



LAND USE COMMISSION

Wednesday, January 12, 2022

7:00 P.M.

Via Virtual Meeting

AGENDA

As the result of an executive order issued by Governor J.B. Pritzker suspending in-person attendance requirements for public meetings, members of the Land Use Commission and City staff will be participating in this meeting remotely.

Due to public health concerns, residents will not be able to provide public comment in-person at the meeting. Those wishing to make public comments at the Land Use Commission meeting may submit written comments in advance or sign up to provide public comment by phone or video during the meeting by calling/texting 847-448-4311 or completing the Land Use Commission meeting online comment form available by clicking [here](#), or visiting the Land Use Commission webpage, <https://www.cityofevanston.org/government/land-use-commission>, clicking on How You Can Participate, then clicking on Public Comment Form.

Community members may watch the Land Use Commission meeting online through the Zoom platform:

Join Zoom Meeting

<https://us06web.zoom.us/j/84943789735?pwd=cVlqZDNmZHNoUEJXMFRPdSs3ejY4QT09>

Meeting ID: 849 4378 9735

Passcode: 906817

One tap mobile +13126266799,,84943789735# US (Chicago)

Dial by your location +1 312 626 6799 US (Chicago)

I. CALL TO ORDER

II. **SUSPENSION OF THE RULES:** Members participating electronically or by telephone (Article VI, Section 1).

III. ELECTION OF OFFICERS AND COMMITTEE MEMBERS

A. Election of Land Use Commission Chair and Vice-Chair

Order & Agenda Items are subject to change. Information about the Land Use Commission is available at: <https://www.cityofevanston.org/government/land-use-commission>. Questions can be directed to Meagan Jones at mmjones@cityofevanston.org or 847-448-4311. The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact 847-448-4311 or 847-866-5095 (TTY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made.

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las quines no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).

- B. Election of Zoning Committee Members
- C. Election of Comprehensive Plan Committee Members
- D. Election of Comprehensive Plan Steering Committee Chair

IV. ADOPTION OF LAND USE COMMISSION ADMINISTRATIVE RULES AND PROCEDURES

V. ADOPTION OF 2022 MEETING CALENDAR

VI. NEW BUSINESS

A. Public Hearing: 1224 Washington Street 21ZMJV-0100

James Tullio, the property owner, requests two zoning variations from the Evanston Zoning Ordinance to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots in the R3 Two-Family Residential District. The applicant requests one Major Variation to allow the proposed interior lot to be 4,226 square feet where a minimum lot size of 5,000 square feet is required (Section 6-8-4-4). The applicant also requests a Minor Variation to allow the proposed corner lot to have an impervious surface lot coverage of approximately 3,485 square feet or 69.7 percent where the maximum permitted is 3,000 square feet or 60 percent (Section 6-8-4-9). The subject property is currently improved with one two-story building, a driveway, and a patio. The applicant is not proposing any site improvements to the subject property in association with these requests. The Land Use Commission is the determining body for this case.

B. Public Hearing: 1946 Orrington Avenue 21ZMJV-0060

Richard Dooley, property owner, requests a Special Use Permit for a non-owner occupied rooming house in the R4a General Residential District (Zoning Code Section 6-8-6-3). The Land Use Commission makes a recommendation to the City Council, the determining body for this case. **THIS APPLICATION HAS BEEN WITHDRAWN.**

VII. COMMUNICATION

A. Comprehensive Plan Update

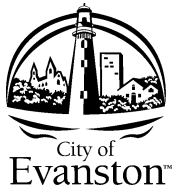
VIII. PUBLIC COMMENT

IX. ADJOURNMENT

The next meeting of the Evanston Land Use Commission will be held on **Wednesday, January 26, 2022 at 7:00 pm, via the virtual meeting platform, Zoom.** Login information will be provided on the agenda posted in advance of the meeting.

Order & Agenda Items are subject to change. Information about the Land Use Commission is available at: <https://www.cityofevanston.org/government/land-use-commission>. Questions can be directed to Meagan Jones at mmjones@cityofevanston.org or 847-448-4311. The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact 847-448-4311 or 847-866-5095 (TTY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made.

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las quines no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).



Memorandum

To: Land Use Commission

From: Planning & Zoning Division

Subject: 2022 Land Use Commission Draft Schedule

Date: December 6, 2021

The Land Use Commission has regularly scheduled meetings twice a month, typically on the second and fourth Wednesday at 7pm. Additional meetings and subcommittee meetings may be scheduled as necessary.

| | | |
|-----------|----|-------------------------------|
| January | 12 | |
| January | 26 | |
| February | 9 | |
| February | 23 | |
| March | 9 | |
| March | 23 | Spring Break week |
| April | 13 | |
| April | 27 | |
| May | 11 | |
| May | 25 | |
| June | 8 | |
| June | 22 | |
| July | 13 | |
| July | 27 | |
| August | 10 | |
| August | 24 | |
| September | 14 | |
| September | 28 | |
| October | 12 | |
| October | 26 | |
| November | 9 | |
| November | -- | Canceled - Thanksgiving week |
| December | 14 | |
| December | -- | Canceled – Christmas/NYE week |

Land Use Commission
Determining Body

1224 Washington St.
Major Variation and Minor Variation
for Substandard Lot Size/2-Lot Split



Memorandum

To: Members of the Land Use Commission

From: Johanna Nyden, Director of Community Development
Melissa Klotz, Zoning Administrator
Katie Ashbaugh, Planner

Subject: 1224 Washington Street | 21ZMJV-0100
Land Use Commission | Determining Body

Date: January 7, 2022

Notice – Published in the December 23, 2021 Edition of the *Evanston Review*:

James Tullio, the property owner, requests two zoning variations from the Evanston Zoning Ordinance to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots in the R3 Two-Family Residential District. The applicant requests one Major Variation to allow the proposed interior lot to be 4,226 square feet where a minimum lot size of 5,000 square feet is required (Section 6-8-4-4). The applicant also requests a Minor Variation to allow the proposed corner lot to have an impervious surface lot coverage of approximately 3,485 square feet or 69.7 percent where the maximum permitted is 3,000 square feet or 60 percent (Section 6-8-4-9). The subject property is currently improved with one two-story building, a driveway, and a patio. The applicant is not proposing any site improvements to the subject property in association with these requests. The Land Use Commission is the determining body for this case.

Recommendation:

Staff and the Design and Project Review Committee (DAPR) recommend denial of a Major Variation to allow the proposed interior lot to be 4,226 square feet where a minimum lot size of 5,000 square feet is required and of a Minor Variation to allow the proposed corner lot to have an impervious surface lot coverage of approximately 3,485 square feet or 69.7 percent where the maximum permitted is 3,000 square-foot or 60 percent. Please see the DAPR Discussion and Recommendation section of this report for details.

The Zoning Administrator recommends approval of the variations, with conditions, in consideration of the following:

- The newly created lot is compliant. Only the existing lot (which will be reduced in size by roughly half) triggers variations. Those variations are due to existing conditions. No further non-compliance will be constructed or added. No changes are proposed to the existing structure.

- If subdivided, each lot fits the characteristics and common lot size of the surrounding neighborhood. When many lots in an area are substandard to the minimum required lot size of the zoning district, one more similar lot should not be denied. The zoning regulations for the required lot size or the zoning district of that area may not be the most appropriate and why variations are triggered.
- The vacant area already appears to be an unused lot. It does not feature extensive outdoor amenity space, etc. that is actively used. Passive use of the lot is not the highest and best land use, and very few infill lots remain in Evanston. The best land use is for a single-family home that complies with all zoning regulations on the compliant lot. This would create housing in a neighborhood that is more affordable than other areas of the community and would increase property tax revenue.

Given these points, the Zoning Administrator recommends the Land Use Commission carefully reviews all points addressed within the staff memo and DAPR summary and minutes, reviews the Standards, and considers a recommendation for approval with the following conditions:

1. The newly created interior lot (east portion of the property), which is zoning compliant, shall not be granted variations for building lot coverage or impervious surface coverage in the future (this could be recorded against the property to protect a future buyer).
2. The existing corner lot with the 2-story structure (west portion of the property) will not be granted rebuild status to allow the structure to be rebuilt to the exact same status including nonconformities if it is damaged or destroyed due to natural causes. Any new structure shall comply with zoning regulations or apply for variations that may or may not be granted.

Site Background:

The property, 1224 Washington Street, is located at the southeast corner of the Asbury Avenue and Washington Street intersection. It is located within the R3 Two-Family Residential District, and is surrounded by the following zoning districts:

| | | |
|----------------------------|----|---------------------------------|
| North (across Washington): | R3 | Two-Family Residential District |
| South: | R3 | Two-Family Residential District |
| East: | R3 | Two-Family Residential District |
| West (across Asbury): | R3 | Two-Family Residential District |

To the north of the subject property across Washington Street is a two-story, 3-unit townhome building. Single-family homes are located to the south and the east. To the west across Asbury Avenue is also a single-family home.

The subject property is currently improved with one two-story building, a driveway, and a patio. The improvements are located on the western half of the property, with the building sitting at only about 8 inches from the street side (Asbury) lot line. The building

is also only about 4 feet 5 inches from the front (Washington) lot line. To the south of the building is a curb cut providing vehicular access to the property off of Asbury Avenue and one parking stall.

The two-story building historically was a mixed-use building with commercial on the ground floor and an apartment on the upper floor. The building is now primarily used as the applicant's residence where he also operates a private recording studio for high school music students. The east half of the property is unimproved and enclosed by a fence, functioning as a large side yard to the building.

Proposal:

The applicant proposes to subdivide the existing 9,226 square foot property into two lots, with the corner lot being 5,000 square feet in area and 54.2 feet in width (Lot 1 on the attached draft plat of subdivision) and the new interior lot is approximately about 4,226 square feet in area and 45.8 feet in width (Lot 2 on the attached draft plat of subdivision). The applicant intends to sell Lot 2 to be developed as a single-family home. The applicant is not proposing any additional building or site improvements to either of the proposed lots. Any new single-family home proposed for Lot 2 would be required to meet all applicable zoning requirements or zoning relief would need to be requested at that time.

To create Lot 2, a Major Variation is required to allow a lot area of 4,226 square feet in the R3 district where 5,000 square feet is required. Both Lots 1 and 2 meet the minimum lot width requirement of 35 feet.

To allow Lot 1 to maintain its existing improvements, a Minor Variation to allow an impervious surface lot coverage of 69.7 percent, or approximately 3,485 square feet, where a maximum impervious surface lot coverage of 60 percent, or 3,000 square feet, is permitted, is required. Currently, as one lot of record, the existing impervious surface lot coverage is approximately 3,412 square feet or 36.9 percent. The relief requested is for 3,485 square feet, as the vehicular access to the south of the building must be paved with a hard surface per Section 6-16-2-2 of the Zoning Ordinance. During staff review, staff requested the applicant to include a cross-access easement from Asbury to Lot 2, which is shown. Because it would provide this vehicular access to any parking on Lot 1, the hard surface would be required at the time Lot 2 would be developed. The applicant is not proposing to improve this drive at this time but the relief as requested accommodates this.

No additional zoning relief is required and no exterior changes to the existing building are proposed. No objections were received before the distribution of this report.

Ordinances Identified for Requested Relief:
6-8-4 R3 Two-Family Residential District

6-8-4-4, Lot Size: The minimum lot size in the R3 district is five thousand (5,000) square feet for single-family dwellings, except as expressly allowed in Subsection 6-4-1-7(B) of this Title, three thousand five hundred (3,500) square feet per dwelling unit for two-family units and seven thousand two hundred (7,200) square feet for non-residential uses.

6-8-4-9(A), Impervious Surface: The maximum impervious surface ratio for the R3 district is sixty percent (60%)

Comprehensive Plan:

The Evanston Comprehensive General Plan encourages the review of any future development proposal, especially those proposed for currently open spaces, and that its impact on stormwater drainage and run-off be carefully assessed.

Design and Project Review (DAPR) Discussion and Recommendation:

On January 4, 2022, the Design and Project Review Committee reviewed the proposed variations for the subject property and voted unanimously to recommend denial to the Land Use Commission. Specifically, staff was concerned that creating a substandard lot at present would only cause future problems for anyone developing the proposed Lot 2, as it would likely need additional zoning relief at the time a single-family home would be built. Staff said that substandard lots elsewhere in the City create problems as they do often require zoning relief when they need to be improved and to create a substandard lot deliberately was not a good policy for the City. Additionally, staff found that the proposed subdivision did not meet the goals and intent of the Climate Action and Resiliency Plan (CARP), as covering the existing green space on the proposed Lot 2 would exacerbate any flooding issues in the area as the lot to the east (1218 Washington) is already has limited open space.

In addition to concerns about excess lot coverage on the block, staff also found that the 8-foot wide cross access easement proposed along the rear (south) lot line of proposed Lot 1 to allow Lot 2 vehicular access to Asbury Avenue was not of sufficient width. Staff noted that if a vehicle were to pause/stand within the easement, another vehicle could be blocked ingress/egress without an additional 8 feet to allow it to go around that vehicle. However, if the easement were 16 feet in width, the property's compliant parking stall to the south of the building would be eliminated and force the parking stall to the interior side yard. Parking is not permitted in the interior side yard in the R3 district.

In conclusion, staff found the proposed subdivision would create problems in the future for both any owner and residents of the proposed Lot 2, resulting in the unanimous denial.

Variation Standards:

For a variation to be approved, the LUC must find that the proposed variations:

1. **Will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties:** Standard not met - The proposed subdivision would likely result in future variation requests for the development of the proposed Lot 2 and possible disputes between property owners about the proposed cross access easement.
2. **Is in keeping with the intent of the zoning ordinance:** Standard not met - The proposed subdivision is not in keeping with the intent of the zoning ordinance in that the deliberate creation of a substandard lot that may likely need additional zoning relief in the future. Additionally, the granting of relief from the impervious surface lot coverage requirement would run with the proposed Lot 1 and should it ever be redeveloped, would be able to maintain that ratio.
3. **Has a hardship or practical difficulty that is peculiar to the property:** Standard not met - The size of the existing single lot is in conformance with the minimum standard of the R3 district and the request to subdivide is that of the property owner/applicant.
4. **The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience:** Standard not met - The owner is not prevented from the continued use of his property and its existing improvements if the existing single lot is not subdivided.
5. **Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived:** Standard not met - The property owner states he intends to sell the proposed Lot 2, which would result in additional income.
6. **Does not have a hardship or practical difficulty that was created by any person having an interest in the property:** Standard not met - The subdivision is proposed by the property owner.
7. **Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty:** Standard not met - The proposed size of Lot 2 is the largest size possible of a second lot should the entire lot of record be subdivided, as the proposed Lot 1 does meet the minimum size requirement of 5,000 square feet. However, the impervious surface lot coverage of the proposed Lot 1 could be reduced if existing pavement were replaced with permeable pavers and any excess pavement was removed.

Attachments:

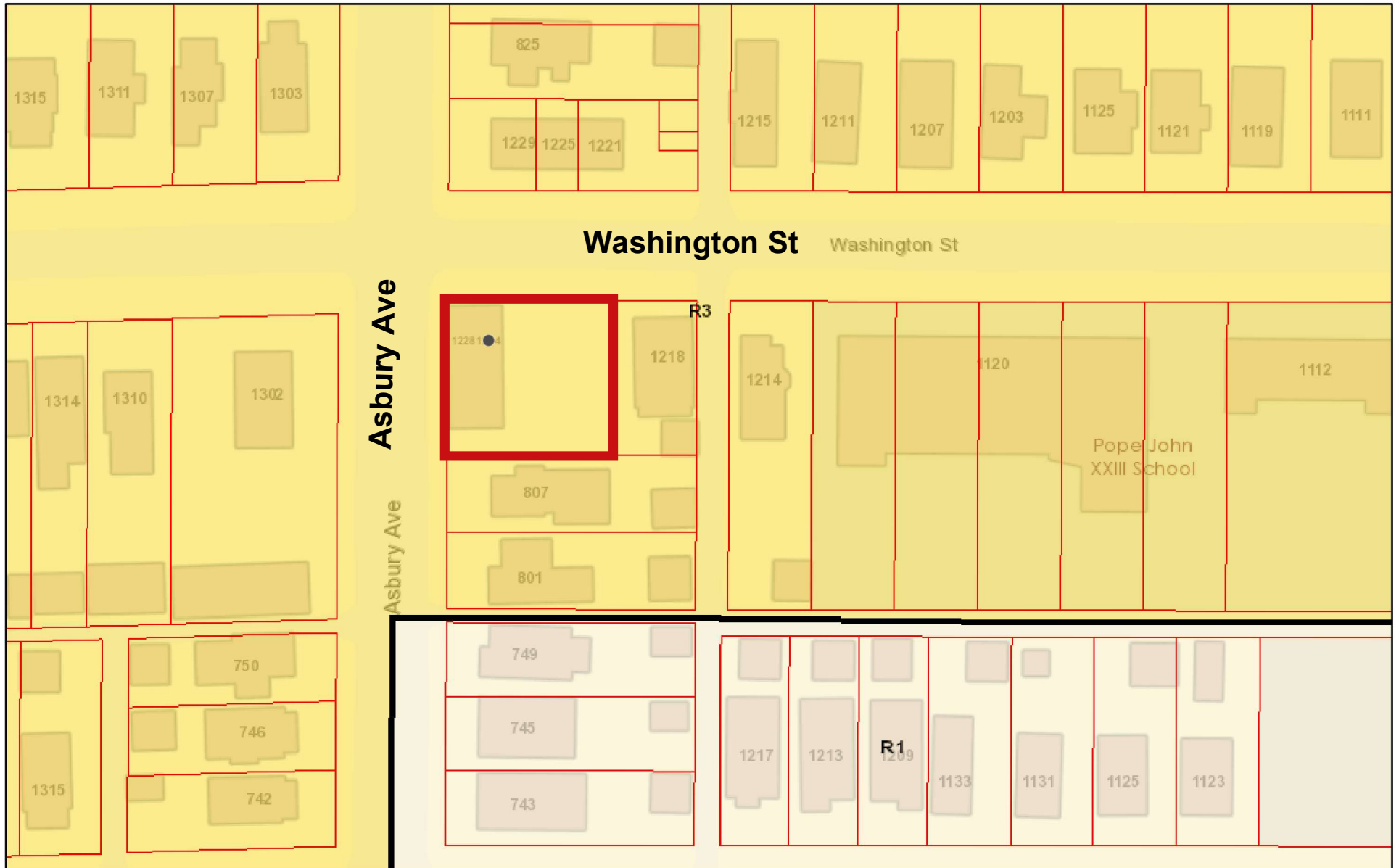
- Zoning Map
- Aerial Photo
- Street View Photos
- Application Materials – November 30, 2021
- Plat of Survey - August 18, 2021

- Plat of Subdivision - Draft, October 26, 2021
- Zoning Analysis - September 16, 2021
- DAPR Draft Meeting Minutes – January 4, 2022

Design & Project Review Committee
Recommending Body

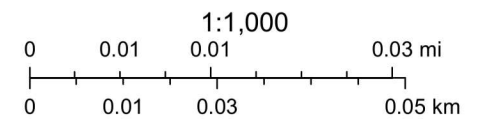
1224 Washington St.
Major Variation and Minor Variation
for Substandard Lot Size/2-Lot Split

