

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, November 20, 1992

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

The following members were present and constituted a quorum:

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

MINUTES OF MEETING

November 20, 1992

Member McCabe-Miele moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on October 16, 1992 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Sammie Hall
 APPEARANCES FOR: Sammie Hall
 APPEARANCES AGAINST: Bonnie M. Keating, et al.

CAL. NO. 256-92-Z
 MAP NO. 15-L
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 6229 N. Leona Avenue

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

ACTION OF BOARD—

THE VOTE

Variation denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Sammie Hall, owner, on October 1, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, an existing detached frame garage on the rear of the lot to be used as a studio for the property owner, which use will be located in the required rear yard, on premises at 6229 N. Leona Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 24, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.9-2, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 35' x 124.67' lot improved with a 2-story brick single-family dwelling with attached garage on the front of the lot and a 1-car frame garage on the rear of the lot; that the applicant seeks to convert the existing detached frame garage for use as an artist's studio; that the applicant testified that the existing front garage and the basement of the existing single-family dwelling were unsuitable for a studio use due to lack of sufficient light; that the garage building at the rear of the lot has sliding glass doors and provides a more suitable environment for her studio; that the applicant stated that the proposed studio is for a hobby use only and that she receives no income from her art work; that a City of Chicago Zoning Department inspector testified that conversion of the garage to an artist's studio began July 10, 1992 without the necessary permit and an interior inspection of the premises on November 6, 1992 indicated the aforesaid sliding glass doors had been installed, electrical work done and plumbing work done for the installation of a hot water

MINUTES OF MEETING

November 20, 1992

Cal. No. 256-92-Z

tank; that an architect testifying in opposition to the applicant's proposal, stated that in his opinion as an architect, the drawings he reviewed indicated a conversion of the garage to a dwelling unit; that no substantial evidence was presented by the applicant to indicate that a severe hardship exists nor that a reasonable return could not be obtained on her property without the requested variation; that the Board finds in this case that the proposed use of the garage at the rear of the subject site as an artist's studio is not compatible with the existing single-family residential character and zoning of the neighborhood and is not in the public interest at this location; 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: Matthew Barone
 APPEARANCES FOR: Joseph V. Roddy, Matthew Barone
 APPEARANCES AGAINST:

CAL. NO. 257-92-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 2525 N. Ashland Avenue

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

ACTION OF BOARD—

THE VOTE

Variation granted.

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

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

THE RESOLUTION:

WHEREAS, Matthew Barone, for First Chicago Trust Co. of Illinois, Tr. #RV0011429, owner, on September 23, 1992, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the dormering of the attic of a 2½-story frame 5 dwelling unit building, whose north side yard will be 0.3' instead of 2.5', on premises at 2525 N. Ashland Avenue; and

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

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, §8.7-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is a 25' x 103' lot improved with a 2½-story frame 5 dwelling unit building including an attic dormer on the north side of the existing building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said dormers are necessary to provide additional headroom and living space in the front and rear second story dwelling units; that the plight of the owner is due to the applicant's desire to provide additional living space in the second floor dwelling units and that the construction of the dormer was done without proper permits, which the applicant now seeks to legalize; that the variation, if granted, will not alter the essential character of the locality in that the said attic dormer will be compatible with existing improvements in the block, many of which do not conform with the north side yard requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

November 20, 1992

Cal. No. 257-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2½-story frame 5-dwelling unit building, whose north side yard will be 0.3' instead of 2.5', on premises at 2525 N. Ashland Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Edward Sharp
 APPEARANCES FOR: Patrick FitzGerald
 APPEARANCES AGAINST:

CAL. NO. 258-92-Z
 MAP NO. 3-H
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 2202-08 W. LeMoyne Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Edward Sharp, owner, on September 30, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 2-dwelling unit townhouse building with attached garages, whose front and rear yards will be 8.17 feet instead of 15 feet and 30 feet respectively, on premises at 2202-08 W. LeMoyne Street; and

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

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 31.5' x 124.83' unimproved lot located at the northwest corner of the intersection of N. Leavitt and W. LeMoyne Streets; that the applicant proposes to erect a 2-story 2-dwelling unit townhouse building at the subject site with the dwelling units separated by a 2-automobile attached garage; that the proposed development will face onto W. LeMoyne Street; that the applicant owns and resides at the property directly abutting north of the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that without the variations requested the applicant would not be able to provide attached garage parking and private yard space which would result in a less saleable configuration for the proposed dwelling units; that the plight of the owner is due to unique circumstances in that the configuration of the subject lot required greater and coverage in order to erect a 2-dwelling unit townhouse development, as designed, than would a multi-unit apartment building; that the proposed 2-dwelling unit townhouse building

MINUTES OF MEETING

November 20, 1992

Cal. No. 258-92-Z

will be compatible with existing residential improvements in the neighborhood, many of which do not comply with the front and rear yard requirements of the zoning ordinance; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 2-dwelling unit townhouse building with attached garages, whose front and rear yards will be 8.17 feet instead of 15 feet and 30 feet respectively, on premises at 2202-08 W. LeMoyne Street, upon condition all garbage receptacles shall be shall be located within the proposed attached garages; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Rev. Darryl Hickman
 APPEARANCES FOR: Rev. Darryl Hickman
 APPEARANCES AGAINST:

CAL. NO. 259-92-Z
 MAP NO. 22-E
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 8825 S. Calumet Avenue

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

ACTION OF BOARD—

Variations granted.

THE VOTE

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

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

THE RESOLUTION:

WHEREAS, Rev. Darryl Hickman, owner, on October 5, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 1-story 13' x 43' addition to the north side of a 2-story brick and frame single-family dwelling and a 1-story 13.67' x 16' addition with a 6.17' x 11.5' breezeway to the rear, whose front yard will be 12.5 feet instead of 16.5 feet, whose rear yard will be 22 feet instead of 30 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 8825 S. Calumet Avenue; and

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

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-2, §7.7-2, §7.9-2. §11.7-4(1), §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 48' x 103' lot improved with a 2-story with basement brick and frame single-family dwelling with a frame 2-automobile garage at the rear; that the subject site is located on the northeast corner of the intersection of E. 88th Place and S. Calumet Avenue; that the applicant proposes to erect a 1-story 13' x 43' addition to the north side of the existing residential building and a 1-story 13.63' x 16' addition with a 6.17' x 11.5 connecting breezeway to the existing garage; that the applicant is a pastor of a local community church and that in addition to his own family of five children, he is raising an additional six children and that his home is open to any children of the congregation whose parents are either deceased, sick or incapacitated in any way; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary

MINUTES OF MEETING

November 20, 1992

Cal. No. 259-92-Z

to provide additional living space to meet the needs of the applicant and his extended family; that the plight of the owner is due the configuration of the existing single-family dwelling and garage on the subject lot which necessitates the front and rear yard variations requested; that the proposed additions will not impair an adequate supply of light and air to adjacent property; that the variations, if granted, will not alter the essential character of the neighborhood in that the existing single-family dwelling with the proposed additions, located on a double lot, will be compatible with existing improvements in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 13' x 43' addition to the north side of a 2-story brick and frame single-family dwelling and a 1-story 13.67' x 16' with a 6.17' x 11.5' breezeway to the rear, whose front yard will be 12.5 feet instead of 16.5 feet, whose rear yard will be 25 feet instead of 30 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 8825 S. Calumet Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: William and Darla Aumann
 APPEARANCES FOR: William Aumann
 APPEARANCES AGAINST:

CAL. NO. 260-92-Z
 MAP NO. 16-M
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 5933 W. 63rd Place

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, William and Darla Aumann, owners, on October 7, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2nd story 24' x 35' addition to a 1-story brick single-family dwelling, whose side yards will be approximately 3 feet each instead of combined side yards of 9 feet and whose total floor area ratio will be 0.53 instead of 0.50, on premises at 5933 W. 63rd Place; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the applicant proposes to remove the existing roof and erect a 2nd story 24' x 35' addition to an existing 1-story brick single family dwelling; that the subject site is a 30' x 118.59' lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to provide additional living space to meet the needs of the applicant and his family; that the plight of the owner is due to unique circumstances in that without the variations requested, the proposed addition, consisting of three bedrooms and bath, would not contain adequate living space; that the variations, if granted, will not alter the essential character of the locality in that the proposed addition will be compatible with existing improvements in the area, some of which have a 2nd story; it therefore

MINUTES OF MEETING

November 20, 1992

Cal. No. 260-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit, the erection of a 2nd story 24' x 35' addition to a 1-story brick single-family dwelling, whose side yards will be approximately 3 feet each instead of combined side yards of 9 feet and whose total floor area ratio will be 0.53 instead of 0.50, on premises at 5933 W. 63rd Place, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Richland Group Enterprises, Inc.
 APPEARANCES FOR: Dennis Aukstik
 APPEARANCES AGAINST:

CAL. NO. 261-92-Z
 MAP NO. 6-F
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 2343-49 S. Normal Avenue and 2355-61 S. Archer Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richard Group Enterprises, Inc., for Lakeside Bank, Tr. #10-1456, owner, on September 24, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 5-dwelling unit townhouse building on an irregularly shaped lot, whose front yard will be 3 feet instead of 5.7 feet and whose rear yard will be 1.83 feet instead of 30 feet, on premises at 2343-49 S. Normal Avenue and 2355-61 S. Archer Avenue, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 26, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.9-4, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 5,120 sq. ft. irregular-shaped unimproved parcel of land; that the applicant proposes to erect a 3-story 5-dwelling unit townhouse with on-site parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 3-story 5-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to the irregular shape of the subject site lot; that the proposed use will be compatible with existing improvements in the area; and that the variations, if granted, will not alter the essential character of the neighborhood which contains residential improvements which do not comply with the front and rear yard requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

November 20, 1992

Cal. No. 261-92-Z

WHEREAS, the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 5-dwelling unit townhouse building on an irregularly shaped lot, whose front yard will be 3 feet instead of 5.7 feet and whose rear yard will be 1.83 feet instead of 30 feet, on premises at 2343-49 S. Normal Avenue & 2355-61 S. Archer Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Richland Group Enterprises, Inc.
 APPEARANCES FOR: Dennis Aukstik
 APPEARANCES AGAINST:

CAL. NO. 262-92-Z
 MAP NO. 6-F
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 2353-65 S. Normal Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richland Group Enterprises, Inc., for Lakeside Bank, Tr. #10-1456, owner, on September 24, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 5-dwelling unit townhouse building on an irregularly shaped lot, whose front yard will be 2 feet instead of 4.4 feet and whose rear yard will be 1.29 feet instead of 30 feet, on premises at 2353-65 S. Normal Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 26, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.9-4, :11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 5,537 sq. ft. irregular-shaped unimproved parcel of land; that the applicant proposes to erect a 3-story 5-dwelling unit townhouse building with on-site parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 3-story 5-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to the irregular shape of the subject site lot; that the proposed use will be compatible with existing improvements in the area; and that the variations, if granted, will not alter the essential character of the neighborhood which contains residential improvements which do not comply with the front and rear yard requirements of the zoning ordinance; it is therefore

MINUTES OF MEETING

November 20, 1992

Cal. No. 262-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 5-dwelling unit townhouse building on an irregular-shaped lot, whose front yard will be 2 feet instead of 4.4 feet and whose rear yard will be 1.29 feet instead of 30 feet, on premises at 2353-65 S, Normal Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: R.J. Development Corp.

