

MINUTES OF THE REGULAR MEETING OF THE
ZONING BOARD OF APPEALS

held in Room 569 County Building on Friday, March 18, 1988

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

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

Lawrence E. Kennon

Vice Chairman

Roula Alakiotou

James E. Caldwell

Michael J. Howlett

MINUTES OF MEETING

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Ms. Alakiotou moved that the Board approve the record of the proceedings of the regular meeting of the Zoning Board of Appeals held on February 19, 1988, (as submitted by the Secretary) as the minutes of said meeting.

The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Alakiotou and Caldwell. Nays- None. Absent- Rios and Howlett.

* * * * *

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

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

APPLICANT: Dale Alan Mirow
 ARGUMENTS FOR: Dale Alan Mirow
 APPEARANCES AGAINST:

CAL. NO. 35-88-Z
 MAP NO. 11-H
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED— 4110 N. Leavitt Street

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

ACTION OF BOARD—

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
Michael J. Howlett	x		
Rafael R. Rios			x
James E. Caldwell	x		

THE RESOLUTION:

WHEREAS, Dale Alan Mirow, owner, on January 27, 1988, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the expansion of the 3rd floor of a three-story frame single family residence, whose front yard is 11.7 feet instead of 19.84 feet, whose north side yard is 1 foot and whose south side yard is 3 feet instead of 5.3 feet each, and which expansion results in a 13 percent increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 4110 N. Leavitt Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 12, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.6-3, §7.7-3, §7.8-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are 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 three-story frame single family residence; that the applicant seeks to expand the third floor by raising the walls 6 feet in height, which expansion will result in a 13 percent increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed expansion of the third floor is necessary to meet the needs of the applicant and his family; that the plight of the owner is due to the necessity of providing additional bedroom space; and that the variations, if granted, will not alter the essential character of the locality in that the single family residence with the proposed third floor expansion will be compatible with the majority of the residential buildings in the neighborhood; it is therefore

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March 18, 1988

Cal. No. 35-88-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 expansion of the third floor of a three-story frame single family residence, whose front yard is 11.7 feet instead of 19.84 feet, whose north side yard is 1 foot and whose south side yard is 3 feet instead of 5.3 feet each, and which expansion results in a 13 percent increase in the amount of floor area existing in the building prior to the 1957 comprehensive amendment to the zoning ordinance, on premises at 4110 N. Leavitt Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Patrick FitzGerald
 APPEARANCES FOR: Patrick FitzGerald
 APPEARANCES AGAINST:

CAL. NO. 36-88-Z
 MAP NO. 9-H
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1801-11 W. Roscoe Street

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

ACTION OF BOARD--

THE VOTE

Variations granted.

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
Rafael R. Rios			X
James E. Caldwell	X		

THE RESOLUTION:

WHEREAS, Patrick FitzGerald, for Cal Boender, owner, on February 2, 1988, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the erection of a two-story six-dwelling unit townhouse building whose east front yard will be 2 feet instead of 15 feet and whose west rear yard will be 20 feet instead of 30 feet, on premises 1801-11 W. Roscoe Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 21, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are 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 February 10, 1988, the City Council rezoned the subject site from R3 to R4 for the purpose of erecting the proposed two-story six-dwelling unit townhouse building; that the applicant has elected to designate the Ravenswood Street side as the front yard which therefore requires only front and rear yard variations; that the side yards are in compliance with the requirements of the zoning ordinance; that the property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that to erect less than the proposed six-dwelling unit townhouse building on the subject site would prove economically unfeasible; that the plight of the owner is due to unique circumstances in that there is no demand for typical multi-story rental units in the area but there is a demand for attached two-story single family townhouses, which arrangement in this case requires greater horizontal land coverage and encroachment into the required front and rear yards; and that the proposed two-story six-dwelling unit townhouse structure is compatible with the existing improvements in the area and will not alter the essential character of the locality; it is therefore

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March 18, 1988

Cal. No. 36-88-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 two-story six-dwelling unit townhouse building whose east front yard will be 2 feet instead of 15 feet, and whose west rear yard will be 20 feet instead of 30 feet, on premises at 1801-1 W. Roscoe Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Keith M. Rudman
 APPEARANCES FOR: William Singer
 APPEARANCES AGAINST:

CAL. NO. 37-88-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1740 N. Cleveland Avenue

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

ACTION OF BOARD--

Variations granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Keith M. Rudman, owner, on February 4, 1988 filed, and subsequently amended, an application for a variation of the zoning ordinance to permit, in an R5 General Residence District, the erection of a two-story single family residence with attached one-story garage, whose north side yard will be one foot instead of 4.8 feet and which portion attached to the garage will be located in the required rear yard, on premises at 1740 N. Cleveland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-5, §7.9-5."

and

WHEREAS, a public hearing was held on the application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are 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 property in question cannot yield a reasonable return nor be put to reasonable use if permitted to be used only under the conditions allowed by the regulations in this district in that the proposed size and configuration of the single family residence is necessary to make its construction economically feasible and to meet the needs of the applicant; that the plight of the owner is due to the configuration of the proposed structure which provides for large open yard areas on the south side but which design could not be built without the requested variation; and that the variations, if granted, will not alter the essential character of the locality in that the proposed two-story single family residence is consistent with the size and location of the adjoining buildings and is located in a block in which most of the improvements do not comply with the side and rear yard requirements; it is therefore

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Cal. No. 37-88-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 two-story single family residence with attached one-story garage, whose north side yard will be 1 foot instead of 4.8 feet and which portion attached to the garage will be located in the required rear yard, on premises at 1740 N. Cleveland Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Richard Barr, by Bernard I. Citron-Schain, Firsel & Burney

CAL. NO. 38-88-Z

APPEARANCES FOR: Robert Kenny

MAP NO. 8-F

APPEARANCES AGAINST:

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March 18, 1988

PREMISES AFFECTED— 3101-09 S. Wallace Street

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

ACTION OF BOARD—

THE VOTE

Variations granted.

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Richard Barr, by Bernard I. Citron-Schain, Firsel & Burney, Inc., for Richard Barr, owner, on February 4, 1988, filed an application for a variation of the zoning ordinance to permit, in a B4-2 Restricted Service District, the erection of a one-story building containing 5 retail stores, with no provision for a transitional yard setback for a distance of 4 feet north of the south lot line and 20 feet east of the west lot line as required when located across an alley from a residence district, on premises at 3101-09 S. Wallace Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 20, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.8-4, §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 March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are 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 was formerly improved with a one and two-story structure built lot line to lot line of which a portion of the east and south walls still remain; that the applicant intends to utilize these walls and the existing foundation in constructing the proposed one-story five-retail stores 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 it would be economically unfeasible to erect the proposed building without the utilization of the existing foundation and walls; that the plight of the owner is due to the necessity of providing a transitional yard when located across an alley from a residence district; and that the variation, if granted, will not alter the essential character of the locality in that the proposed one-story building, utilizing the same foundation and two walls of the prior building, will be compatible with the existing improvements in the area; it is therefore

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Cal. No. 38-88-Z

WHEREAS, 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 one-story building containing 5 retail stores with no provision for a transitional yard setback for a distance of 4 feet north of the south lot line and 20 feet east of the west lot line as required when located across an alley from a residence district, on premises at 3101-09 S. Wallace Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Morgan Park C.H. Church
 APPEARANCES FOR: Janice Agnew
 APPEARANCES AGAINST:

CAL. NO. 39-88-Z
 MAP NO. 26-G
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED— 1357 W. 107th Street

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

ACTION OF BOARD—

Variations granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
Michael J. Howlett	x		
Rafael R. Rios			x
James E. Caldwell	x		

THE RESOLUTION:

WHEREAS, Morgan Park C.H. Church, owner, on February 8, 1988, filed an application for a variation of the zoning ordinance to permit, in an R3 General Residence District, the erection of additions to the north and east sides of a one-story frame church building to contain 120 seats, whose west side yard will be 8.8 feet instead of 12 feet and whose south rear yard will be 2.16 feet instead of 30 feet, on premises at 1357 W. 107th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 8, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-3(4), §7.9-3, §11.7-4(1)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R3 General Residence District; that on September 9, 1987, the City Council rezoned the subject site from M1-1 to R3 for the purpose of the proposed expansion of the applicant church; 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 growth of the congregation and its activities necessitates an increase in the size of the existing building; that the plight of the owner is due to the configuration of the existing structure on the lot which includes required off-street parking in the east portion of the lot, and the need for additional space for the proper functioning of the church; and that the variations, if granted, will not alter the essential character of the locality in that the proposed addition to the north will conform with the front yard set backs of other improvements on the block and is located in an area in which many of the improvements do not comply with the yard requirements of the zoning ordinance; it is therefore

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Cal. No. 39-88-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 additions to the north and east sides of a one-story frame church building to contain 120 seats, whose west side yard will be 8.8 feet instead of 12 feet and whose south rear yard will be 2.16 feet instead of 30 feet, on premises at 1357 W. 107th Street, upon the condition that the parking area shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some other comparable all-weather dustless material, properly graded to drain to a sewer or sewer's located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that steel beam guard rails approximately 2 feet in height shall be erected on the periphery of the surfaced area excluding the driveway; that striping shall be provided; that lighting shall be provided which shall be directed away from abutting residential property; that ingress and egress shall be from W. 107th Street; that the driveway shall be constructed in compliance with all applicable ordinances; and that all other applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Chicago Transit Authority, a municipal corporation
 HEARANCES FOR: Michael J. Wrenn
 APPEARANCES AGAINST:
 PREMISES AFFECTED— 2005-21 S. Pulaski Road
 SUBJECT— Application for the approval of a special use.
 ACTION OF BOARD—

CAL. NO. 40-88-S
 MAP NO. 4-J
 MINUTES OF MEETING
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Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Chicago Transit Authority, a municipal corporation, owner, on January 21, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a new C.T.A. stationhouse, in a B4-2 Restricted Service District, on premises at 2005-21 S. Pulaski Road; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 16, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are 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 existing C.T.A. stationhouse on the subject site, built in 1902, is antiquated and inadequate to properly service the community; that the proposed use is necessary for the public convenience at this location to provide better and safer service for the C.T.A. patrons using this station; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed use which will comply with all appropriate ordinances; and that the proposed C.T.A. stationhouse will enhance the neighborhood and 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 new C.T.A. stationhouse, on premises at 2005-21 S. Pulaski Road, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: William and Martha Moran
 APPEARANCES FOR: David Epstein
 APPEARANCES AGAINST:

CAL. NO. 41-88-S
 MAP NO. 5-G
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED— 951 W. Armitage Avenue
 SUBJECT— Application for the approval of a special use.

ACTION OF BOARD—

THE VOTE

Application approved.

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
Rafael R. Rios			X
James E. Caldwell	X		

THE RESOLUTION:

WHEREAS, William and Martha Moran, for Cosmopolitan National Bank, Tr. #25774, owner, on January 27, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a pet shop on the 1st floor of a three-story brick store and apartment building, in a B2-2 Restricted Retail District, on premises at 951 W. Armitage Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 13, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.4-2."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a B2-2 Restricted Retail District; that the store on the first floor of the building on the subject site was previously occupied by a pet shop for several years; that the proposed use is necessary for the public convenience at this location to continue to provide a needed service in the community; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed use which will be limited to the sale of fish, birds, hamsters and other small similar animals and pet products and that no cats, dogs or other large or exotic animals will be sold; and that the proposed use is compatible with the existing commercial uses on the block 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 pet shop on the 1st floor of a three-story brick store and apartment building, on premises at 951 W. Armitage Avenue, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 7 P.M., daily; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Robert P. Lizzo
APPEARANCES FOR: Robert P. Lizzo
APPEARANCES AGAINST: Dolores Gerlach

CAL NO. 42-88-Z
MAP NO. 9-I
MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 3223 N. Elston Avenue

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

ACTION OF BOARD--

Variation granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Robert P. Lizzo, for Amerigas Corp., owner, on January 29, 1988, filed an application for a variation of the zoning ordinance to permit, in an M1-1 Restricted Manufacturing District, the erection of a one-story addition to the rear of a two-story commercial building with no provision for a 20 feet setback from W. Melrose Street as required when located across the street from an R3 General Residence District, on premises at 3223 N. Elston Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 25, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §10.13-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are 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 an irregular shaped lot with frontages on N. Elston Avenue and on W. Melrose Street and is improved with a two-story building used as a welding and gas supply business located in the southwest portion of the lot; that the applicant proposes to erect a one-story addition to the rear of the existing building which will abut the rear alley and a portion of W. Melrose Street; 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 configuration of the proposed addition is necessary to provide a loading dock area in the northwest portion of the lot with a driveway off N. Elston Avenue; that the plight of the owner is due to unique circumstances in that the subject site is bounded on three sides by Commercial zoning and it is only the portion of the proposed addition that abuts W. Melrose Street that requires a 20 feet setback due to the Manufacturing zoning; that the W. Melrose Street frontage of the proposed addition is minimal and that the variation, if granted, will not alter the essential

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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 one-story addition to the rear of a two-story commercial building with no provision for a 20 feet setback from W. Melrose Street as required when located across the street from an R3 General Residence District, on premises at 3223 N. Elston Avenue, upon condition that a driveway to the loading area shall be provided on the N. Elston Avenue frontage in the northwest portion of the site; that the existing driveway on W. Melrose Street shall be fenced off and may only be used in emergency situations; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Jahn & Ollier Graphic Communications
 APPEARANCES FOR: Kevin Rielley
 APPEARANCES AGAINST:

CAL. NO. 43-88-S
 MAP NO. 1-G
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 22-30 N. Green Street
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
x		
		x
x		

THE RESOLUTION:

WHEREAS, Jahn & Ollier Graphic Communications, owner, on February 16, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an off-site accessory parking lot for the parking of private passenger automobiles, in a C3-3 Commercial-Manufacturing District, on premises at 22-30 N. Green Street, to serve a business located at 817 W. Washington Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 10, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are located in C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises hereby makes the following findings of fact: that the proposed use is to be located in a C3-3 Commercial-Manufacturing District; that a parking lot is necessary at this location to serve employees of the applicant business located at 817 W. Washington Street; that the public health, safety and welfare will be adequately protected in the design, location and operation of the parking lot to be improved and operated under the conditions hereinafter set forth; and that the parking lot will be compatible with the existing business 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 an off-site accessory parking lot for the parking of private passenger automobiles, on premises at 22-30 N. Green Street, to serve a business located at 817 W. Washington 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

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automobiles belonging to employees of the applicant company; that the lot shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed with a 6 feet high cyclone fence except at the entrance; that concrete wheel stops shall be provided on the south lot line within the fence; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from N. Green Street via the alley abutting the subject site to the north; that an electronically operated admission gate shall be provided at the entrance to the lot; that the parking lot may be open 24 hours daily; and that all applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order. Further, the Zoning Board of Appeals shall retain jurisdiction over this application until such time as all conditions stated herein shall have been complied with and the Zoning Administrator shall not issue a certificate of occupancy until an inspection of the property and a determination shall have been made by his department that all of the provisions of this resolution have been complied with.

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

APPLICANT: Heartland/Baryl Joint Venture
 APPEARANCES FOR: Elvin E. Charity
 APPEARANCES AGAINST: Gregory H. Furda
 PREMISES AFFECTED-- 306-28 S. Canal Street and 305-39 S. Clinton Street
 SUBJECT-- Application for the approval of a special use.

CAL. NO. 44-88-S
 MAP NO. 2-F
 MINUTES OF MEETING
 March 18, 1988

ACTION OF BOARD--

Applicaton approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	x		
Roula Alakiotou	x		
Michael J. Howlett	x		
Rafael R. Rios			x
James E. Caldwell	x		

THE RESOLUTION:

WHEREAS, Heartland/Baryl Joint Venture, for American national Bank & Trust Co., Tr. #38682, owner, on February 18, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the erection of a nine-level public parking facility (with some retail space), in a C3-5 Commercial-Manufacturing District, on premises at 306-28 S. Canal Street and 305-39 S. Clinton Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are located in a C3-5 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-5 Commercial-Manufacturing District; that the applicant proposes to construct an eight-level public parking facility (with some retail space) in two phases; that the 1st phase will consist of six levels including a sub-level, with the remaining two levels erected at a later date; that the total facility will provide approximately 2500 parking spaces; that the proposed parking facility is necessary for the public convenience at this location in that this is a high density area with a great need for public parking facilities; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed parking facility which provides on-site security and a glass-enclosed exterior elevator for patrons of the facility; and that the proposed parking facility is compatible with current and future business improvements in the area and will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the erection of an eight-level public parking

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facility with some retail space, to be constructed in two phases, on premises at 306-28 S. Canal Street and 305-39 S. Clinton Street, upon condition that ingress and egress to the facility shall be determined by the Bureau of Traffic Engineering and Operations; that security shall be provided on-site during all hours of operation of the facility; that a glass-enclosed exterior elevator shall be provided on the Canal Street side of the facility; that the balance of the facility shall be setback 20 feet from the Canal Street lot line; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Inter-track Partners
 APPEARANCES FOR: Daniel J. Houlihan
 APPEARANCES AGAINST:
 PREMISES AFFECTED-- 223 W. Jackson Boulevard
 SUBJECT-- Application for the approval of a special use.

