

3/13/97, 3/19/97,  
4/10/97, 4/11/97

42-O-97

**AN ORDINANCE**

**Granting a Special Use to  
Permit  
Use of the property at 2427-2523  
Oakton Street for Outside Storage**

**WHEREAS, the Zoning Board of Appeals (“ZBA”) held a public hearing on March 4, 1997 in case no. ZBA 97-7-SU(R), pursuant to proper notice on the application of Mark Stringer and Paul Stringer of Stringer Blacktop Sealcoating, Inc., contract purchaser of 2427-2523 Oakton Street (“subject property”), for a special use to permit use of said property for outdoor storage, as a principal use, specifically contractors’ yards, in an I1/ORD Industrial/Office District; and**

**WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made findings that the proposed special use met the standards set forth in section 6-3-5-10 of the Zoning Ordinance (“Ordinance”) and recommended that the City Council approve the application,**

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

**SECTION 1: That the aforesaid application of Mark Stringer and Paul Stringer of Stringer Blacktop Sealcoating, Inc., is hereby granted and the findings and recommendation of the ZBA hereby adopted, on the subject property legally described in Attachment A, made a part hereof.**

**SECTION 2: Pursuant to section 6-3-5-8 of the Ordinance, which provides that the City Council may impose conditions on a grant of special use, these conditions are hereby imposed:**

**a. Screening.**

- 1. The petitioner or petitioner's successor in title to the subject property shall provide a bufferyard along the eastern property line consistent in opacity and width to the existing vegetation currently found in said location as represented in Exhibit 1 of ZBA 97-7-SU(R).**
- 2. The petitioner shall install and maintain a landscaped bufferyard along the southern property line. Said bufferyard shall be as deep as the distance between the fence paralleling the southern property line and the northern edge of the sidewalk found approximately along the southern property line, be as long as the length of said fence, and consist of a least groundcover (including grass) and 3 canopy trees. The design of said bufferyard is subject to Site Plan and Appearance Review Committee approval. The petitioner or petitioner's successor in title to the subject property shall replace any tree(s) or other landscape material(s) in the event said material(s) dies.**

**b. Fencing.**

- 1. All fencing erected in conjunction with this petition shall be 8 feet high, wood board-on-board, except as permitted in number b. 3 below.**
- 2. No fences shall be permitted within 10 feet of the southern property line.**
- 3. The petitioner may employ the existing fences on the north, northwest, or west sides of the subject property to provide the required complete enclosure. If the petitioner is unsuccessful in obtaining the required permission from adjacent property owners, the petitioner may install a chain-link fence with no slating, provided the adjacent property owners continue to maintain said existing fence(s). If at any time the adjacent property owners (north, northwest, or west) remove their fences, the property owner shall install a 8-foot solid fence in accordance with Section 6-14-18 of the City of Evanston Zoning Ordinance.**
- 4. All fences shall be maintained in accordance with The BOCA National Property Maintenance Code (1996) or such similar code as amended and adopted by the City of Evanston Property Standards Division.**

- c. **Site Access.** The Petitioner, petitioner's successor in title to the subject property, or any entity holding possessory interest in the subject property shall be permitted one curb cut for this property. If a curb cut is provided by the Village of Skokie, no curb cuts shall be permitted within the City of Evanston.
- d. **Property Maintenance.** The petitioner, petitioner's successors in title to the subject property, or an entity holding possessory interest in the subject property shall remove from the subject property or move within the required fence all concrete blocks currently found on the subject property along Oakton Street.
- e. **Interior Structure and Object Height.** Any structure established in accordance with this use shall not exceed the height of the fence. In no event shall any goods, materials, equipment (including vehicles), part, or merchandise be stored in a manner so that the height exceeds 10 feet above grade.
- f. **Turning Easement.** The petitioner shall record a 35-foot turning easement along the entire frontage of Oakton Street on the property located immediately west of the subject property, ensuring adequate turning area is provided so that no vehicles are forced to back onto Oakton Street. This easement shall prohibit erecting any structures (including fences) within the easement and be recorded such that only a change in use of the subject property may eliminate the easement.
- g. The approval of the special use is subject to construction of the fence and operation of the use being in substantial compliance with the testimony and documents placed on file in connection with this case.