1224 Washington St - Zoning



12/28/2021, 5:39:52 PM



- | | | | |
|----------------------------|-----------------|----------------------------|--------------------------------|
| Zoning Boundaries & Labels | B2 - Business | C1a - Commercial Mixed-Use | D2 - Downtown Retail Core |
| Zoning Districts | B3 - Business | C2 - Commercial | D3 - Downtown Core Development |
| B1 - Business | C1 - Commercial | D1 - Downtown Fringe | D4 - Downtown Transition |
| B1a - Business | | | |

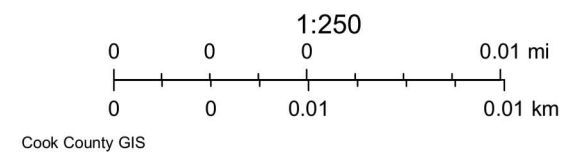


1224 Washington St - Aerial



12/28/2021, 5:36:48 PM

-  City Boundary
-  Tax Parcels



1224 Washington Street – Street view looking south from Washington



1224 Washington Street – Street view looking east from Asbury





MAJOR VARIATION APPLICATION

zoning office use on

CASE # _____

1. PROPERTY

Address 1224 Washington Street

Permanent Identification Number(s): _____

PIN 1: 11-19-304-001-0000 PIN 2: _____

(Note: An accurate plat of survey for all properties that are subject to this application must be submitted with the application.)

2. APPLICANT

Name: James Tullio

Organization: Butcher Boy School Of Music Production (NFP)

Address: 1224 Washington Street

City, State, Zip: Evanston IL 60202

Phone: Work: _____ Home: _____ Cell/Other: 847-648-1024

Fax: Work: _____ Home: _____

E-mail: toolsmuse@att.net

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- same
- architect
- officer of board of directors
- builder/contractor
- attorney
- other: _____
- potential purchaser
- lessee
- potential lessee
- real estate agent

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: _____

Address: _____

City, State, Zip: _____

Phone: Work: _____ Home: _____ Cell/Other: _____

Fax: Work: _____ Home: _____

E-mail: _____

Please circle the primary means of contact.

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) - **REQUIRED**

Date 11-30-21

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

Applicant Signature - **REQUIRED**

Date 11-30-21

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- | | | |
|-------------------------------------|--|---|
| <input checked="" type="checkbox"/> | (This) Completed and Signed Application Form | |
| <input checked="" type="checkbox"/> | Plat of Survey | Date of Survey: <u>8/01/21</u> |
| <input type="checkbox"/> | Project Site Plan | Date of Drawings: <u>10/25/21</u> |
| <input checked="" type="checkbox"/> | Plan or Graphic Drawings of Proposal (If needed, see notes) | |
| <input checked="" type="checkbox"/> | Non-Compliant Zoning Analysis | |
| <input checked="" type="checkbox"/> | Proof of Ownership | Document Submitted: <u>Warranty Deed</u> |
| <input checked="" type="checkbox"/> | Application Fee (see zoning fees) | Amount \$ _____ plus Deposit Fee <u>\$150</u> |

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

2-Lot Split of one 9,226 s.f., 100-foot wide lot into one 5,000 s.f., 54.19 ft. wide, corner lot and one 4,226 s.f., 45.8-foot wide interior lot

B. Have you applied for a Building Permit for this project? NO YES

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant. (See the Zoning Analysis Summary Sheet for your project's information)

| (A) Section <small>(ex. "6-8-3-4")</small> | (B) Requirement to be Varied <small>(ex. "requires a minimum front yard setback of 27 feet")</small> | (C) Requested Variation <small>(ex. "a front yard setback of 25.25 feet")</small> |
|---|---|--|
| 1 | | |
| <u>Sec 6 8 4 9</u> | <u>The maximum permitted impervious surface lot coverage is 60% in the R3 district.</u> | <u>The proposed building lot coverage for the corner lot is +/- 3,484.1 s.f., or 69.7%</u> |

* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.

| | | |
|--------------------|--|---|
| 2 | | |
| <u>Sec 6 8 4 4</u> | <u>The minimum lot size required for residential uses in the R3 district is 5,000 s.f.</u> | <u>The minimum lot size proposed for the interior lot is 4,226 s.f.</u> |
| 3 | | |
| _____ | _____ | _____ |

- B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

My lot is 9,296 sq ft and is not an official 10,000 sq ft double lot. In order to try and sell the second lot i need a variance.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

This won't affect either neighbor around me. I have one neighbor behind me and one to the east as it is a corner lot.

2. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

I would most likely go into foreclosure and lose the property. Please see the attached document for further explanation.

3. Either...

- (a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or
(b) while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

(b) The money derived from the sale of the lot will only go towards the mortgage to save the building.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

Because of covid 19 and a rising interest rate our income has suffered drastically. If this had not happened we wouldn't have to try and sell the lot.

5. Have other alternatives been considered, and if so, why would they not work?

Raising the required amount is not feasible in the timeframe i
have to save the building, so the only alternative is to try and sell
the adjacent lot.



City of Evanston DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made:
Does not apply.

James Tullio
Butcher Boy School Of Music Production (NFP)
1224 Washington St
Evanston, IL 60202

2. If a person or organization owns or controls the proposed land user, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number ____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number ____ above, or indicated below.

Bamboula Lender LLC c/o Len Loventhal
3522 N. Janssen Ave
Chicago, IL 60657

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number X above, or indicated below.

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

- a. Names and addresses of all officers and directors.

Butcher Boy School Of Music Production (NFP)

James Tullio Director 1224 Washington St Evanston 60202

Patrick Hughes Officer 1317 Livingston Evanston 60201

Neil Gambow Officer 927 Michigan Ave #2 Evanston 60202

- b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

2068245 (7)
MERCURY TITLE COMPANY, L.L.C.

1072 Hwy
WARRANTY DEED

MAIL DEED TO:

Fritchhall & Pawlowski
6554 W. Northwest Hwy
Chicago IL 60631

SEND TAX BILLS TO:

James Tullio
1224-28 Washington St.
Evanston IL 60202

THE GRANTORS, G. ERIC SPROULL and HEIDI J. SPROULL, Husband and Wife, both of City of Evanston, County of Cook, State of Illinois, for and in consideration of TEN DOLLARS AND 00/100 in hand paid, CONVEY and WARRANT to JAMES²TULLIO, of 1477 Scott, Winnetka, Illinois, the following described Real Estate situated in the County of Cook in the State of Illinois, to wit:

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Subject to: general real estate taxes not due and payable at the time of closing; covenants, conditions, and restrictions of record; building lines and easements, if any; so long as they do not interfere with the current use and enjoyment of the Real Estate.

hereby releasing and waiving all rights under and by virtue of the Homestead Exemption Laws of the State of Illinois, TO HAVE AND TO HOLD said premises forever.

Permanent Real Estate Index Number: 11-19-304-001-0000

Address of Real Estate: 1224-28 WASHINGTON STREET, EVANSTON, ILLINOIS

Doc#: 0818841030 Fee: \$26.00
Eugene "Gene" Moore RHSP Fee: \$10.00
Cook County Recorder of Deeds
Date: 06/15/2008 10:57 AM Pg: 1 of 2

M.G.R. TITLE

DATED this 7 day of May, 2006

G. E. Sproull
G. ERIC SPROULL

Heidi J. Sproull
HEIDI J. SPROULL

STATE OF ILLINOIS, COUNTY OF COOK ss. I, the undersigned, a Notary Public in and for said County, in the State of Illinois, DO HEREBY CERTIFY that G. ERIC SPROULL and HEIDI J. SPROULL, Husband and Wife, are known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth, including the release and waiver of the right of homestead.

Given under my hand and official seal this 7 day of May, 2006.



Taylor S. Ritz
Notary Public

This instrument prepared by: Mary M. York, Attorney at Law, 4001 N. Wolcott Avenue, Chicago, Illinois 60613

CITY OF EVANSTON
Real Estate Transfer Tax
City Clerk's Office

PAID JUN 09 2006 AMOUNT \$ 1250.00
Agent MM

STATE TAX
JUN 14 06
REAL ESTATE TRANSFER TAX
DEPARTMENT OF REVENUE

COOK COUNTY
REAL ESTATE TRANSACTION TAX
JUN 14 06
REVENUE STAMP

REAL ESTATE
TRANSFER TAX
0028500
FP 103042

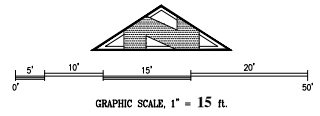
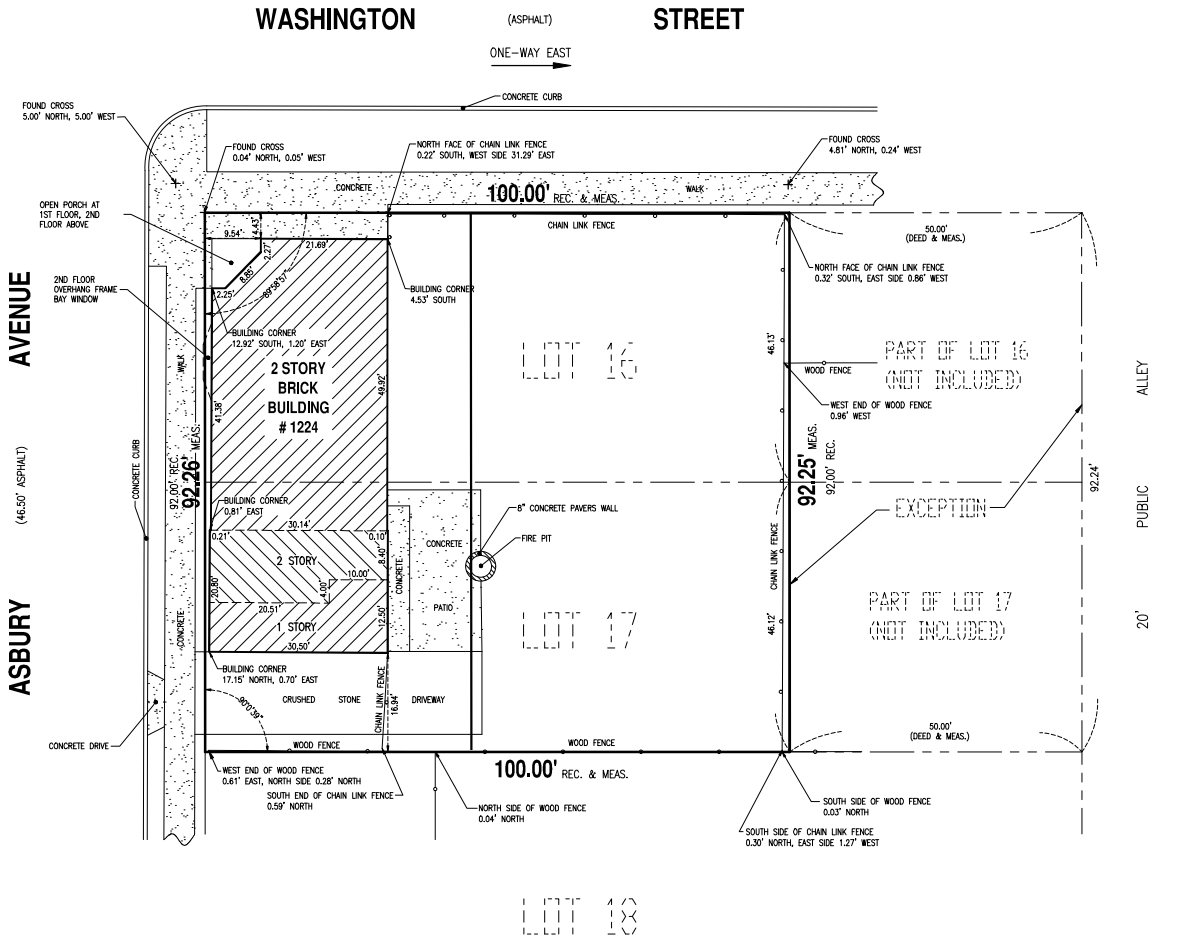
0000095603
FP 326689
0053000
REAL ESTATE
TRANSFER TAX

PLAT of SURVEY

LEGAL DESCRIPTION:

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1224 WASHINGTON STREET, EVANSTON, ILLINOIS.



SITE NOTES:
Area of surveyed property = 9,225 sq. ft.

GENERAL NOTES:
All information provided to the surveyor is shown or noted hereon.

The legal description on this plat was provided to us by the client or obtained from public records and should be compared to your Deed, Abstract or Certificate of Title. This plat and the legal description shown hereon does not determine, imply or guarantee ownership.

Prior to excavation call J.U.L.I.E. at 811 or 800-892-0123

All building restrictions, building lines and easements may or may not be shown. Check your Deed, Abstract, Title Report, and local ordinances. No responsibility is assumed by the surveyor.

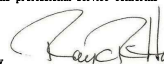
Compare all points before building by same and report any discrepancy at once.