CAL NO. 45-88-S
 MAP NO. 2-F
 MINUTES OF MEETING
 March 18, 1988

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett	X		
Rafael R. Rios			X
James E. Caldwell	X		

THE RESOLUTION:

WHEREAS, Inter-track Partners, for LaSalle National Bank, Tr. #109163, owner, on February 22, 1988, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of an Inter-track Wagering Facility on the 1st and 2nd floors of a 12-story brick commercial building, in a C3-7 Commercial-Manufacturing District, on premises at 223 W. Jackson Boulevard; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 19, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §9.3-3. §9.4-3(8), §11.6-4."

and WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on February 29, 1988; and

WHEREAS, the district maps show that the premises are located in a C3-7 Commercial-Manufacturing District; and

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in a C3-7 Commercial-Manufacturing District; that the applicant Inter-track Partners is a general partnership of the owners of Sportsman's Park, Hawthorne, Maywood Park and Balmoral Park horse racing tracks in Illinois; that by authority of the Illinois Horse Racing Act, each of the partners has been granted the opportunity to receive up to two inter-track wagering location licenses, as defined by said Act; that Maywood Park Trotting Association, Inc., as a general partner of Inter-track Partners, has been issued a license by the Illinois Racing Board for the operation of an inter-track wagering facility at the subject site; that it is proposed to establish eight mutuel windows on the 1st floor and ten windows on the second floor, which will also have general patron seating and dining areas; that if demand is sufficient the applicant has an optional plan for restaurant usage on the 3rd floor of the subject building; that 150 televisions and 9 large screen televisions will be installed throughout the facility for viewing races; that the hours of operation will be limited to the hours between 7 A.M. on the first floor, 11 A.M. on the second floor, and 12 Midnight; that the proposed facility will be open seven days a week and employ up to 150 persons; that the facility will have a capacity of approximately 950

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persons; that the applicant will pay one percent of the pari-mutuel handle (money wagered by the patrons) to the City of Chicago and one percent of the handle to Cook County; that the proposed facility will provide an additional recreation and entertainment source in the City for citizens and tourists and is necessary for the public convenience at this location; that the public health, safety and welfare will be adequately protected in the design, location and operation of the proposed facility which will provide security personnel and television security monitors throughout the premises and that adequate off-street parking is available in numerous public parking facilities located in the immediate area; and that the proposed facility to be established at a cost in excess of two million dollars, will be compatible with the existing and developing business 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 an inter-track wagering facility on the first and second floors and optional third floor use of a 12-story brick commercial building, on premises at 223 W. Jackson Boulevard, upon condition that the hours of operation shall be limited to the hours between 7 A.M. on the first floor, 11 A.M. on the second floor (and third floor), and 12 Midnight, daily; that security personnel and television security monitors shall be provided throughout the facility; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Emma Harvey
 APPEARANCES FOR: Emma Harvey
 APPEARANCES AGAINST:

CAL. NO. 46-88-A
 MAP NO.
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED— 1907 W. Washburne Avenue

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

ACTION OF BOARD—

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Emma Harvey, for L.C. Harvey, owner, on February 4, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the dispensing of food in an existing grocery store in a one-story brick store building, in an R3 General Residence District, on premises at 1907 W. Washburne Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 29, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.3-3."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 appellant operates a licensed grocery store in the one-story non-conforming building on the subject site and desires to add, as an accessory use, the dispensing of carry-out food such as hamburgers, hot dogs and french fries, to the customers of the existing grocery store; 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 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 dispensing of food, as an accessory use only, in an existing grocery store in a one-story brick store building, on premises at 1907 W. Washburne Avenue, upon condition that the hours of operation shall be limited to the hours between 7:30 A.M. and 9 P.M.; that there shall be no table service of food on 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: Javier and Lawanda Vazquez
 APPEARANCES FOR: Gary R. Thompson
 APPEARANCES AGAINST:

CAL. NO. 47-88-A
 MAP NO. 6-I
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 2639 W. 25th Street

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Javier and Lawanda Vazquez, owners, on February 9, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a carry-out restaurant in a two-story brick store and apartment building, in an R4 General Residence District, on premises at 2639 W. 25th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 4, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 non-conforming store in the two-story brick store and apartment building on the site has been occupied by business uses since prior to the time of the passage of the 1957 comprehensive amendment to the zoning ordinance, the last use having been machinery storage, a C use; that the change of use to a carry-out restaurant, a B2 use, is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a carry-out restaurant in a two-story brick store and apartment building, on premises at 2639 W. 25th Street, upon condition that the hours of operation shall be limited to the hours between 10 A.M. and 10 P.M., daily; that there shall be no table service of food on the premises; that there shall be no automatic amusement machines 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: Jose A. Barrera
APPEARANCES FOR: Jose A. Barrera
APPEARANCES AGAINST:

CAL. NO. 48-88-A
MAP NO. 14-I
MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 3020 W. 63rd Street

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Jose A. Barrera, for Park Management & Investment, Ltd., owner, on February 1, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit audio/video repairs in conjunction with the retail sale of televisions, radios and videos in a three-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 3020 W. 63rd Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 1, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 in a store occupied by an existing television, radio and video retail business; that limited repair of such items is an accessory 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 audio/video repairs, as an accessory use only, in conjunction with the retail sales of televisions, radios and videos in a three-story brick store and apartment building, on premises at 3020 W. 63rd Street, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: United Technicians Televisions Sales and Service
 APPEARANCES FOR: Oliver Summers
 APPEARANCES AGAINST:

CAL. NO. 49-88-A
 MAP NO. 20-H
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED— 8532 S. Ashland Avenue

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

ACTION OF BOARD—

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, United Technicians Televisions Sales and Service, for Charles Mederith, owner, on February 18, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit audio/video repairs in conjunction with the retail sale of new and used televisions and electronic accessories in a three-story brick store and apartment building, in a B2-1 Restricted Retail District, on premises at 8532 S. Ashland Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 appellant proposes to sell at retail new and used televisions and electronic accessories and is seeking an audio/video repair license in conjunction therewith; that repair work on a limited basis is accessory to the primary retail business operation; 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 audio/video repairs, as an accessory use only, in conjunction with the retail sale of new and used televisions and electronic accessories in a three-story brick store and apartment building on premises at 8532 S. Ashland Avenue, upon condition that all applicable ordinances of the City of Chicago shall be complied with before license is issued.

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

APPLICANT: Ethel Hummelt

CAL. NO. 50-88-A

APPEARANCES FOR:

MAP NO. 13-G

APPEARANCES AGAINST:

MINUTES OF MEETING

March 18, 1988

PREMISES AFFECTED— 1047 W. Bryn Mawr Avenue

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

ACTION OF BOARD—

Case continued to
April 15, 1988.

THE VOTE

Lawrence E. Kennon

Roula Alakiotou

Michael J. Howlett

Rafael R. Rios

James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

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

APPLICANT: Maria Alva
 APPEARANCES FOR: Maria Alva
 APPEARANCES AGAINST:

CAL. NO. 51-88-A
 MAP NO. 4-G
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1503 W. 19th Street

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Maria Alva for Antonio Puentes, owner, on February 10, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a bridal shop in a one-story brick store building on the front of a lot improved additionally with a three-story brick apartment building, in an R4 General Residence District, on premises at 1503 W. 19th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 9, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 non-conforming one-story brick store building on the front of the lot improved additionally with a three-story brick apartment building has been previously occupied by business uses since prior to the passage of the 1957 comprehensive amendment to the zoning ordinance, the last use having been a rental hall; that the change of use to a bridal shop is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a bridal shop in a one-story brick store building on the front of a lot improved additionally with a three-story brick apartment building, on premises at 1503 W. 19th Street, upon condition that the hours of operation shall be limited to the hours between 9 A.M. and 7 P.M., and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: Karl D. Fritz
APPEARANCES FOR: None
APPEARANCES AGAINST:

CAL. NO. 52-88-A
MAP NO. 13-L
MINUTES OF MEETING
March 18, 1988

PREMISES AFFECTED-- 5020-22 W. Ainslie Street

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

ACTION OF BOARD--

Application withdrawn upon motion of appellant.

THE VOTE

Lawrence E. Kennon
Roula Alakiotou
Michael J. Howlett
Rafael R. Rios
James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

APPLICANT: Sargit S. Sikand
APPEARANCES FOR: William J. Hennessey
APPEARANCES AGAINST: Bernard Stone, et al.

CAL. NO. 53-88-A
MAP NO. 15-1
MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED— 2519 W. Devon Avenue

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

ACTION OF BOARD—

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
X		
		X
X		

THE RESOLUTION:

WHEREAS, Sargit S. Sikand, owner, on February 17, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a banquet hall on the 2nd floor formerly used as a bowling alley in a two-story brick multi-business building and which use, it is alleged, requires no off-street parking, in a B3-2 General Retail District, on premises at 2519 W. Devon Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered February 17, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §6.4-7, §8.3-3, §8.11-1, §11.8-1."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 two-story multi-store building which contains a restaurant on the 1st floor; that on May 15, 1928 the Board approved the erection of the two-story multi-store and bowling alley building on the subject site, in Calendar No. 262-28-Z; that on February 23, 1960 the Board permitted issuance of a certificate of occupancy for a tavern and cocktail lounge in an existing bowling alley in the building on the subject site, in Calendar No. 99-60-A; that the appellant proposes to establish a banquet hall on the second floor formerly occupied by the bowling alley; that the appellant proposes to rent the hall for weddings and other similar occasions primarily on weekends; that the facility will have a capacity of approximately 290 persons; that the appellant purchased the subject property in January of 1986; that on or about March 10, 1987 the appellant submitted an application and plans to the City of Chicago Department of Inspectional Services for a permit to convert the existing bowling alley to a banquet hall on the second floor of the existing structure, which application was approved by the Zoning Administrator; that on June 10, 1987, the Department of Inspectional Services issued Permit No. 683000, to allow the conversion of the existing bowling alley to a banquet hall according to the plans previously submitted; that

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subsequent to the issuance of the permit, and in reliance upon the permit, the appellant commenced the conversion of the bowling alley; that on or about October 22, 1987, the permit for construction, repair and remodeling work at the subject premises was revoked on the basis that the zoning approval previously granted was granted in error; that the Board finds that a banquet hall is an integral part of a restaurant; that the change of use from a bowling alley, a B4 use, to a banquet hall, a B4 use, is a proper substitution of use under §6.4-7 of the zoning ordinance and that the appellant has a right to establish a banquet hall at the subject site having relied upon the issuance of the aforesaid permit; that the subject site bowling alley contained 14 lanes, which under present code would require 42 parking spaces; that the Zoning Administrator requires that a banquet hall provide parking equal to 10 percent of the capacity, in this case, 29 spaces; that §5.8-1(3) of the zoning ordinance provides that "if the said building or structure was erected prior to the effective date of the comprehensive amendment, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use would exceed those for the existing use if the latter were subject to the parking and loading provisions of this comprehensive amendment."; that pursuant to said section the proposed use requires no off-street parking; 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 banquet hall on the second floor formerly used as a bowling alley in a two-story brick multi-business building, on premises at 2519 W. Devon Avenue, and which use requires no off-street parking, upon condition that the hours of operation shall be limited to the hours between noon and 11:30 P.M.; that occupancy of the banquet hall shall be limited to 290 persons; that no outside catering operations shall be conducted from the subject banquet hall; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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

APPLICANT: St. Dorothy Church/Link Unlmtied
APPEARANCES FOR: James McVane, Jr.
APPEARANCES AGAINST:

CAL. NO. 29-88-A
MAP NO. 18-E
MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 7759 S. Eberhart Avenue

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
		x
x		

THE RESOLUTION:

WHEREAS, St. Dorothy Church/Link Unlimited, for Link Unlimited, owner, on January 8, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of office/conference rooms in a one-story brick store building, in an R2 Single-Family Residence District, on premises at 7759 W. Eberhart Avenue; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 21, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 non-conforming one-story brick store building on the subject site has been previously occupied by a grocery store, a B1 use; that St. Dorothy Church and Link Unlimited, a not-for-profit organization composed of businessmen and women who sponsor minority youth to help achieve their school and employment goals, seeks to establish offices and conference rooms in the subject premises; that Link Unlimited presently operates out of the rectory of St. Dorothy Church across the street and that the operation requires the additional facilities; that the proposed use of the subject site for offices and conference rooms in conjunction with the Link Unlimited program is an eleemosynary use, an R4 use; that under §6.4-7 of the zoning ordinance the proposed use is a proper substitution of use at the subject site; 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 office/conference rooms in a one-story brick store building, on premises at 7759 S. Eberhart Avenue, upon condition that the hours of operation shall be limited to the hours between 8 A.M. and 5 P.M. and evening hours when necessary; 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: Oscar Salogaistor
 APPEARANCES FOR: Jaime L. Torres
 APPEARANCES AGAINST:

CAL. NO. 30-88-A
 MAP NO. 6-I
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 3102 W. 25th Street

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

	AFFIRMATIVE	NEGATIVE	ABSENT
Lawrence E. Kennon	X		
Roula Alakiotou	X		
Michael J. Howlett			X
Rafael R. Rios			X
James E. Caldwell	X		

THE RESOLUTION:

WHEREAS, Oscar Salogaistor, for Pablo Viteri, owner, on December 29, 1987, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a restaurant in a one and two-story brick store and apartment building, in an R4 General Residence District, on premises at 3102 W. 25th Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 29, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 non-conforming store in the building on the subject site was previously occupied by a tavern, a B4 use, which use was discontinued by fire in 1985; that the owner of the premises, Pablo Viteri, purchased the property in 1986 and has spent the intervening period readying the store premises for occupancy; that there was no intent to abandon the use of the premises for business purposes; that the change of use to a restaurant is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a restaurant in a one and two-story brick store and apartment building, on premises at 3102 W. 25th Street, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 7 P.M., daily; that there shall be no automatic amusement machines 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 808

APPLICANT: Juan C. Rodriguez
APPEARANCES FOR: Juan C. Rodriguez
APPEARANCES AGAINST:

CAL. NO. 33-88-A
MAP NO. 4-G
MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1515 W. 18th Place

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

ACTION OF BOARD--

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

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
x		
x		
		x
		x
x		

THE RESOLUTION:

WHEREAS, Juan C. Rodriguez, for Laddie Zoldan, owner, on January 13, 1988, filed an appeal from the decision of the Office of the Zoning Administrator in refusing to permit the establishment of a grocery store in a three-story brick store and apartment building, in an R4 General Residence District, on premises at 1515 W. 18th Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered January 8, 1988 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §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 March 18, 1988; and

WHEREAS, the district maps show that the premises are 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 non-conforming store in the one and two-story brick building on the subject site has been previously occupied by business uses, the last use having been an appliance resale shop, a B4 use; that the change of use to a grocery store, a B1 use, is a proper substitution of use under §6.4-7 of the zoning ordinance; it is therefore

RESOLVED, that the appeal be and it hereby is sustained and the decision of the Office of the Zoning Administrator be and it hereby is reversed and he is authorized to permit the establishment of a grocery store in a three-story brick store and apartment building, on premises at 1515 W. 18th Place, upon condition that the hours of operation shall be limited to the hours between 7 A.M. and 10 P.M., daily; that there shall be no automatic amusement machines on the premises; that no alcoholic beverages shall be sold 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 808

APPLICANT: Love Cathedral Community Church
APPEARANCES FOR: Richard C. Jones
APPEARANCES AGAINST:
PREMISES AFFECTED-- 5100-16 S. Halsted Street
SUBJECT-- Application for the approval of a special use.
ACTION OF BOARD--

CAL. NO. 25-88-S
MAP NO. 12-G
MINUTES OF MEETING
 March 18, 1988

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

Application approved.

THE RESOLUTION:

WHEREAS, Love Cathedral Community Church, owner, on December 14, 1987, filed an application for a special use under the zoning ordinance for the approval of the location and the establishment of a 775-seat church and auditorium in an existing two-story brick building, in a B4-2 Restricted Service District, on premises at 5100-16 S. Halsted Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 9, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §8.3-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on January 25, 1988; and

WHEREAS, the district maps show that the premises are 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 applicant church has been located in the subject site building for the past three years; that the proposed church is necessary at this location to continue to provide services to the congregation; that the public health, safety and welfare will be adequately protected in the design and operation of the proposed church which will provide adequate off-street parking to be improved and operated under the conditions hereinafter set forth; and that although the proposed use is located in a business district, the area is not a viable business area and that the establishment of a church at the subject site will not cause substantial injury to the value of other property in the neighborhood; it is therefore

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to permit the establishment of a 775-seat church and auditorium in an existing 2-story brick building, on premises at 5100-16 S. Halsted Steet, upon condition that the parking area shall be improved with a compacted macadam base, not less than four inches thick, surfaced with asphaltic concrete or some comparable all-weather dustless material, properly graded to drain to a sewer or sewers located within

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the lot which shall be connected by drainage tiles to an established City of Chicago sewer; that the lot shall be enclosed with an 8 feet high chain link fence except the driveway; that concrete wheel stops shall be provided; that striping shall be provided; that lighting shall be provided; that ingress and egress shall be from S. Halsted Street; that the driveway shall be constructed in compliance with all applicable ordinances; that the lot shall be securely locked at all times when not in use by the applicant church; and that all other applicable ordinances of the City of Chicago shall be complied with before a certificate of occupancy is issued. It shall be the responsibility of the applicant to improve and maintain the property continuously in conformance with the provisions and standards hereby established under this order.

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

APPLICANT: Just Us Enterprises, Inc.
 APPEARANCES FOR: Fred M. Caplan
 APPEARANCES AGAINST: Elizabeth Zakrzwski, et al.

CAL. NO. 27-88-S
 MAP NO. 4-H
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1800 W. 21st Place
 SUBJECT-- Application for the approval of a special use.

ACTION OF BOARD--

Application approved.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Just Us Enterprises, Inc., for LaSalle National Bank, Tr. #10-32769-09, owner, on January 14, 1988, filed an application for a special use under the zoning ordinance for the approval of the change of licensee and continued operation of an existing tavern in a two-story brick building, in an R4 General Residence District, on premises at 1800 W. 21st Place; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered December 7, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §6.5-4(4)."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on January 25, 1988; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a two-story brick building containing an existing tavern on the first floor; that on April 1, 1987, the City Council passed an ordinance requiring a special use for the approval of the change of licensee of an existing tavern located in a residence district; that the existing tavern in the subject building has been in existence for at least 13 years; that City of Chicago records indicate a liquor license, No. 6505, for the subject tavern was issued to Fortunato Aguilar, which license expires May 1, 1988; that the licensee, Linda Skarrett, proposes to continue to operate the existing tavern under a new license; that the majority of the tavern's patrons come for the local neighborhood and that the continued operation of the tavern at this location is necessary for the public convenience that the applicant/lessee proposes to operate the tavern in a manner to insure that the public health, safety and welfare will be adequately protected; and that the continued operation of the existing tavern will not cause substantial injury to the value of other property in the neighborhood; it is therefore

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Cal.No. 27-88-S

RESOLVED, that the application for a special use be and it hereby is approved and the Zoning Administrator is authorized to approve the change of licensee and continued operation of an existing tavern in a two-story brick building, on premises at 1800 W. 21st Place, upon condition that all applicable ordinances of the City of Chicago shall be complied with before a license is issued; and be it further

RESOLVED, that the heretofore approved change of licensee and continued operation of the subject premises as a tavern shall be subject to the condition that the Zoning Board of Appeals shall retain jurisdiction over this matter until the spring of 1989, at which time, upon notice to the applicant and property owners, the Board will review the approval granted herein for the purpose of determining if the licensee is operating in the community in a proper manner so as to insure that the public health, safety and welfare is being protected.

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

APPLICANT: David Zeunert
 APPEARANCES FOR: John J. George
 APPEARANCES AGAINST: Sheldon Gardner

CAL. NO. 3-88-Z
 MAP NO. 5-G
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1916 N. Fremont Street
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
	X	
		X
		X
X		

Variation denied.

THE RESOLUTION:

WHEREAS, David Zeunert, owner, on November 13, 1988, filed an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the enclosure of the rear porch of a three-story brick three-dwelling unit building, whose south side yard will be 5 inches instead of 2.4 feet, on premises at 1916 N. Fremont Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered November 13, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Municipal Code of Chicago, specifically, §7.8-4."

and

WHEREAS, a public hearing was held on this application by the Zoning Board of Appeals at its regular meeting held on March 18, 1988 after due notice thereof by publication in the Chicago Tribune on December 21, 1987; and

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

WHEREAS, the Zoning Board of Appeals, having fully heard the testimony and arguments of the parties and being fully advised in the premises, hereby makes the following findings of fact: that the proposed use is to be located in an R4 General Residence District; that the subject site is improved with a 100 year old three-story brick three-dwelling unit building; that the applicant has enclosed the rear porch of the subject site three-story building at the third floor level extending beyond the first and second floor porch line to the south and west producing a cantilever effect, without first obtaining the necessary building permit; that the said addition is situated about 5 inches from the south lot line in the required 2.4 feet south side yard; that the eave and gutter line of gable-roof 2-1/2 story building adjoining at 1912 N. Fremont encroaches over the subject site's south lot line and that the applicant's third floor addition juts somewhat over and beyond said encroachment; that the applicant states that the porch enclosure cost \$15,000 and that its removal would create an undue economic hardship; that he further states that the granting of the variation would not alter the essential character of the locality in that many other buildings in the block have insufficient side yards and even encroachments; and

WHEREAS, Acting Chairman Kennon moved that the application for a variation to permit the enclosure of the rear porch at the third floor level whose south side yard is 5 inches instead of the required 2.4 feet be denied for the following reasons: that the fact that the

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applicant did not secure the necessary building permit to construct the said addition and now finds himself in a fait accompli situation is not reason enough for the Board to grant the variation; that had the applicant requested the said variation prior to its construction, he would have had to demonstrate that there was a particular hardship as distinguished from a mere inconvenience in complying with the side yard requirement of the district; that the so-called porch enclosure is more akin to a room addition in that it extends about 2 feet beyond the original porch line to the south and west; that on its face it would appear that an addition could be made to the rear of the premises in compliance with the side yard requirement; and that no proof was presented that would indicate that the applicant could not have accomplished his addition in compliance with zoning requirements. Member Caldwell concurred. Member Alakiotou voted that she would grant the variation as presented; 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: Gerald A. Ambrose and Colleen McGeady Ambrose
 APPEARANCES FOR: Gregory H. Furda
 APPEARANCES AGAINST:

CAL NO. 233-87-Z
 MAP NO. 5-F
 MINUTES OF MEETING
 March 18, 1988

PREMISES AFFECTED-- 1930-32 N. Orchard Street
 SUBJECT-- Application to vary the requirements of the zoning ordinance.

ACTION OF BOARD--

Variation granted.

THE VOTE

Lawrence E. Kennon
 Roula Alakiotou
 Michael J. Howlett
 Rafael R. Rios
 James E. Caldwell

AFFIRMATIVE	NEGATIVE	ABSENT
X		
X		
		X
		X
X		

THE RESOLUTION:

WHEREAS, Gerald A. Ambrose and Colleen McGeady Ambrose, owners, on October 16, 1987, filed and subsequently amended an application for a variation of the zoning ordinance to permit, in an R4 General Residence District, the expansion and conversion of an existing garage on the rear of the lot to a guest house with no rear yard instead of 30 feet on a zoning lot improved with a two-story single family dwelling and a two-story two-dwelling unit building, on premises at 1930-32 N. Orchard Street; and

WHEREAS, the decision of the Office of the Zoning Administrator rendered October 8, 1987 reads:

"Application not approved. Requested certification does not conform with the applicable provisions of the Chicago Zoning Ordinance, Chapter 194A of the Muncipal Code of Chicago, specifically, §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 March 18, 1988 after due notice thereof by publication in the Chicago Tribune on October 28, 1987; and

WHEREAS, the district maps show that the premises are 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 50 feet by 131 feet zoning lot improved with a two-story single family residence, a two-story two-dwelling unit building, and a two car brick garage situated in the rear yard with a driveway off of Orchard Street; that the applicant proposes to expand the two-car garage approximately 7 feet to the rear thereof and use the entire structure as an accessory guest house for the owner's residence; 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 variation requested is necessary to expand and convert the subject accessory building to meet the life-style requirements of the applicant; that the plight of the owner is due to unique circumstances in that the existing garage is a permitted obstruction in the required 30 feet yard but a guest house is not; and that the variation, if granted, will not alter the essential character of the locality in that the proposed use will be compatible with the existing improvements in the block, many of which do not conform with the rear yard requirements

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Cal. No. 233-87-Z

of the zoning ordinance; 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 conversion and expansion approximately 7 feet to the rear of an existing garage on the rear of the lot for use as an accessory guest house with no rear yard instead of 30 feet on a zoning lot improved with a two-story single family dwelling and a two-story two-dwelling unit building, on premises at 1930-32 N. Orchard Street, upon condition that the guest house shall contain no kitchen facilities and its occupancy shall be limited to occasional non-paying guests of the applicant; that the two parking spaces being displaced by the garage conversion shall be located elsewhere on the lot, but not in the required 15 feet front yard; and that all applicable ordinances of the City of Chicago shall be complied with before a permit is issued.

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Cal. No. 196-85-S

Mr. Gregory H. Furda, for Tishman, Speyer Quincy Venture presented a request for a final extension of time in which to obtain the necessary permits for the erection of a six-story seven-level parking structure on premises in an area bounded by W. Adams Street, S. Clinton Street, W. Quincy Street and S. Jefferson Street to provide the accessory parking for the Gateway Office Complex situated within Business Planned Development No. 27, as amended, which special use was approved by the Board of June 14, 1985, in Cal. No. 196-85-S. On June 19, 1987, the Board granted a request that the effective date of approval of the special use granted by the Board on June 14, 1985 be construed as that of April 1, 1987 to coincide with the April 1, 1987 passage of the companion zoning amendment by the City Council.

Mr. Furda stated that the complexity of the plan of development approved, its relationship to the changes in the Business Planned Development No. 27, as amended (Air Rights) and the improved financing prospects for the project necessitates the request for the extension of time.

Mr. Kennon moved that the request be granted and that the time in which to obtain the necessary permits be extended to April 1, 1989. The motion prevailed by yeas and nays as follows:

Yeas- Kennon, Alakiotou and Caldwell. Nays- None. Absent- Rios and Howlett.

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Ms. Alakiotou moved that the Board do now adjourn.

The motion prevailed and the Board adjourned to meet in regular meeting on April 15, 1988.

Marian Rest
Secretary