#22817-T1
Intro Date:
July 16, 2025

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

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

458 West Dickens Avenue

2. Ward Number that property is located in: 43

3. APPLICANT LINCDICK, LLC

ADDRESS 458 West Dickens Avenue CITY Chicago

STATE IL ZIP CODE 60614 PHONE 312-636-6937

EMAIL rolando@acostaezgur.com CONTACT PERSON Rolando R. Acosta

4. Is the applicant the owner of the property? YES [X] 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

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 Rolando R. Acosta

ADDRESS 1030 West Chicago Avenue, 3rd Floor

CITY Chicago STATE IL ZIP CODE 60642

PHONE 312-636-6937 FAX EMAIL rolando@acostaezgur.com

Rolando R. Acosta

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: Arthur Paris

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: B3-3

10. Lot size in square feet (or dimensions): 7,760.27 sq. ft.

11. Current Use of the Property: The property is currently used as a grocery store with two dwelling units on the upper floor.

12. Reason for rezoning the property: To construct a two-story addition on top of the ground floor commercial space.

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 proposes to improve the property by constructing a two-story addition containing nine dwelling units above the approximately 7,000 sq. ft. existing commercial space, and 9 bicycle parking spaces. No automobile parking spaces are proposed. The proposed zoning height of the building will be 37′ 10″.

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:**

☒ **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.**

Seeking all relief necessary, as allowed by the Chicago Zoning Code, for the attached plans, including: 1) a variation under section 17-13-1101-B to reduce the year yard setback from 30 feet to 20 feet; 2) a variation under section 17-13-1101-B to reduce the front yard setback to zero feet; 3) a variation under section 17-13-1101-A and 17-13-1003-EE to reduce the number of required automobile parking spaces from five to zero spaces.

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.city ofchicago.org/ ARO for more information). Is this project subject to the ARO? YES ☐ NO ☒

COUNTY OF COOK
STATE OF ILLINOIS

LINCDICK, LLC, 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.

Signature of Applicant
By: Arthur Paris, Manager

Subscribed and Sworn to before me this

23 day of June, 20 25

Estela Richards
Notary Public

Notary Public, State of Illinois
Official Seal
Estela Richards
Commission # 849668
My Commission Expires 4/6/2029

For Office Use Only

Date of introduction: _____

File Number: _____

Ward: _____

ACOSTA EZGUR, LLC
1030 West Chicago Avenue, Third Floor ■ Chicago, Illinois 60642 ■ 312-327-3350 o ■ 312-327-3315 f

July 16, 2025

Dear Property Owner:

In accordance with the requirements for an Amendment to the Chicago Zoning Ordinance, specifically Section 17-13-0107, please be informed that on or about July 16, 2025, the undersigned will file an application for a change in zoning from a B3-2 Community Shopping District to a B3-3 Community Shopping District as a mandatory Type 1 Map Amendment on behalf of LINCDICK, LLC, (the "Applicant") for the property located at 458 West Dickens Avenue, Chicago, IL 60614. The property is bounded by:

a line 56.50 feet north of and parallel to West Dickens Avenue; the public alley next east of and parallel to North Cleveland Avenue; West Dickens Avenue; and North Cleveland Avenue

The Applicant proposes to improve the property by constructing a two-story addition above the commercial space containing nine dwelling units and nine bicycle parking spaces. No automobile parking spaces are proposed. The proposed zoning height of the building will be 37′ 10″. The Applicant seeks all relief necessary, as allowed by the Chicago Zoning Code, for the proposed project, including: 1) a variation under section 17-13-1101-B to reduce the year yard setback from 30 feet to 20 feet; 2) a variation under section 17-13-1101-B to reduce the front yard setback to zero feet; 3) a variation under section 17-13-1101-A and 17-13-1003-EE to reduce the number of required automobile parking spaces from five to zero spaces.

The Applicant is also the Owner of the property and is located at 458 West Dickens Avenue, Chicago, IL 60614. The contact person for this application is Rolando R. Acosta, 1030 W. Chicago Ave., 3rd Floor, Chicago, IL 60642. Any questions regarding this notice may be directed to Rolando R. Acosta at 312-636-6937 and at rolando@acostaezgur.com.

Please note that the applicant is not seeking to rezone or purchase your property. The applicant is required by law to send this notice because you own property within 250 feet of the property to be rezoned.

