#22649-TI
INTRO DATE
JAN 15, 2025

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:

837 North Milwaukee Avenue, Chicago, IL

2. Ward Number that property is located in: 27th Ward

3. APPLICANT 837 N. Milwaukee Avenue L.L.C.

ADDRESS [redacted] CITY [redacted]

STATE [redacted] ZIP CODE [redacted] PHONE 312-782-1983

EMAIL fred@sambankslaw.com CONTACT PERSON Frederick E. Agustin - Attorney for Applicant

4. Is the applicant the owner of the property? YES ☑ NO ☐
If the applicant is not the owner of the property, please provide the following information regarding the owner and attach written authorization from the owner allowing the application to proceed.

OWNER Same as above.

ADDRESS _____ CITY _____

STATE _____ ZIP CODE _____ PHONE _____

EMAIL _____ CONTACT PERSON _____

5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the rezoning, please provide the following information:

ATTORNEY Law Offices of Samuel V.P. Banks, Frederick E. Agustin

ADDRESS 221 North LaSalle Street, 38th Floor

CITY Chicago STATE IL ZIP CODE 60601

PHONE 312-782-1983 FAX 312-782-2433 EMAIL fred@sambankslaw.com

6. If the applicant is a legal entity (Corporation, LLC, Partnership, etc.) please provide the names of all owners as disclosed in the Economic Disclosure statements: Fortunee Massuda

7. On what date did the owner acquire legal title to the subject property? March 2011

8. Has the present owner previously rezoned this property? If yes, when? No

9. Present Zoning District: B3-2 Proposed Zoning District: B2-3

10. Lot size in square feet (or dimensions): 105.86 ft. x 142.42 ft. x 94.91 ft. (triangular lot)

11. Current Use of the Property: The subject property is improved with a three-story mixed-use building that contains retail/commercial space at grade and four (4) dwelling units above.

12. Reason for rezoning the property: The applicant is seeking a zoning change to permit the conversion of the retail spaces at grade to residential uses.

13. Describe the proposed use of the property after the rezoning. Indicate the number of dwelling units; number of parking spaces, approximate square footage of any commercial space; and height of proposed building. (BE SPECIFIC): The Applicant is seeking a zoning change in order to permit the conversion of the grade-level retail space into into four (4) dwelling units for a total of eight (8) dwelling units at the subject property. No changes to the footprint of the existing improvement is proposed. The height of the existing building will remain without change and no off-street parking will be provided at the subject property.

14. If filing a required or an elective Type 1 map amendment pursuant to Section 17-13-0300, applications may include relief available pursuant to Section 17-13-1000 or 17-13-1100; in such instances, City Council approval of a Type-1 application containing said elements shall preclude subsequent review otherwise required pursuant to Sections 17-13-1000 or 17-13-1100, provided that no Type 1 application permits issued may be in violation of Section 17-13-0310.

Please apply the specific code sections the applicant is seeking relief for (BE SPECIFIC) Administrative Adjustment Section(s) 17-13-1000 or Variation Section(s) 17-13-1100. (Note: more detail noted within the Type 1 narrative)

☒ **Administrative Adjustment 17-13-1003:** (17-13-1003-EE) reduce the parking off-street parking requirement for a Transit Served Location from four (4) parking spaces to zero parking spaces.

☐ **Variation 17-13-1101: When seeking a use involving a Public Place of Amusement (PPA) & Liquor License please provide an acknowledgement document from The Department of Business Affairs and Consumer Protection Office (BACP) indicating the city acknowledges your business license request.**

15. The Affordable Requirements Ordinance (ARO) requires on-site affordable housing units and/or a financial contribution for residential housing projects with ten or more units that receive a zoning change which, among other triggers, increases the allowable floor area, or, for existing Planned Developments, increases the number of units (see attached fact sheet or visit www.cityofchicago.org/ARO for more information). Is this project subject to the ARO? YES ☐ NO ☒

COUNTY OF COOK
STATE OF ILLINOIS

837 N. Milwaukee Avenue L.L.C., being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

FORTUNE MASSUDA
Signature of Applicant

Subscribed and Sworn to before me this
23rd day of December, 20____.

Notary Public

Official Seal
Frederick E Agustin
Notary Public State of Illinois
My Commission Expires 7/1/2026

**For Office Use Only**

Date of Introduction:_____

File Number:_____

Ward:_____

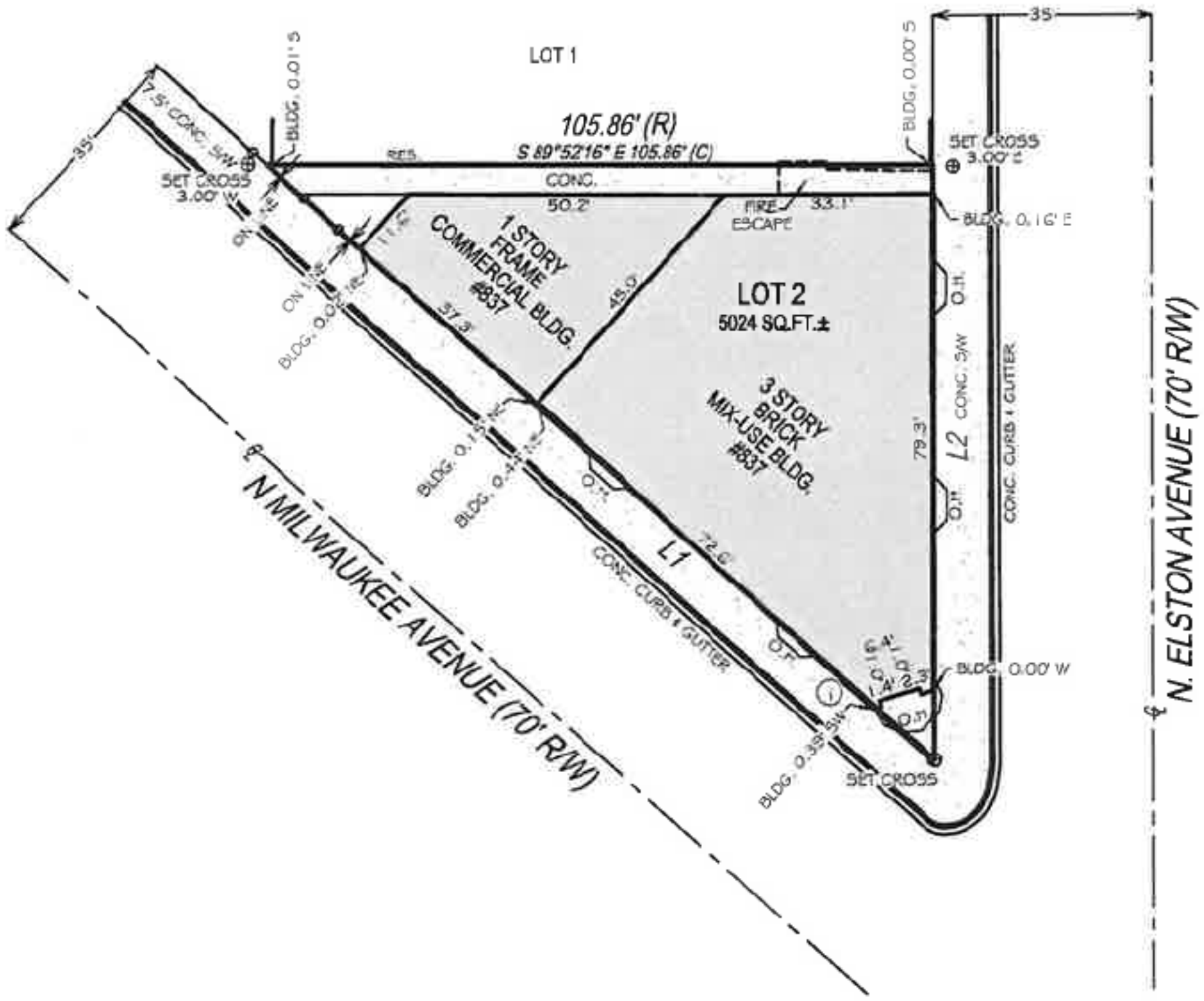
**EXACTA**
Land Surveyors, LLC
www.exactaland.com | office: 773.305.4011





**PROPERTY ADDRESS:** 837 N MILWAUKEE AVENUE, CHICAGO, ILLINOIS 60642

**SURVEY NUMBER:** 2404.5116-01




V 142.42' (C)

34.91' (C)

STATE OF ILLINOIS
COUNTY OF GRUNDY SS

THIS IS TO CERTIFY THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. GIVEN UNDER MY HAND AND SEAL THIS DATE HEREON.

