

**81-O-18**

**AN ORDINANCE**

**Granting Major Variations Related to 1822 Lyons Street in the  
R4 General Residential District**

**WHEREAS**, Cooper Kerins (the “Applicant”), owner of the property commonly known as 1822 Lyons Street (the “Subject Property”), located within the R4 General 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 Subsection 6-8-5-5, Subsection 6-8-5-4, and Subsection 6-16-3-5 of Title 6 of the Evanston City Code of 2012, as amended (the “Zoning Ordinance”); and

**WHEREAS**, the Applicant requested the following Major Variations from the Zoning Board of Appeals:

- (A) The Applicant requests a multiple family residence on a lot of width of forty (40) feet where a lot width of fifty (50) feet is required on the Subject Property;
- (B) The Applicant requests approval for a minimum total lot size of two thousand three hundred fifty eight (2,358) square feet per dwelling unit where a minimum lot size of two thousand five hundred (2,500) square feet per dwelling unit is required on the Subject Property;
- (C) The Applicant requests the addition of zero (0) parking spaces where two (2) additional parking spaces are required on the Subject Property; and

**WHEREAS**, on June 19, 2018, the Zoning Board of Appeals (“ZBA”), pursuant to proper notice, held a public hearing in case no. 18ZMJV-0047 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 grant the Major Variation for:

- I. A multiple family residence on a lot of width of forty (40) feet on the Subject Property;
- II. A minimum of total lot size of two thousand three hundred fifty eight (2,358) square feet per dwelling unit on the Subject Property;
- III. The addition of zero (0) parking spaces on the Subject Property; and

**WHEREAS**, at its meeting of July 23, 2018, the Planning and Development (“P&D”) Committee of the City Council received input from the public, carefully considered the ZBA’s record and findings, the Applicant’s application, and recommended the City Council accept the application and approve the Major Variations recommended by the Zoning Board of Appeals; and

**WHEREAS**, at its meetings of July 23, 2018 and August 13, 2018, the City Council considered and adopted the recommendation of the P&D Committee, as amended,

**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. 18ZMJV-0047 and described hereinabove.

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

- (A) Approval for a multiple family residence on a lot width of forty (40) feet where a lot width of fifty (50) feet for a multiple family residence is required on the Subject

Property. Subsection 6-8-5-5 requires a lot width of fifty (50) feet for a multiple family residence on the Subject Property.

- (B) Approval for a total lot size of two thousand three hundred fifty eight (2,358) square feet per dwelling unit where a total lot size of two thousand five hundred (2,500) square feet per dwelling unit is required on the Subject Property. Subsection 6-8-5-4 requires a lot size of two thousand five hundred (2,500) square feet per dwelling unit on the Subject Property.
- (C) Approval for the addition of zero (0) parking spaces where two (2) additional parking spaces are required on the Subject Property. Subsection 6-16-3-5 requires the addition of two (2) additional parking spaces 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.
- (B) **Affordable Housing Requirement:** The Applicant shall make the basement unit an affordable unit for a minimum of ten (10) years at a maximum eighty percent (80%) Area Median Income ("AMI").

**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.

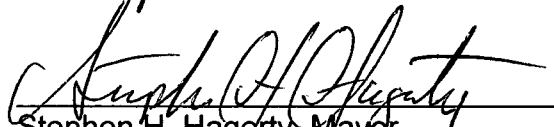
**SECTION 10:** The findings and recitals herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.

Introduced: July 23, 2018

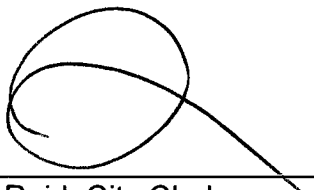
Adopted: August 13, 2018

Approved:

Sept 6, 2018

  
Stephen H. Hagerty, Mayor

Attest:

  
\_\_\_\_\_  
Devon Reid, City Clerk

Approved as to form:

  
\_\_\_\_\_  
Michelle L. Masoncup, Corporation Counsel

**EXHIBIT A****Legal Description**

The East 40 feet (except the South 9 feet thereof) of the West 104.8 feet of Lot 23 in Block 3 in Merrill Ladd's 2nd Addition to Evanston, being a Subdivision of the West 1/2 of the Southwest 1/4 of the Northeast 1/4 of Section 13, Township 41 North, Range 13, East of the Third Principal Meridian, except that portion of said premises, if any falling within the East 65 feet of said Lot 23 in Cook County, Illinois.

**PIN(s):** 10-13-220-002-0000

**Commonly Known As:** 1822 Lyons Street, Evanston, Illinois.