

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building, on Friday, July 17, 1992

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

The following members were present and constituted a quorum:

Joseph J. Spingola
Chairman
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

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Member Moore moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on June 19, 1992 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin and Moore. Nays- None. Absent- Alakiotou.

* * * * *

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

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

APPLICANT: Pontarelli Builders, Inc.
APPEARANCES FOR: Mark J. Ballard
APPEARANCES AGAINST:

CAL. NO. 142-92-Z
MAP NO. 7-N
MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 2934 N. Nashville Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—
 Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Pontarelli Builders, Inc., owner, on May 22, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story single-family dwelling, whose rear yard will be 5 feet instead of 30 feet, on premises at 2934 N. Nashville Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 22, 1992, 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, §7.9-3, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that on June 19, 1992, the Board approved the erection of two 1-story single-family dwellings whose rear yards will each be 5 feet instead of 30 feet, on premises at 2914 and 2924 N. Nashville Avenue; that the testimony in Calendar Nos. 113-92-Z and 114-92-Z is hereby made part of the record in this case; that the subject site is a 99.92' x 50' lot with no alley access; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that without the requested rear yard variation it would be economically and architecturally impossible to construct a single-family residence containing adequate living space due to the shallow 50 feet lot depth; that the plight of the owner is due to unique circumstances in that the dimensions of the subject lot necessitates the requested reduction of the required rear yard; that the proposed single-family dwelling will be compatible with existing residential improvements in the neighborhood and that the variation, if granted, will not alter the essential character of the locality in which it is to be located; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story single-family dwelling whose rear yard will be 5 feet instead of 30 feet, on premises at 2934 N. Nashville 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 808

APPLICANT: Pontarelli Builders, Inc.
 APPEARANCES FOR: Mark J. Ballard
 APPEARANCES AGAINST:

CAL. NO. 143-92-Z
 MAP NO. 7-N
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 2944 N. Nashville Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variation granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Pontarelli Builders, Inc., owner, on May 22, 1992, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story single-family dwelling, whose rear yard will be 5 feet instead of 30 feet, on premises at 2944 N. Nashville Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 22, 1992, 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, §7.9-3, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that on June 19, 1992, the Board approved the erection of two 1-story single-family dwellings whose rear yards will each be 5 feet instead of 30 feet, on premises at 2914 and 2924 N. Nashville Avenue; that the testimony in Calendar Nos. 113-92-Z and 114-92-Z is hereby made part of the record in this case; that the subject site is a 99.92' x 50' lot with no alley access; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that without the requested rear yard variation it would be economically and architecturally impossible to construct a single-family residence containing adequate living space due to the shallow 50 feet lot depth; that the plight of the owner is due to unique circumstances in that the dimensions of the subject lot necessitates the requested reduction of the required rear yard; that the proposed single-family dwelling will be compatible with existing residential improvements in the neighborhood and that the variation, if granted, will not alter the essential character of the locality in which it is to be located; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story single-family dwelling whose rear yard will be 5 feet instead of 30 feet, on premises at 2944 N. Nashville 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: Marvin Rosett
 APPEARANCES FOR: Marvin Rosett
 APPEARANCES AGAINST:

CAL. NO. 144-92-Z
 MAP NO. 15-J
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 6252 N. Drake Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Marvin Rosett, owner, on May 4, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story 10.44' x 16.53' addition at the northwest corner of a 2-story brick single-family dwelling, whose north side yard will be 3 feet instead of 6 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6252 N. Drake Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1, 1992, 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, §7.6-2, §11.7-4(13)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 125'- lot improved with a 2-story single-family dwelling with a rear 1-story addition on the south half of the building; that the applicant proposes to erect a 2-story 10.44' x 16.53' addition at the northwest corner of the existing residential building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to provide additional living space for the applicant and his extended family; that the plight of the owner is due to the applicant's need to provide living space for his mother-in-law who resides with the applicant; that the proposed 2-story addition will follow the existing building lines and will not impair an adequate supply of light and air to adjacent properties; that the variations, if granted, will be compatible with existing improvements in the block and will not alter the essential character of the locality; it is there-

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Cal. No. 144-92-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 10.44' x 16.53' addition at the northwest corner of a 2-story brick single-family dwelling, whose north side yard will be 3 feet instead of 6 feet and whose total floor area ratio will be 0.65 instead of 0.50, on premises at 6252 N. Drake 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: Rodrigo Gonzalez
 APPEARANCES FOR: Rodrigo Gonzalez
 APPEARANCES AGAINST:

CAL. NO. 145-92-Z
 MAP NO. 15-J
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 6048 N. Christiana Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Rodrigo Gonzalez, owner, on May 8, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 12.67' x 24.07' 1-story addition to the rear of a 2-story brick single-family dwelling, whose south side yard will be 2.93 feet instead of 3 feet and whose total floor area ratio will be approximately 0.57 instead of 0.50, on premises at 6048 N. Christiana Avenue; and

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

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

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 116.57' lot improved with a 2-story single-family dwelling; that the applicant proposes to erect a 12.67' x 24.07' 1-story addition at the rear of the existing residential building where there is presently a 1-story addition measuring less than the width of the residential building which will be removed; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed addition is necessary to meet the living space requirements of the applicant; that the plight of the owner is due to the deteriorating condition of the existing rear 1-story family room and the applicant's need for additional living space; that no one appeared in opposition to the applicant's proposal; that the proposed 1-story addition will follow existing building lines and will not impair an adequate supply of light and air to adjacent properties; and that the variation, if granted, will be compatible with existing improvements in this block and will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 12.67' x 24.07' 1-story addition to the rear of a 2-story brick single-family dwelling, whose south side yard will be 2.93 feet instead of 3 feet and whose total floor area ratio will be approximately 0.57 instead of 0.50, on premises at 6048 N. Christiana 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: Greene Development Group, Inc.
 APPEARANCES FOR: William J. Hennessey
 APPEARANCES AGAINST:

