

4/25/2016

50-O-16

AN ORDINANCE

**Granting A Major Variation Related to 2767 Crawford Avenue in the
R2 Single-Family Residential District**

WHEREAS, Matthew Kustusgh (the "Applicant"), architect of the property commonly known as 2767 Crawford Avenue (the "Subject Property"), located within the R2 Single-Family Residential Zoning District and legally described in Exhibit A, attached hereto and incorporated herein by reference, submitted an application seeking approval of a Major Variation to zoning requirements imposed by Subsection 6-8-3-11 of Title 6 of the Evanston City Code of 2012, as amended (the "Zoning Ordinance"); and

WHEREAS, the Applicant requests the following Major Variation:

- (A) The Applicant requests to construct access to on-site parking across the front property line to Crawford Avenue, where access to on-site parking across a front property line is prohibited when alley access is present; and

WHEREAS, on April 19, 2016, the Zoning Board of Appeals ("ZBA"), pursuant to proper notice, held a public hearing in case no. 16ZMJV-0016 to consider the amended 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 grant the Major Variations; and

WHEREAS, at its meeting of May 9, 2016, the Planning and Development ("P&D") Committee of the City Council received input from the public, carefully considered the ZBA's record and findings and recommended the City Council accept

the ZBA's recommendation and approve the Major Variations in case no. 16ZMJV-0016; and

WHEREAS, at its meetings of May 9, 2016 and May 23, 2016, 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. 16ZMJV-0016 and described hereinabove.

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

- (A) Approval to allow access to on-site parking across the front property line to Crawford Avenue. Subsection 6-8-3-11 prohibits access to on-site parking across a front property line when alley access is present on the Subject Property.

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.

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: May 9, 2016

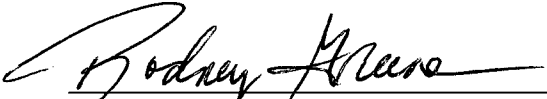
Adopted: May 23, 2016

Approved:

June 3, 2016


Elizabeth B. Tisdahl, Mayor

Attest:


Rodney Greene, City Clerk

Approved as to form:


W. Grant Farrar, Corporation Counsel

EXHIBIT A

Legal Description

Lot 3 in the Estate of Caroline Gerstenbrand Subdivision in the west half of Section 33, Township 42 North, Range 13, east of the Third Principal Meridian, in Cook County, Illinois.

PIN(s): 05-33-303-005-0000
 05-33-303-041-0000

Commonly Known As: 2767 Crawford Avenue, Evanston, Illinois.