

## To Members of the Historic Preservation Commission

The last time my husband and I were addressing the Historic Preservation Commission and the Zoning Board regarding a proposed project by Dorothy and Peter Marks, was almost twenty years ago. We now have a sense of *déjà vu*.

We were never able to see the actual plans for the two boat houses until last Friday afternoon, October 8, 2021. We were only made aware of the project by Public Notice received Tuesday, October 5. As was the case twenty years ago, the Marks' waited until the very last legal minute to reveal their renovation plans to us. However, they did show the plans to neighbors who signed in favor of the project, September 23, 2021. The neighbors who signed in favor of the Marks' project, will experience absolutely no impact on their property. We are the only ones to whom it impacts so negatively.

At the earlier Historic Preservation meeting twenty years ago, the question was asked: "Do the neighbors to the north object?" (We did object, but we never had the opportunity to be heard.) We listened as one of the Evanston commissioners said something like: *If the State of Illinois approves, who are we in Evanston to deny this application?* The fix was in, and I am fearful, that "the fix is in" yet again.

From the National Register of Historic Places:

*The National Register does NOT: interfere with a private owner's property rights; prevent private property owners from making changes or force improvements; cause additional regulatory review if a project that effects the property uses state or federal permits, licenses or funds; limit the use of listed buildings; or require that properties be open to the public.*

I am curious as to whether a project before the Evanston Preservation Commission actually needs to go before the Illinois Preservation Commission? Based on the above information, I think not.

I believe, but cannot prove, that political connections were used to get State of Illinois approval 20 years ago. **Approval was granted by both the State and Evanston, despite the reason given for "hardship" was untrue.**

I am copying below the false information provided to "prove hardship" and the Marks' need to expand 585 Ingleside twenty years ago:

The application states "The hardship was created by the division of the original lot that continues from Sheridan Road to Lake Michigan into three smaller lots."

The application is misleading with reference to "hardship." According to the Evanston Historical Society (now the Evanston History Center) the construction of 585 Ingleside was completed in 1929. A permit to wreck a previous structure was granted on October 19, 1925, and a construction permit was granted January 13, 1926. The former home at 2703 Sheridan Road was constructed at the turn of the century, which means prior to the construction of 585 Ingleside. Prior to tear-down, the home at 2703 Sheridan Road was located directly west of the Marks' property, and to the south and west of our property. **The brick farmhouse at 2703 Sheridan Road was constructed more than a quarter century prior to the construction of 585 Ingleside. In short, the current structure 585 Ingleside was envisioned and carried out on the identical lot on which it currently sits. The integral original lot referenced in the subject application, was clearly divided into TWO parcels well before the current structure 585 Ingleside was ever conceived.** Ultimately, two parcels became three in 1996, when Cyrus Homes bought 2703 and somehow were allowed by the Historic Commission to wreck the home and build two new homes. (again, was "the fix in?") Please see attachments.

At the Zoning Board meeting, imagine our surprise again, when we learned that the minutes of the Appearance Review Committee reveal that committee member Alterson asked if the neighbors had been informed of the project. The owner (the Marks) states that owners are in favor of the project." **Another untruth.**

The Marks' behavior in trying to hide their plans from the one set of neighbors for whom their plans are impactful, is the same approach they used twenty years ago on their first major renovation. Peter Marks also tried to undermine our permitted and state sanctioned shore protection using the same tactics of working behind the scenes to conceal his plans. All the letters that IDNR received against our project had the identical misguided language copied from the prototype that Peter Marks created. The IDNR even received letters from his friends in Buffalo Grove, again an example of getting people who have nothing to do with Evanston projects to bolster his deceptive behavior.

#### 2-8-9. - STANDARDS FOR REVIEW OF APPLICATIONS FOR CERTIFICATES OF APPROPRIATENESS.

(A)

Standards for Review of Alteration. In considering an application for a certificate of appropriateness for alteration the Commission shall consider only the following general standards, specific design guidelines, if any, accompanying the ordinance designating the landmark or district, and the standards included in Subsection (E) of this Section. Nothing in this Chapter shall be construed to prevent ordinary maintenance or repairs that do not involve a change of design, material, or the exterior architectural appearance of a property, structure, site or object as long as the prescribed review procedures are followed.

1. Every reasonable effort shall be made to adapt the property, structure, site or object in a manner that requires minimal alteration of the property, structure, site or object and its environment.

*Regarding the construction of a single-story masonry boat house in the "same footprint as an original wood framed structure previously demolished..."*

**THERE WAS NEVER ANY WOOD FRAMED "ORIGINAL STRUCTURE" except what was built by the Marks after they purchased 585 Ingleside.**

2. The distinguishing original qualities or character of a property, structure, site or object and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided whenever possible except when retention represents a hazardous or dangerous condition.

**ADDING A TWO-STORY ACCESSORY STRUCTURE DOES NOT FIT THE ORDINANCE.** The "dramatic roof pitch" of the new structure mimics that of the rear of the home. That exaggerated roof pitch was added by the Marks, and is not an original feature of the landmark home. See photo below:



3. All properties, structures, sites and objects shall be recognized as products of their own time. Alterations to sites, buildings, structures, or objects that have no historic basis shall be discouraged.

**ADDING TWO BOAT HOUSES, ONE OF WHICH PURPORTS TO BE WHERE THERE NEVERONE, OR AT LEAST NO PROOF OF EXISTENCE, AND THEN ADDING A TWO-STORY ACCESSORY BUILDING WHERE THERE NEVER WAS ONE, does not fit 2-8-9 specifications.**

The proposed two-story with "glass with high transparency" on three sides has no historic basis. For people who purport to be "concerned environmentalists" these glass windows are also not bird friendly. (Of course having more space to store jet skis and other water toys, as well as Peter Marks previously hitting golf balls into the lake, puts into question their real commitment to the environment.)

#### **OF CONCERN TO US:**

Aside from the impact of loss of light and air circulation, we are very concerned about the building site. Though it meets the zoning guidelines, we have been advised by our architect, marine engineer and structural engineer of the potential damage that the Marks' new accessory building could cause. Building so close to the lake, disrupting a very old sea wall, can have serious effects on the shoreline, and could destabilize our pool, boat house and deck. WE ENCOURAGE A SITE VISIT FROM ANY EVANSTON STAFF MEMBERS TO OBJECTIVELY EVALUATE AND VERIFY OUR CONTENTIONS OF THE NEGATIVE IMPACT THIS PROPOSED PROJECT CAN HAVE ON OUR PROPERTY.

We would like to propose a possible solution to this problem, which would not impact on our property, and still provide the Marks with their desired expansion for water toys and entertainment.

- 1) Build on the south side of their lot. Lower the "dramatic roof pitch" to replicate the original. It won't be visible from the street.
- 2) Talk to the City of Evanston, to see if they would sell the empty piece of land at the base of Ingleside. There are no trees there to hinder construction, and they could probably make one boat house big enough to house everything. Evanston might be pleased to get the revenue and not have any liability for that property.

We would totally support a plan to build on the south end of their lot or on the empty piece purchased from Evanston. Either location would not pose any risk to our property.

If they would be open to purchasing the empty land from Evanston, they could build whatever they wish there. Not only would it give them more freedom to build, but they would be making a major contribution for Evanston, providing much needed funds for important City projects. Perhaps there is even in opportunity for naming rights for whatever project the purchase of the land could establish?

We are all lucky to be privileged enough to live along the lake. We have been here for over 43 years. Our good fortune, earned or inherited, does not entitle anyone one of us to act with deception and disregard for neighbors' best interests.

The fact that the Marks' for the second time have chosen to inform neighbors of their plans several days before US, we, being the only neighbors who are actually impacted by their proposed project, certainly speaks to premeditated attempts to keep us ignorant of their intentions.

Thank you very much for your time and attention to all the materials and comments we have submitted. We still believe that FACTS MATTER.

KEN AND LUCY LEHMAN

RUDOLPH ARCHITECTURE



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1.773.784.0804 :: www.rudolph-architects.com

Mr & Mrs Kenneth A Lehman  
2715 Sheridan Road  
Evanston, Illinois 60201

**2715 Sheridan Road :: Site work**

Ken & Lucy,

In considering future buildings on your property, or your adjacent neighbors, remember bluff sites are truly terranean connected.

All the properties along Lake Michigan share the same geological conditions, glacial till (unsorted sediment) soils. These adjoin historic & present lakebed beach sands. The mixed soils that make up the bluffs and near plains are the receding glacial edges. These may be unpredictable and inconsistent disturbed soils.

Any excavations must be carefully considered. Soil bearing capacities must also be carefully determined. The limits of predictability to stable strata soils are highly variable in our local region. Soil-testing by borings is the most common precaution for getting accurate site-compositions. Structural shoring methods must be anticipated and determined. Civil/site engineering includes altering existing or proposed sea-wall constructions.

Regardless of property lines or municipal setbacks, excavation wall failures or side wall collapses are possible. Along lake edge areas the potential of a high percentage of sand mix with disturbed soils increase a possibility of collapse, or even bluff break-away.

Site specific civil geotechnical engineers and municipal review engineers are acutely aware of these possibilities. Site safety and stability during excavation, and after building commission, are primary requirements. Every site is unique.

Christopher H Rudolph AIA  
ra@rudolph-architects.com

08 October 2021









## ■ House

Continued from page 9

She said she was told by zoning administrator Arthur Alverson that without landmark status, an attempt to prevent the subdivision could result in a lawsuit against the city.

Asked about the situation, Ron Fleckman, president of Cyrus Homes, said Spaeth is incorrect on her reported lot size for the subdivided lots.

"These lots are 100-foot frontages and well over the minimum lot sizes that are permitted in Evanston," he said, adding that 35-foot lots are not allowed under zoning ordinance.

As for the property, Fleckman said the house was on the market for two years with no offers. He said the initial sale price (estimated at \$900,000 by Spaeth) had dropped to the mid-\$600,000 range when Cyrus had bought the property.

He said the owner of the property had approached Cyrus and asked whether the firm would be interested in buying the property.

Fleckman said a subdivision was the only feasible answer to generating interest in

"People who want to move into Evanston are demanding new construction," he said.

As a result of the subdivision, Cyrus will be creating two lots that should sell for somewhere in the \$800,000 range, with an "associated tax advantage" that would have not been available with the sale of one house, he said.

Fleckman said he met with Spaeth at a pre-demolition auction at the house Saturday and understood that it "was clearly a very difficult experience for her."

He said Cyrus, however, has been around "a very long time" and is very sensitive to designing houses that fit in with the existing neighborhood.

Spaeth told council members, "I would give anything for a miracle moratorium on this demolition that is to take place on Wednesday, but I'm a realist enough to know that money and politics speak louder than aesthetics and ethics."

Alderman Art Newman, whose 1st Ward lies directly south of where the house is located (in the 7th Ward) was the only council member to respond to Spaeth's plea.

Newman said council members need to examine such issues because subdivisions sometimes result in "bad land use."

# Old home's expected razing prompts plea from resident

By BOB SEIDENBERG  
CITY EDITOR

The expected demolition of a turn-of-the-century home at 2703 Sheridan Road points out the need for added safeguards on the subdivisions of properties, said a resident in an emotional plea to the City Council Monday night.

The resident, Mary Spaeth, told council members she grew up in the home on Sheridan, and "never in my wildest dreams did I assume this personal landmark would be a candidate for demolition."

Cyrus Homes is expected to apply for a permit to begin demolition of a home at 2703 Sheridan Road.

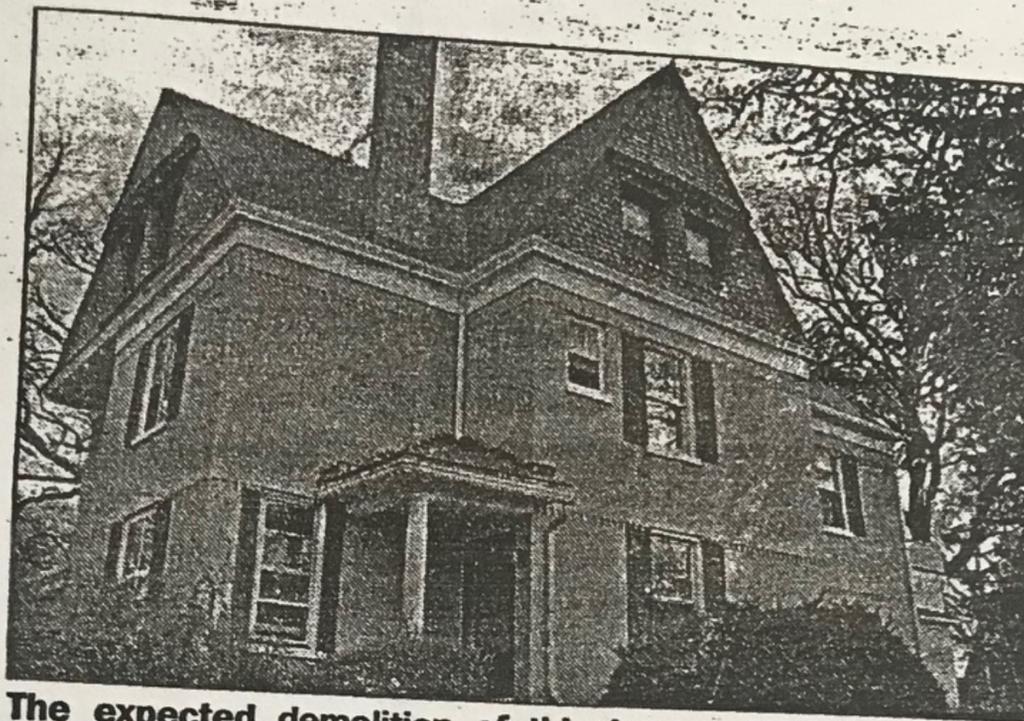
After failing to attract buyers on the open market, Cyrus is proposing to subdivide the original lot to accommodate two new homes.

A city Site Plan Committee earlier had granted approval to Cyrus, allowing the subdivision to proceed.

The committee — made up of representatives from various departments — found that the proposal satisfied minimum lot size, access and other zoning issues, said James Wolinski, head of Community Development.

No mention of demolition was included in the staff memo that recommended council approval of the subdivision, although a representative from Cyrus reportedly had mentioned demolition as an option in his meeting with the committee.

Council members approved the subdivision without comment two weeks ago.



The expected demolition of this home at 2703 Sheridan Road has prompted a former resident of the home to plea for added safeguards on subdivisions of city properties.

Spaeth told council members that her father, following a stint in the Army, bought the house in 1950.

"Built just before the turn of the last century, its lights still operated with gas controls," Spaeth said, "and prior to my family's moving in they spent considerable time wiring and updating this grand three-story, 10-bedroom, five-bath brick and stone house that enjoyed a view of Lake Michigan."

She said her family moved from the house just before her fifth birthday in 1962 when her father, a pediatrician, "was unceremoniously requested to move to North Africa to serve in the Armed Forces during the Berlin Crisis."

Over the years she said she kept tabs on the house.

"When I returned to Evanston almost 13 years ago," she told council members, "I,

like many people, enjoyed driving by my birthplace on Sheridan and announcing to my kids that "this was where mommy was born."

Since early July, Spaeth said, she had contacted Cyrus Realtors "many, many times to ask if I might see the home before they sold it — never suspecting that a demolition was even in the cards."

"And three weeks ago, when I did learn about their intent to demolish it I continued, even more vehemently to see the house, and to learn of their reasons to take it down. No one returned my calls."

Spaeth said she also approached city departments, inquiring about a hearing. She said she was told that the city requires no hearing for subdivisions if the property can be divided into lots that still fit the current designation of 35-foot wide.

(Continued on page 12)



Cade Sterling &lt;csterling@cityofevanston.org&gt;

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## Attempt at more concise and focused statements for Historic Preservation Commission

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PM



Dear Cade:

Thanks for your informative and thoughtful response. I am happy to have you distribute my "LETTER..." to the Commission, but would also appreciate your adding in the lengthy document (To Members of the ...." which shows my time-consuming research to help expose the truth about the history of 585 Ingleside. All emails and attachments I've sent, including with the one that purports to show "neighbor support" -- bolster my accusations of the deception first used twenty years ago to obtain a permit, and similar tactics being used now.

All of the information gives people an opportunity to know more about the site and we encourage a visit to our home. I sincerely hope they will see that it would be time worth spent to understand the dynamics that are in play.

I am curious whether their architect has seen the photos of the destruction of their previous sheds? (I will attach some photos again and what I am sending it just a sample of photos and videos relating to the lake.) It seems nonsensical to repeat similar mistakes to the detriment of the lake. Everyone can see the debris in the lake from the most recent "demolition." The potential for glass falling into the lake along with more metal, wood, and other building materials seems to show lack of concern for the environment.

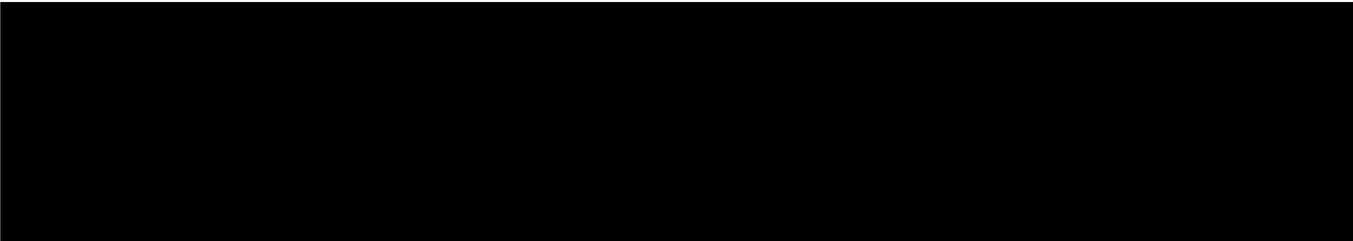
I am attaching photos of the effort we made to protect our boathouse, **including shore protection**. Peter Marks dismisses state sanctioned shore protection for unscientific reasons. It was his belief that "beach nourishment with sand and beach grasses" was the right thing to do. You can see, **we did all of that in conjunction with the shore protection, and even that didn't work**, We now have temporary concrete cubes in front of the boat house doors, which have been replaced with heavy steel doors. I am also attaching a photo of existing LEGALLY PLACED rocks to the south of our groin. Those rocks cannot be moved and may influence the architect's rendering.

I wish I had the skill set to send many more photos and videos to show how ill-conceived it would be to construct any boat house without shore protection. Most of all, I wish that we had been given at least the same amount of time to respond, as "the neighbors" who signed in support of a project which has no impact on their homes. **Had the Marks acted in a more neighborly manner, we would have been able to respond in a more succinct and time-effective way for your commission to more easily understand the many issues.**

Please also include this email and these additional photos for the public record.

Thanks again for all your time and attention. We appreciate it.

Ken and Lucy Lehman

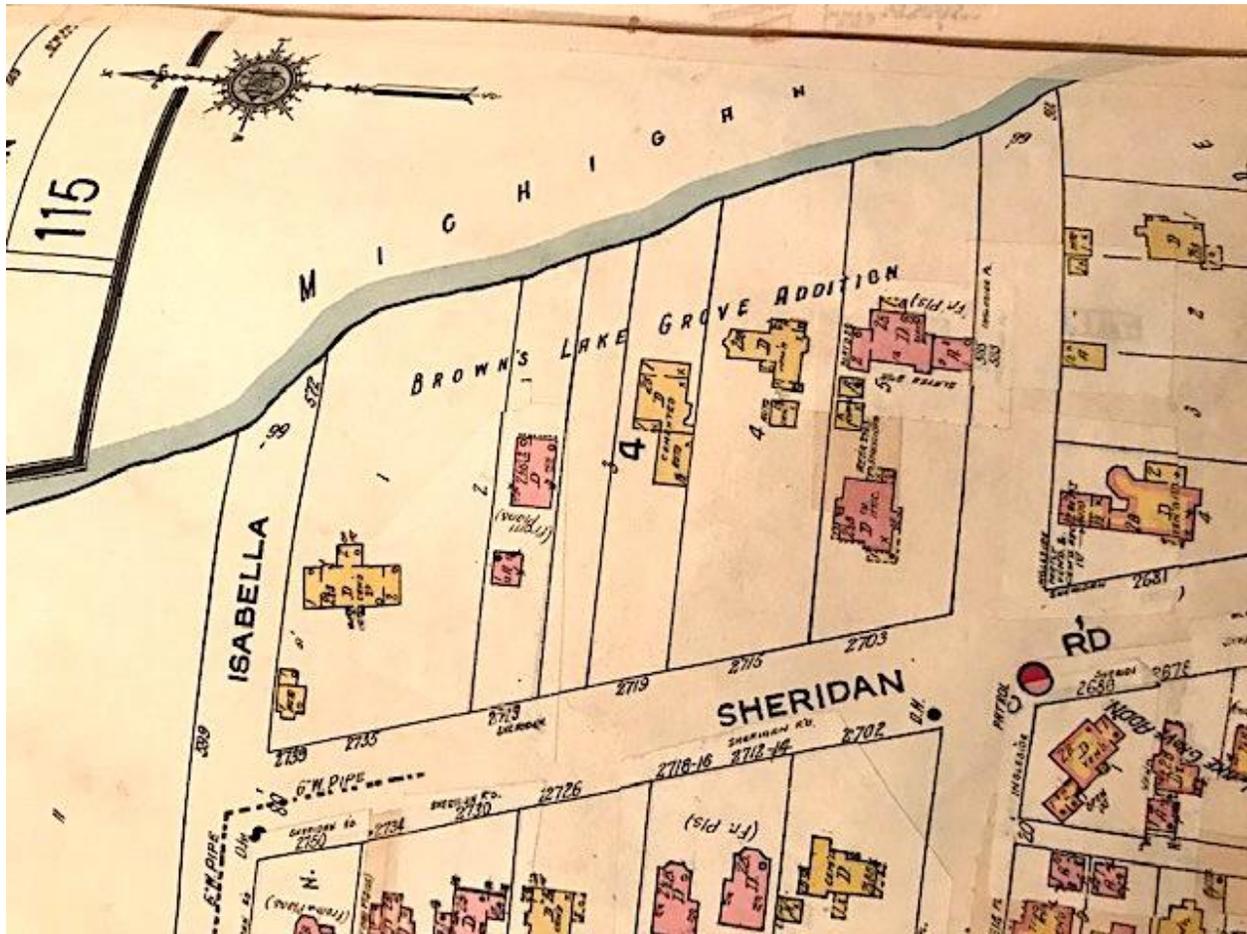


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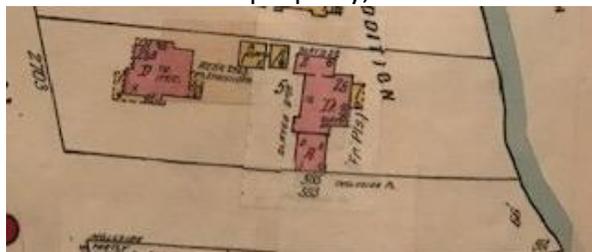
7 attachments

**To Members of the Historic Preservation Commission:** I have attempted to provide accurate and visual information regarding the historic house immediately to the south of our home, at 2715 Sheridan Road. (We are not in the historic district.) The material below was gathered from the Evanston History Center Research Room.

Historic timeline of 585 Ingleside:



The docent explained that this is mapping from the 1920's. If there had been any significant boat house on the property, it would have shown up on this illustration.



1925, there was an application to wreck the existing frame house, which was 583 Ingleside. The permit was granted.

Evanston, Ill., 10/19/25 1925

Permit No. 14478

Building Commissioner:

The undersigned applies for a permit for the construction wreck of a 2 story, basement and attic Frame Residence to be located on Lot \_\_\_\_\_ Block \_\_\_\_\_ Sub \_\_\_\_\_

Width, or Front	<u>40</u>	Water closets		M. Brick
Length, or depth	<u>50</u>	Sinks		Cu. yd. Concrete
Elevation or Height	<u>30</u>	Urinals		Sq. yd. Plaster
Water Deposit		Bath Tubs		Cu. yd. Stone
Total Cost of Building		Laundry Tubs		
		Heated by		
		Lighted by		

Water Meter . . . Size . . . . . Location . . . . .

Owner Joseph A. Bowman Phone \_\_\_\_\_

Address 583 Ingleside Pl.

Architect \_\_\_\_\_ Phone \_\_\_\_\_

Mason \_\_\_\_\_ Phone \_\_\_\_\_

Carpenter Geo. Cooby Phone \_\_\_\_\_

Address 2117 Wabrow Av.

Electrician \_\_\_\_\_ Phone \_\_\_\_\_

Plumber \_\_\_\_\_ Phone \_\_\_\_\_

Sewer Builder \_\_\_\_\_ Phone \_\_\_\_\_

Signed by George Cooby

Address \_\_\_\_\_

Application No. 14616 Address 583 Ingleside Pl.

1926 There is a building permit issued for what became 585 Ingleside

Evanston, Ill., 1/3/26 1926

Building Permit No. 14478

### APPLICATION FOR BUILDING PERMIT

To the Commissioner of Buildings:

The undersigned herewith applies for a permit to build a 2 story Brick + Stone Family Residence and hereby agrees upon issuance of said permit to conform to and comply with the conditions of the state and the ordinances of the City of Evanston, so far as they may apply to any work set forth in this application.

