

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, May 16, 1986

at 9:00 A.M., 11:00 A.M. and 2:00 P.M.

The following were present and constituted a quorum:

Jack Guthman
Chairman
Michael J. Howlett
Thomas P. Keane

MINUTES OF MEETING

May 16, 1986

Mr. Keane moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on Thursday, April 17, 1986 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Howlett and Keane. Nays- None. Absent-Cullen.

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

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

APPLICANT: Thomas Mahoney
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 115-86-S
 MAP NO. 11-M
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 5918 W. Montrose Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Thomas Mahoney, for Midwest Bank and Trust Company, Tr. #85-02-4624, owner, on April 16, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor in the construction of a two-story two dwelling unit building, in a B4-1 Restricted Service District, on premises at 5918 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 16, 1986 reads:
 "Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A 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 May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, the district maps show that the premises are 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 proposed use is necessary for the public convenience at this location in that there is no demand for business uses in the area and a growing demand for residential developments; that the public health, safety and welfare will be adequately protected in the design and operation of the building which provides adequate setbacks and landscaping; and that the proposed use continues the trend of residential development in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is located; 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 residential use on the ground floor in the construction of a two-story two dwelling unit building, on premises at 5918 W. Montrose 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: Thomas Mahoney
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 116-86-Z
 MAP NO. 11-M
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 5918 W. Montrose Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Thomas Mahoney, for Midwest Bank and Trust Company, Tr. #85-02-4624, owner, on April 16, 1986, filed an application for a variation of the zoning ordinance to permit, in a B4-1 Restricted Service District, the erection of a two-story two dwelling unit building, whose side yards will each be 4.44 feet instead of 5 feet, on premises at 5918 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 16, 1986 reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, the district maps show that the premises are 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 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 it would be economically unfeasible to build less than a two-story two dwelling unit building on the subject lot which proposal necessitates a reduction in the side yards; that the plight of the owner is due to the narrow width of the lot; and that the variation, if granted, will not alter the essential character of the locality in that the side yards of the proposed building will be compatible with the side yards of other residential 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 two-story two dwelling unit building, whose side yards will each be 4.44 feet instead of 5 feet, on premises at 5918 W. Montrose 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: Bertha E. Rigney
 APPEARANCES FOR: Bertha E. Rigney
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 2735 W. Chase Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 117-86-Z
 MAP NO. 19-I
 MINUTES OF MEETING
 May 16, 1986

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Bertha E. Rigney, owner, on April 15, 1986, 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 addition to a one-story frame residence, whose east side yard will be 2.5 feet instead of 5 feet and whose rear yard will be 26 feet instead of 30 feet, on premises at 2735 W. Chase Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 21, 1986 reads:

"Application not approved. Requested certification does not comply with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-2(2), §7.9-1, §7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, the district maps show that the premises are 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 improved with a small one-story frame single family residence situated at the rear of the lot abutting a small garage building; that the applicant proposes to increase the size of the existing residential structure by erecting a second story addition containing bedrooms and a bathroom; that the property in question cannot yield a reasonable return nor be put to a reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that due to the location of the existing single family structure in the required rear yard, it would be impossible to erect the proposed addition without the requested variations; that the plight of the owner is due to the location of the existing residential building on the subject lot; and that the variation, if granted, will not alter the essential character of the locality in that the proposed addition will continue the existing residential building lines and will not obstruct adequate light and air to neighboring property; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred

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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 a one-story frame residence, whose east side yard will be 2.5 feet instead of 5 feet and whose rear yard will be 26 feet instead of 30 feet, on premises at 2735 W. Chase Avenue, upon conditon 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: Montrose Properties Partnership
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 4810-16 W. Montrose Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 118-86-S
 MAP NO. 11-L
 MINUTES OF MEETING
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ACTION OF BOARD—

Application approved.

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Montrose Properties Partnership, for American National Bank & Trust Company, Tr. #32868, owner, on April 10, 1986, filed an application for a special use under Article 11.10-5 of the zoning ordinance to permit parking in the west 25 feet of an existing off-site parking lot for the parking of private passenger automobiles, in an R2 Single Family Residence District, on premises at 4810-16 W. Montrose Avenue, for the use of a manufacturing plant located at 4700 W. Montrose Avenue, which parking lot was approved by the Board on December 7, 1965 under its Calendar No. 609-65-S; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 31, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, the district maps show that the premises are 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 on December 7, 1965, in Cal. No. 609-65-S, the Board approved the establishment of an off-site parking lot at the subject site for the use of a manufacturing plant located at 4700 W. Montrose Avenue; that approval of the establishment of said parking lot was granted with the condition that the west 25 feet of the lot shall be landscaped and maintained with grass and shrubbery; that the proposed parking in a portion of the aforesaid 25 feet is necessary for the public convenience at this location to provide additional employee parking for the manufacturing plant located at 4700 W. Montrose Avenue; that the public health, safety and welfare will be adequately protected in the proposed expansion to be improved and operated under the conditions hereinafter set forth; and that the proposed use, with provision for screening from abutting residential property, will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

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Cal. No. 118-86-S

the Zoning Administrator is authorized to permit parking in a portion of the west 25 feet of an existing off-site parking lot for the parking of private passenger automobiles, on premises at 4810-16 W. Montrose Avenue, for the use of a manufacturing plant located at 4700 W. Montrose Avenue, upon condition that a 6 feet high decorative wooden fence shall be erected and maintained along the entire west lot line so as to screen the parking lot from the adjoining residential building; that an L-shaped strip of land 3 feet wide inside the entire said fence line and 13 feet wide along the south lot line to the first parking space shall be planted and maintained with grass and shrubbery; that the balance of the unpaved portion of the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with blacktop, and properly graded to drain to the existing sewers within the lot; that all parking spaces shall be designated by striping; that ingress and egress shall be from W. Montrose Avenue; that the alley abutting the site shall not be used for ingress nor for egress; that the existing 4 feet high chain link fence along the north and east lot lines shall be maintained; that the new driveway shall be constructed in accordance with all applicable ordinances; that the use of the lot for parking shall be limited to the hours between 7 A.M. and 7 P.M., Mondays through Fridays, and between 7 A.M. and 1 P.M., Saturdays; that the lot shall be securely locked at all other times; 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 said parking lot in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Montrose Properties Partnership
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 119-86-Z
 MAP NO. 11-L
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 4810-16 W. Montrose Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Montrose Properties Partnership, for American National Bank & Trust Company, Tr. #32868, owner, on April 10, 1986, filed an application for a variation of the zoning ordinance to permit, in an R2 Single Family Residence District, the parking of automobiles in the required 20 feet front yard of an existing off-site parking lot, on premises at 4810-16 W. Montrose Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 10, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7,12(7), §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 May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, the district maps show that the premises are 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 on May 16, 1986 in Calendar No. 118-86-S, the board approved a special use application to permit parking in a portion of the west 25 feet of an existing off-site parking lot for the parking of private passenger automobiles at 4810-16 W. Montrose Avenue, for the use of a manufacturing plant at 4700 W. Montrose Avenue, which parking lot was approved by the Board on December 7, 1965 under its Calendar No. 609-65-S; that the property in question cannot yield a reasonable return nor be put to a reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the additional parking spaces are necessary for the employees of the manufacturing plant at 4700 W. Montrose Avenue; that the plight of the owner is due to the necessity of providing needed parking spaces for the 120 employees of the manufacturing plant at 4700 W. Montrose Avenue; and that the variation, if granted, will not alter the essential character of the locality in that the requested use is an expansion of a pre-existing employee parking lot; it is therefore

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Cal. No. 119-86-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 parking of automobiles in the required 20 feet front yard of an existing off-site parking lot, on premises at 4810-16 W. Montrose Avenue.

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

APPLICANT: 1111 Cornelia Joint Venture
APPEARANCES FOR: William J. Hennessey
APPEARANCES AGAINST:

CAL. NO. 120-86-S
MAP NO. 9-G
MINUTES OF MEETING
May 16, 1986

PREMISES AFFECTED— 1111-23 W. Cornelia Avenue
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, 1111 Cornelia Joint Venture, for American National Bank & Trust Company, Tr. #33612, owner, on April 16, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of residential use on the ground floor in the renovation of a one and two-story brick commercial building into offices and dwelling units, in a B4-2 Restricted Service District, on premises at 1111-23 W. Cornelia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 11, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-4, §8.4-4(5), §8.11-1(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site was rezoned by the City Council on April 9, 1986 from M1-2 to B4-2 for the proposed development; that the proposed renovation of the subject building will contain a mixture of residential use and business office use; that the proposed use is necessary for the public convenience at this location in that there is no demand for manufacturing uses in the area and a growing demand for this type of mixed residential and business improvement in the area; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use which will not cause substantial injury to the value of other property in the neighborhood in that the proposed renovation establishes a more appropriate and valuable use for the existing building which has not been in use for manufacturing purposes for many years and will enhance the values of existing residential property in the area; it is therefore

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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 residential use on the ground floor in the renovation of a one and two-story brick commercial building into offices and dwelling units, on premises at 1111-23 W. Cornelia 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: W.H.S. Realty, Inc.
 APPEARANCES FOR: David W. Ruttenberg
 APPEARANCES AGAINST:

CAL. NO. 121-86-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 1900-10 N. Sedgwick Street and 400-12 W. Wisconsin Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	Abstain		
George J. Cullen	x		x
Michael J. Howlett	x		
Thomas P. Keane	x		

THE RESOLUTION:

WHEREAS, W.H.S. Realty, Inc., for American National Bank and Trust Company of Chicago, Tr. #67071, owner, on April 21, 1986, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a four-story 12 dwelling unit townhouse building, with no east front yard instead of 15 feet, whose west rear yard will be 8.45 feet instead of 30 feet, and with no provision for one loading berth, on premises at 1900-10 N. Sedgwick Street and 400-12 W. Wisconsin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 21, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §7.11-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, subsequently Member Cullen listened to the taped record of proceedings; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the applicant proposes to erect a four-story 12 dwelling unit townhouse building on the subject site; that the proposed development is for a lesser number of dwelling units than could legally be built under current zoning regulations; that the proposed low-density development is more desirable for the site and is consistent with the desire of the community for low-density residential developments in the area, but cannot yield a reasonable return without the variations requested; that a loading berth is unnecessary for the proposed development because of the garages provided for the dwelling units; that the plight of the owner is due to the desire to create an economically viable development with parking facilities that is consistent with the wishes of the community; and that the variations, if granted, will be compatible with the existing residential character of the neighborhood and will not alter the

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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 four-story 12 dwelling unit townhouse building, with no east front yard instead of 15 feet, whose west rear yard will be 8.45 feet instead of 30 feet, and with no provision for one loading berth, on premises at 1900-10 N. Sedgwick Street and 400-12 W. Wisconsin 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: W.H.S. Realty, Inc.
 APPEARANCES FOR: David W. Ruttenberg
 APPEARANCES AGAINST:

CAL. NO. 122-86-Z
 MAP NO. 5-F
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PREMISES AFFECTED— 1901-17 N. Hudson Avenue and 414-26 W. Wisconsin Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
Abstain		
x		x
x		
x		

THE RESOLUTION:

WHEREAS, W.H.S. Realty, Inc., for American National Bank and Trust Company of Chicago, Tr. #67071, owner, on April 21, 1986, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a four-story 18 dwelling unit townhouse building, with no west front yard instead of 15 feet, with no north side yard instead of 18.6 feet, whose east rear yard will be 4.45 feet and 13.45 feet instead of 30 feet, and with no provision for one loading berth, on premises at 1901-17 N. Hudson Avenue and 414-26 W. Wisconsin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 21, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-5, §7.8-5, §7.11-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986 after due notice thereof by publication in the Chicago Tribune on April 28, 1986; and

WHEREAS, subsequently Member Cullen listened to the taped record of proceedings; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the applicant proposes to erect a four-story 18 dwelling unit townhouse building on the subject site; that the proposed development is for a lesser number of dwelling units than could legally be built under current zoning regulations; that the proposed low-density development is more desirable for the site and is consistent with the desire of the community for low-density residential developments in the area, but cannot yield a reasonable return without the variations requested; that a loading berth is unnecessary for the proposed development because of the garages provided for the dwelling units; that the plight of the owner is due to the desire to create an economically viable development with parking facilities that is consistent with the wishes of the community; and that the variations, if granted,

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will be compatible with the existing residential character of the neighborhood and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a four-story 18 dwelling unit townhouse building, with no west front yard instead of 15 feet, with no north side yard instead of 18.6 feet, whose east rear yard will be 4.45 and 13.45 feet instead of 30 feet, and with no provision for one loading berth, on premises at 1901-17 N. Hudson Avenue and 414-26 W. Wisconsin 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: Congregation Agudath Israel Warsaw Bikur Cholim

CAL. NO. 123-86-A

APPEARANCES FOR:

MAP NO. 15-J

APPEARANCES AGAINST:

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PREMISES AFFECTED— 3541 W. Peterson Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
June 20, 1986.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

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

APPLICANT: Leon V. Houser
 APPEARANCES FOR: Leon V. Houser
 APPEARANCES AGAINST:

CAL. NO. 124-86-A
 MAP NO. 16-G
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED-- 6707-09 S. Racine Avenue

