

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on April 17, 1998
at 9:00 A.M. and 2:00 P.M.

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

Joseph J. Spingola
Chairman
Demetri Konstantelos
LeRoy K. Martin, Jr.

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

MINUTES OF MEETING

April 17, 1998

Member Martin moved that the Board approve the minutes of the proceedings of the regular meeting held on March 20, 1998 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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

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

APPLICANT: Larry & Marla Elitzer

CAL. NO. 119-98-Z

APPEARANCES FOR: Marla Elitzer

MAP NO. 16-N

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 6634 W. 63rd Place

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story addition to a 1-story brick single-family dwelling, whose combined side yards will be 6' instead of 9'.*

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at the public hearing.

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

APPLICANT: Dr. & Mrs. Burton Andersen **CAL. NO.** 120-98-Z
APPEARANCES FOR: Thomas S. Moore, Dr. Burton Andersen **MAP NO.** 3-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 851 N. Dearborn Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of 2nd, 3rd and 4th story additions for a conservatory to a 3-story brick 2-dwelling unit building, with no side yards instead of 2' each, whose rear yard will be 4.17' instead of 30', and which additions will result in a 15% (613 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.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Robert A. Cichon

CAL. NO. 121-98-Z

APPEARANCES FOR:

MAP NO. 7-I

APPEARANCES AGAINST:

MINUTES OF MEETING

April 17, 1998

PREMISES AFFECTED-- 2631 N. Sacramento Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 20' x 22' detached accessory garage with gambrel roof on the rear of the lot, the height of which will be 17' instead of the maximum 15' permitted.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 19, 1998.

THE VOTE

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: Diane M. & Valya L. Woodstock

CAL. NO. 122-98-Z

APPEARANCES FOR: Diane M. Woodstock

MAP NO. 9-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 3450 N. Hoyne Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of attic dormers to a 2 1/2 story frame 2 dwelling unit building, whose south side yard will be 3.85' and with no north side yard instead of 7.2' each.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Lakeview Billiards Cafe, Inc.

CAL. NO. 123-98-Z

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 3449 N. Lincoln Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-2 General Service District, a public place of amusement to be located within 125 feet of an R3 General Residence District by the establishment of a pool hall with 10 pool tables in an existing 1-story brick building.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 19, 1998.

THE VOTE

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: Steve Bahary

CAL. NO. 124-98-Z

APPEARANCES FOR: Harry W. Rubinoff, Steve Bahary

MAP NO. 3-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 1012-18 N. Milwaukee Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 9 dwelling unit building, with no front yard instead of 15' and with no side yards instead of 6.1' each.

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is an unimproved irregularly shaped 8,814 sq.ft. through lot with frontages located on N. Milwaukee Avenue and W. Augusta Boulevard; that the applicant proposes to erect a 3-story 9 dwelling unit building with on-site parking at the subject site; that no evidence was presented to indicate that any unique hardship exists in complying with the yard requirements for this R5 General Residence District; that no unique circumstances exist and that the plight of the owner is self-created; it is therefore

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

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

APPLICANT: Katherine T. Geraty
APPEARANCES FOR: Katherine T. Geraty
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 1883 N. Leavitt Street

CAL. NO. 125-98-Z
MAP NO. 5-H
MINUTES OF MEETING
 April 17, 1998

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 8.17' x 18' addition to the rear of a 2-story brick attached single-family dwelling, with no side yards instead of 3' each and which addition will result in a 13% (294 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.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: 700 North Kingsbury LLC

CAL. NO. 126-98-S

APPEARANCES FOR: Dennis Aukstik, Ronald B. Shipka, Jr.

MAP NO. 1-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 421-33 W. Huron Street

NATURE OF REQUEST- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 16-story 88 dwelling unit condominium building, in a B4-5 Restricted Service District.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the garage structure is enclosed as represented on elevation drawings prepared by Pappageorge Haymes, Ltd., dated April 13, 1998:

That street trees of a minimum 4 inch caliper are installed and all setbacks are fully landscaped as represented on the site plan and landscaping prepared by Pappageorge Haymes, Ltd., dated April 13, 1998.

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

APPLICANT: 700 North Kingsbury LLC **CAL. NO.** 127-98-Z
APPEARANCES FOR: Dennis Aukstik, Ronald B. Shipka, Jr. **MAP NO.** 1-F
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 421-33 W. Huron Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-5 Restricted Service District, the erection of a 16-story building containing 108 parking spaces on floors one thru four and 88 condominium dwelling units on floors five thru sixteen, whose north front yard will be 6' instead of 12' and with no south rear yard instead of 30'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that on April 17, 1998, the Board approved the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 16-story 88 dwelling unit condominium building at the subject site, in Cal. No. 126-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: General Parking Management, L.P. **CAL. NO.** 128-98-S

APPEARANCES FOR: Scott R. Borstein **MAP NO.** 1-E

APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998

PREMISES AFFECTED-- 50 E. Ohio Street

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the erection of a 12-story non-accessory public parking garage containing 946 self-park spaces and retail uses on the ground floor, in a B7-6 General Central Business District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

That the ground floor retail uses shall be located along the Ohio and Rush Street frontages;

That signs, curb cuts, loading dock and building materials shall be consistent with the elevation drawings prepared by Solomon, Cordwell, Buenz and Associates, dated April 17, 1998;

(Additional conditions follow on page 12a.)

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

MINUTES OF MEETING

April 17, 1998

Cal. No. 128-98-S

That banner poles and sidewalk paving shall be installed along Ohio Street consistent with streetscape plans prepared by The John Buck Company for the south side of Ohio Street;

That street trees of a minimum of four inch caliper shall be installed along the Ohio, Rush, and Wabash Street frontages;

That the billboard located at the corner of Ohio and Rush Streets shall be removed and not replaced.

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

APPLICANT: Zlatko Pehar **CAL. NO.** 129-98-S
APPEARANCES FOR: Aaron Spivak, Zlatko Pehar **MAP NO.** 1-G
APPEARANCES AGAINST: Carol Kovalevych et al. **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 444 N. Sangamon Street

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 7-story 12* dwelling unit building, in a B4-4 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in a B4-4 Restricted Service District; that the subject site is a 57' x 116.47' unimproved lot; that the applicant proposes to establish dwelling units below the 2nd floor (accessory parking) in a proposed 7-story 12 dwelling unit building at the subject site with interior parking and reduced front and north side yards and no loading berth; that the Board finds that the applicant failed to meet its burden of proof that the proposed use is necessary for the public convenience at this subject site and that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected; it is therefore

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

*Amended at the hearing.

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

APPLICANT: Zlatko Pehar **CAL. NO.** 130-98-Z
APPEARANCES FOR: Aaron Spivak, Zlatko Pehar **MAP NO.** 1-G
APPEARANCES AGAINST: Carol Kovalevych et al. **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 444 N. Sangamon Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a 7-story 12* dwelling unit building, whose front yard will be 8.5' instead of 14', whose north side yard will be 5.58' instead of 7.2', and with no provision for one required loading berth.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in a B4-4 Restricted Service District; that the subject site is a 57' x 116.47' unimproved lot; that on April 17, 1998, the Board denied, in Cal. No. 129-98-S, the applicant's special use application seeking approval of the establishment of dwelling units below the 2nd floor (accessory parking) in a proposed 7-story 12 dwelling unit building with reduced front and north side yards and no required loading berth, finding that the proposed use was not necessary for the public convenience at the subject site; that the Board finds in the instant case that no unique hardship exists and that the proposed building is an overbuilding of the subject site; that the denial by the Zoning Board of Appeals of the applicant's special use application negates the need for the yard variations requested in the instant case; it is therefore

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

*Amended at the hearing.

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

APPLICANT: Jack Berger

CAL. NO. 131-98-Z

APPEARANCES FOR: Bernard I. Citron, Jack Berger

MAP NO. 3-G

APPEARANCES AGAINST: Edward Majka

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 831-33 N. Elizabeth Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story with penthouse 2 dwelling unit townhouse building on a triangular lot, with no west front yard instead of 3.72', with no side yards instead of 3.9' each, and with no east rear yard instead of 30'.

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 2,418 sq.ft. unimproved triangular shaped lot with frontages on W. Fry Street and N. Elizabeth Street; that the applicant proposes to erect a 3-story with penthouse 2 dwelling unit townhouse building with 4 interior parking spaces at the subject site; that each townhouse unit will have its facade including 2-car garage doors built right to the street frontage lot line thereby requiring driveway cuts on both Fry and Elizabeth Streets; and

WHEREAS, that the Board finds that the 2 dwelling unit townhouse building as proposed does not comply with the recently enacted yard requirements for townhouses which provides that in no case shall a yard adjacent to a street be less than 3 feet and that garage doors facing a public street must have a minimum 20 feet front yard to prevent obstruction of the sidewalk by parked cars; that no evidence was presented that would prove that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district; and that the proposed townhouse as designed is contrary to the newly enacted townhouse standards; it is therefore

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

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

APPLICANT: Ines Bedoya

CAL. NO. 132-98-Z

APPEARANCES FOR:

MAP NO. 11-I

APPEARANCES AGAINST:

MINUTES OF MEETING

April 17, 1998

PREMISES AFFECTED-- 2415-25 W. Lawrence Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-3 General Service District, the erection of a 4th story addition to an existing 3-story building and a 4-story addition to the east side all of which will contain retail uses on the ground floor, 41 accessory parking spaces within the basement and ground floor, and 34 dwelling units above the ground floor, with no south rear yard instead of 30' required for the residential part of the building and with no provision for one required loading berth.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 19, 1998.

