

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

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

held in City Council Chambers, 2nd Floor, City Hall, on Friday, November 15, 1996

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
LeRoy K. Martin
Gigi McCabe-Miele
Joseph S. Moore
Demitri Konstantelos

MINUTES OF MEETING

November 15, 1996

Member McCabe-Miele moved that the Board approve the minutes of the regular meeting held on October 18, 1996 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Konstantelols, Martin, McCabe-Miele, Moore. Nays- None.

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

MINUTES OF MEETING

November 15, 1996

Cal. No. 168-96-Z

Bernard I. Citron, for Joseph V. Farago, applicant, presented a written request to amend the resolution granted by the Zoning Board of Appeals on May 17, 1996, in Calendar No. 168-96-Z which permitted the erection of a 5-story building containing business space and 10 accessory parking spaces on the ground floor and 9 dwelling units above, with the dwelling unit portion of the building having a 10' residential rear yard instead of 30' required, on premises at 2873-75 N. Clark Street.

Mr. Citron stated that as the applicant tried to apply for a building permit for the aforesaid project, an issue that was part of the variation request was not included in the order of the Zoning Board of Appeals. Mr. Citron stated that the application for a variation of the zoning ordinance, (as well as the Official Denial of Zoning Certification issued by the Office of the Zoning Administrator) specifically indicated a request to eliminate the need for one permanent loading dock, and that the project plans indicated a space for a temporary loading dock but no permanent loading dock was provided nor deemed necessary. Mr. Citron requests that the order of the Zoning Board of Appeals in Cal. No. 168-96-Z, granted on May 17, 1996 be amended to indicate that the one permanent loading dock provision was waived.

Chairman Spingola moved that the request to amend the Board's order in Cal. No. 168-96-Z be granted and that line 8 on Page Two of the aforesaid order be amended to read

"required, and with a waiver of the one required loading dock, on premises at 2873-75 N. Clark Street, condition upon condition that all applicable"

The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

November 15, 1996

Cal. No. 182-96-Z

Patricia A. Craig AIA, for Anthony Limonciello, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2nd story addition to a 2-story frame single-family dwelling, whose north side yard will be 2.55' and whose south side yard will be 2.58' instead of combined side yards of 9' and neither side yard less than 3' and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 4233 N. Melvina Avenue, granted by the Zoning Board of Appeals on May 17, 1996, in Calendar No. 182-96-Z.

Ms. Craig stated that the property owner has been in the process of collecting funds and getting a bank loan to pay for the aforesaid 2nd story addition and wanted to be assured that they could fund the project before obtaining a building permit. The design of the project would have to be scaled back if funds could not be obtained. The drawings are now ready to be submitted for building permits.

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

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

MINUTES OF MEETING

November 15, 1996

Cal. No. 249-87-S

Daniel L. Houlihan, for Bonaventure House, Inc., applicant, presented a written request to amend the Resolution adopted by the Zoning Board of Appeals on January 22, 1988, Cal. No. 249-87-S, for the approval of the location and the establishment of a residential care home to provide an assisted living residence for persons suffering from Acquired Immune Deficiency Syndrome (AIDS) in a 3-story brick residential building with proposed addition, in an R5 General Residence District, on premises at 819-25 W. Wellington Avenue.

Mr. Houlihan stated that the Zoning Board of Appeals adopted certain conditions restricting the providing of care to residents of the aforesaid facility in the absence of a public health licensure category which would govern the health care service aspects of such a use. These care restrictions are specified in the Resolution of Cal. No. 249-87-S as prohibitions on the provision of

“...restorative or rehabilitative clinical services in the form of the administration of any oral, intravenous or intramuscular medications, or any respiratory therapy services (nasogastric suctioning, continuous or intermittent mechanical life-support); hands-on or clinical nursing services in the form of medical treatments or administration or medications; in-house physicians or employ outside physicians to provide any clinical services in the facility; or assistance in bathing, dressing, feeding and linen changing...”

Mr. Houlihan further stated that subsequent to the granting of the special use in this case, the State of Illinois enacted certain legislation effective January, 1992, creating a formal licensure category governing such use entitled Supportive Residences Licensing Act, 210 ILCS 65/5, which enumerates the regulations governing Supportive Residences and describes the services that may be provided at a licensed Supportive Residence. The applicant, Bonaventure House, Inc. is licensed as a Supportive Residence by the Department of Public Health of the State of Illinois and that given that fact, there is not a need for the zoning restrictions specified in page 5, second “Resolved” paragraph, in the Resolution adopted by the Board to assure quality and appropriateness of services. The elimination of the restrictions specified in the aforesaid paragraph will allow both more effective direct care and more cost effective providing of services to AIDS patients in residence at Bonaventure House.

Chairman Spingola moved that the aforesaid restrictions specified in page 5, second “Resolved” paragraph of the resolution adopted by the Zoning Board of Appeals, in Cal. No. 249-87-S on January 22, 1988 be eliminated from said resolution. The motion prevailed by yeas and nays as follows:

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

The restrictions specified in page 5, second “Resolved” paragraph of the resolution adopted by the Zoning Board of Appeals on January 22, 1988 in Cal. No. 249-87-S are hereby rescinded and authorizes the providing of care in accordance with a Supportive Residence license of the Illinois Department of Public Health.

Mr. Houlihan further requested that the last line on Page 3 and the first line on page 4 of the aforesaid resolution be amended stating that the facility has a design capacity of 34 residents with the reservation originally of four (4) staff beds for religious personnel of the Alexian Brothers religious congregation who would be in residence at the facility. The demonstrated successful experience of the facility negates any continuing need for four (4) religious staff beds which could

MINUTES OF MEETING

November 15, 1996

Cal. No. 249-87-S

more appropriately be utilized for the care of residents. Further, the need for such additional resident bed space is critical and can be accommodated here without a design change to the facility and without the time and expense attendant to a separate use application for the de minimis addition of four additional beds.

Chairman Spingola moved that the last line on page 3 and line 1 on page 4 of the resolution be amended to read as follows:

"...proposed facility will provide a capacity for 34 persons to be served, an employed staff of 7 and on-site parking in conjunction therewith..."

in lieu of

"...proposed facility will provide a capacity of 30 persons to be served, an employed staff of 7 including facilities for 4 resident staff and on-site parking in conjunction therewith..."

The motion prevailed by yeas and nays as follows:

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

The Zoning Board of Appeals hereby administratively authorizes the maximum capacity of resident beds at the applicant facility as 34.

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

APPLICANT: Lazaro Nodarse **CAL. NO.** 284-96-Z
APPEARANCES FOR: Joan Ferraro, Lazaro Nodarse **MAP NO.** 5-1
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 2460 W. Homer Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Lazaro Nodarse, owner, on July 11, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 6-dwelling unit townhouse building, with no east side yard instead of 10.65' and whose north rear yard will be 16.67' instead of 30', on premises at 2460 W. Homer Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.8-4, 7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on November 30, 1994, the City Council rezoned the subject site from R3 to R4 General Residence; that the subject site is a 106.5' x 64.35' deep unimproved lot located on the northeast corner of W. Homer Street and N. Campbell Avenue with no alley access and which abuts an electric power transfer yard on its north lot line; that the applicant proposes to erect a 3-story 6-dwelling unit townhouse building with interior garage parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to provide adequate living space in the proposed 6 townhouse dwelling units as designed and to provide a rear yard area to serve as a buffer from the abutting electric power transfer yard abutting the site to the north; that the plight of the owner is due to the shallow depth of the subject property which necessitates the yard variations requested; that the proposed 6-dwelling unit townhouse building will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 284-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 6-dwelling unit townhouse building, with no east side yard instead of 10.65' and whose north rear yard will be 16.67' instead of 30', on premises at 2460 W. Homer Street, upon condition that adequate space for storage of garbage containers shall be provided on site; 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: Mary Melchor

CAL. NO. 290-96-S

APPEARANCES FOR:

MAP NO. 14-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 5914-18 S. Racine Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: St. Lukes Missionary Baptist Church **CAL. NO.** 294-96-S

APPEARANCES FOR: John J. Ward **MAP NO.** 16-E

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 6504 S. Cottage Grove Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, St. Lukes Missionary Baptist Church, for Vidal Limpin, owner, on July 10, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 100-seat church in a 1-story brick building, in a C1-2 Restricted Commercial District, on premises at 6504 S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 9.3-1, 9.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a 1-story brick building; that the applicant church has been located for the past 10 years at 748 W. 81st Street; that the proposed use is necessary for the public convenience at the subject site to continue to serve the needs of its congregation; 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 and which will provide adequate off-street parking located at 6501 S. Cottage Grove Avenue, as provided for in companion application 295-96-S; that the proposed use will be compatible with the existing improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 100-seat church in a 1-story brick building, on premises at 6504 S. Cottage Grove Avenue, upon condition that off-street parking spaces shall be located at 6501 S. Cottage Grove Avenue as provided for in companion application 295-96-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: St. Lukes Missionary Baptist Church **CAL. NO.** 295-96-S
APPEARANCES FOR: John J. Ward **MAP NO.** 16-D
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 6501 S. Cottage Grove Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, St. Lukes Missionary Baptist Church, for Communitas Realty Group, owner, on July 10, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of 10 parking spaces in an existing lot, in a C1-2 Restricted Commercial District, on premises at 6501 S. Cottage Grove Avenue, to satisfy the parking requirement for a proposed 100-seat church at 6504 S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 10, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is a 108' x 298' lot partially improved parking lot located directly east of the applicant church at 6504 S. Cottage Grove Avenue; that on November 15, 1996, the Board approved the establishment of a 100-seat church in a 1-story brick building at 6504 S. Cottage Grove Avenue, in Cal. No. 294-96-S; that the proposed leasing of 10 parking spaces is necessary for the public convenience at this location to satisfy the parking requirement for a proposed 100-seat church at 6504 S. Cottage Grove Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed 10 parking spaces to be leased to the appellant church by the owner of the subject site, Communitas Realty Group, for a term beginning, April 1, 1996 through March 31, 2006, and which will be improved and operated under the conditions hereinafter set forth; that the proposed leasing of 10 parking spaces is consistent with the existing use of the subject property as a parking lot and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 295-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of 10 parking spaces in an existing lot, on premises at 6501 S. Cottage Grove Avenue, to satisfy the parking requirement for a proposed 100-seat church at 6504 S. Cottage Grove Avenue, upon condition that the subject 10 parking spaces shall be located along the west property line; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveway, with 4 feet high wrought-iron fencing; that striping shall be provided, that lighting shall be provided; that ingress and egress shall be via the public alley abutting the site to the east provided a waiver of the alley barrier is obtained from the City Council; 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; and be it further

RESOLVED, that the 10 leased parking spaces shall be maintained and operated in conformance with the provisions stated herein and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Apostolic Faith Mission of Portland, Oregon **CAL. NO.** 296-96-S

APPEARANCES FOR: Michael P. Mosher **MAP NO.** 24-E

APPEARANCES AGAINST: Bessie P. Walker, et al. **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED-

SUBJECT-

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

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

THE RESOLUTION:

WHEREAS, Apostolic Faith Mission of Portland, Oregon, for Norma Spain, owner, on July 11, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an 80-seat church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 119 E. 95th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 8, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 29, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 100' x 125' lot improved with a 1-story brick building formerly occupied by a bus terminal and presently occupied by offices; that the applicant church has a current membership of 15 people and proposes to establish an 80-seat church at the subject site; that no evidence was presented to indicate that the proposed use is necessary for the public convenience at this location; that testimony presented by parties in opposition to the proposed church indicates that there are 15 churches in the immediate area; that no evidence was presented to indicate that the public health, safety and welfare will be adequately protected in the location of the proposed church; that the establishment of the proposed church at this subject site would be detrimental to the establishment of business uses in the area and it not in the public interest at this location; it is therefore

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

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

APPLICANT: Allan & Shirley Isenberg **CAL. NO.** 361-96-Z
APPEARANCES FOR: Allan & Shirley Isenberg, Shelley Orbach **MAP NO.** 15-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 6243-47 N. Lawndale Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS. Allan & Shirley Isenberg, owner, on August 5, 1996, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story addition to the north side of a 2-story brick and frame single-family dwelling, whose maximum floor area ratio will be 0.57 instead of 0.50, on premises at 6243-47 N. Lawndale Avenue; and

WHEREAS. the decision of the Office of the Zoning Administrator rendered July 25, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2, 7.8-2 (2)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on September 3, 1996; 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 consists of two lots totaling 9, 526 sq.ft.; that the applicants presently reside at 6243 N. Lawndale Avenue and have purchased the single-family dwelling at 6247 N. Lawndale; that the applicants propose to demolish the structure at 6247 N. Lawndale Avenue and erect a 2-story addition to the north side of the dwelling at 6243 N. Lawndale Avenue which will result in one structure having 5,429 sq.ft. of floor area; 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 variation requested is necessary to provide additional living space to meet the needs of the applicants and their 12 children; that the plight of the owner is due to the necessity of providing private bedrooms and baths for the applicants' older children and the impracticality of moving to another location that would be large enough; that the proposed use will be compatible with existing residential 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 15, 1996

Cal. No. 361-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story addition to the north side of a 2-story brick and frame single-family dwelling, whose maximum floor area ratio will be 0.57 instead of 0.50, on premises at 6243-47 N. Lawndale 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: Stuart Miller **CAL. NO.** 380-96-A

APPEARANCES FOR: Barry H. Greenburg, Stuart Miller **MAP NO.** 7-G

APPEARANCES AGAINST: Ramona Condie, et al. **MINUTES OF MEETING:**
September 20, 1996 and
November 15, 1997.

PREMISES AFFECTED- 3025 N. Southport Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Stuart Miller, owner, on August 12, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as a single-family dwelling on the rear of the lot additionally improved with a 3-story brick apartment building on the front of the lot, in a B5-2 General Service District, on premises at 3025 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 18, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 8.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

WHEREAS, the district maps show that the premises is located in a B5-2 General 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 subject site is a 3,125 sq.ft. lot improved with a 2-story brick building on the rear of the lot and a 3-story brick apartment building on the front of the lot; that the appellant is seeking to legalize the use of the rear 2-story brick building as a single-family dwelling; that the zoning ordinance requires 900 sq.ft. of lot area per dwelling unit; that the subject property has enough lot area for no more than 3 dwelling units; that the Sanborn Map indicates that the rear building was originally constructed as a 2-story garage building; that City of Chicago Water Department records dated April 29, 1946, indicates that the subject premises consisted of 3 dwelling units in the front building and automobile garage space on the 1st floor and storage on the 2nd floor in the rear building; that no evidence was presented to indicate that the rear building was originally constructed as a dwelling unit; that under Sections 8.3-5 and 5-5 of the zoning ordinance, the Board has no authority to the permit the use requested; it is therefore

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

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

APPLICANT: Esperanza Campos **CAL. NO.** 386-96-S
APPEARANCES FOR: John J. Pikarski, Jr., Esperanza Campos **MAP NO.** 7-I
APPEARANCES AGAINST: Richard L. Cross, Peter Draper, et al. **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 2436 N. Milwaukee Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
X		

THE RESOLUTION:

WHEREAS, Esperanza Campos, for Alex Karfis, owner, on July 31, 1996, filed an application for a special use under the zoning ordinance to the approval and the establishment of off-site accessory parking in a leased garage building, in a C2-2 General Commercial District, on premises at 2436 N. Milwaukee Avenue, to satisfy the parking requirement for the issuance of a P. P. A. license for a restaurant located at 2451 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 24, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on September 3, 1996; and

WHEREAS, the district maps show that the premises is located in a C2-2 General Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C2-2 General Commercial District; that the subject site is a 150' x 120' lot improved with a 1-story garage building occupied by a car wash; that the applicant, who operates Baron Rojo Restaurant, located a 2451 N. Milwaukee Avenue, seeks to lease off-site parking space at the subject site; that city code regulations require restaurants with a capacity in excess of 120 persons and which provides music and dancing on the premises must have a Public Place of Amusement License and that to obtain such license the restaurant must provide parking spaces for 10% of the restaurant's occupant capacity; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for the issuance of a Public Place of Amusement License for Baron Rojo Restaurant located at 2451 N. Milwaukee Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which is located directly across N. Milwaukee Avenue from the restaurant; that the subject accessory parking will be valet parking provided by the existing car wash business at the subject site and will be available to the restaurant during its normal operating hours; that the majority of the valet parking operation will be after 6:00 P.M. and will not conflict with the existing car wash business operations; that the lease of the subject parking spaces is for a term of ten years commencing

MINUTES OF MEETING

November 15, 1996

Cal. No. 386-96-S

July 25, 1996 and terminating July 25, 2006; that the proposed leasing of approximately 28 parking spaces, which will help alleviate on-street parking in the area, is compatible with existing commercial and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of off-site accessory parking in a leased garage building, on premises at 2436 N. Milwaukee Avenue, to satisfy the parking requirement for the issuance of a P.P.A. license for a restaurant located at 2451 N. Milwaukee Avenue, upon condition that the required parking shall be continuously maintained for the principal use as required under Section 5.8-5 of the zoning ordinance; 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 DeTommaso

CAL. NO. 387-96-S

APPEARANCES FOR:

MAP NO. 9-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 2125 W. Roscoe Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: John DeTommaso

CAL. NO. 388-96-Z

APPEARANCES FOR:

MAP NO. 9-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 2125 W. Roscoe Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Peter & Faith Perry

CAL. NO. 426-96-Z

APPEARANCES FOR: Peter & Faith Perry

MAP NO. 9-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 7005 W. Melrose Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Peter and Faith Perry, for Parkway Bank & Trust Co. Tr. #9638, owner, on September 16, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 10.5' x 7.8' front addition and a 2nd story 24.33' x 52.17' addition to a 1 1/2 story frame single-family dwelling, whose west side yard will be 1.94' and whose east side yard will be 3.86' instead of combined side yards of 9' and neither side yard less than 3', and whose maximum floor area ration will be 0.65 instead of 0.50, on premises at 7005 W. Melrose Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 16, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2, 7.7-3, 7.8-2 (2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Residence District; that the subject site is a 30' x 125.3' lot improved with a 1 1/2 story frame single-family dwelling; that the applicant proposes to erect a 2-story 10.5' x 7.8' front addition and a 2nd story 24.33' x 52.17' addition to the existing single-family dwelling at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed additions are necessary to provide additional living space to meet the needs of the applicant and his family; that the plight of the owner is due to the necessity of providing additional living space for the applicant's elderly parents who will be living with the applicant; that the proposed additions will located within the existing perimeter walls of the single-family dwelling and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 426-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 10.5' x 7.8' front addition and a 2nd story 24.33' x 52.17' addition to a 1 ½ story frame single-family dwelling, whose west side yard will be 1.94' and whose east side yard will be 3.86' instead of combined side yards of 9' and neither side yard less than 3', and whose maximum floor area ratio will be 0.65 instead of 0.50, on premises at 7005 W. Melrose Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Mario Aguilar

CAL. NO. 427-96-Z

APPEARANCES FOR: Mario Aguilar

MAP NO. 20-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 3547 W. 84th Street

SUBJECT- Application to vary the requirements of the zoning ordinance

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Mario Aguilar, owner, on September 16, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of an 11.8' x 16' screened patio attached to the east side of an accessory garage at the rear of a single-family dwelling, whose east side yard will be 1' instead of 4', on premises at 3547 W. 84th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 20, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.8-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 37.5' x 125' lot improved with a 2-story brick single-family dwelling; that the said 11.8' x 16' screened patio attached to the east side of an accessory garage is presently under construction; that no evidence was presented to indicate that the applicant has a hardship in complying with the requirements of the zoning ordinance; that the construction of the aforesaid patio was commenced without obtaining the necessary building permit and that the plight of the owner is self-created; it is therefore

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

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

APPLICANT: Chedo Karanikic **CAL. NO.** 428-96-Z
APPEARANCES FOR: John Fritchey, Chedo Karanikic **MAP NO.** 3-F
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 1400 N. North Park Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Chedo Karanikic, owner, on September 19, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story 3-dwelling unit townhouse building, with no front yard instead of 13.2' and whose rear yard will be 3' instead of 30', on premises at 1400 N. North Park Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 13, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 26' x 110' corner lot located on the northwest corner of the intersection of N. North Park Avenue and W. Schiller Street with an alley and elevated railroad tracks abutting the site to the west; that the applicant proposes to erect a 4-story 3-dwelling unit townhouse building with interior ground floor parking garages for each townhouse dwelling; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 4-story 3-dwelling unit townhouse building as designed requires greater horizontal land coverage and encroachment into the required front and rear yards that would a yard conforming multi-story rental apartment building; that the plight of the owner is due to the shallow depth of the subject site property; that the proposed 4-story 3-dwelling unit townhouse building will be compatible with the existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 428-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story 3-dwelling unit townhouse building, with no front yard instead of 13.2' and whose rear yard will be 3' instead of 30', on premises at 1400 N. North Park 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: Ned Simon

CAL. NO. 429-96-Z

APPEARANCES FOR: John Fritchey, Ned Simon

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 2533 N. Ashland Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Ned Simon, owner, on October 2, 1996, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 2-story addition on top of a 2-story brick building all of which will contain business space and accessory parking on the ground floor and 12 dwelling units in the floors above, with no residential rear yard instead of 30' required for the dwelling unit portion of the building and with no provision for one required loading berth, on premises at 2533 N. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.7-4, 8.10-4 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 103' x 107' lot improved with a 2-story brick U-shaped former manufacturing building; that the application proposes to erect a 2-story addition on the top of the existing building all of which will contain business space and accessory parking on the ground floor and 12 dwelling units on the floors 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 rear yard variation requested is necessary in order to erect the proposed additional 2 floors; that the proposed ground floor retail space will be occupied by office uses creating a minimum of in and out movement and thereby negates the need for a loading berth; that the plight of the owner is due to the desire to retain the existing U-shape footprint including the courtyard space of the existing 2-story brick building; that the proposed building will be compatible with the mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 429-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story addition on top of a 2-story brick building all of which will contain business space and accessory parking on the ground floor and 12 dwelling units in the floors above, with no residential rear yard instead of 30' required for the dwelling unit portion of the building and with no provision for one required loading berth, on premises at 2533 N. Ashland Avenue, upon condition that the applicant shall obtain a lease of the air rights over the public alley to the east from the City Council in order to allow the construction of balconies which will overhang the alley; 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: Channing C. M. Lan

CAL. NO. 430-96-Z

APPEARANCES FOR:

MAP NO. 6-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 269 W. 22nd Place

SUBJECT-

Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JANUARY 17, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LÉROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: A T & T Wireless Services, Inc. **CAL. NO.** 431-96-Z
APPEARANCES FOR: Anthony Lello **MAP NO.** 14-M
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 5757 W. 59th Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, A T & T Wireless Services, Inc., for Cole Taylor Bank, Tr. #92-2114, owner, on September 12, 1996, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an M1-1 Restricted Manufacturing District, the erection of a 92' high monopole antenna structure and a 10' x 20' x 10' high equipment shelter for a Personal Communications Service business, which monopole exceeds the applicable height regulation by 67', on premises at 5757 W. 59th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 19, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-1 (13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

WHEREAS, the district maps show that the premises is located in an M1-1 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M1-1 Restricted Manufacturing District; that the subject site is a 330 sq.ft. leased part a lot improved with a 1-story manufacturing building; that the proposed antenna structure is designed at this location to provide personal communications system coverage in the Midway Airport area from 51st Street to Marquette Road and from Narragansett Avenue to Pulaski Road; 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 variation requested is due to the proximity of the proposed antenna structure to Midway Airport; that the plight of the owner is due to the height requirements under the zoning ordinance concerning buildings and structures located within 7,500 feet from the nearest airport boundary; that the proposed antenna structure and equipment shelter will be compatible with the existing manufacturing 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 15, 1996

Cal. No. 431-96-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 92' high monopole antenna structure and a 10' x 20' x 10' high equipment shelter for a Personal Communications Service business, which monopole exceeds the applicable height regulation by 67', on premises at 5757 W. 59th Street, upon condition that the proposed antenna structure and equipment shelter will comply with all applicable Federal Communications Commission rules and regulations governing the operation of cellular communications systems; 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: Patricia Craig **CAL. NO.** 432-96-Z

APPEARANCES FOR: John J. Pikarski, Jr., Patricia Craig **MAP NO.** 9-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 1751 W. Cornelia Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Patricia Craig, for Patricia Craig and Sarah Peterek, owner, on October 1, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the dormering of the attic of a 2 ½ story frame 2-dwelling unit building, whose front yard will be 8' instead of 20', whose west side yard will be 1.27' and whose east side yard will be 2.5' instead of 6.6' each, and which dormering will result in a 10% (308 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1751 W. Cornelia Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 27, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-3, 7.7-3, 7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 25' x 125' lot improved with a 2 ½ story frame 2-dwelling unit building; that the applicant proposes to dormer the attic of said building which will result in a 308 sq. ft. or 10% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed attic dormer is necessary to provide additional bedroom space for the 2nd floor dwelling unit; that the front yard variation requested is necessary for a new bay window on the front facade of the existing building; that the plight of the owner is due to the need for more bedroom space for the 2nd floor dwelling unit; that the variations, if granted, will not alter the essential character of the locality in that the proposed dormer addition will be located within the existing building walls and will be compatible with existing residential improvements in the area; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 432-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the dormering of the attic of a 2 ½ story frame 2-dwelling unit building, whose front yard will be 8' instead of 20', whose west side yard will be 1.27' and whose east side yard will be 2.5' instead of 6.6' each, and which dormering will result in a 10% (308 sq.ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1751 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: Grzegorz Marzec **CAL. NO.** 433-96-Z
APPEARANCES FOR: John J. Pikarski, Jr., Grzegorz Marzec **MAP NO.** 7-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 1336 W. Fletcher Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Grzegorz Marzec, for Grzegorz Marzec and Iwona Koziol, owner, on October 1, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 27' x 17.26' addition to the rear of a 3-story frame single-family dwelling, which addition and proposed existing building alternations will result in a 6% (146 sq.ft.) increase in the amount of floor area existing in the building (2,359 sq.ft.) prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1336 W. Fletcher Street; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 25' x 125.11' lot improved with a 3-story frame single-family dwelling undergoing alterations with the proposed 2-story 27' x 17.26' addition to the rear of the building under construction; that the proposed 2-story 27' x 17.26 rear addition and the proposed existing building alterations will result in a 146 sq.ft. or 6% increase in the floor area existing in the building (2,359 sq.ft.) prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; that the 3-story frame single-family dwelling with the proposed 2-story rear addition and building alterations will be compatible with the existing residential 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 15, 1996

Cal. No. 433-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 27' x 17.26' addition to the rear of a 3-story frame single-family dwelling, which addition and proposed existing building alterations will result in a 6% (146 sq.ft.) increase in the amount of floor area existing in the building (2,359 sq.ft.) prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 1336 W. Fletcher Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Centrum Properties for McDonald's Corp. **CAL. NO.** 434-96-S

APPEARANCES FOR: Mary Koberstein **MAP NO.** 24-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 1637 W. 95th Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Centrum Properties for McDonald's Corp., for Regent Investment Inc., owner, on September 17, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a drive-through facility in conjunction with a proposed McDonald's Restaurant, in a B4-1 Restricted Service District, on premises at 1637 W. 95th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 9, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4 A (6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that in conjunction with a proposed McDonald's Restaurant at the subject site, the applicant proposed to establish a single lane drive-through facility at the site; that the proposed drive-through facility is necessary for the public convenience at this location to provide a service necessary in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed drive-through facility; to be improved and operated under the conditions and standards hereinafter set forth: that the proposed use will be compatible with the existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a drive-through facility in conjunction with a proposed McDonald's Restaurant, on premises at 1637 W. 95th Street, upon condition that lighted directional signs shall be provided at the established entrance and exit; that ingress to the proposed drive-through facility shall be from W. 95th Street at the northwest corner of the site and egress from the drive-through facility shall be onto St. Charles Avenue at the northeast corner of the site; that

MINUTES OF MEETING

November 15, 1996

Cal. No. 434-96-S

the subject property, excepting driveways, shall be enclosed by decorative wrought-iron fencing; that the parking area 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 lighting and striping shall be provided; that an enclosed area for garbage shall be provided; that landscaping shall be provided in accordance with the City of Chicago Landscape Ordinance; and that all other applicable provisions of the City of Chicago shall be complied with before a permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the conditions and standards hereby established under this order.

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

APPLICANT: Dennis Huffman

CAL. NO. 435-96-Z

APPEARANCES FOR: Gary I. Wigoda. Desmond Campbell

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 1659 W. Erie Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED ON THE
BOARD'S OWN MOTION TO
JANUARY 17, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LÉROY 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: Wabash Limited Partnership **CAL. NO.** 436-96-S

APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 4-E

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 1334 S. Wabash Avenue.

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Wabash Limited Partnership, owner, on October 2, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in a proposed 4-story 16-dwelling unit building, in a B4-5 Restricted Service District, on premises at 1334 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 28, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4A (1), 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-5 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 B4-5 Restricted Service District; that the subject site is a 148' x 52' lot improved as a parking lot; that on April 15, 1994, the Board approved the applicant's special use application to permit the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 90 dwelling units, at 1318-52 S. Wabash Avenue, in Cal. No. 94-94-S; that the proposed establishment of dwelling units on the ground floor in a proposed 4-story 16-dwelling unit building at the subject site is Phase II in this residential development project; that the proposed use is necessary for the public convenience at this location due to the lack of demand for ground floor business space in this neighborhood; 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 and which will provide adequate off-street parking; that the proposed use of the subject property for dwelling units will be compatible with the residential trend 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 15, 1996

Cal. No. 436-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor in a proposed 4-story 16-dwelling unit building, on premises at 1334 S. Wabash Avenue, upon condition that the applicant installs wrought iron fencing along the Wabash Avenue frontage and otherwise conforms with the site plan prepared by Fitzgerald Associates Architects and dated October 22, 1996; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Wabash Limited Partnership

CAL. NO. 437-96-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 4-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 1334 S. Wabash Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Wabash Limited Partnership, owner, on October 2, 1996, filed an application for a variation of the zoning ordinance to permit, in a B4-5 Restricted Service District, the erection of a 4-story 16-dwelling unit building, with no rear yard instead of 30 feet, on premises at 1334 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 28, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4A (1), 8.7-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-5 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 B4-5 Restricted Service District; that on November 15, 1996, the Board approved the establishment of dwelling units on the ground floor in a proposed 4-story 16-dwelling unit building, at the subject site, in Cal. No. 436-96-S; that the subject site is a 148' x 52' deep lot improved as a parking 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 to erect less than the 16 dwelling units at the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that the subject lot is only 52' in depth and provision for a 30' rear yard would render the property unbuildable; that the proposed 4-story 16-dwelling unit building will be compatible with existing improvements in this developing residential area and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 437-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4-story 16-dwelling unit building, with no rear yard instead of 30 feet, on premises at 1334 S. Wabash Avenue. upon condition that adequate space shall be provided on site for garbage containers; 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: Three Crosses Missionary Baptist Church **CAL. NO.** 438-96-S
APPEARANCES FOR: Paul Gendel **MAP NO.** 2-K
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 4445 W. Madison Street
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Three Crosses Missionary Baptist Church, owner, on September 27, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 280-seat church in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 4445 W. Madison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 16, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Chicago Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick building occupied by a church; that on May 21, 1993, the Board approved the establishment of a 92-seat church in a 1-story brick building at the subject site; that the testimony presented in Cal. No. 170-93-S is hereby made part of the record in this case; that the proposed expansion is necessary for the public convenience at this location to serve the needs of the congregation; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed church which will comply with all applicable building code regulations and which will provide adequate off-street parking to be improved and maintained under the conditions hereinafter set forth; that the proposed church will not cause substantial injury to the value of other property in the neighborhood in that it is located in a declining business area with vacant stores and vacant lots in the block in which the subject property is located; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 438-96-S

RESOLVED, that the application for a special use be and it hereby is approved to permit the establishment of a 280-seat church in a 1-story brick building, on premises at 4445 W. Madison Street, upon condition that the parking area abutting the church building shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails shall be provided on the east and south lot lines; that striping shall be provided; that lighting shall be provided; that concrete wheel stops shall be provided; that ingress and egress shall be via W. Madison Street; that the alley abutting the site to the south shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; 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 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: S & H Development Limited Partnership **CAL. NO.** 439-96-S
APPEARANCES FOR: Barnard I. Citron **MAP NO.** 5-I
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 1615 N. Talman Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

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

THE RESOLUTION:

WHEREAS, S & H Development Limited Partnership, for American National Bank & Trust Co. Of Chicago, Tr. #122063-06, owner, on September 30, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 8 private passenger automobiles, in an R3 General Residence District, on premises at 1615 N. Talman Avenue, to fulfill the parking requirement for a proposed office building at 2610 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.12-1."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 27.5' x 125.19' unimproved lot; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for a proposed office building at 2610 W. North Avenue; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed off-site accessory parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed off-site accessory parking lot, with a 5 foot high solid privacy fence on the north lot line and landscaping, 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 8 private passenger automobiles, on premises at 1615 N. Talman Avenue, to fulfill the parking requirement for a proposed office building at 2610 W. North Avenue, upon

MINUTES OF MEETING

November 15, 1996

Cal. No. 439-96-S

condition that no use shall be made of the lot for the use requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 5 feet high decorative solid wood privacy fence shall be erected on the north property line to screen the parking lot from abutting residential property; that wrought-iron fencing shall be provided on the west and east property lines; that lighting shall be provided; that striping shall be provided; that concrete wheel stops shall be provided; that ingress and egress shall be from the public alley abutting the site to the south provided a waiver of the alley barrier requirement is obtained from the City Council; that the alley abutting the site to the east shall not be used for ingress nor for egress; that setbacks and landscaping shall be provided as illustrated on the site plan prepared by E. C. Purdy & Associates and dated July 26, 1996 and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: S & H Development Limited Partnership **CAL. NO.** 440-96-S