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

ACTION OF BOARD--

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

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Leon V. Houser, for George Nettles, owner, on April 4, 1986, filed an appeal from the decision of the Office of the Zoning Administrator that the certification of an automobile repair shop in the one-story brick garage building attached to the rear of a one and two-story brick store and apartment building would thereby eliminate the required off-street parking for the residential portion of the building, in a B4-1 Restricted Service District, on premises at 6707-09 S. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 27, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-1 Restricted Service District; that the subject one-story brick garage attached to the rear of a one and two-story brick store and apartment building on the subject site has been occupied continuously by commercial uses, including an automobile repair shop, since 1960; that the Sanborn Maps of the City of Chicago indicates that the subject garage has never been used for off-street parking for the residential portion of the one and two-story store and apartment building on the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has a right to continue the operation of an automobile repair shop in the subject garage on the premises; 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 an automobile repair shop in the one-story brick garage attached to the rear of a one and two-story brick store and apartment building, on premises at 6707-09 S. Racine Avenue, upon condition that no body or fender work, spray painting or engine rebuilding shall be done on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Fremont Street Partnership (John Geheb and William Geheb) CAL. NO. 125-86-A
 APPEARANCES FOR: Ken Hubbard MAP NO. 5-G
 APPEARANCES AGAINST: MINUTES OF MEETING
 May 16, 1986
 PREMISES AFFECTED— 2039-41 N. Fremont Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Jack Gulhman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Fremont Street Partnership (John Geheb and William Geheb), owners, on April 4, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a two-story brick building at the rear of the lot as a single family dwelling on a lot improved additionally with a three-story brick apartment building, in an R4 General Residence District, on premises at 2039-41 N. Fremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 6, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §5.7-5(3), §7.5-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject two-story brick building at the rear of the lot was erected in the late 1880's and that in 1890 a permit was issued for the erection of the existing apartment building on the front of the lot; that architectural details indicate that the subject building on the rear of the lot has been occupied as at least one dwelling unit since prior to the time of the passage of the 1923 zoning ordinance; that the appellant has a right to continue the occupancy of the building as a single family dwelling on a lot improved additionally with a three-story apartment building, provided the subject 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 two-story brick building at the rear of the lot as a single family dwelling on a lot improved additionally with a three-story brick apartment building, on premises at 2039-41 N. Fremont Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Carrie Mayes

CAL. NO. 126-86-A

APPEARANCES FOR: None

MAP NO. 8-E

APPEARANCES AGAINST:

MINUTES OF MEETING
May 16, 1986

PREMISES AFFECTED— 3527-29 S. Dr. Martin Luther King, Jr. Drive

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

ACTION OF BOARD—

Case dismissed for want
of prosecution.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

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

APPLICANT: Andrew Anderson
 APPEARANCES FOR: John J. Pikarski, Jr.
 APPEARANCES AGAINST:

CAL. NO. 127-86-A
 MAP NO. 10-E
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 4459 S. Indiana Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Andrew Anderson, for Vaughn Bester, owner, on March 25, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a clothes boutique in conjunction with an existing beauty salon in the store on the first floor of a three-story brick store and apartment building, in an R5 General Residence District, on premises at 4459 S. Indiana Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 24, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-5."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District in the existing non-conforming store in the building on the subject site occupied by a beauty salon; that the said beauty salon, a B use, is operated by the appellant and was approved by the Board on April 14, 1985 in Calendar No. 139-85-A; that the appellant desires to add as an accessory use, a clothes boutique, a B use; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a clothes boutique as an accessory use in conjunction with an existing beauty salon in the store on the first floor of a three-story brick store and apartment building, on premises at 4459 S. Indiana Avenue, upon condition that the hours of operation of the boutique shall be limited to the hours of operation of the beauty salon, as specified in the Board's Resolution of April 14, 1985, Calendar No. 139-85-A; 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: Edmund G. Kildiss

CAL. NO. 128-86-A

APPEARANCES FOR:

MAP NO. 13-N

APPEARANCES AGAINST:

MINUTES OF MEETING

May 16, 1986

PREMISES AFFECTED— 6959 W. Higgins Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

APPLICANT: Automotive Specialists II
 APPEARANCES FOR: Jesse C. Romero
 APPEARANCES AGAINST:

CAL. NO. 129-86-A
 MAP NO. 9-G
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 1455 W. Irving Park Road
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Automotive Specialists II, for Max Schorvtz, owner, on March 20, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit body repair in conjunction with an existing automobile repair shop in a one-story brick garage building, in a B4-2 Restricted Service District, on premises at 1455 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 14, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District in a one-story brick garage building occupied by an existing automobile repair shop; that on June 11, 1957, in Calendar No. 379-57-A, the Board sustained an appeal permitting the operation of an automobile body and fender shop in the existing garage building on the subject site; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit body repair in conjunction with an existing automobile repair shop in a one-story brick garage building, on premises at 1455 W. Irving Park Road, upon condition that all repair work shall be done within the building; 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: James Johnson
 APPEARANCES FOR: James Johnson
 APPEARANCES AGAINST: Williella Martin, et al.

