

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

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, 118 N. Clark Street on May 21, 1999
at 9:00 A.M. and 2:00 P.M.

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
Demetri Konstantelos
Le Roy K. Martin, Jr.
Gigi McCabe-Miele

MINUTES OF MEETING

May 21, 1999

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on April 16, 1999 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

* * * * *

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

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

APPLICANT: Victor C. Neumann Foundation, Inc.

CAL. NO. 78-99-S

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 5-J

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 1756 N. Kedzie Avenue

April 16, 1999 and
May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a transitional residence for abuse or neglected children in a proposed 3-story brick building, in an R5 General Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 10,708 sq.ft. unimproved lot; that the applicant proposes to establish a transitional residence for abused and /or neglected children who in a proposed 2-story brick building which will be constructed as 6 connected townhouse type buildings; that the proposed use will serve 50 abused and / or neglected children who are wards of the state; that the children will be from 4 years to 12 years old; that the average length of residence at the proposed facility will be 12 to 18 months; that the applicant will provide therapy, counseling and other support services; that the proposed facility will be staffed by 70 employees over three 24 hour shifts; that the children are under adult supervision at all times; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

(Additional conditions follow of page 42a.)

MINUTES OF MEETING

April 16, 1999 and May 21, 1999

Cal. No. 78-99-S

That a 7 ½ foot yard shall be provided along the N. Kedzie Avenue frontage;

That the granting of this special use runs only to the applicant herein and if said applicant vacates the subject property or transfers the transitional residence operation to another group or association, the special use granted herein shall become null and void; and

That any deviation from the specified use of the subject property as a transitional residence for 50 children, ages 4 to 12 years old, who are wards of the state, or any increase in the number of beds, as stated by the applicant and delineated herein, shall cause the special use granted to immediately become null and void.

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

APPLICANT: Victor C. Neumann Foundation, Inc.

CAL. NO. 79-99-Z

APPEARANCES FOR: John J. Pikarski, Jr.

MAP NO. 5-J

APPEARANCES AGAINST: None

MINUTES OF MEETING

PREMISES AFFECTED-- 1756 N. Kedzie Aveue

April 16, 1999 and
May 21, 1999

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story brick child care facility as a proposed transitional residence whose front yard will be 2.33'* instead of 15', with a south side yard of 3.75' instead of 7.45', with no rear yard instead of 30' and no provision for one 10' x 25' loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on March 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on April 16, 1999, the Board approved, in Cal. No. 78-99-S, the establishment of a transitional residence for 50 abused or neglected children who are wards of the state in a proposed 2-story brick building, at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

*Amended at the public hearing to a 7 1/2 ' front yard along Kedzie Avenue, as indicated in conditions set forth in Calendar No. 78-99-Z.

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

APPLICANT: Second Wind O2-Bar, Inc.

CAL. NO. 87-99-A*

PEARANCES FOR: Thomas S. Moore, Donna Dalke

MAP NO. 5-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 2226 N. Lincoln Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an entertainment cabaret (oxygen bar) in an existing 4-story store and apartment building, in a B4-2 Restricted Service District.*

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 4-story store and apartment building; that on February 17, 1999, the applicant filed a special use application for approval of the establishment of an entertainment cabaret (oxygen bar) in the store premises of the building at the subject site; that the Office of the Zoning Administrator classified the proposed use in a category similar to convention halls, dance halls, skating rinks, sports arenas, etc.; that testimony presented indicates that the operation as proposed will consist of the following: an individual can make an appointment for a private room with lounge chair or a seat in an open room for the purpose of being hooked up to three litres of oxygen for an approximately 20 minute rejuvenation session; that the idea of an oxygen "bar" is to create an atmosphere of relaxation where the client can meditate, read, listen to classical music while they inhale a low dosage of oxygen to reenergize themselves; that no alcohol or food is served; that there is no group or spectator entertainment in the proposed use whatever; that there are no neon blinking lights on the premises; that all applicable building and fire code regulations with respect to the handling and use of oxygen will be complied with and strictly enforced; that the oxygen tanks will be stored in a locked room; that the litres of oxygen will be brought to the clients by employees; that the oxygen system will be engineer designed and will feature automatic and manual shut-off; that the Board finds in this case that the proposed use is in no way similar to entertainment cabarets or other social gathering uses such as dance halls, convention halls, etc. but more analogous to a physical culture or health service use, both

*Application amended at the public hearing to an appeal

MINUTES OF MEETING

May 21, 1999

Cal. No. 87-99-A

of which are permitted uses in a B4 zoning district; that no violation of the zoning ordinance exists nor is contemplated and that the applicant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a physical culture business consisting of the inhalation of oxygen in an existing 4-story store and apartment building, on premises at 2226 N. Lincoln Avenue, upon condition that all building code and safety regulations concerning the storage and use of oxygen shall be strictly complied with; that there shall be absolute no smoking on the subject premises; that the hours of operation shall be limited to the hours between 6 A.M. and 8 P.M. Monday, Tuesday, Thursday through Saturday, and between the hours of 7 A.M. and 5 P.M., Sunday; 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: Southeast Partners

CAL. NO. 90-99-S

PEARANCES FOR:

MAP NO. 22-H

APPEARANCES AGAINST:

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 9220 S. Ashland Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site auto sales lot to serve the dealership at 9229 S. Ashland Ave., with storage for 240 vehicles, in a C2-2 General Commercial District.

