LAND USE COMMISSION

Wednesday, January 25, 2023 | 7:00 P.M.
James C. Lytle City Council Chambers, Second Floor
Lorraine H. Morton Civic Center, 2100 Ridge Avenue

AGENDA

Those wishing to make public comments at the Land Use Commission meeting may submit written comments in advance or sign up to provide public comment in-person during the meeting by calling/texting 847-448-4311 or completing the Land Use Commission meeting online comment form available by clicking here, or visiting the Land Use Commission webpage, https://www.cityofevanston.org/government/boards-commissions-and-committees/land-use-commission, clicking on How You Can Participate, then clicking on Public Comment Form. Community members may watch the Land Use Commission meeting online at www.cityofevanston.org/channel16 or on Cable Channel 16.

I. CALL TO ORDER/DECLARATION OF A QUORUM

II. APPROVAL OF MEETING MINUTES: January 11, 2023

III. NEW BUSINESS

A. Public Hearing: Major Variation | 2311 Prospect Avenue | 22ZMJV-0098
David S. Howes and Ruth B. Rosenthal, property owners, request a Major Variation from Section 6-8-2-8(A)(3) of the Evanston Zoning Code to allow an interior side yard of 2 feet 9 inches where an interior side yard of 5 feet is required along the north interior side lot line to allow for an addition to an existing single-family home located on property commonly known as 2311 Prospect Avenue, Evanston, in the R1 Single-Family Residential District. The Land Use Commission is the determining body for this case in accordance with Section 6-3-8-10 of the Evanston Zoning Code and Ordinance 92-O-21. PIN: 10-11-308-009-0000.

B. Public Hearing: Special Use & Major Variations | 2201 Oakton Street | 22ZMJV-0087
Daniel Grove, PLA, AICP, of Kimley Horn and applicant on behalf of the property owner, The Home Depot, requests a Special Use Permit to allow for outdoor storage and open sales on the property located at 2201 Oakton Street in the I1 Industrial/Office District and the oRD Redevelopment Overlay District. The applicant also requests two Major

Order & Agenda Items are subject to change. Information about the Land Use Commission is available at: https://www.cityofevanston.org/government/boards-commissions-and-committees/land-use-commission. Questions can be directed to Meagan Jones, Neighborhood and Land Use Planner, at mmjones@cityofevanston.org or 847-448-4311.The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact 847-448-4311 or 847-866-5095 (TYY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made.

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las quines no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).

Variations from the Evanston Zoning Code to allow for the proposed outdoor storage to be located in the front yard where outdoor storage is prohibited [Section 6-14-1-8(A)] and to not screen the proposed outdoor storage where screening on all sides by an eight-foot-tall solid fence is required [Section 6-14-1-8(B)]. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21. PIN: 10-24-310-049-0000.

IV. COMMUNICATION

V. PUBLIC COMMENT

VI. ADJOURNMENT

The Evanston Land Use Commission will hold a regularly scheduled meeting **on Wednesday, February 8, 2023, at 7:00 pm,** in the James C. Lytle Council Chambers in the Lorraine H. Morton Civic Center.

Order & Agenda Items are subject to change. Information about the Land Use Commission is available at: https://www.cityofevanston.org/government/land-use-commission. Questions can be directed to Meagan Jones, Neighborhood and Land Use Planner at mmjones@cityofevanston.org or 847-448-4311.The City of Evanston is committed to making all public meetings accessible to persons with disabilities. Any citizen needing mobility or communications access assistance should contact 847-448-4311 or 847-866-5095 (TYY) at least 48 hours in advance of the scheduled meeting so that accommodations can be made.

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MEETING MINUTES

LAND USE COMMISSION

Wednesday, January 11, 2023
7:00 PM
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, James C. Lytle City Council Chambers

Members Present: Myrna Arevalo, George Halik, Jeanne Lindwall, Kristine Westerberg, and Matt Rodgers

Members Absent: Brian Johnson, John Hewko, Kiril Mirintchev, and Max Puchtel

Staff Present: Neighborhood and Land Use Planner, Meagan Jones, Assistant City Attorney, Alex Ruggie, Planning Manager Liz Williams, Zoning Administrator Melissa Klotz, Michael Griffith, Planner, and Sarah Flax, Interim Director of Community Development

Presiding Member: Matt Rodgers

Call to Order

Chair Rodgers opened the meeting at 7:02pm. A roll call was then done and a quorum was determined to be present.

Commissioner Halik made a motion to move Agenda Items III, Election of Officers and IV, Approval of 2023 Meeting Schedule to after New Business and before Communications. Seconded by Commissioner Lindwall. A voice vote was taken, and the motion passed, 5-0.

Approval of November 30, 2022 Meeting Minutes

Commissioner Westerberg made a motion to approve the Land Use Commission meeting minutes from November 30, 2022, with the following amendments:

1. Page 8, third full paragraph, replace “increased” with “ceased”; and
2. Page 2, paragraph starting with Sue Loellbach, Connections Manager of Advocacy, should add that it was discussed that the Good Neighbor Agreement is not going to be done until after the permit was granted.

Seconded by Commissioner Lindwall. A voice vote was taken, and the motion passed, 5-0.

New Business

A. Public Hearing: Special Use Permit | 1555 Oak Avenue | 22ZMJV-0085

Cameel Halim, property owner, requests a Special Use Permit for an Apartment Hotel at 1555 Oak Avenue, commonly known as the Museum Residences on Oak

or the King Home, in the R6 General Residential District (Section 6-8-8-3). The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Section 6-3-5-8 and Ordinance 92-O-21.

Alan M. Didesch, General Counsel to BCH 1555 LLC, introduced William Ng of William NG Architects and presented an overview of the proposed Apartment Hotel and his interpretation of how it complies with City Standards for Approval.

Commissioner Questions

Commissioner Halik asked staff if there was a maximum number of transient units since there is a minimum of twenty-five percent. Ms. Klotz responded that the Zoning Code definition does not include a maximum. Commissioner Westerberg asked whether it would be a Hotel or an Apartment Hotel if there were 100% transient guests. Ms. Klotz noted that it could be either. Discussion ensued regarding the zoning ordinance definition and the primary use of the property.

Commissioner Lindwall asked how the accessory property facilities (restaurant, barbershop, massage spa, etc.) would be used and who was going to operate them. Mr. Didesch responded that BCH 1555 LLC would hire for the positions and the implementation phasing has not yet been determined.

Commissioner Westerberg asked whether they could use permeable pavers for the parking lot. Mr. Didesch responded that BCH 1555 LLC may consider it.

Chair Rodgers called for public comment. There was none.

The record was then closed.

Deliberations

Commissioner Lindwall remarked that transient hotel guests could provide additional city revenue that a permanent apartment building would not.

Commissioner Halik said that he thinks the proposal meets the Zoning Code definition. Commissioner Westerberg noted that it may enhance and differentiate the Apartment Hotel Zoning Code definition by adding a maximum number of transient guests. Chair Rodgers stated that he also thinks it is a good project, but the Zoning Code definitions should be improved.

The Chair reviewed the nine Standards for Special Use (Section 6-3-5-10).

1. Is one of the listed special uses for the zoning district in which the property lies: The Apartment Hotel definition is listed as an eligible special use in the R6

General Residential District and this project could also be interpreted as a Hotel implying that the Zoning Code Apartment Hotel definition should be clarified.

2. Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning Ordinance: The property has been vacant for a period and the adaptive reuse preserves the building meeting the standard.
3. Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use: The proposed building reuse will bring downtown activity and so the standard is met.
4. Does not interfere with or diminish the value of property in the neighborhood: The property is now vacant property so the reuse will increase value and therefore, the standard is met.
5. Is adequately served by public facilities and services: The building is near public transportation and is already served by public facilities, so the standard is met.
6. Does not cause undue traffic congestion: With parking provided, the incremental traffic would not have a negative effect downtown and so the standard is met.
7. Preserves significant historical and architectural resources: The property preserves a mid-century non-historic building, and thus the standard is met.
8. Preserves significant natural and environmental resources: The lot has open space which is being preserved and so the standard is met.
9. Complies with all other applicable regulations: The applicant had proved to be familiar with Evanston regulations and so the standard is met.

Chair Rodgers asked for Commissioner comments on the standards. Commissioner Westerberg recommended adding a permeable paver condition. It was also clarified that there would be no percentage applied to the number of transient guests.

Commissioner Lindwall made a motion to recommend approval to the City Council to approve the Special Use Permit on the property located at 1555 Oak Avenue, 22ZMJV-0085, with the following conditions:

1. **The applicant paves the unimproved parking lot with permeable pavers within one year of approval of the Special Use Permit.**
2. **The Special Use Permit is in general compliance with the application and testimony provided.**

Second by Commissioner Halik. A voice vote was taken, and the motion carried, 3-2.

B. Public Hearing: Appeal | 1733 Oakton Street | 22ZMJV-0088

Cheryl & Robert Muno, property owners of 1729 Oakton Street, appeal the Zoning Administrator's decision to grant minor zoning relief (case number 22ZMNV-0074) to construct a second story addition with a proposed east interior side yard setback of 3.9' and an existing first story of 3.9' (Section 6-8-3-7) in the R2 Single Family Residential District. The appellant appeals the approval of the 3.9' east interior side yard setback variation, and also appeals the overhang amount (eave; yard obstruction) approved without variation. The Land Use Commission is the determining body for this case in accordance with Section 6-3-8-8 of the Evanston Zoning Code and Ordinance 92-O-21.

Robert Muno, 1729 Oakton Street, presented his opposition to the variances being requested at 1733 Oakton Street. The primary reasons for opposition include loss of light, increased noise, and the potential for stormwater runoff to negatively impact his property at 1729 Oakton Street.

Commissioner Questions

Commissioner Lindwall asked if the distance from the west side of the property to the house was about five feet. Mr. Muno stated that he did not know the exact distance.

Ms. Klotz summarized that the variance was granted due to finding that it met the standards for a minor variation. Relocating the addition created construction issues and potential triggers for additional variance requests. The permitted bulk in the zoning district was not maximized and other houses on the block were at a similar height to the proposed addition. Commissioner Westerberg asked staff if an offset of the second story was considered, and Ms. Klotz replied that it was not. Ms. Klotz noted that a stormwater drainage plan will have to be approved prior to issuing the building permit.

The record was then closed.

Deliberations

Commissioner Halik noted residents cannot own light or noise and the setback was not an issue created by the homeowner. He also stated that the property owner has the right to build, and they were not proposing to maximize what they could have been allowed. Commissioner Westerberg noted that stormwater is a substantive issue and should be reviewed prior to permit issuance and Chair Rodgers concurred.

The Commission then reviewed the Standards for a Minor Variation (Section 6-3-8-12-A).

1. The practical difficulty is not self-created: The legally nonconforming interior side yard setback is not self-created by the minor variation applicant and so the standard is met.
2. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining properties: The second story height is not maximized thus not creating a substantial adverse impact and so the standard is met.
3. The requested variation is in keeping with the comprehensive general plan and the zoning ordinance: Adding on to existing house stock aligns with the plan meeting the standard.
4. The requested variation is consistent with the preservation policies set forth in the comprehensive general plan: The minor variation allows a second story addition rather than an increased building footprint which would have created a larger negative effect and so the standard is met.

5. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Zoning Administrator issues his/her decision regarding said variation: Alternative locations were considered that did not take advantage of the existing structure and so the standard is met.

