

**MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS**

held in Room 569 County Building on July 19, 1996
at 9:00 A.M. and 2:00 P.M.

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

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

MINUTES OF MEETING

July 19, 1996

Member McCabe-Miele moved that the Board approve the minutes of the proceedings of the regular meeting held on June 21, 1996 (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Singola, Konstantelos, Martin, McCabe-Miele, Moore. Nays- None.

* * * * *

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

MINUTES OF MEETING

July 19, 1996

Cal. No. 33-96-Z

Patrick M. Coyne, applicant, presented a written request for an extension of time in which to obtain necessary financing and building permits for the erection of a 4-story 2-dwelling unit building with no north side yard instead of 2.5 feet, on premises at 951 N. Racine Avenue, granted by the Board on February 16, 1996, in Cal. No. 33-96-Z.

Mr. Coyne stated that the project does not at this time have sufficient financing to start construction and is requesting an extension of time in which to secure adequate financing and obtain a building permit.

Chairman Spingola moved that the request be granted and the time extended to February 16, 1997 in which to obtain necessary financing and obtain a building permit. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

July 19, 1996

Cal. No. 117-94-Z

Terry L. Diamond, for Chicago Board of Education, applicant, presented a written request for an extension of time in which to obtain necessary permits for the erection of a 2-story 49,500 sq.ft. annex addition to the west side of an existing elementary school (Rosenwald Elementary School) with no through lot rear yard instead of 60 feet, on premises at 8000-24 S, Maplewood Avenue/2535-2625 W. 80th Street, approved by the Board on May 20, 1994 in Calendar No. 117-94-S.

Ms. Diamond stated that the State of Illinois Capital Development Board ("CDB") is providing the funds for the new school annex. The CDB authorized the construction of the new annex and issued a notice to proceed to the architects for this project more than six months after the Zoning Board of Appeals issued its written resolution granting the zoning variation requested. The architects for the project could not apply for a building permit for this project until it received a notice to proceed from the CDB.

Chairman Spingola moved that the request for an extension of time be granted and that the time for obtaining necessary permits for the erection of the proposed 2-story school annex be extended to November 20, 1996. The motion prevailed by yeas and nays as follows:

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

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

APPLICANT: James C. Prucha

CAL. NO. 158-96-A

APPEARANCES FOR: James C. Prucha

MAP NO. 10-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

April 26, 1996 and

July 19, 1996

PREMISES AFFECTED- 4422-24 S. Sawyer 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, James C. Prucha, for Roy C. Glenn, owner, on March 1, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 2-story brick building as 4 dwelling units, in a C2-2 General Commercial District, on premises at 4422-24 W. Sawyer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 1, 1996, 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, 6.4-5, 9.3-2 A(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

WHEREAS, the district maps show that the premises is located in a C2-2 General 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 said use is located in a C2-2 General Commercial District; that the subject site is improved with a 2-story brick apartment building; that City of Chicago records indicate that 3 dwelling units existing in the building in 1953 but that the architect testified that the architectural details in the subject building indicate the existence of 4 dwelling units in the building prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as 4 dwelling units provided the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 2-story brick building as 4 dwelling units, on premises at 4422-24 S. Sawyer Street, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the city of Chicago shall be complied with before a permit is issued.

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

APPLICANT: 1867 N. Bissell Condominium Association

CAL. NO. 186-96-Z

APPEARANCES FOR: Barry Ash

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 1867 N. Bissell Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

APPLICANT: Kevin Wheeler

CAL. NO. 187-96-Z

APPEARANCES FOR: Barry Ash

MAP NO. 5-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 1996

PREMISES AFFECTED- 1871 N. Bissell Street

SUBJECT- Applicaton to vary the requirements of the zoning ordiannce.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: All Clean Hand Car Wash

CAL. NO. 188-96-S

APPEARANCES FOR: Gary I. Wigoda, Leonard Biancofiore

MAP NO. 2-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 907 S. Western Avenue

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, All Clean Hand Car Wash, for Vito Buffa, owner, on March 28, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a hand car wash facility in a 1-story brick garage building, in a C2-2 General Commercial District, on premises at 907 S. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 13, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 9.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on April 29, 1996; and

WHEREAS, the district maps show that the premises is located in a C2-2 General 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 C2-2 General Commercial District; that the subject site is a 50' x 110' lot improved with a 1-story brick garage building with a driveway on S. Western Avenue; that the applicant proposes to establish a hand car wash and detailing facility in the existing 1-story brick garage building at the subject site; that the proposed use is necessary for the public convenience at this location to provide a necessary service to the public; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will not use the alley abutting the subject site to the east for ingress nor for egress; that the proposed hand car wash facility will not service more than 6 automobiles at any one time and has a stacking area on-site for up to 6 automobiles; that the proposed use will be compatible with the existing commercial 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 a hand car wash facility in a 1-story brick garage building, on premises at 907 S. Western 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: Job Hamilton

CAL. NO. 193-96-A

APPEARANCES FOR: Job Hamilton

MAP NO. 20-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 7901 S. Damen 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Job Hamilton, for Hiffman, Shaffer Associates, owner, on March 21, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a tire sales and repair facility in a brick former gas station building, in a B2-1 Restricted Retail District, on premises at 7901 S. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 21, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-1 Restricted Retail District; that the subject site is improved with a 1-story brick former gas station building; that the appellant proposes to establish a tire sales and repair business in the former gas station building; that the change of use from a gas station, a B4 use, to a tire sales and repair business, a B4 use, is a proper substitution of use under Section 6.4-7 of the zoning ordinance; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a tire sales and repair business in a brick former gas station building, on premises at 7901 S. Damen Avenue, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 7 P.M. daily; that all tires that have been repaired or are awaiting repair shall be stored within the building on the premises; 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: Valerie J. Trentz

CAL. NO. 195-96-A

APPEARANCES FOR: Eileen Trentz

MAP NO. 10-F

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 437 W. 41st Street

May 17, 1996 and
July 19, 1996

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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
X		

THE RESOLUTION:

WHEREAS, Valerie J. Trentz, for Eileen Trentz, owner, on April 2, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the erection of a 1-story 11' x 19' addition to the rear of a 1-story frame non-conforming single-family dwelling, in an M2-3 General Manufacturing District, on premises at 437 W. 41st Street; and

WHEREAS, the decision of the Officer of the Zoning Administrator rendered March 18, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-2."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

WHEREAS, the district maps show that the premises is located in an M2-3 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 said use is located in an M2-3 General Manufacturing District; that the subject site is a 25' x 125' lot improved with a story frame non-conforming single-family residence with a 1-story 11' x 9' addition to the rear of the building; that the appellant is purchasing the subject property from her sister-in-law, Eileen Trentz, whose late husband added on the said addition without obtaining the necessary permit; that the said addition is for the purpose of providing additional living space; that although the district in which the subject site is located is zoned Manufacturing, the immediate area is predominantly residential in character; that although the subject site's manufacturing zoning renders the residential building non-conforming, such residential buildings are exempted from the amortization provisions of Article 6 of the zoning ordinance; that the subject building and said addition thereto is well below the permitted floor area ratio for the site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that 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 erection of a 1-story 11' x 19' addition to the rear of a 1-story

MINUTES OF MEETING

July 19, 1996

Cal. No. 195-96-A

frame non-conforming single-family dwelling, on premises at 437 W. 41st Street, upon condition that the said 1-story addition shall comply with all applicable building code regulations will plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Silverio Mendoza

CAL. NO. 199-96-A

APPEARANCES FOR: None

MAP NO. 4-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 1824 S. Carpenter Street

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Janice J. Roberts

CAL. NO. 239-96-Z

APPEARANCES FOR: Janice J. Roberts

MAP NO. 15-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 1996

PREMISES AFFECTED- 6244 N. Oakley Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	AUSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Janice J. Roberts, owner, on May 9, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the establishment of a 4th dwelling unit in the basement of a 3-story brick 3-dwelling unit building, with provision for 3 off-street parking spaces instead of 4 required, on premises at 6244 N. Oakley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 9, 1996, reads:

"Application not approved. Requested certification does not conform with the applicable provision of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.12-2(9)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 33' x 125.70' lot improved with a 3-story brick 3 dwelling unit building in the front of the lot and a brick garage containing 3 parking spaces in the rear of the lot; that the applicant testified that 3-story brick building contained 4 dwelling units at the time she purchased the building in December, 1985; that no evidence was presented by the applicant to indicate that any hardship or unique circumstance exists; that 8 feet width is required for an accessory parking space; that the subject 33 feet wide lot has sufficient space for a 4th accessory parking space; 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: Glen Swift **CAL. NO.** 240-96-Z
APPEARANCES FOR: Monte Viner, Glen Swift **MAP NO.** 11-1
APPEARANCES AGAINST: **MINUTES OF MEETING:**
July 19, 1996
PREMISES AFFECTED- 4012 N. Francisco Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Glen Swift, for Louise Swift, owner, on May 20, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 2-story 19.5' x 20' x 18.5' detached accessory garage in the required rear yard on a lot improved with a 1 1/2 story frame residence at the front, which accessory garage exceeds the maximum 15' height limitation and of which the 2nd floor will result in a 300 sq. ft. increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 4012 N. Francisco Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.6-3, 7.8-3, 7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is a 25' x 125' lot improved with a 2-story frame residential building in the front of the lot with an enclosed rear porch and a detached 2-story frame 2-car garage in the rear of the lot which garage was erected without the necessary permit; that on April 26, 1996, the Board denied the applicant's appeal to permit the erection of a 19.5' x 20' x 18.5' detached accessory garage in the rear yard which exceeds the maximum 15' height limitation, at the subject site, in Cal. No. 263-96-A, finding that the Board had authority to grant the request but only as an authorized variation for a vertical encroachment into the rear yard; that subsequently the applicant on May 20, 1996, filed an application for a variation of the zoning ordinance to permit the erection of the aforesaid detached accessory garage which exceeds the maximum 15' height limitation and of which the 2nd floor results in a 300 sq. ft. increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the property in question is cannot yield a

MINUTES OF MEETING

July 19, 1996

Cal. No. 240-96-Z

reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the excess height and increased floor area of the said garage is necessary for storage purposes; that the plight of the owner is due to unique circumstances in that the applicant thought that a building permit was not necessary for a garage and that to now demolish the existing garage would impose a financial hardship; that the said accessory garage will 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

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 19.5' x 20' x 18.5' detached accessory garage in the required rear yard on a lot improved with a 1 ½ story frame residence at the front, which accessory garage exceeds the maximum 15' height limitation and of which the 2nd floor will result in a 300 sq.ft. increase in the amount of floor area existing prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance, on premises at 4012 N. Francisco Avenue, upon condition that the existing doors on the west alley side of the building shall be for ventilation and egress only, if necessary, and that the 2nd floor of the existing garage shall at no time be used as a dwelling unit; 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: Theresa Mategrano

CAL. NO. 241-96-Z

APPEARANCES FOR:

MAP NO. 2-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 1996

PREMISES AFFECTED- 1036 W. Polk Street

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

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

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: David Wish **CAL. NO.** 242-96-Z

APPEARANCES FOR: John J. Pikarski, Jr., David Wish **MAP NO.** 5-J

APPEARANCES AGAINST: **MINUTES OF MEETING:**

PREMISES AFFECTED- 3201-17 W. Bloomingdale Avenue July 19, 1996

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

ACTION OF BOARD-- **THE VOTE**

VARIATIONS DENIED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, David Wish, owner, as amended, on April 10, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 12-dwelling unit townhouse building, whose east front yard will be 2.33', whose south side yard will be 3', and with no west rear yard instead of 15', 4.5', and 30', respectively, on premises at 3201-17 W. Bloomingdale Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 on July 10, 1996, the City Council rezoned the subject site from R4 General Residence to R5 General Residence specifically for the proposed residential building; that the subject site is a 46.5' x 177' unimproved lot on the southwest corner of W. Bloomingdale Avenue and N. Kedzie Avenue; that elevated railroad tracks are located north of the subject site across W. Bloomingdale Avenue; that the applicant proposes to erect a 3-story 12-dwelling unit townhouse building with on-site parking at the subject site; that no evidence was presented to indicate that the property in question cannot yield a reasonable use without the requested variations; that the Board finds in this case that the proposed 3-story 12-dwelling unit townhouse building is an overbuilding of the subject site and that the plight of the owner is self-created; and that the proposed 3-story 12-dwelling unit townhouse building will alter the essential character of this block of W. Bloomingdale Avenue and N. Kedzie Avenue; 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: Union Park Congregation of Jehovah's Witnesses **CAL. NO.** 243-96-Z
APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 3-J
APPEARANCES AGAINST: Lorena Holmes **MINUTES OF MEETING:**
 July 19, 1996
PREMISES AFFECTED- 3412 W. Augusta Boulevard
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Union Park Congregation of Jehovah's Witnesses, owner, on May 30, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 1-story 139.75' x 74' church building, with no front yard, no west side yard, and no rear yard instead of 16', 12', and 30', respectively, on premises at 3412 W. Augusta Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 25, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-3, 7.8-3(4), 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 266.25' x 100' unimproved lot; that the applicant proposes to erect a 1-story 139.75' x 74' church building at the subject site which will contain two auditoriums seating 190 persons each for a total of 380 persons; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to allow required off-street parking spaces to be located at the east portion of the subject site; that the plight of the owner is due to the lot having only 100 feet of depth which is shorter than the normal city lot; that the proposed church will be compatible with existing residential improvements in the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted

MINUTES OF MEETING

July 19, 1996

Cal. No. 243-96-Z

to permit the erection of a 1-story 139.75' x 74' church building, with no front yard, no west side yard, and no rear yard instead of 16', 12', and 30', respectively, on premises at 3412 W. Augusta Boulevard, 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: Jerry Gingerich

CAL. NO. 244-96-Z

APPEARANCES FOR: Gary I. Wigoda

MAP NO. 7-G

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 2500 N. Seminary Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Jerry Gingerich, owner, on May 29, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 4-story with penthouse 16-dwelling unit building, whose south front yard will be 12' instead of 15', with no west side yard instead of 11.4' and with no provision for 1 required loading berth, on premises at 2500 N. Seminary Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 29, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.8-5, 7.11-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996, 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 on January 10, 1996, the City Council rezoned the subject site from R4 General Residence to R5 General Residence specifically for the proposed residential development; that the subject site is a 113.2' x 124.83' unimproved lot; that the applicant proposes to erect a 4-story with penthouse 16-dwelling unit building with enclosed garage parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the design of the proposed 4-story with penthouse building necessitates the front yard variation to provide adequate space for on-site garage parking for each dwelling unit at the rear of the building; that the building will be developed as condominium dwelling units creating a minimum of in an out movement and thereby negates the need for a loading berth; that the plight of the owner is due to the articulations in the facade of the building as designed which necessitates the requested variations; that the proposed 4-story with penthouse 16 dwelling unit building will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 244-96-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 4-story with penthouse 16-dwelling unit building, whose south front yard will be 12' instead of 15', with no west side yard instead of 11.4' and with no provision for 1 required loading berth, on premises at 2500 N. Seminary Avenue, upon condition that the Agreement entered into between the applicant Jerry Gingerich and the Wrightwood Neighbors Conservation Association shall hereby be made part of the record in this case; 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: Michael Sweiss **CAL. NO.** 245-96-Z
APPEARANCES FOR: Richard J. Troy, Michael Sweiss **MAP NO.** 5-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
July 19, 1996
PREMISES AFFECTED- 2215-25 N. Janssen Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Michael Sweiss, owner, on May 17, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 2-story 2-dwelling unit townhouse building on a triangular lot, whose front yard will be 5.6' instead of 9.5', whose north side yard will be 5' instead of 11.2', and with no rear yard instead of 30', on premises at 2215-25 N. Janssen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 26, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections. 7.7-4, 7.8-4.7-9-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 on October 2, 1995, the City Council rezoned the subject site from R3 General Residence to R4 General Residence; that the subject site is an unimproved 3,153, sq.ft. triangular-shaped lot; that the applicant proposes to erect a 2-story 2-dwelling unit townhouse building with on-site parking spaces; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the yard variations requested are necessary to erect the proposed 2-story 2-dwelling unit building as designed at the subject site; that the plight of the owner is due to the triangular shape of the subject site lot which necessitates the variations requested; that the proposed 2-story 2-dwelling unit townhouse building will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 245-96-Z

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that a variation be and it hereby is granted to permit the erection of a 2-story 2-dwelling unit townhouse building on a triangular lot, whose front yard will be 5.6' instead of 9.5', whose north side yard will be 5' instead of 11.2' and with no rear yard instead of 30', on premises at 2215-25 N. Janssen Avenue. upon condition that adequate space shall be provided on site for garbage containers; 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

Belgravia Group, Ltd.

CAL. NO. 246-96-Z

FOR: Robert Buono

MAP NO. 5-F

AGAINST:

MINUTES OF MEETING:

AFFECTED- 2230-36 N. Lincoln Avenue

July 19, 1996

Application to vary the requirements of the zoning ordinance.

hereby make a
 eby is granted
 id 19 dwelling
 g, on premises
 iners and that
 Chicago shall

BOARD--

THE VOTE

GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

ION:

AS Belgravia Group, Ltd., for Chicago Grant Hospital, Inc., owner, on May 24, 1996, filed an application to zoning ordinance to permit, in a B3-4 General Retail District, the erection of a 5-story building space and accessory parking on the ground floor and 19 dwelling units above, with no residential rear yard set required for the dwelling unit portion of the building, on premises at 2230-36 N. Lincoln Avenue; and

AS, the decision of the Office of the Zoning Administrator rendered May 16, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.7-3."

AS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held 6 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

AS, the district maps show that the premises is located in a B3-4 General Retail District; and

AS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being the premises hereby makes the following findings of fact: that the proposed use is to be located in a B3-4 District; that rezoning of the site to B4-2 Restricted Service is pending before the City Council; that the 10,375 sq.ft. irregularly-shaped lot currently occupied by a parking lot; that the applicant proposes to erect ng containing retail space and accessory parking on the ground floor and 19 dwelling units above; that the stion cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the ved by the regulations in this district in that the rear yard variation is necessary to maintain the height sted by the neighborhood community and to provide adequate living space in the dwelling units in order to urn on investment; that the plight of the owner is due to unique circumstances in that if the residential rear as adhered to the resulting depth of the property would make it economically unfeasible to construct the ng; that the variation, if granted, will not alter the essential character of the locality in that the proposed 5-19 dwelling unit building will be compatible with existing improvements in this neighborhood; it is therefore

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

APPLICANT: Smithfield, L.L.C. **CAL. NO.** 247-96-Z
APPEARANCES FOR: Robert Buono, William Smith **MAP NO.** 3-f
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 July 19, 1996
PREMISES AFFECTED- 427-53 W. Blackhawk Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Smithfield, L.L.C., owner, on June 11, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3-story 56-dwelling unit townhouse building, whose north front yard will be 7.5' instead of 15, with no east side yard and whose west side yard will be 3' instead of 20' each, with no south rear yard instead of 30' and with no midway open strip instead of 60' required for a through lot, on premises at 427-53 W. Blackhawk Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 12, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.8-4, 7.9-4(a) (b)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 subject site is a 69,051 sq.ft. through lot improved with an abandoned brick church and school building; that the applicant proposes to erect a 3-story 56-dwelling unit townhouse building with on-site outdoor parking spaces; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the the yard variations requested are necessary to erect the 5-story building as designed including open courtyard space and private auto courts; that the plight of the owner is due to unique circumstances in that the proposed 3-story 56-dwelling unit building including open courtyard space and automobile parking spaces requires greater horizontal land coverage and encroachment into required yards than would a yard conforming multi-story rental apartment building; that the proposed 3-story 56-dwelling unit townhouse building will be compatible with existing residential improvements in the area, many of which do not comply with the yard requirements of the zoning ordinance and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 247-96-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 3-story 56-dwelling unit townhouse building, whose north front yard will be 7.5' instead of 15', with no east side yard and whose west side yard will be 3' instead of 20' each, with no south rear yard instead of 30' and with no midway open strip of 60' required for a through lot, on premises at 427-53 W. Blackhawk Street, upon condition that a private garbage collection service shall be provided; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jeffrey B. Gelman **CAL. NO.** 248-96-Z

APPEARANCES FOR: John Malarky, Jeffrey B. Gelman **MAP NO.** 7-H

APPEARANCES AGAINST: **MINUTES OF MEETING:**
July 19, 1996

PREMISES AFFECTED- 2429 N. Clybourn Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Jeffrey B. Gelman, for First Bank and Trust Co. of Illinois, Tr. #10-1933, owner, on May 9, 1996, filed an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a 3 and 4-story 14-dwelling unit townhouse building with an inner courtyard, with no front yard, whose side yards will be 2.5 feet each, and with no rear yard instead of 15 feet, 7.5 feet each, and 30 feet, respectively, and with no provision for 1 loading berth, on premises at 2429 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 9, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-5, 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 75' x 150' lot improved with 2 vacant and boarded-up buildings; that on October 20, 1995, the Board granted variations, with certain conditions, to the applicant for the erection of a 1-story 14-dwelling unit condominium building, at the subject site, with no front yard and no side yards instead of 15 feet and 7.5 feet, respectively, at the subject site, in Cal. No. 200-95-Z; that the aforesaid residential project did not go forward due to community concerns regarding on-site parking and that the applicant now seeks to erect a 3 and 4-story 14-dwelling unit townhouse building with an inner court yard and interior ground-level garage parking at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to provide additional living space in the dwelling units because of the addition of garage parking on the site; that the plight of the owner is due to the necessity of providing adequate living space in the proposed dwelling units while providing an inner court yard and interior garage parking; that the building will be developed as condominium dwelling units creating a minimum of in and out movement

MINUTES OF MEETING

July 19, 1996

Cal. No. 248-96-Z

which negates the need for a loading berth; that the proposed residential development will be compatible with the mixed residential and business improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon 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 and 4-story 14-dwelling unit townhouse building with an inner courtyard, with no front yard, whose side yards will be 2.5 feet each, and with no rear yard instead of 15 feet, 7.5 feet each, and 30 feet, respectively, and with no provision for 1 loading berth, on premises at 2429 N. Clybourn Avenue, upon condition that there shall be only one drive-way entrance on N. Clybourn Avenue; that a security gate shall be provided at said entrance which shall open inward only; that automobiles shall exit the site via the public alley; 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: Raw Bar and Grill

APPEARANCES FOR: Paul Rosenfeld, Mehrdad Motamen

APPEARANCES AGAINST: Gary Bonikoweski, et al.

PREMISES AFFECTED- 3720 N. Clark Street

SUBJECT- Application for the approval of a special use.

CAL. NO. 249-96-S

MAP NO. 9-G

MINUTES OF MEETING:
July 19, 1996

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Raw Bar and Grill for Mehrdad T. Motamen, owner, on May 22, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of live entertainment and dancing in an existing tavern, in a B4-2 Restricted Service District; on premises at 3720 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 1, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.4-4;

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 3-story brick building occupied by an existing licensed bar and grill on the ground floor and dwelling units above; that the applicant is seeking a music and dance license for the subject site; that the proposed use is necessary for the public convenience at this location to provide live piano music to patrons in the dining room area; that the public health, safety and welfare will be adequately protected in the location and operation of the proposed use in that the live entertainment will be limited to piano music only and will be restricted to the dining room area; 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 live entertainment and dancing in an existing tavern/restaurant, on premises at 3720 N. Clark Street, upon condition that the live entertainment shall be limited to piano music only in the dining room area of the premises; and that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Nancy Jones

CAL. NO. 250-96-S

APPEARANCES FOR: Nancy Jones

MAP NO. 9-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 3619 N. Damen Avenue

July 19, 1996

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Nancy Jones, owner, on May 23, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a dwelling unit in lieu of a store on the ground floor of a 2-story frame store and one dwelling unit building, in a B1-2 Local Retail District, on premises at 3619 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 17, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 8.3-1, 8.5-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

WHEREAS, the district maps show that the premises is located in a B1-2 Local 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 B1-2 Local Retail District; that the subject site is a 25' x 125' lot improved with a 2-story frame store and 1 dwelling unit building; that the applicant proposes to establish a dwelling unit in lieu of a store on the ground floor of the subject building; that the proposed use is necessary for the public convenience at this location in that there is no demand for business uses in the neighborhood; that the public health, safety and welfare will be adequately protected in the location, design and operation of the proposed use which will conform to all applicable building code regulations and that there is adequate off-street parking on site; that the proposed use will be compatible with the predominantly residential character of the neighborhood and will not cause substantial injury to the value of other property in the area; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a dwelling unit in lieu of a store on the ground floor of a 2-story frame store and 1-dwelling unit building, on premises at 3619 N. Damen Avenue, upon condition that the building is brought into compliance with applicable building code regulations with plans and permits indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: The Spirit of Truth M.B. Church **CAL. NO.** 251-96-Z
APPEARANCES FOR: Barry Ash **MAP NO.** 2-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 3443 W. Harrison Street July 19, 1996
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

	AFFIRMATIVE	NEGATIVE	ADSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
LEROY K. MARTIN, JR.	X		
GIGI McCABE-MIELE	X		
THOMAS S. MOORE	X		

THE RESOLUTION:

WHEREAS, The Spirit of Truth M.B. Church, owner, on May 14, 1996, filed, and subsequently amended, an application for a variation to permit, in an R4 General Residence District, the erection of a 60' x 104' 1-story 228-seat church building with a basement and a mezzanine level, with no front yard instead of 15' and whose rear yard will be 20' instead of 30', on premises at 3443 W. Harrison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 3, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 on December 13, 1995 the City Council rezoned the subject site from M1-3 Restricted Manufacturing to R4 General Residence; ; that the subject site is a 75' x 125' lot improved with a 1-story brick church building; that the applicant proposes to demolish the existing building at the subject site and erect a 60' x 104' 1-story 228-seat church building with a basement and mezzanine level at the subject site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the applicant has determined that it needs to demolish the existing building and erect the proposed 1-story 228-seat church building in order to meet the demands of its growing congregation and also provide necessary services in the community; that the plight of the owner is due to the dimensions of the subject site lot which necessitates the front and rear yard variations requested in order to provide adequate space for the church's needs; that the proposed use will be compatible with the predominantly residential character of the neighborhood and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 251-96-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 60' x 104' 1-story 228-seat church building with a basement and a mezzanine level, with no front yard instead of 15' and whose rear yard will be 20' instead of 30', on premises at 3443 W. Harrison Street, upon condition that off-site parking for the church shall be located at 3442 W. Flournoy Street, as provided for in Cal. No. 252-96-S; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: The Spirit of Truth M.B. Church

CAL. NO. 252-96-S

APPEARANCES FOR: Barry Ash

MAP NO. 2-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 3442 W. Flounoy Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, The Spirit of Truth M.B. Church, owner, on May 14, 1996, filed, and subsequently amended, 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 11 private passenger automobiles, in an R4 General Residence District, on premises at 3442 W. Flounoy Street, to fulfill the parking requirement for a proposed 228-seat church at 3443 W. Harrison Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 3, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.4-1(6)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1., 1996; 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 on July 19, 1996, the Board granted variations to the applicant church to permit the erection of a 60' x 104' one-story 228-seat church building with a basement and a mezzanine level, with no front yard instead of 15' and whose rear yard will be 20' instead of 30', on premises at 3443 W. Harrison Street, in Cal. No. 251-96-Z; that the subject site in this case is a 33.2' x 125' unimproved lot situated across a public alley to the south of the proposed church site; that the applicant proposes to establish an off-site accessory parking lot for 11 private passenger automobiles at the subject site; that the proposed use is necessary for the public convenience at this location to fulfill the parking requirement for a proposed 228-seat church at 3443 W. Harrison Street; 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; that the proposed use with landscaping and privacy screening will be compatible with existing residential improvements in the block and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 252-96-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of an off-site accessory parking lot for 11 private passenger automobiles, on premises at 3442 W. Flournoy Street, to fulfill the parking requirement for a proposed 228-seat church at 3443 W. Harrison 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 4 inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that decorative wrought-iron fencing shall be provided on the north, west and south lot lines excepting the driveway and a 6 feet high decorative solid wood fence shall be provided on the east lot line to screen the facility from abutting residential property; that striping shall be provided; that lighting shall be provided which is directed away from abutting residential property; that ingress and egress shall be from W. Flournoy Street; that the driveway shall be constructed in accordance with applicable ordinances; that the parking lot shall be securely locked at all times when not in use by the applicant church; that all applicable provisions of the Chicago Landscape Ordinance shall be complied with; and that all other applicable ordinances of the City of Chicago shall be complied with before a 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 with Section 5.8-5 of the zoning ordinance.

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

APPLICANT: The Spirit of Truth M.B. Church **CAL. NO.** 253-96-Z
APPEARANCES FOR: Barry Ash **MAP NO.** 2-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 July 19, 1996
PREMISES AFFECTED- 3442 W. Flournoy Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

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

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

THE RESOLUTION:

WHEREAS, The Spirit of Truth M.B. Church, owner, on May 14, 1996, filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the establishment of an off-site accessory parking lot for 11 private passenger automobiles, whose front yard will be 12 feet instead of 15 feet, on premises at 3442 W. Flournoy Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 3, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that on July 19, 1996, the Board approved the applicant's special use application for the establishment of an off-site accessory parking lot for 11 private passenger automobiles to fulfill the parking requirement for a proposed 228-seat church at 3443 W. Harrison Street, in Cal. No. 252-96-S; that the subject site is a 33.1' x 125' unimproved lot situated across the public alley to the south of the proposed church building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the front yard setback variation requested is necessary to allow the maximum number of parking spaces on the site; that the plight of the owner is due to the dimensions of the subject site lot which necessitates a reduction in the front yard setback to accommodate the required parking spaces; that the proposed use with landscaping and decorative fencing will be compatible with existing residential improvements in the block and that the variation, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 253-96-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 establishment of an off-site accessory parking lot for 11 private passenger automobiles, whose front yard will be 12 feet instead of 15, feet, on premises at 3442 W. Flournoy 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: A T & T Wireless Services, Inc.

CAL. NO. 254-96-S

APPEARANCES FOR: John J. Riley

MAP NO. 20-J

APPEARANCES AGAINST: Sharon Jones-Rayford

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 3356 W. 87th Street

SUBJECT- Application for the approval of a special use.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
X		

THE RESOLUTION:

WHEREAS, A T & T Wireless Services, Inc., for SCI Illinois Services, Inc., owner, on May 21, 1996, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a 87' high monopole antenna structure and a 10 x 20' x 10' high associated equipment shelter for a Personal Communication Service business, in an R2 Single-Family Residence District; on premises at 3356 W. 87th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 17, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically Sections 5.11-1(1), 7.4-1, 7.4-1 3(h)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeal, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R2 Single-Family Residence District; that the subject site is a 30' x 40' parcel of land situated in the portion of Evergreen Cemetery located in Chicago and abuts W. 87th Street; that the applicant proposes to erect a 87' high monopole antenna structure and a 10' x 20' x 10' high associated equipment shelter for a Personal Communications Service business at the site; that the proposed use is necessary for the public convenience at this location in that Personal Communications Services technology requires a series of low power antennas, each serving a limited geographic area; that these facilities are laid out in a grid pattern and the spacing, height and location of this component site are critical for the successful operation of the system; that the proposed 87' high monopole is similar to a light standard in its size and shape; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use in that all equipment will be wholly contained within the subject area; that the site is entirely self-monitored and connects directly to a central office which monitors the site; that routine maintenance will occur once a month by service personnel; that the Personal Communications Services technology will not interfere with any other form of public or private communications nor is it hazardous to the public health; that the that the applicant will comply with all Federal Communication Commission rules governing the erection and operation of radio communication antennas and equipment buildings; that the proposed use will

MINUTES OF MEETING

July 19, 1996

Cal. No. 254-96-S

be located at a site that will minimize any impact on surrounding property 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 erection of a 87' high monopole antenna structure and a 10' x 20' x 10' high associated equipment shelter for a Personal Communication Services business, on premises at 3356 W. 87th Street, upon condition that all applicable regulations of the Federal Communications Commission governing construction and operation of radio communication systems shall be complied with; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Juan Segura

CAL. NO. 255-96-A

APPEARANCES FOR: Juan Segura

MAP NO. 12-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 4844 S. Seeley 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Juan Segura, owner, on May 30, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a 4th dwelling unit in the front 2-story brick non-conforming 3-dwelling unit building and erection of a 2nd means of egress open porch which will be located in the required front yard on a lot additionally improved with a 2-story brick non-conforming 2-dwelling unit building at the rear also with erection of a 2nd means of egress, in an R3 General Residence District, on premises at 4844 S. Seeley Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 15, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 5.5, 7.5-3, 7.6-3, 7.7-3, 7.8-3, 7.9-3, 7.12-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is improved with a 2-story brick non-conforming 3-dwelling unit building on the front of the lot and a 2-story brick non-conforming 2-dwelling unit building at the rear of the lot; that the applicant seeks to certify a 4th dwelling unit in the front 2-story building and to erect 2nd means of egress open porch on the front building and a 2nd means of egress in the rear building; that testimony presented indicates that when the applicant purchased the property 9 years ago, the front building contained 4 dwelling units and the rear building contained 2 dwelling units; that records obtained from the City Department of Water indicates that four dwelling units existed in the front building and 2 in the rear building in 1953 prior to December 30, 1955 at which time the property was zoned Commercial; that the appellant has a right to the existing 4th dwelling unit in the 2-story brick non-conforming residential building on the front of the lot; that as to the appellant's request to also add second means of egress to the front and rear buildings, the appellant's appeal is not sufficient to waive any required yards: that such a request requires the filing of an application for a variation of the zoning ordinance or an Exception, if applicable; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 255-96-A

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify a 4th dwelling unit in the front 2-story brick non-conforming 3-dwelling unit building on a lot additionally improved with a 2-story brick non-conforming 2-dwelling unit building on the rear of the lot, on premises at 4844 S. Seeley Avenue, upon condition that the building complies with all applicable building code regulations with plans and permits obtained indicating such compliance and that the proposed 2nd means of egresses shall comply with all zoning requirements with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Branko Koscak

CAL. NO. 256-96-A

APPEARANCES FOR: Branko Koscak

MAP NO. 11-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 4105 N. Damen 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Branko Koscak, for Drago Koscak, owner, on May 30, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a tool repair shop in the rear of the premises in a 3-story brick store and apartment building, in an R3 General Residence District, on premises at 4105 N. Damen Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 30, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R3 General Residence District; that the subject site is improved with a 3-story with basement brick store and apartment building with an attached 1-story brick garage-type building in the rear; that the appellant has operated a tool repair business in the rear one-story building for the past 5 years; that the subject premises has been previously occupied by business uses, the last use having been a pots and pans assembly business before the appellant took over the premises; that under Section 6.4-7 the change of use to a tool repair business from a light manufacturing business is a proper substitution of use; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a tool repair shop in the rear of the premises in a 3-story brick store and apartment building, on premises at 4105 N. Damen Avenue, upon condition that the tool repair shop premises shall be used for storage purposes if the appellant vacates the property; 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: Atanas Tamamdjiev.