CAL. NO. 146-92-Z
 MAP NO. 22-H
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 8963 S. Winchester Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Greene Development Group, Inc., for Mt. Greenwood Bank, Tr. #5-0940, owner, on May 6, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story single-family dwelling on a triangular lot, whose north side yard will be 3 feet instead of 4 feet and whose rear yard will range from 7 feet to 22 feet instead of 30 feet, on premises at 8963 S. Winchester Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1992, 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, §7.8-2(2), §7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 4,020 sq. ft. unimproved triangular shaped parcel of land; that the applicant seeks to erect a 2-story single-family dwelling at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the north side yard and rear yard variations requested are necessary to construct the proposed 2-story single-family dwelling with accessory garage parking as designed on this triangular shaped lot; that the plight of the owner is due to the configuration of the subject site lot; that the proposed 2-story single-family dwelling will not impair an adequate supply of light and air to other properties and will be compatible with existing improvements in the area; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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

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it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story single-family dwelling on a triangular lot, whose north side yard will be 3 feet instead of 4 feet and whose rear yard will range from 7 feet to 22 feet instead of 30 feet, on premises at 8963 S. Winchester 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 808

APPLICANT: Northwest Bible Community Youth Center
APPEARANCES FOR: John W. Mauck
APPEARANCES AGAINST: Barbara Turovy
PREMISES AFFECTED— 5530 N. Long Avenue
SUBJECT— Application to vary the requirements of the zoning ordinance.

CAL. NO. 147-92-Z
MAP NO. 13-L
MINUTES OF MEETING
 July 17, 1992

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Northwest Bible Community Youth Center, owner, on May 29, 1992, filed an application for a variation to permit, in an R2 Single-Family Residence District, the erection of a 1-story 30' x 47.5' addition to the rear of a 2-story brick church and youth center building with no south side yard instead of 15 feet, whose rear yard will be 1.67 feet instead of 30 feet and whose total floor area ratio will be 0.81 instead of 0.50, on premises at 5530 N. Long Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 27, 1992, 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, §7.6-2, §7.8-2, §7.9-2, §11.7-4(1), §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 6,621 sq. ft. irregular shaped lot improved with a 2-story brick building; that on March 6, 1944, the Board granted a variation permitting the erection of a 47' x 47' addition to the rear of an existing church building, exceeding by 812 sq. ft. the 2,278 sq. ft. permitted, at the subject site, in Calendar No. 44-44-Z; that the applicant proposes to erect a 1-story 30' x 47.5' addition to the rear of the existing 2-story building; that although the subject building was originally a church, including the aforesaid 1-story 47' x 47' addition, the congregation now meets in a new church building located at 5423 W. Bryn Mawr Avenue, located a short distance from the subject site; that the sign indicating the building at the subject site is a church was never removed after the congregation relocated to the new church building; that the applicant testified that the subject site has always had church-related youth program activities, including a gymnasium, since the year 1944; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be

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used only under the conditions allowed by the regulations in this district in that the existing building is no longer adequate to meet the needs of the applicant in providing their youth program activities; that the plight of the owner is due to the irregular shape of the subject lot which necessitates the south side and rear yard variations requested; that the proposed addition will be located on the west side of the existing building with alleys to the north and west and will not be visible from N. Long Avenue; that a resulting triangular portion of the lot which will be located north of the proposed addition will be paved and used for parking; that the variations, if granted will not alter the essential character of the locality in that the proposed addition to an existing building used for a church-related youth program and other activities is compatible with the existing improvements in the area; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 30' x 47.5' addition to the rear of a 2-story brick church and youth center building with no south side yard instead of 15 feet, whose rear yard will be 1.67 feet instead of 30 feet and whose total floor area ratio will be 0.81 instead of 0.50, on premises at 5530 N. Long 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: Leszek Zero
 APPEARANCES FOR: Richard H. Trais, Leszek Zero
 APPEARANCES AGAINST:

CAL. NO. 148-92-Z
 MAP NO. 9-0
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 3454 N. Orange Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Leszek Zero, owner, on May 7, 1992, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the legalization of additions (12' x 24.4' rear 1st floor and 16' x 40' 2nd floor) to a 1-story frame single-family dwelling, whose north side yard is 5 feet and whose south side yard is 6 inches instead of combined side yards of 9 feet and neither side yard less than 3 feet, on premises at 3454 N. Orange Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 10, 1992, 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, §7.8-2(2), §11.7-4,"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is a 30' x 125.88' lot improved with a 2-story frame single-family residence including the subject rear 1st floor and 2nd floor additions; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the said 12' x 24.4' rear 1st floor and 16' x 40' 2nd floor additions are necessary to provide additional living space for the applicant and his family; that the plight of the owner is due to unique circumstances in that the aforesaid additions were erected by the applicant without the proper building permits and that the applicant now seeks to legalize the construction work; that the said additions will not impair an adequate supply of light and air to adjacent properties; and that the variations requested will be compatible with existing improvements in the block and will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the legalization of additions (12' x 24.4' rear 1st floor and 16' x 40' 2nd floor) to a 1-story frame single-family dwelling, whose north side yard is 5 feet and whose south side yard is 6 inches instead of combined side yards of 9 feet and neither side yard less than 3 feet, on premises at 3454 N. Orange Street, upon condition that all applicable ordinances of the City of Chicago shall complied with before a permit is issued.

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

APPLICANT: Victor Venturi
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 149-92-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 2628 N. Lakewood Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variations Granted.

THE VOTE

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Roula Alakiotou
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Victor Venturi, owner, on May 7, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two story masonry single family home whose rear yard will 21.33 feet instead of 30 feet, whose north side yard will be 0 feet instead of 6 feet and whose south side yard will be 3.33 feet instead of 6 feet, and whose front yard will be 8.83 feet instead of 15 feet on premises located at 2628 N. Lakewood Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 7, 1992, 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, §7.7-4, §7.8-4, §7.9-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun Times of June 29, 1992; 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 located in an R4 General Residence District; that the subject site is a lot of 60 feet x 124.42 feet, with only the foundations remaining from a prior manufacturing building located on the premises; that the applicant proposes to erect a two story masonry single family home; that the use of the property in question would not be economically feasible and the property cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed building cannot be constructed on the site due to the former use of the site requires the reuse of the existing foundations; that the plight of the owner is due to

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unique circumstances in that the property is a former manufacturing area only recently converted to residential and use of the property will require use of the existing foundations and could not be developed at all without the variations requested; that the variations, if granted, will not alter the essential character of the locality in that the proposed construction is in an area that is residential in character and many other buildings are constructed with similar setbacks and the proposed building will be compatible with existing residential improvements in the block; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make variations in the application of the district regulations for the zoning ordinance and that variations be and are hereby granted to permit the erection of a two story masonry single family home whose rear yard will 21.33 feet instead of 30 feet, whose north side yard will be 0 feet instead of 6 feet and whose south side yard will be 3.33 feet instead of 6 feet, and whose front yard will be 8.83 feet instead of 15 feet on premises located at 2628 N. Lakewood 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: George Pappageorge

CAL. NO. 150-92-S

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 5-H

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APPEARANCES AGAINST: Charles and Linda Klickmann

July 17, 1992

PREMISES AFFECTED-- 2128 N. Leavitt Avenue

SUBJECT-- Application for a variation in the nature of a special use

ACTION OF BOARD--

THE VOTE

Application approved.

