

#22418
INTRO DATE
APRIL 17, 2024

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:
5137 North Elston Avenue, Chicago, IL

2. Ward Number that property is located in: 39

3. APPLICANT Dharmesh Purohit
ADDRESS [REDACTED] CITY [REDACTED]
STATE [REDACTED] ZIP CODE [REDACTED] PHONE 312-782-1983
EMAIL nick@sambankslaw.com CONTACT PERSON Nicholas J. Ftikas

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 The Evangelical Lutheran Slavonic St. Trinity Congregation of Chicago
ADDRESS 5106 North LaCrosse Avenue CITY Chicago
STATE IL ZIP CODE 60630 PHONE 312-782-1983
EMAIL nick@sambankslaw.com CONTACT PERSON Nicholas J. Ftikas

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 Sam Banks, Nicholas J. Ftikas
ADDRESS 221 N. LaSalle St., 38th Floor
CITY Chicago STATE IL ZIP CODE 60601
PHONE 312-782-1983 FAX 312-782-2433 EMAIL nick@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: N/A
7. On what date did the owner acquire legal title to the subject property? Sale Pending Zoning Change.
8. Has the present owner previously rezoned this property? If yes, when? No
9. Present Zoning District: RS-3 Proposed Zoning District: B1-1
10. Lot size in square feet (or dimensions): Irregular Lot - 33,386 sq. ft.
11. Current Use of the Property: The subject property is currently vacant and unimproved.
12. Reason for rezoning the property: To permit a proposed limited restaurant with a drive-through facility at the subject property.
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 proposing to develop the subject property with a new one-story restaurant building. The proposed building will contain approximately 4,678 sq. ft. of floor area and measure approximately 19 ft.-3 inches in height. The restaurant will operate with a drive-through lane and will be supported by 25 off-street parking spaces.
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. _____

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


I, Dharmesh Purohit, being first duly sworn on oath, state that all the above statements and the statements contained in the documents submitted herewith are, to the best of my knowledge, true and correct.



Signature of Applicant

Subscribed and Sworn to before me this

28 day of March, 2024.


Notary Public

For Office Use Only

Date of Introduction: _____

File Number: _____

Ward: _____

11614 ALGONQUIN RD.
HUNTLEY, IL. 60142

TOPOGRAPHICAL-ALTA/ACSM-BOUNDARY-SUBDIVISIONS-MORTGAGE-CONDOMINIUM

PHONE: (847) 458-1710
FAX: (847) 458-1712



Scale - 1 inch = 40 feet

Jens K. Doe

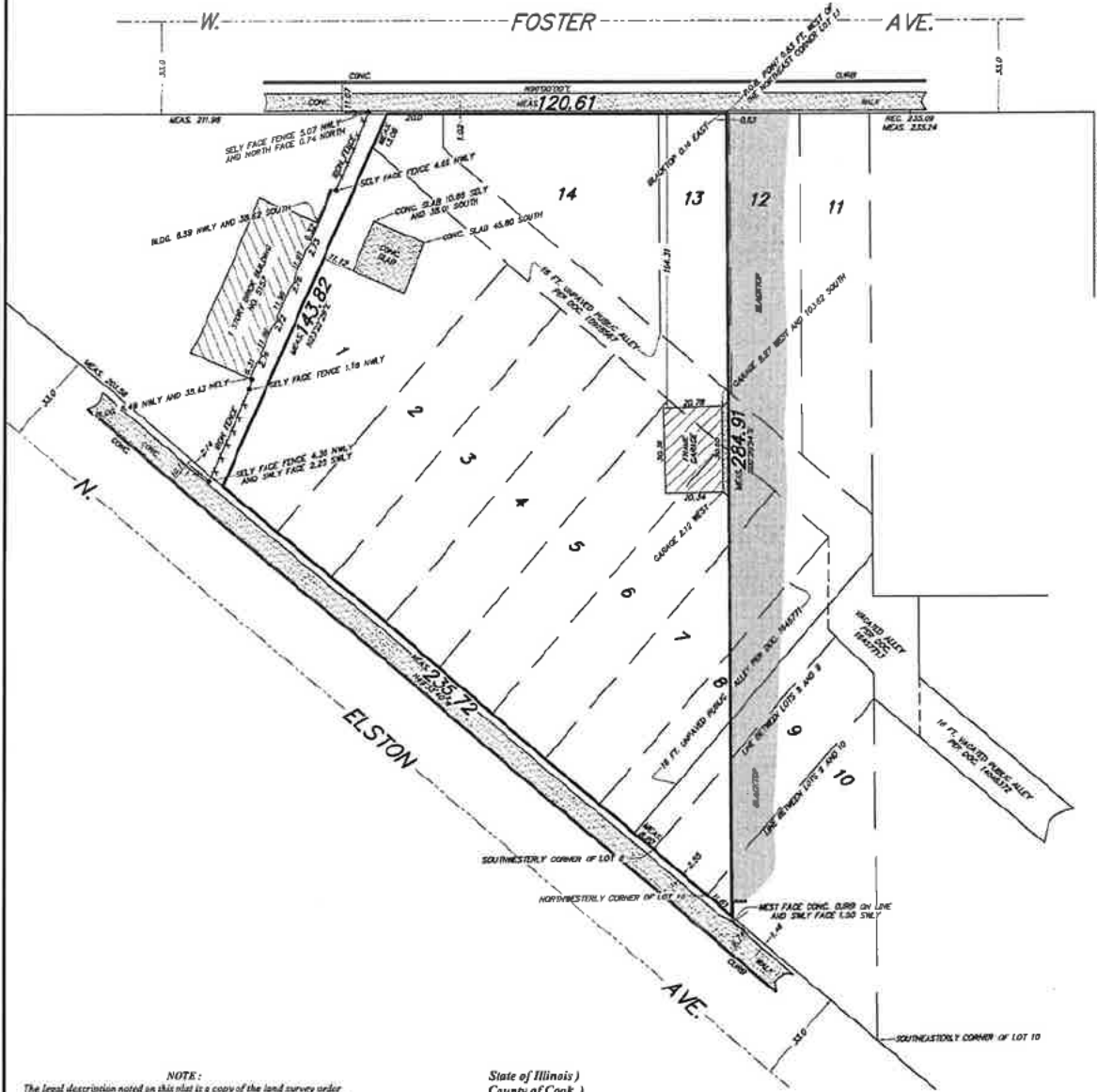
Professional Land Surveyors
A DIVISION OF CTR IL DESIGN FIRM SURVEYOR 2412

PLAT OF SURVEY

ORDER NO.
24-0110

THAT PART OF LOTS 1 THRU 10, BOTH INCLUSIVE, AND LOTS 13 AND 14 TOGETHER WITH PUBLIC ALLEYS LYING SOUTH OF W. FOSTER AVENUE AND NORTHERLY OF THE NORTHERLY LINE OF N. ELSTON AVENUE IN THROBECK'S ELSTON AVENUE SUBDIVISION OF THE SOUTHEAST 1/4 OF SECTION 9, TOWNSHIP 40 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 0.83 FEET WEST OF THE NORTHEAST CORNER OF SAID LOT 13; THENCE SOUTH 00 DEGREES 20 MINUTES 54 SECONDS EAST, A DISTANCE OF 284.91 FEET TO A POINT IN THE NORTHERLY LINE OF N. ELSTON AVENUE, SAID POINT BEING 11.61 FEET SOUTHEASTERLY OF THE NORTHWESTERLY CORNER OF SAID LOT 10; THENCE NORTH 49 DEGREES 33 MINUTES 40 SECONDS WEST ALONG THE NORTHERLY LINE OF N. ELSTON AVENUE A DISTANCE OF 240.22 FEET TO THE NORTHWESTERLY CORNER OF SAID LOT 1; THENCE NORTH 25 DEGREES 06 MINUTES 24 SECONDS EAST ALONG THE NORTHERLY LINE OF SAID LOT 1 AND ITS EXTENSION NORTHERLY, A DISTANCE OF 142.36 FEET TO A POINT IN THE SOUTH LINE OF W. FOSTER AVENUE, SAID POINT BEING THE NORTHWEST CORNER OF A 20 FOOT PUBLIC ALLEY; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST ALONG THE SOUTH LINE OF W. FOSTER AVENUE, A DISTANCE OF 120.61 FEET TO THE POINT OF BEGINNING, ALL IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 5137 - 53 N. ELSTON AVENUE, CHICAGO, ILLINOIS.



NOTE:
The legal description noted on this plat is a copy of the land survey order placed by the client and for accuracy **MUST** be compared with the Deed. For building restrictions refer to your Abstract, Deed or Contract.

Compare distances between points before building and report any discrepancy to this office immediately.

Dimensions shown hereon are not to be assumed or scaled.

Dimensions shown hereon are in first and decimal parts thereof.

Property corners have been established to complete the plat if survey shows hereon but have not been staked or flagged per the land survey order in which it was placed by the client.

Field work completion date: March 15, 2024.



State of Illinois)
County of Cook)

JENS K. DOE PROFESSIONAL LAND SURVEYORS, does hereby certify that a survey has been made under its direction, by an Illinois Professional Land Surveyor of the property described hereon and that the plat hereon drawn is a correct representation of said survey.

Chicago, Illinois, Dated this 27th Day of March, 2024.

This professional service conforms to the current Illinois minimum standards for a boundary survey.

ORDERED BY:
TRINITY SLOVAK LUTHERAN CHURCH

JENS K. DOE PROFESSIONAL LAND SURVEYORS, (A DIVISION OF CTR IL)

Kevin Duffy
KEVIN DUFFY
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 5228
LICENSE EXPIRATION: 11 - 30 - 24


FORM OF AFFIDAVIT

Chairman, Committee on Zoning
Room 304 - City Hall
Chicago, IL 60602

To Whom It May Concern:


I, Dharmesh Purohit, understand that the Law Offices of Samuel V.P. Banks has filed a sworn affidavit identifying me, as the contract purchaser and Applicant holding interest in land subject to the proposed zoning amendment for the property identified as 5137 N. Elston Ave., Chicago, IL.

I, Dharmesh Purohit, being first duly sworn under oath, depose and say that I hold that interest for myself and no other person, association, or shareholder.


Dharmesh Purohit

3/28/2024
Date

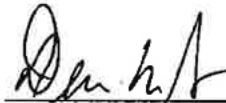
Subscribed and Sworn to before me
this 20 day of March, 2024.


Notary Public



To whom it may concern:

I, Derrick Slevnys, as President of the Trinity Slovak Lutheran Church, the owner of the subject property located at 5137 N. Elston Ave., Chicago, IL, authorize the Law Offices of Samuel V.P. Banks to file a Zoning Amendment Application on behalf of Dharmesh Purohit with the City of Chicago for that property.



Derrick Slevnys
Trinity Slovak Lutheran Church

3/8/2024

Date

Written Notice, Form of Affidavit: Section 17-13-0107

April 17, 2024

Acting Chairman
Committee on Zoning Landmarks, and Building Standards
121 North LaSalle Street
Room 304 - City Hall
Chicago, Illinois 60602

To Whom It May Concern:

The undersigned, **Nicholas Ftikas**, 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 **5127 N Elston Avenue, Chicago, Illinois**; 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 **April 17, 2024**.

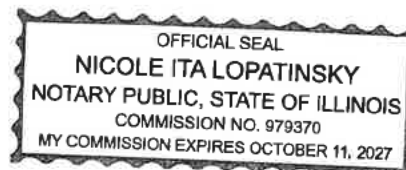
That the Applicant has made a bonafide effort to determine the addresses of the parties to be notified under Section 17-13-0107 of the Zoning Code of the City of Chicago and that the Applicant certifies that the accompanying list of names and addresses of surrounding property owners within 250 feet is 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: 
Nicholas J. Ftikas
Attorney for Applicant

Subscribed and Sworn to before me
this 30 day of MARCH, 2024.


Notary Public



Via USPS First Class Mail
April 17, 2024

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 April 17, 2024, I, the undersigned, intend to file an application for a change in zoning from the RS-3 Residential Single Unit District to the B1-1 Neighborhood Shopping District, on behalf of the Applicant, Dharmesh Purohit, for the property located at **5137 North Elston Avenue, Chicago, IL.**

The Applicant is proposing to develop the subject property with a new one-story restaurant building. The proposed building will contain approximately 4,678 sq. ft. of floor area and measure approximately 19 ft.-3 inches in height. The restaurant will operate with a drive-through lane and will be supported by 25 off-street parking spaces.

The Applicant, Dharmesh Purohit, is located at [REDACTED]

The Property Owner, The Evangelical Lutheran Slavonic St. Trinity Congregation of Chicago, maintains offices at 5106 North LaCrosse Avenue, Chicago, Illinois 60630.

I am the attorney for the Applicant. 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



Nicholas J. Ftikas

Attorney for the Applicant

***Please note the Applicant is NOT 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.**