Same to be located and built in strict accordance with accompanying description, plans and specifications, which are hereby submitted for your approval.

#### DESCRIPTION

Block	<u>Blt</u>	Lot	<u>6 or lot 5</u>	Address	<u>Lake Shore Ave</u>
On _____ Street, between _____ Street, and _____ Street, Avenue _____ Avenue.					
Materials and Cost	Dimensions	Furnishings	No.	Service	
No. Cu. yds. Stone	<u>65</u>	Width of Front	<u>40</u>	Water Closets	Heated by
No. Thousands of Brick	<u>225</u>	Length or Depth	<u>43</u>	Sinks	Lighted by
No. Cu. yds. Concrete	<u>100</u>	Elevation or Height	<u>35</u>	Bath Tubs	Ventilated by
No. Sq. yds. Plastering	<u>1000</u>	Rooms		Laundry Tubs	
Total Cost of Building	<u>50000</u>	Fire Escapes		Urinals	

Owner John G. Gonyea Mason \_\_\_\_\_ Sewer Builder \_\_\_\_\_

Plumber John Gonyea Carpenter \_\_\_\_\_ Electrician \_\_\_\_\_

Heating and Ventilation \_\_\_\_\_

Architect W. J. Halsett Signed by John Gonyea Builder \_\_\_\_\_

Address 1463 Maple Ave.

1927 Additional application for building permit for 585 Ingleside (duplication of above request?)

Building Permit No. 5972

### APPLICATION FOR BUILDING PERMIT.

TO THE COMMISSIONER OF PUBLIC WORKS

The undersigned hereby certifies that a permit is built a *Class 1st* house, *James South 3rd* will hereby request such extension of work permit to continue to work during with the construction of the same with the permission of the City of Evanston, in that it may be used to use said lot back in this application.

Plans to be located and built in strict accordance with accompanying description, plans and specifications, which are hereby submitted for your approval.

#### DESCRIPTION

*585 Ingleside*

On <i>Ingleside</i>	220' between <i>St. Louis</i>	110' wide <i>St. Louis</i>	220' wide <i>St. Louis</i>
On <i>St. Louis</i>	110' between <i>St. Louis</i>	110' wide <i>St. Louis</i>	220' wide <i>St. Louis</i>
On <i>St. Louis</i>	110' between <i>St. Louis</i>	110' wide <i>St. Louis</i>	220' wide <i>St. Louis</i>
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On <i>St. Louis</i>	110' between <i>St. Louis</i>	110' wide <i>St. Louis</i>	220' wide <i>St. Louis</i>
On <i>St. Louis</i>	110' between <i>St. Louis</i>	110' wide <i>St. Louis</i>	220' wide <i>St. Louis</i>

*T. W. ...*

*C. W. ...*

1929: House as originally built

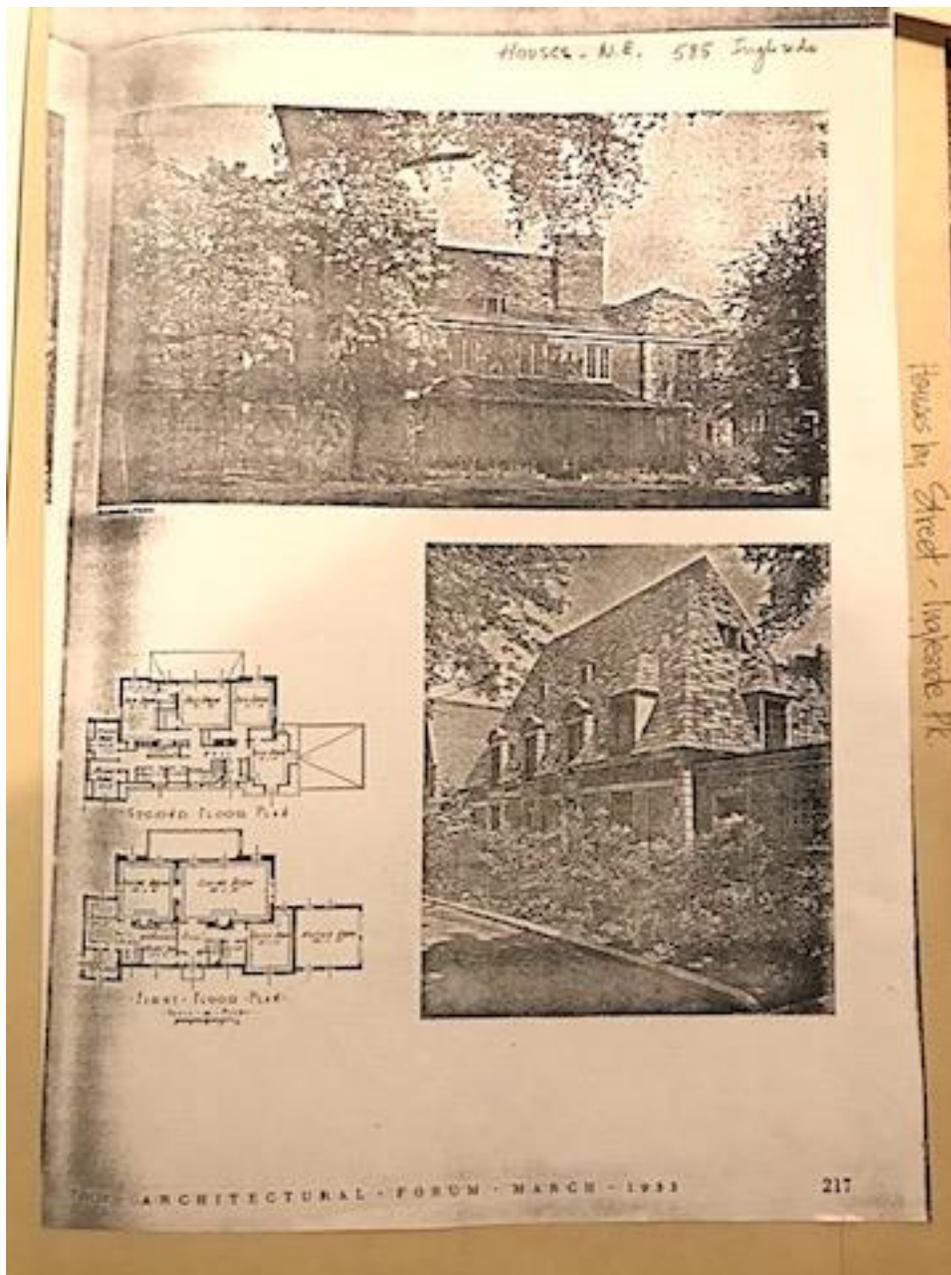


Additional information regarding Evanston beach front and lake fluctuations:  
1915-1931, the beaches were considerably wider with bluffs, as illustrated by the photos:



1933 Description of 585 Ingleside from the Architectural Forum, March 1933  
(no mention of boat house, bath house, etc.)





