

65-0-96

AN ORDINANCE

Granting Variations and a Special Use
to Permit an Addition to the Long-Term
Care Facility at 120 Dodge Avenue

WHEREAS, the Zoning Board of Appeals ("ZBA") held public hearings on March 19, 1996, April 16, 1996 and May 7, 1996 pursuant to proper notice in case no. 96-7-V and SU(R), wherein the applicant, Dobson Plaza, Inc., sought certain variations and a special use to permit expansion of the existing special use by construction of a two-story addition at 120 Dobson Avenue in an R-4 General Residential Zoning District, and relief from certain conditions imposed in Ordinance 97-0-85 regarding the subject property; and

WHEREAS, based upon the testimony, plans, and other evidence presented, the ZBA made written findings of fact, determining that the proposed special use met each of the standards for special uses set forth in section 6-3-5-10 of the Zoning Ordinance, that the proposed variations met each of the standard for variations set forth in section 6-3-8-12, and that the aforesaid conditions of Ordinance 97-0-85 were appropriately released; and

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

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 recommendations of the ZBA and grants the special use application of Dobson Plaza, Inc. to expand the special use granted for the subject property at 120 Dodge Avenue by Ordinance 97-0-85 by constructing a two-story addition, on property legally described as:

LOT A IN DOBSON PLAZA CONSOLIDATION OF LOTS 1, 2, 3, 4 AND 5 IN BLOCK 4 IN W. HAYDEN BELL'S HOWARD DODGE SUBDIVISION OF THE SOUTH HALF OF THE SOUTH EAST QUARTER OF THE NORTH WEST QUARTER, EXCEPT THE SOUTH 2.572 CHAINS THEREOF, OF SECTION 25, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, (EXCEPT THE EAST 7 FEET THEREOF, TAKEN FOR WIDENING OF DODGE AVENUE) IN COOK COUNTY, ILLINOIS.

SECTION 2: That these variations are hereby granted, based upon the findings and recommendations of the ZBA:

- a. a variation from Section 6-8-5-6 to increase the allowable building lot coverage on the subject property from 40% to 40.1%;
- b. a variation from Section 6-8-5-7(B) 2 to reduce the required side yard abutting a street from fifteen feet to six feet;
- c. a variation from Section 6-4-6-3(B) 26 to reduce the required setback for open steps from one foot to zero feet.

SECTION 3: That these conditions set forth in Ordinance 97-0-85, and recorded as document 86084503, are hereby released.

4. The property shall never be used to accommodate more than ninety-four beds in the nursing home.
5. No further additions or enlargements of the building shall be undertaken, and all land not occupied by said building after the construction allowed herein is completed shall remain open and unobstructed to the sky.

All other conditions of Ordinance 97-0-85 and document 86084503 remain in effect.

SECTION 4: That pursuant to section 6-3-5-12 and section 6-3-8-2, which allow the

City Council to impose conditions on the grant of a special use and on the grant of a variation, these conditions are hereby imposed:

1. Construction of the addition shall be in substantial compliance with the testimony presented and the documents placed on file in connection with this case.
2. The property shall never be used to accommodate more than ninety-five beds in the long-term care facility;
3. No further additions or enlargements of the building shall be undertaken, and all land not occupied by said building after the construction allowed herein is completed shall remain open and unobstructed to the sky;
4. 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.
5. A covenant of agreement to the above terms and conditions shall be executed and recorded by the applicant, and copies of the recorded covenant shall be filed with the Law Department and the Director of Community Development prior to issuance of any building permits authorized herein.

SECTION 5: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 6: This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced June 10, 1996

Adopted: June 10, 1996

Approved: June 11, 1996

Lorraine H. Norton
Mayor

ATTEST:

Justin Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel