

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

APPLICANT: LaSalle National Bank* **CAL NO.:** 285-03-S
APPEARANCE FOR: John Kaleman, Steve Qualkenbush **MAP NO.:** 10-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4200-24 S. Ashland Avenue/1615-23 W. 42nd Street
NATURE OF REQUEST Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 5-lane drive-through facility in conjunction with a proposed 1-story bank, in an M2-3 General Manufacturing District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following; that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Macondo Corp., dated August 12, 2003; that the final landscape plan shall be approved by the Department of Planning and Development; and

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at the public hearing.

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

APPLICANT: Cole Taylor Bank **CAL NO.:** 286-03-S
APPEARANCE FOR: Terry Diamond **MAP NO.:** 10-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1542 W. 47th Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 3-lane drive-through facility in conjunction with a proposed 1-story bank, in a B5-2 General Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED;

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That the proposed drive-through facility shall be constructed consistent with the layout and design represented on the site plan and elevation drawings prepared by Hague Architecture, dated August 12, 2003; that the final landscape plan shall be approved by the Department of Planning and Development; 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: Kimmik Corporation **CAL NO.:** 287-03-S
APPEARANCE FOR: Gary I. Wigoda **MAP NO.:** 11-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4015-4017 N. Sheridan Road
NATURE OF REQUEST: Application for a special use under Article 11. of the zoning ordinance for the approval of the location and the establishment of an outdoor seating area in front of an existing tavern, in a B4-3 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That there shall be no outdoor seating after 10:00 P.M. on Sunday through Thursday and after 11:00 P.M. on Friday and 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: Dayna and Jeffery Waldman **CAL NO.:** 288-03-Z
APPEARANCE FOR: James J. Banks, Jeffery Waldman **MAP NO.:** 5-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 617 W. Dickens Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence (SD- #19), the erection of a proposed 2-story rear addition to an existing 2-story single family dwelling, with no rear yard instead of 30', with no east side yard instead of 2.4'* and not to exceed 15% (307 sq. ft.) of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended at the public hearing.
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ZONING BOARD OF APPEALS, CITY OF CHICAGO, CITY HALL, ROOM 806

APPLICANT: Chicago Transit Authority **CAL NO.:** 290-03-S
APPEARANCE FOR: Langdon Neal **MAP NO.:** 1-H
APPEARANCES AGAINST: Sidney Morrison **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1717-19 W. Washington Boulevard
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an electrical substation for a rapid transit facility, in a C1-2 Restricted Commercial District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Metzler Hull Development **CAL NO.:** 291-03-Z
APPEARANCE FOR: Scott R. Borstein, Jay Metzler **MAP NO.:** 5-E
APPEARANCES AGAINST: Sonia Semenchuk **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1832 N. Howe Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R4 General Residence SD#19-Sub Area B, the erection of a proposed 3-story single family dwelling with an attached breezeway, whose front yard will be 4' instead of 15', whose north side yard will be 0'-8" instead of 3.3', whose south side yard will be 2'-1/2" instead of 3.3', and whose rear yard will be 20' -10" instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

COPY

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
	X	
R	e	c
e	c	u
s	s	e
e	d	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Alex Castro **CAL NO.:** 292-03-S
APPEARANCE FOR: James J. Banks, Alex Castro **MAP NO.:** 10-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4639 S. Drake Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 3-story dwelling unit building, located in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Alex Castro **CAL NO.:** 293-03-Z
APPEARANCE FOR: James J. Banks, Alex Castro **MAP NO.:** 10-J
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4639 S. Drake Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a proposed 3-story 3 dwelling unit building, whose front yard will be 11' instead of 15'.

ACTION OF BOARD--

THE VOTE

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI McCABE-MIELE
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Jim and Mariann Ronzio

CAL NO.: 294-03-S

APPEARANCE FOR: James J. Banks

MAP NO.: 8-F

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 15, 2003

PREMISES AFFECTED: 3100 S. Wells Street

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 4-story 3 dwelling unit building, in a B1-3 Local Retail.

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

COPY

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI McCABE-MIELE
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Jim and Mariann Ronzio

CAL NO.: 295-03-Z

APPEARANCE FOR: James J. Banks

MAP NO.: 8-E

APPEARANCES AGAINST:

MINUTES OF MEETING:
August 15, 2003

PREMISES AFFECTED: 3100 S. Wells Street

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B1-3 Local Retail District, the erection of a proposed 4-story 3 dwelling unit building, with no residential rear yard instead of 30', with no residential south side yard instead of 2'-6", and whose transitional yard of 3 feet on the south lot line and 20' x 15' on the south east portion of the zoning lot shall be zero each.

ACTION OF BOARD--

APPLICATION WITHDRAWN UPON
MOTION OF APPLICANT.

COPY

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI McCABE-MIELE
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: 20 East Bellevue L.L.C. **CAL NO.:** 296-03-Z
APPEARANCE FOR: John J. George **MAP NO.:** 3-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 August 15, 2003
PREMISES AFFECTED: 18-20 E. Bellevue Place
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-5 Restricted Service District, the erection of a proposed 2-story restaurant, with a waiver of the one required 10' x 25' loading berth.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Greenview Point LLC **CAL NO.:** 297-03-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 3101-09 N. Lincoln Avenue/3110 N. Greenview Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B3-3 General Retail District, the erection of a 6-story 9 dwelling unit building with commercial use on the first floor, whose residential yard at the first residential level will be 19'* instead of 30', and with a waiver of the one required 10' x 25' loading berth.

ACTION OF BOARD--

VAIATION GRANTED.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

*Amended a the public hearing.

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

APPLICANT: Brian and Dawn Connelly **CAL NO.:** 298-03-Z
APPEARANCE FOR: Dawn Connelly **MAP NO.:** 5-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 2101 N. Oakley Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence District, the construction of an attached breezeway to the garage (122 sq. ft.), and a 3 level rear porch, whose south side yard will be 3' instead of 5', whose rear yard will be 22' -6" instead of 30' and which additions not to exceed 15% of the floor area existing in the building prior to adoption of the 1957 comprehensive amendment to the zoning ordinance.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Bozena Radojcic **CAL NO.:** 299-03-A
APPEARANCE FOR: David Spitz, Bozena Radojcic **MAP NO.:** 12-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 5108 S. Calumet Avenue
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, Bozena Radojcic, owner, on June 26, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of 2 additional dwelling units below the 2nd floor in an existing 3-story 4 dwelling unit building with no parking, in a B4-3 Restricted Service District, on premises at 5108 S. Calumet Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 12, 2003, 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 7.12."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003; 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 proposed use is to be located in a B4-3 Restricted Service District; that the subject site is a 50' x 66' lot with no alley access and is presently improved with a 3-story building containing a discontinued church use on the first floor and a total of 4 dwelling units on the 2nd and 3rd floors; that architectural details indicate that the subject building was built prior to the adoption of the 1957 comprehensive amendment to the zoning ordinance; that the testimony presented indicates that no on-site parking has ever been provided for the former church use and existing dwelling units; that at some time in the past the subject site was rezoned to B4-3 Restricted Service zoning; that the appellant seeks to convert the former church premises to two dwelling units; that the size of the subject site and the subject building prevents providing on-site parking spaces; that the establishment of 2 dwelling units below the second floor in the subject building is a proper use under Section 6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of 2 additional dwelling units below the 2nd floor in an existing 3-story 4 dwelling unit building for a total of 6 dwelling units with no on-site parking required, on premises at 5108 S. Calumet Avenue, upon condition that the building is brought into compliance with building code 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: Bozena Radojcic **CAL NO.:** 300-03-S
APPEARANCE FOR: David Spitz, Bozena Radojcic **MAP NO.:** 12-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 5108 S. Calumet Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of 2 dwelling units below the 2nd floor in an existing 3-story brick building containing 4 dwelling units, in a B4-3 Restricted Service District.

ACTION OF BOARD--

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

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

APPLICANT: Imre Hidvegi **CAL NO.:** 301-03-A
APPEARANCE FOR: John J. Pikarski, Jr. Imre Hidvegi **MAP NO.:** 11-L
APPEARANCES AGAINST: Mike Milici, Michelle & Edward Fritsch **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4423 N Milwaukee Avenue
NATURE OF REQUEST: Appeal from the decision of the Office 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
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
	X	
	X	
	X	
X		
	X	

THE RESOLUTION:

WHEREAS, Imre Hidvegi, for John Trumbulovic, owner, on June 6, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to certify the use of the subject site as an indoor soccer facility with no required parking, in a B4-2 Restricted Service District, on premises at 4423 N. Milwaukee Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered June 5, 2003, 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 August 15, 2003; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B4-2 Restricted Service District; that the subject site is improved with a 2 and 3-story brick commercial building; that the appellant seeks to establish an indoor soccer facility on the 2nd floor which was previously occupied since 1925 by a 15-lane bowling alley without any off-site parking spaces; that testimony presented indicates that the previous bowling alley use was voluntarily discontinued at the subject site and subsequently dismantled several years ago; that under Section 6.4-5 of the zoning ordinance, the Board has no authority to permit the reestablishment of non-conforming use in premises which has been vacant and unoccupied for a continuous period of one year or more; 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: Imre Hidvegi **CAL NO.:** 302-03-Z

APPEARANCE FOR: John J. Pikarski, Jr., Imre Hidvegi **MAP NO.:** 11-L

APPEARANCES AGAINST: Mike Milici, Michelle & Edward Fritsch **MINUTES OF MEETING:**
August 15, 2003

PREMISES AFFECTED: 4423 N. Milwaukee Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-2 Restricted Service District, an existing indoor soccer facility without parking as a public place of amusement which is located within 125 feet of an R3 General Residence District.

ACTION OF BOARD--

THE VOTE

VARIATION DENIED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
DEMETRI KONSTANTELOS		X	
DONALD HUBERT		X	
GIGI McCABE-MIELE	X		
BRIAN L. CROWE		X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the said use is located in a B4-2 Restricted Service District; that on August 15, 2003, in Cal, No. 301-03-A, the Zoning Board of Appeals denied the applicant's appeal seeking the certification of the use of the subject site as an indoor soccer facility with no required parking finding that it did not have the authority to certify the indoor soccer facility under Section 6.4-5 of the zoning ordinance; that the denial of the applicant's appeal negates the need for the variation requested in the instant case; it is therefore

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

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

APPLICANT: Gramophone, Ltd. **CAL NO.:** 303-03-A
APPEARANCE FOR: Ziggy Kois **MAP NO.:** 7-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 August 15, 2003
PREMISES AFFECTED: 2663 N. Clark Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, Gramophone, Ltd., applicant, on June 9, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the issuance of a ticket broker license in an existing record and CD store in a 2-story brick store and apartment building, in a B3-2 General Retail District, on premises at 2663 N. Clark Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered April 23, 2003, 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 August 15, 2003; and

WHEREAS, the district maps show that the premises is located in a B3-2 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 a B3-2 General Retail District; that the subject site is improved with a 2-story brick store and apartment building; that the appellant specializes in the retail sale of records, CD's of lesser-known artists whose music is not carried by chain merchandisers; that throughout the city there are several small venues that also specialize in hosting the same type of independent artist; that the appellant is seeking a ticket broker license in that due to the small size of such performances, tickets to these events are not available through commercial ticket brokers; that as a courtesy to its customers, the appellant would like to sell a limited number of tickets to the aforesaid independent artists' performances; that the Board finds that the proposed ticket broker activity is subordinate in scope to the principal retail record and CD business and may be considered an accessory use as defined by the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the issuance of a ticket broker license, as an accessory use only, to an existing record and CD store in a 2-story brick store and apartment building, on premises at 2663 N. Clark Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before the license is issued.