ACTION OF BOARD--

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: M.C.S. Gold Buyers, Inc.

CAL. NO. 91-99-S

APPEARANCES FOR: Neal H. Cohen, Sheldon Zuckman

MAP NO. 19-H

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 1611 W. Howard Street

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a Pawnshop in a 4-story brick store building, in a B4-3 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 2, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B4-3 Restricted Service District; that the subject site is improved with a 4-story brick store and apartment building; that the applicant was previously located at 7608 N. Ashland Avenue and was obliged to move from its previous location because of the Gale School campus expansion; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That there shall be no neon signage at the site advertising the pawn shop activity.

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

APPLICANT: Ogden Partners Buena, LLC

CAL. NO. 95-99-S

APPEARANCES FOR:

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING

May 21, 1999

PREMISES AFFECTED-- 1003, 05, 15, 21 W. Buena Avenue/ 4150 N. Sheridan Road

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 4-story 40 dwelling unit building with a detached 2-story garage for 60 automobiles, in a B4-4 Restricted Service District.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 18, 1999.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Ogden Partners Buena, LLC

CAL. NO. 96-99-Z

APPEARANCES FOR:

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 1003, 05, 15, 21 W. Buena Avenue / 4150 N. Sheridan Road

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-4 Restricted Service District, the erection of a 4-story 40 dwelling unit building and 2-story detached parking garage for 60 private passenger automobiles, whose front yard will be 6' instead of 15', with a west side yard of 3.5' instead of 20', and whose rear yard will be 4' instead of 30'.

ACTION OF BOARD--

CASE CONTINUED TO
JUNE 18, 1999.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Chicago Victory Church

CAL. NO. 122-99-S

APPEARANCES FOR: James J. Banks

MAP NO. 3-J

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 3324-26 W. Grand Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 28 private passenger automobiles, in an R4 General Residence District, to serve a church a 3333-69 W. Grand Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the 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;

(Additional conditions follow on page 40a.)

MINUTES OF MEETING

May 21, 1999

Cal. No. 122-99-S

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 decorative wrought iron type metal fencing shall be installed along the N. Christina Avenue and W. Grande Avenue frontages, excepting the driveway;

That striping and lighting shall be provided;

That ingress and egress shall be from W. Grand Avenue; that the driveway shall be constructed in accordance with applicable ordinances;

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

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: SCT Productions **CAL. NO.** 123-99-S
APPEARANCES FOR: Jack Guthman, Scott Borstein, Fred Solari **MAP NO.** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2936 N. Southport Avenue May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and establishment of a Theatrical Community Center, in an existing auditorium on the campus of St. Alphonsus Parish's Church and school facility, in an R4 General Residence District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on March 31, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 4-story brick building located on the St. Alphonsus Parish campus; that the said building is occupied by the New Athenaeum Theatre; that on December 14, 1972, in Cal. No. 369-72-A, the Zoning Board of Appeals legalized the use of a portion of the first floor of the subject building as a theatre; that the applicant is now seeking approval for the use of the remainder of the building, other than the main stage previously approved, for a theatrical community center which will contain rehearsal and performance space, classrooms, offices for arts companies and small studio theatres; that the proposed use is necessary for the public convenience at this location in that the proposed use fulfills a need within the Chicago arts community for affordable performance, office and rehearsal space ; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use in that any physical changes to the property are in connection with the proposed use will be performed in accordance with all rules and regulations and that adequate off-street parking will be provided; and that the proposed use will be compatible with the existing mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

MINUTES OF MEETING

May 21, 1999

Cal. No. 123-99-S

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a Theatrical Community Center, except the main stage which was previously approved by the Zoning Board of Appeals pursuant to Cal. No. 369-7-A, in an existing auditorium building located on the St. Alphonsus Parish campus, on premises at 2936 N. Southport Avenue, upon condition that the applicant shall provide a minimum of 13 parking spaces for the existing studio theatres containing 55 and 80 seats, respectively; 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: Greg Landahl

