

9/18/96

94-O-96

AN ORDINANCE

Granting a Special Use and a
Side Yard Reduction Variation to Allow
a Car Wash at 2210 Ashland Avenue

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on September 3, 1996 pursuant to proper notice in case no. 96-26-SU-V(R), wherein the applicant, Mark Powers, prospective lessee, sought a special use to allow a car wash at 2210 Ashland Avenue, and a variation from section 6-13-3-6(A)(3) to reduce the interior side yard in connection with construction of said car wash, on property located partially within the MUE Transitional Manufacturing - Employment District and partially in the C2 Commercial District; 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 use set forth in section 6-3-5-12 and for variations set forth in section 6-3-8-12(E) of the Zoning Ordinance; 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 hereby grants the application of Mark Powers, prospective lessee, for a special use to allow a car wash and a variation from section 6-13-3-6(A)(3) to reduce the required interior side yard along the south lot line of the subject property from 15 feet to 1 foot solely for the purpose of constructing said car wash, on property at 2210 Ashland Avenue, legally described in Exhibit A, attached hereto and made a part hereof.

SECTION 2: That pursuant to sections 6-3-5-12 and 6-3-8-14 of the Zoning Ordinance, which provide, respectively, that the City Council may attach conditions to the grant of a special use and of a variation, these conditions are hereby imposed:

1. The construction and operation of the said car wash shall conform to the testimony and exhibits presented in connection with this case and at the hearing.
2. The petitioner shall erect fencing adjacent to the bicycle path established or to be established along the north and west lot lines of the property. The petitioner further shall consult with the Department of Parks/Forestry and Recreation concerning this fencing and abide by this Department's recommendation as to the type of fence erected.
3. Nothing in this grant of zoning relief shall be deemed to allow the selling of motor vehicles upon the subject property.

SECTION 3: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

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

Introduced: September 30, 1996

Adopted: October 14, 1996

Approved: October 18, 1996

Lorraine H. Norton
Mayor

ATTEST:

Kristen Davis
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

EXHIBIT A

Ordinance 94-0-96

THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE POINT OF INTERSECTION OF THE NORTHEASTERLY 130 FEET RESERVE LINE OF SANITARY DISTRICT AND THE POINT ON THE NORTH LINE OF NOYES STREET; THENCE EASTERLY ALONG NORTH LINE OF NOYES STREET TO THE INTERSECTION POINT OF EXTENDED CENTER LINE OF ALLEY IN BLOCK 6 OF PAYNE'S ADDITION; THENCE SOUTHERLY ALONG SAID EXTENDED CENTER LINE OF ALLEY TO THE POINT ON THE CENTER LINE OF NOYES STREET; THENCE EASTERLY ALONG SAID CENTER LINE OF NOYES STREET TO THE POINT ON THE WEST LINE OF ASHLAND AVENUE; THENCE SOUTHERLY ALONG THE AFORESAID WEST LINE OF ASHLAND AVENUE TO THE POINT ON THE NORTH LINE OF EAST-WEST ALLEY IN THE AFORESAID BLOCK 6 OF PAYNE'S ADDITION WHICH IS ALSO THE SOUTHEAST CORNER OF LOT 1 OF OWNER'S RESUBDIVISION OF LOTS 1 AND 2 OF THE SAID BLOCK 6 OF PAYNE'S ADDITION; THENCE WESTERLY ALONG SAID NORTH LINE OF THE EAST-WEST ALLEY TO THE INTERSECTING POINT ON THE WEST LINE OF NORTH-SOUTH ALLEY IN SAID BLOCK 6 OF PAYNE'S ADDITION; THENCE SOUTHERLY ALONG SAID WEST LINE OF THE NORTH-SOUTH ALLEY TO A POINT 12.50 FEET SOUTH FROM THE NORTH LINE OF LOT 13 IN SAID BLOCK 6 OF PAYNE'S ADDITION; THENCE WESTERLY ALONG A LINE WHICH IS PARALLEL AND 12.50 FEET SOUTH OF THE NORTH LINE OF SAID LOT 13, TO THE INTERSECTING POINT ON THE WEST LINE OF DEWEY AVENUE; THENCE NORTHERLY ALONG SAID WEST LINE OF DEWEY AVENUE, TO THE INTERSECTING POINT ON AFORESAID NORTHEASTERLY 130 FEET RESERVE LINE OF THE SANITARY DISTRICT OF CHICAGO; THENCE NORTHEASTERLY ON SAID 130 FEET RESERVE LINE OF SANITARY DISTRICT OF CHICAGO TO THE POINT OF BEGINNING, ALL IN THE CITY OF EVANSTON, IN THE SOUTHWEST QUARTER OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

KNOWN AS: 2210 ASHLAND AVENUE, EVANSTON, ILLINOIS.