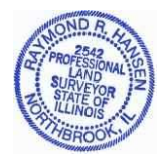
Dimensions are shown in feet and decimal parts thereof. No dimension is to be assumed by scaling.

| | |
|--|-----------------------------|
| B.H. SUHR & COMPANY, INC. | |
| SURVEYORS ESTABLISHED 1911 450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062 TEL. (847) 864-8315 / FAX (847) 864-9344 E-MAIL: SURVEYOR@BHSUHR.COM | |
| Professional Design Firm License No. 184.008027-0008 | |
| LOCATION 1224 WASHINGTON STREET | SURVEY DATE AUGUST 6, 20 21 |
| ORDER No. 21-146 | ORDERED BY: JIM TULLIO |
| AA/FC © 2021 B. H. Suhr & Company, Inc. All rights reserved. | |

FIELD MEASUREMENTS COMPLETED AUGUST 6, 20 21

STATE OF ILLINOIS }
COUNTY OF COOK }
This professional service conforms to the current Illinois Minimum Standards for a boundary survey.

By  Dated AUGUST 18, 20 21
Raymond R. Hansen
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

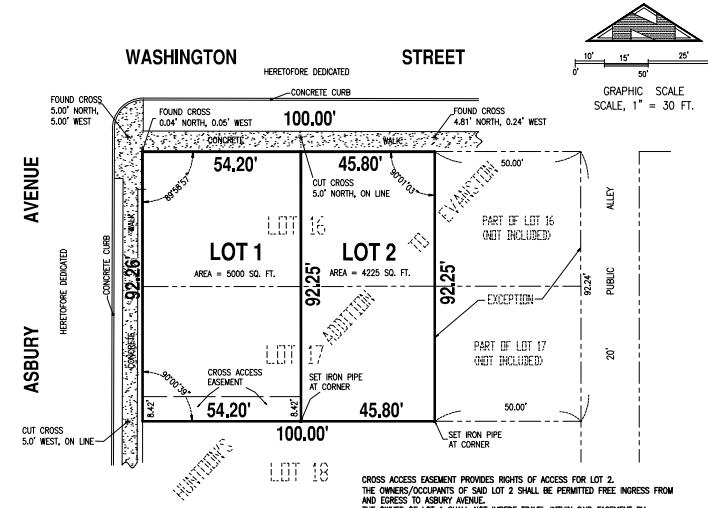


TULLIO RESUBDIVISION

OF

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

PRELIMINARY 10-25-21



COUNTY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, County Clerk of Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the described property and shown on the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.

Signed: _____
Cook County Clerk

DIRECTOR OF COMMUNITY DEVELOPMENT CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.

Signed: _____
Director of Community Development

DIRECTOR OF PUBLIC WORKS CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.

Signed: _____
Director of Public Works

CHIEF FINANCIAL OFFICER CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, Chief Financial Officer for the City of Evanston, Cook County, Illinois, do hereby certify that I find no delinquent general taxes, unpaid current general taxes, delinquent special assessments or unpaid current special assessments due against the land included in the plat hereon drawn.

Dated this ____ day of _____, A.D., 20 ____.

Signed: _____
Chief Financial Officer

CORPORATION COUNSEL CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved this ____ day of _____, A.D., 20 ____.

Signed: _____
Corporation Counsel

CITY CLERK CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

Approved by the Council of the City of Evanston, Illinois, at a meeting held on this ____ day of _____, A.D., 20 ____, in witness whereof, I set my hand and affix the Corporate Seal of said City, this ____ day of _____, A.D., 20 ____.

Signed: _____
City Clerk of Evanston, Illinois

LAND SURVEYOR'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

B. H. SUHR & COMPANY, INC., does hereby certify that it has surveyed the following described property for the purpose of resubdividing it into two (2) lots as shown hereon.

LOTS 16 AND 17 (EXCEPT THE EAST 50 FEET) IN BLOCK 2 IN HUNTOON'S ADDITION TO EVANSTON, A SUBDIVISION OF THAT PART OF THE SOUTH 25 RODS OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Dimensions are shown in feet and decimal parts thereof and are correct at 62 degrees Fahrenheit.

It further certifies that the property shown hereon is not situated in a special flood hazard area as identified by the Federal Emergency Management Agency, as per Flood Insurance Rate Map 17031C0265J of Community Number 170090, Panel No. 0265 J, effective date August 19, 2008, Zone "X" (unshaded) Area of Minimal Flood Hazard.

Dated at Northbrook, Illinois, this ____ day of _____, A.D., 20 ____.

Signed: **PRELIMINARY 10-25-21**
RAYMOND E. HANSEN
Illinois Professional Land Surveyor No. 035-002542
License Expiration Date 11/30/22

OWNER'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, Jim Tullio, do hereby certify that I am the legal owner of the property described hereon and that I have caused the same to be surveyed for the purpose of resubdividing it into two (2) lots as shown hereon.

Dated this ____ day of _____, A.D., 20 ____.

Signed: _____ Printed: _____

NOTARY'S CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that Jim Tullio, personally known to me the same person whose name is subscribed to the foregoing instrument as the Title Owner of record of said property, appeared before me this day in person and acknowledge that they signed and delivered the said instrument as their own free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.

Signed: _____ Notary Public

MORTGAGEE CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

_____, as Mortgagee under the provisions of a certain mortgage

recorded in the Recorder's Office of Cook County, Illinois, as Document No. _____, does hereby consent to the Plat of Resubdivision hereon drawn.

Dated this _____, day of _____, A.D., 20 ____.

Signed: _____ Attest _____

NOTARY CERTIFICATE:
STATE OF ILLINOIS }
COUNTY OF COOK } SS.

I, _____, a Notary Public, in and for said County, in the State aforesaid, do hereby certify that _____ and _____ of _____, personally known to me to be the same persons whose names are

subscribed to the foregoing instrument as such _____ and _____, respectively, appeared before me this day in person and acknowledged that they signed and delivered the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, not individually, but solely as Mortgagee, as aforesaid, for the uses and purposes therein set forth, and the _____ did also then and there acknowledge that they, as Custodian of the Corporate Seal of said Corporation, did affix the Corporate Seal to the said instrument as their own free and voluntary act, and as the free and voluntary act of said Corporation, as Mortgagee, as aforesaid, for the uses and purposes therein set forth.

Given under my hand and Notarial seal, this ____ day of _____, A.D., 20 ____.

Signed: _____ Notary Public

B.H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911 Professional Design Firm
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062 License No. 184.008027-0008
TEL. (847) 864-6315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM

LOCATION 1224 WASHINGTON STREET SURVEY DATE, OCTOBER... 20 21

ORDER No. 21-146-S ORDERED BY: JIM TULLIO

FC © 2002 B. H. Suhr & Company, Inc. All rights reserved.

