

101-O-03

AN ORDINANCE

**Granting a Special Use and Variations for a Religious
Institution Parking Lot at 2115 Ashland Avenue**

WHEREAS, the Zoning Board of Appeals ("ZBA") met on September 2, 2003 and October 7, 2003 pursuant to proper notice in case no. ZBA 03-47-SU (R) to consider an application for a special use pursuant to Section 6-13-3-3, and variations to Section 6-13-3-6 and Section 6-4-1-9 (A) 5 of the Zoning Ordinance, to construct and operate a parking lot for a religious institution, an existing special use, from Samson Campbell, Jr. and Bruce Fossler, as agents for the Evanston Congregation of Jehovah's Witnesses, Inc., owner of the subject property at 2115 Ashland Avenue in an MUE Transitional Manufacturing District; and

WHEREAS, the ZBA, after hearing testimony and receiving other evidence, made a written record and written findings that the application for the special use and variations met the standards for special uses set forth in Section 6-13-3-3, and the standards for variations set forth in Section 6-13-3-6 and Section 6-4-1-9 (A) 5 of the Zoning Ordinance; and

WHEREAS, the Planning and Development Committee of the City Council considered the ZBA's findings and recommendation at its October 27, 2003 meeting and recommended City Council approval thereof; and

WHEREAS, the City Council considered the respective records and recommendations of the ZBA and the Planning and Development Committee at its October 27, 2003 and November 10, 2003 meetings, and

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

SECTION 1: The foregoing recitals are found as fact and made a part hereof.

SECTION 2: That the City Council hereby adopts the ZBA's record, findings, and recommendation, and the Planning and Development Committee's record, findings, and recommendation, and hereby approves the special use applied for in case no. ZBA 03-47-SU (R), on property legally described in Exhibit A attached hereto and made a part hereof, commonly known as 2115 Ashland Avenue, Evanston, Illinois.

SECTION 3: That, pursuant to Section 6-3-5-12 and Section 6-3-8-10 of the Zoning Ordinance, which respectively provide that the City Council may impose conditions on the grant of a special use and a major variation, the following conditions are hereby imposed. When necessary to effectuate said conditions and limitations, "applicant" shall be read as "owner" or "operator".

- A. Development and use of the subject property shall be in substantial compliance with all applicable legislation, with the testimony and representations of the applicant to the ZBA, Planning and Development Committee, and City Council, and with the approved plans and documents on file in this case.
- B. Prior to the issuance of a zoning certificate of compliance, Applicant shall provide the City's Zoning Division with a copy of a recorded deed evidencing Applicant's ownership in fee simple of the three feet to the north of the subject property.

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: October 27, 2003

Adopted: November 10, 2003

Approved:

November 13, 2003
Lorraine H. Norton
Mayor

ATTEST:

Mary J. Morris
City Clerk

Approved as to form:

[Signature]
Corporation Counsel

EXHIBIT A
LEGAL DESCRIPTION

LEGAL DESCRIPTION OF 2115 ASHLAND

LOT 11 IN BLOCK 11 IN EVANSTON CENTER ADDITION IN THE SOUTH $\frac{1}{2}$ OF THE SOUTHEAST $\frac{1}{4}$ OF SECTION 12, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 2115 ASHLAND AVENUE, EVANSTON, ILLINOIS.

LEGAL DESCRIPTION OF ADDITIONAL THREE FEET TO THE NORTH OF THE SUBJECT PROPERTY

THE SOUTH THREE FEET OF LOTS 12, 13, AND 14 IN BLOCK 11 IN EVANSTON CENTER IN SECTION 12, TOWNSHIP 4, NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS