

MINUTES OF THE REGULAR MEETING OF THE  
ZONING BOARD OF APPEALS

---

held in Room 569 County Building, on Friday, August 20, 1993

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

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

Joseph J. Spingola  
Chairman  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

MINUTES OF MEETING  
August 20, 1993

Member Moore moved that the Board approve the minutes of the proceedings of the regular meeting of the Zoning Board of Appeals held on July 16, 1993 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

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

\* \* \* \* \*

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

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

APPLICANT: Leo Appelbaum  
 APPEARANCES FOR: Leo Appelbaum  
 APPEARANCES AGAINST:

CAL. NO. 232-93-Z  
 MAP NO. 15-J  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 6209 N. Ridgeway Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Leo Appelbaum, owner, on June 21, 1993, 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 819 sq. ft. addition to the rear of a 2-story brick single-family dwelling, whose combined side yards will be 5.9 feet instead of combined side yards of 9 feet and neither side yard less than 3 feet, and whose total floor area ratio will be 0.62 instead of 0.50, on premises at 6209 N. Ridgeway Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 15, 1993, 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, §8-2(2)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 127.41' lot improved with a 2-story brick Georgian-style single-family dwelling with a rear 1-story addition; that the applicant proposes to demolish the existing rear addition and erect a 2-story 819 sq. ft. addition; 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 to meet the needs of the applicant and his family; that the plight of the owner is due to the applicant's need to replace the existing deteriorating 1-story addition with the proposed 2-story addition containing additional 1st floor living space and an enlarged master bedroom, bath and closets on the 2nd floor; that the proposed 2-story addition will follow the perimeter walls of the existing residential structure; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

**MINUTES OF MEETING**

August 20, 1993  
Cal. No. 232-93-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 819 sq. ft. addition to the rear of a 2-story brick single-family dwelling, whose combined side yards will be 5.9 feet instead of combined side yards of 9 feet and neither side yard less than 3 feet, and whose total floor area ratio will be 0.62 instead of 0.50, on premises at 6209 N. Ridgeway 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: Gilbert E. Janson  
 APPEARANCES FOR: Gilbert E. Janson  
 APPEARANCES AGAINST:

CAL. NO. 233-93-Z  
 MAP NO. 7-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 2623 N. Southport 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.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	x		
Anthony J. Fornelli	x		
LeRoy K. Martin, Jr.	x		
Gigi McCabe-Miele	x		
Thomas S. Moore	x		

THE RESOLUTION:

WHEREAS, Gilbert E. Janson, for American National Bank Tr. #91023, owner, on June 22, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a dormer addition to the west side of the attic of a 2-story frame coachhouse on the rear of the lot additionally improved with a 2½-story frame 4-dwelling unit building on the front, which addition will be located in the required 30' rear yard and will result in less than a 2% (159 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2623 N. Southport Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 25, 1993, 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, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; and

WHEREAS, the district maps show that the premises is located in 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 47' x 124.3' lot improved with a 2½-story frame 4 dwelling unit building on the front of the lot which is additionally improved with a 2-story frame coachhouse on the rear of the lot; that the applicant proposes to erect a 159 sq. ft. dormer addition to the west side of the attic of the 2-story frame coachhouse building on the rear of the lot which will be less than a 2% increase in the amount of floor area existing prior to 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 variations requested are necessary to keep the existing coachhouse building from becoming functionally obsolete; that the plight of the owner is due to unique circumstances in that the proposed 2nd floor dormer addition is necessary to provide additional living space in one of the two existing very small 6' x 8' bedrooms; that the existing coachhouse building is already built to the rear property line and that the proposed 2nd

MINUTES OF MEETING

August 20, 1993

Cal. No. 233-93-Z

story dormer addition will face the subject property's inner yard and will not impair an adequate supply of light and air to other properties; and that the variations, if granted, will not alter the essential character of the locality which is improved with several other properties containing rear coachhouse improvements; 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 dormer addition to the west side of the attic of a 2-story frame coachhouse on the rear of the lot additionally improved with a 2½-story frame 4-dwelling unit building on the front, which addition will be located in the required 30' rear yard and will result in less than a 2% (159 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2623 N. Southport 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: Barbara Ledyard  
 APPEARANCES FOR: Gary I. Wigoda, Barbara Ledyard  
 APPEARANCES AGAINST: Mary Gentile, W.J. Wojciechowski

CAL. NO. 234-93-Z  
 MAP NO. 5-H  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1915 N. Honore Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele		X	
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Barbara Ledyard, owner, on June 24, 1993, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 4th story 27' x 12' addition on the rear portion of a 3-story brick single-family dwelling situated on the rear of the lot with no rear yard instead of 30 feet and which addition will result in an 8% (324 sq. ft.) increase in the amount of floor area existing prior to the passage of the 1957 zoning ordinance, and to permit the erection of a 20' x 20' accessory garage on the front of the lot whose front yard will be 8 feet instead of 30 feet and whose south side yard will be 1' instead of 2.5', on premises at 1915 N. Honore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 23, 1993, 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, §7.6-3, §7.7-3, §7.8-3, §7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is a 25' x 125' lot improved with a 3-story brick former manufacturing building on the rear of the lot, built approximately 1897 and presently occupied as a single-family dwelling; that amended site plans dated August 19, 1993, were submitted at this hearing; that the applicant proposes to erect a 4th story 27' x 12' addition on the rear portion of the existing 3-story brick single-family dwelling located at the rear of the lot which will result in an 8% or 324 sq. ft. increase in the amount of floor area existing prior to the passage of the 1957 zoning ordinance and to erect a 20' x 20' accessory garage on the front of the lot with access to the garage off of the alley abutting the subject property to the south; that the applicant also proposes to reconstruct a retaining wall on the north property line;

MINUTES OF MEETING

August 20, 1993  
Cal. No. 234-93-Z

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 4th floor 27' x 12' addition, consisting of a garden room, and proposed 2-car accessory garage are necessary to meet the lifestyle needs of the applicant; that the plight of the owner is due to unique circumstances in that the existing building is situated on the rear half of the subject site already in the required rear yard and that the location of the proposed garage is necessary due to the topography of the lot between the garage and the existing building; that the variations, if granted, will not alter the essential character of the locality in that the proposed 4th story addition set back 12 feet from the north lot line and abutting alleys to the east and south will not impair an adequate supply of light and air to adjacent property, and that the proposed 2-car accessory garage will be compatible with existing improvements in that it will maintain a front yard similar to the front yards of the adjoining building and other lots in this block of N. Honore Street; 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 4th story 27' x 12' addition on the rear portion of a 3-story brick single-family dwelling situated on the rear of the lot with no rear yard instead of 30 feet and which addition will result in an 8% (324 sq. ft.) increase in the amount of floor area existing prior to the passage of the 1957 zoning ordinance, and to permit the erection of a 20' x 20' accessory garage on the front of the lot whose front yard will be 8 feet instead of 20 feet and whose south side yard will be 1' instead of 2.5', on premises at 1915 N. Honore Street, upon condition that the proposed addition shall be set back 12 feet from the north lot line and that the proposed garage shall be set back at least 2.5 feet from the north lot line; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.