EXISTING P.I.N.
11-19-304-001-0000

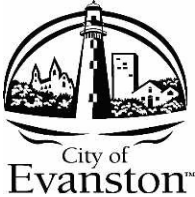
SEND TAX BILL TO:

JIM TULLIO
1224 WASHINGTON STREET
EVANSTON, IL. 60202

SUBMITTED BY AND RETURN PLAT TO:

CITY OF EVANSTON
DEPARTMENT OF PUBLIC WORKS
2100 RIDGE AVENUE
EVANSTON, ILLINOIS 60204

PRELIMINARY 10-25-21



Zoning Analysis

Summary - **REVISED**

Case Number:

21ZONA-0089

Case Status/Determination:

Non-Compliant

Proposal:

2-Lot Split of one 9,226 s.f., 100-foot wide lot into one 5,000 s.f., 54.19 ft. wide, corner lot and one 4,226 s.f., 45.8-foot wide interior lot.

Site Information:

| | | | |
|--------------------------|---------------------|-------------------------------|------|
| Property Address | 1224 Washington St. | Zoning District | R3 |
| Overlay District: | None | Preservation District: | None |

| LOT 1 – Corner Lot | |
|-----------------------------|--|
| Zoning Section | Comments |
| Sec 6-8-4-9 | The maximum permitted impervious surface lot coverage is 60% in the R3 district. The proposed building lot coverage for the corner lot is +/- 3,484.1 s.f., or 69.7%. <u>Minor Variation required.</u> |

| LOT 2 – Interior Lot | |
|-----------------------------|---|
| Zoning Section | Comments |
| Sec 6-8-4-4 | The minimum lot size proposed for the interior lot is 4,226 s.f. The minimum lot size required for residential uses in the R3 district is 5,000 s.f. <u>Major Variation required.</u> |

General Comments:


- Staff will recommend to the Zoning Board of Appeals and City Council that access to the new proposed interior lot from Asbury be maintained via a cross access easement so that an additional curb cut is not created onto Washington. The cross access easement should be delineated along the south (rear) lot line of the new proposed corner lot with a width of no more than 8 feet 5 inches. This dimension also preserves the minimum required width (8 feet 6 inches) for 90-degree and parallel parking stalls for the legal nonconforming parking to remain immediately to the south of the existing building. The easement language should state that owners/occupants of the interior lot shall be permitted ingress/egress from Asbury, and that the owners/occupants of either lot shall not park a vehicle within said easement at any time.

Recommendation(s):

- Submit for Variations.** The proposed minimum lot size for the interior lot is 4,226 s.f. where the required minimum lot size is 5,000 s.f. for residential uses in the R3 district requires a Major Variation. The nonrefundable application fee is \$660.00. A third party printer will send a separate invoice for the required public mailing notices to properties within 500 feet. The impervious surface lot coverage of the proposed Lot 1 is 3,484.1 s.f., or 69.7%, where no more than 60% is permitted, requires a Minor Variation. In accordance with [Section 6-3-8-9](#), Minor Variations filed in conjunction with Major Variations follow the same procedure as Major Variations. The Zoning Board of Appeals (ZBA) will make the final determination for both variations. Use the same application form for both. In addition to the completed application form, also submit the following:

- Proof of ownership other than a tax bill
- Photos of current existing conditions
- Draft plat of subdivision sealed by an Illinois licensed surveyor
- **Submit a Plat of Subdivision application.** Please review the application form for submittal requirements *but do not submit the application form until the ZBA has made their determination on the variations.* A separate application fee will be required upon a determination by the City Council for variations.

| | |
|--------------|----------------|
| Applicant | Jim Tullio |
| Phone Number | (847) 648-1024 |


Signature

9/16/2021

Date

City of Evanston ZONING ANALYSIS REVIEW SHEET

APPLICATION STATUS: Pending Review September 16, 2021

RESULTS OF ANALYSIS: Non-Compliant

Z.A. Number: 21ZONA-0089

Purpose: Zoning Analysis without Bld Permit App

Address: 1224 WASHINGTON ST

District: R3

Overlay: None

Preservation: Not Within

Applicant: James Tullio

Reviewer: Katie Ashbaugh

District:

Phone: 8476481024

THIS APPLICATION PROPOSES (select all that apply):

- | | | |
|--|---|--|
| <input type="checkbox"/> New Principal Structure | <input type="checkbox"/> Change of Use | <input type="checkbox"/> Sidewalk Cafe |
| <input type="checkbox"/> New Accessory Structure | <input type="checkbox"/> Retention of Use | <input type="checkbox"/> Other |
| <input type="checkbox"/> Addition to Structure | <input checked="" type="checkbox"/> Plat of Resubdiv./Consol. | |
| <input type="checkbox"/> Alteration to Structure | <input type="checkbox"/> Business License | |
| <input type="checkbox"/> Retention of Structure | <input type="checkbox"/> Home Occupation | |

ANALYSIS BASED ON:

Plans Dated:

Prepared By:

Survey Dated: 8/18/2021

Existing

2-story brick bldg, concrete patio,

Improvements:

gravel driveway

Proposal Description:

2-Lot Split of one 9,226 s.f., 100-foot wide lot into one 5,000 s.f., 54.19 ft. wide, corner lot and one 4,226 s.f., 45.8-foot wide interior lot.

ZONING ANALYSIS

RESIDENTIAL DISTRICT CALCULATIONS

The following three sections apply to building lot coverage and impervious surface calculations in Residential Districts.

Front Porch Exception (Subtract 50%)

Total Elible
Front
Front Porch
Regulatory Area

Pavers/Pervious Paver Exception (Subtract

Total Paver Area
Paver Regulatory Area

Open Parking Debit (Add 200sqft/open space

Open Required Spaces
Addtn. to Bldg Lot Cov.

