

10/1/2015

**131-O-15**

**AN ORDINANCE**

**Amending the Special Use for a Single Family Detached Dwelling  
At 1513 Greenleaf Street in the B1 Business District**

**WHEREAS**, on November 24, 2014, the City Council enacted Ordinance 145-O-14, attached hereto as Exhibit A, which, pursuant to Subsection 6-9-4-3 of the Evanston City Code, 2012, as amended (the "City Code"), granted a Special Use Permit for a Single Family Detached Dwelling at 1513 Greenleaf Street in the B1 Business District (the "Subject Property"); and

**WHEREAS**, City Code Section 6-3-5-15(A) provides that a Special Use permit shall be valid for a period of one year unless a building permit is issued and construction is actually begun within that period or unless a certificate of occupancy is issued and a use commenced within that period, or the Special Use permit will automatically expire; and

**WHEREAS**, City Code Section 6-3-5-15(A) further provides that any extension of these time frames must be approved by City Council; and

**WHEREAS**, Larry Rosenbaum, Inc. (the "Applicant"), current owner of the Subject Property, has experienced certain delays in the commencement of construction and has requested an extension of the aforementioned timeframes such that the deadline to commence construction shall be June 24, 2016; and

**WHEREAS**, at its meeting of October 12, 2014, the Planning and Development ("P&D") Committee of the City Council considered the Applicant's request and recommended that the City Council approve the extension of timeframes granted by

Ordinance 145-O-14; and

**WHEREAS**, at its meeting of October 12, 2014 and October 26, 2014, the City Council considered and adopted the records and recommendations 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:** Under the provisions of City Code Section 6-3-5-15(A), the City Council hereby approves an extension of seven (7) months such that in connection with the Special Use permit granted under Ordinance 145-O-14 for a Single Family Detached Dwelling at the Subject Property, the deadline to commence construction shall be June 24, 2016.

**SECTION 3:** Except as otherwise provided for herein, all applicable regulations of Ordinance 145-O-14 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. To the extent that the provisions of any of said documents conflict with the terms of this ordinance, this ordinance shall govern and control.

**SECTION 4:** The Applicant, at its cost, shall record a certified copy of this ordinance, including any Exhibits attached hereto, with the Cook County Recorder of Deeds.

**SECTION 5:** Violation of any of the terms of this ordinance or Ordinance 145-O-14 shall constitute grounds for penalties pursuant to City Code Subsection 6-3-

10-5, and/or revocation, pursuant to City Code Subsection 6-3-10-6, of the Special Use for a Single Family Detached Dwelling on the Subject Property.

**SECTION 6:** 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 7:** The findings and recitals contained 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.

**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:** 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 12, 2015

Adopted: October 12, 2015

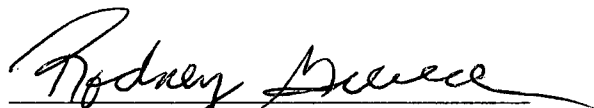
Approved:

October 19, 2015

  
Elizabeth B. Tisdahl, Mayor

Attest:

Approved as to form:



Rodney Greene, City Clerk



W. Grant Farrar, Corporation Counsel

**EXHIBIT 1**

Ordinance 145-O-14