

2/6/2006

20-O-06

AN ORDINANCE

**Granting a Special Use and Major Variations to Allow
Expansion of a Retirement Home at 120 Dodge Avenue in an
R4 General Residential District
(Dobson Plaza)**

WHEREAS, Dobson Plaza, Inc., owner of 120 Dobson Street, the subject property, submitted an application, case no. ZBA 05-51-SU&V(R), to seek approval, pursuant to Section 6-8-5-3 of the Zoning Ordinance (the "Ordinance"), for an expansion to the special use for a retirement home and major variations from Section 6-8-5-6, Section 6-8-5-7(B) and Section 6-8-5-9(A) of the Ordinance relating, respectively, to building lot coverage, front yard and side yard setbacks, and impervious surfaces; and

WHEREAS, the City Council adopted Ordinance 14-O-65 on February 15, 1965 to grant a special use to construct and operate a nursing home on the subject property and adopted Ordinance 96-O-70 on January 25, 1970, Ordinance 117-O-84 on October 22, 1984, Ordinance 97-O-85 on October 14, 1985, and Ordinance 65-O-96 on June 10, 1996 to allow expansions thereof; and

WHEREAS, "nursing homes" are classified as "retirement homes" under the Ordinance now in effect; and

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on January 17, 2006, pursuant to proper notice, to consider the application, took testimony and received other evidence, and made a *verbatim* record and written findings that the application met the respective standards for special uses under Section 6-3-5 of the Ordinance and major variations in Section 6-8-3-12 of the Ordinance, and recommended City Council approval thereof; and

WHEREAS, the Planning and Development Committee of the City Council considered and adopted the ZBA's record, findings, and recommendation at its February 13, 2006 meeting, and recommended City Council approval thereof; and

WHEREAS, the City Council considered and adopted the respective records, findings, and recommendations of the ZBA and the Planning and Development Committee at its February 13, 2006 and February 27, 2006 meetings,

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

SECTION 1: That the foregoing recitals are found as fact, and made a part hereof.

SECTION 2: That the City Council hereby approves the amendment to the special use and major variations applied for in case

no. ZBA 05-51-SU&V(R) on property legally described in Exhibit A, attached hereto and made apart hereof.

SECTION 3: That the major variations approved hereby are:

- A. To Section 6-8-5-6 to allow a maximum lot coverage of forty-six and eight-tenths percent (46.8%) instead of the forty percent (40%) otherwise allowed.
- B. To Section 6-8-5-7(B) to allow a one and twenty-two-hundredths-foot (1.22') front yard setback along Dobson Street instead of the twenty-seven-foot (27') front yard setback otherwise required, and a ninety-two hundredths-foot (0.92') street sideyard setback along Dobson Street instead of the fifteen-foot (15') street sideyard setback otherwise required.
- C. To Section 6-8-5-9 to allow an impervious surface ratio of eighty-one and six-tenths percent (81.6%) instead of the fifty-five percent (55%) otherwise allowed.

SECTION 4: That as provided for by Section 6-3-5-12 and Section 6-3-8-14, which provide, respectively, for City Council imposition of conditions upon the grants of special uses and variations, these conditions are hereby imposed:

- A. **Compliance with Applicable Requirements:** 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, the Planning and Development Committee, and the City Council, and with the approved plans and documents on file in this case.


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

SECTION 6: 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: February 13, 2006


Adopted: February 27, 2006

Approved: February 28, 2006

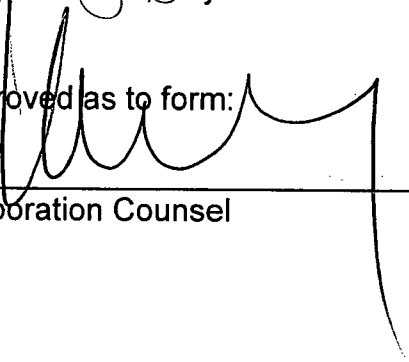


Lorraine H. Morton, Mayor

Attest:



Mary P. Morris, City Clerk

Approved as to form: 

Corporation Counsel

EXHIBIT A**LEGAL DESCRIPTION OF 120 DODGE AVENUE**

LOT A 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 1/2 OF THE SOUTH EAST 1/4 OF THE NORTHWEST 1/4, EXCEPTING 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.