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

APPLICANT: Steve Balourdos **CAL NO.:** 304-03-A
APPEARANCE FOR: James J. Banks, Steve Balourdos **MAP NO.:** 3-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1110 N. State Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
		X

THE RESOLUTION:

WHEREAS, Steve Balourdos, owner, on July 28, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit, in a B2-5 Restricted Retail District, the establishment of an off-site non-conforming roof-top advertising sign located within 250 feet of a residential district, on premises at 1110 N. State Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered July 9, 2003, 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 8.9(7)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003; and

WHEREAS, the district maps show that the premises is located in a B2-5 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 B5-2 Restricted Retail District; that the subject site is improved with a 2-story commercial building; that evidence presented indicates that a roof-top advertising sign was legally erected at the subject site in 1990 under Permit No. 3398554 and is not a non-conforming use; that the evidence presented further indicates that the advertising sign is located more than 250 feet from a residential zoning district; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

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 off-site roof-top advertising sign, on premises at 1110 N. State 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: Christ Community Church **CAL NO.:** 305-03-S
APPEARANCE FOR: Barry Morgan **MAP NO.:** 26-E
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 743 E. 103rd Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of a 1-story addition to an existing church, in a B4-2 Restricted Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Florence Fitzgerald Foundation **CAL NO.:** 306-03-S
APPEARANCE FOR: John J. George **MAP NO.:** 5-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1629 N. Ashland Avenue
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an animal shelter, in an M1-2 Restricted Manufacturing District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Howard Goldman **CAL NO.:** 307-03-Z
APPEARANCE FOR: John J. Pikarski, Jr., Howard Goldman **MAP NO.:** 5-F
APPEARANCES AGAINST: Gayle Victor et al. **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1946 North Hudson Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District/SD #19, the erection of a proposed 3-story single family dwelling, whose front yard will be 10' instead of 14.76', with no north side yard instead of 2.4', whose south side yard will be 8"* instead of 2.4', and whose rear yard will be 26' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT		X	
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

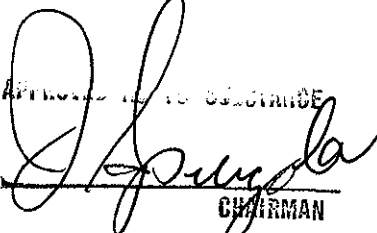
THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in an R5 General Residence District/SD #19; that the subject site is a 24' x 123' lot currently improved with a 2-story brick residential building; that the applicant proposes to erect a 3-story single-family dwelling at the subject site; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located in that the yard variations requested are necessary to build the subject single-family dwelling as designed on a lot which is not a standard (25' x 125') city lot; that the plight of the owner is due to the applicant's desire to construct a single-family dwelling that is compatible with the existing residential improvements in the block; that the variations, if granted, will not alter the essential character of the locality in that the front, rear and side yards will be consistent with the yards of existing properties in the neighborhood; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.


 APPROVED BY THE BOARD

 CHAIRMAN

*Amended at the public hearing.
 BAZ 15

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

APPLICANT: 4102 N Sheridan, LLC **CAL NO.:** 308-03-S
APPEARANCE FOR: Thomas S. Moore **MAP NO.:** 11-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4102 N. Sheridan Road
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of residential use below the 2nd floor in a proposed 6-story 31 unit building, in a B4-3 Restricted Service District.

ACTION OF BOARD--

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

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

APPLICANT: 4102 N Sheridan, LLC **CAL NO.:** 309-03-Z
APPEARANCE FOR: Thomas S. Moore **MAP NO.:** 11-G
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 4102 N. Sheridan Road
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in a B4-3 Restricted Service District, the erection of a proposed 6-story 31 unit building, with no front yard instead of 14', and with no north and south side yards instead of 6.5' each.