Kenneth Kennedy

KENNETH A. KENNEDY
035-003403
PROFESSIONAL LAND SURVEYOR
MORRIS, IL
STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR No. 3403
LICENSE EXPIRES 11/30/2026
EXACTA LAND SURVEYORS, LLC
PROFESSIONAL DESIGN FIRM 184008059-0008

**POINTS OF INTEREST:**
1. RESIDENCE OVER PROPERTY LINE

30

GRA

**EXACTA**
Land Surveyors, LLC


Exacta Land Surveyors, LLC
PLS# 184008059
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450


SurveySTARS

**DATE OF SURVEY:** 10/25/24
**FIELD WORK DATE:** 10/24/2024
**REVISION DATE(S):** (REV.0 10/25/2024)


**SEE PAGE 2 OF 2 FOR LEGAL DESCRIPTION**

**PROPERTY ADDRESS:** 837 N MILWAUKEE AVENUE, CHICAGO, ILLINOIS 60642 **SURVEY NUMBER:** 2404.5116-01

**JOB SPECIFIC SURVEYOR NOTES:**

**LEGAL DESCRIPTION:**

LOT 2 (EXCEPT THE NORTHWEST 10 1/4 INCHES) IN BLOCK 8 IN ELSTON ADDITION TO CHICAGO, ON THE NORTHWEST 1/4 OF THE SOUTH EAST 1/4 OF SECTION 5, TOWNSHIP 39 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN. IN COOK COUNTY, ILLINOIS.

**GENERAL SURVEYOR NOTES:**

1. The Legal Description used to perform this survey was supplied by others. This survey does not determine nor imply ownership of the lands or any fences shown hereon. Unless the Title Commitment Number and Date is referenced on this survey, an examination of the abstract of title was NOT performed by the signing surveyor to determine which instruments, if any, are affecting this property.
2. The purpose of this survey is to establish the boundary of the lands described by the legal description provided and to depict the visible improvements thereon for a pending financial transaction. Underground footings, utilities, or other service lines, including roof eave overhangs were not located as part of this survey. Unless specifically stated otherwise the purpose and intent of this survey is not for any construction activities or future planning.
3. If there is a septic tank or drain field shown on this survey, the location depicted hereon was either shown to the surveyor by a third party or it was estimated by visual above ground inspection. No excavation was performed to determine its location.
4. This survey is exclusively for a pending financial transaction and only to be used by the parties to whom it is certified.
5. Alterations to this survey map and report by other than the signing surveyor are prohibited.
6. Dimensions are in feet and decimals thereof.
7. Any FEMA flood zone data contained on this survey is for informational purposes only. Research to obtain said data was performed at www.fema.gov and may not reflect the most recent information.
8. Unless otherwise noted "SIR" indicates a set iron rebar, 5/8 inch in diameter and twenty-four inches long.
9. The symbols reflected in the legend and on this survey may have been enlarged or reduced for clarity. The symbols have been plotted at the approximate center of the field location and may not represent the actual shape or size of the feature.
10. Points of Interest (POI's) are select above-ground improvements, which may appear in conflict with boundary, building setback or easement lines, as defined by the parameters of this survey. These POI's may not represent all items of interest to the viewer. There may be additional POI's which are not shown or called-out as POI's, or which are otherwise unknown to the surveyor.
11. Utilities shown on the subject property may or may not indicate the existence of recorded or unrecorded utility easements.
12. The information contained on this survey has been performed exclusively by and is the sole responsibility of Exacta Land Surveyors, LLC. Additional logos or references to third party firms are for informational purposes only.
13. Due to varying construction standards, building dimensions are approximate and are not intended to be used for new construction or planning.
14. Surveyor bearings are used for angular reference and are used to show angular relationships of lines only and are not related or orientated to true or magnetic north. Bearings are shown as surveyor bearings, and when shown as matching those on the subdivision plats on which this survey is based, they are to be deemed no more accurate as the determination of a north orientation made on and for those original subdivision plats. North 00 degrees East is assumed and upon preparation of this plat, the resulting bearing between found points as shown on this survey is the basis of said surveyor bearings as defined and required to be noted by Illinois Administrative Code Title 68, Chapter VII, Sub-Chapter B, Part 1270, Section 1270.56, Paragraph B, Sub-Paragraph 6, Item k.
15. THIS SURVEY IS A PROFESSIONAL SERVICE IN COMPLIANCE WITH THE MINIMUM STANDARDS OF THE STATE OF ILLINOIS. NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. PLEASE REFER ALSO TO YOUR DEED, TITLE POLICY AND LOCAL ORDINANCES. THIS DOCUMENT MAY ONLY BE USED BY THE PARTIES TO WHICH IT IS CERTIFIED.