CAL. NO. 134-99-Z

APPEARANCES FOR: Joseph P. Gattuso, Greg Landahl

MAP NO. 3-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 1315 N. Mohawk Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of an 1, 2 & 3 story single family dwelling, whose front yard will be 3' instead of 10.4'* and whose north side yard will be 1.25' instead of 8.66'* and with a rear yard of 2' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

*Amended

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

APPLICANT: LaSalle National Bank, Tr. #122042

CAL. NO. 135-99-Z

APPEARANCES FOR: John J. George, Kimberly Reschke

MAP NO. 3-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 1330-34 N. State Parkway

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story with penthouse 3 dwelling unit building with no north and south side yards instead of 5.54' each and no provision for 1 required 10' x 25' loading berth.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

APPLICANT: John Wronkiewicz **CAL. NO.** 136-99-Z
APPEARANCES FOR: John J. Pikarski, Jr., John Wronkiewicz **MAP NO.** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 21, 1999
PREMISES AFFECTED-- 2340 N. Elston Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B3-3 General Retail District, the erection of a 3-story store and 4 dwelling unit building, with no rear yard instead of 30' in depth beginning at a level no higher than the level of the lowest residential unit.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the subject site is a 3,125 sq.ft. lot improved with the subject 3-story store and 4 dwelling unit building; that the subject site was previously zoned M3-3 Heavy Manufacturing and was located in a small portion of that district which was also in a Planned Manufacturing District overlay; that on April 21, 1999, the City Council rezoned the subject site from M3-3 to B3-3 General Retail; that testimony presented indicates that building permits were issued and the building constructed while the site was zoned M3-3 Heavy Manufacturing and still within the PMD which zoning does not permit residential use; that the applicant is now seeking a variation to allow the use of the back portion of the 2nd and 3rd levels for residential purposes; that building permits were obtained indicating that the rear portions of the 2nd and 3rd levels would be used for commercial purposes with the knowledge that they would not be used for that purpose; that the Board finds that no evidence was presented that would indicate the property in question cannot yield a reasonable return without the variation requested and that the applicant's plight 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: Richard Feingold

CAL. NO. 137-99-Z

APPEARANCES FOR: John J. Pikarski, Jr., Richard Feingold

MAP NO. 5-H

APPEARANCES AGAINST: Steven Victor

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 2319 N. Hamilton Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story masonry 6 dwelling unit building, whose front yard will be 8'* instead of 14.61', with a south side yard of 4' instead of 7.2' and whose rear yard will be 4' instead of 30'.

ACTION OF BOARD--

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R4 General Residence District; that the subject site is an irregular shaped 6,920 sq. ft. lot presently improved with a vacant 2-story residential building; that the applicant proposes to demolish the existing building and erect a 3-story 6 dwelling unit building at the subject site; that 12 on-site parking spaces will be provided; 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 be able to construct livable dwelling units on this irregular shaped lot; that the plight of the owner is due to the irregular shape of the subject site property; that the proposed 3-story 6 dwelling unit building will be compatible with existing residential improvements in the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

APPLICANT: Michael Schivarelli **CAL. NO.** 138-99-Z

APPEARANCES FOR: Anthony J. Pauletto, Michael Schivarelli **MAP NO.** 2-G

APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 21, 1999

PREMISES AFFECTED-- 1440W. Flournoy Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of 2nd story addition over an attached garage on the rear of an existing 3-story brick 4 dwelling unit building, whose rear yard will be 1' instead of 30', and with no west and east *side yards instead of 2.4' each, and which addition will result in an 11.7% (450 sq. ft.) increase in the amount of floor area prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

That the proposed 2nd story addition over the attached garage shall not be used as a 5th dwelling unit and that the granting of the variations requested is not to be construed as a determination of the number of dwelling units existing at the subject site.

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

APPLICANT: Juan Peralta

CAL. NO. 139-99-Z

APPEARANCES FOR: Juan Peralta

MAP NO. 7-H

APPEARANCES AGAINST:

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 3117 N. Paulina Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 3rd floor addition to an existing 2½-story frame 3 dwelling unit building, whose front yard will be 11.44' instead of 15.52' and with no north side yard instead of 7' and which addition will result in a 6.67% (517 sq. ft.) increase in the amount of floor area prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 16, 1999.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Gary and Josette Day **CAL. NO.** 140-99-Z
APPEARANCES FOR: Thomas S. Moore, Gary and Josette Day **MAP NO.** 9-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 21, 1999
PREMISES AFFECTED-- 3717 N. Paulina Street

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2½ story masonry and frame single family dwelling, whose front yard will be 14' instead of 22.5' and with a north side yard of 1.5' and a south side yard of 3' instead of 6' each.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

