CITY OF CHICAGO

APPLICATION FOR AN AMENDMENT TO
THE CHICAGO ZONING ORDINANCE

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

   1437 North Mohawk Street

2. Ward Number that property is located in: 2

3. APPLICANT Kyle Smith and Katherine Smith

   ADDRESS 1437 North Mohawk CITY Chicago

   STATE Illinois ZIP CODE 60610 PHONE 872-215-2076

   EMAIL ximena@acostaezgur.com CONTACT PERSON Ximena Castro

4. Is the applicant the owner of the property? YES [X] 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

   ADDRESS 1030 West Chicago Avenue, Floor 3

   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: _____

7. On what date did the owner acquire legal title to the subject property? 07/2020

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

9. Present Zoning District: RT-4 Proposed Zoning District: RM-4.5

10. Lot size in square feet (or dimensions): 2,575 sq. ft.

11. Current Use of the Property: The subject property is a substandard sized lot improved with a three story building and two-car detached garage. The current height of the building is approximately 38.21 feet.

12. Reason for rezoning the property: To increase FAR.

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 subject property is a substandard sized lot improved with a three story building and two-car detached garage. The current height of the building is approximately 38.21 feet. The Applicants seek to expand and rebuild the third floor to allow for more usable livable space. The proposed height of the building will be approximately 39.01 feet. The Applicants have filed a rezoning application to allow an increase of Floor Area Ratio to allow additional square feet for the third floor.

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.** Seeking all zoning relief, as needed and as allowed by the Chicago Zoning Code, for the attached plans including 1) an optional variation under section 17-13-1101-B to reduce the combined side yard setback required under section 17-2-0309-A from 4.8' to 4.64' (existing) and 2) an optional variation under section 17-13-1003-K to reduce the rear yard open space required under section 17-2-0307 from 422.83 square feet to 399.62 square feet.

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.city ofchicago.org/ ARO for more information). Is this project subject to the ARO? YES ☐ NO ☑

COUNTY OF COOK
STATE OF ILLINOIS

Kyle Smith, 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.

Signature of Applicant

Subscribed and Sworn to before me this

08 day of September, 2025

Notary Public

Official Seal
JENNIFER A BLASSINGILL
Notary Public, State of Illinois
Commission No. 1011820
My Commission Expires June 11, 2029

For Office Use Only

Date of introduction: _____

File Number: _____

Ward: _____

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.city ofchicago.org/ ARO for more information). Is this project subject to the ARO? YES ☐ NO ☑

COUNTY OF COOK
STATE OF ILLINOIS

Katherine Smith, 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.

Signature of Applicant

Subscribed and Sworn to before me this

08 day of September, 2025

Official Seal
JENNIFER A BLASSINGILL
Notary Public, State of Illinois
Commission No. 1011820
My Commission Expires June 11, 2029

Notary Public

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

September 25, 2025

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

Dear Chairman:

The undersigned, Ximena Castro, being first duly sworn on oath, deposes and says 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 applicants, 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 149.0 feet south of and parallel to West Blackhawk Street; the public alley next east of and parallel to North Mohawk Street; a line 173.00 feet south of and parallel to West Blackhawk Street; and North Mohawk Street

and has the address of 1437 North Mohawk Street, Chicago, Illinois 60610.

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 applicants; the name and address of the owner; and a statement that the applicants intend to file the application for a change in zoning on approximately September 25, 2025.

The undersigned certifies that the applicants have 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.

Ximena Castro
Zoning Attorney for the Applicants

Subscribed and sworn to before me this 25th day of September 2025.

Estela Richards
Notary Public

Notary Public, State of Illinois
Official Seal
Estela Richards
Commission # 849668
My Commission Expires 4/6/2029

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

September 25, 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 September 24, 2025, the undersigned will file an application for a change in zoning from a current RT-4 Residential Two-Flat, Townhouse and Multi-Unit District to a RM-4.5 Residential Multi-Unit District as a Mandatory Type 1 Map Amendment on behalf of Kyle Smith and Katherine Smith (the "Applicants") for the property located at 1437 North Mohawk Street, Chicago, Illinois 60610. The property is bounded by:

> A line 149.0 feet south of and parallel to West Blackhawk Street; the public alley next east of and parallel to North Mohawk Street; a line 173.00 feet south of and parallel to West Blackhawk Street; and North Mohawk Street.

The Applicants have filed a rezoning to expand and rebuild the third floor of their building to allow for more usable livable space for their family. The proposed height of the building will be approximately 39.01'.

The Applicant also is seeking all relief as needed, as allowed by the Chicago Zoning Code, through a Type-1 application under section 17-13-0300(D) and including: 1) an optional variation under section 17-13-1101-B to reduce the combined side yard setback required under section 17-2-0309-A from 4.8' to 4.64' (existing) and 2) an optional variation under section 17-13-1003-K to reduce the rear yard open space required under section 17-2-0307 from 422.83 square feet to 399.62 square feet.

The Applicants are the owners of the property and are located at 1437 North Mohawk Street, Chicago, Illinois 60610. The contact person for this application is Ximena Castro, 1030 West Chicago Avenue, 3rd Floor, Chicago, Illinois 60642. Any questions regarding this notice may be directed to Ximena Castro at 872-215-2076 or at ximena@acostaezgur.com.