Commissioner Lindwall made a motion to affirm the Zoning Administrator's decision on the property located at 1733 Oakton Street, 22ZMJV-0088, with the instruction that as the project moves forward through the permitting process that staff pay particular attention to the stormwater management system. Second by Commissioner Halik. A voice vote was taken, and the motion carried, 5-0.

Commissioner Halik made a motion to accept the Zoning Administrator's interpretation on the property located at 1733 Oakton Street, 22ZMJV-0088, that the proposed 4" eave is compliant. Second by Commissioner Westerberg. A voice vote was taken, and the motion carried, 5-0.

C. Public Hearing: Special Use & Major Variation | 1801-1805 Church Street and 1708-1710 Darrow Avenue | 22ZMJV-0089

Pastor Clifford Wilson, Mt. Pisgah Ministry, Inc., applicant, submits for a Special Use for a use (religious institution) in the oWE West Evanston Overlay District exceeding 10,000 square feet but less than 40,000 square feet (Sections 6-15-15-XVII-B.4 and 6-15-15-XVII-B.6), and submits for the following Major Variations from the Evanston Zoning Code: 1) Reduce required front yard build to zone from 5'-25' to 0' at upper floors (Section 6-15-15-XVII-A.2), 2) Reduce required west interior side yard setback from 5' to 0' (Section 6-15-15-XVII-A-6), 3) Increase impervious surface coverage from 60% + 20% semi-pervious surface material to 90.3% (Sections 6-15-15-XVII-A.8 and 6-15-15-XVII-A.9), 4) Increase building height from 2 stories or 30' to 3 stories at 44.0' to parapet (Section 6-15-15-XVII-B.1), 5) Eliminate the required building stoop base type and provide a storefront base type instead (Section 6-15-15-IV, Table IV.A, and 6-15-15-V-C.4), 6) Provide occupied space behind building parapet cap type where occupied space is not permitted (Section 6-15-15-IV, Table IV.A, and 6-15-15—VI-A.3), 7) Eliminate the required one short loading berth (Section 6-16-5, Table 16-E), 8) Increase yard obstruction from 10% to 40% into corner side setback for exterior building fins and vertical trellis (Section 6-4-1-9-B.1), 9) Eliminate the required 3'-4' tall steel or PVC picket fence around the parking area (6-15-15-XVIII.B.5), in order to construct a 3-story building for a religious institution with both on-site and leased offsite parking in the B2 Business and oWE West Evanston Overlay Districts. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21.

Senior Pastor Clifford Wilson, Mt. Pisgah Ministry, Inc., 1813 Church Street, stated their goal is to build a new non-denominational religious institution with a soup kitchen to help those in need. Mr. Richard Koenig, Executive Director of Koenig Housing Opportunity

Development Corporation ("HODC"), a non-profit organization building affordable housing, provided an overview of the sites and the projects which revitalize the block with a new church, 44 new affordable residential apartments, and a retail space.

Chair Rodgers asked staff to read Item IV. D. into the record due to the interrelationship of the projects. Ms. Ruggie confirmed that both projects will move together to the City Council for approval.

Commissioner Questions

Commissioner Halik inquired what the impact would be if the HODC project was reduced from five to four stories. Mr. Koenig replied that it would not be financially feasible.

Commissioner Lindwall questioned the impact of eliminating the zero front yard setback and front loading for the buildings without a designated loading berth. Mr. Koenig responded that it would make the units smaller and challenge the number of parking spaces able to be built. Mr. Griffith added that Evanston Public Works indicated their approval of a shared on-street loading zone for the entire block. Mr. Koenig also mentioned that the church currently does not often use the loading space and does not expect a lot of HODC move-in and out traffic.

Commissioner Lindwall asked about the planter locations and Mr. Koenig responded that they extend two feet from the east wall. Commissioner Lindwall asked why there is a separate location for the garbage chute and recyclables. Mr. Koenig replied that they have found this practice to promote less mixing of trash.

Commissioner Halik said that the Special Overlay District triggers several variations and questioned staff about the future of overlay districts. Ms. Klotz answered that the Planning & Development Committee discussed the overlay district challenges due to the strict structure and age of the form-based Zoning Code with no further action.

Commissioner Westerberg inquired about the stormwater and soil remediation plans. Mr. Griffith answered that the applicant is proposing a stormwater vault to hold and slowly release the water into the alley stormwater system and that any further soil remediation would be addressed during building permit review.

Chair Rodgers called for public comment.

Carlis Sutton, 1821 Darrow Avenue, commented that the overlay district is problematic and that the proposed design is not characteristic of the neighborhood.

Tina Paden, 1122 Emerson Street, inquired about confirmation of the environmental cleanliness of the site. She asked about the value of the property that the church is being built on and future ownership of the two properties. She asked if HODC would be building the church and where was its parking. She asked what the public notice

distance was for an overlay district. She asked if there would be a priority for minority hiring and how preference to Evanston residents could be managed. She questioned whether there was a lack of public meetings and if this use was the best for public property which should serve the greater community.

Priscilla Giles, 1829 Ashland Avenue, objects to the size of the building as it relates to the neighborhood.

Nambi Chambers, 1816 Darrow Avenue, expressed concern about traffic, parking and building height. Xiomara Chambers, 1816 Darrow Avenue, also expressed concern about parking especially during street and snow cleaning. She added that there tends to be standstill traffic in front of the storefronts.

Katie Nawrocki, Crosby Theodore, LLC, 1817 Church Street, asked for a three-month continuance to discuss the documents and variations submitted by the applicant. Their concerns include stormwater, impact on a local landmark structure, the building's height and bulk, and that the least deviation standard was not provided. Erin Jackson, also 1817 Church Street, acknowledged that 1817 has stormwater issues and would like to understand how the proposed project would impact parking for her business. She also concurs with the spirit of providing affordable housing to individuals in the area.

Vanessa Johnson McCoy, 1710 Central Street, noted that affordable housing is a need that she has seen in Evanston through her real estate experience and the church provides great service to the community.

Sidney Reed, 1151 Ashland Avenue, expressed support of the affordable housing development and getting some of the property back in a taxable status.

Keith Banks, 737 Reba Place Development Corporation, Suite B, spoke in support of the affordable housing development and the height of the building.

Mr. Koenig summarized that the public meetings began in July 2019 with a community meeting regarding the site, followed by 5th Ward meetings in October. The city issued a Request for Qualifications (RFQ) in January of 2020 and in June, the Economic Development Committee met to discuss the responses and voted to recommend the Mt. Pisgah Ministry and HODC partnership ("Partnership") to the City Council in December. The City Council authorized negotiations with the Partnership in January 2021 and adopted an ordinance in February 2021 to negotiate a purchase and sale agreement with the Partnership. 5th Ward project presentations were made in August and December of 2021. Flyers were distributed to neighborhood homes and businesses in September 2022 prior to another community meeting held later that month.

Mr. Koenig confirmed that the city has property environmental clearance in the form of an Illinois Environmental Protection Agency (IEPA) No Further Remediation Required (NFR) Letter that was communicated by issuing it with the 2020 RFQ and including it with these public hearing packets. Pastor Wilson has testified regarding personally

observing removal of the tanks. Any further clean-up objectives are local, based on land use and handled through the permitting process.

Mr. Koenig responded that the donated portion of the property is appraised at approximately $1M and eligible for a state donation tax credit. The church will only own the east section of the property and HODC will own the west and pay property taxes. He further clarified that the five parcels will be combined and subdivided into two with two different parcel identification numbers (PINs). The two projects will be built independently.

Pastor Wilson stated that they currently have 7 church parking spaces. Evanston Township High School has granted permission to let the church park on Sunday in the southeast parking lot if necessary (typically for weddings and funerals). He has reached out to adjacent churches for Saturdays or other days when they are not using spaces for additional parking if necessary.

Mr. Koenig restated that Federal Fair Housing law does not allow a local waitlist. HODC has requested consideration to allow it but if it is not approved, they will comply with the law. He confirmed that they will comply with Evanston's minority hiring program.

Mr. Koenig summarized that there are 13 1-bedrooms, 20 2-bedrooms, and 11 3-bedrooms. The 1-bedrooms range from 640 to 670 square feet; the 2-bedrooms are 782 to 908 square feet, and the 3-bedrooms are 1,053 to 1,150 square feet.

Mr. Griffith noted that public mail notice was sent within a radius of 500 feet, the requirement for variations.

Commissioner Westerberg asked staff when plans were posted, and Mr. Griffith noted that the packet was posted the Friday prior to the Land Use Committee meeting and public mail notices were sent in mid-December. Mr. Koenig added that plans, elevations, and story boards have been part of earlier presentations over the last 18 months for both projects.

Chair Rodgers asked for commissioners' input on continuing the hearings and staff input on the Land Use Commission case schedule. Chair Rodgers set the expectation that the developer and church hold an additional community meeting to review the plans. He also noted that continuing to February 8, 2023, will not include another mailed public notice. Commissioner Lindwall suggested that stormwater drainage, lot coverage and alley function be discussed with the neighbors.

Commissioner Lindwall made a motion to continue the hearing to the February 8, 2023 meeting on the property located at 1801-1805 Church Street and 1708-1710 Darrow Avenue, 22ZMJV-0089. Second by Commissioner Westerberg. A voice vote was taken, and the motion carried, 5-0.

D. Public Hearing: Major Variation | 1811-1815 Church Street and 1708-1710

Darrow Avenue | 22ZMJV-0092

Richard Koening, Housing Opportunity Development Corporation, applicant, submits for the following Major Variations from the Evanston Zoning Code: 1) Reduce the required front yard build to zone from 5'-10' to 0' (Section 6-15-15-IX-A.3), 2) Reduce the required west and east interior side yard setbacks from 5' to 0' (Section 6-15-15-IX-A.5), 3) Reduce the required rear yard setback from 5' to 0' (Section 6-15-15-IX-A.6), 4) Increase the maximum permitted impervious surface coverage from 90% + 5% semi-pervious surface area to 99.7% of lot area (Sections 6-15-15-IX-A.7 and 6-15-15-IX-A.8), 5) Increase the maximum permitted building height from 3 stories and 47' to 5 stories and 57.7' (Section 6-15-15-IX-B.1), 6) Eliminate the required 8' ziggurat setback at the 3rd story (Section 6-15-15-IX-B.1), 7) Eliminate the required one short loading berth (Section 6-16-5, Table 16-E), in order to construct a 5-story mixed-use building with ground floor retail, 44 dwellings, and on-site parking in the B2 Business and oWE West Evanston Overlay Districts. The Land Use Commission is the determining body for this case in accordance with Zoning Code Section 6-3-8-2, and Ordinance 92-O-21.

Commissioner Lindwall made a motion to continue the hearing to the February 8, 2023 meeting on the property located at 1801-1805 Church Street and 1708-1710 Darrow Avenue, 22ZMJV-0089. Second by Commissioner Westerberg. A voice vote was taken, and the motion carried, 5-0.

<u>Election of Officers</u>

A. Election of Land Use Commission Chair and Vice-Chair
Commissioner Halik made a motion to elect Commissioner Matt Rodgers Chair, seconded by Commissioner Lindwall, and Chair Rodgers accepted the nomination. The motion carried 5-0. Commissioner Rogers made a motion to elect Commissioner Max Puchtel Vice-Chair, seconded by Commissioner Lindwall. The motion carried 5-0.

B. Election of Zoning Committee Members
The Election was deferred until the next Commission meeting.

C. Election of Comprehensive Plan Committee Members
The Election was deferred until the next Commission meeting.

D. Election of Comprehensive Plan Steering Committee Chair
Commissioner Rogers made a motion to elect Commissioner Jeanne Lindwall as the Comprehensive Plan Steering Committee Chair, seconded by Commissioner Westerberg. The motion carried 5-0.

<u>Adoption of 2023 Meeting Schedule</u>

Commissioner Westerberg made a motion to adopt the 2023 calendar, seconded by Commissioner Lindwall. The motion carried 5-0.

<u>Communications</u>

Ms. Williams provided a Comprehensive Plan Update. Staff has identified key elements to bring before those committees that have purview over the plan and will schedule

these in the coming months prior to finalizing the RFP. Discussion ensued regarding communicating commission and staff recommendations to City Council. Chair Rodgers made a referral to staff to review the Zoning Code definition for an Apartment Hotel.

Adjournment

Commissioner Westerberg motioned to adjourn, Commissioner Lindwall seconded, and the motion carried, 5-0.

Adjourned 10:03 pm.

The next meeting of the Evanston Land Use Commission will be held on **Wednesday, January 25, 2023, at 7:00 pm, in the James C. Lytle Council Chambers in the Lorraine H. Morton Civic Center.**

Respectfully submitted,
Amy Ahner, AICP, Planning Consultant

Reviewed by,
Meagan Jones, Neighborhood and Land Use Planner

2311 Prospect Avenue
Major Variations
22ZMJV-0098

LUC Determining Body

Memorandum

To: Chair and Members of the Land Use Commission

From: Katie Ashbaugh, AICP, Planner

CC: Sarah Flax, Interim Director of Community Development
Elizabeth Williams, Planning Manager

Subject: Major Variation for Interior Side Yard Setback
2311 Prospect Avenue | 22ZMJV-0098

Date: January 20, 2023

Request

David S. Howes and Ruth B. Rosenthal, property owners, request a Major Variation from Section 6-8-2-8(A)(3) of the Evanston Zoning Code to allow an interior side yard of 2 feet 9 inches where an interior side yard of 5 feet is required along the north interior side lot line to allow for an addition to an existing single-family home located on property commonly known as 2311 Prospect Avenue, Evanston, in the R1 Single-Family Residential District. The Land Use Commission is the determining body for this case in accordance with Section 6-3-8-10 of the Evanston Zoning Code.

Notice

The Application has been filed in conformance with applicable procedural and public notice requirements including publication in the Evanston Review on January 5, 2023, mailed notice to owners of properties within 500 feet of the subject property, and a sign posted on the property visible from public right-of-way.

General Information

Applicant/Owner(s): David S. Howes and Ruth B. Rosenthal
2311 Prospect Avenue
Evanston, IL 60201

Property Address: 2311 Prospect Avenue
Evanston, IL 60201

PIN: 10-11-308-009-0000

Analysis

Existing & Surrounding Conditions

The site, 2311 Prospect Avenue, is an approximately 5,665 square-foot lot located on the east side of Prospect Avenue (N-S), two lots north of the intersection with Grant

Street (E-W). The property is improved with an existing two-story, single-family home with a footprint of approximately 1,470 square feet. No accessory structures are present on the property. The property is an interior lot and the home is set back approximately 25 feet from the front (west) lot line along Prospect Avenue. The north portion of the home is one-story with a one-car attached garage, with a legal nonconforming interior side yard of approximately 4 feet 7 inches (4.6'). An alley runs along the east (rear) lot line.

Surrounding Zoning and Land Uses	Zoning District	Land Use
North	R1 Single-Family Residential	Single-family homes
South	R1 Single-Family Residential	Single-family homes
East (across alley)	R1 Single-Family Residential	Single-family homes
West (across Prospect)	R1 Single-Family Residential	Single-family homes

Proposal

The applicants request a 2-foot 9-inch interior side yard setback from the north lot line where a minimum of 5 feet is required to accommodate the reconstruction of the existing attached one-car garage. The attached one-car garage is one-story whereas the living quarters of the home is two stories in height. It also is located along the north side of the home. The project increases the building footprint (building lot coverage) by approximately 10 square feet.

No additional zoning relief is required and no other changes to the existing building or property are proposed. No written objections were received before the distribution of this report.

Ordinances Identified for Requested Relief

Section 6-8-2-8(A)(2), R1 Single-Family Residential District, Yard Requirements, Residential Structures

1. Front yard: 27 feet
2. Street side yard: 15 feet
3. *Interior side yard: 5 feet*
4. Rear yard: 30 feet

Design and Project Review (DAPR) Discussion

January 17, 2023 – Staff attending the Design and Project Review meeting found the project modest and appropriate and overall did not have any concerns. No conditions of approval were suggested, although they suggested the applicant should obtain a letter of support from the property owner to the north adjacent to the addition for the Land Use Commission to consider. Planning & Zoning Division staff in attendance did note,

however, that the property has alley access along the rear and a compliant one-car detached garage is able to be constructed without zoning relief. They also noted that a two-car detached garage could be constructed if a Minor Variation for building lot coverage were requested and granted.

Department Recommendation

The applicants have indicated the proposed project is the minimum relief necessary to accomplish the intended improvements while maintaining functionality in the home. If the Land Use Commission determines the standards are met, they should recommend approval of the request as proposed.

Standards for Approval [Section 6-3-8-12(E)]

To approve a Major Variation, the Land Use Commission must find that the request meets each of the following standards.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
2. The requested variation is in keeping with the intent of the zoning ordinance.
3. The alleged hardship or practical difficulty is peculiar to the property.
4. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
5. Either the purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or, while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on final jurisdiction under Section 6-3-8-2 of this Chapter, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 of this Chapter.
6. The alleged difficulty or hardship has not been created by any person having an interest in the property.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation.

Action by the Commission

After making findings of fact as to whether or not the requested 2-foot 9-inch north interior side yard for a principal structure does or does not meet the aforementioned standards, the Land Use Commission may either approve, approve with conditions, or deny the variations as requested.

The Land Use Commission is the determining body for this Major Variation request pursuant to Section 6-3-8-10(C) of the Evanston City Code.

Attachments

1. Major Variation Application and Proof of Ownership
2. Aerial Photo
3. Street View
4. Zoning Map
5. Plat of Survey
6. Plans
7. Zoning Analysis

MAJOR VARIATION
APPLICATION

City of Evanston

CASE #: _____

zoning office use only

1. PROPERTY

Address 2311 PROSPECT AVE.

Permanent Identification Number(s):

PIN 1: 10-11-308-009-0000 PIN 2: ___-___-___-___-___

(Note: An accurate plat of survey for all properties that are subject to this application **must** be submitted with the application.

2. APPLICANT

Name(s) or Organization: DAVID S. HOWES / RUTH B. ROSENTHAL

Address: 2311 PROSPECT AVE.

City, State, Zip: EVANSTON, IL 60201

Phone: Work: 847-571-3077 Home: _____ Cell/Other: _____

Fax: Work: _____ Home: _____

E-mail: d.howes@chicago.edu @gmail.com

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- ☒ **same**
- ☐ architect
- ☐ officer of board of directors
- ☐ builder/contractor
- ☐ attorney
- ☐ other: _____
- ☐ contract purchaser
- ☐ lessee
- ☐ potential lessee
- ☐ real estate agent

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: _____

Address: _____

City, State, Zip: _____

Phone: Work: _____ Home: _____ Cell/Other: _____

Fax: Work: _____ Home: _____

E-mail: _____

Please circle the primary means of contact.

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Ruth B Rosenthal — 11/14/2022

Property Owner(s) Signature(s) – **REQUIRED** Date

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

Ruth B Rosenthal — 11/14/2022

Applicant Signature – **REQUIRED** Date

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- ☐ **(This) Completed and Signed Application Form**
- ☐ **Plat of Survey** Date of Survey: 04.02.2014
- ☐ **Project Site Plan** Date of Drawings: 11.08.2022
- ☐ **Plan or Graphic Drawings of Proposal** (If needed, see notes)
- ☐ **Non-Compliant Zoning Analysis**
- ☐ **Proof of Ownership** Document Submitted: _____
- ☐ **Application Fee (see zoning fees)** Amount $_____ plus Deposit Fee $150

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

WE ARE REMOVING EXISTING 1 STORY MASONRY GARAGE AND PROPOSING A NEW 1 STORY GARAGE THAT IS WIDER THAN THE ORIGINAL BY 1.83'

B. Have you applied for a Building Permit for this project? ☒ **NO** ☐ **YES**

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant.
(See the Zoning Analysis Summary Sheet for your project's information)

(A) Section (ex. "6-8-3-4")	(B) Requirement to be Varied (ex. "requires a minimum front yard setback of 27 feet")	(C) Requested Variation (ex. "a front yard setback of 25.25 feet")
1		
6-8-2-8	REQUIRES MIN. SIDE SETBACK OF 5'-0" (NORTH)	NORTH SIDE SETBACK 2.75'

*** For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.**

2		
3		

B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

THE EXISTING GARAGE IS UNUSABLE. INSIDE GARAGE DIMENSION IS 8'-9". THERE IS NO CLEARANCE TO OPEN CAR DOORS AND NO ROOM TO EXIT THE VEHICLE.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

EVEN WITH THE PROPOSED GARAGE THAT EXPANDS INTO THE SIDE SETBACK, WE ARE STILL A CONSIDERABLE DISTANCE AWAY FROM THE NEIGHBORS HOUSE. WE WILL NOT BE BLOCKING SOUTHERN SUN EXPOSURE BECAUSE THE GARAGE IS ONLY 1 STORY TALL.

2. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

THE OWNER DOES NOT HAVE A FUNCTIONAL GARAGE.

3. Either...

(a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or

(b) while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

THE PURPOSE OF THE VARIATION IS UTILITARIAN, NOT PURELY ECONOMICAL.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

THE EXISTING ATTACHED GARAGE WAS CONSTRUCTED AT THE SAME TIME AS THE HOUSE, BACK WHEN AUTOMOBILES WERE ALOT NARROWER.

5. Have other alternatives been considered, and if so, why would they not work?

CONSTRUCTING A DETACHED GARAGE OFF OF THE ALLEY WOULD SIGNIFICANTLY REDUCE THE SIZE OF THE BACKYARD. A DETACHED GARAGE REMOVES THE CONVENIENCE OF ENTERING THE HOUSE FROM THE GARAGE.

City of Evanston
DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

   DOES NOT APPLY

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

   DOES NOT APPLY

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number _____ above, or indicated below.

   DAVID S. HOWES & RUTH B. ROSENTHAL
   2311 PROSPECT AVE.
   EVANSTON, IL 60201
   847-571-3077
   d.howes.uchicago.edu@gmail.com

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number 3 above, or indicated below.

_____

_____

_____

_____

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

_____

_____

_____

_____

_____

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

_____

_____

_____

_____

_____

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

_____

_____

_____

_____

_____

_____

_____

EXHIBIT A

LEGAL DESCRIPTION

LOT 14 IN BLOCK 2 IN J.S. HOVLAND'S FIRST ADDITION TO EVANSTON, A SUBDIVISION OF THE EAST ½ OF THE WEST ½ OF THE NORTH WEST 1/4 OF THE SOUTH WEST 1/4 OF THE FRACTIONAL SECTION 11, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

Subject to: General real estate taxes not yet due and payable; covenants, conditions and restrictions of record, and building lines and easements, if any.

Permanent Index Numbers: 10-11-308-009-0000
Address of Real Estate: 2311 Prospect Avenue, Evanston, Illinois

TRUSTEE'S DEED

Mail Deed After Recording to:
JOHN SPATUZZA
221 N. LA SALLE ST/2000
CHICAGO, IL 60601

Mail Subsequent Tax Bills to:
3016 GRANT ST
EVANSTON, IL 60201

THIS INDENTURE, made this 11th day of April, 2014, between Nancy Schultz, not individually, but as Successor Trustee of the Marilyn R. Schultz Trust Dated July 27, 1990, Grantor, and David S. Howes, Trustee of the David S. Howes Trust dated March 22, 2005 and Ruth B. Rosenthal, Trustee of the Ruth B. Rosenthal Trust dated March 22, 2005, of Evanston, Illinois, Grantees.

WITNESSETH, That Grantor, in consideration of the sum of Ten and No/100 Dollars ($10.00), and other good and valuable consideration in hand paid, receipt of which is hereby acknowledged, does hereby convey and quit claim unto Grantees, as follows: an undivided fifty percent (50%) interest to David S Howes, Trustee of the David S. Howes Trust dated March 22, 2005 and an undivided fifty percent (50%) interest to Ruth B. Rosenthal, Trustee of the Ruth B. Rosenthal Trust dated March 22, 2005, as tenants in common, in the following described real estate, situated in the County of Cook and State of Illinois:

SEE LEGAL DESCRIPTION ATTACHED HERETO

together with the tenements and appurtenances thereunto belonging.

Permanent Index Numbers: 10-11-308-009-0000
Address of Real Estate: 2311 Prospect Avenue, Evanston, Illinois

This is Not Homestead Property

This deed is executed pursuant to and in the exercise of the power and authority granted to and vested in the Successor Trustee by the terms and provisions of the trust agreement above mentioned, and of every other power and authority of Grantor hereunto enabling.

IN WITNESS WHEREOF, the Successor Trustee of Grantor has hereunto executed this Trustee's Deed the day and year first above written.

Nancy Schultz, as Successor Trustee of the Marilyn R. Schultz Trust Dated July 27, 1990

STATE OF ILLINOIS) SS.
COUNTY OF COOK)

I, Susan Harrington, a Notary Public in for said County, in the State aforesaid, DO HEREBY CERTIFY that Nancy Schultz, as Successor Trustee of the Marilyn R. Schultz Trust Dated July 27, 1990, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that she signed and delivered the said instrument as her free and voluntary act and in her capacity as Successor Trustee of the Marilyn R. Schultz Trust Dated July 27, 1990, for the uses and purposes therein set forth.

Given under my hand and notarial seal this 11 day of April, 2014.

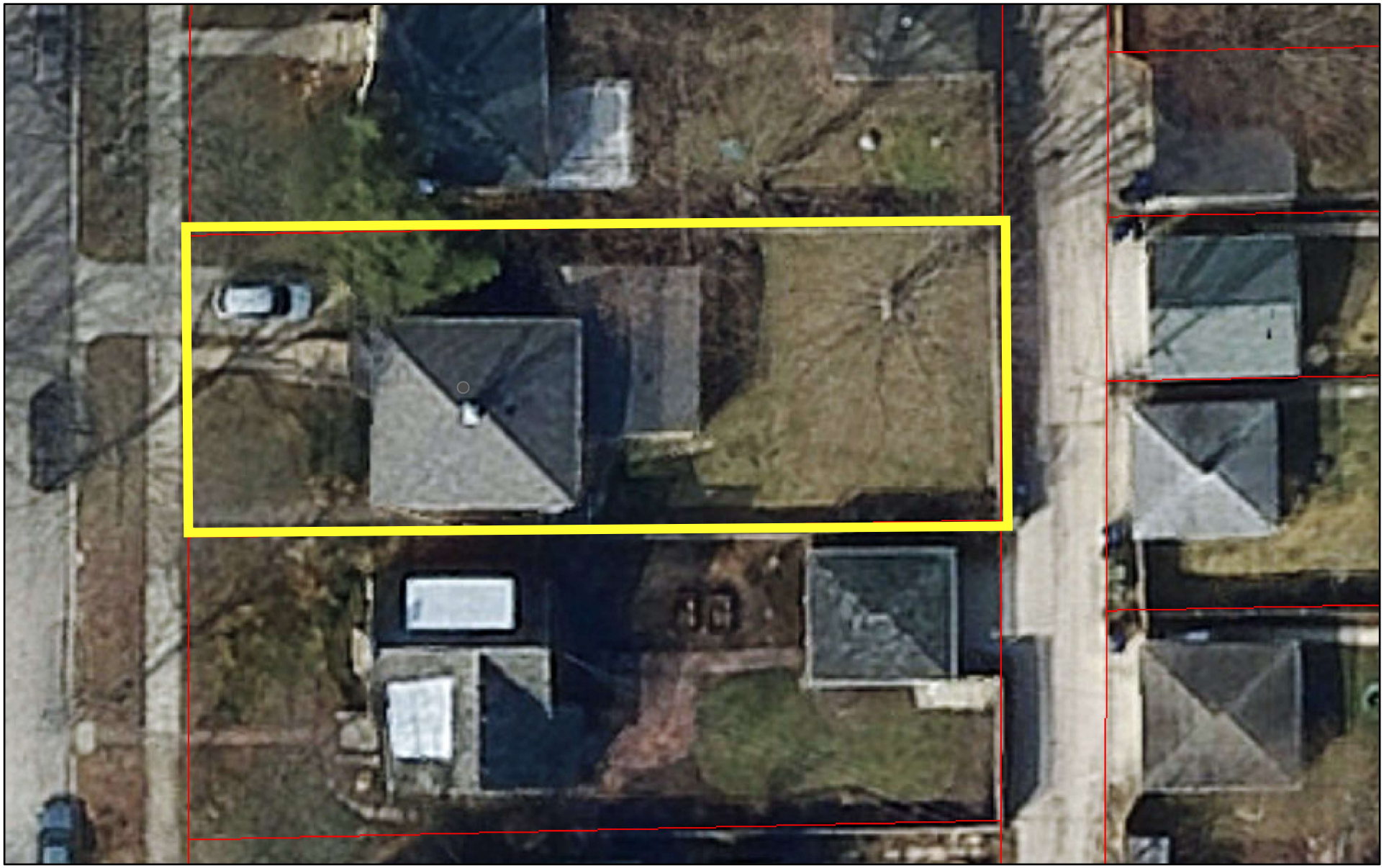
OFFICIAL SEAL
SUSAN HARRINGTON
Notary Public - State of Illinois
My Commission Expires Jun 30, 2017