APPEARANCES FOR: Bernard I. Citron **MAP NO.** 5-1

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 1614 N. Rockwell Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, S & H Development Limited Partnership, for American National Bank & Trust Co. of Chicago, Tr. #122063-06, owner, on September 30, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for 6 private passenger automobiles, in an R3 General Residence District, on premises at 1614 N. Rockwell Street, to fulfill the parking requirement for a proposed office building at 2610 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 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 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that on November 15, 1996, the Board approved the applicant's application for the establishment of an off-site accessory parking lot for 8 private passenger automobiles on premises at 1615 N. Talman Avenue to partially fulfill the parking requirement for a proposed office building at 2610 W. North Avenue, in Cal. No. 439-96-S; that the proposed use is necessary for the public convenience at the subject site to fulfill the parking requirement for the aforesaid office building; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot with a solid wood privacy fence on the site's north property line and landscaping 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 15, 1996

Cal. No. 440-96-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 an off-site accessory parking lot for 6 private passenger automobiles, on premises at 1614 N. Rockwell Street, to fulfill the parking requirement for a proposed office building at 2610 W. North Avenue, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a 5 feet high decorative solid wood privacy fence shall be erected on the north property line to screen the facility from abutting residential property; that wrought iron fencing shall be erected on the west and east property lines; that ingress and egress shall be from the public alley abutting the site to the south provided that a waiver of the alley barrier requirement is obtained from the City Council; that the public alley abutting the site to the west shall not be used for ingress nor egress; that lighting shall be provided; that striping shall be provided; that concrete wheel stops shall be provided; that the setbacks and landscaping shall be provided as illustrated on the site plan prepared by E.C. Purdy & Associates and dated July 26, 1996; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: City of Chicago, Dept. of Water, by McDonough Environment. Inc. CAL. NO. 441-96-S

APPEARANCES FOR: Joseph A. Stewart

MAP NO. 26-F

APPEARANCES AGAINST: Ruth Hampton, Raleigh Tate, Jr.

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 351 W. 104th Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, City of Chicago, Dept. of Water, by McDonough Environment Inc. for City of Chicago, Dept. of Water, owner, on September 27, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a new transformer yard enclosure to the west side of the existing Roseland Pumping Station building and the erection of a new 40,539 sq.ft. electrical building south of said building, in an R2 Single-Family Residence District, on premises at 351 W. 104th Street, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.4-1 (3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is an approximately 156,000 sq. ft. irregularly shaped lot improved with the Roseland Pumping Station building; that the applicant proposes to erect a new transformer yard enclosure to the west side of the existing Roseland Pumping Station building and erect a new 40,539 sq.ft. electrical building south of said building; that the proposed use is necessary for the public convenience at this location to upgrade the aging steam-driven pumping station at the subject site as part of a City of Chicago Department of Water capital improvement program; that the proposed separate electrical building south of the existing building and transformer yard enclosure are required to contain the new equipment; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed uses which will be constructed and operated in compliance with all applicable City of Chicago ordinances; that the existing 250' brick smoke stack located on the Roseland Pumping Station site will be removed; that the upgrading of the aging pumping station with new electric equipment will be an improvement 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 15, 1996

Cal. No. 441-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a new transformer yard enclosure to the west side of the existing Roseland Pumping Station building and the erection of a new 40,539 sq.ft. electrical building south of said building, on premises at 351 W. 104th Street, upon condition that the applicant maintains a 15 foot landscaped side yard setback along the east side of the new building and installs landscaping and wrought-iron fencing along the 105th Street frontage; 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: City of Chicago, Dept. of Water, by McDonough Environment Inc. **CAL. NO.** 442-96-Z

APPEARANCES FOR: Joseph A. Stewart

MAP NO. 26-F

APPEARANCES AGAINST: Ruth Hampton, Raleigh Tate, Jr.

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 351 W. 104th Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, City of Chicago, Dept. of Water, by McDonough Environment Inc., for City of Chicago, Dept. of Water, owner, on September 27, 1996, filed, and subsequently amended an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a new transformer yard enclosure and a new 40,539 sq. ft. electrical building on the Roseland Pumping Station site, whose south front yard will be 10' instead of 20', and whose maximum floor area ratio will be 0.55 instead of 0.50, on premises at 351 W. 104th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 26, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-2, 7.8-1 (3), 7.8-2 (3)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that on November 15, 1996, the Board approved the erection of a new transformer yard enclosure to the west side of the existing Roseland Pumping Station building and the erection of a new 40,539 sq. ft. electrical building south of said building, at the subject site, in Cal. No. 441-96-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 due to a modification of the location and configuration of the proposed new electrical building; that the plight of the owner is due to unique circumstances in that the shifted electrical building and the minimized front yard setback are a result of recent arrangements made by the Department of Water to lease additional railroad property at the west side of the site; that the proposed new transformer yard enclosure and 40,539 sq.ft. electrical building are an improvement of the existing aging pumping station facility and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 442-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a new transformer yard enclosure and a new 40,539 sq.ft. electrical building on the Roseland Pumping Station site, whose south front yard will be 10' instead of 20', and whose maximum floor area ratio will be 0.55 instead of 0.50, on premises at 351 W. 104th Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Donald J. Vogel, Esq.

CAL. NO. 443-96-A

APPEARANCES FOR:

MAP NO. 13-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 1776 W. Berwyn Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Nirmal S. Singha, Jaiddev S. Bhattal & Gurcharn S. Jhai CAL. NO. 444-96-S

APPEARANCES FOR: MAP NO. 13-H

APPEARANCES AGAINST: MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 1776 W. Berwyn Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Nirmal S. Singha, Jaiddev S. Bhattal & Gurcharn S. Jhai CAL. NO. 445-96-Z

APPEARANCES FOR: MAP NO. 13-H

APPEARANCES AGAINST: MINUTES OF MEETING:

November 15, 1996

PREMISES AFFECTED- 1776 W. Berwyn Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Waste Management of Illinois, Inc.

CAL. NO. 446-96-S

APPEARANCES FOR:

MAP NO. 32-D, 32-C, 34-C

APPEARANCES AGAINST:

MINUTES OF MEETING:

November 15, 1996

PREMISES AFFECTED-

Area bounded generally by E. 130th Street on the north, Little Calumet River on the east, City Limits on the south and the Bishop Ford Freeway (formerly Calumet Expressway) on the west, and commonly known as 13001-13745 S. Bishop Ford Freeway (formerly Calumet Expressway)

SUBJECT-

Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

 AFFIRMATIVE NEGATIVE ABSENT

CASE CONTINUED TO
DECEMBER 20, 1996.