ACTION OF BOARD--

APPLICATION WITHDRAWN
UPON MOTION OF APPLICANT.

THE VOTE

JOSEPH J. SPINGOLA
DEMETRI KONSTANTELOS
DONALD HUBERT
GIGI McCABE-MIELE
BRIAN L. CROWE

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
X		
X		

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

APPLICANT: Impressionest Homes of Lill LLC **CAL NO.:** 310-03-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 August 15, 2003
PREMISES AFFECTED: 1021 W. Lill Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story single family dwelling, whose front yard will be 7.5' instead of 15', whose east side yard will be .5' instead of 2.4', and whose rear yard will be 24' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Impressionest Homes on Lill LLC **CAL NO.:** 311-03-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 August 15, 2003
PREMISES AFFECTED: 1023 W. Lill Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story single family dwelling, whose front yard will be 7.5' instead of 15', whose east side yard will be .5', instead of 2.4', and whose rear yard will be 24' instead of 30'.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Impressionest Homes on Lill LLC **CAL NO.:** 312-03-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 7-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 August 15, 2003
PREMISES AFFECTED: 1025 W. Lill Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of an proposed 4-story single family dwelling, whose front yard will be 7.5' instead of 15', whose east side yard will be .5' instead of 2.4', and whose rear yard will be 24' instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Skyline Properties, LLC **CAL NO.:** 313-03-S
APPEARANCE FOR: Alexander R. Domanskis **MAP NO.:** 1-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 27 N. May Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an automobile laundry, in a C3-3 Commercial Manufacturing District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued:

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

APPLICANT: Tom Giannini **CAL NO.:** 314-03-Z
APPEARANCE FOR: Thomas S. Moore, Tom Giannini **MAP NO.:** 3-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1500 N. Cleveland Avenue
NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R5 General Residence District, the erection of a proposed 4-story 4 dwelling unit building, whose front yard will be 12'-9 1/2" instead of 15', whose north side yard will be 1' instead of 2'-6", and with no rear yard instead of 30'.

ACTION OF BOARD--

THE VOTE

VARIATIONS GRANTED..

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE		X	
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: American Auto Title Loan **CAL NO.:** 315-03-S
APPEARANCE FOR: Bernard I. Citron, Raymond Herra **MAP NO.:** 7-H
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 3036 N. Ashland Avenue
NATURE OF REQUEST: Application for a special use Article 11 of the zoning ordinance for the approval of the location and the establishment of an automobile title loan company, in a B5-2 General Service District.

ACTION OF BOARD--

THE VOTE

APPLICATION APPROVED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA			X
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Elizabeth N. Murphy **CAL NO.:** 316-03-S
APPEARANCE FOR: Michael E. Lavelle. Elizabeth Murphy **MAP NO.:** 9-H
APPEARANCES AGAINST: **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 3855-59 N. Lincoln Avenue

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an accessory off-site parking lot for the parking of private passenger automobiles, in a B3-2 General Retail District, to satisfy the parking requirement for a proposed restaurant to be located at 3905 N. Lincoln Avenue.

ACTION OF BOARD--

APPLICATION APPROVED.

COPY

THE VOTE

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on October 24, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is to be located in a B3-2 General Retail District; that the subject site is a 9.600 sq.ft. irregularly shaped lot which previously served as parking for a former funeral home which is being renovated into a restaurant t which will be located at 3905 N. Lincoln Avenue; that the proposed use is necessary for the public convenience at this location to satisfy the off-street parking requirement for the aforesaid restaurant; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use of the subject site as an off-site parking lot for a restaurant is consistent with its former use and will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That the applicant shall provide landscaping and fending in compliance with applicable provisions of the Chicago Landscape Ordinance; 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: Clark Foster Liquors, Inc., d/b/a Hopleaf Bar **CAL NO.:** 317-03-S
APPEARANCE FOR: John J. George, Michael George Roper **MAP NO.:** 13-G
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
 August 15, 2003
PREMISES AFFECTED: 5148 N. Clark Street
NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the expansion of an existing tavern and restaurant in a 2-story commercial and residential building, in a B5-2 General Service District.

ACTION OF BOARD--

APPLICATION APPROVED.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 29, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the proposed use is necessary for the public convenience at this location; that the proposed use is so designed, located and proposed to be operated that the public health, safety and welfare will be adequately protected; and that the proposed use will not cause substantial injury to the value of other property in the neighborhood in which it is to be located; it is therefore

RESOLVED, that the aforesaid special use request be and it hereby is approved and the Zoning Administrator is authorized to permit said special use subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Amalia Sandoval & Juan Velasquez **CAL NO.:** 318-03-Z
APPEARANCE FOR: James J. Banks, Amalia Sandoval & Juan Valasquez **MAP NO.:** 14-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:** August 15, 2003
PREMISES AFFECTED: 6132-34 S. Kenneth Avenue

NATURE OF REQUEST: Application for a variation under article 11 of the zoning ordinance to permit, in an R3 General Residence District, the division of an improved zoning lot with the remaining 2-story single family dwelling at 6134 S. Kenneth Avenue having a north side yard of 2.07' instead of 5'.

ACTION OF BOARD--

VARIATION GRANTED.

THE VOTE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Natalie Hernandez **CAL NO.:** 319-03-Z
APPEARANCE FOR: James J. Banks **MAP NO.:** 14-K
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 6132 S. Kenneth Avenue

NATURE OF REQUEST: Application for a variation under Article 11 of the zoning ordinance to permit, in an R3 General Residence, the erection of a 2 ½-story single family dwelling, whose front yard will be 11' instead of 20', and whose north and south side yards will be 2' each instead of 5' each.

ACTION OF BOARD--

THE VOTE

VARIATION GRANTED.

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE	X		

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003, after due notice thereof as provided under Section 11.7-2 and by publication in the Chicago Sun-Times on July 29, 2002; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: that on August 15, 2003, the Zoning Board of Appeals approved, in Cal. No. 318-03-Z, the division of an improved zoning lot at 6132-34 S. Kenneth Avenue, with the remaining 2-story single-family dwelling at 6134 S. Kenneth Avenue having a north side yard of 2.07' instead of 5'; that the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district in which it is located; that the plight of the owner is due to unique circumstances; that the variations, if granted, will not alter the essential character of the locality; it is therefore

RESOLVED, that the Zoning Board of Appeals, by virtue of the authority conferred upon it, does hereby make a variation in the application of the district regulations of the zoning ordinance and that the aforesaid variation request be and it hereby is granted subject to the following condition(s):

That all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Steve Balourdos **CAL NO.:** 304-03-A
APPEARANCE FOR: James J. Banks, Steve Balourdos **MAP NO.:** 3-F
APPEARANCES AGAINST: None **MINUTES OF MEETING:**
August 15, 2003
PREMISES AFFECTED: 1110 N. State Street
NATURE OF REQUEST: Appeal from the decision of the Office of the Zoning Administrator.

ACTION OF BOARD--

THE VOTE

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

JOSEPH J. SPINGOLA
 DEMETRI KONSTANTELOS
 DONALD HUBERT
 GIGI McCABE-MIELE
 BRIAN L. CROWE

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA	X		
DEMETRI KONSTANTELOS	X		
DONALD HUBERT	X		
GIGI McCABE-MIELE	X		
BRIAN L. CROWE			X

THE RESOLUTION:

WHEREAS, Steve Balourdos, owner, on July 28, 2003, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit, in a B2-5 Restricted Retail District, the establishment of an off-site non-conforming roof-top advertising sign located within 250 feet of a residential district, on premises at 1110 N. State Street; and