APPLICANT: David Berger
APPEARANCES FOR: James J. Banks, David Berger
APPEARANCES AGAINST: None
PREMISES AFFECTED-- 2323-25 W. Montrose Avenue

CAL. NO. 141-99-S

MAP NO. 11-H

MINUTES OF MEETING
 May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in a proposed 3-story 6 dwelling unit building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: David Berger **CAL. NO.** 142-99-Z
APPEARANCES FOR: James J. Banks, David Berger **MAP NO.** 11-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 21, 1999
PREMISES AFFECTED-- 2323-25 W. Montrose Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 3-story 6 dwelling unit building whose front yard will be 7.5' instead of 15' and whose east side yard will be 3' instead of 4.8'.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 21, 1999, the Board approved in Cal. No. 141-99-S the establishment of dwelling units below the 2nd floor in a proposed 3-story 6 dwelling unit building, at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

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

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

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

APPLICANT: Mark Furlane CAL. NO. 143-99-S
APPEARANCES FOR: Bernard I. Citron, Mark Furlane MAP NO. 7-F
APPEARANCES AGAINST: None MINUTES OF MEETING
PREMISES AFFECTED-- 7346 W. Fullerton Avenue May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a dwelling unit below the 2nd floor in the conversion of an existing 2-story store building to a single family dwelling, in a B2-3 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B2-3 Restricted Retail District; that the subject site is a 18' x 85' lot with no alley access and is improved with a 2-story brick store and apartment building; that the applicant seeks to establish a dwelling unit below the 2nd floor in the conversion of the building to a single-family dwelling; that no evidence was presented to indicate that the proposed use is necessary for the public convenience at this location; that the public health, safety and welfare will not be adequately protected in the design, location and operation of the proposed use in that the residential parking and curb cut created in the conversion of the subject building to a single-family dwelling will disrupt pedestrian traffic and create a traffic hazard on Fullerton Avenue; that no evidence was presented to indicate that the establishment of residential use at this location would not cause substantial injury to the value of other property in the neighborhood; and that the establishment of the proposed use at the subject site is not compatible with the viable business character of W. Fullerton Avenue and would inhibit future business development; 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: Mark Furlane

CAL. NO. 144-99-Z

APPEARANCES FOR: Bernard I. Citron, Mark Furlane

MAP NO. 7-F

APPEARANCES AGAINST: None

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 736 W. Fullerton Avenue

NATURE OF REQUEST-- Application for a variation under Article 11 of the zoning ordinance to permit, in a B2-3 Restricted Retail District, the erection of a 2-story rear addition and a 3rd floor addition to an existing 2-story brick store building in the conversion to a single family dwelling, whose east and west side yards will be 0' instead of 1.8' each and with no rear yard instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B2-3 Restricted Retail District; that the subject site is an 18' x 85' lot with no alley access and improved with a 2-story brick store and apartment building; that on May 21, 1999, in Calendar No. 143-99-S, the Board denied the applicant's request for approval of the establishment of a dwelling unit below the 2nd floor in the conversion of the 2-story brick building to a single-family dwelling; that the denial by the Zoning Board of Appeals of the applicant's special use application negates the need for the variations requested in the instant case; 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: Faith M.B. Church **CAL. NO.** 145-99-S
APPEARANCES FOR: Lawrence E. Kennon, Rev. Herbert L. Johnson **MAP NO.** 12-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 5240-42 S. Damen Avenue May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an 131* seat church and fellowship hall in a 1½-story brick building and a 2-story brick building, in a B2-1 Restricted Retail District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

*Amended at the public hearing.

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

APPLICANT: Faith M.B. Church **CAL. NO.** 146-99-S
APPEARANCES FOR: Lawrence E. Kennon, Rev. Herbert L. Johnson **MAP NO.** 12-H
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 21, 1999
PREMISES AFFECTED-- 5259 S. Damen Avenue

NATURE OF REQUEST--Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 13 private passenger automobiles, in an R3 General Residence District, to serve a church at 5240 and 5242 S. Damen Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 21, 1999, in Cal. No. 145-99-S, the Board approved the establishment of a 131 seat church and fellowship hall in a 1 ½ story brick building and a 2-story brick building, on premises at 5240-42 S. Damen Avenue; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the subject 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;

(Additional conditions follow on page 16a.)