JOSEPH J. SPINGOLA

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

APPLICANT: Michael Reese

CAL. NO. 447-96-S

APPEARANCES FOR:

MAP NO. 20-E

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 8221-27 S. State Street

November 15, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
FEBRUARY 21, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Illinois Dept. of Corrections **CAL. NO.** 448-96-S
APPEARANCES FOR: Bruce B. Jackson **MAP NO.** 18-D
APPEARANCES AGAINST: Abena Joan Brown, et. al. **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 7525 S. South Chicago Avenue
SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Illinois Dept. of Corrections, for J. L. Manta, Inc., an IL Corp., owner, on September 25, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a transitional residence in a proposed 1-story 36,000 sq. ft. building for no more than 200 residents housed under supervision while under the constraints of alternatives to imprisonment, in a C1-2 Restricted Commercial District, on premises at 7525 S. South Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 23, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.3-1."
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

WHEREAS, the district maps show that the premises is located in a C1-2 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that on September 11, 1996, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to C1-2 Restricted Commercial zoning; that the subject site is an approximately 80,000 sq. ft. irregularly shaped lot improved with a vacant 1-story brick building; that the applicant proposes to establish at the subject site a transitional residence in a proposed 36,000 sq.ft. building for no more than 200 residents housed under supervision while under the constraints of alternatives to imprisonment; that the residents of the proposed facility will be women who have committed non-violent crimes and who are serving the last two to 25 months of their sentences; that residents will have regular outside jobs and will be allowed off the premises to travel to and from work, as well as shopping and family visits; that spot checks are made periodically to ascertain that residents are at the locations they are supposed to be at; that security booths and video cameras will be operated 24 hours daily; that security staff is provided at a ratio of 1 person to 6 residents; that no testimony was presented to indicate that the proposed transitional residence is necessary for the public convenience at this location; that, in fact, the representative of the Department of Corrections testified that he did not know how the subject site was chosen for the proposed facility; that the proposed use

MINUTES OF MEETING

November 15, 1996

Cal. No. 448-96-S

is located directly across a public alley from a residential area and across South Chicago Avenue from a well-known African-American cultural institution, ETA Creative Arts Foundation, Inc. at 7553 S. South Chicago Avenue, which organization relocated to that address in July, 1995; that testimony presented by the president of ETA Creative Arts Foundation in opposition to the proposed transitional residence indicates that the proposed transitional residence at the subject site would have a seriously negative impact on the continuing existence and programs of the cultural institution; that the methods proposed for off-site monitoring of the residents and on-site security measures are inadequate to insure that the public health, safety and welfare will be protected in the operation of the facility; that no evidence was presented to indicate that the proposed use would not have a deleterious effect on the value of other property in the neighborhood; that the proposed use is incompatible with existing improvements in the area and is not in the public interest at this location; it is therefore

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

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

APPLICANT: Mike Dibra

CAL. NO. 449-96-A

APPEARANCES FOR: Mike Dibra

MAP NO. 15-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 5657-59 N. Magnolia Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mike Dibra, owner, on September 18, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 3-story brick building as 26 dwelling units, in an R4 General Residence District, on premises at 5657-59 N. Magnolia Avenue; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996.

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is located on the southeast corner of W. Hollywood Avenue and N. Magnolia Avenue and is improved with a 3-story with English basement brick apartment building with no off-street parking; that evidence presented indicates that the subject building has been occupied as 26 dwelling units prior to the adoption of the 1953 parking ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has a right to continue the occupancy of the 3-story brick building at the subject site as 26 dwelling units with no off-street parking required provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 3-story brick building as 26 dwelling units with no off-street parking required, on premises at 5657-59 N. Magnolia Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Dawn Paskowicz

CAL. NO. 450-96-A

APPEARANCES FOR: Dawn Paskowicz

MAP NO. 11-K

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 4611 N. Keystone Avenue

November 15, 1996

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
MARCH 21, 1997.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: John McNulty **CAL. NO.** 451-96-A
APPEARANCES FOR: John McNulty **MAP NO.** 9-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996
PREMISES AFFECTED- 3208 N. Seminary Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.
ACTION OF BOARD-

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, John B. McNulty, owner, on September 20, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story frame building as 3 dwelling units on the 1st and 2nd floors and 1 efficiency dwelling unit in the basement, in an R4 (SD9) General Residence District, on premises at 3208 N. Seminary Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 9, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 10A-1.5-2, 10A-13-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

WHEREAS, the district maps show that the premises is located in an R4 (SD9) General Residence District; that

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 (SD9) General Residence District; that the subject site is improved with a 2-story frame residential building; that the subject building contains 2 front dwelling units and it is proposed to convert the two small rear efficiency units to one dwelling unit and to add one efficiency dwelling unit in the basement; that evidence presented indicates that the subject building originally contained 4 dwelling units prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 4 dwelling units provided the building is brought into compliance with building code regulations; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No 451-96-A.

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story frame building as 3 dwelling units on the 1st and 2nd floors and 1 efficiency dwelling unit in the basement. on premises at 3208 N. Seminary Avenue. upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance: and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Highland Manufacturing

CAL. NO. 452-96-A

APPEARANCES FOR: Delores Cappel

MAP NO. 14-1

APPEARANCES AGAINST:

MINUTES OF MEETING:
November 15, 1996

PREMISES AFFECTED- 3014 W. 63rd Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Highland Manufacturing, for Cano Enterprises, owner, on September 20, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the making and wholesaling of custom draperies in a 3-story brick building, in a B2-1 Restricted Service District, on premises at 3014 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 6, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

WHEREAS, the district maps show that the premises is located in a B2-1 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 B2-1 Restricted Service District; that the subject site is improved with a 3-story brick store and apartment building; that the appellant makes custom draperies at the subject site store for local drapery retailers; that the subject business has three employees and 6 sewing machines; that the appellant has operated the subject business for the past 7 years at the subject site; that there is a daily delivery of material to the premises either in person or by parcel services; that the Board finds that the wholesale activity at the subject premises to be unobtrusive and not noticeable from the street and that the delivery of material to the site is minimal and that the operation is similar to uses permitted in interior decorating shops which are permitted uses in the B2 district; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the making and wholesaling of custom draperies in a 3-story brick building, on premises at 3014 W. 63rd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Manny Aquja

CAL. NO. 453-96-A

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 17-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

November 15, 1996

PREMISES AFFECTED- 6813 N. Sheridan Road

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Manny Aquja, for William Tsai, owner, on September 25, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a hair salon in a non-conforming store on the ground floor of a 9-story brick multi-store and apartment building, in an R4 General Residence District, on premises at 6813 N. Sheridan Road; and

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 9-story brick multi-store and apartment building; that the subject store has been previously occupied by a beauty salon for many years, which use ceased operation in the Spring of 1996; that on October 26, 1988, the City Council rezoned the site from B4-4 to R4 General Residence which made the prior use of the site as a beauty salon non-conforming; 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 the establishment of a hair salon in a non-conforming store on the ground floor of a 9-story brick multi-store and apartment building, on premises at 6813 N. Sheridan Road, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Richard B. Mottweiler **CAL. NO.** 454-96-A

APPEARANCES FOR: Richard B. Mottweiler **MAP NO.** 7-J

APPEARANCES AGAINST: **MINUTES OF MEETING:**

November 15, 1996

PREMISES AFFECTED- 2702 N. Milwaukee Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richard R. Mottweiler, for Eliana Diaz, owner, on September 26, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a coin-operated launderette on the first floor of a 3-story brick store and apartment building, in a B3-3 General Retail District, on premises at 2702 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 19, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

WHEREAS, the district maps show that the premises is located in a B3-3 General Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B3-3 General Retail District; that the subject site is improved with a 3-story brick multi-store and apartment building; that on December 7, 1965, the Board sustained an appeal permitting establishment of a coin-operated launderette in the subject store premises, at the subject site, in Cal. No. 593-65-A; that the subject premises has been occupied as a coin-operated launderette until May, 1996 when it ceased operation due to the tenant's defaulting on the lease; that the owner has attempted to rent the premises for said use in the interim period and that there has been no attempt to abandon the launderette use at the site; 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 coin-operated launderette on the first floor of a 3-story brick store and apartment building, on premises at 2702 N. Milwaukee 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: Outdoor Impact, Inc.

CAL. NO. 455-96-A

APPEARANCES FOR: Sharon Byron

MAP NO. 9-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3366 N. Clark Street

November 15, 1996

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Outdoor Impact, Inc., for William J. O'Neill, owner, on September 16, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing 20' x 60' advertising sign painted on the south wall of a 3-story brick building, in a B4-2 Restricted Service District, on premises at 3366 N. Clark Street, due to its location within 250' of a Residence District; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 7, 1996, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.9 (7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 3-story brick building with an existing 20' x 60' advertising sign painted on the south wall; that evidence presented indicates that the subject advertising sign has been located at the subject site since prior to the amendment to the zoning ordinance passed by the City Council on July 12, 1990, which requires an advertising sign exceeding 100 sq.ft. to be a minimum of 250' away from a Residence District; that testimony presented indicates that the said advertising sign faces elevated tracks located east of the subject site and is not visible from the residential zoning located northeast of the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing 20' x 60' advertising sign painted on the south wall of a 3-story brick building, on premises at 3366 N. Clark Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Gary Leibovitz **CAL. NO.** 456-96-A

APPEARANCES FOR: Graham Grady, Gary Leibovitz, Mary Howe **MAP NO.** 5-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 1650 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.

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

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

THE RESOLUTION:

WHEREAS, Gary Leibovitz, for Howe Corporation, owner, on September 18, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a dog boarding facility in a 1-story brick building, in Planned Manufacturing District #2 (Subdistrict #1), on premises at 1650 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 13, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 16-8-070."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996; and

WHEREAS, the district maps show that the premises is located in Planned Manufacturing District #2 (Subdistrict #1); 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: that the proposed use is to be located in Subdistrict #1 in the Elston Corridor Planned Manufacturing District No. 2; that the appellant proposes to establish a dog storage facility and accessory uses for boarding of approximately 100 privately owned dogs in the 19,000 sq.ft. 1-story brick warehouse building at the subject site; that the dogs will be stored in a state-of-the-art kennel system that uses large steel and PVC crates with a built-in sanitary floor drainage system; that 85% of the floor space will be used for dog storage and exercise area with the remaining 15% used for accessory uses such as offices, equipment storage, areas for dog intake, dog washing, dog training, dog day care, dog exhibitions and retail sales of dog paraphernalia; that the zoning ordinance does not define dog boarding or kennel nor does it designate where such use is permitted; that Subdistrict 1 of the Elston Corridor P.M.D. permits processing, cleaning, servicing and storage of goods; that the term "goods" is traditionally defined as including personal property and that a dog is personal property; that the principle use of the subject site building for the storage of dogs, as proposed, constitutes the storage of "goods" and therefore is a permitted use under the Elston Corridor Planned Manufacturing District and that the accessory uses, as proposed, are permitted accessory uses; it is therefore

MINUTES OF MEETING

November 15, 1996

Cal. No. 456-96-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a dog boarding facility with areas for offices, equipment storage, dog intake, dog washing, dog training, dog day care, dog exhibitions and retail sales of dog paraphernalia as accessory uses only in a 1-story brick building, on premises at 1650 N. Elston Avenue, upon condition 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 findings made in this case are unique to this case only and that they shall not be construed as having any applicability to any other similar matter or issue.

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

APPLICANT: Family of God Church of God in Christ, Inc. **CAL. NO.** 457-96-S

APPEARANCES FOR: Donald J. Vogel **MAP NO.** 20-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**
November 15, 1996

PREMISES AFFECTED- 8324 S. Halsted Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Family of God Church of God in Christ, Inc., owner, on October 3, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 55-seat church in a 1-story frame building, in a B2-1 Restricted Retail District, on premises at 8324 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 30, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago specifically, Sections 8.4-1 (1), 8.4-2 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story frame building occupied by the applicant church; that the said use is necessary for the public convenience at this location to continue to serve its congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will comply with all applicable building code regulations and which will provide adequate off-street parking to be located at 8336 S. Halsted Street, as provided for in companion application 458-96-S; that the said use is an improvement in this block of S. Halsted Street which contains many vacant lots 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 55-seat church in a 1-story frame building, on premises at 8324 S. Halsted Street, upon condition that off-street accessory parking shall be located at 8336 S. Halsted Street, as provided for in companion application 458-96-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Family of God Church of God in Christ, Inc. **CAL. NO.** 458-96-S

APPEARANCES FOR: Donald J. Vogel **MAP NO.** 20-G

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 8336 S. Halsted Street **November 15, 1996**

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Family of God Church of God in Christ, Inc., owner, on October 3, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for private passenger automobiles, in a B2-1 Restricted Retail District, on premises at 8336 S. Halsted Street, to satisfy the parking requirement for a proposed 55-seat church at 8324 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 30, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.4-1 (6), 8.4-2 (1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on November 15, 1996 after due notice thereof by publication in the Chicago Sun-Times on October 28, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that on November 15, 1996, the Board approved the establishment of a 55-seat church in a 1-story frame building at 8324 S. Halsted Street, in Cal. No. 457-96-S; that the subject site is a 25' x 125' lot; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirement for a 55-seat church at 8324 S. Halsted Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the establishment of an accessory parking lot at the subject site will be an improvement in this block of S. Halsted Street which contains many vacant lots 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 private passenger automobiles, on premises at 8336 S. Halsted Street, to satisfy the parking requirement for a 55-seat church at 8324 S. Halsted Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial

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November 15, 1996

Cal. No. 458-6-S


vehicles shall be parked on the subject property at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that wrought-iron fencing shall be provided on the east, south and west lot lines, excepting driveways; that lighting shall be provided; that striping shall be provided; that ingress to the facility shall be from S. Halsted Street; that egress shall be via the public alley abutting the site to the west provided that the alley barrier requirement waiver is obtained from the City Council; that the driveway on S. Halsted Street shall be constructed in compliance with applicable ordinances; that the parking lot shall be locked at all times when not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and with Section 5.8-5 of the zoning ordinance.

MINUTES OF MEETING

November 15, 1996

Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on December 20, 1996.


Secretary