Joseph J. Spingola
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Roula Alakiotou
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, George Pappageorge, owner, on May 1, 1992, filed an application for a variation in the nature of a special use to permit, in an B4-2 General Residence District, the use of the ground floor of an existing structure for residential purposes on premises located at 2128 N. Leavitt Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 7, 1992, 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, §8.3-4A(1)."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun Times of June 29, 1992; 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 located in an B4-2 Restricted Retail District; that the subject site is a lot of 93 feet x 100 feet; that the subject property is improved with a part one story and part two story building, formerly used as a tavern and banquet hall; that the applicant proposes to renovate the structure for use as a three dwelling unit residential building and in conjunction with that erect a new three car garage at the southwest corner of the property; that the proposed use of the property in question is necessary for the public convenience in that the proposed residential use will provide additional housing in the area where the property is located and allow for a residential use in an area that has become residential in character; that the proposed use is so designed, located and will be operated in a manner that the public health safety and welfare will be protected in that all applicable building codes will be complied with and that

MINUTES OF MEETING

July 17, 1992
Cal. No. 150-92-Z

the proposed use is compatible with the other uses in the area; that the proposed uses, if granted, will not cause substantial injury to the value of other property in the neighborhood in which it is to be located in that the proposed use is more compatible with other uses in the locality; that the special use is within the provisions of Article 8, Specifically Section 8.4-4(3); and that the special use conforms to all other applicable regulations of the district in which it is to located; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby grant the application for a variation in the nature of a special use of the district regulations for the zoning ordinance and that it be and is hereby granted to permit the use of the ground floor of the property for residential purposes on premises located at 2128 N. Leavitt Avenue 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 808

APPLICANT: George Pappageorge

CAL. NO. 151-92-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 7-G
MINUTES OF MEETING

July 17, 1992

APPEARANCES AGAINST: Charles and Linda Klickmann

PREMISES AFFECTED— 2128 N. Leavitt Avenue

SUBJECT— Application to vary the requirements of the zoning ordinance

ACTION OF BOARD—

Variations Granted

THE VOTE

Joseph J. Spingola
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Roula Alakiotou
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, George Pappageorge, owner, on May 1, 1992, filed an application for a variation of the zoning ordinance to permit, in an B4-2 General Residence District, the erection of a three car garage and entranceway addition to an existing part one and part two story existing structure on premises located at 2128 N. Leavitt Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 7, 1992, 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, §8.7-4."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun Times of June 29, 1992; 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 located in an B4-2 Restricted Retail District; that the subject site is a lot of 93 feet x 100 feet; that the subject property is improved with a part one story and part two story building, formerly used as a tavern and banquet hall; that the applicant proposes to renovate the structure for use as a three dwelling unit residential building and in conjunction with that erect a new three car garage at the southwest corner of the property; that the use of the property in question would not be economically feasible and the property cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed garage structure cannot be located anywhere else on the lot, the southwest

MINUTES OF MEETING

July 17, 1992
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corner being the only undeveloped area on the property, and three parking spaces will be needed for the use intended; that the plight of the owner is due to unique circumstances in that the property has been previously developed as a commercial structure and is now located in an area that has become predominantly residential in character; that the variations, if granted, will not alter the essential character of the locality in that the proposed construction is in an area that is residential in character and many other buildings are constructed with similar setbacks and the proposed building will be compatible with existing residential improvements in the block; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make variations in the application of the district regulations for the zoning ordinance and that variations be and are hereby granted to permit the construction of a three car garage and entranceway whose south side yard will be zero feet instead of six feet on premises located at 2128 N. Leavitt Avenue, upon condition that the new construction is set back at least one foot from the rear property line, that the new construction shall be no higher than thirteen feet as measured from curb level, 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 808

APPLICANT: Faith Cathedral Ministries, Inc., Contract Purchaser
APPEARANCES FOR:
APPEARANCES AGAINST:
PREMISES AFFECTED— 2424 W. 69th Street
SUBJECT— Application for the approval of a special use.
ACTION OF BOARD—

CAL. NO. 152-92-S
MAP NO. 16-I
MINUTES OF MEETING
July 17, 1992

Case continued to
September 18, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Faith Cathedral Ministries, Inc., Contract Purchaser

CAL. NO. 153-92-S

APPEARANCES FOR:

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING
July 17, 1992

PREMISES AFFECTED— 6841-45 S. Artesian Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
September 18, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

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

APPLICANT: Mt. Carmel Holiness Church in Christ Jesus
 APPEARANCES FOR: Charles W. Pulliam
 APPEARANCES AGAINST:

CAL. NO. 154-92-S
 MAP NO. 1-L
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 4800 W. Washington Boulevard
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mt. Carmel Holiness Church in Christ Jesus, owner, on May 22, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 1-story 665-seat church building, in a B4-2 Restricted Service District, on premises at 4800 W. Washington Boulevard; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.11-1(4),"

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is a 94' x 180' vacant lot; that on July 27, 1984 the Board approved a special use application filed by the applicant for the approval of the location and the erection of a 1-story church building at the subject site; that the testimony presented in Calendar No. 193-84-S is hereby make part of the record in this case; that the applicant was not able to go forward with the erection of the aforesaid church building in the previous case; that the applicant now seeks to erect the 1-story 665-seat church building at the subject site; that the proposed use is necessary at the subject site to accommodate the needs of the congregation which is presently meeting at 105 N. Laramie Avenue; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed use which will comply with all building code regulations, provide landscaping and adequate off-street parking on-site to be improved and maintained under the conditions hereinafter set forth and in companion application, Calendar No. 155-92-S; that the establishment of a church at this location will not cause substantial injury to the value of other proposed in the neighborhood; and that the proposed church is compatible with the existing business and residential improvements in the neighborhood; it is therefore

MINUTES OF MEETING

July 17, 1992

Cal. No. 154-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of a 1-story 665-seat church building, on premises at 4800 W. Washington Street, upon condition that the required off-street parking area shall be established at 4801 W. West End Avenue prior to the occupancy of the proposed church building, as provided in companion application 155-92-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Mt. Carmel Holiness Church in Christ Jesus
 APPEARANCES FOR: Charles W. Pulliam
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 4801 W. West End Avenue
 SUBJECT— Application for the approval of a special use.

CAL. NO. 155-92-S
 MAP NO. 1-L
 MINUTES OF MEETING
 July 17, 1992

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Mt. Carmel Holiness Church in Christ Jesus, owner, on May 22, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a B4-2 Restricted Service District, on premises at 4801 W. West End Avenue, to fulfill the parking requirement for a proposed 665-seat church at 4800 W. Washington Boulevard; and

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

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, §8.11-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that on July 17, 1992, the Board approved the applicant's special use application for the erection of a 1-story 665-seat church building at 4800 W. Washington Boulevard, in Calendar No. 154-92-S; that the subject site is a 16,945 sq. ft. unimproved parcel of land located directly north across a public alley from the aforesaid proposed church site; that the proposed off-site accessory parking lot is necessary for the public convenience at this location to fulfill the parking requirement for the proposed 665-seat church building at 4800 W. Washington Boulevard; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed parking lot to be improved and operated under the conditions hereinafter set forth; that the proposed parking lot will be located directly north of the church site across a public alley and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

July 17, 1992

Cal. No. 155-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 4801 W. West End Avenue, to fulfill the parking requirement for a proposed 665-seat church at 4800 W. Washington Boulevard, upon condition that no use shall be made of the subject lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that a 7 feet high chain link fence with opaque webbing shall be provided on the west lot line to screen the facility from abutting residential properties; that steel beam guard rails 2 feet high shall be provided along the parking spaces located on the north portion of the site separating them from the planting area on the north end of the property, and along the east lot line, excepting the driveways; that the lot shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that striping shall be provided; that lighting shall be provided directed away from abutting residential properties; that ingress and egress shall be from N. Cicero Avenue; that the driveway shall be constructed in compliance with applicable ordinances; that the public alley abutting the site to the south shall not be used for ingress nor for egress; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the subject parking lot continuously in compliance with the conditions and standards hereby established under this order and Section 5.8-5 of the zoning ordinance.

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

APPLICANT: David Chang & Bok Nam Chang
 APPEARANCES FOR: Robert Hoellen, David Chang
 APPEARANCES AGAINST:

CAL. NO. 156-92-S
 MAP NO. 13-H
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 2206 - 2214 W. Lawrence Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, David Chang & Bok Nam Chang, owners, on May 12, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a self-service laundrette in a 1-story brick store building, in a B2-1 Restricted Retail District, on premises at 2206-2214 W. Lawrence Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 6, 1992, 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, §8.4-2(4), §11.10-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story masonry commercial building formerly occupied by an auto repair garage; that the applicant proposes dividing the building to provide for the proposed laundrette in one section and interior off-street parking in the other section; that the proposed use is necessary for the public convenience at this location to provide a necessary service to the residents of the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will operate between the hours of 6 A.M. and 10 P.M. and which will provide an attendant on duty at the site during all hours of operation; that the proposed use is compatible with the mixed business and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a self-service laundrette in a 1-story brick store building, on premises at 2206-2214 W. Lawrence Avenue, upon condition that the hours of operation shall be limited to the hours between 6 A.M. and 10 P.M.; that an attendant shall be on duty at the site during all hours of operation; 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 808

APPLICANT: New City Construction, an Illinois Corporation
 HEARANCES FOR: Howard Kilberg
 APPEARANCES AGAINST:

CAL. NO. 157-92-S
 MAP NO. 7-G
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 810-12 W. Diversey Parkway
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
	X	
X		
X		

THE RESOLUTION:

WHEREAS, New City Construction, an Illinois Corporation, for Frank Scharl, owner, on May 21, 1992, filed an application for a special use under the zoning ordinance for the approval for the location and the establishment of an off-site leased parking space in the rear of the lot, in a B4-2 Restricted Service District, on premises at 810-12 W. Diversey Avenue, to satisfy the parking requirement for a proposed fourth dwelling unit in the basement of a 3-story brick building at 829 W. Wolfram Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 19, 1992, 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, §7.4-4(2), §7.12-2(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 2-story brick commercial building with approximately 10 parking spaces located on the rear of the site; that the applicant proposes to lease an off-site parking space at the subject site; that on May 14, 1992, the Board denied the applicant's request for variation permitting the waiver of one of four required parking spaces in connection with the establishment of a dwelling unit in the basement of a 3-story brick 3-dwelling unit building at 829 W. Wolfram Street, in Calendar No. 31-92-Z; that the proposed use is necessary for the public convenience at the subject site to satisfy the parking requirement for a proposed fourth dwelling unit in the basement of a 3-story brick building at 829 W. Wolfram Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which is located approximately 150 feet east of the residential building at 829 W. Wolfram Street; that the term of the lease is for 10 years commencing July 1, 1992 with a 10 year option, at \$150.00 a month with yearly increases;

MINUTES OF MEETING

July 17, 1992

Cal. No. 157-92-S

that the leasing of one parking space to satisfy the parking requirement for a proposed fourth dwelling unit in the basement of a 3-story brick 3-dwelling unit building at 829 W. Wolfram Street will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site leased parking space in the rear of the lot, on premises at 810-12 W. Diversey Parkway, to satisfy the parking requirement for a proposed fourth dwelling unit in the basement of a 3-story brick 3-dwelling unit building, on premises at 829 W. Wolfram Street, upon condition that in order to insure that the applicant maintains the subject parking space of the 10 year term of the lease, the owner shall file a Declaration of Condominium for the property; that concurrent with the filing of said declaration the owner shall assign the lease to the condominium association; that the said declaration shall specifically refer to the Lease Agreement and the obligation of the Association to maintain the parking space; that the space shall be for the exclusive use of Unit #1 and for no other purposes; 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 808

APPLICANT: Wayne R. Hannah, Jr.
 APPEARANCES FOR: Susan Connelly
 APPEARANCES AGAINST:

CAL. NO. 158-92-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 2240 N. Racine Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

Variations granted.