CAL. NO. 130-86-A
 MAP NO. 26-G
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 10655 S. May Street

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

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, James Johnson, owner, on March 26, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a one-story frame store building, in an R2 Single Family Residence District, on premises at 10655 S. May Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 19, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

WHEREAS, the district maps show that the premises are 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 non-conforming store in the building on the subject site had been previously occupied by a non-conforming tavern until 1978, at which time the site was voted dry; that the premises continued to be operated as a not-for-profit social club organization and was never a community center, a use permitted under the zoning ordinance as a special use in R2 Districts; that under §7.3-2 of the zoning ordinance, the Board has no authority to permit the establishment of a business use in a residential district; it is therefore

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

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

APPLICANT: Frank Brown
 APPEARANCES FOR: Frank Brown
 APPEARANCES AGAINST:

CAL. NO. 131-86-A
 MAP NO. 18-E
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 552-56 E. 73rd 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.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Frank Brown, owner, on April 3, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a two-story brick store and apartment building, in an R3 General Residence District, on premises at 552-56 E. 73rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 27, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the appellant proposes to establish a grocery store, a B1 use, in the subject non-conforming store in the building on the subject site which also contains a non-conforming dry cleaning receiving station, a B1 use; that the expansion of the non-conforming use throughout the building is permitted under §6.4-6 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a two-story brick store and apartment building, on premises at 552-56 E. 73rd Street, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 8 P.M., daily; that there shall be no automatic amusement machines on the premises; that no liquor or alcoholic beverages shall be sold on the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Albert H. Hadley
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 132-86-A
MAP NO. 18-E
MINUTES OF MEETING
May 16, 1986

PREMISES AFFECTED-- 7659 S. Eberhart Avenue

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

ACTION OF BOARD--

Case dismissed for want
of prosecution.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

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

APPLICANT: Nael Hamadeh
APPEARANCES FOR: Novik McFarlin
APPEARANCES AGAINST:

CAL. NO. 133-86-A
MAP NO. 10-E
MINUTES OF MEETING
May 16, 1986

PREMISES AFFECTED— 3983-85 S. Vincennes Avenue

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

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Nael Hamadeh, for Novik McFarlin and Denise McFarlin, owners, on April 11, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food in an existing grocery store in a three-story brick store and apartment building, in an R4 General Residence District, on premises at 3983-85 S. Vincennes Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 27, 1986 reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

WHEREAS, the district maps show that the premises are 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 in an existing non-conforming store in the building on the subject site occupied by a licensed grocery store; that the appellant is located at 3985 S. Vincennes Avenue and desires to expand his operation next door to 3983 S. Vincennes Avenue to provide, as an accessory use only, the dispensing of carry-out sandwiches to the customers of the existing grocery store and neighborhood residents; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the dispensing of food as an accessory use only, in an existing grocery store in a three-story brick store and apartment building, on premises at 3983-85 S. Vincennes Avenue upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., daily; that there shall be no sale of alcoholic beverages on the premises; that there shall be no automatic amusement machines on the premises; that there shall be no table service of food on the premises; and that all applicable ordinances of the City of Chicago

MINUTES OF MEETING

May 16, 1986

Cal. No. 133-86-A

shall be complied with before a permit is issued; and be it further

RESOLVED, that the dispensing of food to customers of the existing grocery store and neighborhood residents shall hereby be limited to carry-out sandwiches only; that no full-service kitchen facility shall be opened for the preparation of complete meals; that the dispensing of food shall be limited to within the first floor of the non-conforming store premises at 3983 S. Vincennes Avenue; and that the issuance of a food dispenser license for the subject site shall be considered a right to conduct only limited accessory food dispensing as stated herein and shall not be construed as a right to open a full-service restaurant.

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

APPLICANT: Assist, Inc. - Donald J. Ginter

CAL. NO. 134-86-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING

May 16, 1986

PREMISES AFFECTED— 1910 W. Montrose Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to
June 20, 1986.

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

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

APPLICANT: Vito Ferro
 APPEARANCES FOR: James Prucha
 APPEARANCES AGAINST:

CAL. NO. 135-86-A
 MAP NO. 8-F
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED-- 3252-56 S. Wallace Street
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

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

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Vito Ferro, owner, on April 8, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a four-story brick building as three retail stores and 12 dwelling units, in an R3 General Residence District, on premises at 3252-56 S. Wallace Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 7, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3, §7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that architectural details indicate that the subject building was built in the late 1890's as 12 dwelling units and three stores; that for many years Dressell's Bakery occupied the three stores and used two dwelling units for offices; that the three stores continued to be occupied by a bakery after Dressell's Bakery closed in 1981 or 1982 and the two offices reverted back to two dwelling units; that a dental clinic now operates in one of the stores and the appellant intends to rent the other two stores for use as a dry cleaners and a laundromat; that the proposed change of business use is proper under §6.4-7 of the zoning ordinance; and that the appellant has a right to continue the occupancy of the building as 12 dwelling units and three stores, provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a four-story brick building, on premises at 3252-56 S. Wallace Street, as 12 dwelling units and three stores for use as a dental clinic, dry cleaners and laundromat, upon condition

MINUTES OF MEETING

May 16, 1986

Cal. No. 135-86-A

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: William L. Kallos
 APPEARANCES FOR: Robert W. Linzmeier
 APPEARANCES AGAINST:

CAL. NO. 136-86-A
 MAP NO. 15-M
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 5930 N. Elston Avenue

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

ACTION OF BOARD—

THE VOTE

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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, William L. Kallos, for Ronald Pelka, owner, on April 15, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail general merchandise store in a two-story frame store and apartment building, in an R3 General Residence District, on premises at 5930 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 7, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the store in the building on the subject site has been occupied by business uses, the last use having been a paint store, a B2 use, which use recently ceased operation; that the appellant proposes to operate an antiques and collectibles store, a B2 use, with accessory second-hand sale of antique and collectible merchandise in the store on the subject site; that the change of use to a retail antiques and collectibles store is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail antiques and collectibles store with accessory sale only of second-hand merchandise, on premises at 5930 N. Elston Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 4 P.M., Tuesdays through Saturdays; 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: John Anzelmo
 APPEARANCES FOR: John Anzelmo
 APPEARANCES AGAINST:

CAL. NO. 138-86-A
 MAP NO. 5-K
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 2043 N. Kildare Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, John Anzelmo, owner, on March 31, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an automobile repair business in a one-story brick garage at the rear of a two-story frame apartment building, in an R3 General Residence District, on premises at 2043 N. Kildare Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 19, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District in an existing non-conforming garage building on the rear of the subject site; that the premises has been continuously occupied by an automobile repair shop and related uses since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an automobile repair business in a one-story brick garage at the rear of a two-story frame apartment building, on premises at 2043 N. Kildare Avenue, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Mondays through Fridays and 9 A.M. and 1 P.M., Saturdays; that all repair work shall be done within the building; that there shall be no body or fender work, spray painting or engine rebuilding done on the premises; 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: Arturo Marin
 APPEARANCES FOR: Arturo Marin
 APPEARANCES AGAINST:

CAL. NO. 139-86-A
 MAP NO. 20-B
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 3015 E. 83rd Place

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.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Arturo Marin, for Guillermo Marin, owner, on April 15, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a pool hall at the rear of a tavern in a one and two-story frame building, in an R3 General Residence District, on premises at 3015 E. 83rd Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the appellant proposes to establish a pool hall at the rear of a non-conforming tavern in a one and two-story frame building on the subject site; that the rear portion of the subject building to be used as a pool hall will be operated as a separate business; that a pool hall requires a minimum of B4 zoning; that under §7.3-3 of the zoning ordinance, the Board has no authority to permit the establishment of the proposed use in a residential district; it is therefore

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

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

APPLICANT: Angie Shkundrich

CAL. NO. 140-86-A

APPEARANCES FOR:

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING

May 16, 1986

PREMISES AFFECTED— 1829 W. Montrose Avenue

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

ACTION OF BOARD—

Case continued to
June 20, 1986.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

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

APPLICANT: Douglas O. Kaulas

CAL. NO. 67-86-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING
May 16, 1986

PREMISES AFFECTED— 1720 N. Segwick Street and 1721 N. Fern Court

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

ACTION OF BOARD—

Case continued to
June 20, 1986.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
Abstain		
		X
X		
X		