1970 Kenneth Lotsoff had purchased the home, and applied for a remodeling permit





I contacted Mrs. Benton yesterday by email. She informed me that the boat house (and I assumed related structures) "got blown out to sea and we never replaced it." (I have her email confirmation.)



of additional interest: *On July 1, 1917, a municipal bathing beach at Lincoln Street was opened. The beach was complete with "spacious bathhouses with good provisions for the comfort of the bathers."* They are no longer there either.

**1972 Building permit to enclose porch**



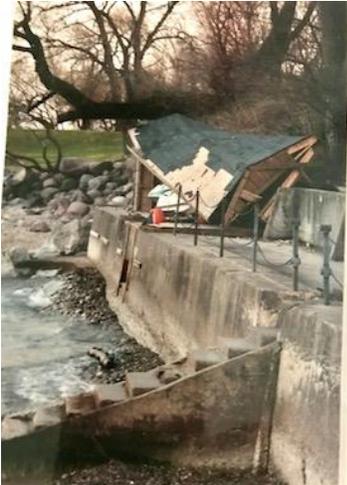
**1977** Lehman’s purchase 2715 Sheridan Road, which is directly north of 585 Ingleside. We maintained a very cordial relationship with the Benton’s (over their architecturally significant stucco wall) We did extensive research into renovating the existing house, and concluded it was impossible at any reasonable costs, given the condition of it. Not being in the Historic District, we reluctantly tore it down, but maintained the existing boat house, which was built in 1926.

When we purchased our house, there was NOTHING built on the concrete sea wall and deck which is referred to in the real estate listing. There was never a boat house either, as confirmed above by Mrs. Benton.

When Peter and Dorothy Marks purchased the property, they immediately put up two wooden sheds, one on the south end of the concrete deck, and the other on the lot line on the

northeast corner of their property, which is in fact a utility easement. I do not know if there were permits issued for those constructions. We saw that building being built, as well as seeing the other storage shed put on the lot line.

Around 1998, the first “boat house” – actually a storage for jet skis and other paraphernalia was demolished by storms:



Sometime later, we also saw a second “wood framed structure” built to replace the first one. The second one was demolished by storms in January of 2020.



We received a PUBLIC NOTICE indicating that one of the two new constructions they are proposing is a replacement is a “single story masonry boat house in the same footprint as an original wood framed structure previously demolished.” THERE WAS NEVER AN ORIGINAL IN THAT LOCATION, only what they constructed after the purchase of 585 Ingleside. Please see aerial photo from 1988, which does not show any existing structure on the south end of the concrete deck.



**2002** Marks applying to Historic Preservation Commission claiming “hardship” because their property had been subdivided into three parcels. This was an untrue claim, which can be verified by the records of the Evanston History Center: Below is are my husband’s letters which we presented at the time of the decision to both the preservation commission and the Zoning Board. In particular, please note Page 2 of the letter to the Zoning board -- which I annotated two days ago.

There are very few Evanston residents who are lucky enough to live on Evanston's lakefront. We who do are indescribably privileged, and as such, we have a responsibility to respect our neighbors, the citizens of our city who utilize the lakefront recreationally, and the lakefront itself.

I am Ken Lehman, and I live directly north of the Marks, at 2715 Sheridan Road, and first heard of the Marks' intentions to do major construction at their home when we received an official mailed notice from the city last Friday. The Marks have made no attempt to inform us directly of their intentions, and have not shown us their plans. I reviewed them yesterday morning at the zoning department in this building. While this is disappointing, it is not surprising. We do not consider each other good neighbors.

I knew the Marks had a different concept of appropriate behavior on the lakefront when Mr. Marks brought a garbage pail of old golf balls, a driving range mat, and began hitting golf balls into the lake, which subsequently washed up on all the neighboring beaches. We considered this behavior disrespectful to the lakefront, and subsequently learned it was illegal. The Marks fleet of jet skis intrudes on neighborhood lakefront tranquility.

There is a photograph in the Marks file, which shows the current eastern façade of their home, and a small section of the southern façade of our home. I believe this photo refutes the contention in the Marks zoning variance petition that "the proposed variation will not have adverse affects on the adjoining properties or their use, enjoyment or property value." They claim "the proposed additions will not reduce the light and open space of adjacent neighbors."

Imagine the current sun porch shown in the photo as a two story space. It is currently one story. Imagine this two story space extending another almost twenty feet to the east. Our southern views of the lake will be completely blocked. The Marks application makes repeated reference to natural light, views, and open space, and how their proposed additions will enhance these qualities in their home. Their scheme will diminish those very same features in our home.

For many years, the Meyer family lived west of 525 Ingleside and south of us. When the house was sold, the lot was subdivided, and two large new homes were constructed. Five trees were cut down, and subsequently, we lost a sixth tree on our property because of root damage. If the Marks project is completed as proposed, any sense of openness on our entire south property line will be eliminated. We will effectively be walled in to the south.

The Marks home is large. It has three above ground floors and a basement. Its proposed further expansion is overkill. It will create a size and scale that is inappropriate and unnecessary. I urge the commissioners to vote "no" on the historic preservation question, and to advise the zoning board to do the same.

Thank you very much for the opportunity to address the Zoning Commission.

I am Ken Lehman and I live directly north of the Marks at 2715 Sheridan Road. I am speaking on behalf of Marjorie and Charles Benton, as well as my wife and myself. The Bentons live directly south of the project under review, and were unable to be here. I first heard of the Marks' intention to do major construction when we received an official notice from the City of Evanston on Friday, September 13. The petitioners for zoning variance made no attempt to inform us directly of their intentions and did not share with us their construction plans and schematics. While the Marks' failure to communicate is tactically revealing, it is not neighborly. Nor is it the Evanston way. Imagine our surprise and confusion when we learned that the minutes of the Appearance Review Committee reveal that "committee member Alterson asked if the neighbors had been informed of the project. The owner stated that owners are in favor of the project."

