

3/1/2007

30-O-07

AN ORDINANCE

**Granting a Major Variation to Off-Street Parking Requirements
For a Religious Institution Located at
2045 Brown Avenue in the R3 General Residential District**

WHEREAS, M.J. Chowdhury, on behalf of Bangladesh Islamic Community Center (the "Applicant"), with permission of Christ Temple M.B. Church, owner of 2045 Brown Avenue (the "Property"), submitted an application, case no. ZBA 07-03-V(R), to seek approval for a major variation from Sections 6-16-1-3 and 6-16-3-5 of the Zoning Ordinance (the "Ordinance") relating to off-street parking requirements; and

WHEREAS, the Zoning Board of Appeals ("ZBA") held a public hearing on February 20, 2007, 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 standards for major variations set forth in Section 6-3-8-12(E) 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 March 12, 2007 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 March 12, 2007 meeting,

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 major variation applied for in case no. ZBA 07-03-V(R), on property legally described in Exhibit A, attached hereto and made apart hereof.

SECTION 3: That the major variation approved hereby is to allow a total of eleven (11) off-street parking spaces for the Religious Institution whereas the Ordinance requires forty (40) off-street parking spaces.

SECTION 4: That, as permitted by Section 6-3-8-14 of the Ordinance, the City Council imposes the following conditions upon the major variation pertaining to off-street parking granted by this ordinance, 30-O-07:

- A.** The Applicant shall develop and use the Property in substantial compliance with all applicable legislation, with the testimony and representations of the Applicant, and with the approved plans and documents on file in this case.
- B.** The Applicant shall install, or cause to be installed, all plant material and/or other features depicted on the landscape plan, attached hereto and made apart hereof as Exhibit B ("Landscape Plan"), before the City of Evanston may issue a final Certificate of Occupancy.

C. The Applicant shall submit a landscape maintenance plan for review and approval by the City of Evanston Superintendent of Parks and Forestry which shall guarantee that any plants planted in accordance with the Landscape Plan that die shall be replaced by the Applicant during the earliest planting season thereafter, upon written notification to the Applicant from the City of Evanston.

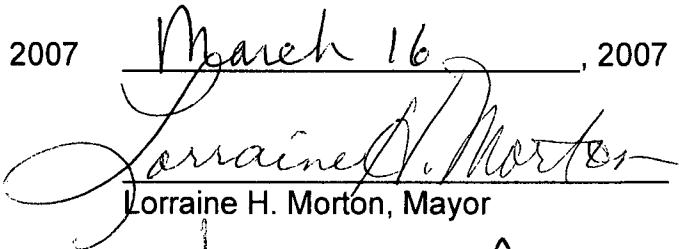
SECTION 5: That, when necessary to effectuate the terms and conditions and purposes of this Ordinance, "Applicant" shall read as "Applicant's agents, assigns and successors in interest."

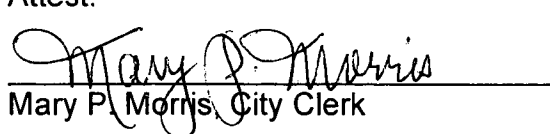
SECTION 6: That if any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications thereof.

SECTION 7: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 8: 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 12, 2007 Approved:
Adopted: March 12, 2007 March 16, 2007


Lorraine H. Morton, Mayor

Attest:

Mary P. Morris, City Clerk

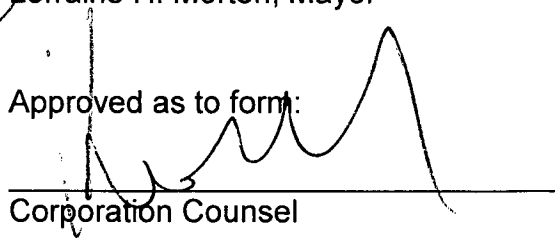
Approved as to form:

Corporation Counsel

EXHIBIT A

LEGAL DESCRIPTION

LOTS 47, 48, 49, AND 50 IN BLOCK 1 IN CULVER'S ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 2045 Brown Avenue, Evanston, Illinois.

EXHIBIT B

LANDSCAPE PLAN