MINUTES OF MEETING

May 21, 1999

Cal. No. 146-99-S

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 decorative wrought iron type metal fencing shall be provided on the south, east and west property lines, excepting the driveways;

That striping and lighting shall be provided;

That ingress to the parking lot shall be from S. Damen Avenue; that egress shall be via the public alley abutting the site to the east, provided a waiver of the alley barrier requirement is obtained from the City Council; that the S. Damen Avenue driveway shall be constructed in accordance with applicable ordinances;

That a minimum 5 foot landscaped front yard on S. Damen Avenue shall be provided and maintained and that street trees shall be installed in accordance with applicable provisions of the Chicago Landscape Ordinance;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Victory Worship Center **CAL. NO.** 148-99-S
APPEARANCES FOR: William J. Hennessy, Rev. Thomas Champion **MAP NO.** 7-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2901-05 N. Central Avenue May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 28 private passenger automobiles, in a B5-1 General Service District to serve a church at 2901-05 N. Central Avenue.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on May 21, 1999, the Zoning Board of Appeals, in Cal. No. 147-99-S, approved the establishment of a 325-seat church in an existing 2-story brick building, on premises at 2910 N. Central Avenue; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the parking 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;

(Additional conditions follow on page 18a.)

MINUTES OF MEETING

May 21, 1999

Cal. No. 148-99-S

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 the applicant shall install landscaping and decorative wrought iron type metal fencing consistent with the landscape plan prepared by Neri, Architects, dated May 21, 1999;

That lighting and striping 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 requirement is obtained from the City Council;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Victory Worship Center **CAL. NO.** 147-99-S
APPEARANCES FOR: William J. Hennessy, Rev. Thomas Champion **MAP NO.** 7-M
APPEARANCES AGAINST: None **MINUTES OF MEETING**
PREMISES AFFECTED-- 2910 N. Central Avenue May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 325 seat church in an existing 2-story brick building, in a B5-2 General Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

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

APPLICANT: New Bread of Life Church of God and Christ **CAL. NO.** 149-99-S
APPEARANCES FOR: Gerald L. Berlin, Rev. Anthony Reed **MAP NO.** 9-M
APPEARANCES AGAINST: Ella Houston **MINUTES OF MEETING**
PREMISES AFFECTED-- 5734-44 W. Division Street May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 180 seat church in a proposed 1-story masonry building with required parking on site, in a C1-1 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is a 12,276 sq.ft. unimproved lot; that the applicant church is presently located at 5937 W. Chicago Avenue and is seeking to establish a 180 seat church in a proposed 1-story building at the subject site; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will comply with all applicable building code regulations and which will provide 15 on-site parking spaces; that the proposed use will be compatible with the existing mixed residential and commercial improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the parking area located west of the proposed church shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking area;

(Additional conditions follow on page 19a.)

MINUTES OF MEETING

May 21, 1999

Cal. No. 149-99-S

That the parking area 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 decorative wrought iron type metal fencing shall be provided along the east, west and south lot lines, excepting the driveway; that a 6 foot high solid wood fence shall be provided along the north lot line to screen the parking area from abutting residential property;

That striping and lighting shall be provided;

That ingress and egress shall be via a driveway located on W. Division Street; that said driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress nor egress via the public alley abutting the site to the north;

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

That it shall be the responsibility of the applicant to improve and maintain the 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: Apostolic Church of God **CAL. NO.** 150-99-S
APPEARANCES FOR: William Miceli **MAP NO.** 16-D
APPEARANCES AGAINST: None **MINUTES OF MEETING**
May 21, 1999
PREMISES AFFECTED-- 1362-68 E. 64th Street / 6344-56 S. Dorchester Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 52 private passenger automobiles, in an R5 General Residence District, to serve a church at 6320 S. Dorchester Avenue.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on December 18, 1998, the Board approved the establishment of off-site parking lots for 42 private passenger automobiles, on premises at 1400 E. 63rd Street, and for 73 private passenger automobiles, on premises at 1401 E. 63rd Street, to serve the applicant church located at 6320 S. Dorchester Avenue; that the testimony presented in Cal. Nos. 469-98-S and 470-98-S respectively are hereby made part of the record in this case; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

That the parking 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;

(Additional conditions follow on page 20a.)

MINUTES OF MEETING

May 21, 1999

Cal. No. 150-99-S

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 landscaping and decorative wrought iron type metal fencing shall be installed as illustrated on the site plan prepared by Ray / Dawson, P.C., dated February 6, 1999;

That striping and lighting shall be provided;

That ingress and egress shall be from E. 64th Street; that the driveway shall be constructed in accordance with applicable ordinances; that there shall be no ingress or egress via the alley abutting the site to the west;

That it shall be the responsibility of the applicant to improve and maintain the parking lot continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Orleans Properties, L.L.C.
APPEARANCES FOR: Bernard I. Citron, Dan Sampson
APPEARANCES AGAINST: John Ochsa
PREMISES AFFECTED-- 336-44 W. Schiller Street

CAL. NO. 151-99-S
MAP NO. 3-F
MINUTES OF MEETING
 May 21, 1999

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off-site parking lot for 18 private passenger automobiles, in a B4-3 Restricted Service District, to serve a horse riding stable and a proposed dinner theater in an existing 1 & 2 story brick building at 1410 N. Orleans Street.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the subject site was recently rezoned by the City Council to C1-3 Restricted Commercial; that the applicant operates a horse riding academy and stable for boarding horses at 1400-20 N. Orleans Street, 330-32 W. Schiller Street and 1402-21 N. Sedgwick Street, which use was approved by the Board on February 20, 1987, in Cal. No. 41-87-S; that the applicant seeks to establish an off-site parking lot for 18 private passenger automobiles to serve the riding academy / stable and a proposed 350 seat dinner theater in an existing building at 1410 N. Orleans Street which is to be renovated for said use; that the dinner theater operation will consist of medieval-type horse shows and other horse show activities with dining; that no other horse riding activities will take place during the theater hours; that the proposed off-site parking lot is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

(Additional conditions follow on page 21a.)

MINUTES OF MEETING

May 21, 1999

Cal. No. 151-99-S

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

That the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, 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 decorative wrought iron type metal fencing shall be installed on the north, south and west lot line, excepting the driveway; that 6 feet high solid wood fencing shall be installed on the east lot line to screen the facility from abutting residential property;

That striping and lighting directed away from abutting residential property shall be provided;

That ingress and egress shall be from N. Sedgwick Street; that the driveway shall be constructed in accordance with applicable ordinances;

That landscaping shall be installed consistent with the site plan prepared by Studio Gang / O'Donnell, dated May 21, 1999;

That it shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order

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

APPLICANT: AJ Patel Food Services, Inc.

CAL. NO. 152-99-S

APPEARANCES FOR: Gary I. Wigoda, A.J. Patel

MAP NO. 17-1

APPEARANCES AGAINST: David Caravella, Jeri Ann Stucka

MINUTES OF MEETING
May 21, 1999

PREMISES AFFECTED-- 3132 W. Devon Avenue

NATURE OF REQUEST-- Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a drive through facility in conjunction with a Dunkin Donuts facility in a 1-story brick building, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 3, 1999; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 103' x 125' lot improved with an existing Dunkin Donuts facility; that the applicant seeks to establish a drive through facility in conjunction with the existing Dunkin Donuts operation at the subject site; that the proposed drive-through facility is necessary for the public convenience at this location to provide a convenient service prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use which will be improved and operated under the conditions and standards hereinafter set forth; and that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

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

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

(Additional conditions follow on page 22a.)

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

MINUTES OF MEETING

May 21, 1999

Cal. No. 152-99-S

That lighted directional signs shall be provided at the established entrance and exit;

That ingress to the drive-through portion of the facility shall be from a driveway located on N. Troy Street; that egress from the drive-through portion of the facility shall be from a driveway located on W. Devon Avenue; that there shall be no ingress or egress via the public alley abutting the site to the north;

That a 6 feet high decorative solid wood fence shall be erected on the north property line to screen the facility from residential property located across the alley; that the fencing on the west, south and east lot lines, excepting the driveways, shall be provided as illustrated on the plan prepared by Sarfatty Associates, Ltd., dated March 31, 1999;

That the driveways shall be constructed in accordance with applicable ordinances;

That an enclosed area for trash shall be provided at the northwest corner of the site;

That the loudspeaker utilized in ordering shall not be operated during the hours between 10 P.M. and 7 A.M.

That landscaping shall be provided as illustrated on the plan prepared by Sarfatty Associates, Ltd., dated March 31, 1999;

That 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: Mark A. Kriesement

CAL. NO. 153-99-A

APPEARANCES FOR: Mark A. Kriesement

MAP NO. 5-I

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 3016 W. North Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 16, 1999.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Miguel Perratta **CAL. NO.** 154-99-A
APPEARANCES FOR: Miguel Perratta **MAP NO.** 12-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 21, 1999
PREMISES AFFECTED- 4958 S. Hermitage Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

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

THE RESOLUTION:

WHEREAS, Miguel Perratta, owner, on April 5, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of 4 dwelling units in lieu of a store and 3 dwelling units in an existing 2-story frame building, in an R3 General Residence District, on premises at 4958 S. Hermitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 2, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-3, 7.12."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story frame 3-dwelling unit and store building; that the appellant seeks to convert the non-conforming store premises to a conforming dwelling unit; that the change of use from a non-conforming store to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of 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 4 dwelling units in lieu of a store and 3-story dwelling units in an existing 2-story frame building, with no additional off-street parking required, on premises at 4958 S. Hermitage 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: Ismael Rosales **CAL. NO.** 155-99-A
APPEARANCES FOR: Will Gilmer, Ismael Rosales **MAP NO.** 22-B
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 21, 1999
PREMISES AFFECTED- 2611 E. 87th Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

COPY

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Ismael Rosales, owner, on March 15, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a 1-bay motor vehicle repair shop without the 2 required off-street parking spaces, in a B4-1 Restricted Service District, on premises at 2611 E. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 15, 1999, 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 8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; 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 lot located on the southeast corner of S. Colfax Avenue and E. 87th Street and is improved with a 2-story residential building on the front of the lot facing S. Colfax Avenue and a 1-story brick garage building at the rear of the lot having an address of 2611 E. 87th Street; that the appellant seeks to establish an auto repair shop in the rear garage building; that the subject building was previously occupied by a tire repair shop and contains one auto bay; that a motor vehicle repair shop with no body repair or painting is a permitted use in the B4 zoning district ; that under Section 8.11-1 (17) of the zoning ordinance two off-street parking spaces for every one automobile bay are required; that although the lot contains 2 detached buildings, inspection of the site indicates that there is sufficient space on the lot for two off-site parking spaces; that under Section 8.11-1 (17) of the zoning ordinance the Board has no authority to permit the establishment of an automobile repair shop at the subject site without the two required off-street parking spaces; 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: Nooria Safdary

CAL. NO. 156-99-A

APPEARANCES FOR: Nooria Safdary

MAP NO. 3-J

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 957 N. Drake Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Nooria Safdary, for Angela James, owner, on March 11, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 1-story brick building, in an R3 General Residence District, on premises at 957 N. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1999, 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 7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; 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 has been zoning for residential use since the inception of the first zoning ordinance in 1923; that the subject site is improved with a 1-story brick building; that testimony presented indicates that the premises has been occupied as a non-conforming store for the past 50 years, the last use having been a grocery store which use recently ceased operation; that the appellant seeks to re-establish a grocery store at the subject site; that licensing requirements have caused the case to be filed; that the Board finds that any business use of the subject premises since 1923 would have been a non-conforming use due to the property's residential zoning; that Section 6.4-8 of Article 6 of the zoning ordinance establishes an amortization schedule for the eventual elimination of non-conforming business uses in all Residence Districts; that said section, provides in part, that any building or structure, all or substantially all of which is designed or intended for a use permitted only in a Business, Commercial or Manufacturing District, shall be removed or it shall be altered and converted to a building or structure designed for a use permitted in the district in which it is located within six months

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

MINUTES OF MEETING

May 21, 1999

Cal. No. 156-99-A

after the termination of the respective period of time in the schedule, in this case 6 years from the date of the issuance of the building permit for the construction of either the whole structure or the initial building or initial part thereof, *or* 40 years after the effective date of the comprehensive amendment on June 27, 1957, whichever last occurs; that as of May 21, 1999, the subject site building has been fully amortized; that the Board has no authority to permit a non-conforming building that has reached its amortization termination date; 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: Souheil J. Hamiel **CAL. NO.** 157-99-A
APPEARANCES FOR: Souheil J. Hamiel **MAP NO.** 32-B
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 21, 1999
PREMISES AFFECTED- 13452 S. Brandon Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Souheil J. Hamiel, owner, on March 15, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a 1-story frame building, in an R4 General Residence District, on premises at 13452 S. Brandon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 15, 1999, 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 May 21, 1999; 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 1-story frame building containing a non-conforming store, and a dwelling unit in the rear; that the appellant purchased the subject property in 1997; that the appellant and his family reside in the rear residential portion of the subject building; that the appellant seeks to establish a grocery store in the store premises located in the front of the building; that although the appellant testified that the front portion of the building was previously occupied as a store no evidence was presented to indicate that the subject building contains a store premises; that the Board finds that any business use of the front portion of the subject building since March 26, 1996 when the site was rezoned by the City Council from B4-1 Restricted Service to R4 General Residence would have been a non-conforming use due to the property's residential zoning; that Section 6.4-8 of Article 6 of the zoning ordinance establishes an amortization schedule for the eventual elimination of non-conforming business uses in all Residence Districts; that said section provides, in part, that any building or structure, all or substantially all of which is designed or intended for a use permitted only in a Business, Commercial or Manufacturing District, shall be removed or it shall be altered and converted to a building or structure designed for a use permitted in the district in which it is located within six months after the termination of the

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

MINUTES OF MEETING

May 21, 1999

Cal. No. 157-99-A

respective period of time in the schedule, in this case 60 years from the date of issuance of the building permit for the construction of either the whole structure or the initial building or initial part thereof, *or* 40 years after the effective date of the comprehensive amendment on June 27, 1957, whichever last occurs; that as of May 21, 1999 the subject building has been fully amortized; that the Board has no authority to permit a non-conforming business use in a non-conforming store premises that ha reached its amortization termination date; 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: Zofia Czarnecki
APPEARANCES FOR: John J. Pikarski, Jr. Zofia Czarnecki
APPEARANCES AGAINST:
PREMISES AFFECTED- 5950-52 W. Belmont Avenue
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 158-99-A

MAP NO. 9-M

MINUTES OF MEETING:
May 21, 1999

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
AUGUST 20, 1999.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: White Hen Pantry, Inc.