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

APPLICANT: Linden Partners  
 APPEARANCES FOR: Gary I. Wigoda  
 APPEARANCES AGAINST: Laurie Rubin, Mike Ebstein

CAL. NO. 235-93-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1956 N. Seminary Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

	AFFIRMATIVE	NEGATIVE	ABSENT
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.			X
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Linden Partners, owner, on June 24, 1993, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a U-shape 2-story and garden level 9-dwelling unit townhouse building, whose front yard will be 8 feet instead of 13.2 feet, whose south side yard will be 2.4 feet instead of 7.2 feet and with no rear yard instead of 30 feet, on premises at 1956 N. Seminary Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 24, 1993, 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, §7.7-5, §7.8-5, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 on December 15, 1992, the site was rezoned from C1-2 to R5 General Residence; that on April 16, 1993, the Board granted variations to the applicant to permit the erection of a 2-story and garden level 3-dwelling unit townhouse building, whose front yard will be 8 feet instead of 13.2 feet and with no rear yard instead of 30 feet, and the erection of a 2-story and garden level 6-dwelling unit townhouse building, whose front yard will be 8 feet instead of 13.2 feet, and no rear yard instead of 30 feet, at the subject site premises (1956-60 N. Seminary Avenue); that the testimony presented in Calendar Nos. 126-93-Z and 127-93-Z are hereby made part of the record in this case: that the aforesaid project did not go forward in that problems were discovered concerning water hookups and the community's desire that off-street parking be provided; that to overcome these problems, the residential project subsequently was redesigned to a U-shaped 2-story and garden level 9-dwelling unit townhouse building by providing a link between the prior approved two townhouse dwelling units buildings, thus creating one zoning lot; that the link joining the two residential structure will provide two additional parking spaces and some additional living space to those adjoining

MINUTES OF MEETING

August 20, 1993

Cal. No. 235-93-Z

dwelling units; 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 R5 district in that the variations requested are necessary in that to erect less than a 2-story and garden level 9-dwelling unit townhouse building at the subject site would prove economically unfeasible; that the side yard variation is necessary due to the creation of one zoning lot by the linking of the prior approved two residential buildings; that the plight of the owner is due to the short depth of the lot and the creation of additional parking spaces by the erection of the link connecting the buildings; that the proposed 2-story and garden level 9-dwelling unit townhouse structure will be compatible with existing residential improvements in the area and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a U-shaped 2-story and garden level 9-dwelling unit townhouse building, whose front yard will be 8 feet instead of 13.2 feet, whose south side yard will be 2.4 feet instead of 7.2 feet and with no rear yard instead of 30 feet, on premises at 1956 N. Seminary Avenue, upon condition that one of the proposed additional parking spaces within the connecting link at the rear of the property shall instead be designated as the area for storage of the units' garbage receptacles; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Christian Bible Center  
 APPEARANCES FOR: Daniel F. O'Connell, Rev. Jerome Lowery  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 513-23 E. 75th Street  
 SUBJECT— Application for the approval of a special use.  
 ACTION OF BOARD—

CAL. NO. 236-93-S  
 MAP NO. 18-F  
 MINUTES OF MEETING  
 August 20, 1993

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
		X
X		
X		

THE RESOLUTION:

WHEREAS, Christain Bible Center, owner, on June 17, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 150-seat church in a 1-story brick building, in a B4-1 Restricted Service District, on premises at 513-23 E. 75th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 14, 1993, 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, §8.11-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is improved with a 1-story brick commercial building; that the applicant purchased the subject property in March, 1991; that on May 17, 1991, the Board denied the applicant's special use application for the establishment of a church at the subject site, finding in part, that the subject site is located within 100 feet of an existing tavern, which is a permitted use under the B4 zoning, in Calendar No. 95-92-S; that the Board finds that conditions which caused the Board's prior denial have altered in that the proposed church will not now jeopardize any existing liquor licenses in that within this portion of E. 75th Street, new liquor licenses are prohibited by city ordinance, Section 4-172-020 (d)(9); that the proposed church is necessary for the public convenience at this location to meet the needs of its congregation who reside in the neighborhood; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed church which will comply with all applicable building code regulations and which will provide adequate off-street parking to be improved and operated under the conditions herein-after set forth; that the applicant's expert witness testified that the subject building as it physically exists, could not be used for business purposes; that the applicant received no offers to purchase the property when it was listed for sale after the Board's prior denial;

MINUTES OF MEETING

August 20, 1993

Cal. No. 236-93-S

that the establishment of a church at the subject site 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 150-seat church in a 1-story brick building, on premises at 513-23 E. 75th Street, upon condition that the parking area abutting the subject premises to the east shall be improved and maintained under the following conditions; that the parking area shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said parking area at any time; that the parking area shall be improved with a compacted macadam base, not less than 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the parking area, except the driveway, shall be enclosed by steel beam guard rails, two feet high; that lighting shall be provided; that striping shall be provided; that ingress and egress shall be via E. 75th Street; that the driveway shall be constructed in accordance with applicable ordinances; that the parking area shall be securely locked at all times when not in use by the applicable church; 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 permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Ashland Partners III

CAL. NO. 237-93-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 120 S. Ashland Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
October 15, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

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

APPLICANT: Ashland Partners III

CAL. NO. 238-93-Z

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 120 S. Ashland Boulevard

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

ACTION OF BOARD—

Case continued to  
October 15, 1993.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Ashland Partners

CAL. NO. 239-93-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING

August 20, 1993

PREMISES AFFECTED— 1624 W. Adams Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
October 15, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Ashland Partners

CAL. NO. 240-93-S

APPEARANCES FOR:

MAP NO. 2-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 33 S. Ashland Boulevard

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
October 15, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		



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

APPLICANT: Christopher Browne  
 APPEARANCES FOR: Christopher Browne, John J. Pikarski, Jr.  
 APPEARANCES AGAINST:

CAL. NO. 241-93-S  
 MAP NO. 12-K  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 5217, 19 and 21 S. Archer Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Christopher Browne, for Marquette National Bank, Tr. #8940, owner, on June 30, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units below the 2nd floor in the construction of three 3-story 3-dwelling buildings, in a B4-2 Restricted Service District, on premises at 5217, 19 and 21 S. Archer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 22, 1993, 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, §8.3-1. §8.11."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 composed of three 25' x 125' unimproved zoning lots situated on the southeast corner of the intersection of S. Kilbourn Avenue and S. Archer Avenue; that on November 21, 1980 the Board approved the applicant's special use and variation applications for the establishment of residential use on the ground floor in the construction of two 3-story brick 6 apartment buildings at the subject site with front yards of 8 feet instead of 15 feet, in Calendar Nos. 289-80-S and 290-80-Z; that the applicant was unable to proceed with the aforesaid project and is now seeking special use approval for the establishment of dwelling units below the 2nd floor in the construction of three 3-story 3-dwelling units buildings at the subject site; that the testimony presented in Calendar Nos. 289-80-S and 290-80-Z is hereby made part of the record in this case; that the proposed use is necessary for the public convenience at this location in that the trend of development in this area is towards residential and there is a strong demand for residential uses in this community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate on-site parking; that the proposed use is compatible with the

MINUTES OF MEETING

August 20, 1993

Cal. No. 241-93-S

mixed residential and business character of S. Archer Avenue at this location 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 dwelling units below the 2nd floor in the construction of three 3-story 3-dwelling unit buildings, on premises at 5217, 19 and 21 S. Archer 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: Brendan Carroll

CAL. NO. 242-93-S

APPEARANCES FOR:

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 1434 W. Irving Park Road

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
October 15, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Milka Dobrota  
 APPEARANCES FOR: John J. Pikarski, Jr., Milka Dobrota  
 APPEARANCES AGAINST:

CAL. NO. 243-93-S  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1714 N. Sheffield Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Milka Dobrota, for Raymel Investment Co., Inc., owner, on July 7, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of retail business uses in an existing 1-story brick building, in Planned Manufacturing District #1, on premises at 1714 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1993, 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, §16-8-070, J.i.b. (20)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; and

WHEREAS, the district maps show that the premises is located in Planned Manufacturing District #1; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site lies within an overall 115 acre area designated as Planned Manufacturing District No. 1; that on June 28, 1991, in Calendar No. 34-91-S, the Board approved a special use application by the applicant for the establishment of numerous retail business uses permitted in B and C districts, excluding certain uses, in a proposed 18,205 sq. ft. building to be erected at the subject site; that the building would contain 14,564 sq. ft. of business space with the remainder of the building used for accessory storage; that the testimony presented in Calendar No. 34-91-S is hereby make part of the record in this application, specifically with regard to the finding that no viable manufacturing use could be established at the subject 22,300 sq. ft. triangular site; that the approved project which included the construction of a new building proved economically unfeasible and that the applicant now seeks to establish 8,452 sq. ft. of retail space with about 4,600 sq. ft. of accessory storage within the existing 1-story brick building at the subject site; that 1,520 sq. ft. of the retail space will be used for the applicant's futon furniture business, a B2 use, and the remaining 6,932 sq. ft. of retail space is presently intended to be leased for two other furniture type uses; that the applicant also seeks approval to establish any B1 or B2 business use at the subject site in the future; that the said building containing the

MINUTES OF MEETING

August 20, 1993

Cal. No. 243-93-S

applicant's retail futon furniture business as the anchor tenant will serve to attract compatible retail uses in the balance of the building and that the proposed retail development will be reasonably convenient to people living and working in the immediate neighborhood and nearby Lincoln Park, and, as such, is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design, location and establishment of the proposed retail uses in that adequate off-street parking will be available on site as provided for in companion application No. 244-93-Z; that the establishment of retail business uses, limited to business uses permitted in B1 and B2 business zoning districts, will be compatible with the other retail/service uses 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 business uses in an existing 1-story brick building, on premises at 1714 N. Sheffield Avenue, upon condition that the existing 1-story building shall be altered in accordance with an Agreement entered into by the applicant with the neighbor next door which provides for the removal of the existing walls along the Marcey Street parking area; that the retail space in the subject building shall be limited to a maximum 8,452 sq. ft. of floor area; that retail business uses permitted at the site, in addition to the applicant's futon furniture business, shall be limited to only those retail business uses permitted in B1 and B2 business zoning districts as indicated in the zoning ordinance; that off-street parking for 24 automobiles shall be provided as indicated in companion application No. 244-93-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Milka Dobrota  
 APPEARANCES FOR: John J. Pikarski, Jr., Milka Dobrota  
 APPEARANCES AGAINST:

CAL. NO. 244-93-Z  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1714 N. Sheffield Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variation granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Milka Dobrota, for Raymel Investment Co., Inc., owner, on July 7, 1993, filed and subsequently amended, an application for a variation of the zoning ordinance to permit, in Planned Manufacturing District #1, the establishment of retail business uses in a 1-story brick building with off-street parking for 24 automobiles instead of the 27 required, on premises at 1714 N. Sheffield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 1, 1993, 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, §16-8-070. J.l.b. (20)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; and

WHEREAS, the district maps show that the premises is located in Planned Manufacturing District #1; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in Planned Manufacturing District #1; that on August 20, 1993, in Calendar No. 243-93-Z, the Board approved the applicant's special use application permitting the establishment of a retail futon furniture business and two other similar furniture uses in 8,452 sq. ft. of floor space in the existing 1-story brick building at the subject site; that the Board also approved any B1 or B2 business use to be established at the site in the future; that the applicant proposes to provide off-street parking for 24 automobiles instead of 27 required for the 8,452 sq. ft. of business floor area and about 4,600 sq. ft. of accessory storage space; that the 24 parking spaces will be provided at the west side of the subject building with ingress and egress off N. Marcey Street; that the present building walls along Marcey Street at the parking area 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 in order to make the project economically viable there must be provision for 8,452 sq. ft. of retail floor space and about 4,600 sq. ft. of accessory storage space in this triangular building and that the configuration of said building on the lot allows for a maximum 24 parking

MINUTES OF MEETING

August 20, 1993

Cal. No. 244-93-Z

spaces with one 10' x 25' loading berth to be established; that the plight of the owner is due to the irregular configuration of the subject building on this triangular lot; that 24 parking spaces will be adequate for the proposed 8,452 sq. ft. of retail business space limited only to B1 and B2 business uses and that the waiver of 3 off-street parking spaces in this case will have no negative impact in the area and will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the establishment of retail uses in a 1-story brick building with off-street parking for 24 automobiles instead of the 27 required, on premises at 1714 N. Sheffield Avenue, upon condition that ingress and egress shall be from N. Marcey Street; that the driveways shall be constructed in accordance with applicable ordinances; that landscaping in compliance with applicable provisions of the Chicago Landscape Ordinance shall be provided; that a security gate shall be provided at the N. Marcey Street ingress/egress for this parking area which shall be securely locked during all non-business hours; that lighting and striping shall be provided; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Richmond Development  
 APPEARANCES FOR: Barry Ash  
 APPEARANCES AGAINST:

CAL. NO. 245-93-S  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 847 N. Milwaukee Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richmond Development, for Fortunee Masuda, owner, on June 15, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of dwelling units on the ground floor in the conversion of a 2-story brick commercial building into 10 dwelling units, in a B4-2 Restricted Service District, on premises at 847 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 3, 1993, 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 August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 16,382 sq. ft. lot improved with a 1 and 2-story masonry commercial building formerly occupied by a mini shopping plaza; that the applicant proposes to convert the 1 and 2-story building into 10 dwelling units; that the proposed use is necessary for the public convenience at this location in that the trend of development in this area is towards residential and there is a strong demand for residential uses, particularly townhouse units, in this community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will provide adequate on-site parking as indicated in companion application No. 246-93-Z; that the proposed use is compatible with the existing mixed residential and business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of dwelling units on the ground floor in the conversion of a 2-story brick commercial building into 10 dwelling units, on premises at 847 N. Milwaukee Avenue, upon condition that on-site parking shall be provided as indicated in companion application No. 246-93-Z; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.



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

APPLICANT: Richmond Development  
 APPEARANCES FOR: Barry Ash  
 APPEARANCES AGAINST:

CAL. NO. 246-93-Z  
 MAP NO. 3-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 847 N. Milwaukee Avenue  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Richmond Development, for Fortune Massuda, owner, on June 15, 1993, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a 20' x 108' 1-story 10-car accessory garage on the south side of a through lot to satisfy the parking requirement for 10-dwelling units proposed in the 2-story brick building on the north side of the lot, with no front yards along Milwaukee Avenue and Elston Avenue instead of approximately 13 feet each and with no south side yard instead of approximately 10 feet, on premises at 847 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 3, 1993, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 August 20, 1993, the Board approved the applicant's special use application for the establishment of dwelling units on the ground floor in the conversion of a 1 and 2-story brick commercial building into 10 dwelling units at the subject site, in Cal. No. 245-93-S; that the applicant seeks to erect a 20' x 108' 1-story 10-car accessory garage on the south side of the subject site through lot; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary due to the irregular shape of the subject site property; that the plight of the owner is due to the necessity of satisfying the off-street parking requirements for the 10-dwelling units proposed in the 1 and 2-story brick building located on the north side of the subject lot; that the proposed 1-story parking garage will be compatible with the existing mixed residential and business improvements in the neighborhood; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING  
August 20, 1993  
Cal. No. 246-93-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 20' x 108' 1-story 10-car accessory garage on the south side of a through lot to satisfy the parking requirement for 10-dwelling units proposed in the 2-story brick building on the north side of the lot, with no front yards along Milwaukee Avenue and Elston Avenue instead of approximately 13 feet each and with no south side yard instead of approximately 10 feet, on premises at 847 N. Milwaukee Avenue, upon condition that lighting shall be provided; that ingress and egress shall be from N. Milwaukee Avenue and N. Elston Avenue; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Norwegian-American Hospital  
 APPEARANCES FOR: Ronald V. Ree, Catalina Soto  
 APPEARANCES AGAINST:

CAL. NO. 247-93-S  
 MAP NO. 3-I  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1028-36 N. Francisco Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Norwegian-American Hospital, owner, on June 23, 1993, 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 an R4 General Residence District, on premises at 1028-36 N. Francisco Avenue, to serve a hospital at 1044 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 9, 1993, 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(12)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 200' x 123.5' unimproved lot presently in use as a parking lot; that the proposed use is necessary for the public convenience at this location to provide accessory parking for the Emergency Room personnel and patients of the applicant hospital located at 1044 N. Francisco Avenue; 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 use will be located directly south of the hospital, across W. Cortez Street; and that with landscaping, will be compatible with the existing improvements in the neighborhood and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1028-36 N. Francisco Avenue, to serve a hospital at 1044 N. Francisco Avenue, upon condition that no use shall

MINUTES OF MEETING

August 20, 1993

Cal. No. 247-93-S

be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles belonging to Emergency Room personnel and hospital patients and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material and properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed, excepting driveways, by steel beam guard rails two feet high; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be via W. Cortez Street; that the driveways shall be constructed in accordance with applicable ordinances; that the public alley abutting the site to the west shall not be used for ingress nor for egress; that card accessed security gates shall be provided at the entrance and exit; 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 property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Norwegian-American Hospital  
 APPEARANCES FOR: Ronald V. Ree. Catalina Soto  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 1025-37 N. Richmond Street  
 SUBJECT— Application for the approval of a special use  
 ACTION OF BOARD—

CAL. NO. 248-93-S  
 MAP NO. 3-I  
 MINUTES OF MEETING  
 August 20, 1993

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Norwegian-American Hospital, owner, on June 23, 1993, 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 an R4 General Residence District, on premises at 1025-37 N. Richmond Street, to serve a hospital at 1044 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 9, 1993, 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)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; 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 150' x 123.41+' unimproved lot presently is use as a parking lot; that the proposed use is necessary for the public convenience at this location to provide accessory parking for physicians serving the applicant hospital located at 1044 N. Francisco Avenue; 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 use will be located directly south of the hospital, across W. Cortez Street, and that with landscaping, will be compatible with the existing improvements in the neighborhood and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 1025-37 N. Richmond Street, to serve a hospital at 1044 N. Francisco Avenue, upon condition that no use

MINUTES OF MEETING

August 20, 1993

Cal. No. 248-93-S

shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles belonging to physicians affiliated with the applicant hospital and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage times to an established City of Chicago sewer; that the lot shall be enclosed, excepting the driveways, by steel beam guard rails, two feet high; that striping shall be provided; that lighting shall be provided directed away from abutting residential property; that ingress and egress shall be via W. Cortez Street; that the driveways shall be constructed in accordance with applicable ordinances; that the public alley abutting the site to the east shall not be used for ingress nor for egress; that card accessed security gates shall be provided at the established entrance and exit; 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 property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Marion Klimczak  
 APPEARANCES FOR: Arthur Klimczak, Marion Klimczak  
 APPEARANCES AGAINST: Kenneth Meyer, et al.

CAL. NO. 249-93-A  
 MAP NO. 9-N  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 6630 W. Belmont Avenue

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

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Marion Klimczak, for Home Mortgage TX, owner, on June 16, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 5-dwelling units, in an R3 General Residence District, on premises at 6630 W. Belmont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 12, 1993, 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, §11.7A-3(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story with high basement brick apartment building and a two-car garage at the rear of the site; that on September 21, 1965 the Board sustained an appeal permitting issuance of a certificate of occupancy for doctors' offices in the basement of the building on the subject site, finding that the doctors' offices were installed in the basement of the building at the time of construction in 1955 when the site was zoned Business, in Calendar No. 462-65-A; that the appellant testified that the building contained 5 dwelling units since its construction in 1955; that opposition to the appellant's proposal testified to and presented photographic evidence indicating existence of 7 mailboxes, each listing 4 different names and also testified that the appellant is operating a boarding house at the site with as many as 10 transient "rooms" in the basement, 10 to 15 vehicles parked on the street near the site and that the garage is being used for auto repair; that no evidence was presented by the appellant to indicate that 5 dwelling units existed in the building prior to 1957 or that a 5th dwelling unit in the basement was legally substituted in lieu of the doctor's offices approved by the Board in 1965; 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: Alberto Jacinto  
 APPEARANCES FOR: Alberto Jacinto  
 APPEARANCES AGAINST:

CAL. NO. 250-93-A  
 MAP NO. 7-K  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 2822 N. Kenneth Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Alberto Jacinto, owner, on June 14, 1993, filed an appeal from the decision of the office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 3-dwelling units, in an R3 General Residence District, on premises at 2822 N. Kenneth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 14, 1993, 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, §7.5-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 2-story with basement brick residential building; that no evidence was presented to indicate that the existing 2-story with basement building on the 3,770 sq. ft. lot has been occupied by three dwelling units since prior to the passage of the 1942 comprehensive amendment to the zoning ordinance; that under Section 7.5-3 of the zoning ordinance the Board has no authority to permit the use of the said building as 3 dwelling units; 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: Michael D. McKay  
 APPEARANCES FOR: Michael D. McKay  
 APPEARANCES AGAINST:

CAL. NO. 251-93-A  
 MAP NO. 9-N  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 3419 N. Rutherford Avenue  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Michael D. McKay, owner, on June 17, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1½-story frame building as 3-dwelling units, in an R2 Single-Family Residence District, on premises at 3419 N. Rutherford Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 17, 1993, 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, §7.5-2, §7.12-1(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 2-story with basement frame residence on the rear of the lot and which does not have off-street parking; that the subject lot contains 3,750 sq. ft.; that the appellant testified that the subject building was built in 1916 and contained three dwelling units at the time he purchased it in 1981; that the appellant also testified that there are no separate electrical or water meters for the said 3 dwelling units; that no evidence was presented to sufficiently prove the existence of three dwelling units in the subject building prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; 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: Anthony J. Caliendo  
 APPEARANCES FOR: Anthony J. Caliendo  
 APPEARANCES AGAINST: Hon. Thomas Allen

CAL. NO. 252-93-A  
 MAP NO. 11-M  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 6010 W. Irving Park Road  
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
	X	
X		

THE RESOLUTION:

WHEREAS, Anthony J. Caliendo, for ALEXANDER REALTY, owner, on June 10, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to approve a Deadly Weapons License for an existing business consisting of buying, selling and trading of military collectables in a store in a 2-story brick multi-store and apartment building, in a B4-2 Restricted Service District, on premises at 6010 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 8, 1993, 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 August 20, 1993; 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 appellant has operated a business for buying, selling and trading military collectables in the subject store since 1985 under a City hardware license which permitted sale of rifles, shotguns and ammunition for same; that the appellant also has a Federal license to deal in firearms other than destructive devices and a State license to engage in the business of selling tangible personal property at retail; that the collectables consists of military souvenirs such as uniforms, helmets, flags, caps, badges, books, medals and swords; that the appellant also deals in occasional rifles from World War II and previous wars; that due to changes in the licensing code, the Department of Revenue is requiring that the appellant secure a Deadly Weapons License; that the appellant's use is akin to a hobby shop, resale shop or antique store, uses permitted in the B4-2 Restricted Service District; 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

MINUTES OF MEETING

August 20, 1993

Cal. No. 252-93-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit a business for buying, selling and trading of collectables dealing in military souvenirs such as uniforms, helmets, flags, caps, badges, books, medals, swords and the like and an occasional souvenir rifle from World War II and previous wars, in a 2-story brick building, on premises at 6010 W. Irving Park Road, upon condition that all necessary licenses are obtained; and that all applicable ordinances of the City of Chicago shall be complied with; and be it further

RESOLVED, that the use of the subject store shall hereby be limited to the use permitted herein dealing only in items specified herein and no others notwithstanding any additional use or items authorized under any license.

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

APPLICANT: Michael Spock & Judith Spock  
 APPEARANCES FOR: David L. Goldstein  
 APPEARANCES AGAINST: Daniel L. Houlihan

CAL. NO. 253-93-A  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1923 N. Fremont Avenue  
 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  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
X		
	X	

THE RESOLUTION:

WHEREAS, Michael Spock and Judith Spock, owners of the property at 1925 N. Fremont Avenue, on June 23, 1993, filed an appeal from the decision of the Office of the Zoning Administrator which granted an Exception permitting the erection of a 1st level 2' bay window to the front of a 2-story brick single-family residence and a 2-story addition to the rear, whose front yard will be 12.9' instead of 14.9' and whose north side yard will be .31' instead of 2.3', in an R4 General Residence District, on premises at 1923 N. Fremont Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator reads, in part, that

".....on May 11, 1993, the Department of Zoning granted the Exception Request to permit a side yard reduction from the required 2.3' to .31' on the north side yard to erect a rear two-story addition and also a front yard reduction from the required 14.9' to 12.9' to erect a front bay window extension of 2' on the 1st level to an existing sign family residence and also a conversion of a rear coach house to a garage on the first level with a dwelling unit above (and also to raise roof of an existing front building."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993; 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 24' x 125' zoning lot presently improved with an existing foundation and two exterior north and south side walls; that on May 11, 1993, Charles R. Grode, owner of the subject property was granted an Exception by the Office of the Zoning Administrator permitting the erection of the aforesaid 1st level 2' bay window to the front of a 2-story brick single-family residence and a 2-story addition to the rear, at the subject site; that on June 23, 1993, the appellants, who own the property at 1925 N. Fremont Avenue, filed an appeal against the granting of the Exception; that the Exception File No. 93-125-ZE is hereby make part of the record in this case; that the appellants testified that a north side yard of .31' instead of 2.3' will significantly reduce the light, view, circulation of air,

MINUTES OF MEETING

August 20, 1993

Cal. No. 253-93-A

and fire safety to their house and that their property value will be negatively affected by the proposed addition; that the Board finds that the existing north side wall at the subject site situated .31' from the north lot line has existed since 1923; that the City's Sanborn Map for this block of N. Fremont Avenue depicts that most of the improvements are built at or near their north lot lines, as is the appellants' house; that there presently exists about 3 feet between the appellants' house and the existing north wall at the subject site; that the 2-story addition to the subject building will follow the existing side walls; that the proposed addition will not be out of character with the existing configuration and pattern of improvements in the block, including the appellants' improvement; that no evidence was presented that would indicate that the Zoning Administrator did not use proper judgement in granting the aforestated Exception for the proposed additions at the subject site; it is therefore

RESOLVED, that the appeal be and it hereby is denied and the decision of the Zoning Administrator which permitted the erection of a 1st level 2' bay window to the front of a 2-story brick single-family residence and a 2-story addition to the rear, whose front yard will be 12.9' instead of 14.9' and whose north side yard will be .31' instead of 2.3', on premises at 1923 N. Fremont Avenue, be and it hereby is affirmed.

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

APPLICANT: David Narefsky & Linda Goodman, et al.  
 APPEARANCES FOR: David Narefsky  
 APPEARANCES AGAINST: Gary I. Wigoda, Timothy Glascott

CAL. NO. 254-93-A  
 MAP NO. 5-G  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 2060 N. Racine Avenue

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

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, David Narefsky and Linda Goodman, of 2054 N. Racine Avenue (property 25' south of the subject premises), et al., on June 11, 1993, filed an appeal from the decision of the Office of the Zoning Administrator which permitted, in an R4 General Residence District, the establishment of a restaurant with liquor service as a substitution of non-conforming use in a 3-story brick building which contained a prior tavern use, on premises at 2060 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator reads, in part, "Based upon the attached letter submitted by the Office of Alderman Edwin Eisendrath, 43rd Ward, the Department of Zoning, on April 28, 1993, approved zoning certification for the subject site as a substitution-of-use for a restaurant, with the incidental service of liquor as an accessory use. The prior use was a tavern, and the substituted use is a restaurant serving food and alcoholic beverages. Therefore, the substituted use, a restaurant, is less intensive than the prior use, a tavern. Also, the substituted use will be required to operate as a restaurant, and not as a tavern. This approval was made pursuant to the provisions of Article 6.4-7 of the Chicago Zoning Ordinance."

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993; 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 subject site has been zoned R4 General Residence since the passage of the 1957 comprehensive amendment to the zoning ordinance; that the subject site is improved with a 3-story brick building containing business store space on the 1st floor and two dwelling units in each of the above two floors; that the store space was previously occupied by Murph's Tavern, which use ceased operation due to eviction on June 23, 1992, although the liquor license did not expire until October 31, 1992; that on April 28, 1993, the Office of the Zoning Administrator approved zoning certification for the establishment of a restaurant with incidental liquor service in the store space in the subject building, finding that the proposed restaurant was less intense than the prior tavern use and that the approval was

## MINUTES OF MEETING

August 20, 1993

Cal. No. 254-93-A

made pursuant to the provisions of Section 6.4-7 of the zoning ordinance; that the appellant contends that the zoning certification for the change of use from a non-conforming tavern to a non-conforming restaurant based upon the provisions of Section 6.4-7 was improper in that the subject 3-story building contains dwelling units on the 2nd and 3rd floors thereby making it a building that is substantially designed or intended for a use permitted in the residential district in which it is located and therefore Section 6.5-3 of the zoning ordinance is applicable to the subject building, which section does not permit the change of non-conforming use when such non-conforming use is located in a building all of substantially all of which is designed or intended for a permitted use; that the appellant further contends that the prior tavern use was discontinued for a period of six months and that Section 6.5-2 of the zoning ordinance prevents any subsequent non-conforming use; that the appellee (owner) contends that the Zoning Department's decision approving the restaurant use under the provisions of Section 6.4-7 was correct in that his building does not meet the bulk requirements of the R4 zoning district in which it is located, therefore making it a non-conforming building, and that the approval of the change from a non-conforming tavern to a non-conforming restaurant in a non-conforming building was proper; that the Board finds that the issue in this case is whether the subject 3-story brick building containing store space on the 1st floor and 4 dwelling units in the above two floors should be classified as a conforming building or a non-conforming building, such classification thereby subjecting the building to different Sections of Article 6 - Non-Conforming Buildings, Structures and Uses of the zoning ordinance; that Section 6.4-7 relates to a non-conforming use in a non-conforming building and Section 6.5-3 relates to a non-conforming use in a conforming building; that Section 6.4-7 allows for a more gradual elimination of a non-conforming use than does Section 6.5-3, which is much more rigid regarding elimination of non-conforming uses; that both arguments in this case have merits, but the Board cannot overlook what it believes Article 6 is meant to accomplish; that all else aside, Article 6 is certainly intended to eliminate non-conforming business uses in residential zones; that two-thirds of the subject building contains dwelling units and one-third contains store space; that the majority of the building is designed for a residential use; that notwithstanding any non-conformity as to bulk, substantially all of the subject building is designed and intended for a use permitted in the R4 General Residence District in which it is located; that the subject 3-story brick building containing store space on the 1st floor and dwelling units on the 2nd and 3rd floors is hereby classified as a conforming building containing a non-conforming use on the 1st floor and is subject to Section 6.5-3 of the zoning ordinance which does not permit a non-conforming use to be changed to another non-conforming use in a conforming building; that the Board believes this decision to be consistent with Articles 2 - Intent and Purpose and 5.1(1) and (2)-Interpretation 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 which approved the establishment of a restaurant on the 1st floor of a 3-story brick store and apartment building, on premises at 2060 N. Racine Avenue, be and it hereby is reversed.

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

APPLICANT: Burger King Corporaton  
 APPEARANCES FOR: William J. Hennessey  
 APPEARANCES AGAINST:

CAL. NO. 255-93-S  
 MAP NO. 28-F  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 11447-57 S. Halsted Street/746-56 W. 115th Street  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Burger King Corporation, for First Cook Community Bank FSB, owner, on June 24, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of drive-through facilities in conjunction with a proposed Burger King restaurant, in a B4-1 Restricted Service District, on premises at 11447-57 S. Halsted Street/746-56 W. 115th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 23, 1993, 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 August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on July 27, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-1 Restricted Service District; that the subject site is a 15,000 sq. ft. lot situated on the northeast corner of the intersection of S. Halsted Street and W. 115th Street and is improved with a 1-story brick building formerly occupied by an auto service garage; that the applicant proposes to construct a Burger King restaurant on the subject site and to provide double drive-through service in conjunction with the said restaurant; that the proposed drive-through use is necessary for the public convenience at this location to provide a service to the community which is prevalent in today's fast food operations; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed double drive-through facility to be improved and operated under the conditions hereinafter set forth; that the proposed use will be compatible with the existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is there-  
 fore

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



MINUTES OF MEETING

August 20, 1993

Cal. No. 255-93-S

Zoning Administrator is authorized to permit the establishment of drive-through facilities in conjunction with a proposed Burger King restaurant, on premises at 11447-57 S. Halsted Street/746-56 W. 115th Street, upon condition that no use shall be made of the premises for the use requested until the following conditions shall have been complied with: that ingress to the drive-through facilities shall be from W. 115th Street and S. Halsted Street; that egress from the drive-through facilities shall be on to W. 115th Street and S. Halsted Street; that lighted directional signs shall be erected at the established entrances and exits; that a "Right Turn Only" sign shall be erected at the exit driveways on W. 115th Street and on S. Halsted Street; that the applicant shall remove the proposed median within the driveway facing S. Halsted Street and narrow this drive to 25 feet; that the applicant sets back the driveway located on W. 115th Street at least 20 feet from the eastern property line of the subject site; that a 6 feet high solid wood fence shall be erected on the east property line to screen the facility from residential property located across the abutting alley; that the hours of operation shall be limited to the hours between 7 A.M. and 12 Midnight, Mondays through Thursdays and 7 A.M. to 1 A.M., Fridays through Sundays; that on-site security personnel shall be provided during any weekday or weekend hours after 11 P.M.; 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 permit is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Fishy Things

CAL. NO. 256-93-S

APPEARANCES FOR:

MAP NO. 22-G

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 9458 S. Halsted Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to  
October 15, 1993.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: D & F Enterprises, Inc. d/b/a The Blue Note CAL. NO. 257-93-A  
APPEARANCES FOR: MAP NO. 5-H  
APPEARANCES AGAINST: MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 1946 N. Wolcott Avenue  
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Case continued to  
October 15, 1993.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Blaise Guzzo

CAL. NO. 59-93-S

APPEARANCES FOR:

MAP NO. 7-K

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 3111 N. Cicero Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to  
October 15, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Jose Jimenez  
APPEARANCES FOR: None  
APPEARANCES AGAINST:

CAL. NO. 62-93-A  
MAP NO. 13-H  
MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 2244 W. Argyle Street  
SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

Appeal dismissed for want of prosecution.

THE VOTE

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Ronald Worth, d/b/a Advance Metal Finishing  
 APPEARANCES FOR: James Paul Valancius, Ronald Worth  
 APPEARANCES AGAINST: Alexis Malinowski, Helene Owada

CAL. NO. 63-93-A  
 MAP NO. 8-H  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1735 W. 38th Street

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

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Ronald Worth, d/b/a Advance Metal Finishing, owner, on February 10, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a machine shop in a 1-story brick building, in an R3 General Residence District, on premises at 1735 W. 38th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 10, 1993, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is located on the southwest corner of the intersection of S. Hermitage Avenue and W. 38th Street and is improved with a 1-story brick commercial building; that the subject site was zoned Commercial at the time of the passage of the zoning ordinance in 1923 and was occupied by a coal and oil business; that the subject site has been zoned R4 General Residence since the time of the passage of the 1957 comprehensive amendment to the zoning ordinance; that the subject building was occupied in 1971 by a sheet metal finishing business for heating and air conditioning units, which operated from 7:30 A.M. to 4:30 P.M.; that in 1982 the premises was leased for use by a metal finishing business consisting of polishing and buffing rough castings into a finished product, employing 5 persons and operating from 7:30 A.M. to 4:30 P.M. five days a week; that in 1985 the business was sold to the appellant who employs 4 to 6 persons and operates from 7:00 A.M. to 4:30 P.M. 5 days a week with occasional Saturdays; that the property owners at 3814 S. Hermitage Avenue, directly across the alley from the subject premises, testified that metal dust and truck vibrations emanate from the use of the subject building causing damage to their building; that they also testified that they do not remember any coal and oil business being conducted at the subject site, but do remember that the subject building was used for storage of military vehicles during the

MINUTES OF MEETING

August 20, 1993

Cal. No. 63-93-A

1950's and 60's; that the Board finds that although the use of the subject building has been a machine shop or similar use since 1971, the prior use of the subject building was for many years storage of vehicles; that in determining whether one has a right to a legal non-conforming use, the Board must consider the uses of a property from the date the use of the premises was rendered non-conforming, applying Section 6.4-7 of the zoning ordinance in its determination; that the subject site has been zoned residential since the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the non-conforming use of the subject building prior to the inception of a non-conforming metal finishing business in 1971, was vehicle storage; that the present non-conforming machine shop use of the subject building using machinery for polishing and buffing of rough metal castings into a finished product, employing 4 to 6 persons, and producing noise and metal dust is a more intensive or less restrictive use than that of vehicle storage; that under Section 6.4-7 of the zoning ordinance the present machine shop use of the subject building is not an appropriate change of non-conforming use compared to vehicle storage; it is therefore

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

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

APPLICANT: The Baker Organization

CAL. NO. 158-93-Z

APPEARANCES FOR:

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 435 W. Armitage Avenue

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

ACTION OF BOARD—

THE VOTE

Case continued to  
December 17, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		



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

APPLICANT: Michael Morrissey & William Morrissey  
 APPEARANCES FOR: Howard Kilberg  
 APPEARANCES AGAINST:  
 PREMISES AFFECTED— 1946 N. Mohawk Street  
 SUBJECT— Application for the approval of a special use.  
 ACTION OF BOARD—

CAL. NO. 161-93-S  
 MAP NO. 5-F  
 MINUTES OF MEETING  
 August 20, 1993

THE VOTE

Application denied.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
		X
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Michael Morrissey & William Morrissey, for Michael Baezel & Colleen Fahey, owners, on March 29, 1993, 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 space on the rear of the lot, in an R5 General Residence District, on premises at 1946 N. Mohawk Street, to satisfy the parking requirement for the establishment of a 4th dwelling unit in the garden level of an existing 4-story 3-dwelling unit building at 1948 N. Mohawk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 12, 1993, 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, §7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on May 3, 1993; 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 2½-story residential building on the front of the lot which is additionally improved with a 2-car garage on the rear of the lot; that the applicant, a contractor, owns a 3-dwelling unit building adjacent to the subject site at 1948 N. Mohawk Street, one dwelling of which is a duplex unit; that the applicant proposes to establish a 4th dwelling unit in said building by separating the duplex unit into 2 separate dwelling units; that the applicant proposes to enter into a 20-year lease with the owner for one parking space in the 2-car garage at the subject site and seeks a special use for off-site parking to satisfy the parking requirement for the additional dwelling unit proposed at 1948 N. Mohawk Street; that the applicant testified that he was unable to market the duplex apartment and that he cannot receive a reasonable return from his property unless the requested special use is approved in order to permit the additional dwelling; that the Board finds that no evidence was presented that would indicate that the standards for a special use, Section 11.10-4 of the zoning ordinance, have been met in this case; that although the applicant

MINUTES OF MEETING

August 20, 1993

Cal. No. 161-93-S

may have an economic viability problem with his property at 1948 N. Mohawk Street, this is not a standard for the granting of a special use application; that no testimony was presented that the proposed special use is necessary for the public convenience at this location; that no public need exists in this case and that the public health, safety and welfare would not be protected by the granting of a special use merely because one may not receive a reasonable return from their property; that a special use is considered to be a unique use with unique characteristics and that none exist in this case; it is therefore

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

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

APPLICANT: Andriyous P. Youkhana  
 APPEARANCES FOR: John J. Pikarski, Jr.  
 APPEARANCES AGAINST: Bernard I. Citron

CAL. NO. 165-93-S  
 MAP NO. 2-E  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 539-45 S. Wabash Avenue  
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application approved.

THE VOTE

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, Andriyous P. Youkhana, for Cosmopolitan National Bank, Tr. #29495 and Devon Bank, Tr. #5708-2, owners, on March 16, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the expansion of an existing public parking lot, in a C3-6 Commercial-Manufacturing District, on premises at 539-45 S. Wabash Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 2, 1993, 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, §9.4-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on May 3, 1993; and

WHEREAS, the district maps show that the premises is located in a C3-6 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-6 Commercial-Manufacturing District; that on May 18, 1990 the Board approved the applicant's special use application, under certain conditions, for the establishment of a public parking lot as an interim use of the property, on premises at 545 S. Wabash Avenue and 50 E. Harrison Street, in Cal. No. 167-90-S; that the applicant now seeks to expand the existing parking lot into the 40.18' x 172.90' lot at 539 S. Wabash Avenue next north of the existing parking lot; that the proposed use is necessary for the public convenience at this location to provide additional parking facilities for business uses in the area; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the proposed expansion of the existing public parking lot as an interim use of the property to August, 1995, will be compatible with the existing improvements in the area, many of which are surface parking lots and parking garages and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

August 20, 1993

Cal. No. 165-93-S.

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the expansion of an existing public parking lot, on premises at 539-45 S. Wabash Avenue, upon condition that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails not less than 2 feet high shall be erected on the periphery of the additional parking area; that lighting and striping shall be provided; that concrete wheel stops shall be provided; that ingress and egress shall be from E. Harrison Street and S. Wabash Avenue; that the applicant shall obtain the required driveway permits from the Chicago Department of Transportation; that the driveway shall be constructed in accordance with applicable ordinances; that the public alley abutting the site shall not be used for ingress nor for egress; that an attendant shall be on duty during all hours of operation; 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 property continuously in conformance with the provisions and standards hereby established under this order; and be it further

RESOLVED, that the special use granted herein shall be valid for a period of two years only until August 20, 1995.

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

APPLICANT: Stanislaw Bartlomiejczuk

CAL. NO. 166-93-S

APPEARANCES FOR:

MAP NO. 16-M

APPEARANCES AGAINST:

MINUTES OF MEETING

August 20, 1993

PREMISES AFFECTED— 6435 and 6439 S. Austin Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Stanislaw Bartlomiejczuk

CAL. NO. 167-93-Z

APPEARANCES FOR:

MAP NO. 16-M

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 6435 and 6439 S. Austin Avenue

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

ACTION OF BOARD—

THE VOTE

Application withdrawn upon motion of applicant.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: Manhattan Jewelry & Pawn

CAL. NO. 179-93-A

APPEARANCES FOR:

MAP NO. 1-E

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— 47 E. Chicago Avenue

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

ACTION OF BOARD—

THE VOTE

Appeal withdrawn upon motion of the appellant.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

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

APPLICANT: William Schopf

CAL. NO. 181-93-Z

APPEARANCES FOR:

MAP NO. 3-G

APPEARANCES AGAINST:

MINUTES OF MEETING

August 20, 1993

PREMISES AFFECTED— 823 N. May Street

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

ACTION OF BOARD—

THE VOTE

Case continued to  
November 19, 1993.

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		



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

APPLICANT: George Pappageorge & Roger Kratowicz  
 APPEARANCES FOR: Gary I. Wigoda, George Pappageorge  
 APPEARANCES AGAINST:

CAL. NO. 183-93-Z  
 MAP NO. 5-F  
 MINUTES OF MEETING  
 August 20, 1993

PREMISES AFFECTED— 1615-23 N. Burling Street  
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations granted.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

THE RESOLUTION:

WHEREAS, George Pappageorge and Roger Kratowicz, owners, on April 13, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 13' x 42' addition along the west lot line and a 2-story approximately 30' x 95' addition along the east lot line attached to an existing 2-story frame apartment building thereby creating a U-shaped structure all of which will be used as 8 dwelling units, with no front and rear yards instead of 14.4 feet and 30 feet respectively, on premises at 1615-23 N. Burling Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 13, 1993, 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, §7.9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 20, 1993 after due notice thereof by publication in the Chicago Sun-Times on June 1, 1993; 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 composed of 4 zoning lots with a total of 12,000 sq. ft. and is improved with an existing 2-story frame apartment building situated on the southernmost lot abutting an east/west alley; that the applicant proposes to erect a 2-story 13' x 42' addition along the west lot line and a 2-story approx. 30' x 95' addition along the east lot line attached to the existing 2-story frame apartment building thereby creating a U-shaped structure, all of which will be used as 8 dwelling units; that a total of 11 on-site garage parking spaces will be provided; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front and rear yard variations requested are necessary to construct the two 2-story additions as designed; that the plight of the owner is due to the need to connect the two proposed additions to the existing 2-story apartment building which is located on the south end portion of the subject property and to the applicant's desire to retain interior green space; that the variations, if granted, will not alter the essential character of the

MINUTES OF MEETING

August 20, 1993

Cal. No. 183-93-Z

locality in that the 2-story addition along the west lot line maintains the west building line of the existing 2-story apartment building and that the rear 2-story addition will not impair an adequate supply of light and air to abutting property to the north; 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 district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 13' x 42' addition along the west lot line and a 2-story approximately 30' x 95' addition along the east lot line attached to an existing 2-story frame apartment building thereby creating a U-shaped structure all of which will be used as 8 dwelling units, with no front and rear yards instead of 14.4 feet and 30 feet respectively, on premises at 1615-23 N. Burling Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Land & Lakes Company  
 APPEARANCES FOR: Daniel L. Houlihan  
 APPEARANCES AGAINST: None  
 PREMISES AFFECTED— Property consisting of approximately 10 acres situated on the north  
 SUBJECT— side of East 138th Street and commonly known as 1300 East 138th Street  
 ACTION OF BOARD— Application for the approval of a special use.

CAL. NO. 231-93-S  
 MAP NO. 34-D  
 MINUTES OF MEETING  
 July 16, 1993 &  
 August 20, 1993

THE VOTE

Application approved.

Joseph J. Spingola  
 Anthony J. Fornelli  
 LeRoy K. Martin, Jr.  
 Gigi McCabe-Miele  
 Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
x		
		x
x		
x		
x		

THE RESOLUTION:

WHEREAS, Land and Lakes Company, for MCM Land Corporation, an Illinois Corporation, owner, on May 24, 1993, filed an application for a special use under Article 11 of the zoning ordinance for the location and establishment of a Material Recovery and Recycling Facility-Waste Transfer Station (MRRF) in an M3-2 Heavy Manufacturing District, on premises consisting of approximately ten (10) acres situated on the north side of east 138th Street and commonly known as 1300 East 138th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 24, 1993, 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, §10.4-2(9) and §10.4-2(7);

and  
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on July 16, 1993, and August 20, 1993, after due notice thereof by publication in the Chicago Sun-Times on June 28, 1993; and

WHEREAS, the district maps show that the premises are located in an M3-2 Heavy Manufacturing District; and

WHEREAS, prior to the applicant's acquisition of the subject parcel herein, the applicant was previously granted a special use for a Material Recovery and Recycling Facility-Waste Transfer Station on the applicant's contiguous 72-acre parcel, as set forth in the Resolution of this Board under Cal. No. 291-90-S; and

WHEREAS, the Zoning Board of Appeals, having fully heard and considered the testimony, exhibits and arguments of the parties and being fully advised in the premises, finds:

1. That the subject property is vacant and unimproved and is contiguous to a recently completed sanitary landfill of approximately 72 acres, a facility owned and operated by the applicant herein and authorized for use pursuant to prior resolution of this Board as set forth in Calendar No. 291-90-S.

2. That said contiguous use served the City of Chicago as a waste deposit site for more than twenty (20) years pursuant to contracts by and between the Department of Streets and Sanitation of the City of Chicago, and other public agencies, and Land and Lakes Company.

MINUTES OF MEETING

July 16, 1993 &

August 20, 1993

Cal. No. 231-93-S

3. That the related uses of a transfer station and material recovery and recycling facility ("MRRF") are logical extensions of the long-established sanitary landfill use of the applicant's contiguous property, are appropriate land uses during and following the post-closure monitoring period of the sanitary landfill, and are in accord with the siting goals set forth in the Solid Waste Management Plan of the City of Chicago, adopted March 25, 1992, which emphasizes the potential of existing solid waste management sites to provide such facilities.

4. That the applicant's proposed use of the subject property is necessary for the public convenience at this location in that it will continue to provide within the City of Chicago a solid waste management facility to serve the continuing need for such facilities to accommodate the anticipated volumes of refuse generated within the City of Chicago.

5. That the site is so designed, located and proposed to be operated so that public health, safety and welfare will be protected in that:

(a) it is located outside the boundary of the 100-year flood plain;

(b) it is operated by a highly experienced applicant company which has plans and facilities in place to minimize the danger to the surrounding area from fires, spills or other operational accidents;

(c) it is located in a heavy manufacturing district in which the dominant land use is completed or current sanitary landfill facilities, including an existing 53-acre sanitary landfill owned and operated by the applicant and situated directly south of the subject site and within the Village of Dolton;

(d) it is so designed and located so as to minimize the impact on existing traffic flow in the surrounding area, given its proximate expressway access via industrial streets, its location at the termination point of South Cottage Grove Avenue, its sole user status of East 138th Street and its on-site staging and parking facilities to serve all described uses; and

(e) is designed and proposed to be operated so as to minimize adverse impacts on air, land and water quality by using the best commercially available pollution control technology and by being subject to the approval and regulations of the Department of Environment of the City of Chicago and the Illinois Environmental Protection Agency, and

6. That the applicant's use of the property will not cause substantial injury to the value of other property in the neighborhood in which it is to be located in that:

(a) the uses are in harmony with the dominant land usage of sanitary landfilling in this heavy industrial district;

(b) the transfer station and material recovery and recycling facility ("MRRF") will ensure industrial site viability during and following closure and post-closure of the sanitary landfill; it is therefore

RESOLVED, that the application for special use be and hereby is approved and the Zoning Administrator is authorized to approve the use of a transfer station and material recovery and recycling facility ("MRRF") on premises of approximately ten (10) acres, and commonly known as 1300 E. 138th Street, upon the following conditions:

1. No hazardous wastes will be delivered to the site.

MINUTES OF MEETING

July 16, 1993 &  
August 20, 1993  
Cal. No. 231-93-S

2. All dumping, sorting and/or processing of commingled, solid waste will be enclosed within the proposed material recovery and recycling facility.
3. A rodent control plan will be submitted for review and approval by the Department of Streets and Sanitation's Bureau of Rodent Control prior to commencing operation of the waste transfer facility.
4. An on-site traffic circulation plan shall be submitted for review and approval to the Bureau of Traffic Engineering, Department of Transportation prior to commencing operation of the waste transfer facility.
5. The applicant will comply with all regulations of the Chicago Department of Fire with respect to fire prevention.
6. That the operation of the authorized special use herein for a MATERIAL RECOVERY AND RECYCLING FACILITY - WASTE TRANSFER STATION shall be conditioned upon the applicant's being a contract provider of such service to the City of Chicago.

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

APPLICANT: Sheffield Systems, Inc. and Metrotel

CAL. NO. See Below

APPEARANCES FOR:

MAP NO.

APPEARANCES AGAINST:

MINUTES OF MEETING  
August 20, 1993

PREMISES AFFECTED— See Below

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

ACTION OF BOARD—

THE VOTE

Cases continued to  
November 19, 1993.

AFFIRMATIVE NEGATIVE ABSENT

Joseph J. Spingola  
Anthony J. Fornelli  
LeRoy K. Martin, Jr.  
Gigi McCabe-Miele  
Thomas S. Moore

AFFIRMATIVE	NEGATIVE	ABSENT
X		
		X
X		
X		
X		

Cal. No.

Premises affected:

68-93-A	6700 S. Jeffery Boulevard
69-93-A	7257 S. Jeffery Boulevard
70-93-A	401 E. 87th Street
71-93-A	7900 S. South Shore Drive
72-93-A	8258 S. Exchange Avenue
73-93-A	3655 W. 63rd Street
74-93-A	5516 S. Pulaski Road (Metrotel)
75-93-A	7900 S. Lafayette Avenue
76-93-A	7601 S. Halsted Street
77-93-A	10258 S. Western Avenue
78-93-A	8701 S. Ashland Avenue
79-93-A	1116 W. 95th Street
80-93-A	9801 S. Halsted Street
81-93-A	345 W. 95th Street
82-93-A	9901 S. Halsted Street
83-93-A	11163 S. Vincennes Avenue
84-93-A	4049 W. Washington Boulevard
85-93-A	246 S. Cicero Avenue
86-93-A	3181 N. Milwaukee Avenue

MINUTES OF MEETING  
August 20, 1993

Member Martin moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on September 17, 1993.

*Marian Reel*  
Secretary