THE RESOLUTION:

WHEREAS, Wayne R. Hannah, Jr., for Harris Trust and Savings Bank, Tr. #95090, owner, on May 26, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 1,565 sq. ft. 3rd story addition to an existing 2-story brick proposed 4-dwelling unit building, whose north side yard will be 4.06 feet and whose south side yard will be 5.86 feet instead of 7 feet each and which addition will result in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2240 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 12, 1992, 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, §7.6-4, §7.8-4(1), §11.7-4(1)(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

WHEREAS, the district maps show that the premises is located in an 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 70' x 124' lot improved with a vacant 2-story brick commercial building; that on October 30, 1986, the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant proposes to erect a 3rd story addition totalling 1,565 sq. ft. to an existing 2-story brick proposed 4-dwelling unit building which exceeds by 15% the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed 3rd story addition is necessary to provide a rooftop deck, game room and

MINUTES OF MEETING

July 17, 1992

Cal. No. 158-92-Z

secondary exit system; that the plight of the owner is due to the necessity of providing a second exit for the residential units, as required by City Code in the rehabilitation of the existing non-conforming building to a conforming residential use; that the proposed 3rd story addition is set back from the front facade of the proposed 4-dwelling unit building and not visible from the street; that the proposed addition will not impair an adequate supply of light and air to adjacent properties; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1,565 sq. ft. 3rd story addition to an existing 2-story brick proposed 4-dwelling unit building, whose north side yard will be 4.06 feet and whose south side yard will be 5.86 feet instead of 7 feet each and which addition will result in a 15% increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2240 N. Racine 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 808

APPLICANT: Nicholas K. Pontikes
 APPEARANCES FOR: Kevin J. Reilley
 APPEARANCES AGAINST:

CAL. NO. 159-92-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 2222-26 N. Racine Avenue
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

Variations granted.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Nicholas K. Pontikes, owner, on April 10, 1992, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 16' x 23' penthouse addition on the roof of a 2-story brick 16-dwelling unit building, whose front yard will be 8 feet instead of 15 feet and which addition will result in a less than 15% (368 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2222-26 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 6, 1992, 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, §7.6-4, §11.7-4(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on June 29, 1992; and

WHEREAS, the district maps show that the premises is located in an 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 144' x 124.15' lot improved with a 2-story brick residential building; that on April 16, 1982 the Board granted a variation permitting the addition of two third floor penthouse additions and the alteration and conversion of a 2-story brick commercial building into 16 apartments whose front and side yards will not comply with zoning requirements, with a waiver of the one required loading dock and with off-street parking for 13 instead of 16 automobiles, at the subject site; that on May 18, 1984 the Board denied a request for an amendment to the aforesaid variation; that on November 9, 1984 the Board granted a variation permitting the erection of three third floor penthouse additions to a 2-story 16-dwelling unit building with no rear yard instead of 30 feet at the subject site; that the testimony presented in Calendar Cases 83-82-Z and 368-84-Z respectively, is hereby make part of the record in this case; that on October 30, 1986 the City Council passed an ordinance "to allow the expansion or enlargement of any permitted residential use in the R3, R4 or R5 General Residence District by an

MINUTES OF MEETING

July 17, 1992

Cal. No. 159-92-Z

amount not to exceed 15% of the floor area existing prior to the effective date of this comprehensive amendment notwithstanding the provisions of §6.4-2(1)"; that the applicant proposes to erect a 16' x 23' penthouse addition to his dwelling unit on the roof of a 2-story brick legal non-conforming 16-dwelling unit building which totals 368 sq. ft. and results in less than a 15% increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that compliance with the front yard requirements of the zoning ordinance is not possible due to the lot coverage of the existing legal non-conforming 16-dwelling unit building; that the plight of the owner is due to the legal non-conforming nature of the existing residential building at the site; that the proposed penthouse addition will not impair an adequate supply of light and air to adjacent properties; that the addition will be compatible with other improvements in the neighborhood, and the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 16' x 23' penthouse addition on the roof of a 2-story brick 16-dwelling unit building, whose front yard will be 8 feet instead of 15 feet and which addition will result in a less than 15% (368 sq. ft.) increase in the amount of floor area existing in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 2222-26 N. Racine 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 808

APPLICANT: Stanley Szeremeta
APPEARANCES FOR: Mark Kupiec, Stanley Szeremeta
APPEARANCES AGAINST:

CAL. NO. 160-92-A
MAP NO. 10-K
MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 4104-06 W. 47th Street

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Stanley Szeremeta, owner, on May 28, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to legalize the 2 dwelling units in the 1-story brick building attached to the rear of a 2-story brick building containing 2-stores and 6 dwelling units, in a B4-2 Restricted Service District, on premises at 4104-06 W. 47th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 18, 1992, 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, §8.6-4, §8.11-1(7), §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 2-story brick store and apartment building on the front of the lot with a 1-story building attached to the rear; that the appellant seeks to legalize 2 dwelling units in the attached 1-story building; that the appellant presented as evidence a certified copy of a Sanborn Map, dated 1951, from the Sanborn Map Company indicating the existence of two dwelling units in the 1-story brick building attached to the rear of the 2-story building at the site; that the appellant has a right to continue the occupancy of the rear 1-story building as two dwelling units, provided the building is brought into compliance with 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 legalize the 2 dwelling units in the rear 1-story brick building attached to the rear of a 2-story brick building containing 2 stores and 6 dwellings units, for a total of 8 dwelling units, on premises at 4104-06 W. 47th Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance and that all 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 808

APPLICANT: Mary Jones
APPEARANCES FOR: Mary Jones
APPEARANCES AGAINST:

CAL. NO. 161-92-A
MAP NO. 14-C
MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 1703 E. 55th Street

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Mary Jones, for Maria Schuster, owner, on May 22, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail business (sale of dolls) in a basement store of a 3-story brick apartment building, in an R6 General Residence District, on premises at 1703 E. 55th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 18, 1992, 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, §7.3-6, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992; and