CAL. NO. 159-99-A

PEARANCES FOR:

MAP NO. 9-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 3930 N. Pine Grove Avemie

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
JULY 16, 1999.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Outdoor Systems

CAL. NO. 160-99-A

APPEARANCES FOR: None

MAP NO. 24-D

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 9558 S. Stony Island Avenue

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		

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

APPLICANT: Blago Bebek

CAL. NO. 161-99-A

APPEARANCES FOR: Blago Bebek

MAP NO. 9-M

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 5608 W. Byron Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Blago Bebek, owner, on March 11, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 6 dwelling units in a 2-tory brick apartment building, in a B4-2 Restricted Service District, on premises at 5608 W. Byron Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 11, 1999, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-4, 8.6-4, 8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; 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 2-story with high basement brick non-conforming apartment building; that the subject site was rezoned from Family Residence to B4-2 Restricted Service at the time of the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant testified that he purchased the subject building as a 6 dwelling unit building in 1998; that no evidence was presented by the appellant to indicate that the 6 dwelling units have been legally established at the subject site prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that under Sections 7.5-3 and 7.12-2 of the zoning ordinance the Board has no authority to certify 6 dwelling units in the building at the subject site; it is therefore

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

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

APPLICANT: Sylvia Bailey **CAL. NO.** 162-99-A
PEARANCES FOR: Sylvia Bailey **MAP NO.** 14-I
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
May 21, 1999
PREMISES AFFECTED- 6122 S. Rockwell Street
SUBJECT- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Sylvia Bailey, owner, on March 18, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3 dwelling units in a 2-story brick apartment building, in an R3 General Residence District, on premises at 6122 S. Rockwell Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 15, 1999, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-3, 7.12-1 (4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story with high basement brick residential building originally constructed in 1925 which contains 2 dwelling units and a basement dwelling unit; that the appellant testified that the building contained the basement apartment when she purchased the building 5 years ago; that no evidence was presented to indicate that the basement dwelling unit has been legally established in the subject building prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as two dwelling units provided the building is brought into compliance with building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is 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: Saliha Alauddin

CAL. NO. 163-99-A

APPEARANCES FOR: Saliha Alauddin

MAP NO. 7-M

APPEARANCES AGAINST: None

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 3042 N. Parkside Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Saliha Alauddin, owner, on March 18, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 3 dwelling units in a 2-story brick apartment building, in an R3 General Residence District, on premises at 3042 N. Parkside Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 16, 1999, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-3. 7.12."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District, that the subject site is improved with a 2-story brick bungalow-style building with a 2nd floor front dormer addition; that the appellant testified that the subject building was built in 1929 as a 2 flat building and that a third dwelling unit was installed in the basement of the building in 1954; that no evidence was presented to indicate that the basement dwelling unit is a legally established dwelling unit; that the appellant has a right to two dwelling units at the subject site provided the building complies with building code regulations; that the Board has no authority under Sections 7.5- and 7.12 to permit a 3rd dwelling unit in the building at the subject site; it is therefore

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

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

APPLICANT: Dean Lent

CAL. NO. 164-99-A

APPEARANCES FOR: Dean Lent

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
May 21, 1999

PREMISES AFFECTED- 1913 W. Armitage Avenue

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Dean Lent, owner, on April 1, 1999, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 3rd floor addition to an existing 2-story 2 dwelling unit building on the front of a lot additionally improved with a 2-story 4 dwelling unit building on the rear of the lot, which addition is alleged to be an expansion of a non-conforming structure, in an R4 General Residence District, on premises at 1919 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 31, 1999, 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 6.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on May 21, 1999; 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 2-story 2 dwelling unit building on the front of the lot and a 2-story 4 dwelling unit at the rear of the lot; that the appellant proposes to erect a 15' x 36' 3rd floor dormer addition to the existing non-conforming 2-story 2-dwelling unit building on the front of the lot to increase the living space in the 2nd floor dwelling unit; that the Board finds that the proposed dormer addition to the rear 2-story 2-dwelling unit building is an expansion of a non-conforming use; that under Section 6.4-2 the Board has no authority to permit the use requested; it is therefore

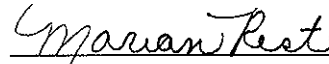
RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is affirmed.

MINUTES OF MEETING

May 21, 1999

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on June 16, 1999.


Secretary