



Office of the City Clerk

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Legislation Details (With Text)

File #: O2019-5549
Type: Ordinance **Status:** Passed
File created: 7/24/2019 **In control:** City Council
Final action: 9/18/2019
Title: Zoning Reclassification Map No. 5-K at 4433-4439 W Fullerton Ave - App No. 20089T1
Sponsors: Misc. Transmittal
Indexes: Map No. 5-K
Attachments: 1. O2019-5549.pdf (V1), 2. O2019-5549.pdf

Date	Ver.	Action By	Action	Result
9/18/2019	1	City Council	Passed	Pass
9/10/2019	1	Committee on Zoning, Landmarks and Building Standards	Recommended to Pass	
7/24/2019	1	City Council	Referred	

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ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:

SECTION 1. Title 17 of the Municipal Code of Chicago, the Chicago Zoning Ordinance, is hereby amended by changing all of the B2-3 Neighborhood Shopping District symbols and indications as shown on Map Number 5-K in the area bounded by:

West Fullerton Avenue; North Kenneth Avenue; the public alley next south of and parallel to West Fullerton Avenue; and a line 82.57 feet west of and parallel to North Kenneth Avenue

to those of a B2-3 Neighborhood Mixed-Use District (subject to Type 1 development narrative and plans), and a corresponding use district is hereby established in the area above described.

SECTION 2. This ordinance shall be in force and effect from and after its passage and due publication.

Common Address of Property: 4433-4439 W. Fullerton Ave.

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Narrative and Plans Type I Rezoning Amendment Attachment 4433-4439 W. Fullerton

The Project

DAG 4433 W Fullerton LLC, an Illinois limited liability company, the owner of the subject site (the "Applicant"), seeks amendment of the Type 1 development plan approved in September, 2018, to revise the ground floor plan from: two retail storefront spaces, one business live-work unit, and one dwelling unit, to one retail storefront space, one business live-work unit and two dwelling units. The 20 existing dwelling units above will remain; the total number of dwelling units would change from 21 to 22 dwelling units under this proposed amendment to the Type 1 development plan. The current zoning district is B2-3 and will remain B2-3.

The Site

The 10,329.51 square foot corner site (82.57 feet along Fullerton and 125.1 feet along Kenneth) is located at 4433-4439 W. Fullerton. The land use in the immediate area of the proposed rezoning is a one story day care to the west, a 3 story masonry multi-family residential building with retail on the first floor (fronting Fullerton) to the east across Kenneth Ave., a one story strip center with a parking lot to the north across Fullerton, and a two story masonry building to the south across the alley.

The following are the relevant bulk calculations for the proposed development:

floor area ratio: 2.39 (no change)

lot area per dwelling unit: 10,329.51 square feet of land area divided by 22 dwelling units equals 469.52 square feet per dwelling unit. Because only one business live/work unit is added, the business live/work unit is excluded from minimum lot area per dwelling unit calculation per Zoning Ordinance Sec. 17-9-0103.1-C.8.

off-street parking: 0 spaces; no loading. Applicant will seek a variation pursuant to Section 17-13-1101-D of the Zoning Ordinance to obtain relief from the requirement of a parking space for the dwelling unit to be added.

setbacks: front along Fullerton = 0.15 feet (no change) rear = 0.15 feet (no change)
side/west = 0.00 feet (no change) side/east = 0.00 feet (no change)

building height: approximately 37 feet (no change)

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