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AN ORDINANCE
GRANTING A SPECIAL USE
TO PERMIT ESTABLISHMENT OF A
CHILD RESIDENTIAL CARE HOME
AT 1127 HINMAN AVENUE

WHEREAS, THE ZONING BOARD OF APPEALS ("ZBA") held public hearings on November 21, 1995, December 5, 1995, January 2, 1996, February 6, 1996, March 5, 1996 and March 19, 1996, pursuant to proper notice in Case No. 95-29-SU(R), wherein the applicant, Boys Hope/Girls Hope, as contract purchaser, sought a special use to permit establishment of a child residential care home for up to eight children and construction of a private garage on property located at 1127 Hinman Avenue, in an R1, Single-family Residential District; and

WHEREAS, based upon the testimony, plans, and other evidence presented, the Zoning Board of Appeals made written findings of fact, determining that the proposed special use met each of the standards for special uses set forth in Section 6-3-5-12 of the Zoning Ordinance; and

WHEREAS, the ZBA voted to recommend that the City Council grant the application,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That based upon the testimony, plans, and other evidence presented to the ZBA, the City Council hereby adopts the findings and recommendation of the ZBA and grants the special use application of Boys Hope/Girls Hope, as contract purchaser, to permit establishment of a child residential care home for up to eight children and construction of a private garage at 1127 Hinman Avenue, on property legally described as:

LOT 18 IN BLOCK 78 IN NORTHWESTERN UNIVERSITY SUBDIVISION OF THAT PART OF THE NORTH 1/2 OF THE NORTH 1/2 OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14, LYING EAST OF CHICAGO AVENUE; (EXCEPT 15 ACRES

IN THE NORTHEAST CORNER OF SAID TRACT), IN COOK COUNTY, ILLINOIS.

SECTION 2: Pursuant to Section 6-3-5-12 of the Zoning Ordinance, which provides that the City Council may impose conditions and limitations on the grant of a special use, these conditions and limitations are hereby imposed:

- a. The applicant shall not seek to remove the subject property from the tax rolls. This commitment shall be binding upon subsequent owners and occupants of the subject property.
- b. This grant of a special use shall terminate if the applicant in these proceedings relinquishes possessory interest in the subject property by transferring title to the property by sale or gift; by entering into a lease for the property as lessor; or otherwise.
- c. This grant of a special use shall terminate in the event that the mission of the applicant changes from that which the applicant indicated in the course of these proceedings. That mission, in substance, as stated in testimony given before the Zoning Board of Appeals on November 21, 1995 by the Executive Director for the applicant is as follows. "The mission of Boys Hope/Girls Hope is to serve hurt, at-risk, yet academically capable youngsters by providing a long-term, family-like home and an exemplary education through college. ...We look for bright, non-delinquent high-achieving kids whose home situations are dysfunctional to the point that there is no likelihood that there is any real strong ...family unit to support them. ...We package this program as a scholarship. ...as a Boys Hope or Girls Hope scholar, you will live in the homes, you will go to the schools that we send you, you will have the overall backing of Boys Hope and Girls Hope through grade school, high school, and on into and through college. You will be a member of the Boys Hope/Girls Hope family. ...you have to be in an extracurricular activity, you have to hold a part-time job, you have to keep your grades up. And you have to be ... consistently courteous to the people around you and respectful of the community within which you live."
- d. The applicant shall establish a mechanism for the neighboring residents to discuss discipline and maintenance issues relevant to the property with staff members. This mechanism shall involve meeting with the neighboring residents no less frequently than twice a year and the applicant shall conduct the first such meeting within six months of the

effective date of this Ordinance.

- e. The applicant shall designate one member of the staff from within the facility operating on the subject property and one member of the organization outside of the facility to address various issues and concerns of the neighbors. The applicant shall provide the neighboring residents with phone numbers for these designated staff members and shall make them available to address such inquiries.
- f. The Child Residential Care Home will be limited to occupancy by no more than eight female residents ages ten to nineteen and adult staff members, but in no event in excess of the number allowed by applicable licensing laws and Ordinances.
- g. The Child Residential Care Home will be operated in conformity with all applicable laws and Ordinances, including such licensing and inspection laws as may be hereinafter enacted pertaining to Child Residential Care Homes, and in substantial conformity with the representations of the applicant contained in its application and in the statements and testimony of its attorney and employees before the Zoning Board of Appeals.
- h. The property and its improvements will be maintained in good condition in conformity with applicable law, including the Evanston Property Maintenance Code. In addition, and without limiting the generality of the foregoing:
 - 1. The windows of the property will be furnished with drapes, curtains, or blinds appropriate to a single-family dwelling;
 - 2. All light fixtures within the residence will be furnished with shades or other coverings so that naked light bulbs are not visible through any window from the outside of the residence;
- i. All vehicles owned or used by the Child Residential Care Home or its residents or staff shall be unmarked, without coloring or signage to indicate an institutional use;
- j. The applicant will erect a garage at the rear of the premises, which garage shall be large enough to accommodate two van-sized vehicles and any vehicles parked upon the subject property shall be parked inside the

garage;

- k. No vehicle other than a passenger car, as defined by the Illinois Compiled Statutes, owned by the applicant, shall be stored on or parked about the property for a period greater than one hour except where such parking may be allowed by metered spaces or on property where such vehicles may be stored pursuant to the regulations of the Zoning Ordinance.;
- l. Except for the garage, the rear yard shall be maintained as a lawn or garden area and shall not be paved over or otherwise covered with asphalt, stone, concrete, or the like, except for walkways, and except that a deck or patio which otherwise complies with applicable zoning requirements shall be permitted within that portion of the rear yard which is within sixteen feet of the rear of the existing house;
- m. No signs of any kind identifying the property shall be allowed, except for customary address numerals.
- n. The Child Residential Care Home shall be operated, and its residents, staff members, and guests shall conduct themselves, in such manner as not to disturb or interfere with the use and quiet enjoyment of other residential property in the neighborhood.
- o. Operation of the proposed use shall conform to the testimony presented at the hearing.
- p. Compliance shall be maintained with all other provisions of the Zoning Ordinance and other applicable laws.
- q. Approval of this proposal shall only authorize the filing and processing of applications for such permits or such other approvals as may be required by the regulations of the City, including, but not limited to, a building permit and a certificate of occupancy.

SECTION 3: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: That this ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced April 22, 1996

Adopted May 7, 1996

Approved May 8, 1996

Lorraine H. Marton
MAYOR

ATTEST:

Kuster Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