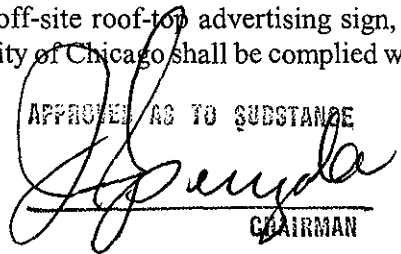
WHEREAS, the decision of the Office of the Zoning Administrator rendered July 9, 2003, reads:
 "Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Title 17 of the Municipal Code of Chicago, specifically, Section 8.9(7)."

and
 WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on August 15, 2003; and

WHEREAS, the district maps show that the premises is located in a B2-5 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 B5-2 Restricted Retail District; that the subject site is improved with a 2-story commercial building; that evidence presented indicates that a roof-top advertising sign was legally erected at the subject site in 1990 under Permit No. 3398554 and is not a non-conforming use; that the evidence presented further indicates that the advertising sign is located more than 250 feet from a residential zoning district; that no violation of the zoning ordinance exists nor is contemplated and that the appellant has established the basis of his appeal; it is therefore

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 off-site roof-top advertising sign, on premises at 1110 N. State Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

APPROVED AS TO SUBSTANCE

 CHAIRMAN

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

APPLICANT: Dubin Residential Communities Corporation **CAL NO.:** 200-03-S
APPEARANCE FOR: Bernard I. Citron **MAP NO.:** 9-G
APPEARANCES AGAINST: H. Reed Harris **MINUTES OF MEETING:**
 July 18, 2003 and
PREMISES AFFECTED: 3260 N. Clark Street August 15, 2003

NATURE OF REQUEST: Application for a special use under Article 11 of the zoning ordinance for the approval of the location and the establishment of an off site parking space for the parking of a private passenger automobile, in a B4-3 Restricted Service District, to serve unit B in a building located at 3215 N. Wilton Avenue.

ACTION OF BOARD--

COPY

THE VOTE

APPLICATION DENIED.

	AFFIRMATIVE	NEGATIVE	ABSENT
JOSEPH J. SPINGOLA		X	
DEMETRI KONSTANTELOS		X	
DONALD HUBERT		X	
GIGI McCABE-MIELE		X	
BRIAN L. CROWE		X	

THE RESOLUTION:

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meetings held on July 18, 2003 and August 15, 2003, after due notice thereof as provided under Section 11.10-3 and by publication in the Chicago Sun-Times on July 1, 2003; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby finds the following: This case was formerly filed with the Zoning Board of Appeals (Board) under Calendar No. 193-00-S. The application for a Special Use was granted on a vote of four members of the Board. The decision of the Board was appealed to the Circuit Court and eventually to the Appellate Court. The Appellate Court of Illinois, First Judicial Division, reversed the Board in Docket No. 1-01-3301. Among other things, the Court concluded the Applicant had failed to meet its burden of establishing the two properties were in the same possession by deed or long-term lease. The decision of the Board was reversed. The Applicant now brings this case as permitted under the Rules of Procedure before the Board allowing a new request one year after the Board's decision. Therefore, the Board has jurisdiction to hear this new application for the same Special Use requested in Calendar No. 193-00-S.

WHEREAS, in response to the findings of the Appellate Court, the Applicant admitted a warranty deed, (App. Ex. 1) conveying Unit P-32 at 3260 North Clark Street to Dubin Residential Communities Corporation, the owner of Unit B at 3215 North Wilton Avenue in the City of Chicago. Both the property at 3260 North Clark Street and the property at 3215 North Wilton Avenue are condominiums under the Illinois Condominium Property Act. Unit P-23 is one parking space in a garage at 3620 North Clark Street.

(Continued on page 41a.)

COPY

MINUTES OF MEETING

August 15, 2003

Cal. No.200-03-S

WHEREAS, Mr. H. Reed Harris appeared as an objector and submitted testimony and exhibits. Mr. Harris contends the parking space for which a Special Use is sought does not meet the requirements of the Chicago Zoning Ordinance. The parties agree Section 7.12-2 of the Chicago Zoning Ordinance is applicable. That provision provides for off-street parking in an R4 residential district. The relevant portions of the provision recite, "in an R4.....district, all parking spaces required for 1 or 2-family dwellings, shall be located on the same zoning lot as the use served. Parking spaces required for all other uses shall be located on the same zoning lot as the use served, except as provided for as a Special Use,...except that parking spaces required to serve multiple-family dwellings shall be located within 300 feet walking distance of a main entrance to the use served."

WHEREAS, Mr. Harris submitted Objector's Exhibit A-1, a map of the block, which includes both buildings. He concludes the distance is over 1,100 feet when walking Wilton Avenue to Belmont Avenue to 3260 North Clark Street. He also concludes a walking distance of over 700 feet exists if walking Wilton Avenue to School Street to 3260 North Clark Street. The Applicant admitted evidence the distance from the main entry to the condominium building at 3215 North Wilton Avenue to the entry of the garage at the alley behind 3260 North Clark Street is 300 feet. The Applicant's measurements were taken from the main entrance of the property at 3215 North Wilton Avenue to an alley behind the property and then along the alley to an alley entryway to the garage of the building at 3260 North Clark Street. Objector's Exhibit A shows parking space 32, which Mr. Harris alleges is 380 feet and 11 inches along the line of measurement used by the Applicant. The Applicant stipulated parking space P-32 is 78 feet from the garage door entry. Mr. Harris argues the term "walking distance" to be a measurement along public sidewalks. The Applicant interprets "walking distance" as the shortest distance a person may find to walk from the principal place of entrance to the location of the Special Use. The Board finds the Special Use is not the garage at 3260 North Clark Street, but only space P-32 therein. The Ordinance requires the measurement (however, "walking distance" may be interpreted) to be the distance from a main entrance of the use served, in this case, 3215 North Wilton Avenue. The Special Use is parking space 32 at 3260 North Clark Street. The Applicant apparently seeks to have the Board consider the entire garage at 3260 North Clark Street to constitute the Special Use. That interpretation of the Ordinance is misplaced. The Board finds parking space P-32 at 3260 North Avenue is more than 300 feet from the use served at 3215 North Wilton Avenue and therefore, does not meet the requirements of Section 7.12-2 of the Chicago Zoning Ordinance. Therefore, the Applicants' request for a Special Use be and is hereby denied. While this decision would be dispositive of this case, the Board makes the following finding to avoid multiple additional appeals.

WHEREAS, The objector, Mr. H. Reed Harris, also submitted evidence and argued that App. Ex. A is a prohibited conveyance. The deed/exhibit transfers Unit P-32, a garage space at 3260 North Clark Street, a condominium building, to Dubin Residential Communities Corporation, the developer and owner of 3215 North Wilton Avenue and the owner of Unit B therein (the use served). In support of his argument, Harris submitted Obj. Ex. 1 being the Declaration of Condominium for Erin Place, the condominium at 3260 North Clark Street. Harris cites Sec. 1, Par 5 and Sec 4, Par. B. The Applicant argues that David Dubin is a principal in both Dubin Residential Communities Corporation and Erin Properties Limited and therefore has a right to sell parking space P-32 at Erin Place to Dubin Residential Communities Corporation.

WHEREAS, The Board takes note there is no evidence to indicate the garage at 3250 N. Clark Street is its own condominium from which parking units may be sold to persons other than owners of units within the building. The Board also notes there is no specific prohibition against the sale of parking spaces to non unit owners in Obj. Ex. 1. At Section 1-R, Obj. Ex, 1 states all parking spaces may be freely owned, leased, mortgaged and conveyed to any unit owner or occupant (emphasis provided). The plain meaning of the words indicates parking space units are to be owned by unit owners. Therefore, for Dubin Residential Communities Corporation to own a parking space within Erin Place Property Corporation it must be a unit owner. There being no evidence of that fact, the Board agrees with objector Reed the transfer of parking space P-31 to a non-unit owner is an invalid transfer, For this reason, the Application herein would also be denied.