I utilized the religious holiday on Monday, September 16 to go to the Zoning Department in this building to review the blueprints and obtain copies of the appropriate applications. The first Preservation Commission hearing on this project took place the following evening.

I am not an expert on zoning matters. I have never attended a Zoning Board hearing previously. Nonetheless, my reading of the Marks' application for zoning variance requires them to demonstrate that the requested variations "will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties." As well, the petitioners must demonstrate hardship or practical difficulty.

I would like to spend a few moments addressing each of these two issues. Let me begin by addressing the issue of hardship. In the Project Description section of the application, the petitioners state "The orientation of the property at 585 Ingleside Place is the largest hardship facing the project. The property was once conjoined with the adjacent properties to the west up to Sheridan Road." It is reiterated in Section D that "The property was once part of a larger lot that continued up to Sheridan Road and out to Lake Michigan." In Section E6, the

application again states "The hardship was created by the division of the original lot that continued from Sheridan Road to Lake Michigan into three smaller lots."

The application is misleading with reference to hardship. Last Friday afternoon, I visited the Evanston Historical Society. What I found out was very interesting. I learned that the construction of 585 Ingleside was completed in 1929. A permit to wreck a previous frame structure was granted on October 19, 1925, and a construction permit was granted on January 13, 1926. I further learned that the former home at 2703 Sheridan Road was constructed at the turn of the century. Prior to tear-down, the home at 2703 Sheridan Road was located directly to the west of the Marks' property, and to the south and west of our property. 2703 Sheridan Road was originally constructed more than a quarter of a century prior to the original construction of 585 Ingleside. In short, the current structure at 585 Ingleside was envisioned and carried out on the identical lot on which it currently sits. The integral original lot referenced in the subject application, if it ever existed, was clearly divided into two parcels well before the current structure 585 Ingleside was ever conceived. Ultimately, two parcels became three in 1996, when Cyrus Homes bought 2703 Sheridan Road and further subdivided the property before constructing two new dwellings.

The other issue the petitioners must prove is that the requested variation will not have substantial adverse impact on adjoining properties. The Marks's and their architect allege that this is the case. We disagree. Their application states that "The proposed additions will not reduce the light and open space of adjacent neighbors." Again, we disagree.

*(The <sup>new project</sup> feel like a repeat contention, which again is NOT TRUE!)*  
The petitioners completed their Zoning Variance Application, and expressed their opinions regarding adjacent properties, without ever having visited the adjacent property most affected by what they propose to carry out. Is it not their obligation to make an attempt to validate their opinions through on-site checking before they go on record with the Zoning Department of the city?



2703 Sheridan Road, built at the "turn of the century" PRIOR to 585 Ingleside



Mr. Bereyl, the Marks' architect, visited our home for the first time on Friday afternoon, September 20. He also visited the Bentons, the neighbors most affected to the immediate south. This visit resulted from the first Preservation Commission hearing where dismay was expressed by its Chair that no communication with adjacent neighbors on either side had taken place previously. Mr. Bereyl took pictures, and I gave him a survey of our property. We discussed erecting poles and ropes to outline the mass and scale of the proposed new structure. I offered to pay a portion of the cost to do so. We agreed to meet again the following Friday, September 27. One day before the second agreed-to meeting, Mr. Bereyl called to cancel the meeting and indicated that he would send new materials the following day that would be self-explanatory. I asked if the materials would propose any design changes or modifications. His answer was no. I asked if Mr. Bereyl was planning to erect the poles and ropes we had discussed, and again the answer was no, because extra costs were adding up for the owners. I was prepared to help defray a portion of those costs, which he knew, and I can't help believing that the extra costs that would have resulted would be nothing more than a tiny fraction of the total cost of what has been proposed. The effort, had it been made, would have been extremely revealing regarding impact on adjoining properties. I ask you to require that this exercise be carried out before final rulings are made, and if possible, that Zoning Board members view on site the potential impact.

Mr. Bereyl told me that he was hopeful that the new exhibits he would be forwarding would put our minds at rest regarding our own loss of views and natural light – those very qualities that concern the Marks so greatly and which are expressed repeatedly in their variance application.

Our minds were not put to rest. Our privacy will be violated. Our home will be completely walled in along its southern property line. This was begun when Cyrus Homes constructed two large houses on the southwest side of our property, and will be completed to the southeast by the Marks project. This combination of buildings may very well have a negative economic impact on the value of our property. If we had been approached during the concept stage of

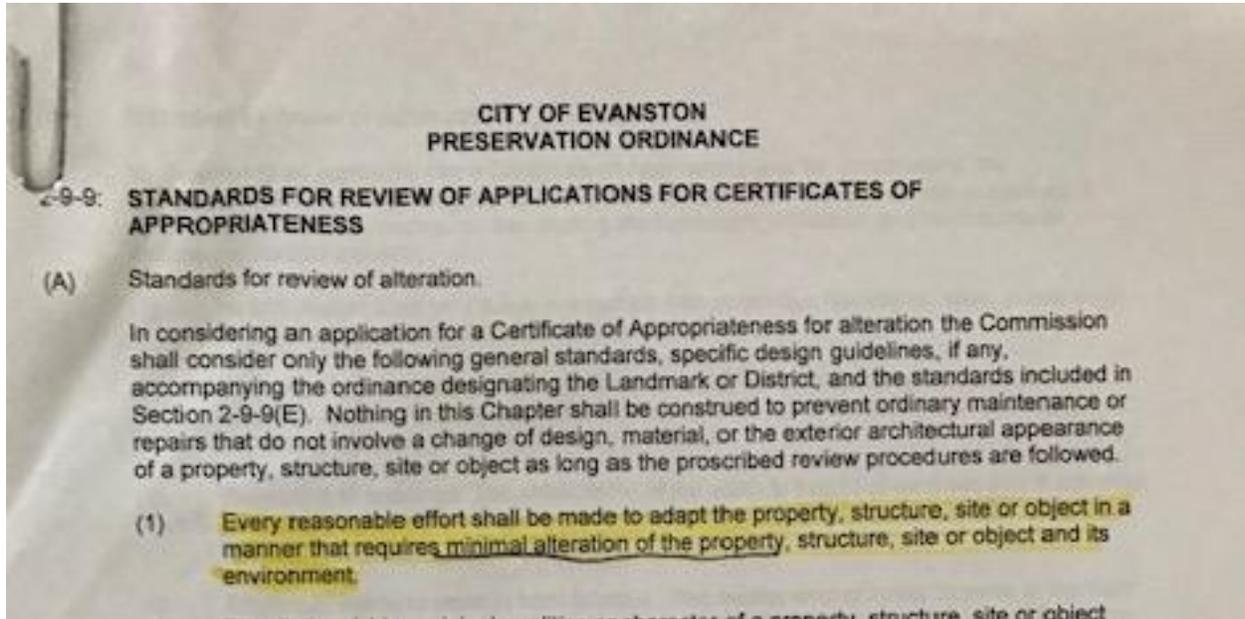
this project, perhaps some mutually acceptable middle ground might have been achieved. This is the approach that we took when we began our planning for our new home 25 years ago.

I urge the Zoning Board to turn down this application for variation. The size and scale of what's been proposed is, in our view, excessive. The process that's being followed makes us feel as if we're being "Enron-ed."

I fully understand that my remarks come from the perspective of a neighbor who feels his interests will be damaged. For this reason, the Lehmans and the Bentons have engaged Ed Noonan, prominent Evanston architect and the designer of the renovations project of the structure in which we are currently meeting, to assist us. His professional perspective will add balance to mine, and will provide a counterpoint to the information that has been submitted.

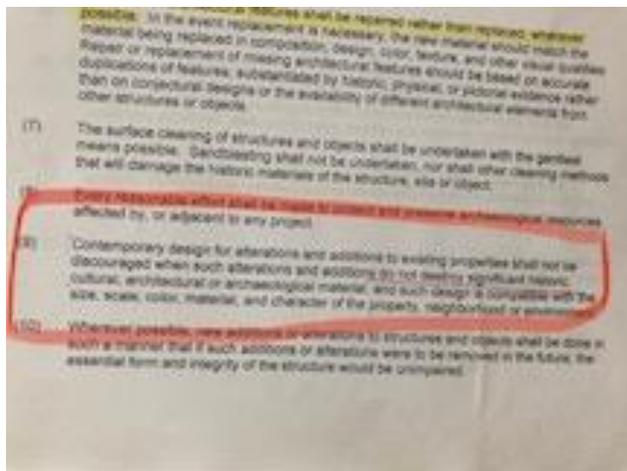
Thank you for allowing me the opportunity to speak. Again, I urge you to reject this application.

I am taking the time to write this “history” because as you make decisions about the Marks’ legal ability to construct both a masonry building in a location that in fact is NOT in any “original” footprint, or add an accessory building, we question how this actually fits into the guidelines outlined in preservation ordinances:



**Does the Preservation Commission actually care about the “minimal alteration of the property, structure, SITE or object and it’s environment”? Does the Commission care when incorrect information is presented as “fact?” (or as “hardship?” as was claimed in 2002?)**

There is no existing evidence of the proposed one-story structure’s existence prior to the Marks’ building the sheds. Based on the real estate listing, as shown on a previous page, in fact a boat house did exist at one time, but not in the location the Marks’ are claiming.



Aside from speaking directly to the “appropriateness” of the proposed two-story accessory building, the conditions of the site on which the construction would occur need to be addressed. It is well-known that building next to the lake presents challenges that also must be recognized. While these issues are not in the purview of the Preservation Commission, we feel you must be made aware of the ever-changing situation.

After the January 2020 storm, the publication **Evanston Now** said this: *City officials told aldermen Monday that repairing damage to Evanston’s lakefront from storms and high water levels may cost millions of dollars, although some funding to cover part of the expense may be available from federal grants.*

<https://evanstonroundtable.com/newsletter-archive/evanston-history-center-takes-a-look-at-evanstons-lakefront-through-the-years/> An excerpt of this article:

Evanston’s lakefront, which has long faced problems with erosion, is a site that proves to be constantly shifting, both literally and physically.

The proposed accessory structure needs to be considered for both appropriateness and preservation of our property. I will be furnishing some comments from both our architect and marine engineers speaking to the possibility of destabilizing our existing pool, boat house and deck. The Zoning Administrator is buying into an untruth, and should not permit construction of a “replacement original” because there never was one.

from **ZONING:**

The required side-yard here is 5'. The northern structure, which is new, appears to be between 10 and 15' from the east lot line and current lake levels. The proposed southern accessory structure is located near the lot line and lake level, but is permitted to be replaced in its legally non-conforming location since it was destroyed by means outside the control of the owner per code section 6-6-5-4. This was subject to a determination by the Zoning Administrator, who determined the structure could be replaced in its legally non-conforming location.

**ADDITIONAL CAUSE FOR CONCERN:**

1. The proposed structure is roughly 5' at its closest point from your property line and the setback increases slightly as you move to the east due to the angle of the proposed structure.
2. The proposed structure is modest in size. Roughly 18' long and 10' wide
3. Although two-stories, the structure takes advantage of the grade change in this location, and projects roughly 15' from established grade (the rear-yard). The second story of the structure has a dramatic roof pitch which mimics that of the rear of their home, and the sides of the second story are glass with high transparency on three sides, and brick on the side facing your property. It appears it would be partially screened by an existing row of arborvitae and two large trees at the southeast corner of your property or northeast of theirs.
4. Proposed materiality is brick, stone quoins, glass, and slate and copper roof

SINCE WE ARE UNABLE TO ACCESS THE ARCHITECTURAL PRINTS UNTIL this afternoon, our comments are based on known facts and assumptions.

In fact, if the new accessory building in between 10-15' from the "east lot line" (lake levels fluctuate) that places the structure within close enough proximity to our pool, etc., it could cause major shifting and possible collapse. We find it ironic that Peter Marks' fought our State of Illinois sanctioned shore protection breakwater to protect our existing boat house for more than 15 years (proposing other alternatives like dumping sand "replenishment" ( all of which we have documented) and now he wants to build another boat house that sounds like a "wet boat house" which would need shore protection of some sort to preserve it. (He has already had two wooden sheds destroyed by wave action. It seems nonsensical.)

Jon Shabica of the Marine Engineering firm, Shabica & Associates, would not recommend building a structure that close to an existing sea wall without addressing potential damage to both the Marks' shoreline and the neighbors.

Given that the Marks want some way to access the lake for water activities (see two attachments), perhaps they would consider building only one boat house on the south side of their property. In that location, there is no risk of destabilizing any existing structures. Since the City of Evanston owns the parcel at the end of Ingleside, construction at that south location would have no impact on our property, the environment, and would produce the "minimal alteration of the property." In additional, with the permission of the City of Evanston, they could more easily access the building site.

**2003** Shows 2<sup>nd</sup> wood-framed structure















