

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 201-A and 201-City Council Chambers
on Friday, October 15, 1993

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

The following members were present and constituted a quorum:

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

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Member Fornelli moved that the Board approve the minutes of the proceedings of the special meeting of the Zoning Board of Appeals held on September 24, 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: Eric and Gail Rothner
 APPEARANCES FOR: Ira I. Silverstein
 APPEARANCES AGAINST:

CAL. NO. 284-93-Z
 MAP NO. 19-I
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 3125 W. Sherwin 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, Eric and Gail Rothner, owner, on June 30, 1993, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of 1-story additions to the front and west side and a 2-story addition to the rear of a 2-story brick single-family dwelling, whose total floor area ratio will be 0.59 instead of 0.50, on premises at 3125 W. Sherwin Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 21, 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."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 improved with a 2-story brick single-family dwelling; that the applicants propose to erect 1-story additions to the front and west side and a 2-story addition to the rear of the existing residential building whose total floor area will be 0.50 instead of 0.50; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality in which it is located; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of 1-story additions to the front and west side and a 2-story addition to the rear of a 2-story brick single-family dwelling, whose total floor area ratio will be 0.59 instead of 0.50, on premises at 3125 W. Sherwin 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: Richard Drew/Marycrest Const. Co.
 APPEARANCES FOR: Richard Drew
 APPEARANCES AGAINST:

CAL. NO. 285-93-Z
 MAP NO. Map 20-J
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 3254 W. 86th Street
 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, Richard Drew/Marycrest Const. Co., for Ironwood Development Co., owner, on September 3, 1993, filed an application for a special use under the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 2-story single-family dwelling with attached garage, whose rear yard will be 8.12 feet instead of 30 feet, on premises at 3254 W. 86th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 27, 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, §7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 6,868 sq. ft. unimproved lot in a large residential subdivision currently under construction; that the applicant proposes to erect a 2-story single-family dwelling with attached garage whose rear yard will be 8.12 feet instead of 30 feet, at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality in which it is located; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story single-family dwelling with attached garage, whose rear yard will be 8.12 feet instead of 30 feet, on premises at 3254 W. 86th 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: Marion Baginski
 APPEARANCES FOR: Jerome Norris, Marion Baginski
 APPEARANCES AGAINST:

CAL. NO. 286-93-Z
 MAP NO. 8-G
 MINUTES OF MEETING
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PREMISES AFFECTED— 1346-58 W. 31st Place
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

AFFIRMATIVE NEGATIVE ABSENT

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

Variations granted.

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

THE RESOLUTION:

WHEREAS, Marion Baginski, owner, on September 1, 1993, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 3-story 5-dwelling unit townhouse building, whose west front yard will be 4.75 feet and whose east rear yard will be 4.75 feet instead of 14.8 feet and 30 feet respectively, on premises at 1346-58 W. 31st Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §7.7-4, §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 October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 subject site is a 5,890 sq. ft. unimproved lot previously used for off-street parking; that the applicant proposes to erect a 3-story 5-dwelling unit townhouse building at the subject site whose west front yard will be 4.75 feet and whose east rear yard will be 4.75 feet instead of 14.8 feet and 30 feet respectively; that 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 the district in which it is located; that the plight of the owner is due to unique circumstances; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 3-story 5-dwelling unit townhouse building, whose west front yard will be 4.75 feet and whose east rear yard will be 4.75 feet instead of 14.8 feet and 30 feet respectively, on

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premises at 1346-58 W. 31st Place, upon condition that all garbage receptacles shall be kept within the 15 foot space between the proposed townhouse building and the large building behind the subject site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Robert Fields
 APPEARANCES FOR: LaVeda Callahan
 APPEARANCES AGAINST:

CAL. NO. 287-93-Z
 MAP NO. 24-C
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 2216 E. 96th 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, Robert Fields, owner, on August 4, 1993, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 15.15' x 15.3' addition to the rear of a 2-story row house, with no southeast side yard instead of 2.5 feet and whose rear yard will be 7.5 feet instead of 30 feet, on premises at 2216 E. 96th Street; 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, §8.83-(1), §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 October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 said use is located in an R3 General Residence District; that the subject site is a 20' x 100.4' lot improved with a 2-story brick and frame single-family dwelling with a 1-story frame addition located to the rear; that the subject single-family dwelling is one of four attached dwellings; that the property in question cannot yield a reasonable return nor be put to reasonable use is permitted to be used only under the conditions allowed by the regulations in this district in that the said 1-story 15.15' x 15.3' addition is necessary to meet living space requirements of the applicant and his family; that the plight of the owner is due to the narrow width of the subject lot and that the applicant now seeks to legalize the said addition which was constructed without the necessary building permits; that the said addition does not impair an adequate supply of light and air to adjacent properties and that the variations, if granted, will not alter the essential character of the locality; it is therefore

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RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 1-story 15.15' x 15.3' addition to the rear of a 2-story row house, with no southeast side yard instead of 2.5 feet and whose rear yard will be 7.5 feet instead of 30 feet, on premises at 2216 E. 96th Street, upon condition that a decorative solid-wood fence shall be erected on the subject property's rear south lot line to screen the subject property's rear yard from the abutting property at 2218 E. 96th Street; 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: Jose Arreola
 APPEARANCES FOR: Thomas Johnson, Jose Arreola
 APPEARANCES AGAINST:

CAL. NO. 288-93-Z
 MAP NO. 6-J
 MINUTES OF MEETING
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PREMISES AFFECTED— 2648 S. Sawyer Avenue

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

ACTION OF BOARD—

Variation granted.

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, Jose Arreola, owner, on September 10, 1993, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story two-dwelling unit building whose front yard will be 4.5 feet instead of 20 feet, on premises at 2648 S. Sawyer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 11, 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, §7.7-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 48' x 125' lot improved with the partially constructed 2-story 2-dwelling unit building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; and that the variation, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story two-dwelling unit building whose front yard will be 4.5 feet instead of 20 feet, on premises at 2648 S. Sawyer 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: Bosworth-Altgeld Park Corp.
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 289-93-Z
 MAP NO. 7-G
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 2500 N. Bosworth 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, Bosworth-Altgeld Park Corp., owner, on August 5, 1993, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 2-story 6-dwelling unit townhouse building, with no north side yard instead of 11.2 feet and with a rear yard of 3 feet instead of 30 feet, on premises at 2500 N. Bosworth Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 27, 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, §7.9-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 the subject site is a 49'x112' lot which was part of a larger improved lot; that the applicant proposes to erect a 2-story 6-dwelling unit townhouse building with enclosed garage parking at the subject site; that on August 4, 1993, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence specifically for the proposed townhouse building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 6-dwelling unit townhouse building, with no north side yard instead of 11.2 feet and with a rear yard of 3 feet instead of 30 feet, on premises at 2500 N. Bosworth Street,

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upon condition that the proposed 2-story 6-dwelling unit townhouse shall be erected in accordance with the amended plans submitted, indicating a rear yard of 3 feet instead of 30 feet; 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: Bosworth-Altgeld Park Corp.
 APPEARANCES FOR: Gary I. Wigoda
 APPEARANCES AGAINST:

CAL. NO. 290-93-Z
 MAP NO. 7-G
 MINUTES OF MEETING
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PREMISES AFFECTED— 2530 N. Bosworth 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, Bosworth-Altgeld Park Corp., owner, on August 5, 1993, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4th story addition to a 3-story brick former commercial building all of which will be used as 35-dwelling units, with no front yard, no north side yard and no rear yard instead of 15 feet, 20 feet and 30 feet respectively, on premises at 2530 N. Bosworth Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 27, 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 October 15, 1993, after due notice thereof by publication in the Chicago Sun-Times on September 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 the subject site is a 24,084 square foot lot improved with a 3-story brick commercial building; that the applicant proposes to erect a 4th story addition to the existing 3-story brick former commercial building which will be renovated into 35 dwelling units; that exterior on-site parking spaces will be provided; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the

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zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 4th story addition to a 3-story brick former commercial building all of which will be used as 35-dwelling units, with no front yard, no north side yard, and no rear yard instead of 15 feet, 20 feet and 30 feet respectively, on premises at 2530 N. Bosworth Street, upon condition that garbage receptacles awaiting pickup shall be kept in a trash room to be incorporated into the proposed 35-dwelling unit building; 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: Joshua Zuker
 APPEARANCES FOR: Richard L. Mandel
 APPEARANCES AGAINST:

CAL. NO. 291-93-A
 MAP NO. 7-H
 MINUTES OF MEETING
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PREMISES AFFECTED— 2450 N. Marshfield Avenue
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

THE VOTE

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

Joseph J. Spingola
 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, Joshua Zuker, for American National Bank, Tr. #117109-02, on August 13, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the conversion of a tavern into a dwelling unit for a total of 3 dwelling units in a 2½-story frame building, in an R3 General Residence District, on premises at 2450 N. Marshfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 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, §6.4, §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 October 15, 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 improved with a 2½-story frame residential building with a tavern on the ground floor and a detached garage in the rear of this corner lot; that the appellant seeks to permit the conversion of the non-conforming tavern into a conforming dwelling unit for a total of 3 dwelling units in the existing 2½-story building at the site; that the change of use from the non-conforming tavern use to a conforming dwelling unit is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the conversion of a tavern into a dwelling unit for a total of 3 dwelling units in a 2½-story frame building, on premises at 2450 N. Marshfield Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained; 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: Joshua Zuker
 APPEARANCES FOR: Richard L. Mandel
 APPEARANCES AGAINST:

CAL. NO. 292-93-Z
 MAP NO. 7-H
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 2450 N. Marshfield 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, Joshua Zuker, for American National Bank, Tr. #117109-02, owner, on August 13, 1993, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the vertical extension of the walls of an a 2½-story frame building creating a 3-story building to be renovated for use as 3-dwelling units, with no front yard instead of 20 feet, with no north side yard and whose south side yard will be 2.5 feet instead of side yards of 6.6 feet each, with no rear yard instead of 30 feet, and which expansion will result in a 15% (567 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2450 N. Marshfield Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 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. §7.7-3, §7.8-3(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 October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 that the subject site is a 25' x 95'+ lot improved with a 2½-story frame residential building and a one-car detached garage at the rear of this corner lot; that the applicant proposes to vertically extend the walls of a the 2½-story frame building creating a 3-story building which will be renovated for use as 3 dwelling units, which expansion will result in a 15% (567 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that on October 15, 1993, the Board sustained the applicant's appeal to permit the conversion of an existing tavern on the ground floor of the subject building into a dwelling unit for a total of 3-dwelling units, at the subject site, in Calendar No. 291-93-A; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the

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Cal. No. 292-93-Z

conditions allowed by the regulations in this district; that the plight of the owner is due to unique circumstances; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the vertical extension of the walls of a 2½-story frame building creating a 3-story building to be renovated for use as 3-dwelling units, with no front yard instead of 20 feet, with no north side yard and whose south side yard will be 2.5 feet instead of side yards of 6.6 feet each, with no rear yard instead of 30 feet, and which expansion will result in a 15% (567 sq. ft.) increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 2450 N. Marshfield 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: Robert K. Crane
 APPEARANCES FOR: Robert K. Crane
 APPEARANCES AGAINST:

CAL. NO. 293-93-Z
 MAP NO. 5-H
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 1930 N. Honore Street
 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, Robert K. Crane, for Robert K. Crane and Eileen C. McCracken, owners, on August 16, 1993, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 16' x 20' addition to the rear of a 2-story brick single-family dwelling on the front of a lot additionally improved with a 2-story frame residence at the rear, with no north side yard instead of 2.5 feet and which addition will result in a 15% (320 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1930 N. Honore Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §7.6-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 2-story brick residential building in the front of the lot and a 1½-story frame coach house building in the rear of the lot; that the applicant proposes to deconvert the front and rear buildings from 4 dwelling units to two single-family residences with some living space in the rear building to be removed to accommodate a 16' x 20' garage with the lost living space added on to the rear of the front 2-story single-family dwelling; that said addition will result in a 15% (320 sq. ft.) 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; that the plight of the owner is due to unique circumstances; and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

October 15, 1993

Cal. No. 293-93-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 1-story 16' x 20' addition to the rear of a 2-story brick single-family dwelling on the front of a lot additionally improved with a 2-story frame residence at the rear, with no north side yard instead of 2.5 feet and which addition will result in a 15% (320 sq. ft.) increase in the amount of floor area existing prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 1930 N. Honore 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: Howard Draft
 APPEARANCES FOR: Howard Zweig, Elvy Draft
 APPEARANCES AGAINST:

CAL. NO. 294-93-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 2217 N. Burling Street
 SUBJECT— Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD—

THE VOTE

Variations 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, Howard Draft, for Howard & Elvy Draft, owners, on August 27, 1992, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 1-story 6' x 36' addition to the north side of a 2-story single-family dwelling and a 6' x 23' north side breezeway connection to an existing garage, with no north side yard instead of 6.25 feet and which breezeway will project 5 feet into the required 30 feet rear yard, on premises at 2217 N. Burling Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §7.8-5, §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 October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R5 General Residence District; that the subject site is a 62.8' x 125' lot improved with a 2-story brick single-family dwelling with a 2-car garage at the rear of the lot; that the applicant proposes to erect a 1-story 6' x 36' addition to the north side of the existing residential building along with a 6' x 23' north side breezeway connected to the existing detached accessory garage building; that no evidence was presented to indicate that reasonable return on the property could not be obtained if permitted to be used only under the conditions allowed by the regulations in this district; that no evidence was presented to indicate a hardship exists due to unique circumstances; it is therefore

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

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

APPLICANT: Joseph and Nancy Essex
 APPEARANCES FOR: Richard Rubins
 APPEARANCES AGAINST:

CAL. NO. 295-93-S
 MAP NO. 5-H
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 2208-10 W. North 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, Joseph and Nancy Essex, for 2208 W. North Avenue Building Corp., owner, on September 3, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a portion of a dwelling unit on the ground floor of a proposed 2-story store and one dwelling unit building, in a B4-2 Restricted Service District, on premises at 2208-10 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §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 October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 48' x 130' unimproved lot; that the applicants propose to erect a 2-story store/office and one dwelling unit building at the site and are seeking approval for the establishment of a portion of the proposed dwelling unit on the ground floor of the proposed 2-story building; that the proposed use 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 operation of the proposed use; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a portion of a dwelling unit on the ground floor of a proposed 2-story store and one dwelling unit building, on premises at 2208-10 W. North Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: David A. Samber
 APPEARANCES FOR: David A. Samber
 APPEARANCES AGAINST:

CAL. NO. 296-93-S
 MAP NO. 8-G
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 3330-32 S. Morgan 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, David A. Samber, for LaSalle Bank, Tr. #108012, owner, on August 3, 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 a C1-2 Restricted Commercial District, on premises at 3330-32 S. Morgan Street, to satisfy the parking requirement for a proposed banquet hall/catering facility at 3324 S. Morgan Street; 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, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1993; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-2 Restricted Commercial District; that the subject site is a 6,206 sq. ft. lot improved with a gravel surfaced, fenced parking lot; that the applicant proposes to establish an off-site accessory parking lot for the parking of private passenger automobiles to satisfy the parking requirement for a proposed banquet hall/catering facility at 3324 S. Morgan Street; that the proposed off-site accessory parking lot 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 operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory

MINUTES OF MEETING

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Cal. No. 296-93-S

parking lot for the parking of private passenger automobiles, on premises at 3330-32 S. Morgan Street, to satisfy the parking requirement for a proposed banquet hall/catering facility at 3324 S. Morgan Street, upon condition that no use shall be made of the lot for the purpose requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that a five foot high solid wood fence shall be erected on the north, west and south property lines to screen the facility from adjacent residential properties; that striping shall be provided; that lighting shall be provided directed away from abutting residential properties; that ingress and egress shall be from S. Morgan Street; that the alley abutting the site to the west shall not be used for ingress nor for egress; that the driveway shall be constructed in accordance with applicable ordinances; that landscaping shall be provided consistent with the landscape plan submitted and in accordance with applicable provisions of the Chicago Landscape Ordinance; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order and Section 5.8-5 of the zoning ordinance.

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

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

CAL. NO. 297-93-S
 MAP NO. 3-G
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 877 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 Fortune Massuda, owner, on August 26, 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 six private passenger automobiles, in a B4-2 Restricted Service District, on premises at 877 N. Milwaukee Avenue, to satisfy the parking requirement for 4-dwelling units to be established above the ground floor in a 3-story brick store and office building at 837 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 5, 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, §8.4-1, §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 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 2,275 sq. ft. unimproved triangular-shaped lot; that the applicant proposes to establish an off-site accessory parking lot for the parking of private passenger automobiles at the site to satisfy the parking requirement for 4-dwelling units to be established above the ground floor in a 3-story brick store and office building at 837 N. Milwaukee Avenue; that the proposed use 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 operation of the proposed use to be improved and operated under the conditions hereinafter set forth; and that the proposed use 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 Zoning Administrator is authorized to permit the establishment of an off-site accessory

MINUTES OF MEETING

October 15, 1993

Cal. No. 297-93-S

parking lot for the parking of six private passenger automobiles, on premises at 877 N. Milwaukee Avenue, to satisfy the parking requirement for 4-dwelling units to be established above the ground floor in a 3-story brick store and office building at 837 N. Milwaukee Avenue upon condition that no use shall be made of the site for the use requested until the following conditions shall have been complied with: that the lot shall be used solely for the parking of private passenger automobiles and that no commercial vehicles shall be parked upon said lot at any time; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, 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, 2 feet high, shall be erected on the periphery of the lot, excepting the driveway; that striping shall be provided; that concrete wheel stops shall be provided; that lighting shall be provided; that ingress and egress shall be from N. Racine Avenue; that the driveway shall be constructed in accordance with applicable ordinances; 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 Section 5.8-5 of the zoning ordinance.

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

APPLICANT: New Century Picture Corp.
 APPEARANCES FOR: Ira Rubin, Eileen Cohen
 APPEARANCES AGAINST:

CAL. NO. 298-93-S
 MAP NO. 1-I
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 2756 W. Fulton 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
Joseph J. Spingola	X		
Anthony J. Fornelli	X		
LeRoy K. Martin, Jr.	X		
Gigi McCabe-Miele	X		
Thomas S. Moore	X		

THE RESOLUTION:

WHEREAS, New Century Picture Corp., for State Manufacturing & Engineering Corp., owner, on August 19, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of off-site accessory parking on a leased lot for the parking of 18 private passenger automobiles, in an M2-2 General Manufacturing District, on premises a 2756 W. Fulton Street, to satisfy the parking requirements for a proposed 2-story addition to a factory building located at 2737 W. Fulton Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §10.3-1(1), §10.4-1(2), §10.16, §10.61-10."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1993; and

WHEREAS, the district maps show that the premises is located in an M2-2 General Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an M2-2 General Manufacturing District; that the subject site is an 80.1' x 180' lot improved with a 2-story brick commercial building occupied by State Manufacturing & Engineering Corp., with accessory on-site parking spaces; that the applicant seeks to lease parking space for 18 private passenger automobiles at the subject site; that the applicant has entered into a 3-year lease with State Manufacturing and Engineering Corp., commencing July 21, 1993, with an option to renew for an additional two years; that the proposed use is necessary for the public convenience at this location to satisfy the parking requirements for a proposed 2-story addition to the applicant's factory building located at 2737 W. Fulton Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use; that the proposed use will be compatible with existing business improvements in the area and will

MINUTES OF MEETING

October 15, 1993

Cal. No. 298-93-S

not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, tht the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of off-site accessory parking on a leased lot for the parking of 18 private passenger automobiles, on premises at 2756 W. Fulton Street, to satisfy the parking requirements for a proposed 2-story addition to a factory building located a 2737 W. Fulton Street, upon condition that Section 5.8-5 of the zoning ordinance and 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: Arturo Mora, d/b/a Amora, Inc.

CAL. NO. 299-93-S

APPEARANCES FOR:

MAP NO. 7-I

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 2957 W. Diversey Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
December 17, 1993.

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		

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

APPLICANT: Manhattan Jewelers & Pawnners
 APPEARANCES FOR: Norman Berkson, Larry Freedman
 APPEARANCES AGAINST:

CAL. NO. 300-93-S
 MAP NO. 1-F
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 215 W. Washington Street
 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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Manhattan Jewelers & Pawnners, for Hotel LaSalle Garage Co., owner, on August 3, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in conjunction with a proposed jewelry store in a ground floor store in a 5-story brick building, in a C3-7 Commercial-Manufacturing District, on premises at 215 W. Washington Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 30, 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, §9.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1993; and

WHEREAS, the district maps show that the premises is located in a C3-7 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 C3-7 Commercial-Manufacturing District; that the subject site is improved with a 5-story brick commercial building containing retail uses and an indoor parking garage; that the applicant proposes to establish a pawn shop operation in conjunction with a proposed jewelry store in a ground floor store in the building on the subject site; that the proposed use is necessary for the public convenience at this location to provide a convenient service to the public in the west loop area of the city; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all city and state ordinances governing the establishment and operation of pawn shops; that the proposed use will be compatible with existing business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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

MINUTES OF MEETING
October 15, 1993
Cal. No. 300-93-S

Zoning Administrator is authorized to permit the establishment of a pawn shop in conjunction with a proposed jewelry store in a ground floor store in a 5-story brick building, in a C3-7 Commercial-Manufacturing District, on premises at 215 W. Washington Street, upon condition that no signs or logos advertising pawn shop activities available at the site shall be visible from outside of the subject building; and that all applicable city and state ordinances governing the establishment and operation of pawn shops and all other applicable city ordinances shall be complied with before a permit is issued.

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

APPLICANT: Chicago State Loan Co., David Lewis, President
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST: C.X. Carroll, Kristin Layeux

CAL. NO. 301-93-S
 MAP NO. 3-F
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 10 W. Chicago 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, Chicago State Loan Co., David Lewis, President, for Metropolitan Bank & Trust Co, Tr. #1882, owner, on September 3, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pawn shop in conjunction with a jewelry store in a 1-story brick building, in a B5-5 General Service District, on premises at 10 W. Chicago Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered September 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, §8.3-7."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993 after due notice thereof by publication in the Chicago Sun-Times on September 27, 1993; and

WHEREAS, the district maps show that the premises is located in a B5-5- General Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B5-5 General Service District; that the subject site is improved with a 1-story brick commercial building; that the applicant proposes to establish a pawn shop operation in conjunction with a proposed retail jewelry store at the subject site; that testimony presented indicates that retail jewelry sales is to be the predominant business activity at the site; that the proposed pawn shop use is necessary for the public convenience at this location to provide a service to residents in the community; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all applicable city and state ordinances governing the establishment and operation of pawn shops; that the proposed use will be compatible with the existing business improvements on W. Chicago Avenue and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

October 15, 1993

Cal. No. 301-93-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a pawn shop in conjunction with a jewelry store in a 1-story brick building, on premises at 10 W. Chicago Avenue, upon condition that no signs or logos advertising pawn shop activities available at the site shall be visible from outside of the subject building; and that all applicable city and state ordinances governing the establishment and operation of pawn shops and all other applicable City of Chicago ordinances shall be complied with before a permit is issued.

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

APPLICANT: Lindahl Brothers, Inc.

CAL. NO. 302-93-S

APPEARANCES FOR:

MAP NO. 8-I

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 3301 S. California Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Case continued to
January 21, 1994.

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		

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

APPLICANT: BBI Enterprises, Inc., d/b/a Top Shelf
APPEARANCES FOR:
APPEARANCES AGAINST:

CAL. NO. 303-93-S
MAP NO. 1-F
MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 660 N. Orleans Street
SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
November 12, 1993.

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		

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

APPLICANT: Safer Foundation

CAL. NO. 304-93-S

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING

October 15, 1993

PREMISES AFFECTED— 400 N. Leavitt Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Application withdrawn upon motion of applicant.

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		

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

APPLICANT: Juan Carlos Munoz
 APPEARANCES FOR: Juan Carlos Munoz
 APPEARANCES AGAINST:

CAL. NO. 305-93-A
 MAP NO. 3-K
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 4146 W. Division Street
 SUBJECT— Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD—

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
		X

THE RESOLUTION:

WHEREAS, Juan Carlos Munoz, for Earl Migdal, owner, on August 12, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit an outdoor used car sales lot, in a C1-1 Restricted Commercial District, on premises at 4146 W. Division Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §9.3-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993; and

WHEREAS, the district maps show that the premises is located in a C1-1 Restricted Commercial District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C1-1 Restricted Commercial District; that the subject site is a 12,500 sq. ft. lot improved with a 1-story brick commercial building; that the appellant proposes to establish an outdoor used car sales lot at the subject site; that the site's prior zoning from 1942 to 1957 permitted auto sales only within a building, as does the current subject site C1 zoning; that outdoor sales of autos can be permitted only in C2 zones; that no evidence was presented to indicate that an outdoor used car sales lot has existed at the site since 1942; that under Section 9.3-1 of the zoning ordinance the Board has no authority to permit the use requested; it is therefore

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

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

APPLICANT: Nathaniel Montgomery
 APPEARANCES FOR: Nathaniel Montgomery
 APPEARANCES AGAINST:

CAL. NO. 306-93-A
 MAP NO. 5-K
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED-- 1622 N. Keating Avenue
 SUBJECT-- Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

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

THE VOTE

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Nathaniel Montgomery, owner, on August 23, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a recording studio in the basement of a 1-story frame non-conforming dwelling, in an M1-2 Restricted Manufacturing District, on premises at 1622 N. Keating Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993; and

WHEREAS, the district maps show that the premises is located in an M1-2 Restricted Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an M1-2 Restricted Manufacturing District in the basement of a 1-story frame non-conforming dwelling; that the appellant produces demo tapes; that although recording studios are not listed as permitted uses in Manufacturing zones, production uses are permitted provided they can meet the performance standards; that the subject site is abutted by vacant lots on each side and located in an area containing manufacturing uses with accompanying heavy truck traffic; that the Board finds that the said use will not materially affect other improvements in the area; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a recording studio in the basement of a 1-story frame non-conforming dwelling, on premises at 1622 N. Keating 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: William Denk

CAL. NO. 307-93-A

APPEARANCES FOR: None

MAP NO. 5-F

APPEARANCES AGAINST:

MINUTES OF MEETING

October 15, 1993

PREMISES AFFECTED— 526 W. Belden Avenue

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: Eulon Cooper
 APPEARANCES FOR: Eulon Cooper
 APPEARANCES AGAINST:

CAL. NO. 308-93-A
 MAP NO. 5-I
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 1650 N. Francisco 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, Eulon Cooper, owner, on August 8, 1993, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1½-story with basement frame building as 3-dwelling units, in an R3 General Residence District, on premises at 1650 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered August 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, §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 October 15, 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 1-story with basement residential building on the front of the lot and a 1-story 2-car garage in the rear; that evidence presented indicates that the City of Chicago's Department of Water's 1949 annual book shows that the building at the subject site contained two apartments and an unfinished basement; that no evidence was presented to indicate that three dwelling units existed in the subject building prior to the adoption of the 1957 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: George Machev

CAL. NO. 309-93-A

APPEARANCES FOR:

MAP NO. 7-J

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 2408-10 N. Kedzie Boulevard

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

ACTION OF BOARD—

Appeal withdrawn upon
motion of appellant.

THE VOTE

Joseph J. Spingola
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		

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

APPLICANT: Mel Markon

CAL. NO. 223-93-A

APPEARANCES FOR:

MAP NO. 5-H

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 2001 W. Fullerton Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon
motion of appellant.

THE VOTE

Joseph J. Spingola
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		

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
October 15, 1993

PREMISES AFFECTED— 1946 N. Wolcott Avenue

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

ACTION OF BOARD—

Appeal withdrawn upon
motion of appellant.

THE VOTE

Joseph J. Spingola
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 Guszo

CAL. NO. 59-93-S

APPEARANCES FOR:

MAP NO. 7-K

APPEARANCES AGAINST:

MINUTES OF MEETING

October 15, 1993

PREMISES AFFECTED— 3111 N. Cicero Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 21, 1994.

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: Harvey Kaiser, Beneficiary

CAL. NO. 141-93-S

APPEARANCES FOR:

MAP NO. 10-K

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 4419 S. Cicero Avenue

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 21, 1994.

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: Missionary Baptist Church, by Madison Herring, Deacon
 APPEARANCES FOR: Steven Sandusky
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 9136 S. Cottage Grove Avenue
 SUBJECT— Application for the approval of a special use.
 ACTION OF BOARD—

CAL. NO. 216-93-S
 MAP NO. 22-D
 MINUTES OF MEETING
 July 16, 1993 and
 October 15, 1993

THE VOTE

Application approved.

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, Missionary Baptist Church, by Madison Herring, Deacon, for Missionary Baptist Church, owner, on July 1, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 65-seat church in a 1-story brick building, in a B4-2 Restricted Service District, on premises at 9136 S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 27, 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. §8.4-1(1), §8.11-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 16, 1993 and October 15, 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 is located in a B4-2 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick commercial building; that the applicant proposes to establish a 65-seat church in the subject building which also contains indoor parking space for 5 automobiles; that the proposed use 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 operation of the proposed use which will comply with all applicable building code regulations; that the proposed use 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 65-seat church in and 1-story brick building, on premises at 9136 S. Cottage Grove Avenue, upon condition that off-street parking for 5 automobiles shall be provided within the building; 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: Ashland Partners III

CAL. NO. 237-93-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 120 S. Ashland Boulevard

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 21, 1994.

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 III

CAL. NO. 238-93-Z

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 120 S. Ashland Boulevard

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

ACTION OF BOARD—

Case continued to
January 21, 1994.

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 III

CAL. NO. 239-93-S

APPEARANCES FOR:

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING
October 15, 1993

PREMISES AFFECTED— 1624 W. Adams Street

SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 21, 1994.

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 III

CAL. NO. 240-93-S

APPEARANCES FOR:

MAP NO. 2-G

APPEARANCES AGAINST:

MINUTES OF MEETING

October 15, 1993

PREMISES AFFECTED—

33 S. Ashland Boulevard

SUBJECT—

Application for the approval of a special use.

ACTION OF BOARD—

Case continued to
January 21, 1994.

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: Brendan Carroll
 APPEARANCES FOR: John J. Pikarski, Jr., Brendan Carroll
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 1434 W. Irving Park Road
 SUBJECT— Application for the approval of a special use.

CAL. NO. 242-93-S
 MAP NO. 11-G
 MINUTES OF MEETING
 October 15, 1993

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, Brendan Carroll, for Paul Fasold, owner, on July 17, 1993, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit below the 2nd floor of a proposed 3-story and basement 3-dwelling unit building, in a B2-2 Restricted Retail District, on premises at 1434 W. Irving Park Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 7, 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, §8.3-2, §8.4-2(3), §8.11."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 15, 1993, after due notice thereof by publication in the Chicago Sun Times on July 26, 1993; and

WHEREAS, the district maps show that the premises is located in a B2-2 Restricted Retail District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the subject site is a 25' x 125' unimproved lot with the exception of a frame garage at the rear; that the applicant proposes to erect a 3-story and basement 3-dwelling unit building at the subject site and is seeking to establish a dwelling unit below the 2nd floor in this B2-2 Restricted Retail District; that the proposed use 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 operation of the proposed use which will comply with all applicable building code regulations; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a dwelling unit below the 2nd floor of a proposed 3-story and basement 3-dwelling unit building, on premises at 1434 W. Irving Park Road, 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: Fishy Things, Inc.
 APPEARANCES FOR: Bernard I. Citron
 APPEARANCES AGAINST: Lawrence E. Kennon, et al.

CAL. NO. 256-93-S
 MAP NO. 22-G
 MINUTES OF MEETING
 October 15, 1993

PREMISES AFFECTED— 9458 S. Halsted Street
 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, Fishy Things, Inc. for Shell Oil Co., Inc., owner, on June 8, 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 Rally's Hamburgers restaurant, in a B4-1 Restricted Service District, on premises at 9458 S. Halsted Street; 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 October 15, 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 applicant is the owner/operator of Doc's restaurants in Chicago, Cleveland and Milwaukee and is the south side franchisee for Rally's Hamburgers, a nationwide corporation; that the Rally's Hamburgers concept focuses on a limited menu, double drive-through facilities, no dining facilities, and a limited parking area; that the applicant proposes to erect a 769 sq. ft. Rally's restaurant at the 14,958 sq. ft. subject site investing approximately \$750,000 in the project; that the site will contain 9 parking spaces which includes a handicapped space, will provide 3 driveways - one off of S. Halsted Street and two off of W. 95th Street, and will be landscaped as provided in the Department of Planning and Development's approval recommendation; that 40-50 construction-related jobs will be created during the 12-14 week construction period and approximately 10 staff employees will be hired after completion; that almost all of the craftsmen and employees will come from the neighborhood; that the subject site has been vacant for at least 4 years and will be environmentally remediated prior to construction of the proposed restaurant; that the restaurant will employ qualified

MINUTES OF MEETING

October 15, 1993

Cal. No. 256-93-S

security personnel during all hours of operation; that no loitering will be tolerated; that the proposed facility will be open from 9:30 A.M. until 12:00 P.M. Sunday through Thursday and until 2:00 A.M. Friday and Saturday; that S. Halsted Street and W. 95th Street have inaccessible median strips which prevent any left turns to or from the subject site; that both S. Halsted Street and W. 95th Street are four-lane major arterial streets; that the double drive-through lanes of the proposed facility will each have the capacity for queuing of up to 12 vehicles; that a solid 6 feet high decorative wooden fence will be erected along the north and west lot lines of the subject site to screen the facility from the adjacent residential areas; that S. Halsted Street north of the subject site is improved with residential uses; that the four corners of 95th and Halsted which include the subject site are improved with business uses including a small shopping center; that a MacDonald's restaurant with a very large parking lot and a drive-through facility exists at 96th and Halsted; that the applicant presented a petition signed by 335 persons from the community stating that they believe the proposed development will bring much needed jobs and economic development to the area; that conversely, objectors presented a petition signed by a similar amount of community residents stating that they believe the establishment of the proposed Rally's double drive-through restaurant at the subject site would cause late night noise and traffic, unsafe traffic conditions, trash and rodents, rival gang violence and drug activity, drive-by shootings and car-jacking and loitering which they believe would substantially injure the value of their property; that community residents also testified that they believe the proposed use would have a negative impact upon the community mostly for the reasons alluded to in the objectors' petition; and

WHEREAS, that the Board finds that the proposed Rally's Hamburgers double drive-through restaurant at the subject site is reasonably necessary for the public convenience at the subject site in that it would provide a competitive service prevalent in today's fast food operations, would provide needed jobs and economic development to the area, would improve a site that has been vacant for years, and would generate taxes to the city; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected in that qualified security personnel will be provided during all hours of operation, that no loitering will be tolerated, that the facility will be screened from the adjoining residential areas to the north and west by a 6 feet high decorative wooden fence, that the median strips on Halsted Street and 95th Street will prevent any left turns to or from the subject site thereby insuring fluent traffic flow to and from the drive-through facilities which have 24 vehicle queuing capacity, and that Halsted Street and W. 95th Street are major four-lane arterial streets capable of handling a large volume of traffic and that the proposed use can be safely operated at the subject site as concluded in the applicant's traffic report; and that the proposed use will have a positive impact on property values in the area in that \$750,000 will be spent improving a site that has been vacant more than four years, and that the proposed use will be compatible with the existing business and residential 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 drive-through facilities in conjunction with a proposed Rally's Hamburgers restaurant, on premises at 9458 S. Halsted Street, upon condition that the hours of operation shall be limited to between 9:30 A.M. until midnight Sunday through Thursday and until 2:00 A.M. Friday and Saturday; that no loitering shall be permitted at the site; that no music shall emanate from the facility; that qualified security personnel shall be provided at all hours of operation; that a 6 feet

MINUTES OF MEETING

October 15, 1993

Cal. No. 256-93-S

high decorative wooden fence shall be erected along the north and west lot lines to screen the facility from the adjoining residential areas; that ingress and egress shall be from driveways established at the northeast and southeast corners of the lot and egress only from the southwest corner; that lighted directional signs shall be provided; that the driveways shall not exceed 24 feet in width; that the driveway at the southeast corner shall be at least 10 feet distant from Halsted Street; that the parking spaces shall be striped; that the facility shall be well-lighted with such lighting directed away from the adjoining residential areas in such a way as not to create a nuisance; that the site shall be landscaped as provided in the Department of Planning and Development's approval recommendation; that a dumpster enclosure shall be provided at the northwest corner of the site; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

October 15, 1993

Cal. No. 51-93-Z

David J. Dubin, for David J. Dubin and Wolverine Investment Company, owner, presented a written request for an extension of time in which to obtain necessary building permits for the erection of a U-shaped 3-story 12-dwelling unit building, with no front yard instead of 15 feet, whose south side yard will be 6 feet instead of 10 feet and whose rear yard will be 20 feet instead of 30 feet, on premises at 551 N. Artesian Avenue, which variations were granted by the Board on March 19, 1993 in Calendar No. 51-93-Z.

Mr. Dubin stated that due to market and economic conditions, he was unable to market the property, but is now ready to proceed with the project.

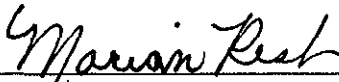
Chairman Spingola moved that the request be granted and the time in which to obtain necessary building permits be extended to March 19, 1994. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING
October 15, 1993

Member McCabe-Miele moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in special meeting on November 12, 1993.



Secretary