

1/12/2015

**13-O-15**

**AN ORDINANCE**

**Granting Major Variations Related to 521 Ridge Avenue in the R1  
Single-Family Residential Zoning District**

**WHEREAS**, Kenneth Hazlett (the "Applicant"), architect of the property commonly known as 521 Ridge Avenue (the "Subject Property"), located within the R1 Single-Family Residential zoning district and legally described in Exhibit A, attached hereto and incorporated herein by reference, submitted an application seeking approval of Major Variations to zoning requirements imposed by Subsections 6-4-6-3-B-18, 6-8-2-8-A-1, and 6-16-2-1-C-1 of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"); and

**WHEREAS**, the Applicant requests the following Major Variations:

- (A) The Applicant requests an open parking space that is not within thirty feet (30') of the rear property line where open parking is only permitted within thirty feet (30) of a rear property line;
- (B) The Applicant requests open parking in the front yard where open parking is prohibited;
- (C) The Applicant requests open parking in front of the principal structure where open parking is prohibited; and

**WHEREAS**, on January 6, 2015, the Zoning Board of Appeals ("ZBA"), pursuant to proper notice, held a public hearing in case no. 14ZMJV-0156 to consider the application, received testimony, and made written records and findings that the

application did meet the standards for Major Variations set forth in Subsection 6-3-8-12-(E) of the Zoning Ordinance and recommended City Council approval thereof; and

**WHEREAS**, at its meeting of January 26, 2015, the Planning and Development ("P&D") Committee of the City Council considered and accepted the ZBA's recommendation, and recommended City Council approve the Major Variations, as requested; and

**WHEREAS**, at its meetings of January 26, 2015 and February 9, 2015, the City Council considered and adopted the recommendation of the P&D Committee,

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

**SECTION 1:** The foregoing recitals are hereby found as fact and incorporated herein by reference.

**SECTION 2:** The City Council hereby adopts the P&D Committee's records, findings, and recommendations, and hereby approves, pursuant to Subsection 6-3-8-10-(D) of the Zoning Ordinance, the Major Variations on the Subject Property applied for in case no. 14ZMJV-0156 and described hereinabove.

**SECTION 3:** The Major Variations approved hereby are as follows:

- (A) Approval to allow an open parking space that is not within thirty feet (30') of the rear property line. Subsection 6-4-6-3-B-18 permits open parking only within thirty feet (30') of a rear property line.
- (B) Approval to allow open parking in the front yard. Subsection 6-8-2-8-A-1 prohibits open parking in the front yard.
- (C) Approval to allow open parking in front of the principal structure. Subsection 6-16-2-1-C-1 prohibits open parking in front of the principal structure.

**SECTION 4:** Pursuant to Subsection 6-3-8-14 of the Zoning Ordinance, the City Council hereby imposes the following conditions on the Major Variations granted hereby, violation of any of which shall constitute grounds for penalties or revocation thereof pursuant to Subsections 6-3-10-5 and 6-3-10-6 of the Zoning Ordinance:

- (A) **Compliance with Requirements:** The Applicant shall develop and use the Subject Property in substantial compliance with all applicable legislation, with the testimony and representations of the Applicant to the ZBA, the P&D Committee, and the City Council, and the approved plans and documents on file in this case.
- (B) **Curb Cut and Driveway Apron:** The Applicant must remove the extraneous curb cut and driveway apron along Elmwood Avenue.

**SECTION 5:** When necessary to effectuate the terms, conditions, and purposes of this ordinance, "Applicant" shall be read as "Applicant's agents, assigns, and successors in interest."

**SECTION 6:** Except as otherwise provided for in this ordinance, all applicable regulations of the Zoning Ordinance and the entire City Code shall apply to the Subject Property and remain in full force and effect with respect to the use and development of the same.

**SECTION 7:** This ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

**SECTION 8:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 9:** If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect

without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

**SECTION 10:** The findings and recitals herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: January 16, 2015

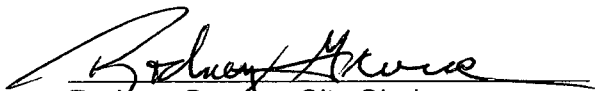
Adopted: February 9, 2015

Approved:

February 11, 2015

  
Elizabeth B. Tisdahl, Mayor

Attest:

  
Rodney Greene, City Clerk

Approved as to form:

  
Michelle Maoncup / Acting Corporation Counsel  
W. Grant Farrar, Corporation Counsel

**EXHIBIT A**

**Legal Description**

LOT 2 IN INGLEHART'S ADDITION TO EVANSTON, A SUBDIVISION OF 12.50 ACRES IN THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 19, EAST OF RIDGE ROAD, KNOWN AS LOTS 5 TO 7 OF ASSESSOR'S DIVISION, BY G.M. HUNTOON, A PLAT OF THE SOUTH  $\frac{1}{2}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF SECTION 19, TOWNSHIP 41 NORTH, RANGE 14 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

**PIN:** 11-19-327-004-0000

**Commonly Known As:** 521 Ridge Avenue, Evanston, Illinois