

**MINUTES OF THE REGULAR MEETING OF THE**

**ZONING BOARD OF APPEALS**

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

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held in the Council Chambers, City Hall, 121 N. LaSalle Street, on Friday, June 21, 2002

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

LeRoy K. Martin, Jr.

Vice Chairman

Brian Crowe

Demetri Konstantelos

Gigi McCabe-Miele

**MINUTES OF MEETING**  
June 21, 2002

Member Konstantelos moved that the Board approve the minutes of the proceedings of the regular meeting held on May 17, 2002 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

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The Board thereupon held its regular meeting.

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

**APPLICANT:** Max Martinez **CAL NO.:** 199-02-A

**PEARANCE FOR:** Max Martinez **MAP NO.:** 8-H

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 1853 W. 35th Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Max Martinez, for Thomas Valdivia, owner, on February 20, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the substitution of a dwelling unit for a non-conforming retail store in a 2-story brick store and residential building, in a B3 General Residence District, on premises at 1853 W. 35<sup>th</sup> Street, and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 2002, reads:  
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District. that the subject site is improved with a 2-story brick non-conforming store and apartment building; that the appellant seeks to convert the existing non-conforming first floor store premises to a 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 provided the building is brought into compliance with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the substitution of a dwelling unit for a non-conforming retail store in a 2-story brick store and apartment building, on premises at 1853 w. 35<sup>th</sup> Street, upon condition that the building shall be brought into compliance with all applicable building code regulations by 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:** Carmen Perez **CAL NO.:** 200-02-A  
**APPEARANCE FOR:** Carmen Perez **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 2658 W. Cortez Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

APPROPRIATE	NEGATIVE	ABSENT
		X
X		
X		
		X
X		

**THE RESOLUTION:**

WHEREAS, Carmen Perez, owner, on March 8, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the substitution of a 6<sup>th</sup> dwelling unit for a non-conforming store in a 3-story brick store and 5 apartment building and with on-site parking for 3 automobiles, in an R4 General Residence District, on premises at 2658 W. Cortez Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 5, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.5-4, 7.12-2(9) ."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 3-story brick store and 5 dwelling unit building and a 3-car garage; that the subject building was constructed prior to the adoption of the 1923 zoning ordinance; that the appellant seeks to convert a non-conforming ground floor store premises to a conforming dwelling unit for a total of 6 dwelling units; that the change of use from a non-conforming store premises to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the substitution of a 6<sup>th</sup> dwelling unit for a non-conforming store and 5 dwelling unit building for a total of 6 dwelling units, with no additional off-street parking required, on premises at 2658 W. Cortez Street, upon condition that the building shall be brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Raquel Fuentes

**CAL NO.:** 201-02-A

**APPEARANCE FOR:** None

**MAP NO.:** 4-E

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 2500 S. Springfield Avenue

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Elicia Watts **CAL NO.:** 202-02-A  
**PEARANCE FOR:** Elicia Watts **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 9547 S. Jeffery Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Elicia Watts, for Darnell Hawkins, owner, on March 14, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a barber shop in a store located in a 1-story multi-store building, in a B2-1 Restricted Retail District, on premises at 9647 S. Jeffery Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 28, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story multi-store building; that the subject store premises has been previously occupied by business uses, the last use having been a candy and balloon store, which ceased operation in August, 2001; that the change of use from a candy and balloon store to a barber shop is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a barber shop in a store in a 1-story multi-store building, on premises at 9647 S. Jeffery Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** David Moody **CAL NO.:** 203-02-A

**PEARANCE FOR:** John. J. Pikarski, Jr., David Moody **MAP NO.:** 10-D

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 4446 S. Greenwood Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

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

**THE RESOLUTION:**

WHEREAS, David Moody, owner, on March 15, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a rear detached one-dwelling unit building with a garage on the ground floor on a lot additionally improved with a single-family dwelling on the front of the lot, in an R4 General Residence District, on premises at 4446 S. Greenwood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 31 2002, 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 5.5."  
and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 50' x 154.93' lot located in the North Kenwood/Oakland Preservation District and is improved with a large 2 ½ story frame Victorian style single-family dwelling on the front of the lot and a 2-story frame building at the rear of the lot; that the subject buildings were constructed in approximately 1880; that the appellant purchased the subject property in 2000 and is rehabilitating the front residential building and intends to use the rear building for storage during the rehabilitation process; that testimony presented indicates that the rear coach house building is original construction; that after the rehabilitation of the single-family dwelling, the appellant intends to bring the coach house building back to its original configuration but does not intend to add any additional living space to the building; that there has been no intention to abandon the use of the rear coach house for garage parking and residential use; that the proposed use is necessary to preserve the historic character of the neighborhood; 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

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

**MINUTES OF MEETING**

June 21, 2002

Cal. No. 203-02-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a rear detached one dwelling unit building with a garage on the ground floor on a lot additionally improved with a single-family dwelling on the front of the lot, on premises at 4446 S. Greenwood 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:** Ashley Movers Inc.

**CAL NO.:** 204-02-A

**PEARANCE FOR:** None

**MAP NO.:** 1-J

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 3542 W. Fulton Boulevard

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Jorge Rodriguez **CAL NO.:** 205-02-A

**PEARANCE FOR:** Margarita Rodriguez **MAP NO.:** 6-J

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 2728 S. Spaulding Avenue

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Jorge Rodriguez, owner, on March 19, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the construction of a 21' x 27' private garage which exceeds the allowable square footage for an accessory building by 117 sq.ft., in an R3 General Residence District, on premises at 2728 S. Spaulding Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 2002, 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 5.6-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; 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 a 25' x 125.18' lot improved with a 2 ½ story frame residence on the front of the lot and a recently constructed garage building at the rear of the lot; that the subject garage is 21' x 27' or 567 sq. ft.; that the testimony presented indicates the appellant seeks to park two vehicles in the garage and provide space for tools and shelving; that Section 5.6-2(1) provides that no detached accessory building or buildings shall occupy more than 60 percent of the area of a required rear yard except a garage accessory building on a lot 25 feet or less in width may have an area of 480 sq. ft.; that the subject site has a lot width of 25' and therefore is allowed an garage accessory building with an area of 480 sq. ft; that the said accessory garage at the subject site exceeds 480 sq.ft.in area; that pursuant to Section 5.6-2(1), the Board has no authority to permit the use requested; it is therefore

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

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

**APPLICANT:** The Record Shoppe **CAL NO.:** 206-02-A  
**PEARANCE FOR:** Elizabeth DeJohnette **MAP NO.:** 14-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 6109 S. Dr. Martin Luther King Jr. Drive  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, The Record Shoppe, for Donna Ramey, owner, on March 25, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a record shop in a 2-story brick non-conforming store and apartment building, in an R3 General Residence District, on premises at 6109 S. Dr. Martin Luther King Drive; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 22, 2002, 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 June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick non-conforming store and apartment building; that the appellant seeks to establish a record shop in a store in the 2-story brick non-conforming store and apartment building at the subject site; that the evidence presented indicates that the subject store premises has been vacant and unoccupied for more than one year; that under Section 6.4-7 of the zoning ordinance the Board has no authority to permit the establishment of the non-conforming record shop in the existing non-conforming store premises; 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:** Jennifer Murata **CAL NO.:** 207-02-A  
**PEARANCE FOR:** Jennifer Murata **MAP NO.:** 4-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 2853 W. 21st Place  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Jennifer Murata, owner, on March 25, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the construction of an 8' fence which will be 62' 6" long, in an R4 General Residence District, on premises at 2853 W. 21<sup>st</sup> Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 18, 2002, 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 5.7-5(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District; that the subject site is improved with a 2 ½ story residential building which abuts the parking lot of the Hammond Public Elementary School; that a 70' long lattice wood fence was erected at the subject site under a permit issued to the previous owner of the subject property; that the City contends that the fence is well over 8' high which at that height becomes a wall; that pursuant to Section 5.7-5(9) of the zoning ordinance fences not exceeding seven feet in height above natural grade level are permitted in a side yard; that under Section 5.7-5(9) of the zoning ordinance the Board has no authority to permit the use requested; that the Board recommends that the appellant file a Variation application for a reduction in the side yard to allow for the 8' high fence; 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: Judy Chavez CAL NO.: 208-02-A
PEARANCE FOR: Judy Chavez MAP NO.: 12-H
APPEARANCES AGAINST: None MINUTES OF MEETING: June 21, 2002
PREMISES AFFECTED: 2047 W. 47th Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

APPEAL DENIED AND THE DECISION OF THE ZONING ADMINISTRATOR AFFIRMED.

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

Table with 3 columns: AFFIRMATIVE, NEGATIVE, ABSENT. Rows for each board member showing their vote.

THE RESOLUTION:

WHEREAS, Judy Chavez, owner, on March 25, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the expansion of a non-conforming use in order to construct a 1-story 11'9" x 21'11" addition with open roof deck and open front porch, in a C1-2 Restricted Commercial District, on premises at 2047 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 25, 2002, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 6.4-2, 6.5-1, 6.6-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a non-conforming 2 1/2 story frame single-family dwelling; that the appellant seeks to expand and enlarge the existing non-conforming residential building in order to construct an open front porch and a 1-story 11'9" x 21' 11" rear addition with an open roof deck above; that Section 6.4-2 of the zoning ordinance states "a non-conforming building or structure which is non-conforming as to bulk, or all or substantially all of which is designed or intended for a use not permitted in the district in which it is located shall not be added to or enlarged in any manner unless such additions and enlargements thereto are made to conform to all the regulations of the district in which it is located...."; that under Section 6.4-2 of the zoning ordinance, the Zoning Board of Appeals has no authority to be permit the requested expansion; 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:** Goes Lithographing Company **CAL NO.:** 209-02-A

**PEARANCE FOR:** None **MAP NO.:** 4-E

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 6320 S. Harvard Avenue

**NATURE OF REQUEST:** 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  
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Frank and Darian Campise **CAL NO.:** 210-02-A  
**APPEARANCE FOR:** Katriina S. McGuire, Frank Campise **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** June 21, 2002  
**PREMISES AFFECTED:** 1628 N. Marshfield Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