Please note that the Applicants are not seeking to rezone or purchase your property. The Applicants are required by law to send this notice because you own property within 250 feet of the property

Ximena Castro
Zoning Attorney for the Applicants

PROFESSIONAL DESIGN FIRM LS/PE/SE REGISTRATION NO. 184-002111

PLAT OF SURVEY

LOT 7 IN ROYAL HOUGHTON'S SUBDIVISION OF BLOCK 8 IN THE STATE BANK OF ILLINOIS SUBDIVISION OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4, TOWNSHIP 39 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 2928 SQ. FT.

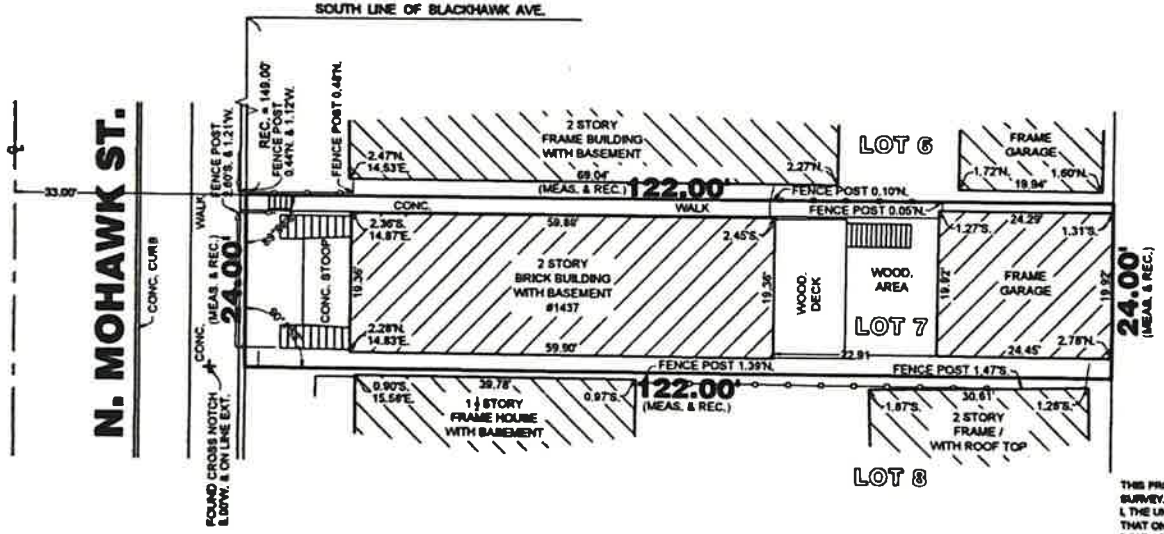
COMMONLY KNOWN AS: 1437 NORTH MOHAWK STREET, CHICAGO, ILLINOIS.

PIN: 1704122007

REFERENCED BY:CHICAGO TITLE INSURANCE COMPANY
NUMBER:20GSC254026LP
DATE:JUNE 23, 2020

0 10 20 30

SCALE: 1 INCH = 16 FEET



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

I, THE UNDERSIGNED, AN ILLINOIS REGISTERED LAND SURVEYOR, HEREBY CERTIFY TO THE ABOVE NAMED PARTY THAT ON THE DATE SHOWN AN INSPECTION OF THE REAL ESTATE DESCRIBED HEREIN WAS MADE AND THAT TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT REPRESENTS THE FACTS FOUND AT SAID TIME. PROPERTY CORNERS ARE SET OR NOT BY CLIENT AGREEMENT. SUBJECT PROPERTY HAS NOT BEEN STAKED AND THEREFORE FOR ANY CONSTRUCTION OR ESTABLISHING BOUNDARY OR FENCE LINE SHALL BE STAKED BY A SURVEYOR BEFORE PERFORMING THE TASK.

PROFESSIONAL LAND SURVEYOR
BEHROOZ MORADI
035-003349
CHICAGO
ILLINOIS
STATE OF ILLINOIS
STAMPED

NO DIMENSIONS SHOULD BE ASSUMED BY SCALE MEASUREMENTS UPON THE PLAT.
BOUNDARY DIMENSIONS ARE BASED ON THE PUBLIC RECORDS AND/ OR DESCRIPTION PROVIDED.
FOR LEGENDS SEE OTHER SIDE OF THIS PAGE.

MORADI MULTI DIMENSIONS CONSULTING ENGINEERS
3949 W. IRVING PARK RD. CHICAGO, IL. 60618
TEL: (773)478-8886, FAX. (773)478-8887

JOB # : 102-20	DRAWN: HA	DATE:07/03/2020	CLIENT: LISA SAUL ATTORNEY AT LAW
SHEET : 1	CHECKED: BM	SCALE: 1"=16'-0"	DATE OF FIELD WORK: 07/02/2020

THE LEGAL DESCRIPTION NOTED ON THIS PLAT WAS PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/ OR TITLE POLICY. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THERE ARE SO RECORDED IN THE MAPS. OTHERWISE FOR BUILDING RESTRICTIONS AND/ OR EASEMENTS REFER TO YOUR DEED, CONTRACT, TITLE POLICY, AND/ OR ZONING REGULATIONS. THIS PLAT IS VALID ONLY IF IT CONTAINS THE ORIGINAL SIGNATURE AND SEAL OF THE SURVEYOR. IF YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CONTACT US.

Illinois Land Surveyor Number 035-003349
BEHROOZ MORADI, PhD, P.E., S.E., P.L.S.
IL PROF. L.AND SURVEYING - LS EXPIRATION DATE NOV. 30, 2020