

#22362-T1  
INTRO DATE  
FEB 14, 2024

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO  
THE CHICAGO ZONING ORDINANCE

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

5039 North Troy Street

2. Ward Number that property is located in: 33

3. APPLICANT Mark Tenney

ADDRESS [REDACTED] CITY [REDACTED]

STATE [REDACTED] ZIP CODE [REDACTED] PHONE [REDACTED]

EMAIL [REDACTED] CONTACT PERSON [REDACTED]

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 Applicant

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 Emmanuel Byarm

ADDRESS 70 West Madison St., Suite 5400

CITY Chicago STATE IL ZIP CODE 60602

PHONE 312-345-5776 FAX \_\_\_\_\_ EMAIL ebyarm@schainbanks.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
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7. On what date did the owner acquire legal title to the subject property? 05/23/2011
8. Has the present owner previously rezoned this property? If yes, when? no
9. Present Zoning District: RS-3 Proposed Zoning District: RT-4
10. Lot size in square feet (or dimensions): 3,750 square feet
11. Current Use of the Property: multifamily, multi-unit residential
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12. Reason for rezoning the property: to convert the existing three-story building from 3 to 4 dwelling units.
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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 proposed use will remain, multifamily, multi-unit residential. After the rezone, the property will be converted from 3 to 4 dwelling units. The subject property has three (3) existing parking spaces. The existing building height is 39 feet 7.75 inches.
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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:** \_\_\_\_\_

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**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 relief per section 17-13-1101-R to reduce the minimum lot area per dwelling unit from 1,000 square feet to 937.5 square feet.

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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

COUNTY OF COOK  
STATE OF ILLINOIS

I Mark Tenney, 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.

Mark Tenney  
Signature of Applicant

Subscribed and Sworn to before me this  
4th day of January, 2024.

Christopher Turley  
Notary Public



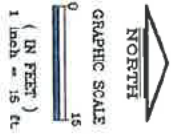
**For Office Use Only**

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

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

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

PROFESSIONALS ASSOCIATED  
 PHONE (847) 675-1000  
 FAX (847) 675-2107  
 E-MAIL: pd@professionalsassociated.com  
 www.professionalsassociated.com



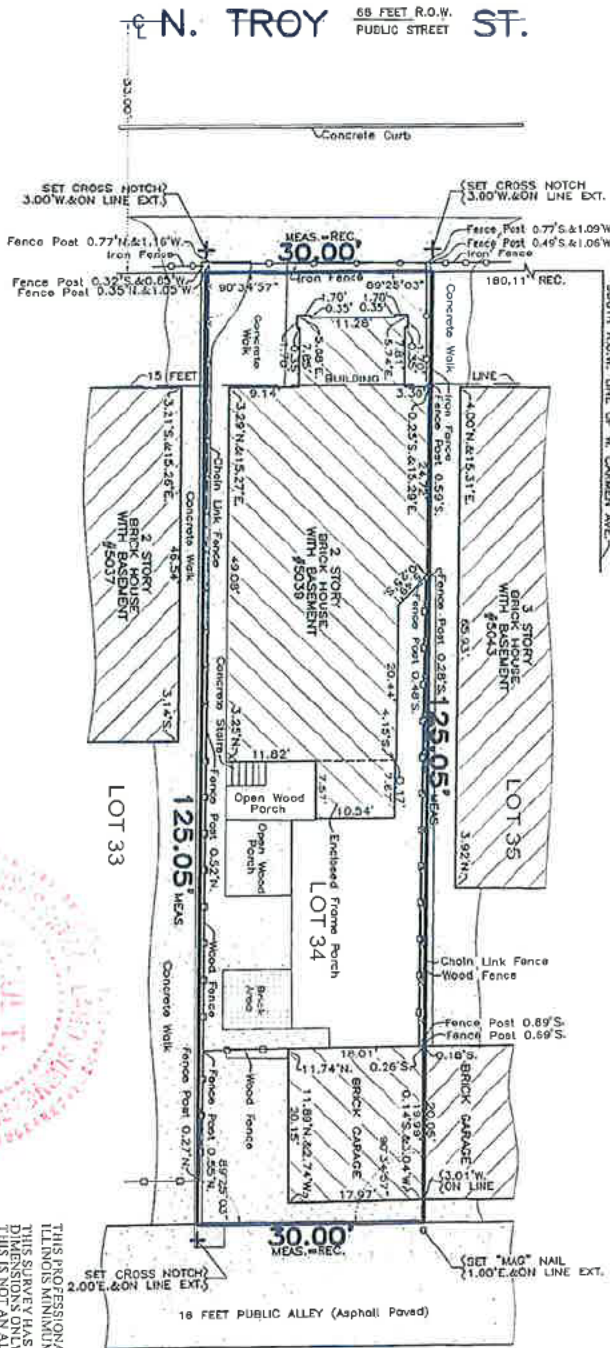
LOT 34 IN BLOCK 3 IN W.F. KAISER AND COMPANY'S THIRD ALBANY PARK SUBDIVISION, OF BLOCK 13 AND THAT PART OF BLOCK 4 LYING SOUTH OF THE CENTER LINE OF THE NORTH BRANCH OF THE CHICAGO RIVER IN JACKSON'S SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 11, AND THE SOUTHWEST 1/4 OF SECTION 12, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.  
 LAND TOTAL AREA: 3,751 SQ.FT. = 0.086 ACRES.  
 COMMONLY KNOWN AS: 5039 NORTH TROY STREET, CHICAGO, ILLINOIS.

PROFESSIONALS ASSOCIATED - MM SURVEY CO.  
 BOUNDARY • ALTA • TOPOGRAPHIC • CONDOVIUM SURVEYS  
 7100 NORTH TRIP AVENUE, LINCOLNWOOD, ILLINOIS 60712  
 PROFESSIONAL DESIGNER LICENSE NO. 184 890323

# PLAT OF SURVEY

OF

MM SURVEY  
 PHONE (773) 282-5900  
 FAX (773) 283-9424  
 E-MAIL: info@MMSurvey.net  
 www.mmsurvey.net/chicago.com



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON DRAWN IS A COPY OF THE ORDER AND FOR ACCURACY SHOULD BE COMPARED WITH THE TITLE OR DEED. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS. OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

Order No. 108061  
 Scale: 1 inch = 15 feet  
 Date of Field Work: December 20, 2023  
 Ordered by: MARK TENNEY



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS. THIS IS NOT AN ALTA SURVEY. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois  
 County of Cook  
 We, PROFESSIONALS ASSOCIATED - MM SURVEY CO., do hereby certify that we have surveyed the above premises in person or by a duly licensed professional representative of said firm(s).

Date: December 27, 2023  
 DRAWN BY: S.Z. 035-003937  
 E-MAIL: info@MMSurvey.net  
 www.mmsurvey.net/chicago.com

"WRITTEN NOTICE"  
FORM OF AFFIDAVIT  
(Section 17-13-0107)

January 29, 2024

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

The undersigned, Emmanuel Byarm, being first duly sworn on oath deposes and states the following:

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 of the property within the subject area not solely owned by the applicant, and to the owners of all property within 250 feet in each direction of the lot line of the subject property, exclusive of public roads, streets, alleys and other public ways, or 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 undersigned certifies that the notice contained the address 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 February 16, 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 site is a complete list containing the names and addresses of the people required to be served.



Emmanuel Byarm

Subscribed and Sworn to before me this

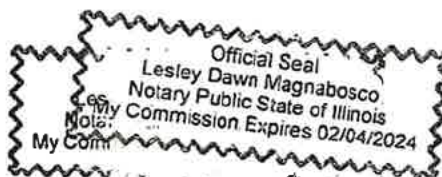
29th day of January, 2024

Lesley Dawn Magnabosco

Notary Public

Commission Expires:

2/4/24



February 16, 2024

Dear Sir/Madam:

In accordance with the Amendment to the Zoning Code enacted by the City Council, Section 17-13-0107-A of the Chicago Zoning Ordinance, please be advised that on or about February 21, 2024, the undersigned, will file an application on behalf of the applicant Mark Tenney, for a change in zoning for the property located at 5039 North Troy Street, Chicago, Illinois from a RS-3 Residential Single-Unit (Detached House) District to a RM-4.5 Residential Multi-Unit District.

The applicant of the Zoning Amendment and the owner of the subject property is Mark Tenney located at [REDACTED]

The applicant seeks to convert the existing multi-unit residential building from three (3) to four (4) dwelling units with three (3) existing parking spaces. There is no construction contemplated because the fourth dwelling unit is existing. The subject property must be rezoned to an RM-4.5 to establish the fourth dwelling unit because its current zoning district prohibits multi-family residential buildings. The Applicant is submitting a Type-1 as per Section 17013-0303-D will seek a variation to reduce the minimum lot area as per section 17-13-1101-R. No commercial space is provided. The existing building will remain unchanged.

I am the duly authorized attorney for the applicant and owner. My address is 70 West Madison, Suite 5400, Chicago, Illinois 60602. My telephone number is (312) 345-5776.

PLEASE NOTE THAT THE APPLICANT IS NOT SEEKING TO PURCHASE OR REZONE YOUR PROPERTY. THE APPLICANT IS REQUIRED BY LAW TO SEND YOU THIS NOTICE BECAUSE YOU OWN PROPERTY LOCATED WITHIN 250 FEET OF THE SUBJECT PROPERTY.

Very truly yours,



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Emmanuel Byarm  
Attorney for Applicant  
and Owner