CAL. NO. 263-92-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
November 20, 1992

PREMISES AFFECTED— 3137 N. Southport Avenue

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

ACTION OF BOARD—

Variations granted.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, R.J. Development Corp., owner, on October 13, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, (R5 General Residence District pending), the erection of a 2-story 7-dwelling unit building, whose west front yard will be 1.6' instead of 15 feet and with no east rear yard instead of 30 feet, on premises at 3137 N. Southport Avenue; and

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

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-5, §7.9-5, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

WHEREAS, the district maps show that the premises is located in an R3 General Residence District (R5 General Residence District pending); and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and the arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on November 6, 1992, the City Council rezoned the subject site from R3 to R5 General Residence specifically for the proposed residential development; that the applicant proposes to erect a 2-story 7-dwelling unit building with garage parking on the 1st level, at the subject site; that the subject site is a 6,138 sq. ft. unimproved lot located on the northeast corner of the intersection of N. Southport Avenue and W. Fletcher Street, with frontage of the development on W. Fletcher Street; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed 2-story 7-dwelling unit building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that while the proposed 7-dwelling units are less than the amount permitted in the district, the proposed 2-story 7-dwelling unit building requires greater land coverage with encroachment into required yards that would a yard-conforming multi-story rental apartment building; that the proposed development will be compatible with existing residential improvements in the

MINUTES OF MEETING

November 20, 1992

Cal. No. 263-92-Z

area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 7-dwelling unit building, whose west front yard will be 1.6' instead of 15 feet and with no east rear yard instead of 30 feet, on premises at 3137 N. Southport Avenue, upon condition that adequate space shall be provided on site for garbage receptacles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Deliverance Temple Apostolic Church, by Elder Harry R. Wilson, Jr.
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 264-92-Z
 MAP NO. 4-K
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 1457 S. Komensky Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Deliverance Temple Apostolic Church, by Elder Harry R. Wilson, Jr., for Deliverance Temple Apostolic Church, owner, on September 25, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1-story 42' x 80' 250-seat church building, whose front yard will be 7.5 feet instead of 10.86 feet, whose south side yard will be 3 feet instead of 7.5 feet and with no rear yard instead of 30 feet, on premises at 1457 S. Komensky Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 22, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.7-4, §7.8-4(2), §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 50' x 90.56' unimproved reversed corner lot on the northeast corner of the intersection of W. 15th Street and S. Komensky Avenue; that the applicant church is presented located contiguous to and east of a lot containing a 2-story brick building which is occupied by the applicant church on the first floor and a residence above; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to erect a church with adequate space to meet the needs of the congregation; that the existing church facility abutting the subject site to the east will be used as a fellowship facility; that the plight of the owner is due to unique circumstances in that the subject site is a reversed corner lot necessitating the yard variations requested; that the proposed church, with adequate off-street parking to be located at 1507 S. Komensky Avenue in companion application 265-92-S, will be compatible with existing improvements in the neighborhood; and that the variations, if granted, will not

MINUTES OF MEETING

November 20, 1992

Cal. No. 264-92-Z

alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 42' x 80' 250-seat church building, whose front yard will be 7.5 feet instead of 10.86 feet, whose south side yard will be 3 feet instead of 7.5 feet and with no rear yard instead of 30 feet, on premises at 1457 S. Komensky Avenue, upon condition that off-street parking to satisfy the parking requirement for the proposed church shall be located at 1507 S. Komensky Avenue as provided for in companion application 265-92-S; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Deliverance Temple Apostolic Church, by Elder Harry R. Wilson, Jr.
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 265-92-S
 MAP NO. 4-K
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 1503 S. Komensky Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Deliverance Temple Apostolic Church, by Elder Harry R. Wilson, Jr., for Deliverance Temple Apostolic Church, owner, on September 25, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 26 private passenger automobiles, in an R4 General Residence District, on premises at 1503 S. Komensky Avenue, to satisfy the parking requirement for a proposed 250-seat church at 1457 S. Komensky Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 22, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-4, §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 November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on November 20, 1992, the Board granted the erection of a 1-story 42' x 80' 250-seat church building, on premises at 1457 S. Komensky Avenue, whose front yard will be 7.5 feet instead of 10.86 feet, whose south side yard will be 3 feet instead of 7.5 feet and with no rear yard instead of 30 feet; that the subject site in this case is a 75' x 125' unimproved lot located across the street from the said church at 1457 S. Komensky Avenue; that the proposed off-site accessory parking lot at the subject site is necessary for the public convenience at this location to satisfy the parking requirement for the said church; that the public health safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot, located across W. 15th Street from the applicant church, will be compatible with existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

November 20, 1992

Cal. No. 265-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator in authorized to permit the establishment of an off-site accessory parking lot for the parking of 26 private passenger automobiles, on premises at 1503 S. Komensky Avenue, to satisfy the parking requirement for a proposed 250-seat church at 1457 S. Komensky Avenue, upon condition that no use shall be made of the property for the purpose requested until the following conditions shall have been complied with: that the parking lot shall be limited to the parking of private passenger automobiles only belonging to the members of the church congregation and that no commercial vehicle shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 6' high chain link fence shall be provided on the east side of the subject lot; that a 5' high solid wood fence shall be provided on the south side of the lot; that appropriate landscaping which complies with the Chicago Landscape Ordinance shall be provided on the north and west sides of the lot, excepting the driveway; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential properties; that concrete wheel stops shall be provided; that ingress and egress shall be from S. Komensky Avenue; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the alley abutting the site to the east; that the parking lot shall be securely locked at all times when not in use by the applicant church; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards established under this order and under Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Rev. Sammy J. Davis
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 266-92-Z
 MAP NO. 12-G
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 5336 S. Morgan Street

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

ACTION OF BOARD—

THE VOTE

Variations granted.