	AFFIRMATIVE	NEGATIVE	ABSENT
			X
	X		
	X		
	X		
	X		

**THE RESOLUTION:**

WHEREAS, Frank and Darian Campise, owner, on March 28, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the substitution of a dwelling unit for a non-conforming store in a 3-story brick store and 5 dwelling unit building, in an R3 General Residence District, on premises at 1628 N. Marshfield Avenue;

WHEREAS, the decision of the Office of the Zoning Administrator rendered march 28, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; 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 3-story brick non-conforming store and 5 dwelling unit building; that the appellants seeks to convert the non-conforming first floor store premises into a dwelling unit for a total of 6 dwelling units at the site; that the change of use from a non-conforming store to a dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance provided the building is brought into compliance with all applicable building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their 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 substitution of a dwelling unit for a non-conforming store in 3-story brick store and 5 dwelling unit building for a total of 6 dwelling units, on premises at 1628 N. Marshfield Avenue, upon condition that the building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Daniel Commes **CAL NO.:** 211-02-A  
**PEARANCE FOR:** Daniel Commes **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 2328 N. Southport Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

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

**THE RESOLUTION:**

WHEREAS, Daniel Commes, owner, on March 29, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 2 dwelling units in a 2 ½ story brick residential building, in an R4 General Residence District, on premises at 2358 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 26, 2002 reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R4 General Residence District, that the subject site is improved with a 2-story with basement brick residential building; that testimony presented indicates that city permits were approved October 1, 1985 to deconvert the building from five dwelling units to three dwelling units, consisting of a dwelling unit on the first floor and front half of the second floor, a dwelling unit in the rear half of the second floor; and a dwelling unit in the basement; that the appellant purchased the subject building in 1994 and in 1996 made the rear second floor dwelling unit into a master bedroom for his duplex unit, which reduced the number of dwelling units existing in the building to two; that the appellant testified that the contractor listed the renovation work on the permit as work done to a single family dwelling without the knowledge or consent of the owner; that the appellant has a right to continue the occupancy of the subject building as two dwelling units provided the building is brought into compliance with applicable building code regulations; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify two dwelling units in an existing 2 ½ story brick building, on premises at 2328 N. Southport Avenue, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.



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

**APPLICANT:** Max Martinez **CAL NO.:** 212-02-A

**PEARANCE FOR:** Max Martinez **MAP NO.:** 3-I

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 4758 S. Marshfield Avenue

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
AUGUST 16, 2002

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Raymond J. Krumsee **CAL NO.:** 213-02-A  
**APPEARANCE FOR:** John J. Pikarski, Jr., Raymond J. Krumsee **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 1400 W. Erie Street  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Raymond J. Krumsee, owner, on April 4, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify 8 dwelling units in lieu of 7 dwelling units and 1 retail store in a 4-story brick building; in an R3 General Residence District, on premises at 1400 W. Erie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 25, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; 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 4-story brick building; that the appellant is seeking to legalize the conversion of a non-conforming 1<sup>st</sup> floor store premises to a dwelling unit for a total of 8 dwelling units; 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

WHEREAS, the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify 8 dwelling units in lieu of 7 dwelling units and 1 retail store in a 4-story brick building, in an R3 General Residence District, on premises at 1400 W. Erie Street, upon condition that the building shall be brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** E & L Communications **CAL NO.:** 214-02-A  
**APPEARANCE FOR:** Ezequiel Banda **MAP NO.:** 8-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 3701 S. Paulina Street  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, E & L Communications, for Rosario Gonzalez, owner, on April 9, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an office\* use below the 2<sup>nd</sup> floor in a 2-dwelling unit building, in an R3 General Residence District, on premises at 3701 S. Paulina Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 26, 2002, 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 June 21, 2002; 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 store and apartment building; that the testimony presented indicates that the appellant operates a newspaper business office in the store premises at the subject site and resides on the second floor of the subject building; that the appellant had operated the business since 1997 under a Home Occupation license until January, 2002 when it was closed by the Department of Revenue; that pursuant to provisions of the zoning ordinance, a home occupation "shall refer to the accessory use, of a business or commercial nature, of a dwelling unit, engaged in by the person or persons residing in that unit....and that the use must be incidental and secondary to the principal residential use of the dwelling unit and must not change the residential character of the dwelling unit or adversely affect the character of the surrounding neighborhood ....."; that the testimony presented indicates that the business activity is conducted in the former store premises on the ground floor and not in the appellant's dwelling unit on the 2<sup>nd</sup> floor; that the Zoning Board of Appeals has no authority under Section 7.3-3 of the zoning ordinance to permit a home occupation, as defined by the zoning ordinance, at the subject premises; 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.

\*Amended

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

**APPLICANT:** Guadalupe Luna **CAL NO.:** 215-02-A

**PEARANCE FOR:** None **MAP NO.:** 4-E

**APPEARANCES AGAINST:** **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 1616 W. 18th Place

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

CASE DISMISSED FOR  
WANT OF PROSECUTON.

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Keisha McKenzie

**CAL NO.:** 216-02-A

**APPEARANCE FOR:**

**MAP NO.:** 19-G

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 1442 W. Howard Street

**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD---**

**THE VOTE**

CASE CONTINUED TO  
AUGUST 16, 2002.

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Isabel Anadon **CAL NO.:** 217-02-A

**APPEARANCE FOR:** Isabel Anadon **MAP NO.:** 4-E

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 1332 N. Western Avenue

**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Isabel Anadon, owner, on April 23, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the construction of a 3-story addition to an existing 3-story 2 dwelling unit building, in a C1-2 Restricted Commercial District, on premises at 1332 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 20, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 6.4, 9.3-1 ."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is improved with a 3-story 2 dwelling unit building; that the subject site has been zoned Commercial since the adoption of the 1923 zoning ordinance; that the subject site's C1-2 Restricted Commercial renders the dwelling unit located on the first floor a pre-existing non-conforming dwelling unit; that Section 6.4-6 of the zoning ordinances states that the non-conforming use of part of a building or structure, all of substantially all of which is designed or intended for a use not permitted in the district in which it is located, may not be expanded or extended throughout the building or structure in which said use is presently located; that pursuant to Section 6.4-7 of the zoning ordinance the Zoning Board of Appeals has no authority to permit the use requested; it is therefore

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

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

**APPLICANT:** Josephine Morabito **CAL NO.:** 218-02-A  
**PEARANCE FOR:** Josephine Morabito **MAP NO.:** 15-M  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 5901 N. Elston Avenue  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.  
**ACTION OF BOARD--**

**THE VOTE**

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

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

	AFFIRMATIVE	NEGATIVE	ABSENT
			X
X			
X			
X			
X			

**THE RESOLUTION:**

WHEREAS, Josephine Morabito, owner, on April 24, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a dwelling unit in lieu of a retail store in a 2-story 2 dwelling unit building, in an R2 Single-Family Residence District, on premises at 5901 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.5-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 2-story with high basement building; that the appellant testified that she purchased the building as a 3 dwelling unit building and is now seeking to legalize the third dwelling unit located in the high basement; that the rezoning of the subject site from retail use to R2 Single-Family Residence zoning rendered the former store premises in the basement non-conforming; 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; 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 hereby authorized to permit the establishment of a dwelling unit in lieu of a retail store in a 2-story 2 dwelling unit building for a total of 3 dwelling units, on premises at 5901 N. Elston Avenue, upon condition that the building is brought into compliance with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

**APPLICANT:** Brian Farquhar **CAL NO.:** 219-02-Z

**APPEARANCE FOR:** Brian Farquhar **MAP NO.:** 10-E

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 4030 S. Cottage Grove Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a C1-3 Restricted Commercial District, the erection of a 5th floor addition to an existing 4-story office\* and residential building.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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 the height of the subject building shall be no higher than 52'10"; 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:** Juan Padilla **CAL NO.:** 220-02-Z  
**APPEARANCE FOR:** Juan Padilla **MAP NO.:** 6-J  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 2327 S. Lawndale 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 2-story addition to the front of an existing residential building, whose front yard will be 4.7' instead of 16'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA			X
DEMETRI KONSTANTELOS	X		
LERROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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 said use is located in an R4 General Residence District; that the subject site is improved with a 2 ½ story residential building including the proposed 2-story addition; that the said addition was constructed without the necessary building permits; 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; 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:** Sam Seranella **CAL NO.:** 221-02-S  
**APPEARANCES FOR:** Paul A. Kolpak **MAP NO.:** 17-O  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 6839 N. Overhill 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 24' x 24' private parking garage, in an R4 General Residence District, to provide off street parking for a building to be located at 6783-87 N. Northwest Highway, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

APPLICATION WITHDRAWN UPON  
MOTION OF APPLICANT.

**THE VOTE**

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

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

APPLICANT: Sam Seranella CAL NO.: 222-02-Z  
APPEARANCE FOR: Paul A. Kolpak, Sam Seranella MAP NO.: 17-O  
APPEARANCES AGAINST: None MINUTES OF MEETING:  
June 21, 2002  
PREMISES AFFECTED: 6839 N. Overhill Avenue\*

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence Districts, the erection of a 24' x 24' garage, whose front yard will be 3' instead of 7.92' to provide parking for building located at 6839 N. Overhill Avenue, in a B4-1 Restricted Service District.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

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

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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.

\*Amended at the hearing.

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

**APPLICANT:** Rachel Mendoza **CAL NO.:** 223-02-Z  
**APPEARANCE FOR:** Rachel Mendoza **MAP NO.:** 13-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 5349 W. Carmen Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 37' x 21.77' two-story addition to a 1 ½ story frame single-family dwelling, whose rear yard will be 3' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** Leland Properties, LLC. **CAL NO.:** 224-02-S  
**APPEARANCE FOR:** Mark J. Kupiec **MAP NO.:** 11-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 1101 W. Leland 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 residential use below the 2nd floor in a proposed 4-story 6 dwelling unit building, in a B4-3 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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:** Leland Properties, LLC. **CAL NO.:** 225-02-Z  
**APPEARANCE FOR:** Mark J. Kupiec **MAP NO.:** 11-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 1101 W. Leland Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a proposed 4-story 6 dwelling unit building with no east and west side yards instead of 5.5' each, with no front yard instead of 12.06', and whose rear yard will be 15' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED,

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA			X
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIBLE	X		
BRIAN L. CROWE	X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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 June 21, 2002, the Zoning Board of Appeals approved, in Cal. No. 224-02-S, the establishment of residential use below the second floor in a proposed 4-story 6 dwelling unit building to be located 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; 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:** Leland Properties, LLC. **CAL NO.:** 226-02-S  
**PEARANCE FOR:** Mark J. Kupiec **MAP NO.:** 11-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 4660 N. Winthrop 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 residential use below the 2nd floor in a proposed 4-story 6 dwelling unit building, in a B4-3 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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:** Leland Properties, LLC. **CAL NO.:** 227-02-Z  
**APPEARANCE FOR:** Mark J. Kupiec **MAP NO.:** 11-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 4660 N. Winthrop Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a proposed 4-story 6 dwelling unit building, with no north and south side yards instead of 4' each, with no front yard instead of 10.71', and whose rear yard will be 19.66' instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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 June 21, 2002, the Zoning Board of Appeals, approved, in Cal. No. 26-02-S, the establishment of residential use below the second floor in a proposed 4-story 6 dwelling unit building to be located 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; 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:** Slobodan Milanovic **CAL NO.:** 228-02-Z  
**APPEARANCE FOR:** Slobodan Milanovic **MAP NO.:** 11-M  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 5812 W. Montrose Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the construction of a 1 and 2-story enclosed rear porch to an existing dwelling unit and to allow an increase in the floor area not to exceed 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** Pearl Nails Huff **CAL NO.:** 229-02-Z  
**APPEARANCE FOR:** James J. Banks, Pearl Nails Huff **MAP NO.:** 15-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 1249-53 W. Victoria Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence (S. D. #22 Sub-Area B) District, the reduction of the northwest side yard located at 1249 W. Victoria Street to zero instead of 2'-6" in order to subdivide a lot measuring 50.00' x 125' into two zoning lots measuring 25' x 125' each in order to construct a new 3-story single family residence at 1253 W. Victoria Street.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** Mark Hoffmeister **CAL NO.:** 230-02-Z  
**APPEARANCE FOR:** Thomas M. Pikarski, Mark Hoffmeister **MAP NO.:** 5-F  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 535 W. Belden Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story 20.5' x 17' addition to an existing 4-story brick residential building, with no east side yard instead of 2.4', and whose west side yard will be 1' instead of 2.4'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** Juan Lopez **CAL NO.:** 231-02-Z  
**PEARANCE FOR:** Juan Lopez **MAP NO.:** 4-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 2318 W. 19th Street

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story rear addition with roof top deck to an existing 3 dwelling unit building, whose west side yard will be 0.45' instead of 2'5", and with no rear yard instead of 30'.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**IE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** Public Building Commission of Chicago **CAL NO.:** 232-02-S  
**APPEARANCE FOR:** Anne L. Fredd **MAP NO.:** 11-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 4100 N. Long 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 senior citizens community center located within the area of the swimming pool facility at Portage Park, in an R3 General Residence District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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 final site plans and elevation drawings shall be approved by the Department of Planning and Development.

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

**APPLICANT:** Public Building Commission of Chicago **CAL NO.:** 233-02-Z  
**PEARANCE FOR:** Anne L. Fredd **MAP NO.:** 11-L  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 4100 N. Long Avenue  
**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story senior citizens community center, with no east side yard instead of 20' and no rear yard instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA			X
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIBLE	X		
BRIAN L. CROWE			

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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 June 21, 2002, the Zoning Board of Appeals, approved, in Cal. No. 232-02-S, the establishment of a senior citizens community center located within the area of the swimming pool facility at Portage Park, 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; 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:** Ted Zeglen

**CAL NO.:** 234-02-Z

**APPEARANCE FOR:** James J. Banks

**MAP NO.:** 9-0

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**

June 21, 2002

**PREMISES AFFECTED:** 3434 N. Harlem Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 14 dwelling unit building whose front yard will be 6' instead of 15.79', whose south side yard will be 8' instead of 8.79', and whose rear yard will be 7'7" instead of 30'.

**ACTION OF BOARD--**

**THE VOTE**

CASE CONTINUED TO  
JULY 19, 2002.

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

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

**APPLICANT:** Ted Zeglen

**CAL NO.:** 235-02-Z

**PEARANCE FOR:** James J. Banks

**MAP NO.:** 9-0

**APPEARANCES AGAINST:**

**MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 3444 N. Harlem Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 14 dwelling unit building whose front yard will be 6' instead of 15.79', whose north side yard will be 8' instead of 8.79', and whose rear yard will be 7'7" instead of 30'.

**ACTION OF BOARD--**

CASE CONTINUED TO  
JULY 19, 2002

**THE VOTE**

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



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

**APPLICANT:** St. Xavier University

**CAL NO.:** 236-02-S

**APPEARANCE FOR:** John S. Lawlor

**MAP NO.:** 26-J

**APPEARANCES AGAINST:** None

**MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 10327 S. Pulaski 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 an off-site accessory parking lot for the parking of 189 private passenger automobiles, in a B4-1 Restricted Service District, to serve the university campus at 3700 W. 103rd Street.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA			X
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIBLE	X		
BRIAN L. CROWE	X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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 proposed 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;

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;

(Additional conditions follow on page 40a.)

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

**MINUTES OF MEETING**

June 21, 2002

Cal. No. 236-02-S

That the applicant shall install fencing and landscaping in compliance with applicable provisions of the Chicago Landscape Ordinance;

That striping and lighting shall be provided;

That ingress and egress shall be from S. Pulaski Road; that the driveway(s) shall be constructed in accordance with applicable ordinances;

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:** Samuel Griffin **CAL NO.:** 237-02-S

**APPEARANCE FOR:** Samuel Griffin **MAP NO.:** 5-L

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 5151 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 automobile laundry facility in a 1-story masonry building, in a C1-1 Restricted Commercial District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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 all queuing, parking and cleaning of automobiles shall occur completely within the building at the subject site.

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

**APPLICANT:** Todd and Robin Winer **CAL NO.:** 238-02-Z  
**APPEARANCE FOR:** Todd Winer **MAP NO.:** 9-H  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 1739 W. Newport Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a proposed addition to an existing 2 dwelling unit building which will not exceed 15% (421 sq .ft.) of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** MDH Development, Ltd. **CAL NO.:** 239-02-Z

**APPEARANCE FOR:** James J. Banks, Michael Holmes **MAP NO.:** 13-6

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** June 21, 2002

**PREMISES AFFECTED:** 1054-56 W. Lawrence Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in a B5-5 General Service District, the erection of a proposed 4-story 9 dwelling unit office building whose rear yard will be 1-3/4" instead of 30', and with a waiver of the one required 10' x 25' loading berth.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
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 June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; 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; 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:** Ricarte Aguirre **CAL NO.:** 472-01-A

**APPEARANCE FOR:** Oscar Gallo, Ricarte Aguirre **MAP NO.:** 6-K

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 4307 W. 25th Place

**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Ricarte Aguirre, owner, on Septmber 24, 2001, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of 2 dwelling units in an existing 2-story residential building with insufficient lot area, in an R3 General Residence District, on premises at 4307 W. 25<sup>th</sup> Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 20, 2001, 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 ."  
 and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; 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 a 3,3441.2 sq.ft. lot and is improved with a 2-story brick residential building; that the appellat sees to establish 2 dwelling units at the subject site; that no evidence was presented to indicate that two dwelling units were ever legally established at the subject site; that Section 7.5-3 of the zoning ordinance provides that in an R3 General Residence District, there shall be provided not less than 2,500 sq. ft. of lot area per dwelling unit; that the subject site lot area is 3,441.2 sq. ft.; that two dwelling units would require at least 5,000 sq. ft. of lot area; that pursuant to Section 7.5-3 of the zoning ordinance, the Board has no authority to permit the use requested; it is therefore

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

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

**APPLICANT:** Ricarte Aguirre **CAL NO.:** 473-01-Z

**APPEARANCE FOR:** Oscar Gallo, Ricarte Aguirre **MAP NO.:** 6-K

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 4307 W. 25th Place

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story front yard stair case to an existing 2-story residential building whose front yard will be 7' 4" instead of 19' 6".

**ACTION OF BOARD--**

**THE VOTE**

VARIATION DENIED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on June 5, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick residential building; that on June 21, 2002, the Zoning Board of Appeals denied, in Cal. No. 472-01-A, the applicant's appeal seeking the establishment of two dwelling units in the 2-story brick building at the subject site, finding that no evidence was presented to indicate that two dwelling units had ever been legally established in the subject building, and that the subject property lacked sufficient lot area for two dwelling units; that the denial of the aforesaid appeal negates the need for the variation 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:** Shining Star M.B.C. #2 **CAL NO.:** 68-02-S

**APPEARANCE FOR:** Darnell Brown **MAP NO.:** 24-G

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:** June 21, 2002

**PREMISES AFFECTED:** 1250-54 W. 103rd 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 86 seat church in an existing 1-story building, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on January 30, 2002; 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 January 15, 1999, the Zoning Board of Appeals approved the establishment of a 104-seat church with required parking located on site, at the subject site; that the testimony presented in Cal. No. 20-99-S is 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 area located at the rear of the proposed church building shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material 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;

(Additional conditions follow on page 46a.)



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

**MINUTES OF MEETING**

June 21, 2002

Cal. No. 68-02-S

That 6 feet high chain link fencing shall be provided on the east and north lot lines;

That striping and lighting shall be provided;

That ingress and egress shall be via an existing access driveway abutting the site to the west onto W. 103<sup>rd</sup> Street;

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:** Marquette Bank **CAL NO.:** 116-02-S  
**APPEARANCE FOR:** James J. Banks **MAP NO.:** 16-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 6316 S. Western 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 an existing bank, in a B5-2 General Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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 proposed drive-through banking facility shall be constructed consistent with the design and layout illustrated on the site plan and elevation drawings prepared by ATMI Cordogan, Clark Architects, dated June 14, 2002; that the final landscape plan shall be approved by the Department of Planning and Development.

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

**APPLICANT:** Victory Outreach Ministries **CAL NO.:** 118-02-S  
**APPEARANCE FOR:** James J. Banks, Fernando Avila **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 2739-45 W. North 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 proposed church with offices and classrooms in a 2-story retail building, in a B3-3 General Retail District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 2002; 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 parking for 32 private passenger automobiles shall be located at 1539 N. California Avenue as provided for in Cal. No. 119-02-S.

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

**APPLICANT:** Victory Outreach Ministries **CAL NO.:** 119-02-S  
**PEARANCE FOR:** James J. Banks, Fernando Avila **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 1539 N. California 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 32 leased parking spaces, in an R5 General Residence District, to satisfy the parking requirement for a church with offices and classrooms to be located at 2739-45 W. North Avenue.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on April 2, 2002; 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 the parking lot is subject to a lease agreement between the applicant and Bickerdike Development Corporation, which lease commenced April 1, 2002 and ends March 30, 2007 with a five year renewal option.

That the use of the parking lot by the applicant shall be limited to the hours between 6 P.M. and 11 P.M., Friday and from 9 A.M. to 10 P.M. Sunday;;

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:** Victory Outreach Ministries **CAL NO.:** 120-02-Z  
**APPEARANCE FOR:** James J. Banks, Fernando Avila **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 1539 N. California Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the leasing of an off-site parking facility to qualify as required parking facilities for a proposed church with offices and classrooms to be located 3739 W. North Avenue and for additional business uses

**ACTION OF BOARD--**

VARIATION GRANTED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 2002; 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 June 21, 2002, the Zoning Board of Appeals approved, in Cal. No. 119-02-S, the leasing of 32 parking spaces in a parking lot at the subject site to satisfy the parking requirement for a proposed church to be located at 2739-45 W. North Avenue; that the existing parking lot also serves as an off-street parking facility for State of Illinois Department of Human Services offices abutting the subject site to the north; 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; 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.

That the use of the subject parking lot by the applicant church shall be limited to the hours between 6 P.M. and 11 P.M., Friday and from 9 A.M to 10 P.M. Sunday;

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

**APPLICANT:** Edward T. Kuhn **CAL NO.:** 129-02-A  
**APPEARANCE FOR:** Thomas S. Moore, Edward T. Kuhn **MAP NO.:** 4-E  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 3159-61 N. Halsted Street  
**NATURE OF REQUEST:** Appeal from the decision of the Office of the Zoning Administrator.

**ACTION OF BOARD--**

**THE VOTE**

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
		X
X		
X		
X		
X		

**THE RESOLUTION:**

WHEREAS, Edward T. Kuhn, owerr, on January 14, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify a rear accessory building with eight garages for the storage of business vehicles and materials, in a B4-2 Restricted Service District, on premises at 3159-61 N. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 24, 2001, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

WHEREAS, the district maps show that the premises is located in aB4-2 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 ½ story frame building on the front of the lot occupied by a plumbing contractor business on the first floor and a dwelling unit on the 2<sup>nd</sup> floor and an accessory garage building at the rear of the site; that evidence presented indicates that the subject rear accessory garage and materials storage building has continuously been used as such by the appellant's family since the 1890's for their plumbing contractor business; that the said rear accessory garage and storage building is therefore a legal non-conforming use having existed prior to the adoption of the 1923 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 certify a rear accessory building with eight garages for the storage of business vehicles and materials, on premises at 3159-61 N. Halsted Street, upon condition that all vehicles and materials used of the appellant's business shall be stored inside the garage building and not in the public way; 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:** Bozena Boglulawski **CAL NO.:** 139-02-A  
**APPEARANCE FOR:** Thomas S. Moore, Bozena Boglulawski **MAP NO.:** 11-H  
**APPEARANCES AGAINST:** Lee F. Dewald, Marilyn Witt, Mary Murray **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 2023 W. Berteau Avenue  
**NATURE OF REQUEST:** 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  
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
		X
	X	
	X	
	X	
	X	

**THE RESOLUTION:**

WHEREAS, Bozena Boglulawski, owner, on February 6, 2002, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to allow the rear dwelling unit to be raised to the 2nd floor and to establish a two-car garage on the 1st floor of the building on the rear of the lot, in an R3 General Residence District, on premises at 2023 W. Berteau Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 16, 2002, reads:  
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.3-3, 7.8-3, 7.9-3."

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick 2 dwelling unit building on the front of the lot which is additionally improved with a 1-story brick building containing a dwelling unit at the rear of the lot; that the testimony presented indicates that the rear building has always been occupied as a third dwelling unit; that the appellant seeks to gut the existing rear building and move the existing residential use to a new second floor to be constructed, and use the resulting first floor as garage parking for two automobiles; that the appellant contends she is merely seeking to continue the present dwelling unit use with the addition of a 2 car garage; that the garage parking in a permitted use in the rear building but that the Board finds that putting a dwelling unit on the proposed second floor of the existing detached non-conforming rear building creates the expansion of an existing non-conforming use in this R3 General Residence District; that pursuant to Section 6.4-6 of the zoning ordinance, the Board has no authority to permit the use requested; it is therefore

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

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

**APPLICANT:** Bozena Boglulawski **CAL NO.:** 140-02-Z  
**APPEARANCE FOR:** Thomas S. Moore. Bozena Boglulawski **MAP NO.:** 11-H  
**APPEARANCES AGAINST:** Lee F. Dewald, Marilyn Witt, Mary Murray **MINUTES OF MEETING:** June 21, 2002  
**PREMISES AFFECTED:** 2023 W. Berteau Avenue

**NATURE OF REQUEST:** Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, an increase of up to 15% of the floor area which existed in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, to reduce the rear yard from 30' to 2.98', and the west side yard from 3' to .92' in order to erect a two-car garage under the existing dwelling unit.

**ACTION OF BOARD--**

**THE VOTE**

VARIATION DENIED

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on April 2, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a two-story 2 dwelling unit building on the front of the lot which is additionally improved with a 1-story residential building at the rear of the lot; that the applicant proposes to gut the rear building and move the existing dwelling unit to a new second floor and provide garage parking for two automobiles on the first floor; that on June 21, 2002, the Zoning Board of Appeals denied, in Cal. No. 139-02-A, the applicant's appeal seeking to permit the existing dwelling unit in the rear building to be moved to the new second floor in order to establish a two-car garage on the first floor, finding that the moving of the dwelling unit to the second floor is an expansion of the existing non-conforming dwelling unit; that the denial of the appeal hereby negates the need for the variations requested in the instant case; it is therefore

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



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

**APPLICANT:** McDonald's Corporation **CAL NO.:** 168-02-S  
**APPEARANCE FOR:** Timothy K. Hinchman **MAP NO.:** 4-G  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
 June 21, 2002  
**PREMISES AFFECTED:** 1664 S. Blue Island 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 proposed McDonald's restaurant, in a C1-2 Restricted Commercial District.

**ACTION OF BOARD--**

APPLICATION APPROVED.

**THE VOTE**

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on June 5, 2002; 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 proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by McDonald's Corporation, dated June 1, 2002; that the final landscape plane shall be approved by the Department of Planning and Development.

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

**APPLICANT:** Tough Guy, Inc. **CAL NO.:** 186-02-S  
**PEARANCE FOR:** Thomas S. Moore, Walter Klein **MAP NO.:** 3-I  
**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002  
**PREMISES AFFECTED:** 2622 W. Chicago 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 automobile laundry in a 1-story commercial garage building, in a C1-2 Restricted Commercial District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

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

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 2, 2002; 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 all queuing, parking and cleaning of automobiles shall occur completely within the building at the subject site;

That the alley abutting the site the site to the north shall not be used for ingress to nor egress from the subject garage building.

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

**APPLICANT:** Taylor Group, LLC **CAL NO.:** 187-02-S

**APPEARANCE FOR:** Sharese Shields, Bruce Taylor **MAP NO.:** 22-E

**APPEARANCES AGAINST:** None **MINUTES OF MEETING:**  
June 21, 2002

**PREMISES AFFECTED:** 110 E. 95th 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 drive-through facility in conjunction with a proposed Burger King restaurant, in a B4-1 Restricted Service District.

**ACTION OF BOARD--**

**THE VOTE**

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA			X
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIBLE	X		
BRIAN L. CROWE	X		

**THE RESOLUTION:**

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on June 21, 2002, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on May 2, 2002; 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 proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Sarfatty Associates, Ltd., dated May 6, 2002; that the final landscape plan shall be approved by the Department of Planning and Development.

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

**MINUTES OF MEETING**

June 21, 2002

Cal. No. 211-01-Z

Phillip R. Cohen, A.I.A., for Ronald and Catherine Clark, applicant, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a 2<sup>nd</sup> floor addition to an existing 1-story with basement single-family dwelling, whose front yard will be 14' instead of 18.75', and whose west side yard will be .35' instead of 2.5', on premises at 2416 W. Fletcher Street, approved by the Zoning Board of Appeals on June 15, 2001, in Cal.No. 211-01-Z.

Mr. Cohen stated that drawings have been completed and submitted for permit but that a hearing had been requested before the Building Board of Appeals, which is important to the permit process in the aforesaid project, therefore necessitating the requested extension of time from the Zoning Board of Appeals.

Vice Chairman Martin moved that the request be granted and that the time for obtaining the necessary building permits be extended to June 15, 2003. The motion prevailed by yeas and nays as follows:

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

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

**MINUTES OF MEETING**

June 21, 2002

Motion was made by Member Crowe to recess the Zoning Board of Appeals for deliberation on the matters heard; motion was seconded by Member McCabe-Miele. The motion passed unanimously. The Board thereupon recessed, taking action designated on the face of the resolutions.

\* \* \* \* \*

The Board adjourned to meet in regular meeting on Friday, July 17, 2002.

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Secretary