

#23142-T1
Intro Date:
July 15, 2026

CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

1. ADDRESS of the property Applicant is seeking to rezone:
5636 - 40 North Ashland Avenue
2. Ward Number that property is located in: 40th
3. APPLICANT Mackinaw Development LLC
ADDRESS 105 West Madison Street, Ste 400 CITY Chicago
STATE IL ZIP CODE 60602 PHONE 321-636-6937
EMAIL rolando@acostaegur.com CONTACT PERSON Rolando R. Acosta
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 Thomas M. Mulkerrins / David P. Gaughan
ADDRESS 5636 N. Ashland Ave./5640 N. Ashland Ave. CITY Chicago/Chicago
STATE IL/IL ZIP CODE 60660/60660 PHONE 312-636-6937
EMAIL rolando@acostaegur.com CONTACT PERSON Rolando R. Acosta
5. If the Applicant/Owner of the property has obtained a lawyer as their representative for the
rezoning, please provide the following information:
ATTORNEY Acosta Ezgur, LLC
ADDRESS 1030 W. Chicago Ave., Fl 3
CITY Chicago STATE IL ZIP CODE 60642
PHONE 312-636-6937 FAX _____ EMAIL rolando@acostaegur.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: _____

James Fox

7. On what date did the owner acquire legal title to the subject property? January 2005 and April 2006

8. Has the present owner previously rezoned this property? If yes, when? No

9. Present Zoning District: RS-3 Proposed Zoning District: RM-6

10. Lot size in square feet (or dimensions): 8,625 sq. ft.

11. Current Use of the Property: Three residential Buildings

12. Reason for rezoning the property: Demolition of existing buildings and construction of a new five story residential building.

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 demolish the existing improvements and construct a five-story, 27-unit residential building, 13 automobile parking spaces, and 27 bicycle parking spaces. No commercial space is proposed. The height of the building will be 63.5 feet.

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 is filing a Type 1 rezoning application and 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 front setback to 3 feet; 2) a variation under section 17-13-1101-B to reduce the rear yard setback to 12 feet; 3) a variation under section 17-13-1101-B to reduce the north and south side setbacks to 1 foot 2 inches, for a total combined side yard setback of 2 feet 4 inches; and 4) a variation under 17-13-1101-D to reduce the number of loading spaces from 1 to 0.

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

Mackinaw Development LLC

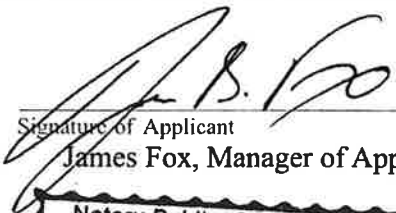
, being first duly sworn on oath, states that all of the above statements and the statements contained in the documents submitted herewith are true and correct.

Subscribed and Sworn to before me this

29th day of June, 2028

Estela Richards

Notary Public


Signature of Applicant

James Fox, Manager of Applicant



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 15, 2026

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

The undersigned, Rolando R. 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 129.10 feet north of and parallel to West Olive Avenue, North Ashland Avenue, a line 54.1 feet north of and parallel to West Olive Avenue; and the public alley next west of and parallel to North Ashland Avenue

and has the address of 5636-40 North Ashland 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 15, 2026.

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 15, 2026.

Estela Richards

Notary Public





ACOSTA EZGUR, LLC

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

July 15, 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 15, 2025, the undersigned will file an application for a change in zoning from a RS-3 Residential Single-Unit (Detached House) District to an RM-6 Residential Multi-Unit District as a mandatory Type 1 Map Amendment on behalf of Mackinaw Development LLC (the "Applicant") for the property located 5636 – 40 North Ashland Avenue. The property is bounded by:

a line 129.10 feet north of and parallel to West Olive Avenue, North Ashland Avenue, a line 54.1 feet north of and parallel to West Olive Avenue; and the public alley next west of and parallel to North Ashland Avenue

The subject property is comprised of three lots each containing a two-story residential building. The Applicant proposes to demolish the existing improvements and construct a five-story, 27-unit residential building, with 13 automobile parking spaces, and 27 bicycle parking spaces. No commercial space is proposed. The height of the building will be 63.5 feet. To allow the proposed development, the Applicant seeks a zoning change for the subject property from an RS-3 Residential Single-Unit (Detached House) District to RM-6 Residential Multi-Unit District. The Applicant is filing a Type 1 rezoning application and 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 front setback to 3 feet; 2) a variation under section 17-13-1101-B to reduce the rear yard setback to 12 feet; 3) a variation under section 17-13-1101-B to reduce the north and south side setbacks to 1 foot 2 inches, for a total combined side yard setback of 2 feet 4 inches; and 4) a variation under 17-13-1101-D to reduce the number of loading spaces from 1 to 0.

The portion of the Property located at 5636 – 38 North Ashland Avenue is owned by Thomas M. Mulkerrins, 5636 N. Ashland Avenue, Chicago, IL 60660. The portion of the Property located at 5640 North Ashland Avenue, Chicago, IL 60660 is owned by David P. Gaughan, 5640 N. Ashland Avenue, Chicago, IL 60660. The Applicant is located at 105 West Madison Street, Ste 400, Chicago, IL 60602. 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

June 25, 2026

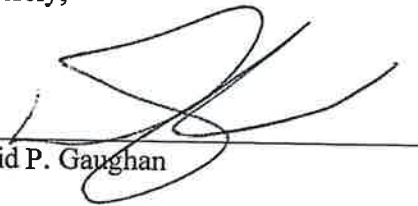
Patrick Murphey
Zoning Administrator
City of Chicago
City Hall – Room 905
121 N. LaSalle Street
Chicago, IL 60602

Re: Rezoning of 5640 North Ashland Avenue (“Property”):

Dear Zoning Administrator Murphey:

David P. Gaughan is the owner (“Owner”) of the above referenced Property. Owner has authorized Mackinaw Development LLC (“Applicant”) to file an application to rezone the Property and to take any necessary actions in connections with said application.

Sincerely,



David P. Gaughan

June 25, 2026

Patrick Murphey
Zoning Administrator
City of Chicago
City Hall – Room 905
121 N. LaSalle Street
Chicago, IL 60602

Re: Rezoning of 5636 - 38 North Ashland Avenue (“Property”):

Dear Zoning Administrator Murphey:

Thomas M. Mulkerrins is the owner (“Owner”) of the above referenced Property. Owner have authorized Mackinaw Development LLC (“Applicant”) to file an application to rezone the Property and to take any necessary actions in connections with said application.

Sincerely,


Thomas M. Mulkerrins