Sincerely,

Rolando R. Acosta
Attorney for Applicant

ACOSTA EZGUR, LLC
1030 West Chicago Avenue, Third Floor ▪ Chicago, Illinois 60642 ▪ 312-327-3350 o ▪ 312-327-3315 f

July 16, 2025

Honorable Walter Burnett
Chairman, Committee on Zoning
Room 304, City Hall
Chicago, Illinois 60602

The undersigned, Rolando Acosta, 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 Chicago Zoning Ordinance, by sending written notice to such property owners who appear to be the owners, pursuant to the tax records of the Cook County Assessor, of the property within the subject property not solely owned by the applicant, and those of all property within 250 feet in each direction of the lot lines of the subject property, exclusive of public roads, alleys and other public ways, for a total distance limited to 400 feet. Said "written notice" was sent by First Class U.S. Mail, no more than 30 days before filing the application.

The subject property is bounded by:

> a line 56.50 feet north of and parallel to West Dickens Avenue; the public alley next east of and parallel to North Cleveland Avenue; West Dickens Avenue; and North Cleveland Avenue

and has the address of 458 West Dickens Avenue.

The undersigned certifies that the notice contained the address and description of the property sought to be rezoned; a statement of the intended use of the property; the name and address of the applicant; the name and address of the owner; and a statement that the applicant intends to file the application for a change in zoning on approximately July 16, 2025.

The undersigned certifies that the applicant has made a bona fide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Chicago Zoning Ordinance, and that the accompanying list of names and addresses of surrounding property owners within 250 feet of the subject property is a complete list containing the names and addresses of the people required to be served.

Rolando R. Acosta
Attorney for Applicant

Subscribed and sworn to before me this July 16, 2025.