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

APPLICANT: Russell Scimeca
 APPEARANCES FOR: Pat Frank DeLeo
 APPEARANCES AGAINST: Larry Blankstein

CAL. NO. 101-86-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 2058 N. Sheffield Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Russell Scimeca, owner, on March 24, 1986, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story six dwelling unit townhouse building, with no east front yard instead of 14.85 feet, whose west rear yard will be 19 feet instead of 30 feet and with no provision for one parking space for the handicapped, on premises at 2058 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 10, 1986 reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.7-4, §7.9-4."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986, after due notice thereof by publication in the Chicago Tribune on March 31, 1986; and

WHEREAS, the district maps show that the premises are 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 property in question cannot yield a reasonable return nor be put to a reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect any other townhouse building other than the proposed six unit townhouse building on the subject site would be economically unfeasible; that six on-site parking spaces are provided as an integral part of the development; that the proposed townhouses, which contain stairs, are not typical of the kind of dwelling structures chosen by handicapped persons and therefore the provision of an on-site parking space for the handicapped is not necessary in this instance; that the plight of the owner is due to unique circumstances in that the proposed two-story six dwelling unit townhouse building requires greater horizontal land coverage and encroachment into the front and rear yards that would a smaller number of yard-conforming residential structures, and that the desired design for the townhouse development does not provide amenities for the handicapped; and that the proposed townhouse development is compatible with the existing improvements in the area and will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

May 16, 1986

Cal. No. 101-86-S

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 two-story six dwelling unit townhouse building, with no east front yard instead of 14.85 feet, whose west rear yard will be 19 feet instead of 30 feet, and with no provision for one parking space for the handicapped, on premises at 2058 N. Sheffield 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: Harold J. King
 APPEARANCES FOR: John K. Kneafsey
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1231 W. 42nd Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 102-86-S
 MAP NO. 10-G
 MINUTES OF MEETING
 May 16, 1986

ACTION OF BOARD—

THE VOTE

Application approved.

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Harold J. King, for LaSalle National Bank, Tr. #110793, owner, on March 24, 1986, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a waste transfer and recycling facility, in an M3-5 Heavy Manufacturing District, on premises at 1231 W. 42nd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 19, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986, after due notice thereof by publication in the Chicago Tribune on March 31, 1986; and

WHEREAS, the district maps show that the premises are located in an M3-5 Heavy Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M3-5 Heavy Manufacturing District; that the subject site was previously occupied by a wrecking company for storage of equipment and materials taken from wrecked buildings; that in the proposed waste transfer and recycling operation, vehicles will pick up refuse and bring it to an existing building on the northwest corner of the site, where it is unloaded, compacted and bailed for sale; that 80 to 90 percent of the waste material handled is paper and cardboard which will be recycled, and that non-recyclable material will be reloaded onto transfer vehicles to take to a landfill site; that the proposed use is necessary for the public convenience at this location to provide an essential service for an urbanized society; that the public health, safety and welfare will be adequately protected in the proposed operation which shall at all times be conducted in compliance with the performance standards established for the M3-1 to M3-5 Districts under the zoning ordinance of the City of Chicago; and that the use of the site as a waste transfer and recycling facility is compatible with the type of commercial and manufacturing uses in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

May 16, 1986
Cal. No. 102-86-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a waste transfer and recycling facility, on premises at 1231 W. 42nd Street, upon condition that the operation shall at all times be conducted in compliance with the performance standards established in the zoning ordinance for the M3-1 to M3-5 Districts; 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: Spiros Grapsas
APPEARANCES FOR: Spiros Grapsas
APPEARANCES AGAINST:

CAL. NO. 107-86-A
MAP NO. 1-H
MINUTES OF MEETING
May 16, 1986

PREMISES AFFECTED— 2001 W. Superior Street

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

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Spiros Grapsas, for Lou Panozzo, owner, on March 5, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing outdoor automobile sales business, in an R3 General Residence District, on premises at 2001 W. Superior Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 26, 1986 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject outdoor automobile sales business has occupied the subject site for the past 15 years; that City of Chicago records indicate that the subject site has been zoned R3 General Residence since the passage of the 1957 comprehensive amendment to the zoning ordinance; that under §7.3 of the zoning ordinance at no time since 1957 could a business use have been legally established at the subject site; and that the Board has no authority to permit the said outdoor used automobile sales business in a residential district; it is therefore