PRINCIPAL USE AND STRUCTURE

| | Standard | Existing | Proposed | Determination |
|---|------------|----------------------------------|-------------------------|---------------|
| USE: | R3 | Dwelling - SF Detached | Dwelling - SF Detached | Compliant |
| Comments: No change; Corner lot only | | | | |
| Minimum Lot Width (LF) | 35 | 100 | 54.19 | Compliant |
| USE: Single Family Detached | | | | |
| Comments: Corner lot only | | | | |
| Minimum Lot Area (SF) | 5,000 sqft | 9226 | 5000 | Compliant |
| USE: Single Family Detached | | | | |
| Comments: Corner lot only | | | | |
| Dwelling Units: | 1 | 1 | 1 | Compliant |
| Comments: | | | | |
| Building Lot Coverage (SF) (defined, including subtractions& additions): | 45% | 2088.9888 22.642410578799048% | 2088.9888 42% | Compliant |
| Comments: Corner lot only | | | | |
| Impervious Surface Coverage (SF, %) | 60% | 3412.3388 36.9% | 3484.0888 69.681776% | Non-Compliant |
| Comments: Corner lot only | | | | |

| | Standard | Existing | Proposed | Determination |
|---|----------|----------|----------|----------------------|
| Height (FT) | | | | No Change |
| Comments: | | | | |
| Front Yard(1) (FT) | 27 | 4.43 | | Legal Non-Conforming |
| Direction: N | | | | |
| Street: Washington | | | | |
| Comments: No change; Corner lot only | | | | |
| Street Side Yard (FT) | 15 | 0.7 | | Legal Non-Conforming |
| Direction: W | | | | |
| Street: Asbury | | | | |
| Comments: No change; Corner lot only | | | | |
| Interior Side Yard(1) (FT) | 5 | 68.8 | 22.9 | Compliant |
| Direction: E | | | | |
| Comments: | | | | |
| Rear Yard (FT) | 30 | 16.94 | | Legal Non-Conforming |
| Direction: S | | | | |
| Comments: No change; Corner lot only | | | | |

MISCELLANEOUS REQUIREMENTS

| | Standard | Existing | Proposed | Determination |
|------------------------------------|-----------|-----------|-----------|---------------|
| Requirement (1): | 5000 s.f. | 9226 s.f. | 4226 s.f. | Non-Compliant |
| Sec 6-8-4-4, Min. Lot Size | | | | |
| Comments: Interior lot only | | | | |
| Requirement (2): | | | | |
| Comments: | | | | |
| Requirement (3): | | | | |
| Comments: | | | | |

COMMENTS AND/OR NOTES


Analysis Comments

RESULTS OF ANALYSIS

Results of Analysis: This Application is **Non-Compliant**

Site Plan & Appearance Review Committee approval is: **Required**

See attached comments and/or notes.



 SIGNATURE

9/16/2021

 DATE

A. 1224 Washington Street

21ZMJV-0100

James Tullio, property owner, requests two zoning variations from the Evanston Zoning Ordinance to allow for the subdivision of one 9,226 square-foot, 100-foot wide, residential corner lot into two residential lots in the R3 Two-Family Residential District. The applicant requests one Major Variation to allow the proposed interior lot to be 4,226 square-feet where a minimum lot size of 5,000 square feet is required (Section 6-8-4-4). The applicant also requests a Minor Variation to allow the proposed corner lot to have an impervious surface lot coverage of approximately 3,485 square-feet or 69.7 percent where the maximum permitted is 3,000 square-feet or 60 percent (Section 6-8-4-9). The subject property is currently improved with one two-story building, a driveway, and patio. The applicant is not proposing any site improvements to the subject property in association with these requests. The Land Use Commission is the determining body for this case.

APPLICATION PRESENTED BY: James Tullio, property owner

DISCUSSION:

J. Nyden asked K. Ashbaugh to go over her zoning review of the proposed subdivision.

K. Ashbaugh described the property and the request. She noted that the proposed Lot 1, the corner lot, would require the Minor Variation from the maximum permitted impervious surface lot coverage to allow the existing conditions to remain as the applicant is not proposing any changes. She said that at the direction of staff, the applicant has included a cross access easement from Asbury to the proposed Lot 2 at the southern 8 feet of Lot 1. She added that staff would like for DAPR to include as a condition of approval that no new curb cuts be added to either lot on Washington Street.

Mr. James Tullio, property owner, said that he bought the property in 2006. He gave a property history and stated that he had been told that the barn part of the building was the oldest building in Evanston. He said in the 50s it had then been built onto the barn as a commercial building.

Mr. Tullio stated that he is a music producer, and described his financing of the building as being from a private party. He said that the mortgage interest rate on it has quadrupled two years ago, and then the COVID-19 pandemic hit and has exacerbated the situation. He said prior to the pandemic, he operated a recording studio but that demand has stopped and he has had no income.

Mr. Tullio said instead, he has started a non-profit music production for high school students and he has done about 6 albums worth of music. He said the name of the program is "MeAct" and it is run through the Mayor's Office.

Mr. Tullio continued to explain the financing of the property, and explained that he wants to sell the proposed Lot 2 so he can save the building and this music program for the high school students.

L. Biggs shared a property history that stated this property already had been split off from the lot to the east. She said it was not good practice for the City to create a substandard lot and that substandard lots in the City cause a lot of problems. She said that the proposed Lot 1 will be overbuilt with impervious surface and that it goes against the City's CARP (Climate Action and

Resilience Plan) to allow a new lot to be created and then built over, by taking away green space. She said the proposed Lot 2 would then likely need variations and adjacent residents would then come out in opposition to those variations.

Mr. Tullio asked what she meant about the other lots being overbuilt.

L. Biggs said that when he sells the proposed Lot 2, that it will then be developed and likely need variations. She said she cannot support creating a new substandard lot.

Mr. Tullio noted the property to the east of proposed Lot 2 is substandard and smaller than the lot he is proposing.

L. Biggs said in fact it is and there will be issues for that property if they ever want to do anything, like build a new garage. She said that it currently is almost entirely covering its entire property. She said that the eventual Lot 2 would then be developed, and result in stormwater and flooding issues.

A. Schnur concurred with all that L. Biggs stated. She noted that also requiring an easement to access Lot 2 on Lot 1 seems okay now, but in the future if neighbors do not get along, there becomes a problem with snow removal, etc.

L. Biggs concurred with A. Schnur and said if it were approved, she would recommend that the easement be at least 16 feet to allow for room for cars to pull off to one side so they do not block each other.

Mr. Tullio agreed that he would do this and noted if bushes would be removed that there would be 17 feet and that was what he was proposing.

L. Biggs said what he was proposing was 8 feet.

K. Ashbaugh said that L. Biggs was correct for the record that the easement as proposed is about 8 feet, because Mr. Tullio needs to maintain a conforming parking stall on the property. She noted that if the easement went from the south wall of the building to the south property line, that parking stall would be eliminated and would have to go in the east interior side yard, where it is not permitted.

L. Biggs said that this seemed to support her concerns that this subdivision would be creating a lot of other nonconforming conditions or issues and that she could not support this request.

L. Biggs made a motion to recommend denial, seconded by A. Schnur.

The Committee voted by a roll call vote, 11-0, to recommend denial to the Land Use Commission.

Ayes: J. Nyden, M. Griffith, M. Jones, A. Schnur, E. Cano, L. Biggs, M. Tristan, R. Papa, I. Eckersberg, J. Hyink, C. Pratt

Nayes:

Abstained: