

7/9/97

77-O-97

AN ORDINANCE

Granting Variances to Reduce the Required Sideyard
and Number of Required Parking Spaces
at 909 Foster Street

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on July 1, 1997 pursuant to proper notice in case number 97-13-V (R), wherein the applicant, KT Investments, owner of 909 Foster Street ("subject property") and prospective lessee of the CTA parcel abutting to the east, sought certain variances from the required sideyard and required parking provisions of the Zoning Ordinance, on property located in a B1 Business District; and

WHEREAS, based upon the testimony, plans, and other evidence presented, the ZBA made written findings of facts, determining that the proposed variations met each of the standards 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 aforesaid application of KT Investments for 1) a variation from section 6-13-3 to reduce the number of required parking spaces from five to two, 2) a variation from section 6-9-2-7 to reduce the setback for parking from the east side lot line of the 909 Foster Street parcel from five feet to zero feet, and 3) a variation from section 6-9-2-7 reducing the

setback for parking from the west lot line of the CTA parcel from five feet to zero feet, on property legally described as:

THE WEST ½ OF LOT 14 IN BLOCK 2 IN WHELLER AND OTHER'S SUBDIVISION OF THAT PART OF THE NORTH ½ OF THE NORTHEAST ¼ LYING WEST OF SHERMAN AVENUE IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS, COMMONLY KNOWN AS 909 FOSTER STREET, EVANSTON, ILLINOIS.

The abutting CTA parcel is legally described as follows:

LOTS 12 AND 13 AND THE EAST ½ OF LOT 14 IN BLOCK 2 IN WHELLER AND OTHER'S SUBDIVISION OF THAT PART OF THE NORTH ½ OF THE NORTHEAST ¼ LYING WEST OF SHERMAN AVENUE IN SECTION 18, TOWNSHIP 41 NORTH, RANGE 14, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

SECTION 2: That pursuant to section 6-3-8-14 of the Zoning Ordinance, which provides that the City Council may attach conditions to the grant of a variation, these conditions are hereby attached:

- a. The petitioner shall secure sufficient space within 1000 feet of the 909 Foster parcel and the petitioner or the petitioner's successor in title to the 909 Foster parcel shall establish and maintain on this space a sufficient number of parking spaces so as to have a total of five parking spaces in sum on this space and the 909 Foster parcel. One of said five spaces shall be handicapped-accessible;
- b. The petitioner shall establish, in consultation with the City Superintendent of Parks and Forestry, appropriate landscaping to screen the parking area and the petitioner or the petitioner's successor in title shall maintain same; and
- c. The proposed construction and use shall conform substantially to the testimony and exhibits presented in connection with this case and at the hearing.

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 July 14, 1997

Adopted: July 28, 1997

Approved: July 30, 1997

Lorraine H. Morton
Mayor

ATTEST:

Mary P. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