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

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

APPLICANT: Judith Raziunas
 APPEARANCES FOR: Judith Raziunas
 APPEARANCES AGAINST:

CAL. NO. 112-86-A
 MAP NO. 16-I
 MINUTES OF MEETING
 May 16, 1986

PREMISES AFFECTED— 2458 S. Lithuanian Plaza Drive (W. 69th Street)
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Jack Guthman
 George J. Cullen
 Michael J. Howlett
 Thomas P. Keane

	AFFIRMATIVE	NEGATIVE	ABSENT
Jack Guthman	X		
George J. Cullen			X
Michael J. Howlett	X		
Thomas P. Keane	X		

THE RESOLUTION:

WHEREAS, Judith Raziunas, for Antanas Macevicius, owner, on March 11, 1986, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand store on the 1st floor of a two-story brick store and apartment building, in an R3 General Residence District, on premises at 2458 S. Lithuanian Plaza Drive (W. 69th Street); and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 4, 1986 reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 16, 1986; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the store on the first floor of the two-story brick store and apartment building on the subject site has been continuously occupied by business uses since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the appellant proposes to establish a general merchandise boutique in the subject store with accessory sale of second-hand clothes and accessories; that a general merchandise boutique with accessory sale of second-hand clothes and accessories is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a general merchandise boutique with accessory sale only of second-hand clothes and accessories on the first floor of a two-story brick store and apartment building, on premises at 2458 W. Lithuanian Plaza Drive (W. 69th Steet), upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 5 P.M., Tuesdays through Saturdays; 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: Loyola University of Chicago

CAL. NO. 356-85-S

APPEARANCES FOR:

MAP NO. 17-G

APPEARANCES AGAINST:

MINUTES OF MEETING

May 16, 1986

PREMISES AFFECTED--- 1052-54 W. Loyola Avenue

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

ACTION OF BOARD---

Application withdrawn upon motion of applicant.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

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

APPLICANT: Overland Bond and Investment Corporation

CAL. NO. 61-86-Z

APPEARANCES FOR:

MAP NO. 3-E

APPEARANCES AGAINST:

MINUTES OF MEETING

May 16, 1986

PREMISES AFFECTED— 1425 N. Astor Street

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

ACTION OF BOARD—

Case continued to
June 19, 1986.

THE VOTE

Jack Guthman
George J. Cullen
Michael J. Howlett
Thomas P. Keane

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		

MINUTES OF MEETING

May 16, 1986

Cal. No. 57-85-Z

Mr. Joseph P. Kennelly, for Anthony J. Noonan and Patrick Sweeney, contract purchasers, presented a request for an extension of time in which to obtain permits for the division of a 75 feet by 125.25 feet improved zoning lot into two zoning lots with an existing one-story frame single family residence with a 3 feet 1-1/2 inches wide side yard to remain on the west 36 feet having a lot area of 4,509 square feet instead of 5,000 square feet and the erection of a two-story two dwelling unit building on the east 39 feet having a lot area of 4,844 square feet instead of 5,000 square feet, on premises at 5221-23 W. Eddy Street, for which a variation of the zoning ordinance was granted on February 15, 1985, Cal. No. 57-85-Z.

Chairman Guthman moved that the request be granted and the time extended until November 15, 1986. The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Howlett and Keane. Nays- None. Absent-Cullen.

MINUTES OF MEETING

May 16, 1986

Cal. No. 340-85-A

Katherine Simpson and Alvin C. Jones, for Ranch Realty, owner, presented a request for a rehearing on an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a livery office and candy store in a one-story frame store building, in an R3 General Residence District, on premises at 122 E. 105th Street, which appeal was denied by the Board on October 18, 1985, in Calendar No. 340-85-A.

The applicant's request for a rehearing is for the approval of the establishment of office space for a livery service on premises at 122 E. 105th Street.

Chairman Guthman moved that the request be denied for the following reasons: that the non-conforming store in the subject site building was once occupied by a tavern, which business ceased operation many years ago; that the records of the Board of Election Commissioners indicated that the subject site was voted dry as to the sale of alcoholic liquor for consumption on the premises on April 1, 1975; that there was a cessation of business use at the subject for more than one year; that under §6.4-5 of the zoning ordinance the Board had no authority to permit the establishment of a business use at the site.

The motion prevailed by yeas and nays as follows:

Yeas- Guthman, Howlett and Keane. Nays- None. Absent-Cullen

MINUTES OF MEETING

May 16, 1986

Mr. Keane moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on June 19 and in regular meeting on June 20, 1986.

Marian Rest
Secretary