**SURVEYOR'S LEGEND**

**LINETYPES**
- Boundary Line
- Center Line
- Chain Link or Wire Fence
- Easement
- Edge of Water
- Iron Fence
- OHL — Overhead Lines
- Structure
- Survey Tie Line
- Vinyl Fence
- Wall or Party Wall
- Wood Fence

**SURFACE TYPES**
- Asphalt
- Brick or Tile
- Concrete
- Covered Area
- Water
- Wood

**SYMBOLS**
- Benchmark
- Center Line
- Central Angle or Delta
- Common Ownership
- Control Point
- Catch Basin
- Elevation
- Fire Hydrant
- Find or Set Monument
- Guywire or Anchor
- Manhole
- Tree
- Utility or Light Pole
- Well

**ABBREVIATIONS**

(C) - Calculated
(D) - Deed
(F) - Field
(M) - Measured
(P) - Plat
(R) - Record
(S) - Survey
A/C - Air Conditioning
AE - Access Easement
ANE - Anchor Easement
ASBL - Accessory Setback Line
B/W - Bay/Box Window
BC - Block Corner
BFP - Backflow Preventer
BLDG - Building
BLK - Block
BM - Benchmark
BR - Bearing Reference
BRL - Building Restriction Line
BSMT - Basement
C - Curve
C/L - Center Line
C/P - Covered Porch
C/S - Concrete Slab
CATV - Cable TV Riser
CB - Concrete Block
CH - Chord Bearing
CHIM - Chimney
CLF - Chain Link Fence
CME - Canal Maintenance Easement
CO - Clean Out
CONC - Concrete
COR - Corner
CS/W - Concrete Sidewalk
CUE - Control Utility Easement
CVG - Concrete Valley Gutter
D/W - Driveway
DE - Drainage Easement
DF - Drain Field
DH - Drill Hole
DUE - Drainage & Utility Easement
ELEV - Elevation
EM - Electric Meter
ENCL - Enclosure
ENT - Entrance
EOP - Edge of Pavement
EOW - Edge of Water
ESMT - Easement
EUB - Electric Utility Box
F/DH - Found Drill Hole
FCM - Found Concrete Monument
FF - Finished Floor
FIP - Found Iron Pipe
FIPC - Found Iron Pipe & Cap
FIR - Found Iron Rod
FIRC - Found Iron Rod & Cap
FN - Found Nail
FN&D - Found Nail & Disc
FRRSPK - Found Rail Road Spike
GAR - Garage
GM - Gas Meter
ID - Identification
IE/EE - Ingress/Egress Easement
ILL - Illegible
INST - Instrument
INT - Intersection
IRRE - Irrigation Easement
L - Length
LAE - Limited Access Easement
LB# - License No. (Business)
LBE - Limited Buffer Easement
LE - Landscape Easement
LME - Lake/Landscape Maintenance Easement
LS# - License No. (Surveyor)
MB - Map Book
ME - Maintenance Easement
MES - Mitered End Section
MF - Metal Fence
MH - Manhole
MHWL - Mean High Water Line
NR - Non-Radial
NTS - Not to Scale
NAVD88 - North American Vertical Datum 1988
NGVD29 - National Geodetic Vertical Datum 1929
OG - On Ground
ORB - Official Records Book
ORV - Official Record Volume
O/A - Overall
O/S - Offset
OFF - Outside Subject Property
OH - Overhang
OHL - Overhead Utility Lines
OHWL - Ordinary High Water Line
ON - Inside Subject Property
P/E - Pool Equipment
PB - Plat Book
PC - Point of Curvature
PCC - Point of Compound Curvature
PCP - Permanent Control Point
PI - Point of Intersection
PLS - Professional Land Surveyor
PLT - Planter
POB - Point of Beginning
POC - Point of Commencement
PRC - Point of Reverse Curvature
PRM - Permanent Reference Monument
PSM - Professional Surveyor & Mapper
PT - Point of Tangency
PUE - Public Utility Easement
R - Radius or Radial
R/W - Right of Way
RES - Residential
RGE - Range
ROE - Roof Overhang Easement
RP - Radius Point
S/W - Sidewalk
SBL - Setback Line
SCL - Survey Closure Line
SCR - Screen
SEC - Section
SEP - Septic Tank
SEW - Sewer
SIRC - Set Iron Rod & Cap
SMWE - Storm Water Management Easement
SN&D - Set Nail and Disc
SQFT - Square Feet
STL - Survey Tie Line
STY - Story
SV - Sewer Valve
SWE - Sidewalk Easement
TBM - Temporary Bench Mark
TEL - Telephone Facilities
TOB - Top of Bank
TUE - Technological Utility Easement
TWP - Township
TX - Transformer
TYP - Typical
UE - Utility Easement
UG - Underground
UP - Utility Pole
UR - Utility Riser
VF - Vinyl Fence
W/C - Witness Corner
W/F - Water Filter
WF - Wood Fence
WM - Water Meter/Valve Box
WV - Water valve

**CERTIFIED TO:**

**FLOOD ZONE INFORMATION:**

**DATE SIGNED:** 10/25/24

**BUYER:**

**LENDER:**

**TITLE COMPANY:**

**COMMITMENT DATE:** **CLIENT FILE NO:**

**SEE PAGE 1 OF 2 FOR MAP OF PROPERTY**


EXACTA Land Surveyors, LLC

Exacta Land Surveyors, LLC
*PLS# 184008059*
o: 773.305.4011
316 East Jackson Street | Morris, IL 60450

**Written Notice, Form of Affidavit: Section 17-13-0107**
December 23, 2024

Chairman Walter Burnett, Jr.
Committee on Zoning
121 North LaSalle Street
Room 304 - City Hall
Chicago, Illinois 60602

To Whom It May Concern:

The undersigned, **Frederick Agustin**, being first duly sworn on oath, deposes and says the following:

That the undersigned certifies that he has complied with the requirements of Section 17-13-0107 of the Zoning Code of the City of Chicago, by sending written notice to such property owners who appear to be the owners of the property within the subject area not solely owned by the Applicant, and on the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of the public roads, streets, alleys and other public ways, or a total distance limited to 400 feet. That said written notice was sent by USPS First Class Mail no more than 30 days before filing the application.

That the undersigned certifies that the notice contained the address of the property sought to be rezoned as **837 North Milwaukee Avenue, Chicago, IL**; a statement of intended use of said property; the name and address of the Applicant and Owner; and a statement that the Applicant intends to file an application for a change in zoning on approximately **January 15, 2025.**

That the Applicant has made a bonafide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Zoning Code of the City of Chicago and that the Applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet is a complete list containing the names and last known addresses of the owners of the property required to be served.

**Law Offices of Samuel V.P. Banks**

By: _____
Frederick E. Agustin
*Attorney for Applicant*

Subscribed and Sworn to before me
this 23 day of DECEMBER, 2024.

_____
Notary Public

OFFICIAL SEAL
NICOLE ITA LOPATINSKY
NOTARY PUBLIC, STATE OF ILLINOIS
COMMISSION NO. 979370
MY COMMISSION EXPIRES OCTOBER 11, 2027

*Via USPS First Class Mail*
January 15, 2025

**PUBLIC NOTICE**

Dear Sir or Madam:

In accordance with the Amendment to the Chicago Zoning Code enacted by the City Council, Section 17-13-0107-A, please be informed that on or about January 15, 2025, I, the undersigned, intend to file an application for a change in zoning from the B3-2 Community Shopping District to the B2-3 Neighborhood Mixed-Use District, on behalf of the Applicant/Owner, 837 N. Milwaukee Avenue L.L.C., for the property located at **837 North Milwaukee Avenue, Chicago, IL**.

The Applicant is seeking a zoning change to permit the conversion of the grade-level retail spaces into four (4) dwelling units for a total of eight (8) dwelling units at the subject property. No changes are proposed to the footprint of the existing building. The subject property is a Transit Served Location. Pursuant to Sec. 17-13-0303-D optional Administrative Adjustment and Variation and pursuant to Sec. 17-13-1003-EE of the Chicago Zoning Ordinance, the Applicant is seeking an Administrative Adjustment to reduce the off-street parking requirement for a Transit Served Location from four (4) parking spaces to zero parking spaces.

The Applicant/Owner, 837 N. Milwaukee Avenue L.L.C., maintain offices at [redacted]

I am the attorney for the Applicant, and I will serve as the contact person for this zoning application. My address is 221 N. LaSalle St., 38th Floor, Chicago, IL 60601. My telephone number is (312) 782-1983.

Sincerely,

Law Offices of Samuel V.P. Banks

Frederick E. Agustin
*Attorney for the Applicant*

***Please note the Applicant is <u>NOT</u> seeking to purchase or rezone your property.**
***The Applicant is required by Ordinance to send this notice to you because you are shown to own property located within 250 feet of the property subject to the proposed Zoning Amendment.**