WHEREAS, the district maps show that the premises is located in an R6 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 R6 General Residence District; that the subject site is improved with a 3-story with basement brick store and apartment building; that the subject store premises was previously occupied by a florist shop, which use recently ceased operation; that the appellant proposes to sell hand-made dolls at the subject store premises; that the change of use from a florist shop to a retail doll shop 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 authorized to permit the establishment of a retail business (sale of hand-made dolls) in a basement store of a 3-story brick apartment building, on premises at 1703 E. 55th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 5 P.M., Monday through Saturday; 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 808

APPLICANT: Sung K. Jung
APPEARANCES FOR: Sherwin I. Pogrund, Sung K. Jung
APPEARANCES AGAINST:
PREMISES AFFECTED— 1512 N. LaSalle Street
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

CAL. NO. 162-92-A
MAP NO. 3-F
MINUTES OF MEETING
 July 17, 1992

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Sung K. Jung, for Louis Dolins, Jr., owner, on May 2, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a drop-off laundry service in the lobby area of a 4-story brick hotel, in an R5 General Residence District, on premises at 1512 N. LaSalle Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1, 1992, 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, §7.3-5, §11.8-1.:

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is improved with a 4-story brick hotel building; that the appellant Sung K. Jung is the architect and agent for the lessee of the premises in question, Young H. Kim; that the lessee proposes to establish a drop-off laundry service in the lobby area of the hotel building on the subject site; that the proposed use is for the use of the building tenants only and can be accessed only through the main lobby of the hotel; that no advertising of the proposed use will be visible from outside the building; that the proposed drop-off laundry service is accessory to the principal hotel use at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a drop-off laundry service as an accessory use only in the lobby area of 4-story brick hotel, on premises at 1512 N. LaSalle Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Ibrahm Hummos
APPEARANCES FOR: Ibrahm Hummos
APPEARANCES AGAINST:

CAL. NO. 163-92-A
MAP NO. 1-J
MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 3759 W. Ohio Street

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

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Ibrahm Hummos, owner, on May 11, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit a food dispenser license in conjunction with an existing grocery store in a 2-story brick store and apartment building, in an R4 General Residence District, on premises at 3759 W. Ohio Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 7, 1992, 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, §7.3-4, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 2-story brick commercial building occupied by an existing grocery store on the first floor; that the proposed food dispensing activity will be located at the rear of the building in what was at one time a separate store front; that the appellant is seeking a license to dispense such foods as fried chicken, french fries, gyros, deli sandwiches, etc.; that the appellant testified that there is no inside customer seating but was contemplating having a few tables and chairs outside; that the dispensing of food as stated by the appellant does not constitute an accessory use subordinate to the principal retail grocery operation, but rather a carry-out restaurant operation, which use requires a minimum B2 zoning; that under under Section 7.3-4 of the zoning ordinance the Board has no authority to permit the use as stated at the subject site; it is therefore

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

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

APPLICANT: Armando Juarez
APPEARANCES FOR: Armando Juarez
APPEARANCES AGAINST:

CAL. NO. 164-92-A
MAP NO. 6-I
MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED-- 2658 W. 23rd Street

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

ACTION OF BOARD--

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Armando Juarez, for Jose Luis Juarez, owner, on May 19, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail clothing and tailor shop in a store on the ground floor of a 3-story brick store and apartment building, in an R4 General Residence District, on premises at 2658 W. 23rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 11, 1992, 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, §7.3-4, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 3-story brick store and apartment building; that the subject store premises was previously occupied by a thrift and second-hand clothing store, a B4 use, which recently ceased operation; that the appellant seeks to establish a retail clothing and tailor shop, a B2 use, at the premises; that licensing requirements have caused the case to be filed; that the change of use from a thrift and second-hand clothing store to a retail clothing and tailor 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 that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail clothing and tailor shop in a store on the ground floor of a 3-story brick store and apartment building, on premises at 2658 W. 23rd Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 8 P.M., Monday through Saturday, and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Richard J. Holowicki
 APPEARANCES FOR: Richard J. Holowicki
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1123 N. California Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.
 ACTION OF BOARD—

CAL. NO. 165-92-A
 MAP NO. 3-I
 MINUTES OF MEETING
 July 17, 1992

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Richard J. Holowicki, owner, on May 26, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit wholesaling in conjunction with an existing restaurant in a 3-story brick store and apartment building, in a B4-2 Restricted Service District, on premises at 1123 N. California Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 26, 1992, 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, §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 July 17, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 3-story brick store and apartment building; that the appellant has operated a restaurant at the subject store premises since 1948; that the appellant sells over the counter pierogi, sauerkraut, etc. to restaurant customers and is seeking a wholesale license to sell the food products to local delicatessen stores; that the proposed wholesale activity will be no more than 15% of the total business activity at the site; that the food products are picked up by the buyers and that the appellant does no delivery; that wholesaling on a limited basis may be considered accessory to the principal restaurant operation; 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 wholesaling as an accessory use only in conjunction with an existing restaurant in a 3-story brick store and apartment building, on premises at 1123 N. California Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Old Reliable Pawn Brokers, Inc.

CAL. NO. 166-92-A

APPEARANCES FOR:

MAP NO. 10-E

APPEARANCES AGAINST:

MINUTES OF MEETING

July 17, 1992

PREMISES AFFECTED— 330 E. 47th Street

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

ACTION OF BOARD—

Appeal withdrawn upon motion of appellant.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

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

APPLICANT: American National Bank, Tr. #100532-05, by Wigoda & Wigoda CAL. NO. 167-92-A

APPEARANCES FOR:

MAP NO. 1-F

APPEARANCES AGAINST:

MINUTES OF MEETING
July 17, 1992

PREMISES AFFECTED-- 444 W. Grand Avenue

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

ACTION OF BOARD--

Case continued to
September 18, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
x		
x		
x		

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

APPLICANT: Allen Panek, Pres., Auto-Mania, Inc.
APPEARANCES FOR: Phillip C. Levatino, Allen Panek
APPEARANCES AGAINST:

CAL. NO. 106-92-A
MAP NO. 9-K
MINUTES OF MEETING
 July 17, 1992

PREMISES AFFECTED— 3914 N. Milwaukee Avenue
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Allen Panek, Pres., Auto-Mania, Inc., for Allen & Constance Panek, owners, on March 30, 1992, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify an existing non-conforming automobile sales lot, in a B5-2 General Service District, on premises at 3914 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 17, 1992, 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, §8.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 17, 1992; and

WHEREAS, the district maps show that the premises is located in a B5-2 General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B5-2 General Service District; that the subject site is an irregular parcel of land situated at the corner of W. Byron Street and N. Milwaukee Avenue at the intersection of N. Kilpatrick, W. Byron and N. Milwaukee Avenue and is improved with a 1-story brick auto repair garage and a fenced parking area; that the appellant testified that he is licensed by the State of Illinois to sell automobiles at the site and that he does repair work for three other used car lots in the area under a valid City of Chicago automobile repair license; that testimony presented by residents of the area indicate that a non-conforming automobile sales lot has existed at the subject site since prior to passage of the 1957 comprehensive amendment to the zoning ordinance at which time the district zoning was changed from Commercial to B5-2 General Service; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify an existing non-conforming automobile sales lot, on premises at 3914 N. Milwaukee Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: New Progressive St. James M.B. Church

CAL. NO. 105-92-S

APPEARANCES FOR:

MAP NO. 2-K

APPEARANCES AGAINST:

MINUTES OF MEETING
July 17, 1992

PREMISES AFFECTED— 4431-35 W. Madison Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
October 16, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Outreach Missionary Baptist Church
 APPEARANCES FOR: Benjamin Cates
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1143-45 E. 95th Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 51-52-S
 MAP NO. 24-D
 MINUTES OF MEETING
 March 20, 1992 and
 July 17, 1992

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Outreach Missionary Baptist Church, owner, on January 22, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 300-seat church in an existing 1-story 50' x 70' building and future 50' x 40' rear addition, in a C1-1 Restricted Commercial District, on premises at 1143-45 E. 95th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 22, 1991, 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, §9.4-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on March 20, 1992 and July 17, 1992 after due notice thereof by publication in the Chicago Sun-Times on March 2, 1992; and

WHEREAS, the district maps show that the premises is located in a C1-1 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 C1-1 Restricted Commercial District; that the subject site is a 50' x 125' lot improved with an approximately 50' x 70' 1-story brick church building; that the applicant church has been located at the subject site for the past 14 years; that the applicant seeks to legalize the church use at the subject site and a future 50' x 40' rear addition which will be used as a dining hall; that the proposed use is necessary for the public convenience at this location to continue to meet the needs of the congregation; that the public health, safety and welfare will be adequately protected in the design, location and operation of the said church which will provide adequate off-street parking in an existing 19-space parking lot located at 1207 E. 95th Street under Calendar No. 52-92-S; that the said church and future rear addition are compatible with the mixed commercial and residential improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 20, 1992 and July 17, 1992

Cal. No. 51-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 300-seat church in an existing 1-story 50' x 70' brick building and future 50' x 40' rear addition, on premises at 1143-45 E. 95th Street, upon condition that off-street parking shall be provided at 1207 E. 95th Street as provided for in special use application No. 52-92-S; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Outreach Missionary Baptist Church
 APPEARANCES FOR: Benjamin Cates
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1207 E. 95th Street
 SUBJECT— Application for the approval of a special use.

CAL. NO. 52-92-S
 MAP NO. 24-D
 MINUTES OF MEETING
 March 20, 1992 and
 July 17, 1992

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Outreach Missionary Baptist Church, for Carl R. Smith, owner, on January 22, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the leasing of an existing 19-space parking lot, in a C1-1 Restricted Commercial District, on premises at 1207 E. 95th Street, to fulfill the parking requirement for a proposed church and addition at 1143-45 E. 95th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1992, 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, §9.11-1, §9.11-1(5)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on March 20, 1992 and July 17, 1992, after due notice thereof by publication in the Chicago Sun-Times on March 2, 1992; and

WHEREAS, the district maps show that the premises is located in a C1-1 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 C1-1 Restricted Commercial District; that the subject site is improved with an existing 19-space parking lot; that on July 17, 1992, the Board approved the applicant's special use application legalizing a 300-seat church in an existing 1-story 50' x 70' brick building and future 50' x 40' rear addition, on premises at 1143-45 E. 95th Street, in Calendar No. 51-92-S; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for the applicant church and addition at 1143-45 E. 95th Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which is located on the southeast corner of E. 95th Street and S. Woodlawn Avenue and is a short distance away from the church site; that the term of the lease runs from May 5th, 1992 until June 5th, 2002 and gives the lessee the use of the subject parking lot from 6:30 P.M. during weekdays and all day Sunday for parking of vehicles of persons in attendance at the church; that the proposed leasing of an existing parking lot will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

March 20, 1992 and

July 17, 1992

Cal.No. 52-92-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the leasing of an existing 19-space parking lot, on premises at 1207 E. 95th Street, to fulfill the parking requirement for a church and proposed addition at 1143-45 E. 95th Street, upon condition that the hours of use by the church shall be limited to the hours from 6:30 P.M. during weekdays and all day Sunday for parking of vehicles of persons in attendance at the church; that ingress and egress shall be via S. Woodlawn Avenue; that there shall be no ingress nor egress via the alley abutting the parking lot to the south; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued; and be it further

RESOLVED, that in the event the applicant should lose its lease of the subject property for use as required off-street parking for the church and proposed addition at 1143-45 E. 95th Street, then the special use granted herein shall become null and void and that the applicant's said church shall thereafter be subject to the enforcement provisions as provided in Section 5.8-5 of the zoning ordinance.

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

APPLICANT: Christ Center

CAL. NO. 50-92-S

APPEARANCES FOR:

MAP NO. 2-G

APPEARANCES AGAINST:

MINUTES OF MEETING

July 17, 1992

PREMISES AFFECTED— 1139-49 W. Madison Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
September 18, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Gannett Outdoor of Chicago

CAL. NO. 56-92-S

APPEARANCES FOR:

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING
July 17, 1992

PREMISES AFFECTED— 3200 N. Lincoln Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
October 16, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Roula Alakiotou			X
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Thomas S. Moore	X		

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

APPLICANT: Carl Federici

CAL. NO. 79-92-S

APPEARANCES FOR:

MAP NO. 16-I

APPEARANCES AGAINST:

MINUTES OF MEETING

July 17, 1992

PREMISES AFFECTED— 6633 S. Kedzie Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
September 18, 1992.

