central Business District, on premises at 319 W. Ontario Street, due to its location within 500 feet of an expressway and visible therefrom; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered, November 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 8.9 (5).

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997; and

WHEREAS, the district maps show that the premises is located in a B7-5 General Central Business District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B7-5 General Central Business District; that the subject site is improved with a 6-story brick building with an existing 3,058 sq.ft. sign painted on the west wall; that testimony was presented that a sign has been painted on the wall of the building at the subject since as far back as 1940; that the appellant argues that the original painted wall sign did not require a permit and is now seeking to legalize the sign as a legal non-conforming use at the subject site; that the Board finds under Section 6.7-1 (a) that any sign that does not conform to Sections 8.9 (5), 8.9 (6), 8.9 (7), 9.9 (6), 9.9 (7), 10.14 (5), 10.14 (6), or 10.14 (7) of the zoning ordinance, and that was lawfully erected pursuant to a permit lawfully issued prior to the effective date of this section, may remain in use as a legal non-conforming sign; that the Board finds that the applicant was unable to produce any permit indicating that the sign was lawfully erected; 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: Michael Ward **CAL. NO.** 81-97-Z
APPEARANCES FOR: Mark Kupiec, Michael Ward **MAP NO.** 7-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 2640 N. Avondale Avenue
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

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

THE RESOLUTION:

WHEREAS, Michael Ward, for Michael Ward and Philip Koerner, owner, on January 31, 1997, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a semicircular 2-story 8-dwelling unit townhouse building on a triangular lot, whose north front yard will be 0.5', whose east side yard will be 2', and whose south rear yard will be 6' instead of 12', 7.5', and 30', respectively, on premises at 2640 N. Avondale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 22, 1997, 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, 7.8-4, 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on March 3, 1997; 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 an unimproved 10,196 sq.ft. triangular shaped lot; that the applicant proposes to erect semicircular 2-story 8-dwelling unit townhouse building with interior garage parking for each dwelling unit at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 8 dwelling unit townhouse building would prove economically unfeasible; that the plight of the owner is due to the triangular shaped subject site lot which necessitates the yard variations requested in order to erect dwelling units containing adequate living space in this uniquely designed semicircular building; that the proposed use will be an improvement of a vacant lot and will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 81-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a semicircular 2-story 8-dwelling unit townhouse building on a triangular lot, whose north front yard will be 0.5', whose east side yard will be 2', and whose south rear yard will be 6' instead of 12', 7.5', and 30', respectively, on premises at 2640 N. Avondale 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: Chrysanthy M. Berles (Richard Ostrowski) **CAL. NO.** 97-97-A

APPEARANCES FOR: Richard Ostrowski **MAP NO.** 15-M

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 5791 N. Elston 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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Chrysanthy M. Berles, owner, on January 31, 199, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a business office in a 1-story brick non-conforming store building, in an R3 General Residence District, on premises at 5791 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 27, 1997, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 7.3-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997; 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 vacant 1-story brick non-conforming store building; that the prior appellant in this appeal, Chrysanthy Berles, inherited the subject building in March, 1995 upon the death of her husband; that the prior use of the premises was for his accounting business; that in January, 1995, the appellant listed the building for sale and thought she had a buyer but that the sale did not occur; that in 1996, Richard Ostrowski purchased the subject premises intending to use it for a mortgage brokerage office; that subject premises has remained unoccupied for more than a year; that under Section 6.4-5 of the zoning ordinance a building, structure or portion thereof, all of substantially all of which is designed or intended for use not permitted in the district in which it is located, which is or hereafter becomes vacant and remains unoccupied or is not used for a continuous period of one year, shall not thereafter be occupied or used except by a use which conforms to the use requirements of the district in which it is located; that under Sections 7.3-3 and 6.4-5 of the zoning ordinance the Board has no authority to permit the use requested at the subject site; it is therefore

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

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

APPLICANT: Janice Coleman & Karen Lader

CAL. NO. 103-97-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 2148 W. Giddings Street

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

ACTION OF BOARD--

THE VOTE

APPEAL WITHDRAWN UPON
MOTION OF APPELLANT.

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

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 182-96-Z

Patricia A. Craig, for Anthony Limonciello, applicant, presented a written request for a further extension of time in which to obtain the necessary building permit for the erection of a 2nd story addition to a 2-story frame single-family dwelling, whose north side yard will be 2.55' and whose south side yard will be 2.58' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area will be 0.65 instead of 0.50, on premises at 4233 N. Melvina Avenue, granted by the Zoning Board of Appeals on May 17, 1996 and for which an extension of time was granted on November 15, 1996 to May 17, 1997.

Ms. Craig stated that the request for an extension of time is only to guarantee that the building permit will not be withheld due to the variation expiring May 17, 1997. Due to changes in the design after bids were returned, the applicant found it necessary to scale back some aspects of the design since he wishes to live in the house during construction to save money.

Chairman Spingola moved that the request for an extension of time be granted and the time for obtaining necessary building permits be extended to November 17, 1997. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele. Nays- None. Absent- Martin.

MINUTES OF MEETING

May 16, 1997

Cal. No. 186-95-S and

Cal. No. 187-95-Z

John A. Fritchey, for Bernard Barry and Nicholas Patete, applicants and Chedo Karanikic, contract purchaser, presented a written request for an extension of time in which to obtain necessary building permits for the establishment of dwelling units on the ground floor of a proposed 3-story 6-dwelling unit townhouse building, in a B4-2 Restricted Service District, on premises at 1256 W. Chicago Avenue, and to permit the erection of the same 3-story 6-dwelling unit townhouse building whose front yard will be 2 feet instead of 14.7 feet, whose east side yard will be 1.5 feet instead of 4.8 feet, and whose rear yard will be 2.83 feet instead of 30 feet, approved by the Board on July 21, 1995, in Cal. Nos. 186-95-S and 187-95-Z, respectively.

Mr. Fritchey stated that subsequent to the granting of the aforesaid resolutions by the Board, the applicants Bernard Barry and Nicholas Patete, experienced difficulty and were ultimately unable to close on their purchase of the property. Chedo Karanikie is currently under contract to purchase the subject property and would like to develop the same in accordance with the applications previously approved by the Board. Because the plans that had been prepared by the previous applicants do not conform with current city building codes, the contract purchaser is unable to expeditiously obtain the necessary building permits.

Chairman Spingola moved that the request be granted and that the time for obtaining necessary building permits be extended to August 18, 1997. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelos, McCabe-Miele. Nays- None. Absent- Martin

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

APPLICANT: Gary Eisenberger & Rosalie Eisenberger **CAL. NO.** 147-97-Z
APPEARANCES FOR: Robert W. Matanky, Gary Eisenberger **MAP NO.** 17-I
APPEARANCES AGAINST: Arthur Eisenberg & Eileen Eisenberg **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 2944 W. Coyle Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	

THE RESOLUTION:

WHEREAS, Gary Eisenberger and Rosalie Eisenberger, owner, on February 24, 1997, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 22.5' x 30.5' addition to the rear of a 2-story brick single-family dwelling, whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 2944 W. Coyle Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1997, 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 (2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 42.5' x 123.13' lot improved with a 2-story brick Georgian-style single-family dwelling; that the applicant proposes to erect a 2-story 22.5' x 30.5' addition to the rear of the existing 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 2-story addition is necessary to provide additional kitchen and dining room space, additional bedroom space and partial basement storage area; that the plight of the owner is due to unique circumstances in that the applicant, who is a Rabbi, needs additional space to accommodate his large family, especially during religious holidays, and the need of the applicant and his family to remain in this predominantly Jewish neighborhood close to a synagogue and other Jewish institutions, etc.; that the proposed 2-story addition will be compatible with other similar residential improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 147-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 22.5' x 30.5' addition to the rear of a 2-story brick single-family dwelling, whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 2944 W. Coyle 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: Jose L. Ramirez **CAL. NO.** 148-97-Z
APPEARANCES FOR: Adriana Duran **MAP NO.** 10-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 4624 S. California Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Jose L. Ramirez, owner, on May 14, 1997, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of an 11.5' x 9.66' dormer on the south side of the attic of a 1-story brick single-family dwelling and non-conforming store, which dormer will result in a 4% (111 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 4624 S. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1997, 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 7.6-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is located in an R3 General Residence District; that the subject site is a 25' x 125.35' lot improved with a 1-story brick single-family dwelling and vacant non-conforming store; that the vacant store premises was previously occupied by a tavern which use ceased operation approximately three or four months ago; that the applicant is remodeling the first floor of the subject building and proposes to erect an 11.5' x 9.66' dormer on the south side of the attic which will result in a 111 sq.ft or 4% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed attic dormer addition is necessary to provide sufficient headroom for a proposed bathroom; that the plight of the owner is due to lack of necessary headroom in the attic space for the bathroom; that the proposed attic dormer will be compatible with existing improvements in the area and the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 16, 1997

Cal. No. 148-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of an 11.5' x 9.66' dormer on the south side of the attic of a 1-story brick single-family dwelling and non-conforming store, which dormer will result in a 4% (111 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 4624 S. California Avenue, upon condition that no business use shall be re-established in the non-conforming vacant store premises and that the vacant store space may be used as part of the single-family dwelling in the building; 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: All Nations United Pentecostal Church

CAL. NO. 149-97-Z

APPEARANCES FOR:

MAP NO. 22-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 8700 S. Union Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: All Nations United Pentecostal Church

CAL. NO. 150-97-S

APPEARANCES FOR:

MAP NO. 22-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 8710 S. Union Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: All Nations United Pentecostal Church

CAL. NO. 151-97-Z

APPEARANCES FOR:

MAP NO. 22-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 8710 S. Union Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Milan Cura **CAL. NO.** 152-97-Z
APPEARANCES FOR: Milan Cura **MAP NO.** 15-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 6023 N. St. Louis Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Milan Cura, owner, on March 20, 1997, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 14.25' x 11.58' addition to the front and a 34.08' x 41' 2nd story addition to a 1-story brick single-family dwelling situated on the rear of the lot, whose rear yard will be 9' instead of 30', on premises at 6023 N. St. Louis Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 11, 1997, 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 7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 65' x 124.62' lot improved with a 1-story brick single-family dwelling situated on the rear of the lot; that the applicant proposes to erect a 1-story 14.25' x 11.58' addition to the front and a 34.08' x 41' 2nd story addition to the existing single-family dwelling at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to provide additional bedroom and bathroom space to meet the needs of the applicant and his family; that the plight of the owner is due to the existing residential building being situated in the rear of the subject lot which necessitates the rear yard variation requested; that the proposed additions will be compatible with existing residential improvements in the block, several of which are located at the rear of their lots and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 152-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 14.25 x 11.58' addition to the front and a 34.08' x 41' 2nd story addition to a 1-story brick single-family dwelling situated on the rear of the lot, whose rear yard will be 9' instead of 30', on premises at 6023 N. St. Louis 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: Penny Kuczka **CAL. NO.** 153-97-Z
APPEARANCES FOR: Howard Kilberg, Penny Kuczka **MAP NO.** 9-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1912 W. Bradley 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

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

THE RESOLUTION:

WHEREAS, Penny Kuczka, owner, on March 24, 1997, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 17.5' x 24' 2nd story addition to a 1 ½ story brick single-family dwelling, whose side yards will be 3' each instead of 5.8' each, and which addition will result in a 15% (395 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 1912 W. Bradley Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered, March 24, 1997, 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 its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 single-family dwelling; that the applicant proposes to erect a 17.5' x 24' 2nd story addition to the existing single-family residential building which will result in a 395 sq.ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 2nd story addition is necessary to provide additional living space to meet the needs of the applicant and her family; that the plight of the owner is due to unique circumstances in that the applicant is bringing her father home from a nursing home to live with her necessitating additional living space; that the variations, if granted, will not alter the essential character of the locality in that the proposed 17.5' x 24' addition will be compatible with existing improvements in this block, the majority of which are 2-story residential buildings; it is therefore

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 153-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 17.5' x 24' 2nd story addition to a 1 ½ story brick single-family dwelling, whose side yards will be 3' each instead of 5.8' each, and which addition will result in a 15% (395 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 1912 W. Bradley 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: Scott & Dana Caspall **CAL. NO.** 154-97-Z
APPEARANCES FOR: Scott & Dana Caspall **MAP NO.** 5-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 2012 W. Cortland 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Scott & Dana Caspall, owner, on March 27, 1997, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 20.5' x 33.66' 3rd story addition to a 2-story brick 2-dwelling unit building, whose east side yard will be 4.17' instead of 6' and which addition will result in a 15% (318 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 2012 W. Cortland Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 24, 1997, 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 its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 33' x 100' lot abutting an alley to the east and is improved with a 2-story brick 2-dwelling unit building; that the applicant proposes to erect a 20.5' x 33.66' 3rd story addition to the existing 2-story brick 2-dwelling unit building at the subject site which will result in a 318 sq.ft. or 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 3rd floor addition is necessary to provide additional living space for the applicant's 2nd floor dwelling unit; that the plight of the owner is due to unique circumstances in that the applicant needs the additional living space provided by the proposed 3rd floor addition while retaining the 1st floor dwelling unit rental income; that the variations, if granted, will not alter the essential character of the locality in that the new roof of the building will not be cantilevered but located directly above the new 3rd story addition; that the proposed 3rd floor addition will not

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impair an adequate supply of light and air to neighboring property in that the existing building abuts an alley to the east; 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 20.5' x 33.66' 3rd story addition to a 2-story brick 2-dwelling unit building, whose east side yard will be 4.17' instead of 6' and which addition will result in a 15% (318 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 2012 W. Cortland Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Tyrone and Michelle Thomas **CAL. NO.** 155-97-Z
APPEARANCES FOR: Tyrone and Michelle Thomas **MAP NO.** 24-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 9942 S. State 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

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

THE RESOLUTION:

WHEREAS, Tyrone and Michelle Thomas, owner, on March 27, 1997, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 22.16' x 47.15' 3rd story addition to a 2-story frame single-family dwelling, whose front yard will be 14.47' instead of 19.62', whose north side yard will be 1.39' instead of 5.85' and which addition will result in a 15% (377 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 9942 S. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 4, 1997, 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, 7.7-3, 7.8-3 (2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 30' x 122.65' lot improved with a 2-story single-family dwelling; that the existing 22.16' x 47.15' 3rd story addition to the existing single-family dwelling results in a 377 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 single-family dwelling at the subject site sustained fire damage on February 13, 1996; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide additional living space to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that about four years ago a contractor hired to increase the living space in the existing residential building did not obtain the proper permits; that it wasn't until after the aforementioned fire occurred and the desire to enlarge an existing dormer area into a full floor that the applicants discovered that proper permits had not been obtained by the contractor for the previous remodeling work; that

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the said addition will be compatible with existing improvements in the block 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 22.16' x 47.15' 3rd story addition to a 2-story frame single-family dwelling, whose front yard will be 14.47' instead of 19.62', whose north side yard will be 1.39' instead of 5.85' and which addition will result in a 15% (377 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 9942 S. State Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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APPLICANT: Jack Kirkwood **CAL. NO.** 156-97-Z
APPEARANCES FOR: Kevin Mudd, Jack Kirkwood **MAP NO.** 9-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1530 W. Henderson Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Jack Kirkwood, owner, on March 31, 1997, filed an application for a variation of the zoning ordinance to permit, in an R4 (SD #6) General Residence District, a recently constructed 3-story single-family dwelling whose chimneys project more than 18 inches into the required east side yard, on premises at 1530 W. Henderson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 31, 1997, 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 5.7-5 (5), 7.8-4, 10A-13-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in an R4 (SD #6) General Residence District;

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 (SD #6) General Residence District; that the subject site is a 25' x 125.17' lot improved with a recently constructed 3-story brick single-family dwelling with chimneys located on the east side of the building; that the subject property has been sold under contract; that the applicant's original building permit plans indicated no projecting chimneys on the east wall of the subject building; that the applicant subsequently built the subject building with two chimneys on the east wall and protruding beyond the permitted 18 inches into the required east side yard without first securing a new building permit and is now seeking a variation to permit the chimneys to be located in the required east side yard; that an objection letter from the adjoining property owner at 1528 W. Henderson states that the subject chimneys are located one inch from their gutter and only 15 inches from the base of their building; that the Board finds that the plight of the owner is not due to any unique circumstance and that any alleged hardship is self-created and of the owners own making; it is therefore

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

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APPLICANT: Julie Garrett **CAL. NO.** 157-97-Z
APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 9-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1929 W. Henderson 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

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

THE RESOLUTION:

WHEREAS, Julie Garrett, owner, on April 7, 1997, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 14' x 10' dormer addition on the east side of a 2 ½ story brick and frame single-family dwelling on the rear of the lot additionally improved with a 2 ½ story dwelling on the front of the lot, whose rear yard will be 9' instead of 30' and which addition will result in a 3% (140 sq.ft.) increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1929 W. Henderson Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1997, 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, 7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in and 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 25' x 125' lot improved with a 2 ½ story brick and frame single-family dwelling on the rear of the lot and a 2 ½ story dwelling on the front of the lot; that the subject building was originally constructed in the 1890's; that the applicant proposes to erect a 14' x 10' dormer addition on the east side of the 2 ½ story single-family dwelling on the rear of the lot which will result in a 140 sq.ft. or 3% increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 14' x 10' dormer addition to the rear 2 ½ story single-family dwelling is necessary to provide additional living space to meet the needs of the applicant; that the plight of the owner is due to unique circumstances in that the proposed dormer addition is the only practical way of adding more living space in the subject single-family dwelling; that the proposed dormer addition will be compatible with existing improvements in the block,

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some of which contain dwelling units at the rear of the properties and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 14' x 10' dormer addition on the east side of a 2 ½ story brick and frame single family dwelling on the rear of the lot additionally improved with a 2 ½ story dwelling on the front of the lot, whose rear yard will be 9' instead of 30' and which addition will result in a 3% (140 sq. ft.) increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1929 W. Henderson Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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APPLICANT: Michigan / Ohio L.L.C. **CAL. NO.** 158-97-Z
APPEARANCES FOR: Jack Guthman, Alan Lev **MAP NO.** 1-E
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 555 N. Michigan Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Michigan / Ohio L.L.C., for Corus Bank, Tr. #4261, owner, on March 18, 1997, filed an application for a variation of the zoning ordinance to permit, in a B6-7 Restricted Central Business District, the erection of a 3-story building containing approximately 48,000 sq.ft. of retail floor area, with two 10' x 40' loading berths provided instead of three 10' x 50' loading berths required, on premises at 555 N. Michigan Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 7, 1997, 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 8.10-1 (3), 8.10-6 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B6-7 Restricted Central Business District; that the subject site is an irregular 13,608 sq.ft. lot improved with a 2-story brick retail office building; that the applicant proposes to erect a 3-story building containing 48,000 sq. ft. of retail floor area at the subject site and has acquired a substandard 10' wide alley from the City of Chicago; that due to the configuration of existing streets and alleys, access to the rear of the subject site property is only by means of an 18' wide public alley which extends westerly from St. Clair Street; 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 variation is necessary to make the proposed 3-story building a functionally and economically viable project; that the plight of the owner is due to unique circumstances in that to provide three 10' x 50' loading berths would result in loss of rentable ground floor space and would make it impossible to construct the proposed building to a height of only three stories; that deliveries in the Michigan Avenue area are typically from small trucks approximately 25' in length or less; that the waiver of one required loading berth for the proposed 3-story retail building is consistent with other loading dock space in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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Cal. No. 158-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story building containing approximately 48,000 sq.ft. of retail floor area, with two 10' x 40' loading berths provided instead of three 10' x 50' loading berths required, on premises at 555 N. Michigan Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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APPLICANT: Jean-Brice Wallon **CAL. NO.** 159-97-Z
APPEARANCES FOR: Barry Ash, Jean-Brice Wallon **MAP NO.** 5-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 2121 N. Leavitt 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

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

THE RESOLUTION:

WHEREAS, Jean-Brice Wallon, for Jean-Brice Wallon and Alice Hargrave, owner, on March 27, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a partial 3rd story addition and a 3-story rear addition to a 2-story brick building all of which will contain an art studio and rear 2-car garage on the ground floor and two dwelling units above, whose north side yard will be 1' and with no south side yard instead of 2.5' each and with no rear yard instead of 30', on premises at 2121 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 11, 1997, 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 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that the subject site is 24' x 100' lot improved with a 2-story brick residential building; that on April 20, 1990, the Board approved the applicant's special use application for the establishment of residential use on the 1st floor of the subject 2-story brick building all of which will be used as two dwelling units, in Cal. No. 107-90-S; that the applicant and his wife are artists and that although they have their studios in a portion of the 1st floor of the subject building; they do not have an art gallery on the premises; that the applicant proposes to erect a partial 3rd story addition and a 3-story rear addition to the existing 2-story building all of which will contain an art studio and rear 2-car garage on the ground floor and 2 dwelling units above; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are needed in order to expand the living space in the owners' dwelling unit yet maintaining the necessary rental unit; that the plight of the owner is due to the necessity for additional living space in their dwelling unit while still maintaining their accessory artist studio on the ground floor; that the proposed use will be consistent with the predominantly residential

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character of this block of N. Leavitt Street and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a partial 3rd story addition and a 3-story rear addition to a 2-story brick building all of which will contain an art studio and rear 2-car garage on the ground floor and two dwelling units above, whose north side yard will be 1' and with no south side yard instead of 2.5' each and with no rear yard instead of 30', on premises at 2121 N. Leavitt Street, upon condition that the artist studio shall remain that of a home occupation use and that no art gallery shall be located at the subject site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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APPLICANT: Jeanine Carroccio **CAL. NO.** 160-97-S

APPEARANCES FOR: Aaron Spivak, Jeanine Carroccio **MAP NO.** 3-F

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 1422-24 N. Orleans Street

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jeanine Carroccio, owner, on March 18, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 6-story 8-dwelling unit building, in a B4-3 Restricted Service District, on premises at 1422-24 N. Orleans Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 12, 1997, 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 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that the subject site is a 50 x 102' unimproved lot with no alley access; that on December 20, 1996, the Board approved the applicant's special use application for the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 4-story 6-dwelling unit building at the subject site; that the testimony presented in Cal. No. 475-96-S is hereby made part of the record in this case; that the applicant did not proceed with that proposal and now seeks to establish dwelling units below the second floor (accessory parking) in a proposed 6-story 8-dwelling unit building at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for business space in this area but a continuing demand for residential space; that the parking provided is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; that the proposed use will not cause substantial injury to the value of other property in the area in that the proposed 6-story 8-dwelling unit building will be compatible with the existing mixed business and residential improvements in the area and that the interior ground floor parking is merely an extension of the proposed residential units; it is therefore

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

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May 16, 1997

Cal. No. 160-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 6-story 8-dwelling unit building, on premises at 1422-24 N. Orleans Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jeanine Carroccio **CAL. NO.** 161-97-Z
APPEARANCES FOR: Aaron Spivak, Jeanine Carroccio **MAP NO.** 3-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1422-24 N. Orleans 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

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

THE RESOLUTION:

WHEREAS, Jeanine Carroccio, owner, on March 18, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 6-story 8-dwelling unit building, whose front yard will be 4' instead of 12', whose side yards will be 3', each instead of 5' each, whose rear yard will be 21' instead of 30' and with no provision for one required loading berth, on premises at 1422-24 N. Orleans Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 16, 1997, 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 8.7-4, 8.10-4 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 B4-3 Restricted Service District; that on May 16, 1997, the Board approved the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 6-story 8-dwelling unit building, at the subject site, in Cal. No. 160-97-S; that on December 20, 1996, the Board granted variations to the applicant to permit the erection of a 4-story 6-dwelling unit building, whose side yards will be 3' each instead of 5' each, whose rear yard will be 19.75' instead of 30, and with no provision for one loading berth, at the subject site; that the testimony presented in Cal. No. 476-96-Z is hereby made part of the record in this case; that the subject site is a 50' by 102' unimproved lot; that the applicant now proposes to erect a 6-story 8-dwelling unit building at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary in that the original plan to erect a 4-story 6-dwelling unit building at the site proved to be economically unfeasible due to the building codes requiring elevators and handicap accessibility areas; that the plight of the owner is due to the site having no rear alley and the necessity of providing adequate living space in the proposed dwelling units while providing interior garage parking and elevators and handicap accessibility areas; that the building will be developed as condominium dwelling units creating a minimum of in and out movement which negates the need for a loading berth; that the proposed

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residential development will be compatible with existing mixed residential and business 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 6-story 8-dwelling unit building, whose front yard will be 4' instead of 12', whose side yards will be 3' each instead of 5' each, whose rear yard will be 21' instead of 30' and with no provision for one required loading berth, on premises at 1422-24 N. Orleans Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: James Stoller **CAL. NO.** 162-97-S

APPEARANCES FOR: Bernard I. Citron, James Stoller **MAP NO.** 5-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 1614 N. Maplewood 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

	AFFIRMATIVE	NEGATIVE	ABSENT
X			
X			
X			
X			

THE RESOLUTION:

WHEREAS, James Stoller, for Dickens Central Properties, Inc., owner, on March 20, 1997, 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 12 private passenger automobiles, in an R3 General Residence district, on premises at 1614 N. Maplewood Avenue, to satisfy the parking requirement for 10 dwelling units proposed in the 3-story brick building at 2542 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 20, 1997, 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 12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 locate in an R3 General Residence District; that the subject site is a 30.3' x 125' unimproved lot; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for 10 dwelling units proposed in the 3-story brick building at 2542 W. North 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 hereinafter set forth; that the subject site abuts a playground to the north and is located directly north across an alley from the 3-story 10-dwelling unit building site; that improved with fencing and landscaping the use of the subject lot as a 12-space automobile parking lot 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 12 private passenger automobiles, on premises

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at 1614 N. Maplewood Avenue, to satisfy the parking requirement for 10 dwelling units proposed in the 3-story brick building at 2542 W. North Avenue, upon condition that no use shall be made of the property for the use requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that 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 20' landscaped front yard with decorative fencing shall be provided on the N. Maplewood Avenue frontage; that a 5' high decorative metal fence shall be provided on the west property line and on the north property line; that striping and lighting shall be provided; that ingress to and egress from the parking lot shall be via the abutting alley to the south provided a waiver of the alley barrier requirement is obtained from the City Council; that landscaping shall be provided as shown on the site plan dated March 18, 1997; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance; and be it further

RESOLVED, that the use of the subject site as a parking lot to fulfill the parking requirement for the 10 dwelling units proposed in the 3-story brick 10-dwelling unit building at 2542 W. North Avenue shall be recorded with the Office of the Recorder of Deeds of Cook County; and that 2 parking spaces shall be designated by name plates as reserved parking for guests visiting tenants of the aforesaid 10-dwelling unit building.

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APPLICANT: Spectrum Management Co. **CAL. NO.** 163-97-S
APPEARANCES FOR: Bernard I. Citron **MAP NO.** 2-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 927 W. Adams Street
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

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

THE RESOLUTION:

WHEREAS, Spectrum Management Co., for American National Bank, Tr. #46267, owner, on March 20, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in an existing 2 and 3-story building and proposed 3rd story addition all of which will be used as 46 dwelling units, in a B4-3 Restricted Service District, on premises at 927 W. Adams Street, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 20, 1997; and
 "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 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 on March 19, 1997, the City Council rezoned the subject site from M1-3 to B4-3 Restricted Service District specifically for the 46-dwelling unit building; that the subject site is a 43,682 sq.ft. irregularly shaped lot improved with a 2 and 3-story building and adjacent improved parking lot; that the applicant proposes to establish dwelling units below the 2nd floor in the existing 2 and 3-story building and proposed 3rd story addition all of which will be used as 46 dwelling units, at the subject site; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential uses, particularly condominium dwelling units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed development which provides adequate parking spaces located south of the subject building; that the proposed development will be compatible with the mixed improvements in this area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; it is therefore

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May 16, 1997

Cal. No. 163-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor in an existing 2 & 3-story building and proposed 3rd story addition all of which will be used as 46 dwelling units, on premises at 927 W. Adams Street, upon condition that the applicant builds in substantial conformance with the plans prepared by William Worn Architecture, P.C., dated March 20, 1997; that a parking space shall be deeded to each of the 46 proposed dwelling units and shall be recorded in the Office of the Cook County Recorder of Deeds; and that 4 parking spaces shall be designated by name plates as reserved guest parking spaces; 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: Spectrum Management Co. **CAL. NO.** 164-97-Z
APPEARANCES FOR: Bernard I. Citron **MAP NO.** 2-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 927 W. Adams Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Spectrum Management Co., for American National Bank, Tr.#46267, owner, on March 20, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a 3rd story and penthouse addition to the 2-story portion of a 2 & 3-story building all of which will be used as 46 dwelling units, with no east side yard instead of 12.5', on premises at 927 W. Adams Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 20, 1997, 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 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B4-3 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 on March 19, 1997, the City Council rezoned the subject site from M1-2 to B4-3 Restricted Service District specifically for the proposed residential development; that on May 16, 1997, the Board approved the applicant's special use application for the establishment of dwelling units below the 2nd floor in an existing 2 and 3-story building and proposed 3rd story and penthouse addition all of which will be used as 46 dwelling units, at the subject site, in Cal. No. 163-97-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to provide less than the 46 dwelling units proposed for the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the east side yard variation requested is necessary to construct the proposed 3rd story and penthouse addition consistent with the east side wall of the existing 2-story portion of the building at the subject site; that the proposed additions to the subject building will be compatible with existing improvements in the area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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MINUTES OF MEETING

May 16, 1997

Cal. No. 164-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3rd story and penthouse addition to the 2-story portion of a 2 and 3-story building all of which will be used as 46 dwelling units, with no east side yard instead of 12.5', on premises at 925 W. Adams Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: 1849-51 N. Milwaukee Limited Partnership **CAL. NO.** 165-97-S

APPEARANCES FOR: Bernard I. Citron, David Baum **MAP NO.** 5-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 1849-51 N. Milwaukee 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, 1849-51 N. Milwaukee Limited Partnership, owner, on March 13, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of 2 dwelling units below the 2nd floor in the conversion of a 2-story brick store and apartment building into 4 dwelling units, in a B4-2 Restricted Service District, on premises at 1849-51 Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 11, 1997, 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 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 on March 19, 1997, the City Council rezoned the subject site from M1-2 to B4-2 Restricted Service District specifically for the proposed residential use; that the subject site is a 44.12' x 100' lot improved with a 2-story brick store and apartment building; that the proposed use is necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential uses; that the public health, safety and welfare will be adequately protected in the design and location of the proposed residential use which provides adequate on-site parking at the rear of the property; that the proposed development will be compatible with existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of 2 dwelling units below the 2nd floor in the conversion of a 2-story brick store and apartment building into 4 dwelling units, on premises at 1849-51 N. Milwaukee Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit it issued.

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

APPLICANT: Delray Farms, Inc.

CAL. NO. 166-97-S

APPEARANCES FOR: Bernard I. Citron

MAP NO. 6-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 3311 W. 26th Street

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Delray Farms, Inc., owner, on April 2, 1997, 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 78 private passenger automobiles, in a B5-2 Restricted Service District, on premises at 3311 W. 26th Street, to satisfy the parking requirement for a proposed food store and medical facility at 2609 S. Christiana Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1997, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.4-1 (6), 8.4-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is a 266' x 125' improved parking lot; that the applicant proposes to establish an off-site accessory parking lot for 78 automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for a proposed food store and medical facility at 2609 S. Christiana Avenue; that the subject site is separated from the proposed food store and medical facility by an alley which is to be vacated; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed use of the subject site as an accessory off-site parking lot to satisfy the parking requirement of the aforesaid food store and medical facility is consistent with its present use as a parking 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 78 private passenger automobiles, on premises

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 166-97-S

at 3311 W. 26th Street, to satisfy the parking requirement for a proposed food store and medical facility at 2609 S. Christiana Avenue, upon condition that the existing paving, striping and lighting shall be maintained; that ingress and egress shall be determined by the Department of Transportation Bureau of Inspection; that the driveway(s) shall be constructed in accordance with applicable ordinances; that a landscaped pedestrian path of a minimum of 10 feet wide leading from the sidewalk to the proposed food store and medical facility shall be installed consistent with the plan prepared by Delray Farms; that decorative metal fencing shall be installed along the entire perimeter of the parking lot that also includes security gates for the driveways; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the parking lot 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: Canal Riverbend Development Corp. **CAL. NO.** 167-97-S

APPEARANCES FOR: Steve Zaris **MAP NO.** 1-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 2305 W.Erie Street / 612 N. Oakley Boulevard

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

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

THE RESOLUTION:

WHEREAS, Canal Riverbend Development Corp., for LaSalle National Bank, Tr. #110183, owner, on March 28, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in an existing 2-story building and proposed 3rd floor penthouse addition all of which will be used as 30 dwelling units with basement parking, in a B1-3 Local Retail District, on premises at 2305 W. Erie Street/ 612 N. Oakley Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 1997, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, 8.3-1, 8.7-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B1-3 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the City Council rezoned the subject site from C1-2 Restricted Commercial to B1-3 Local Retail specifically for the proposed residential development; that the subject site is improved with a 2-story brick building; that the applicant proposes to establish dwelling units below the 2nd floor in the existing building and a 3rd story penthouse addition all of which will be used as 30 dwelling units with basement parking for 42 automobiles; that the proposed ground floor dwelling units are necessary for the public convenience at this location in that there is no demand for business improvements in the area and a continuing demand for residential units, particularly condominium dwelling units; that the public health, safety and welfare will be adequately protected in the design and location of the proposed development which provides adequate and workable interior garage parking spaces; that the proposed development 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

MINUTES OF MEETING

May 16, 1997

Cal. No. 167-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor in an existing 2-story building and proposed 3rd floor penthouse addition all of which will be used as 30 dwelling units with basement parking, on premises at 2305 W. Erie Street / 612 N. Oakley Boulevard, upon condition that the proposed parking layout and landscaping are consistent with the site plan prepared by Philip R. Cohen and Associates, dated May 14, 1997; that four basement parking spaces shall be designated by name plates as reserved guest parking spaces; 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: Canal Riverbend Development Corp. **CAL. NO.** 168-97-Z
APPEARANCES FOR: Steve N. Zaris **MAP NO.** 1-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 2305 W. Erie Street / 612 N. Oakley Boulevard
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Canal Riverbend Development Corp., for LaSalle National Bank, Tr. #110183, owner, on March 28, 1997, filed an application for a variation of the zoning ordinance to permit, in a B1-3 Local Retail District, the establishment of 30 dwelling units in an existing 2-story building and proposed 3rd floor penthouse addition, whose rear yard will be 20' instead of 30', on premises at 2305 W. Erie Street / 612 N. Oakley Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 1997, 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 8.3-1, 8.4-1, 8.7-1."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in a B1-3 Local Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is located in a B1-3 Local Retail District; that on May 16, 1997, the Board approved the establishment of dwelling units below the 2nd floor in an existing 2-story building and proposed 3rd floor penthouse addition all of which will be used as 30 dwelling units with basement parking at the subject site in Cal. No. 167-97-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to convert the subject building to less than the proposed 30 dwelling units and 3rd floor penthouse addition would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the placement of the 3rd floor penthouse addition within the required rear yard setback is necessary to make the penthouse unobtrusive from view to the residential neighbors to the east and from the street; that the variation, if granted, will not alter the essential character of the locality in that the proposed 3rd floor penthouse addition will be compatible with the predominantly residential character of the locality and will not impair an adequate supply of light and air to adjacent properties; it is therefore

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

MINUTES OF MEETING

May 16, 1997

Cal. No. 168-97-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 establishment of 30 dwelling units in an existing 2-story building and proposed 3rd floor penthouse addition, whose rear yard will be 20' instead of 30', on premises at 2305 W. Erie Street / 612 N. Oakley Boulevard, 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: Banco Popular **CAL. NO.** 169-97-S

APPEARANCES FOR: Randolph Givens **MAP NO.** 3-I

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 2730 W. Division Street

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

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

THE RESOLUTION:

WHEREAS, Banco Popular, owner, on March 31, 1997, 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 13 private passenger automobiles, in a B4-2 Restricted Service District, on premises at 2730 W. Division Street, to serve a bank located at 2720 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 31, 1997, 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 8.3-4, 8.4-1 (6), 8.4-4 (1)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 50.3' x 122' lot; that the applicant proposes to establish an off-site accessory parking lot for 13 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to provide off-street parking for customers of the applicant bank located at 2720 W. Division Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed off-site accessory parking lot will help alleviate on-street parking congestion in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 13 private passenger automobiles, on premises at 2730 W. Division Street, to serve a bank located at 2720 W. Division Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely

MINUTES OF MEETING

May 16, 1997

Cal. No. 169-97-S

for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that 7 feet high ornamental metal fencing shall be provided on the portions of the east and west lot lines not abutting adjacent buildings and on the north and south lot lines excepting the driveways; that striping shall be provided; that lighting shall be provided; that concrete wheel stops shall be provided; that ingress to the parking lot shall be from W. Division Street; that egress shall be via the public alley abutting the site to the north provided a waiver of the alley barrier requirement is obtained from the City Council; that the W. Division Street driveway shall be constructed in accordance with applicable ordinances; that landscaping shall be provided consistent with the landscaping plan prepared by Interplan Practice and Associates, dated December 20, 1996; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Harmon Murphy

CAL. NO. 170-97-S

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 1810 W. Hubbard Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Human Resources Development Institute, Inc. **CAL. NO.** 171-97-S

APPEARANCES FOR: **MAP NO.** 4-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 2207 W. 18th Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Thomas Jackobs **CAL. NO.** 172-97-A

APPEARANCES FOR: Gary I. Wigoda, Thomas Jackobs **MAP NO.** 13-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 4846 N. Paulina 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Thomas Jackobs, owner, on March 7, 1997, 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 as 14 dwelling units, in an R3 General Residence District, on premises at 4846 N. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 22, 1997, 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 7.5-3, 7.12-1, 5.8-1 (2)."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997; 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 improved with a 3-story brick multi-dwelling unit condominium building; that the appellant seeks to legalize the basement dwelling unit for a total of 14 dwelling units in the subject building; that the appellant purchased the subject building in August, 1995 as a 14 dwelling unit building; that the evidence presented indicates that the building has been occupied as 14 dwelling units since prior to the adoption of the 1957 amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 14 dwelling units provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 3-story brick building as 14 dwelling units, on premises at 4846 N. Paulina Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Anita Faison

CAL. NO. 173-97-A

APPEARANCES FOR: Anita Faison

MAP NO. 28-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 221 E. 115th 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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Anita Faison, owner, on March 26, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the dwelling unit on the ground floor of a 3-story brick 3-dwelling unit building on the front of the lot additionally improved with a 2-story 4-dwelling unit building at the rear of the lot, in a B4-1 Restricted Service District, on premises at 221 E. 115th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 16, 1997, 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 8.3-4 (1), 8.6-4 (1), 8.11-1 (7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997; 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 a 5,125 sq.ft lot and is improved with a 3-dwelling unit building on the front of the lot and a 4-dwelling unit building at the rear of the lot; that testimony presented indicates that the front building contained a tavern at one time which was later converted to a dwelling unit; that the subject site has enough lot area for no more than 3 dwelling units; that no evidence was presented to indicate that the conversion of the tavern to a dwelling unit occurred prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the Board has no authority to grant the use requested; it is therefore

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

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

APPLICANT: Mary Kelly McPolin **CAL. NO.** 174-97-A
APPEARANCES FOR: Michael Walsh, Mary Kelly McPolin **MAP NO.** 24-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 9909 S. Walden Parkway
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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Mary Kelly McPolin, for Michael D. Walsh, owner, on March 10, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 1-story brick multi-store building, in a B2-1 Restricted Retail District, on premises at 9909 S. Walden Parkway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 6, 1997, 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 its regular meeting held on May 16, 1997; 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 multi-store building; that the subject store premises was previously occupied by a beauty parlor with retail sale of hair accessories, a B4 use, which ceased operation in June, 1996; that the appelland proposes to establish a beauty parlor in the subject store premises; that the establishment of a beauty parlor, a B4 use, at the subject site is permitted under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appelland 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 permit the establishment of a beauty parlor in a 1-story brick multi-store building, on premises at 9909 S. Walden Parkway, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 7 P.M., Tuesday through Friday and 11 A.M. and 5 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: Valerie Mason **CAL. NO.** 175-97-A
APPEARANCES FOR: Valerie Mason **MAP NO.** 18-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 7802 S. Ashland 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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Valerie Mason, owner, on March 24, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty parlor in a 3-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 7802 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1997, 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 its regular meeting held on May 16, 1997; 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 3-story brick store and apartment building; that the subject store premises was previously divided into two separate sections, one section containing a grocery store, a B1 use, and the other section vacant; that the appellant seeks to establish a beauty parlor, a B4 use, in the vacant section of the premises; that no evidence was presented to indicate that the vacant portion of the subject store premises was previously occupied by a B4 business use; that under Section 6.4-7 of the zoning ordinance the Board has no authority to permit the establishment of a beauty parlor at the subject site; it is therefore

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

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

APPLICANT: Thay Van Vo

CAL. NO. 176-97-A

APPEARANCES FOR: None

MAP NO. 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 3509 S. Halsted Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Kwang Shin
APPEARANCES FOR: Kwang Shin
APPEARANCES AGAINST:
PREMISES AFFECTED- 3057 W. 26th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 177-97-A
MAP NO. 6-I
MINUTES OF MEETING:
 May 16, 1997

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Kwang Shin, for Pilgen Park / Little Village Plaza, owner, on March 20, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an arcade in conjunction with a proposed restaurant with liquor consumption in an existing shopping center, partly in a C1-2 Restricted Commercial District and partly in an M2-2 General Manufacturing District, on premises at 3057 W. 26th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 5, 1997, 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 its regular meeting held on May 16, 1997; and

WHEREAS, the district maps show that the premises is located partly in a C1-2 Restricted Commercial District and partly 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 partly in a C1-2 Restricted Commercial District and partly in an M2-2 General Manufacturing District; that the subject site is improved with a shopping center; that the appellant proposes to establish an arcade in conjunction with a proposed restaurant with liquor consumption in a store premises located in the said shopping center; that the evidence presented indicates that permits were issued for the erection of a shopping center with various retail uses at the subject site; that the Board finds the zoning ordinance provides that when there is a conflict between two zoning districts the more restrictive zoning applies, in this instance the C1-2 Restricted Commercial zoning; that an arcade is a permitted use in a Commercial zoning district; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

MINUTES OF MEETING

May 16, 1997

Cal. No. 177-97-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an arcade in conjunction with a proposed restaurant with liquor consumption in an existing shopping center, on premises at 3057 W. 26th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Stefan Feyen **CAL. NO.** 178-97-A
APPEARANCES FOR: Sharon Eiseman, Stefan Feyen **MAP NO.** 3-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1228 W. Augusta Boulevard
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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Stefan Feyen, owner, on March 24, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a gable roof on a flat roof 3-story brick non-conforming 3-dwelling unit building, in an M3-4 Heavy Manufacturing District, on premises at 1228 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 26, 1997, 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 6.4-4, 10-3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16; and

WHEREAS, the district maps show that the premises is located in an M3-4 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M3-4 Heavy Manufacturing District; that the subject site is a 25' x 100' lot improved with a 3-story brick non-conforming 3-dwelling unit building; that the applicant seeks to erect a gable roof on the existing flat roof 3-story building which will add approximately 4 feet to the height of the existing non-conforming residential building; that the proposed gable roof will add 700 sq.ft. of space to the existing 800 sq.ft. of space in the appellant's third floor dwelling unit; that the appellant's original request was to add head room only in the third floor dwelling unit but he now wants to add an additional 700 sq.ft.; that the Board finds that the proposed gable roof is a structural expansion of an existing non-conforming use in this M3-4 Heavy Manufacturing District which is not permitted under the zoning code; that the Board also finds that the subject site is one of six non-conforming residential structures located on the north side of W. Augusta Boulevard and recommends that this immediate area should be rezoned to residential zoning; 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: Jimmie Lemon **CAL. NO.** 179-97-A
APPEARANCES FOR: Jimmie Lemon **MAP NO.** 4-K
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 4247-51 W. 16th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	

THE RESOLUTION:

WHEREAS, Jimmie Lemon, for Beatrice McDuffie, owner, March 28, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an automobile laundry (car wash) in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 4247-51 W. 16th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 24, 1997, 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 its regular meeting held on May 16, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story building occupied by an operating auto laundry; that the zoning ordinance was amended in 1995 providing that an auto laundry (car wash), whether by hand or production line methods, is first permitted in a Commercial district, and then only as a special use; that under Section 8.3-4 the Board has no authority to permit the operation of an auto laundry (car wash) at the subject site in a B4 district; 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: Whiteco Outdoor Advertising

CAL. NO. 180-97-A

APPEARANCES FOR:

MAP NO. 3-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 21-31 W. Division Street

SUBJECT-

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: Outdoor Impact, Inc. **CAL. NO.** 181-97-A

APPEARANCES FOR: Sharon Langer Byron. Joel Byron **MAP NO.** 9-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997

PREMISES AFFECTED- 3366 N. Clark 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Outdoor Impact, Inc., for William J. O'Neill, owner, on March 31, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify four existing advertising signs totaling 1,200 sq.ft. painted on the south wall of a 3-story brick building, in a B4-2 Restricted Service District, on premises at 3366 N. Clark Street, due to their location within 250' of a Residence District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 24, 1997, 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 8.9 (7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 3-story brick building with 4 advertising signs totaling 1,200 sq.ft. painted on the south wall of the building; on November 15, 1996, the Board sustained an appeal by the appellant certifying an existing 20' x 60' advertising sign painted on the south wall of the subject building, in Cal. No. 455-96-A; that on February 3, 1997, the appellant resubmitted its permit application for the aforesaid advertising sign to the Office of the Zoning Administrator for zoning approval; that subsequently the Office of the Zoning Administrator indicated that the permit would not be granted without further clarification from the Zoning Board of Appeals; that the Office of the Zoning Administrator contends that the aforesaid painted advertising sign has window areas that break up the continuity of the 20' x 60' wall area into four separate signs and that the permit application and the language of the resolution in Cal. No. 455-96-A reflected the entire wall space when they should have reflected the individual parts; that evidence presented indicates that the subject four advertising signs have been located at the subject site since prior to the amendment to the zoning ordinance passed by the City Council on July 12, 1990, which requires advertising signs exceeding 100 sq.ft. to be a minimum of 250' away from a Residence District; that testimony presented indicates that the said advertising signs faces elevated tracks located east of the

MINUTES OF MEETING

May 16, 1997

Cal. No. 181-97-A

subject site and is not visible from the residential zoning located northeast of the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify four existing advertising signs totaling 1,200 sq. ft. painted on the south wall of a 3-story brick building, on premises at 3366 N. Clark Street, upon condition that a permit shall be obtained for each of the four advertising signs; that the total signage at the site shall not exceed 1,200 sq.ft.; 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: De La Salle Institute

CAL. NO. 182-97-Z

APPEARANCES FOR:

MAP NO. 8-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 3455 S. Wabash Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

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

APPLICANT: The Salvation Army

CAL. NO. 183-97-S

APPEARANCES FOR: Robert P. Beilfuss

MAP NO. 22-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 16, 1997

PREMISES AFFECTED- 8700 S. Laflin Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

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

THE RESOLUTION:

WHEREAS, The Salvation Army, owner, on March 20, 1997, filed an application for a special use under the zoning ordinance for the approval of expansion of an existing church facility by the erection of a 1-story 34' x 55' addition to the east side, in a B4-1 Restricted Service District, on premises at 8700 S. Laflin Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 4, 1997, 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 its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 107.93' x 134' lot improved with a 1-story building occupied by The Salvation Army; that the applicant proposes to remodel the existing structure and erect a 1-story 34' x 55' addition to the east side of the existing building; that the proposed use is necessary for the public convenience at this location to provide additional space for the applicant's social service programs and office space; that the seating capacity of the existing church building will not be increased; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed 1-story addition which will comply with all applicable building code regulations; that the proposed addition will be compatible with existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of an existing church facility by the erection of a 1-story 34' x 55' addition to the east side, on premises at 8700 S. Laflin Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Temple of Faith M.B. Church **CAL. NO.** 184-97-S
APPEARANCES FOR: Kimberly Shaw, Rev. Bobby Giles **MAP NO.** 5-M
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 5859 W. Fullerton Avenue May 16, 1997
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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Temple of Faith M.B. Church, for Commercial National Bank, Tr. #982, owner, on April 1, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 50-seat church in a 1-story brick store building, in a B4-1 Restricted Service District, on premises at 5859 W. Fullerton Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 18, 1997, 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 8.4-1 (1), 8.4-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

WHEREAS, the district maps show that the premises is located in 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 brick store building; that the applicant proposes to establish a 50-seat church at the subject site; that the proposed use is necessary for the public convenience at this location to meet the needs of the congregation, the majority of which live in the immediate neighborhood; 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 provides adequate off-street parking at the rear of the subject building; that the proposed church will be compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 50-seat church in a 1-story brick store building, on premises at 5859 W. Fullerton Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all 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: Stanislaw Sobieski

APPEARANCES FOR: John J. Pikarski, Jr., T. Sobieski

APPEARANCES AGAINST:

PREMISES AFFECTED- 5842 W. Lawrence Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