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

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

THE RESOLUTION:

WHEREAS, Rev. Sammy J. Davis, owner, on September 25, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2nd story addition to the rear and a 1 and 2-story addition to the south side of a 1 and 2-story church building all of which is proposed to be used as a 403-seat auditorium, Sunday school, fellowship hall and office space, whose north side yard will be 3.5 feet and whose south side yard will be 7 feet instead of 12 feet each, whose rear yard will be 4 feet instead of 30 feet, whose floor area ratio will be 1.24 instead of 0.70, and with off-street parking for 28 instead of 34 automobiles, on premises at 5336 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.6-3, §7.8-3(4), §7.9-3, §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 125' x 125' lot improved with a 1 and 2-story brick and frame church building; that the applicant proposes to erect a 2nd story addition to the rear and a 1 and 2-story addition to the south side of an existing 1 and 2-story church building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations and floor area ratio variation requested are necessary to construct additions, as designed, to meet the expanded needs of the church and its approximately 400-member congregation; that the plight of the owner is due to the unique octagonal design

MINUTES OF MEETING

November 20, 1992

Cal. No. 266-92-Z

of the proposed 1 and 2-story addition to the south of the existing church building and to the applicant's design to locate the proposed building at the rear of the lot so that it will be more functional with the existing church building and to also provide a landscaped front yard; that the reduction in off-street parking is necessitated by the limited space available on the proposed off-site accessory parking lot to be located at 5316-22 S. Morgan Street as provided for in companion application Cal. No. 267-92-S; that the proposed 2nd story addition to the rear of an existing church and the proposed 1 and 2-story addition will be compatible with existing improvements in the neighborhood; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2nd story addition to the rear and a 1 and 2-story addition to the south side of a 1 and 2-story church building all of which is proposed to be used as a 403-seat auditorium, Sunday school, fellowship hall and office space, whose north side yard will be 3.5 feet and whose south side yard will be 7 feet instead of 12 feet each, whose rear yard will be 4 feet instead of 30 feet, whose floor area ratio will be 1.24 instead of 0.70, and with off-street parking for 28 instead of 34 automobiles, on premises at 5336 S. Morgan Street, upon condition that accessory off-site parking shall be provided at 5316-22 S. Morgan Street, as applied for in Calendar No. 267-92-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Rev. Sammy J. Davis
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 267-92-S
 MAP NO. 12-G
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 5316-22 S. Morgan Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Rev. Sammy J. Davis, owner, on September 25, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of 28 private passenger automobiles, in an R3 General Residence District, on premises at 5316-22 S. Morgan Street, to satisfy the parking requirement for a proposed 403-seat church at 5336 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-3(1), §7.4-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 75' x 125' unimproved lot; that on November 20, 1992, the Board approved the erection of a 2nd story addition to the rear and a 1 and 2-story addition to the south side of a 1 and 2-story church building all of which is proposed to be used as a 403-seat auditorium, Sunday school, fellowship hall and office space, whose north side yard will be 3.5 feet and whose south side yard will be 7 feet instead of 12 feet each, whose rear yard will be 4 feet instead of 30 feet, whose floor area ratio will be 1.24 instead of 0.70, and with off-street parking for 28 instead of 34 automobiles, which additions will be located at 5336 S. Morgan Street, in Calendar No. 266-92-Z; that the proposed use is necessary for the public convenience at the subject site location in this case to satisfy the parking requirement for the proposed 403-seat church at 5336 S. Morgan Street; that the public health, safety and welfare will be adequately protected in the design, location

MINUTES OF MEETING
November 20, 1992
Cal. No. 267-92-S

and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; and that the proposed parking lot, with appropriate landscaping, will be compatible with existing improvements in the block and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of 28 private passenger automobiles, on premises at 5316-22 S. Morgan Street, to satisfy the parking requirement for a proposed 403-seat church at 5336 S. Morgan Street, upon condition that no use shall be made of the property for the purpose requested until the following conditions shall have been complied with: that the parking lot shall be limited to the parking of private passenger automobiles belonging to the members of the church congregation and that no commercial vehicles shall be parked upon said lot at any time; that a 6 feet high decorative solid wood fence shall be provided on the north lot line and on the south lot line to screen the facility from abutting residential property located south of the subject site; that a 6 feet high chain link fence shall be provided on the west lot line; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential properties; that ingress and egress shall be from S. Morgan Street; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the public alley abutting the site to the west; that the parking lot shall be securely locked at all times when not in use by the church; that applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Rev. Sammy J. Davis
 APPEARANCES FOR: Paul Williams
 APPEARANCES AGAINST:

CAL. NO. 268-92-Z
 MAP NO. 12-G
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 5316-22 S. Morgan Street

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

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Rev. Sammy J. Davis, owner, on September 25, 1992, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the establishment of an off-site accessory parking lot whose front yard will be 5 feet instead of 20 feet, on premises at 5316-22 S. Morgan Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 2, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-3(1). §7.4-3(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 75' x 12' unimproved lot; that on November 20, 1992, the Board approved the establishment of an off-site accessory parking lot for the parking of 28 private passenger automobiles at the subject site to fulfill the parking requirement for a proposed 403-seat church at 5336 S. Morgan Avenue, in Calendar No. 267-92-S; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front yard variation requested is necessary to allow two 16 feet wide handicapped parking spaces and also landscaping on the S. Morgan Street frontage; that the plight of the owner is due to the necessity of providing required handicapped parking spaces and landscaping; that the proposed parking lot with landscaping on the S. Morgan Street frontage, will be compatible with existing improvements in the area; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 20, 1992

Cal. No. 268-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the establishment of an off-site accessory parking lot whose front yard will be 5 feet instead of 20 feet, on premises at 5316-22 S. Morgan Street, upon condition that the said parking lot shall be improved and maintained under the conditions and standards hereby established in Calendar No. 267-92-S; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Celestial Church of Christ

CAL. NO. 269-92-S

APPEARANCES FOR:

MAP NO. 15-G

MINUTES OF MEETING
November 20, 1992

APPEARANCES AGAINST:

PREMISES AFFECTED— 5840 N. Broadway

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 15, 1993.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Circle Urban Ministries
 APPEARANCES FOR: Donald Matikis
 APPEARANCES AGAINST:

CAL. NO. 270-92-S
 MAP NO. 1-M
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 115 N. Parkside Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Circle Urban Ministries, owner, on August 11, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a community center in a 3-story brick building, in an R4 General Residence District, on premises at 115 N. Parkside Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 4, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.4-1, §11.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and argument 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 100' x 173' lot improved with two 4-story vacant and boarded buildings at 115 and 119 N. Parkside Avenue; that the application is a social service agency located at 118 N. Parkside and proposes to expand some of its existing programs into the building at 115 N. Parkside Avenue and to raze the building on 119 N. Parkside Avenue in order to provide a 19-space parking area; that the proposed use is necessary for the public convenience at this location to provide additional space for various social service programs operated by the applicant, such as a family practice medical clinic, dental clinic, family counseling center, housing for volunteers and program staff and administrative offices; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable building code regulations in the renovation of the building at 115 N. Parkside Avenue and that adequate off-street parking will be provided; that the proposed use will be an improvement of a vandalized building and a continuation of an existing use in the neighborhood; and that the proposed use will not cause substantial injury to the value of other property in the area;

MINUTES OF MEETING

November 20, 1992

Cal. No. 270-92-S

it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a community center in a 3-story brick building, on premises at 115 N. Parkside Avenue, upon condition that no use shall be made of the building at the subject site for the purpose requested until it complies with all applicable building code regulations; that the parking area located at 119 N. Parkside shall be limited to the parking of private passenger automobiles only 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 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails 2 feet high shall be erected on the north, east and west lot lines, excepting the driveway; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be from N. Parkside Avenue; that there shall be no ingress or egress from the abutting alley to the east; that the driveway shall be constructed in accordance with applicable ordinances; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the city of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the parking area continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Frances Scarpelli
 APPEARANCES FOR: James P. Etchingham, Frances Scarpelli
 APPEARANCES AGAINST:

CAL. NO. 271-92-S
 MAP NO. 9-N
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 7145 W. Irving Park Road
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Frances Scarpelli, for Parkway Bank & Trust Co., Tr. #08982, owner, on October 10, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a tavern in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 7145 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 29, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.4-4(6), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 1-story commercial building with on-site parking, presently occupied by Chicago End Zone Sports Bar and Grill; that the applicant purchased the building in 1985 as an operating restaurant and lounge; that the restaurant/lounge use ceased in 1988 and the applicant leased out the premises for use as a pizza/lounge operation which use ceased within a year; that in April, 1991 the applicant leased the premises to a new tenant who established the present Chicago End Zone Sports Bar and Grill and which use was taken over by the applicant in June, 1992; that the operation at the subject site, as it now exists, is that of a tavern with accessory food service and that the applicant seeks special use approval in order to obtain the necessary tavern liquor license; that the proposed use is necessary for the public convenience at this location to continue to provide a recreational service to the residents in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate on-site parking; that the subject site is located in a business district on a major arterial street with an alley buffering the subject site from residential improvements

MINUTES OF MEETING

November 20, 1992

Cal. No. 271-92-S

to the south; and that the establishment of the proposed use at the subject site will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a tavern with accessory food service in a 1-story brick building, on premises at 7145 W. Irving Park Road, upon condition that the tavern use shall at all times be operated in such a manner so as not to be a nuisance in the area in order to protect the public health, safety and welfare; that adequate provisions shall be made for noise control; that the site shall be monitored regularly for litter; that there shall be adequate space on the site for garbage dumpsters; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Tower Signs, Inc.

CAL. NO. 272-92-S

APPEARANCES FOR:

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING
November 20, 1992

PREMISES AFFECTED— 3150 N. Halsted Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 15, 1993.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

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

APPLICANT: Tower Signs, Inc.

CAL. NO. 273-92-S

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING

November 20, 1992

PREMISES AFFECTED— 415 W. Huron Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 15, 1993.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Tower Signs, Inc.

CAL. NO. 274-92-S

APPEARANCES FOR:

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING

November 20, 1992

PREMISES AFFECTED— 1907 N. Mendell Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 15, 1993.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Outreach Mission Christian Center
 APPEARANCES FOR: Donna Pugh, et al.
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 2335 W. Madison Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 275-92-S
 MAP NO. 2-H
 MINUTES OF MEETING
 November 20, 1992

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Outreach Mission Christian Center, for George Eastman, owner, on October 29, 1992, filed and subsequently amended an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 60-bed transitional shelter for men in a 1-story brick building, in a B4-3 Restricted Service District, on premises at 2335 W. Madison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 16, 1992, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on October 29, 1992; and

WHEREAS, the district maps show that the premises is located in a B4-3 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is improved with a 1-story brick commercial building; that the applicant proposes to established a transitional shelter facility for men at the subject site, which will contain 60 beds; that the establishment of a transitional shelter facility is necessary for the public convenience at this location in that there is a demonstrated need for such a facility in this area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will meet all applicable building code regulations and which will comply with the conditions hereinafter set forth; that the proposed use of the building on the subject site as a transitional shelter facility fulfills a need in the community and is consistent with the present use of the building as a neighborhood food pantry, and that the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING
November 20, 1992
Cal. No. 275-92-S

the Zoning Administrator is authorized to permit the establishment of a 60-bed transitional shelter for men in a 1-story brick building, on premises at 2335 W. Madison Street, upon condition that the building is brought into compliance with all applicable building code regulations and in conformance with revised plans submitted, dated November 11, 1992; that the premises shall not be used as a shelter facility until the building complies with all applicable code regulations; that there shall be professional staff on premises during all hours of operation; that adequate security shall be provided; that no liquor, drugs or weapons shall be allowed on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

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

RESOLVED, that any deviation from the specified use of the subject premises as a transitional shelter facility or any increase in beds or the number of clients to be served, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Edward Rybicki
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 276-92-A
MAP NO. 3-G
MINUTES OF MEETING
November 20, 1992

PREMISES AFFECTED— 1420 W. Blackhawk Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Emily Bendoraitis
 APPEARANCES FOR: John A. Gibaitis
 APPEARANCES AGAINST:

CAL. NO. 277-92-A
 MAP NO. 8-I
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 2416 W. 36th 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
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Gigi McCabe-Miele
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Emily Bendoraitis, owner, on October 13, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick and frame building as 6 dwelling units, in an R3 General Residence District, on premises at 2416 W. 36th Street; and

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

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.5-3, §7.12-1, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the testimony presented indicates that the 2-story brick and frame building on the subject site has been occupied as 6 dwelling units since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 6 dwelling units, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of the 2-story brick and frame building on premises at 2416 W. 36th Street, as 6 dwelling units, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Fabian Sanchez
 APPEARANCES FOR: Fabian Sanchez
 APPEARANCES AGAINST:

CAL. NO. 278-92-A
 MAP NO. 6-J
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 2801 S. Millard Avenue

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

ACTION OF BOARD—

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Fabian Sanchez, for Reynaldo Gonzalez, owner, on October 5, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a motor vehicle repair shop in a frame garage on the rear of a lot improved with a 2-story brick residence at the front, in an R3 General Residence District, on premises at 2801 S. Millard Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 2, 1992, reads:

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-3, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 50' x 125' lot improved with a 2-story brick apartment building on the front of the lot and a 2-car brick garage on the rear of the lot with ingress/egress from W. 28th Street; that the appellant is seeking a motor vehicle repair license to allow motor vehicle repair work at the site; that the appellant testified that he only repairs family cars at the site; that the appellant's application states that he currently conducts business at the subject site location from 10 A.M. to 6 P.M.; that the appellant testified that there was no business use at the site prior to when he started his motor vehicle repair work in 1990; that the subject garage is located in an R3 General Residence District; that under Section 7.3-3 of the zoning ordinance the Board has no authority to permit the establishment of a motor vehicle repair business in the 2-car garage on site; it is therefore

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

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

APPLICANT: Betty F. McDaniel

CAL. NO. 279-92-A

APPEARANCES FOR:

MAP NO. 22-E

MINUTES OF MEETING

November 20, 1992

APPEARANCES AGAINST:

PREMISES AFFECTED— 9020 S. Langley Avenue

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

ACTION OF BOARD—

Case continued to
January 15, 1993.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Paxton Landfill Corporation
APPEARANCES FOR: Thomas Murphy
APPEARANCES AGAINST:

CAL. NO. 168-92-S
MAP NO. 28-C

MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— Area bounded by E. 116 Street, S. Oglesby Avenue, E. 117th Street, S. Yates Avenue, E. 119th Street and S. Paxton Avenue, commonly known as 11601 S. Paxton Avenue.

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued For Status
 to December 18, 1992.

THE VOTE

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

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

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

APPLICANT: Henry Jennings

CAL. NO. 133-92-A

APPEARANCES FOR:

MAP NO. 10-E

MINUTES OF MEETING

November 20, 1992

APPEARANCES AGAINST:

PREMISES AFFECTED— 4239 S. Dr. Martin Luther King, Jr. Drive

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

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

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

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

APPLICANT: Myron E. Hazen

CAL. NO. 225-92-A

APPEARANCES FOR:

MAP NO. 28-E

APPEARANCES AGAINST:

MINUTES OF MEETING

November 20, 1992

PREMISES AFFECTED— 645 E. 113th Street

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Faith Cathedral Ministries, Inc., Contract Purchaser CAL. NO. 152-92-S
 APPEARANCES FOR: Clinton O. Sims, Carol A. Johnson, John Mauck MAP NO. 16-I
 APPEARANCES AGAINST: S. Kuprys, et al. MINUTES OF MEETING
 November 20, 1992
 PREMISES AFFECTED— 2424 W. 69th Street
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Faith Cathedral Ministries, Inc., Contract Purchaser, for Palos Bank & Trust Co., Tr. #1-1481, owner, on May 18, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 64-seat church in a 1 and 2-story brick former funeral home building, in a B2-2 Restricted Retail District, on premises at 2424 W. 69th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 8, 1992, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is a 25' x 126.5' lot improved with a 2-story brick former funeral home; that no evidence was presented to indicate that the establishment of a church at the subject site location would not cause substantial injury to the value of other property in the neighborhood; that a tavern exists directly south across the street from the subject site within less than 100 feet; that the Board takes judicial notice of Illinois State Statute Chapter 43, §127 which could jeopardize the liquor license of said tavern by the establishment of the proposed church at the subject site; that a church at the subject site is not compatible with the business character of W. 69th Street and that the proposed use is not in the public interest in that the economic viability and future development of permitted uses in the area would be restricted; 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: Faith Cathedral Ministries, Inc., Contract Purchaser
 APPEARANCES FOR: Clinton O. Sims, Carol A. Johnson, John Mauck
 APPEARANCES AGAINST: S. Kuprys, et al.

CAL. NO. 153-92-S
 MAP NO. 16-I
 MINUTES OF MEETING
 November 20, 1992

PREMISES AFFECTED— 6841-45 S. Artesian Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application denied.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Faith Cathedral Ministries, Inc., Contract Purchaser, for Palos Bank & Trust Co., Tr. #1-1481, owner, on May 18, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in an R3 General Residence District, on premises at 6841-45 S. Artesian Avenue, to satisfy the parking requirement for a proposed 64-seat church at 2424 W. 69th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 8, 1992, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and argument of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 75' x 125' lot previously used as an off-site parking lot for a former funeral home building located at 2424 W. 69th Street; that on November 20, 1992, the Board denied the applicant's application for a special use under the zoning ordinance for the approval of the location and the establishment of a 64-seat church in a 1 and 2-story brick former funeral home building at 2424 W. 69th Street, in Calendar No. 152-92-S, finding, in part, that no evidence was presented indicating that the establishment of a church at 2424 W. 69th Street would not cause substantial injury to the value of other property in the neighborhood and that the proposed use was not in the public interest at the site in that the economic viability and future development of permitted uses in the area would be restricted; that the denial of the establishment of the aforesaid church negates the application in this case for the establishment of an off-site accessory parking lot at 6841-45 S. Artesian Avenue; 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: Catholic Charities
APPEARANCES FOR: Jody K. Debs, David Narefsky
APPEARANCES AGAINST: William Murray, et al.
PREMISES AFFECTED— 7000 S. Aberdeen Street
SUBJECT— Application for the approval of a special use.

CAL. NO. 198-92-S
MAP NO. 16-G
MINUTES OF MEETING
 August 21, 1992 and
 November 20, 1992

ACTION OF BOARD—

THE VOTE

Application approved.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
	x	
x		
A b s t a i n		

THE RESOLUTION:

WHEREAS, Catholic Charities, owner, on June 19, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 195 bed transitional and temporary overnight shelter in a 3-story brick building, in an R4 General Residence District, on premises at 7000 S. Aberdeen Street; and

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

"Application not approved. Requested certification does not conform with applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §7.3-4, §7.4-4(13), §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its meetings held on August 21, 1992 and November 20, 1992 after due notice thereof by publication in the Chicago Sun-Times on August 3, 1992 and October 28, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a R4 General Residence District; that on July 7, 1992, the City Council rezoned the subject site specifically for the proposed uses; that the subject site is a 61,215+ sq. ft. parcel of land with buildings formerly occupied by the Sacred Heart Catholic Church and School; that a three-story school building on the site will be converted into the proposed transitional and temporary overnight shelters; that an adjacent three - story church building will be converted into a drop-in center/dining room; that a detached one and two-story building will house a Head Start program operated by the applicant, which building's only entrance is located on the opposite side of the property from and off a different street than the only entrance to the shelter facility; that the detached rectory building and a 2-story building attached to the school will not be a part of the shelter facility; that the applicant proposes to establish a transitional shelter and temporary overnight shelter in the former school building; that the transitional shelter will provide 40 beds for women for up to 90 days and will provide a wide range of social services to meet the needs of the residents; that the temporary overnight shelter will provide up to 75 beds for men and 75 beds for women; that the men and women will be housed on separate

MINUTES OF MEETING

August 21, 1992 and November 20, 1992
Cal. No. 198-92-S

floors; that during the day, the applicant proposes to operate a drop-in program in the adjacent three-story church building, which will provide job counselling, medical services, clothing, food, mental health counselling and referral services to other social service agencies as needed; that residents of the transitional shelter and the drop-in program will leave the premises only for specific assignments, such as job interviews; that daily 24-hour security for the entire facility will be provided by contracted professional security in addition to on-site staff personnel; that professional staff personnel will be on-site 24 hours daily to monitor the shelters' activities; that no drugs, alcohol or weapons will be permitted on site; that the applicant will create an advisory board comprised of community residents to enable the applicant to respond to community suggestions for improving the operation of the shelters; that the proposed uses are necessary for the public convenience at the subject site location in that the City finds that in some instances, the homeless have to be housed more on a basis of space available rather than a specific need for shelter facilities in the local neighborhood; that the subject site buildings presents a complex uniquely suitable for shelter housing and ancilliary social services; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed shelters which will be operated under the conditions hereinafter set forth and all applicable City ordinances governing the establishment and operation of transitional and temporary overnight shelters; that the use of the subject site buildings as temporary overnight and transitional shelters is consistent with the historical use of the premises as a church and school complex and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 195 bed transitional and temporary overnight shelter in a 3-story brick building, on premises at 7000 S. Aberdeen Street, upon condition that the buildings on the site to be occupied by the proposed uses shall be brought into compliance with all applicable building code requirements; that the premises shall not be used as shelters until they comply with all applicable code regulations; that daily 24-hour security for the entire facility shall be provided by contracted professional security in addition to on-site staff personnel; that professional staff personnel shall be on-site 24 hours daily to monitor the shelters' activities; that no drugs, alcohol or weapons shall be allowed in any of the buildings on the subject site occupied by the applicant; 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 applicant shall create an advisory board comprised of community residents to enable the applicant to respond to community suggestions for improving the operation of the aforesaid shelters; 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 temporary overnight and transitional shelter activities to another group or association, the special use at the subject site granted herein shall become null and void; and be it further

RESOLVED, that any deviation from the specified use of the subject premises as temporary overnight and transitional shelter facilities with a drop-in center and Head Start program or any increase in shelter beds or the number of clients to be served, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

Excellent Way Church of God in Christ and

APPLICANT: The Excellent Way Urban Outreach Ministry

CAL. NO. 212-92-S

APPEARANCES FOR:

MAP NO. 18-B

APPEARANCES AGAINST:

MINUTES OF MEETING
November 20, 1992

PREMISES AFFECTED— 2510 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
December 18, 1992.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Excellent Way Church of God in Christ and
The Excellent Way Urban Outreach Ministry

APPEARANCES FOR:

APPEARANCES AGAINST:

CAL. NO. 213-92-S

MAP NO. 18-B

MINUTES OF MEETING

November 20, 1992

PREMISES AFFECTED— 2418-22 E. 79th Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
December 18, 1992.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Old Reliable Pawnbrokers, Inc.
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 218-92-S
MAP NO. 10-E
MINUTES OF MEETING
November 20, 1992

PREMISES AFFECTED— 330 E. 47th Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Children's Oncology Services of Illinois
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST:

CAL. NO. 241-92-Z
 MAP NO. 7-F
 MINUTES OF MEETING
 October 16, 1992 and
 November 20, 1992

PREMISES AFFECTED— 622 W. Deming Place

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

ACTION OF BOARD—

THE VOTE

Variation granted.

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

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
x		
x		

THE RESOLUTION:

WHEREAS, Children's Oncology Services of Illinois, owner, on September 17, 1992, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a full 3rd story addition to a 2-story building on the rear of the lot and connected to the 3-story Ronald McDonald House, with no rear yard instead of 30 feet, on premises at 622 W. Deming Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 17, 1992, reads:

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at regularly scheduled meetings held on October 16, 1992 and November 20, 1992, after due notice thereof by publication in the Chicago Sun-Times on September 28, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that, in 1985, the Applicant applied to the Zoning Board of Appeals for a variation respecting the rear yard of the subject premises; that the premises was then zoned R6; that the City of Chicago Zoning Ordinance provided that property in the R6 zoning district was to have a 30 foot rear yard setback beginning at 18 feet above grade; that in 1985, the Applicant proposed adding the coach house addition which was intended to have two stories containing a two-car garage and six open parking spaces on the ground level and four lodging rooms and a common area on the second floor; and

WHEREAS, the Zoning Board of Appeals further makes the following findings of fact: that on May 17, 1985 and on June 14, 1985, representatives of the Applicant appeared before the Chicago Zoning Board of Appeals with respect to the aforementioned rear yard variation; that the Zoning Board of Appeals found, pursuant to Resolution 151-85-Z, that the plight for which a zoning variation regarding the rear yard was being sought was the Applicant's desire to preserve an existing playground and as much open green space on the site as

MINUTES OF MEETING

October 16, 1992 and

November 20, 1992

Cal. No. 241-92-Z

possible and that the variation, if granted, would be consistent with the existing improvements in the area and would not alter the essential character of the locality; that the variation granted pursuant to ZBA Resolution 151-92-Z was granted on condition that (a) the building line of the coach house addition shall not extend more than 40 feet south of the rear lot line, except for the permanently enclosed and heated ramp connecting the coach house addition to the main structure and (b) that all other applicable ordinances of the City of Chicago shall be complied with prior to the issuance of a building permit; and

WHEREAS, the Zoning Board of Appeals further makes the following findings of fact: that in early 1992, the Applicant submitted building plans for zoning certification pursuant to which the Applicant sought to erect two three-story additions to the north rear and west side of the existing main structure located on the premises; that the Zoning Administrator refused to certify such plans with respect to the proposed three-story addition at the north rear of the main structure on the basis that such plans did not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, Sections 11.7-4(1) and ZBA Resolution 151-95-Z; that pursuant to Section 11.8-1, the Applicant appealed the decision of the Zoning Administrator and the Zoning Board of Appeals affirmed the Zoning Administrator's decision pursuant to Resolution 39-92-A; that the basis of the decision of the Zoning Board of Appeals in Resolution 39-92-A was (i) that a new variation application is required for subsequent construction proposed after construction resulting from a previously approved variation; (ii) that to permit the Applicant to improve the premises as then proposed by the Applicant would be to deny the evidence of hardship presented by the Applicant at the 1985 hearing on the variation granted pursuant to Resolution 151-85-Z; (iii) that newly proposed construction must be reviewed by the Zoning Board of Appeals in conjunction with the construction resulting from a previously approved variation in order to determine if the proposed additions compromise any of the 1985 findings based upon the standards necessary in granting the original variation at the subject site; and (iv) other matters contained in said Resolution 39-92-A; and

WHEREAS, the Zoning Board of Appeals further makes the following findings of fact: that the standards for a variation contained in the Chicago Zoning Ordinance with respect to the currently proposed improvements are satisfied in that (i) although the construction thereof is not without material impact on adjoining and nearby properties, the currently proposed improvements generally are consistent with existing single-family improvements in the locality on the north side of Deming Place and south side of Wrightwood Avenue and will not alter the essential character thereof in that the uniform pattern of improvements on lots to the north, east and west of the subject premises consisting of a principal stately single-family residence, an open back yard and a coach house or other accessory structure at the rear of each such lot is respected and maintained; (ii) no improvements other than the existing permanently enclosed and heated ramp are proposed or shown on the plans in the open area between the main structure and the coach house addition (and thus, in the area south of the 40 foot line south of the alley at the rear of the lot), which area was intended to be preserved as open space (with the sole exception of said ramp) consistent with the findings of fact, resolution and conditions contained in ZBA Resolution 151-85-Z; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a full

MINUTES OF MEETING

October 16, 1992 and
November 20, 1992
Cal. No. 241-92-Z

3rd story addition to a 2-story building on the rear of the lot and connected to the 3-story Ronald McDonald House, with no rear yard instead of 30 feet, on premises at 622 W. Deming Place, upon condition that the height of the addition shall not exceed 33 feet above grade on the south, east and west elevations and 29 feet 6 inches on the north elevation, as shown in the plan presented, dated October 27, 1992; 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 proposed addition shall be constructed in accordance with applicable provisions in the Stipulation and Agreement between the applicant and certain parties, which stipulations and agreements are by this reference made part of the record in this case; and be it further

RESOLVED, that the administrative review action, Case No. 92CH6696 in the Circuit Court of Cook County, filed by the applicant against the Zoning Board of Appeals and other parties, shall be dismissed by the applicant prior to securing a permit for the aforesaid addition.

MINUTES OF MEETING

November 20, 1992

Cal. No. 185-90-S

John P. Mackin, AIA, for Good Samaritan Community Services, applicant, presented a written request for an extension of time in which to obtain necessary permits for an overnight and transitional shelter for homeless men, women and children on the 2nd floor of a 2 and 3-story brick building, on premises at 3553-59 W. Roosevelt Road and 1207 S. Central Park Avenue, approved by the Zoning Board of Appeals on June 15, 1990, in Calendar No. 185-90-S.

Mr. Mackin stated that rehab and operational funding for the shelter was withheld by the Department of Human Services until they were able to resolve some administrative requirements. For that reason, a permit was not applied for until November 9, 1992. The funding from the Department of Human Services has been approved and construction work can now begin as soon as the permit is issued.

Chairman Spingola moved that the request for an extension of time be denied pursuant to Section 11.10-5 of the zoning ordinance which states that "an order of the Board of Appeals granting a variation in the nature of a special use shall be valid for a period not longer than twelve (12) months from the date of such order unless a building permit is obtained or the use is commenced within such period. The Board, may, at its discretion, and upon valid showing of case, extend the period of validity of a variation in the nature of a special use for a period not to exceed twelve (12) months." Chairman Spingola further stated that the validity of the special use granted on June 15, 1990 to the applicant is well beyond the time allowed and recommends that the applicant file a new special use application for said facility. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

November 20, 1992

Member Moore moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on December 18, 1992.

Marian Rest
Secretary