**SECTION 3:** That all ordinances or part 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 March 24, 1997

Adopted: April 8, 1997

Approved: April 14, 1997

Lorraine H. Norton  
Mayor

ATTEST:

Lillian Dennis  
City Clerk

Approved as to form:

[Signature]  
Corporation Counsel

Attachment 1, Ordinance 42-0-97

**PARCEL FOUR:**

THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION TWENTY-THREE. AND THE SOUTHWEST QUARTER OF SECTION TWENTY-FOUR, TOWNSHIP FORTY-ONE NORTH, RANGE THIRTEEN, EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF OAKTON STREET, DISTANT 50.0 FT. SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE BETWEEN THE TWO MAIN TRACKS OF THE JUNCTION RAILWAY COMPANY (NOW THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY), AS SAID CENTER LINE WAS ORIGINALLY LOCATED AND ESTABLISHED ACROSS SAID SECTIONS TWENTY-THREE AND TWENTY-FOUR; THENCE NORTHEASTERLY PARALLEL WITH SAID ORIGINAL CENTER LINE BETWEEN THE MAIN TRACKS A DISTANCE OF 212.75 FT., TO A POINT DISTANT 9.0 FT. WESTERLY, MEASURED RADially, FROM THE CENTER LINE OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY SPUR TRACK ICC NO 38. AS SAID SPUR TRACK IS NOW LOCATED; THENCE NORTHWESTERLY AT RIGHT ANGLES TO THE LAST DESCRIBED COURSE. A DISTANCE OF 26.61 FT. TO A POINT DISTANT 30.0 FT. SOUTHEASTERLY, MEASURED AT RIGHT ANGLES, FROM THE CENTER LINE OF THE MOST NORTHWESTERLY OR WESTBOUND TRACK OF THE CHICAGO AND NORTHWESTERN TRANSPORTATION COMPANY. AS SAID MAIN TRACK IS NOW LOCATED; THENCE SOUTHWESTERLY PARALLEL WITH SAID LAST DESCRIBED MAIN TRACK CENTER LINE, A DISTANCE OF 224.31 FT. TO A POINT ON THE NORTH LINE OF SAID OAKTON STREET; THENCE EASTERLY ALONG SAID NORTH LINE OF OAKTON STREET, A DISTANCE OF 29.01 FT TO THE POINT OF BEGINNING, SAID ORIGINAL CENTER LINE BETWEEN MAIN TRACKS BRING DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE SOUTH LINE OF SAID SECTION TWENTY-THREE, DISTANT 86.7 FT. WESTERLY FROM THE SOUTHEAST CORNER OF SAID SECTION TWENTY-THREE. THENCE

NORTHEASTERLY ALONG A STRAIGHT LINE TO A POINT ON THE EAST LINE OF SAID SECTION TWENTY-THREE, DISTANT 210.8 FT. NORTHERLY FROM SAID SOUTHEAST CORNER, AND THERE TERMINATING, ALL IN COOK COUNTY, ILLINOIS.

AND

**PARCEL SIX:**

A PARCEL OF LAND IN THE SOUTHWEST QUARTER OF SECTION TWENTY FOUR, TOWNSHIP FORTY-ONE NORTH, RANGE THIRTEEN EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION TWENTY-FOUR AND RUNNING THENCE EAST ALONG THE SOUTH LINE OF SAID SECTION, 150.0 FT., THENCE NORTHERLY PARALLEL WITH THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION, 440.34 FT. MORE OR LESS, IN THE EASTERLY LINE OF LAND OF CHICAGO AND NORTHWESTERN RAILROAD COMPANY, THENCE SOUTHWESTERLY ALONG THE SOUTHEASTERLY LINE OF SAID COMPANY'S LAND THE WESTERLY LINE OF SAID SECTION TWENTY-FOUR, AND THENCE SOUTH ALONG SAID WESTERLY LINE, 75 FEET 11 3/4 INCHES, MORE OR LESS. TO THE PLACE OF BEGINNING, EXCEPTING THEREFROM THAT PART THEREOF LYING EAST ON A PARALLEL LINE WITH AND 81.0 FT EAST OF THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION TWENTY-FOUR, ALL IN COOK COUNTY, ILLINOIS.