CAL. NO. 257-96-A

APPEARANCES FOR: Atanas Tamamdjiev

MAP NO. 11-G

APPEARANCES AGAINST:

MINUTES OF MEETING:

PREMISES AFFECTED- 4720 N. Racine Avenue

July 19, 1996

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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Atanas Tamamdjiev, for McHugh Bowles Development, owner, on May 30, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a second-hand dealer in conjunction with an existing retail music shop in a 3-story brick store and apartment building, in a B3-5 General Retail District, on premises at 4720 N. Racine Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 22, 1996, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

WHEREAS, the district maps shows that the premises are located in a B3-5 General 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 B3-5 General Retail District; that the subject site is improved with a 3-story brick multi-store and apartment building; that the appellant sells guitars and other music supplies; that the appellant takes in old instruments as trade-ins on new instruments and now seeks to resell these used instruments; that licensing requirements have caused the case to be filed; that the proposed second-hand activity is accessory to the principal retail business; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a second-hand dealer, as an accessory use only, in conjunction with an existing retail music shop in a 3-story brick store and apartment building, on premises at 4720 N. Racine Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Brenchwarmers, Inc., d/b/a Hi-Tops Cafe **CAL. NO.** 258-96-A

APPEARANCES FOR: Gary I. Wigoda **MAP NO.** 9-G

APPEARANCES AGAINST: Ken Schmetterer, et al. **MINUTES OF MEETING:**
July 19, 1996

PREMISES AFFECTED- 3551 N. Sheffield Avenue

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
OCTOBER 18, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Spiros Graspas

CAL. NO. 259-96-A

APPEARANCES FOR:

MAP NO. 1-H

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 1996

PREMISES AFFECTED- 2001 W. Superior Street

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

ACTION OF BOARD--

THE VOTE

CASE CONTINUED TO
OCTOBER 18, 1996.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Rafael Soto **CAL. NO.** 260-96-A

APPEARANCES FOR: Rafael Soto **MAP NO.** 6-J

APPEARANCES AGAINST: **MINUTES OF MEETING:**
July 19, 1996

PREMISES AFFECTED- 3900 W. 31st Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
		X
	X	
	X	

THE RESOLUTION:

WHEREAS, Rafael Soto, for Josephine Soto, owner, on May 9, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail sales and tire repair business in a 1-story garage on the rear of a lot improved with a 2-story brick grocery store and apartment building on the front of the lot, in a B2-1 Restricted Retail District, on premises at 3900 W. 31st Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered March 28, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the subject site is improved with a 2-story brick grocery store and apartment building on the front of the lot and a 1-story garage on the rear of the lot; that the grocery store in the 2-story brick store and apartment building is a permitted use in the B2-1 Restricted Retail District; that the appellant proposes to establish a retail sales and tire repair business in the 1-story garage at the rear of the lot; that the appellant testified that the garage building has never been used for vehicle parking; that the establishment of retail sales and repair of tires proposed at the subject site requires a minimum B4 Restricted Service zoning; that under Section 8.3-2 of the zoning ordinance, the Board has no authority to permit the establishment of 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: Dora M. Torres

CAL. NO. 261-96-A

APPEARANCES FOR: None

MAP NO. 5-K

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 1607 N. Keeler Avenue

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

ACTION OF BOARD--

THE VOTE

CASE DISMISSED FOR
WANT OF PROSECUTION.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

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

APPLICANT: Prestige World Travel, Inc.

CAL. NO. 262-96-A

APPEARANCES FOR: Annabelle Wolicki

MAP NO. 5-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 1925 N. Harlem 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Prestige World Travel, Inc., for Geneva Investment Co., owner, on May 20, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a ticket broker business in a 1-story brick office building, in an M1-1 Restricted Manufacturing District, on premises at 1925 N. Harlem Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 15, 1996, reads: "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 10.3-1."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

WHEREAS, the district maps show that the premises is located in an M1-1 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 proposed use is to be located in an M1-1 Restricted Manufacturing District; that the subject site is improved with a 1-story brick multi-store building; that the appellant proposes to establish a ticket (travel) broker business at the subject site; that the subject premises has been previous occupied by the Italian Consulate, which use recently ceased operation; that licensing requirements have caused the case to be filed; that the proposed business office use is a permitted use is a manufacturing district; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a ticket broker business in a 1-story brick office building, on premises at 1925 N. Harlem Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Armando Ortiz

CAL. NO. 263-96-A

APPEARANCES FOR:

MAP NO. 17-H

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 6924 N. Clark Street

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

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 18, 1996.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Louis and Kari Maffiola

CAL. NO. 264-96-A

APPEARANCES FOR: Louis Maffiola

MAP NO. 9-N

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 3917 N. Nordica 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Louis and Kari Maffiola, owner, on May 21, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the use of a 1-story brick building as 2 dwelling units, in an R2 Single-Family Residence District, on premises at 3917 N. Nordica Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 14, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996: and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that evidence presented indicates that the building at the subject site has been occupied as two dwelling units since prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue the occupancy of the building as two dwelling units, provided that the building is brought into compliance with building code regulations with plans and permits indicating such compliance; that no violation of the zoning ordinance exists nor is contemplated and that the appellants have established the basis of their appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the use of a 1-story brick building as 2 dwelling units, on premises at 3917 N. Nordica Avenue, upon condition that the building is brought into compliance with building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued

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

APPLICANT: Gail E. Parker

CAL. NO. 265-96-A

APPEARANCES FOR: Gail E. Parker

MAP NO. 20-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 8236 S. Cottage Grove 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Gail E. Parker, for Cafies & Q. Esther Reams, owner, on May 22, 1996, filed an appeal from the decision of the Office of the Zoning Administrator is refusing to permit the establishment of a wholesale bakery in conjunction with an existing retail bakery in a 1-story brick store building, in a B4-2 Restricted Service District, on premises at 8236 S. Cottage Grove Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 12, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; 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 store building occupied by an existing retail bakery; that the appellant proposes to wholesale bakery items on a limited basis to neighborhood businesses; that licensing requirements have caused the case to be filed; that the proposed wholesaling of bakery items on a limited basis is an accessory use to the principal retail bakery operation; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of her appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a wholesale bakery, as an accessory use only, in conjunction with an existing retail bakery in a 1-story brick store building, on premises at 8236 S. Cottage Grove Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: Edgar's Touch of Class

CAL. NO. 266-96-A

APPEARANCES FOR: Eleuterio Gonzalez

MAP NO. 5-1

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 2524 W. North 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
X		
X		

THE RESOLUTION:

WHEREAS, Edgar's Touch of Class, for Rocco D. Brita, owner, on May 22, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of an auto car wash and detailing operation in a 1-story brick garage building, in a B4-2 Restricted Service District, on premises at 2524 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 17, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-2 Restricted Service District; that the subject site is improved with a 1-story brick garage building occupied by an existing hand car wash and detailing business; that the subject business has been located at the subject site since 1990, prior to the amendment to the zoning ordinance regarding car washes; that the appellant purchased the business in 1995 and continued the hand car wash and detailing operation at the subject site; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of an auto car wash and detailing operation in a 1-story brick garage building, on premises at 2524 W. North Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued.

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

APPLICANT: J.B.W. Construction Co. **CAL. NO.** 267-96-A
APPEARANCES FOR: Richard Zulkey **MAP NO.** 5-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
 July 19, 1996
PREMISES AFFECTED- 2241 N. Clybourn 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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, J.B.C. Construction Co., owner, on May 25, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a retail clothing store in a 2-story brick store and apartment building, in an R5 General Residence District, on premises at 2241 N. Clybourn Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 17, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-5."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; 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 said use is located in an R5 General Residence District; that the subject site is improved with a 2-story brick store and apartment building; that the subject non-conforming store premises has been occupied by the subject retail clothing store since 1992; that on January 12, 1994, the City Council rezoned the subject site from M1-2 Restricted Manufacturing to R5 General Residence which made the existing retail clothing store a prior existing non-conforming use; that licensing requirements have caused the case to be filed; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of its appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a retail clothing store in a 2-story brick store and apartment building, on premises at 2241 N. Clybourn Avenue, upon condition that the hours of operation shall be limited to the hours between 11 A.M. and 7 P.M., Tuesday through Saturday and from 12 Noon to 5 P.M., Sunday; and that all applicable ordinances of the City of Chicago shall be complied with before and license is issued.

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

APPLICANT: Charlene Urow

CAL. NO. 268-96-A

APPEARANCES FOR: Charlene Urow

MAP NO. 1-1

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 2420-26 W. Madison Street

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

ACTION OF BOARD--

THE VOTE

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

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

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
	X	
	X	

THE RESOLUTION:

WHEREAS, Charlene Urow, owner, on May 29, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit exterior automobile storage in a B4-3 Restricted Service District, on premises at 2420-26 W. Madison Street, as an accessory use to an existing non-conforming used car lot at 20 N. Western Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 20, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-4."

and
WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

WHEREAS, the district maps show that the premises is located in a B4-3 Restricted Service District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in a B4-3 Restricted Service District; that the subject site is improved with a fenced-in automobile storage lot; that on January 20, 1984 the Board sustained an appeal legalizing an existing non-conforming outdoor automobile sales lot at 20 N. Western Avenue, in Cal. No. 25-84-A, finding that the use predated the 1957 zoning ordinance; that the appellant seeks to use the subject site lot as exterior automobile storage as an accessory use to the existing non-conforming used car lot at 20 N. Western Avenue; that no evidence was presented to indicate that the subject site was occupied as an exterior storage lot for automobiles for the used car sales lot at 20 N. Western Avenue prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the Board finds that the proposed storage lot is an expansion of the non-conforming used car sales lot at 20 N. Western Avenue; that the subject lot needs to be rezoned to a C2 General Commercial classification; that under Section 8.3-4 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: Ramadan Selimovski

CAL. NO. 269-96-A

APPEARANCES FOR: Ramadan Selimovski

MAP NO. 5-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 3934 W. North 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
DEMETRI KONSTANTELOS
LEROY K. MARTIN, JR.
GIGI McCABE-MIELE
THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Ramadan Selimovski, for Hodo Mehmeti, owner, on June 3, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a beauty salon in a 2-story brick store and apartment building, in a B3-2 General Retail District, on premises at 3934 W. North Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 1996, reads:
"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996; and

WHEREAS, the district maps show that the premises is located in a B3-2 General 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 B3-2 General Retail District; that the subject site is improved with a 2-story brick multi-store and apartment building; that the appellant proposes to establish a beauty salon in the corner store premises; that the subject store premises has been previously occupied by business uses, the last use having been a tavern, a B4 use, which recently ceased operation; that under Section 6.4-7 of the zoning ordinance, the change of use to a beauty salon, a B4 use, is a proper substitution of use at the subject site; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a beauty salon in a 2-story brick store and apartment building, on premises at 3934 W. North Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., Monday through Saturday; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Zaneta Zolnacz **CAL. NO.** 270-96-A
APPEARANCES FOR: Richard Sora **MAP NO.** 7-N
APPEARANCES AGAINST: **MINUTES OF MEETING:**
PREMISES AFFECTED- 2826 N. New England Avenue July 19, 1996
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
 DEMETRI KONSTANTELOS
 LEROY K. MARTIN, JR.
 GIGI McCABE-MIELE
 THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Zaneta Zolnacz, for George and Maria Iliopoulos, owner, on June 7, 1996, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of a 1 and 2-story brick building as 2 dwelling units, in an R2 Single-Family Residence District, on premises at 2826 N. New England Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 6, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable regulations of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 7.3-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996: and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the said use is located in an R2 Single-Family Residence District; that the subject site is improved with a 1 and 2-story brick residential building; that City of Chicago records indicate that the subject building has been occupied as a 2 dwelling unit since prior to the adoption of the 1942 comprehensive amendment to the zoning ordinance; that the appellant has a right to continue to occupy the building as two dwelling units only, provided that plans and permits are obtained indicating compliance with all applicable building code regulations; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to certify the use of a 1 and 2-story brick building as two dwelling units, on premises at 2826 N. New England Avenue, upon condition that no third dwelling unit, including kitchen facilities, shall be established in the subject building; and that the subject building shall comply with all applicable building code regulations with plans and permits obtained indicating such compliance; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Board of Education **CAL. NO.** 271-96-Z
APPEARANCES FOR: Terry Diamond **MAP NO.** 12-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
July 19, 1996
PREMISES AFFECTED- 5248 S. Sawyer Avenue
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on May 31, 1996, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 83,000 sq.ft. 3-story addition on the west side of the Sawyer School property, with no east front yard instead of 20' for staff parking, whose west front yard will be 13' instead of 20', with no midway rear yard instead of 60', and whose maximum floor area ratio will be 1.15 instead of 0.7, on premises at 5248 S. Sawyer Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.8-3, 7.9-1, 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 118,638 sq.ft. lot improved with the Sawyer Elementary School building constructed in the 1920's; that the applicant proposes to erect a 83,000 sq.ft. 3-story addition on the west side of the school property; that the proposed addition will contain 30 classrooms, computer and science labs, art room, multi-purpose room, gymnasium, lunchroom and kitchen; that on-site parking for teachers and staff will be provided on the north side of the existing school building; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to erect the proposed 3-story school addition for the betterment of the educational environment of pre-kindergarten through third grade pupils and to provide on-site parking for teachers and staff; that the plight of the owner is due to the severely overcrowding of the existing school building and to the configuration of the existing school building on the subject property which necessitates the variations requested; that the proposed 3-story school addition will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 271-96-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 83,000 sq.ft. 3-story school addition on the west side of the Sawyer School property, with no east front yard instead of 20' for staff parking, whose west front yard will be 13' instead of 20', with no midway rear yard instead of 60', and whose maximum floor area ratio will be 1.15 instead of 0.7, on premises at 5248 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: Chicago Board of Education

CAL. NO. 272-96-Z

APPEARANCES FOR: Terry Diamond

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 5815 S. Homan Avenue

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

ACTION OF BOARD--

CASE CONTINUED TO
OCTOBER 18, 1996.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
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: Chicago Board of Education

CAL. NO. 273-96-Z

APPEARANCES FOR: Terry Diamond

MAP NO. 12-1

APPEARANCES AGAINST:

MINUTES OF MEETING:
July 19, 1996

PREMISES AFFECTED- 5250 S. Rockwell Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

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

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on May 31, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 50,526 sq.ft. 2-story school addition on the northwesterly part of the Nightingale School property, with no front, side or midway rear yards and whose maximum floor area ratio will be 0.80 instead of 0.70, on premises at 5250 S. Rockwell Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 1996, reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-3, 7.8-3, 7.9-1, 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 159,068 sq.ft. lot improved with the 2-story Nightingale Elementary School building constructed in the 1920's; that the applicant proposes to erect a 50,526 sq.ft. 2-story school addition to the northwesterly part of the existing school building; that the proposed addition will contain classrooms, science lab, library, administrative center, lunch/multi-purpose room and kitchen/serving area; that parking for teachers and staff will be located at the north end of the site; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary to expand the severely overcrowded school, to physically link the proposed addition to the existing school building and to save valuable playground space which would have to be used for parking; that the plight of the owner is due to the configuration of the existing school building on the subject property which necessitates the yard variations requested and the need to accommodate the growing school population in the area; that the proposed 2-story addition will be compatible with existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 273-96-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 50,526 sq.ft. 2-story school addition on the northwesterly part of the Nightingale School property, with no front, side or midway rear yards and whose maximum floor area ratio will be 0.80 instead of 0.70, on premises at 5250 S. Rockwell 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: Chicago Board of Education

CAL. NO. 274-96-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 14-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 1996

PREMISES AFFECTED- 3826 W. 58th Street

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA

DEMETRI KONSTANTELOS

LEROY K. MARTIN, JR.

GIGI McCABE-MIELE

THOMAS S. MOORE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on June 5, 1996, filed an application for a variation of the zoning ordinance to permit, in an R2 Single-Family Residence District, the erection of a 16,401 sq.ft. 1-story school annex on the northeasterly part of the Peck School property, whose north front yard will be 3' instead of 20' for staff parking, with no midway rear yard instead of 60', and whose maximum floor area ratio will be 0.60 instead of 0.50, on premises at 3826 W. 58th Street; and

WHEREAS, the decision of the office of the Zoning Administrator rendered June 5, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-2, 7.7-2, 7.9-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; 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 159,885 sq.ft. lot and is improved with the 2-story brick Peck Elementary School building constructed in the 1930's; that the applicant proposes to erect a 1-story 16,401 sq.ft. school annex building on the northeasterly part of the school property; that the proposed annex will contain 12 classrooms and will be physically linked to the existing Peck School building in 1997; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the physical constraints of the subject site necessitate the requested variations; that if the variations requested were not granted, the annex cannot be linked to the existing school and valuable playground space will have to be used for off-street parking spaces; that the plight of the owner is due to the present overcrowding of the existing Peck School which makes it unable to provide numerous education programs such as special education, bi-lingual and State Chapter 1 classes; that the proposed school annex building will be compatible with the existing Peck School building and existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 274-96-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 16,401 sq.ft. 1-story school annex on the northeasterly part of the Peck School property, whose north front yard will be 3' instead of 20' for staff parking, with no midway rear yard instead of 60', and whose maximum floor area ratio will be 0.60 instead of 0.50, on premises at 3826 W. 58th 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: Chicago Board of Education **CAL. NO.** 275-96-Z
APPEARANCES FOR: Terry Diamond **MAP NO.** 13-J
APPEARANCES AGAINST: **MINUTES OF MEETING:**
July 19, 1996
PREMISES AFFECTED- 3244 W. Ainslie Street
SUBJECT- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

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

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on May 31, 1996, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a 66,479 sq.ft. 3-story school addition to the northeasterly side of the Hibbard School, with no north front yard instead of 15' for staff parking and with no midway rear yard instead of 60', on premises at 3244 W. Ainslie Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered May 31, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.7-4, 7.9-1, 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 July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is a 157,940 sq.ft. lot and is improved with the 3-story brick Hibbard Elementary School building constructed in the 1920's; that the applicant proposes to erect a 3-story 66,479 sq.ft. addition which will be linked to and located on the northeasterly side of the existing school building; that the proposed addition will serve pre-kindergarten through grade 8 pupils and will contain 24 classrooms, computer lab, art room, music room, library, administrative center, lunchroom and kitchen; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the variations requested are necessary in order to build the proposed addition as designed which will be connected to the existing school and to provide staff parking in the front yard along W. Argyle Street rather than loose valuable playground area for the off-street parking spaces; that the plight of the owner is due to the overcrowding of the existing school building which cannot accommodate the growing school population in the area; that the proposed addition will be compatible with the existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. Nol. 275-96-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 66,479 sq.ft. 3-story school addition to the northeasterly side of the Hibbard School, with no north front yard instead of 15' for staff parking and with no midway rear yard instead of 60', on premises at 3244 W. Ainslie 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: Chicago Board of Education

CAL. NO. 276-96-Z

APPEARANCES FOR: Langdon Neal

MAP NO. 11-J

APPEARANCES AGAINST:

MINUTES OF MEETING:

July 19, 1996

PREMISES AFFECTED- 4250 N. St. Louis Avenue

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

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

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

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, Chicago Board of Education, owner, on May 31, 1996, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of a 14,271 sq.ft. 1-story school annex on the west side of the Patrick Henry School property, whose east front yard will be 3' instead of 20' for staff parking, with no midway rear yard instead of 60', and whose maximum floor area ratio will be 1.2 instead of 0.7, on premises at 4250 N. St. Louis Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 1996, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Sections 7.6-3, 7.7-3, 7.9-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on July 19, 1996 after due notice thereof by publication in the Chicago Sun-Times on July 1, 1996; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that the subject site is an 85,544 sq.ft. lot and is improved with the 3 and 4-story brick Patrick Henry Elementary School building built in the 1930's; that the applicant proposes to erect a 1-story 14,271 sq.ft. annex on the west side of the existing school property; that the proposed annex will contain 10 classrooms and will be physically connected to the existing Patrick Henry School building in 1997; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that if the variations requested were not granted the annex cannot be connected to the existing school and also that valuable playground space will have to be used for off-site parking spaces; that the plight of the owner is due to the present overcrowding of the existing Patrick Henry School which makes it unable to provide numerous education programs such as special education, bi-lingual and State Chapter 1 classes; that the proposed school annex building will be compatible with the existing Patrick Henry School building and existing residential improvements in the area and that the variations, if granted, will not alter the essential character of the locality; it is therefore

MINUTES OF MEETING

July 19, 1996

Cal. No. 276-96-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 14,271 sq.ft. 1-story school annex on the west side of the Patrick Henry School property, whose east front yard will be 3' instead of 20' for staff parking, with no midway rear yard instead of 60', and whose maximum floor area ratio will be 1.2 instead of 0.7, on premises at 4250 N. St. Louis Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

MINUTES OF MEETING

July 19, 1996

Cal. No. 350-94-S and

Cal. No. 351-94-S

Bishop Elgin E. Little, III, for God's House of All Nations Pentecostal Church, Inc, applicant, presented written requests for extensions of time in which to obtain necessary permits for the erection a 1-story addition to the south side of an existing 1-story church building to contain 350 seats, in a B4-2 Restricted Service District, on premises at 8401-25 S. Stony Island Avenue; and for the approval of the location and the establishment of an off-site accessory parking lot for 37 automobiles on a lot containing a 1-story brick day-care center, in a B4-2 Restricted Service district, on premises at 8435-47 S. Stony Island Avenue, to fulfill the parking requirement for an addition to an existing church for a total of 530 seats at 8401-25 S. Stony Island Avenue, which applications were approved by the Board on December 16, 1994 in Calendar Nos. 350-94-S and 351-94-S.

Bishop Little stated that the applicant has now secured financing for completion of the project and requests an extension of time in which to obtain the necessary building permits.

Chairman Spingola moved that the request be granted and the time be extended for both cases to December 16, 1996 in order to obtain necessary building permits. The motion prevailed by yeas and nays as follows:

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

MINUTES OF MEETING

July 19, 1996

Member Konstantelos moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on August 16, 1996.

Marian Rest
Secretary