

#22342-TI

INTRO DATE

JAN. 24, 2024

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO THE CHICAGO ZONING ORDINANCE

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

1642 West 38th Place

2. Ward Number that property is located in: 11

3. APPLICANT Imelda Garcilazo

ADDRESS 1642 West 38th Place

CITY Chicago

STATE Illinois ZIP CODE 60609

PHONE 872-215-2076

EMAIL ximena@acostaezgur.com CONTACT PERSON Ximena Castro

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

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 Ximena Castro- Acosta Ezgur, LLC

ADDRESS 1030 West Chicago Avenue, Third Floor

CITY Chicago

STATE Illinois

ZIP CODE 60642

PHONE 872-215-2076

FAX

EMAIL ximena@acostaezgur.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: N/A

7. On what date did the owner acquire legal title to the subject property? 12/04/2002

8. Has the present owner previously rezoned this property? If yes, when? Yes. 04/21/2021

9. Present Zoning District: RT-4 Proposed Zoning District: RT-4

10. Lot size in square feet (or dimensions): 3,107.5 square feet

11. Current Use of the Property: Two story residential building with two dwelling units

12. Reason for rezoning the property: The subject property is part of one zoning lot together with 1644 West 38th Place. The owners of 1644 West 38th Place seek to subdivide the zoning lot to allow construction of a single family home on 1644. The subject rezoning is being filed under 17-17-0303-D Type 1 option to seek optional Administrative Relief or Variation. The subject application seeks variation relief to comply with section 17-17-0301 by asking for relief under section 17-13-1101-B to reduce the non-conforming front yard setback and reduce the west side and combined side setbacks.

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 property is improved with a two story residential building (23'-10" tall) that includes two dwelling units and a detached two car garage. The Applicant seeks to rezone the property to reduce required rear yard open space and the front, west side and combined side setbacks applicable under section 17-13-1100 so that the subject property and 1644 West 38th Place may be subdivided and allow the owners of 1644 West 38th Place to construct a single-family home on their lot.

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.** The Applicant seeks subdivide the zoning lots under 17-17-0303-D Type 1 option

to seek optional Administrative Relief or Variation. The subject application seeks variation relief to comply with section 17-17-0301 that governs subdivision of improved zoning lots; a variation as per section 17-13-1101-B to reduce the non-conforming front yard setback from the required 13.72' to 13.0' (existing), reduce the west side setback from the required 2.0' to 0.60' (existing) (east side setback required and existing setback is 3.0'), and a reduction in combined side setbacks from the required 5.0' to 3.60' (existing).

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](http://www.cityofchicago.org/ARO) for more information). Is this project

subject to the ARO? YES  NO

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COUNTY OF COOK  
STATE OF ILLINOIS

Imelda Garcilazo, 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.

Imelda Garcilazo  
Signature of Applicant

Subscribed and Sworn to before me this  
8 day of January, 2024.

Estela Richards  
Notary Public



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**For Office Use Only**

Date of Introduction: \_\_\_\_\_

File Number: \_\_\_\_\_

Ward: \_\_\_\_\_



# PLAT OF SURVEY

L. R. PASS & ASSOCIATES  
Professional Land Surveyors

Plat of Surveys  
Topography  
Mortgage  
Inspection  
Condominiums  
Land Development  
Legal Descriptions

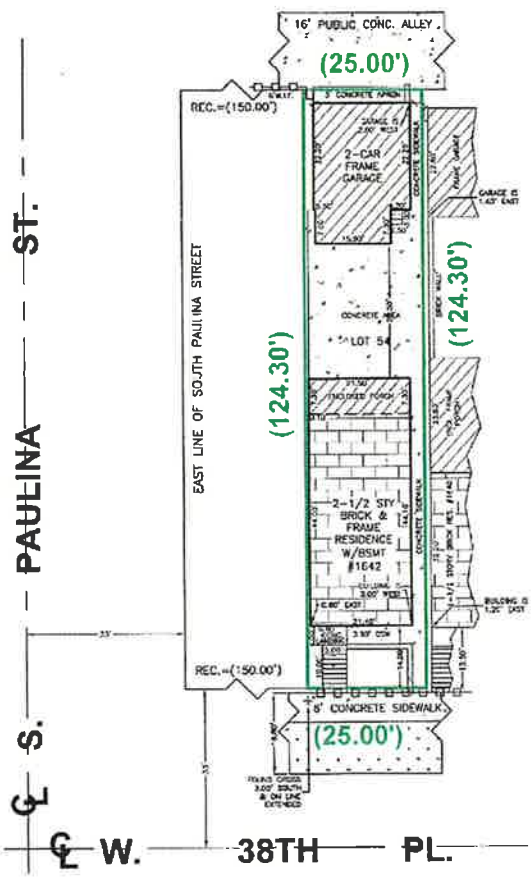
LOT 54 IN BLOCK 36 IN THE CANAL TRUSTEE'S SUBDIVISION OF THE EAST 1/4 OF SECTION 31, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

(COMMONLY KNOWN AS: 1642 W 38TH PL, CHICAGO, IL 60609)

AREA= 3107.60 SQ. FT. (MORE OR LESS)  
PERIMETER= 298.80 FT. (MORE OR LESS)  
ACREAGE= 0.071338838 (MORE OR LESS)



SCALE: 1"=20'



UNLESS REQUESTED OTHERWISE (BY THE CLIENT OR HIS/HER AGENT) MONUMENTS OR WITNESS POINTS SHALL BE SET FOR ALL ACCESSIBLE CORNERS OF THE SURVEY.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS OF PRACTICE APPLICABLE TO BOUNDARY SURVEYS. ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-0003083.



LEGEND	
	METAL FENCE
	PLASTIC FENCE
	FENCE POST (F.P.)
	"WAC" NAIL SET
	SET IRON PIPE
	IRON PIPE FOUND
	CUT CROSS- FOUND OR SET
	PROPERTY LINE
(140.45)	RECORDED DATA
140.45	MEASURED DIMENSION
	NOTCH
	WOOD & METAL FENCE (W.M.F.)
	WOOD FENCE (W.F.)
	CHAIN LINK FENCE (C.L.F.)
	WROUGHT IRON FENCE (W.I.F.)
	5 NAILS (SET)

P.O. Box 43559 Chicago, Illinois 60643 TEL: (773) 779-1700 Fax: (773) 779-9143 E-mail: lrpassassoc@yahoo.com	
<b>JUAN JOSE</b>	
P.L.N.#	17-31-490-025-0000
CHECKED BY: L.R.P.	FIELD DATE: 01-12-2021
BOOK NO.: O.P.	SURVEYOR: D.S.
PROJECT NO.: 2101-019	SCALE: 1"=20'
J.R., © 2024 L.R. PASS & ASSOCIATES P.C. ALL RIGHTS RESERVED.	

COMPARE ALL POINTS BEFORE BUILDING, NO IMPROVEMENTS SHOULD BE MADE ON THE BASIS OF THIS PLAT ALONE. CRITICAL FIELD MONUMENTATION SHOULD BE ESTABLISHED PRIOR TO THE COMMENCEMENT OF ANY AND ALL CONSTRUCTION. PLEASE REFER TO DEED, TITLE POLICY AND/OR LOCAL ORDINANCES FOR BUILDING LINE RESTRICTIONS AND/OR EASEMENTS NOT SHOWN HEREON. PLEASE CHECK LEGAL DESCRIPTION WITH DEED AND IMMEDIATELY REPORT ANY DISCREPANCY TO THE SURVEYOR FOR EXPLANATION AND/OR CORRECTION. ALL DIMENSIONS AND MEASUREMENTS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF, AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

STATE OF ILLINOIS  
COUNTY OF COOK

WE, L.R. PASS & ASSOCIATES, P.C. DO HEREBY CERTIFY THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, THE PLAT HEREON DRAWN IS A REPRESENTATION OF SAID SURVEY.

GIVEN UNDER MY HAND AND SEAL THIS 5TH DAY OF JANUARY 2024.  
LICENSE EXPIRATION DATE: 11/30/24



**ACOSTA EZGUR, LLC**

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

January 24, 2024

Chairman  
Committee on Zoning  
121 North LaSalle Street, Room 304  
Chicago, Illinois 60602

The undersigned, Ximena Castro, being first duly sworn on oath, deposes and say the following:

That the undersigned certifies that she 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:

the public alley next north of West 38<sup>th</sup> Place; a line 175.0 feet east of and parallel to South Paulina Street; West 38<sup>th</sup> Place; and a line 150.0 feet east of and parallel to South Paulina Street

and has the address of 1642 West 38<sup>th</sup> Place Chicago, Illinois 60609.

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 January 24, 2024.

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.

*Castro*  
By: Ximena Castro

Subscribed and sworn to before me this 24<sup>th</sup> day of January 2024.

*Estela Richards*  
Notary Public





## ACOSTA EZGUR, LLC

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

January 24, 2024

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 January 24, 2024, the undersigned will file an application for a change in zoning from a RT-4, Residential Two-Flat, Townhouse and Multi-Unit District to a RT-4, Residential Two-Flat, Townhouse and Multi-Unit District on behalf of Imelda Garcilazo (the "Applicant") for the property located at 1642 West 38<sup>th</sup> Place, Chicago, Illinois 60609. The property is bounded by:

the public alley next north of West 38<sup>th</sup> Place; a line 175.0 feet east of and parallel to South Paulina Street; West 38<sup>th</sup> Place; and a line 150.0 feet east of and parallel to South Paulina Street.

The subject property is improved with a two-story residential building (23'-10" tall) that includes two dwelling units and a detached two car garage. The subject property and the adjacent vacant lot, 1644 West 38<sup>th</sup> Place, are one zoning lot. The property owners of 1644 West 38<sup>th</sup> Place wish to build a single-family home on their lot. The subject property at 1642 West 38<sup>th</sup> Place is to remain and there is no proposed construction. To allow the construction of 1644 West 38<sup>th</sup> Place, the subject zoning lot must be subdivided into two zoning lots.

The Applicant has filed a rezoning application under 17-17-0303-D Type 1 option to seek optional Administrative Relief or Variation. The subject application seeks Variation relief to comply with section 17-17-0301 that governs subdivision of improved zoning lots and seeks relief under 17-13-1101-B to reduce the non-conforming front yard setback from the required 13.72' to 13.0' (existing), reduce the west side setback from the required 2.0' to 0.60' (existing) (east side setback required and existing setback is 3.0'), and a reduction in combined side setbacks from the required 5.0' to 3.60' (existing).

The Applicant is located at 1642 West 38<sup>th</sup> Place, Chicago, Illinois 60608. The Applicant is the Owner of the property. The contact person for this application is Ximena Castro, 1030 West Chicago Avenue, 3<sup>rd</sup> Floor, Chicago, Illinois 60642. Any questions regarding this notice may be directed to Ximena Castro at 872-215-2076 or at [ximena@acostaezgur.com](mailto:ximena@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.

A handwritten signature in black ink, appearing to read 'Ximena Castro', written over a horizontal line.

Ximena Castro  
Attorney for the Applicant