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: Samaritan Housing Services, Inc. **CAL. NO.** 133-98-S
APPEARANCES FOR: Jonathan Reinsdorf, Rev. Albert Shears **MAP NO.** 20-B
APPEARANCES AGAINST: Wilbon McClerkin **MINUTES OF MEETING**
PREMISES AFFECTED-- 8425* S. Saginaw Avenue April 17, 1998

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a group community home for up to 15 persons in a 2-story brick former convent building, in an R3 General Residence District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick former convent building; that the applicant is a not-for-profit agency of the Northern Illinois Conference of the United Methodist Church; that the applicant proposes to provide housing and related services to persons residing in the far south area of the city who have AIDs-related disabilities and are homeless or at risk of homelessness; that testimony presented indicates that there is a demonstrated need for the proposed facility in the community and is therefore necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in that all residents of the proposed group community home must comply with established rules of conduct and curfew hours; that no alcohol and drugs are allowed on premises; that no overnight visitors are allowed; that all visitors are screened by staff; that the proposed group home will be staffed 24 hours daily including a live-in manager; that on-site security will be provided; that the proposed use, which fulfills a need in the community, is consistent with the historical use of the subject premises as a convent, and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

*Amended at the hearing.

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

MINUTES OF MEETING

April 17, 1998

Cal. No. 133-98-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 a group community home for up to 15 persons in a 2-story brick former convent building, on premises at 8425 S. Saginaw Avenue, upon condition that no use shall be made of the premises as requested until the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; that no alcohol or drugs shall be permitted at the site at any time; that staff personnel shall be onsite-24 hours daily; that adequate security measures shall be provided; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a community group home for persons who have AIDS-related disabilities and are homeless or at risk of homelessness or any increase in beds, as stated by the applicant and delineated herein, shall cause the special use granted herein to immediately become null and void.

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

APPLICANT: Michael Finan

CAL. NO. 134-98-S

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 2840 N. Halsted Street

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story 7- dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
JULY 17, 1998.

THE VOTE

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: Michael Finan

CAL. NO. 135-98-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 2840 N. Halsted Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 7 dwelling unit building, whose front yard will be 10' instead of 15' and whose lot area is 6,500 sq.ft. instead of 7,000 sq.ft. required (7% reduction).

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 17, 1998.

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: Michael Finan

CAL. NO. 136-98-S

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 2846 N. Halsted Street

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story 7-dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
JULY 17, 1998.

THE VOTE

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: Michael Finan

CAL. NO. 137-98-Z

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING

PREMISES AFFECTED-- 2846 N. Halsted Street

April 17, 1998

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 7-dwelling unit building, whose front yard will be 10' instead of 15' and whose lot area is 6,500 sq.ft. instead of 7,000 sq.ft. required (7% reduction).

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 17, 1998.

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: Enterprise Development Company, Inc.

CAL. NO. 138-98-Z

APPEARANCES FOR: Bernard I. Citron, Ronald Shipka, Jr.

MAP NO. 7-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 1735 W. Diversey Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 6th story addition to an existing 5-story building and a 6-story addition to the west side all of which will contain 108 dwelling units and some accessory parking, whose north front yard will be 9.67' instead of 15' and whose west side yard will be 5.67' instead of 20'.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Enterprise Development Company, Inc. **CAL. NO.** 139-98-S
APPEARANCES FOR: Bernard I. Citron. Ronald Shipka, Jr. **MAP NO.** 7-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2636 N. Hermitage (private street) April 17, 1998

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 51 private passenger automobiles, in an R5 General Residence District, to fulfill the parking requirement for 108 dwelling units proposed in a 6-story building at 1735 W. Diversey Avenue.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that on April 17, 1998, the Board granted variations to the applicant to permit the erection of a 6th story addition to an existing 5-story building and a 6-story addition to the west side all of which will contain 108 dwelling units and some accessory parking, in Cal. No. 138-98-Z; that the aforesaid accessory parking is shown on the site plan presented as "Parcel A"; that the proposed off-site accessory parking lot in the instant case is shown as "Parcel B" on the site plan; that the proposed off-site accessory parking lot site is an irregular shaped parcel of land separated from the aforesaid 108 dwelling unit building by railroad spur tracks; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued;

(Additional conditions follow on page 23a.)

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

MINUTES OF MEETING

April 17, 1998

Cal. No. 139-98-S

That the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time;

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer;

That automobiles shall ingress and egress the subject off-site accessory parking lot from a driveway located on W. Diversey Parkway at the northeast corner of the proposed 6-story residential building site; that automobiles shall progress through the east portion of the parking lot and ingress the subject parking lot via a ramp across the railroad spur tracks ; that egress from the subject parking lot shall be via the said ramp, through the building parking lot to W. Diversey Parkway;

That the driveway located on W. Diversey Parkway shall be constructed in accordance with applicable ordinances;

That all applicable provisions of the Chicago Landscape Ordinance shall be complied with;

That 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: Humberto Lagunas **CAL. NO.** 140-98-S
APPEARANCES FOR: Patrick Brankin, Humberto Lagunas **MAP NO.** 3-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 2104 W. Division Strfeet

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building, in a B4-2 Restricted Service District.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

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: Humberto Lagunas

CAL. NO. 141-98-Z

APPEARANCES FOR: Patrick Brankin, Humberto Lagunas

MAP NO. 3-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 2104 W. Division Street

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 3-dwelling unit building, whose front yard will be 9.25' instead of 14.4' and whose west side yard will be 1.25' instead of 2.5'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that on April 17, 1998, the Board approved the establishment of a dwelling unit below the 2nd floor in a proposed 3-story 3-dwelling unit building at the subject site, in Cal. No. 140-98-S; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

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: Elizabeth Adolfie

CAL. NO. 142-98-A

APPEARANCES FOR: Elizabeth Adolfie

MAP NO. 5-L

APPEARANCES AGAINST: None

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 2201 N. Latrobe Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Elizabeth Adolfie, owner, on March 9, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the conversion of a non-conforming store into a dwelling unit for a total of 2 dwelling units in a 2-story frame store and 1 dwelling unit building, in an R3 General Residence District, on premises at 2201 N. Latrobe Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 6, 1998, 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, 7.5-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story building containing a tavern on the ground floor and a dwelling unit above; that the appellant seeks to convert the non-conforming tavern into a dwelling unit for a total of 2 dwelling units in the subject building; that the change of use from a non-conforming tavern to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store into a dwelling unit for a total of 2 dwelling units in a 2-story frame store and 1 dwelling unit building, on premises at 2201 N. Latrobe 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.

*Listened to recorded tape of proceedings.

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

APPLICANT: Brian Shores

CAL. NO. 143-98-A

APPEARANCES FOR: Brian Shores

MAP NO. 1-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 727 N. Noble 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, Brian Shores, owner, on February 11, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the conversion of a non-conforming store into a dwelling unit for a total of 2 dwelling units in a 2-story frame store and 1 dwelling unit building, in an R3 General Residence District, on premises at 727 N. Noble Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1998, 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 7.5-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; 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 R3 General Residence District; that the subject site is improved with a 2-story brick building containing a vacant non-conforming tavern on the ground floor and a dwelling unit above; that the appellant seeks to convert the tavern premises to a dwelling unit for a total of 2 dwelling units in the subject building; that the change of use from a non-conforming tavern to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a non-conforming store into a dwelling unit for a total of 2 dwelling units in a 2-story frame store and 1 dwelling unit building, on premises at 727 N. Noble 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 other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.

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

APPLICANT: Roger Toms

CAL. NO. 144-98-A

APPEARANCES FOR:

MAP NO. 15-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 5825-27 N. Ridge Avenue

April 17, 1998

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JUNE 19, 1998.

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: Mark Berlinski

CAL. NO. 145-98-A

APPEARANCES FOR: Mark Berlinski

MAP NO. 3-G

APPEARANCES AGAINST: None

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 1256 N. Bosworth Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X*		
		X

THE RESOLUTION:

WHEREAS, Mark Berlinski, owner, on February 11, 1998, 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 3 dwelling units on the front of the lot additionally improved with a 1-story frame coach house at the rear of the lot, in an R4 General Residence District, on premises at 1256 N. Bosworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 9, 1998, 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. 6.4-2, 7.5-4, 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 3-story brick store and apartment building on the front of the lot additionally improved with a 1-story frame coach house containing a dwelling unit at the rear; that the evidence presented indicates that three dwelling units existed at the subject site prior to the year 1957; that the 3-story brick building contained a store on the ground floor and 2 dwelling units above in its original construction; that the change of use from a non-conforming store in the 3-story brick building on the front of the lot to a dwelling unit for a total of 3 dwelling units is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that the appellant has a right to continue the occupancy of the front building as 3 dwelling units provided the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; 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 reversed and he is authorized to certify the use of a 3-story brick building as 3 dwelling units on the front

*Listened to recorded tape of proceedings.

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

MINUTES OF MEETING

April 17, 1998

Cal. No. 145-98-A

of the lot additionally improved with a 1-story frame coach house at the rear on the lot, on premises at 1256 N. Bosworth Avenue, upon condition that the subject building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issue

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

APPLICANT: Bessie X. Krigel

CAL. NO. 146-98-A

APPEARANCES FOR: Bessie X. Krigel

MAP NO. 16-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 7026 S. Artesian Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X*		
		X

THE RESOLUTION:

WHEREAS, Bessie X. Krigel, owner, on February 10, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building ad 3 dwelling units, in an R3 General Residence District, on premises at 7026 S. Artesian Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 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, Section 7.5-3."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; 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 2-story brick building; that evidence presented indicates that the 2-story brick building at the subject site has been occupied as 3 dwelling units since prior to 1942; that the appelland has a right to continue the occupancy of the building as 3 dwelling units provided the building is brought into compliance with applicable building code regulations; 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 certify the use of a 2-story brick building as 3 dwelling units, on premises at 7026 S. Artesian Avenue, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.

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

APPLICANT: Kristi Greco
APPEARANCES FOR:
APPEARANCES AGAINST:
PREMISES AFFECTED- 2334 W. Erie Street

CAL. NO. 147-98-A

MAP NO. 16-I

MINUTES OF MEETING:
April 17, 1998

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPELLANT.

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: Robert V. and Nancy L.Gino

CAL. NO. 148-98-A

APPEARANCES FOR:

MAP NO. 26-I

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 10319 S. Troy Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MAY 15, 1998.

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: Catalina Andrade

CAL. NO. 149-98-A

APPEARANCES FOR: Catalina Andrade

MAP NO. 6-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 2401 S. Ridgeway Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X*		
		X

THE RESOLUTION:

WHEREAS, Catalina Andrade, owner, on February 4, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 3-story brick non-conforming store and apartment building, in an R4 General Residence District, on premises at 2401 S. Ridgeway Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 4, 1998, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 3-story brick non-conforming store and apartment building; that on November 16, 1979, the Board sustained an appeal permitting the establishment of a grocery store on the first floor of the 3-story brick building at the subject site, in Cal. No. 295-79-A; that the premises has been occupied as a grocery store until the time the property was purchased by the appellant eight months ago; that the appellant seeks to re-establish a grocery store at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a 3-story brick non-conforming store and apartment building, on premises at 2401 S. Ridgeway Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.

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

APPLICANT: Flash Cab Co.

CAL. NO. 150-98-A

APPEARANCES FOR:

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 4717-47 N. Clark Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPELLANT.

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: Onesa Aton
APPEARANCES FOR: Onesa Aton
APPEARANCES AGAINST: None
PREMISES AFFECTED- 8222 S. Ashland Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 151-98-A
MAP NO. 20-H
MINUTES OF MEETING:
 April 17, 1998

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

THE RESOLUTION:

WHEREAS, Onesa Aton, for Church of Christ Holiness (USA), owner, on February 23, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a print shop in a 2-story brick building, in a B2-1 Restricted Retail District, on premises at 8222 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1998, 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 April 17, 1998; and

WHEREAS, the district maps show that the premises is located in an 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 2-story brick multi-store and apartment building; that the evidence presented indicates that the subject store premises was previously occupied by an off-set printing business for the past 27 years which ceased operation in January, 1998; that the rezoning of the subject site from B4-2 to B2-1 on July 26, 1971 rendered the print shop operation non-conforming; that the appellant was an employee of the business for two years and recently purchased the business operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a print shop in a 2-story brick building, on premises at 8222 S. Ashland Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.

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

APPLICANT: Susan D. Havenga

CAL. NO. 152-98-A

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 1917 N. Milwaukee Avenue

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPELLANT.

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: Capri School of Beauty Culture, Inc., d/b/a
Capri Garfield Ridge Beauty School**

APPEARANCES FOR: Connie Fernandez

CAL. NO. 153-98-A

MAP NO. 16-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
April 17, 1998

PREMISES AFFECTED- 6301 S. Washtenaw Avenue/2653-57 W. 63rd 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, Capri School of Beauty Culture, d/b/a Capri Garfield Ridge Beauty School**, for Mohid Suleiman, owner, on February 27, 1998, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty school in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 6301 S. Washtenaw Avenue/3253-57 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 15, 1998, 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 April 17, 1998; and

WHEREAS, the district maps show that the premises is located in an 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 said use is located in a B2-1 Restricted Retail District; that the subject site is improved with 1-story building containing several store premises; that the testimony presented indicates that the appellant's beauty school has occupied the 2653 portion of the building for the past 37 years and seeks to expand the business into the 2657 / 6301 portion of the building which was formerly used as a repair shop, a B4 use; that the subject beauty school also provides retail beauty services and products; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

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 school in a 1-story brick store building, on premises at 6301 S. Washtenaw Avenue/2653-57 W. 63rd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.

**Amended at the hearing.

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

APPLICANT: Patricia Hastings Henderson & Craig W. Henderson **CAL. NO.** 154-98-A

APPEARANCES FOR: John H. Anderson, Patricia & Craig Henderson **MAP NO.** 5-G

APPEARANCES AGAINST: Joseph P. Gattuso, Marvin Ullman **MINUTES OF MEETING:**
April 17, 1998

PREMISES AFFECTED- 2232 N. Dayton 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, Patricia Hastings Henderson & Craig W. Henderson, on February 11, 1998, filed an objector's appeal from the decision of the Office of the Zoning Administrator in the granting of an Exception to reduce the north side yard to 0' instead of 2.4' in order to allow the erection of a 20.82' x 6' 1-story addition to the rear of an existing 2-story 2 dwelling unit building, in an R4 General Residence District, on premises at 2232 N. Dayton Street; and

WHEREAS, on January 30, 1998, the Department of Zoning granted the Exception request of the owner of the property at 2232 N. Dayton Street in zoning exception file #97-325-ZE; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is a 24' x 124.38' lot improved with a 2-story brick 2 dwelling unit building; that the said 20.82' x 6' 1-story addition to the rear of the existing building at the subject site is under construction at this time; that no evidence was presented to indicate that the subject 1-story addition negatively affects the property at 2238 N. Dayton Street; that the Board finds that the appellant failed to prove that the Zoning Administrator abused his discretion in the granting of said Exception herein; it is therefore

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

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

APPLICANT: Richard A. Ungaretti **CAL. NO.** 155-98-A
APPEARANCES FOR: James J. Banks, Noren Ungaretti **MAP NO.** 5-F
APPEARANCES AGAINST: Dan Lauer, Mark Fisher **MINUTES OF MEETING:**
April 17, 1998
PREMISES AFFECTED- 744 W. Willow 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, Richard A. Ungaretti, on March 3, 1998, filed an objector's appeal from the decision of the Office of the Zoning Administrator in the granting of an Exception to reduce the east side yard to 1.4' instead of 2.5' in order to erect a 2 & 3-story single-family dwelling, in an R4 General Residence District, on premises at 744 W. Willow Street; and

WHEREAS, that on March 3, 1998, the Department of Zoning granted the Exception request of the owner of the property at 744 W. Willow Street in zoning exception file #97-427-ZE; and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 26' x 99' lot improved with a building foundation; that the appellant proposes to erect a 2 and 3-story single-family dwelling at the subject site; that no evidence was presented to indicate that the approved location of the subject 2 and 3-story single-family dwelling will negatively affect the property at 740-42 W. Willow Street; that the Board finds that the appellant failed to prove that the Zoning Administrator abused his discretion in the granting of said Exception herein; it is therefore

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

Ralph Davino

CAL. NO. 156-98-S

FOR: John J. Pikarski, Jr.

MAP NO. 2-H

AGAINST:

MINUTES OF MEETING

April 17, 1998

LOCATED-- 1600 W. Taylor Street

REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the establishment of an off-site accessory parking lot for private passenger automobiles, in Section #30, to fulfill the parking requirement for the establishment of a restaurant in a proposed 2-529-31 W. Taylor Street.

RECORDED--

THE VOTE

RECORDED TO

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: Jose Franco

CAL. NO. 458-97-A

APPEARANCES FOR: John J. Pikarski, Jr., Jose Franco

MAP NO. 6-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:

PREMISES AFFECTED- 2459 S. Whipple Street

February 20, 1998 and
April 17, 1998

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

ACTION OF BOARD--

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

THE VOTE

JOSEPH J. SPINGOLA
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 Franco, owner, on November 6, 1997, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 7 dwelling units, in an R4 General Residence District, on premises at 2459 S. Whipple Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 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, Sections 7.3-3 (1), 7.5-3, 7.12-1 (2) (4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on February 20, 1998 and April 17, 1998; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 2-story brick building located on the northeast corner of S. Whipple Street and W. 25th Street; that the said building contains 2 storefronts on the ground floor and dwelling units above; that one storefront was previously occupied by a barber shop which premises subsequently was converted to a dwelling unit; that the other store front was previously occupied by a tavern; that the appellant seeks to convert the tavern premises to a dwelling unit for a total of 7 dwelling units at the site; that the change of use of former non-conforming store premises to conforming dwelling units is a proper substitution of use under Section 6.4-7 of the zoning ordinance provided the building is brought into compliance with applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story brick building as 7 dwelling units, on premises at 2459 S. Whipple Street, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceeding.

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

APPLICANT: Chris Spina

CAL. NO. 43-98-Z

APPEARANCES FOR: Richard E. Zulkey

MAP NO. 1-G

APPEARANCES AGAINST:

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 450 N. Green Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 3 dwelling unit townhouse building on an irregularly shaped lot, with no front yard, no north side yard, and no rear yard instead of 12.41', 3.42', and 30', respectively.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 19, 1998.

THE VOTE

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: William J. O'Neill **CAL. NO.** 46-98-Z
APPEARANCES FOR: Paul Shadle, William J. O'Neill **MAP NO.** 11-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 4149-67 N. Kenmore Avenue / 1027-29 W. Buena Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 12 dwelling unit townhouse building, whose front yard will be 1.5', with no east side yard, and whose rear yard will be 1' instead of 15', 12.5', and 30', respectively,

ACTION OF BOARD--

VARIATION DENIED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 16,750 sq.ft. unimproved lot having a bowl-shaped frontage on N. Kenmore and W. Buena Avenues; that the applicant proposes to erect a 3-story 12 dwelling unit townhouse building at the subject site with 14 interior parking spaces with ingress and egress via the public alley abutting to the south; that a 1.5' street front yard and a zero east side yard is proposed; and

WHEREAS, that the Board finds that the 12 dwelling unit townhouse building as proposed does not comply with the recently enacted yard requirements for townhouses which provides that in no case shall a yard adjacent to a street be less than 3 feet; that no evidence was presented that would prove that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district; and that the proposed townhouse as designed is contrary to the newly enacted townhouse standards; it is therefore

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

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

APPLICANT: Montauk Investment

CAL. NO. 65-98-Z

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 1720-34 N. Winchester Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 13 dwelling unit townhouse building, whose front yard will be 7.5' instead of 14.5', with no side yards instead of 16.8' each and with no rear yard instead of 30'.

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: Paul McHugh **CAL. NO.** 49-98-S
APPEARANCES FOR: Bernard I. Citron, Paul McHugh **MAP NO.** 3-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 822-30 N. Lessing Street

NATURE OF REQUEST- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story 5 dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X*	
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on February 2, 1998; 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 finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is an unimproved 5,437 sq.ft. triangular shaped lot with frontages on W. Fry Street and N. Lessing Street and abuts a railroad embankment at the rear; that the applicant proposes to establish dwelling units below the 2nd floor in a proposed 4-story 5 dwelling unit townhouse building at the subject site which will have interior garage parking for 10 automobiles and with no front yard and a reduced rear yard and with 2 driveway cuts off of each street; that the garage doors are less than 20 feet from the streets; and

WHEREAS, that the Board finds that the 5 dwelling unit townhouse as proposed does not comply with the recently enacted yard requirements for townhouses which provides that in no case shall a yard adjacent to a street be less than 3 feet and that garage doors facing a public street must have a minimum 20 feet front yard to prevent obstruction of the sidewalk by parked cars; that the proposed townhouse as designed is contrary to the newly enacted townhouse standards; and that the proposed use is not necessary for the public convenience at this location; it is therefore

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

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

APPLICANT: Paul McHugh

CAL. NO. 50-98-Z

APPEARANCES FOR: Bernard I. Citron, Paul McHugh

MAP NO. 3-G

APPEARANCES AGAINST: None

MINUTES OF MEETING
April 17, 1998

PREMISES AFFECTED-- 822-30 N. Lessing Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 5 dwelling unit townhouse building on a triangular lot, with no front yard instead of 11' and whose rear yard will be 1' instead of 30'.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 30, 1998; 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 finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is an unimproved 5,437 sq.ft. triangular shaped lot with frontages on W. Fry Street and N. Lessing Street and abuts a railroad embankment at the rear; that on April 17, 1998, in Cal. No. 49-98-S, the Board denied the applicant's special use application for the approval of the establishment of dwelling units below the 2nd floor in a proposed 4-story 5 dwelling unit townhouse building at the subject site, finding in part, that the proposed use was not necessary for the public convenience at this location; that the applicant proposes to establish dwelling units below the 2nd floor in a proposed 4-story 5 dwelling unit townhouse building at the subject site which will have interior garage parking for 10 automobiles and with no front yard and a reduced rear yard and with 2 driveway cuts off of each street; that the garage doors are less than 20 feet from the streets; and

WHEREAS, that the Board finds that the 5 dwelling unit townhouse as proposed does not comply with the recently enacted yard requirements for townhouses which provides that in no case shall a yard adjacent to a street be less than 3 feet and that garage doors facing a public street must have a minimum 20 feet front yard to prevent obstruction of the sidewalk by parked cars; that no evidence was presented that would prove that the property in question cannot yield a reasonable return

* Listened to recorded tape of proceedings.

MINUTES OF MEETING

April 17, 1998

Cal. No. 50-98-Z

if permitted to be used only under the conditions allowed by the regulations in the district; and that the proposed townhouse as designed is contrary to the newly enacted townhouse ordinance; it is therefore

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

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

APPLICANT: Gordon Yordanoff
APPEARANCES FOR: Gary I. Wigoda. Gordon Yordanoff
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 3901 N. Southport Avenue

CAL. NO. 63-98-S
MAP NO. 9-G
MINUTES OF MEETING
 April 17, 1998

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story 12 dwelling unit townhouse building, in a B4-2 Restricted Service District.

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on February 2, 1998; 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 finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.

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

APPLICANT: Gordon Yordanoff **CAL. NO.** 64-98-Z
APPEARANCES FOR: Gary I. Wigoda, Gordon Yordanoff **MAP NO.** 9-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
April 17, 1998
PREMISES AFFECTED-- 3901 N. Southport Avenue

NATURE OF REQUEST--Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 4-story 12 dwelling unit townhouse building, whose south front yard will be 3' instead of 5'**, and whose east side yard will be 9' instead of 12'**. .

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, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on April 17, 1998, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on February 2, 1998; 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 finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Listened to recorded tape of proceedings.
 **Amended at the hearing

MINUTES OF MEETING

April 17, 1998

Cal. No. 125-97-S

Ronald E. Garner, for Christian Fellowship, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the expansion of an existing church by connecting two existing 1-story brick buildings with a 1-story 13'x 95' addition between, on premises at 445 W. 119th Street, approved by the Board on April 18, 1997 in Cal. No. 125-97-S.

Mr. Garner stated that the request is due to the need of the applicant to obtain financing to comply with the landscape requirements of the zoning ordinance and that the permit process took much longer than anticipated.

Chairman Spingola moved that the request be granted and the time for obtaining necessary landscape financing and obtaining building permits be extended to April 18, 1999. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

April 17, 1998

Cal. No. 126-97-S

Ronald E. Garner, for Pleasant Green M.B. Church, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the expansion of an existing 2-story church by the erection of a 2-story addition to the south side, on premises at 7533-51 S. Vincennes Avenue, approved by the Board on April 18, 1997 in Cal. No. 126-97-S.

Mr. Garner stated that the request is due to the need of the applicant to obtain financing to comply with the landscape requirements of the zoning ordinance and that the permit process took much longer than anticipated.

Chairman Spingola moved that the request be granted and the time for obtaining necessary landscape financing and obtaining building permits be extended to April 18, 1999. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

April 17, 1998

Cal. No. 87-97-S

Rebecca P. Watson, for Victory Ministries, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the establishment of a 224-seat church in a 4-story brick building, on premises at 356-68 W. Chicago Avenue, approved by the Board on March 21, 1997, in Cal. No. 87-97-S.

Ms. Watson stated that because the renovation of the existing building at the subject site has taken longer than anticipated, the special use approved by the Board expired before the applicant could finish the renovations.

Chairman Spingola moved that the request be granted and the time for obtaining necessary building permits be extended to March 21, 1999. The motion prevailed by yeas and nays as follows:

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

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

MINUTES OF MEETING

April 17, 1998

Member Komstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on May 15, 1998.



Secretary