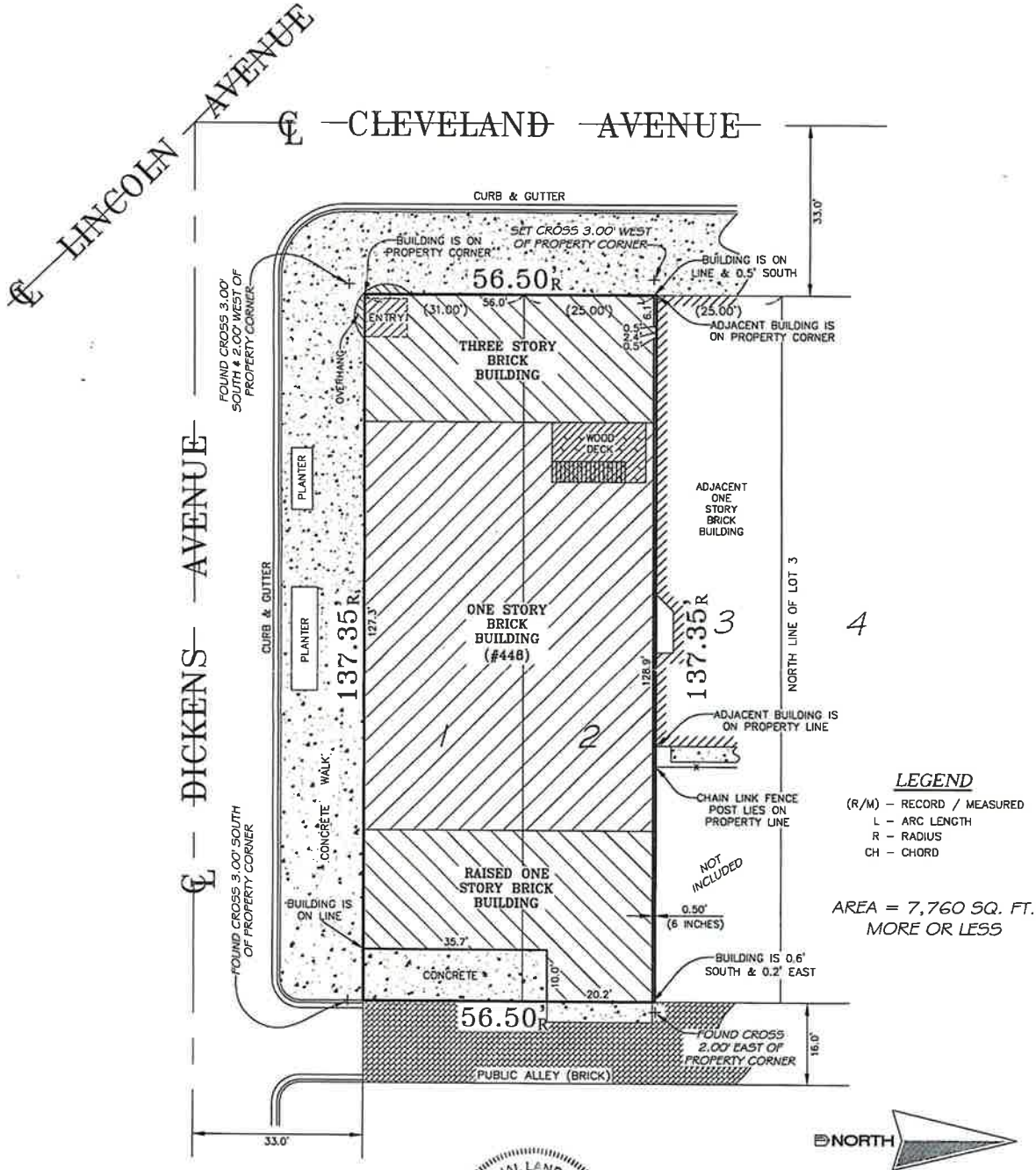
Estela Richards
Notary Public

Notary Public, State of Illinois
Official Seal
Estela Richards
Commission # 849668
My Commission Expires 4/6/2029

PLAT OF SURVEY

OF

LOTS 1 AND 2 AND THE SOUTH 6 INCHES OF LOT 3 IN C. H. THOMAS SUBDIVISION OF LOT 14 IN THE SUBDIVISION OF BLOCK 21 (EXCEPT THE NORTH 366 FEET OF THE WEST 188.35 FEET THEREOF) IN THE CANAL TRUSTEES SUBDIVISION OF THE NORTH 1/2 AND THE NORTH 1/2 OF THE SOUTHEAST 1/4 AND THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 33, TOWNSHIP 40 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



LEGEND

(R/M) – RECORD / MEASURED
L – ARC LENGTH
R – RADIUS
CH – CHORD

AREA = 7,760 SQ. FT. MORE OR LESS

NORTH

SCALE: 20'

PREPARED FOR: JAMES P. VALANCIUS (ATTORNEY AT LAW)
JOB ADDRESS: 448 W. DICKENS AVE., CHICAGO, IL.
SELLER/BUYER: DICKENS & CLEVELAND LLC/URBAN MARKETS, INC
JOB NO.: 11-01-0041

PROFESSIONAL LAND SURVEYOR * WAYNE W. NEKOLA 035.002923 BOLINGBROOK ILLINOIS * STATE OF ILLINOIS

NEKOLA SURVEY, INC.
PROFESSIONAL LAND SURVEYING SERVICES
WWW.NEKOLASURVEY.COM
400 N. SCHMIDT RD., STE. 203
BOLINGBROOK, ILLINOIS 60440
(630) 226-1530 PHONE (630) 226-1430 FAX

☐ – "X" IN BOX INDICATES THE HEREON DRAWN PLAT WAS ORDERED AS A NON MONUMENTED SURVEY.

NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT **ALONE**. FIELD MONUMENTATION OF CRITICAL POINTS SHOULD BE ESTABLISHED PRIOR TO COMMENCEMENT OF ANY AND ALL CONSTRUCTION. FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.

NOTE:
COMPREHENSIVE TITLE POLICY OR SUBDIVISION PLAT NOT AVAILABLE AT TIME OF SURVEY. REVISED SURVEY AVAILABLE UPON REQUEST AFTER RECEIPT OF ABOVE ITEMS.

FIELD WORK COMPLETED ON THE 26TH DAY OF JANUARY, 2011.

(STATE OF ILLINOIS)
(COUNTY OF WILL) SS

NEKOLA SURVEY INC. DOES HEREBY CERTIFY THAT IT HAS SURVEYED THE TRACT OF LAND ABOVE DESCRIBED, AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 27TH DAY OF JANUARY, 2011.

Wayne W. Nekola
IPLS No. 2923
LICENSE RENEWAL DATE: 30 NOVEMBER 2012.