CAL. NO. 185-97-S

MAP NO. 13-M

MINUTES OF MEETING:
May 16, 1997

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, Stanislaw Sobieski, owner, on March 19, 1997, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 4-story 18-dwelling unit building, in a B4-2 Restricted Service District, on premises at 5842 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 11, 1997, 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 (3), 8.10-1 (2), 8.10-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 on March 19, 1997, the City Council rezoned the subject site from B2-1 Restricted Retail to B4-2 Restricted Service District specifically for the proposed residential development; that the subject site is a 120' x 131.75' lot improved with a vacant 1 and 3-story brick building; that the applicant proposes to erect a 4-story 18-dwelling unit building at the subject site and provide ground floor parking spaces for 18 automobiles and 7 exterior parking spaces; that the proposed use is necessary for the public convenience at this location in that there is no demand for ground floor business space in this area and a continuing demand for residential units; that the nature of the parking provided is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; that the proposed 4-story 18-dwelling unit building will be compatible with the mixed business and residential improvements in the area and that the interior ground floor parking is merely an extension of the proposed residential units; it is therefore

MINUTES OF MEETING

May 16, 1997

Cal. No. 185-97-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 4-story 18-dwelling unit building, on premises at 5842 W. Lawrence Avenue, upon condition that the garage access and the proposed building's perimeter landscaping is consistent with the site plan prepared by Baranyk Associates, Ltd., dated December 4, 1996; and that three on-site parking spaces shall be designated by name plates as reserved guest parking spaces; 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: Stanislaw Sobieski **CAL. NO.** 186-97-Z
APPEARANCES FOR: John J. Pikarski, Jr., T. Sobieski **MAP NO.** 13-M
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 5842 W. Lawrence Avenue
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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Stanislaw Sobieski, owner, on March 19, 1997, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 18-dwelling unit building, whose lot area is 15,810 sq.ft. instead of 16,200 sq.ft. required (2 ½ % reduction) and with no provision for one required loading berth, on premises at 5842 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 18, 1997, 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 8.8-8 (3), 8.10-1 (2), 8.10-4."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that on May 16, 1997, the Board approved the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 4-story 18-dwelling unit building at the subject site, in Cal. No. 185-97-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the requested 18 dwelling units at the subject site would prove economically unfeasible; that the plight of the owner is due to the size of the existing lot which contains a mere 2 ½ percent less lot area than the 16,200 sq.ft. required for 18 dwelling units; that the proposed residential building will be developed as condominium dwelling units creating a minimum of in and out movement and thereby negates the need for a loading berth; that the proposed 4-story 18-dwelling unit building will be compatible with the existing mixed business and residential improvements in the area and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 16, 1997

Cal. No. 186-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story 18-dwelling unit building, whose lot area is 15,810 sq.ft. instead of 16,200 sq. ft. required (2 ½ % reduction) and with no provision for one required loading berth, on premises at 5842 W. Lawrence 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: Beth Singer **CAL. NO.** 187-97-Z
APPEARANCES FOR: John J. Pikarski, Jr. **MAP NO.** 3-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1246 N. State Parkway
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIAION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Beth Singer, owner, on April 1, 1997, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story 8' x 22.5' addition to the rear of a 4-story brick single-family dwelling on the front of the lot additionally improved with a 2-story brick dwelling on the rear of the lot, with no side yards instead of 2.25' each, on premises at 1246 N. State Parkway; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 13, 1997, 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 5.5, 7.8-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997 after due notice thereof by publication in the Chicago Sun-Times on April 18, 1997; 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 improved with a 4-story brick rowhouse single family dwelling on the front of the lot additionally improved with a 2-story brick dwelling on the rear of the lot; that the applicant proposes to erect a 1-story 8' x 22.5' addition to the rear of the existing 4-story rowhouse building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide additional kitchen space in the existing single-family dwelling; that the plight of the owner is due to unique circumstances in that subject single-family dwelling is a rowhouse with no pre-existing side yards and that to comply with the side yard requirement under the zoning ordinance would eliminate necessary space needed in the applicant's kitchen; that the proposed 1-story addition will follow existing side walls of the subject rowhouse residence and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 16, 1997

Cal. No. 187-97-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 8' x 22.5' addition to the rear of a 4-story brick single-family dwelling on the front of the lot additionally improved with a 2-story brick dwelling on the rear of the lot, with no side yards instead of 2.25' each, on premises at 1246 N. State Parkway, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Monument of Faith Evangelistic Church, Inc. **CAL. NO.** 188-97-A
APPEARANCES FOR: Ana C. Marcyan, Rev. Richard Heaton **MAP NO.** 18-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 May 16, 1997
PREMISES AFFECTED- 2600-2766 W. Columbus Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Monument of Faith Evangelistic Church, Inc., owner, on April 21, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify that the church use approved by the Board as a special use on January 20, 1995, in Cal. No. 17-95-S commenced operation within the 1 year time limit provided under Section 11.10-5 of the zoning ordinance, on premises at 2600-2766 W. Columbus Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 15, 1997, 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 (1), 9.11-1 (5), 11.10-5."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1997; and

WHEREAS, the district maps show that the premises is located in a C2-1 General Commercial District;

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 C2-1 General Commercial District; that the subject site is improved with a large 1-story commercial building; that on January 20, 1995, the Board approved the establishment of a church at the subject site, in Cal. No. 17-95-S; that Article 11.10-5 of the zoning ordinance provides that a special use shall be valid for a period not longer than 12 months from the date of such order unless a building permit is obtained or the use is commenced within such period and that the Board may extend the period of validity of a special use for a period not to exceed 12 months; that the applicant stated in the appeal application that since the granting of the special use, the subject site has been the subject of an environmental cleanup in certain limited portions of the property that are far away from the occupied areas of the building, particularly an area of the parking lot bordering Columbus Avenue and an area adjoining the far western edge of the building; that the said environmental cleanup was the obligation of the sellers of the property but that the applicant church undertook this obligation after it became apparent that the sellers would not timely perform the required environmental cleanup; that the applicant church has diligently pursued the cleanup of the property to remove contaminated soils; that the applicant church as incurred costs and legal fees in excess of \$85,000 to perform the environmental cleanup that is the obligation of the seller, all so that the special use granted by the Board would

MINUTES OF MEETING

May 16, 1997

Cal. No. 188-97-A

remain in effect; that all of the environmental activities conducted by the applicant church were in furtherance of its continuing use of the site as a church; that because of the distances of the cleanup operations from the main building, the Church has utilized unaffected portions of the site for services, the first being held on January 16, 1996 and that weekly prayer meetings have also been conducted at the site since May 27, 1996; that the Board finds that the applicant church commenced the use of the premises as a church within the time permitted, did not cease the use of the premises as a church and continues to use the property as a church pursuant to the special use approved by the Board in Cal. No. 17-95-S, on January 20, 1995 and that there is no violation of Section 11.10-5 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 the Zoning Administrator is hereby authorized to certify that the church use approved by the Board as a special use on January 20, 1995 in Cal. No. 17-95-S commenced operation within the 1 year time limit provided under Section 11.10-5 of the zoning ordinance, upon condition that all standards and conditions promulgated in the resolution granted by the Board on January 20, 1995 shall be complied with.

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

APPLICANT: Community Counseling Centers of Chicago **CAL. NO.** 373-95-A
APPEARANCES FOR: Gregory H. Furda **MAP NO.** 11-G
APPEARANCES AGAINST: John J. Pikarski, Jr., Stephen Malato **MINUTES OF MEETING:**
May 16, 1997
PREMISES AFFECTED- 1447 W. Montrose Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 18, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		

MINUTES OF MEETING

May 16, 1997

Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting June 20, 1997.


Secretary