THE VOTE

Joseph J. Spingola
Roula Alakiotou
Anthony J. Fornelli
LeRoy K. Martin, Jr.
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Margret Balfanz
 APPEARANCES FOR: Jess Forrest, Louis Rago
 APPEARANCES AGAINST: Robert W. Fioretti, Ariel Weissberg, et al.
 PREMISES AFFECTED— 5736 N. Pulaski Road
 SUBJECT— Application for the approval of a special use.

CAL. NO. 85-92-S
 MAP NO. 15-K
 MINUTES OF MEETING
 May 14, 1992 and
 July 16, 1992

ACTION OF BOARD—

Application denied.

THE VOTE

Joseph J. Spingola
 Roula Alakiotou
 Anthony J. Fornelli
 LeRoy K. Martin, Jr.
 Thomas S. Moore

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

THE RESOLUTION:

WHEREAS, Margret Balfanz, for Cosmopolitan National Bank of Chicago, Tr. Nos. 14451 and 29868, owner, on February 13, 1992, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a crematorium on a portion of the North Park Section of Ridgelawn Cemetery, in an R3 General Residence District, on premises at 5736 N. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 11, 1992, 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, §7.3-3, §7.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at a rescheduled meeting held on May 14, 1992 and at a regular meeting held on July 16, 1992 after due notice thereof by publication in the Chicago Sun-Times on March 30, 1992; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is an approximately 1.85 acre portion of the North Park Section of Ridgelawn Cemetery; that Ridgelawn Cemetery was established in 1887 as a Jewish cemetery and has been so since that time; that the entire cemetery is composed of four sections totalling 10 acres and is owned as follows: 1) the northernmost section of 3 acres is owned by Congregation Beth-El, 2) the 2½ acre section immediately adjacent and to the south of Beth-El's section is owned by Congregation B'Nai Zion, 3) the approximate 1.85 acre section immediately adjacent and south of B'Nai Zion's section, is known as the North Park Section, the subject property in this case, and is owned by the Applicant, Margret Balfanz, and 4) 2 acres located immediately adjacent and west of the aforesaid North Park Section and owned by the Independent Order of Brith Shalom, a Jewish fraternal burial society; that as a Jewish cemetery from its inception, only Jews are buried in Ridgelawn Cemetery and only in accordance with Jewish religious law; and

WHEREAS, Louis Rago, a licensed funeral director in the City of Chicago, is the

MINUTES OF MEETING

May 14, 1992 and

July 17, 1992

Cal. No. 85-92-S

prospective purchaser of the aforesaid North Park Section of Ridgelawn Cemetery; that Mr. Rago proposes to erect and operate a crematorium on the said North Park Section; and

WHEREAS, members of the Jewish community presented testimony that not only is cremation strictly prohibited by Jewish law, but the act of cremation and crematoria is prohibited from the grounds of a Jewish cemetery in that these activities are an affront to the dead and a desecration of the hallowed and consecrated ground of a Jewish cemetery; that Jewish burial traditions result from antiquity and implies that the Jewish character of a cemetery will be maintained in perpetuity; that no testimony was presented by the applicant indicating that the establishment of a crematorium is necessary for the public convenience at this location; that it was, in fact, testified that there are two other crematoriums located within 5 blocks of the subject site; that the applicant presented no evidence indicating that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that notwithstanding Jewish religious law prohibiting cremations and crematoriums in a Jewish cemetery, great insensitivity has been shown by the applicant to the several Jewish congregations who maintain the aforesaid sections of the cemetery and the subject North Park Portion; that the proposed establishment of a crematorium in the subject Jewish cemetery constitutes an affront to the memory of the victims of the Holocaust of 1939-1945 and to the families in the surrounding Jewish community who have relatives buried in the North Park Portion and the other three sections of Ridgelawn Cemetery; that no testimony was presented by the applicant to indicate that the establishment of a crematorium on the subject site would not be injurious to the value of other property in the area; that testimony presented by the opposition indicates that the maintenance of an existing Jewish cemetery puts a financial burden on the congregations in that upkeep costs come from funeral/burial fees and that few people will purchase a lot in the subject site cemetery and adjacent portions of Ridgelawn Cemetery if a crematorium is located within or nearby and that it was also testified that many members of the congregations maintaining the cemetery would exhume family members from the site and reinter them in other Jewish cemeteries thereby causing financial loss to the several congregations, diminution of congregation memberships and the value of property in the area; it is therefore

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

RESOLVED, that Member Fornelli did not participate in the deliberations or determination of this decision.

MINUTES OF MEETING

July 17, 1992

Cal. No. 34-91-S

Ms. Susan G. Connelly, for Milka Dobrota, applicant, presented a written request for an extension of time for a special use granted to permit under certain conditions the establishment of business uses in a proposed 18,205 sq. ft. building, with on-site parking for 42 automobiles, in the Clybourn Corridor Planned Manufacturing District, on premises at 1714 N. Sheffield Avenue, in Calendar No. 34-91-S, which special use was granted on June 2 , 1991.

Ms. Connelly stated that the requested extension of time is necessary due to the applicant's present inability to put together financing due to the current economic climate.

Chairman Spingola moved that the request be granted and the time extended to June 28, 1993, the maximum extension allowed under Section 11.10-5 of the zoning ordinance, in order to obtain the necessary financing and permits for the proposed retail project. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin and Moore. Nays- None. Absent-Alakiotou.

MINUTES OF MEETING

July 17, 1992

Cal. No. 192-91-S

Mr. Gary I. Wigoda, for Wabash Limited Partnership, owner, presented a written request for an extension of time for the establishment of dwelling units on the ground floor in the renovation of a 3 and 10-story building into 103 dwelling units, on premises at 1318-52 S. Wabash Avenue, which special use was granted on August 16, 1991, in Calendar No. 192-91-S.

Mr. Wigoda stated that due to architectural difficulties and changes in the current financial market the applicant is unable to obtain a building permit or commence the use permitted within 12 months of the adoption of the resolution in this case by the Board of Appeals.

Chairman Spingola moved that the request be granted and the time extended to August 16, 1993, the maximum extension allowed under Section 11.10-5 of the zoning ordinance, in which to obtain the necessary building permit and/or commence the said building renovation. The motion prevailed by yeas and nays as follows:

Yeas- Spingola, Fornelli, Martin and Moore. Nays- None. Absent- Alakiotou.

MINUTES OF MEETING
July 17, 1992

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meetings on August 10-11, 1992.

Marion Rest

Secretary