Notary Public

My commission expires

Deed prepared by Robert K. Polovin, 180 N. LaSalle Street, Suite 2420, Chicago, Illinois 60601

2311 Prospect Ave - Aerial



1/18/2023, 12:45:55 PM

City Boundary

Tax Parcels

1:250

0 0 0 0.01 mi

0 0 0.01 0.01 km

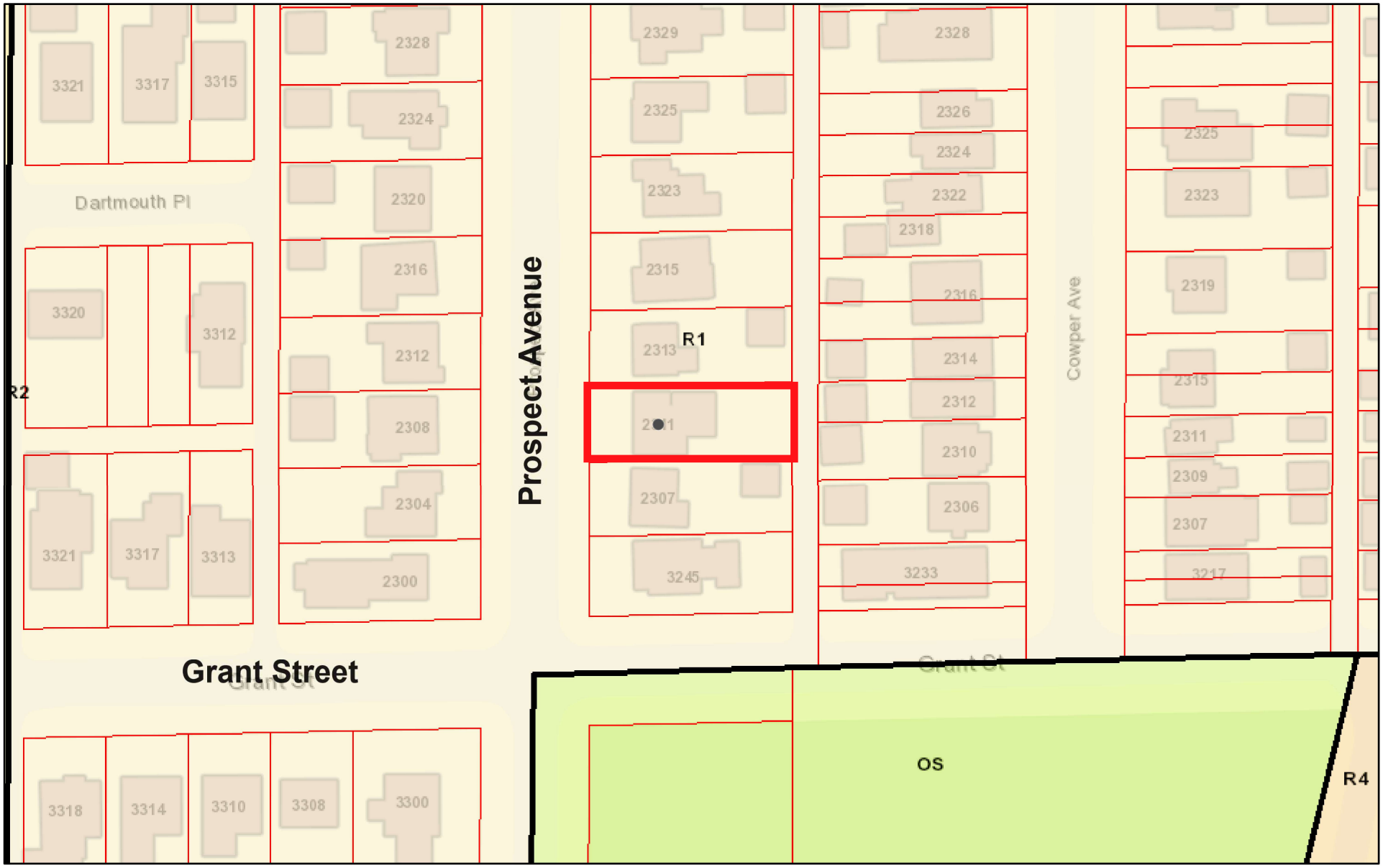
Cook County GIS

ArcGIS Web AppBuilder

Cook County GIS |

2311 Prospect Avenue – Street view (Google Maps)

2311 Prospect Ave - Zoning Map



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1:1,000

0 0.01 0.01 0.03 mi

0 0.01 0.03 0.05 km

Zoning Overlay Districts

- oCSC - Central Street Corridor
- oDM - Dempster-Main Overlay
- oH - Hospital Overlay
- oRD - Redevelopment Overlay
- oWE- West Evanston Overlay
- Zoning Boundaries & Labels

Zoning Districts

- B1 - Business
- B1a - Business
- B2 - Business
- B3 - Business
- C1 - Commercial
- C1a - Commercial Mixed-Use

ArcGIS Web AppBuilder

MM SURVEYING CO., INC.

5812 W. HIGGINS AVENUE
CHICAGO, ILLINOIS 60630

PHONE:(773)282-5900
FAX: (773)282-9424
mmsurvey1285@sbcglobal.net

NORTH

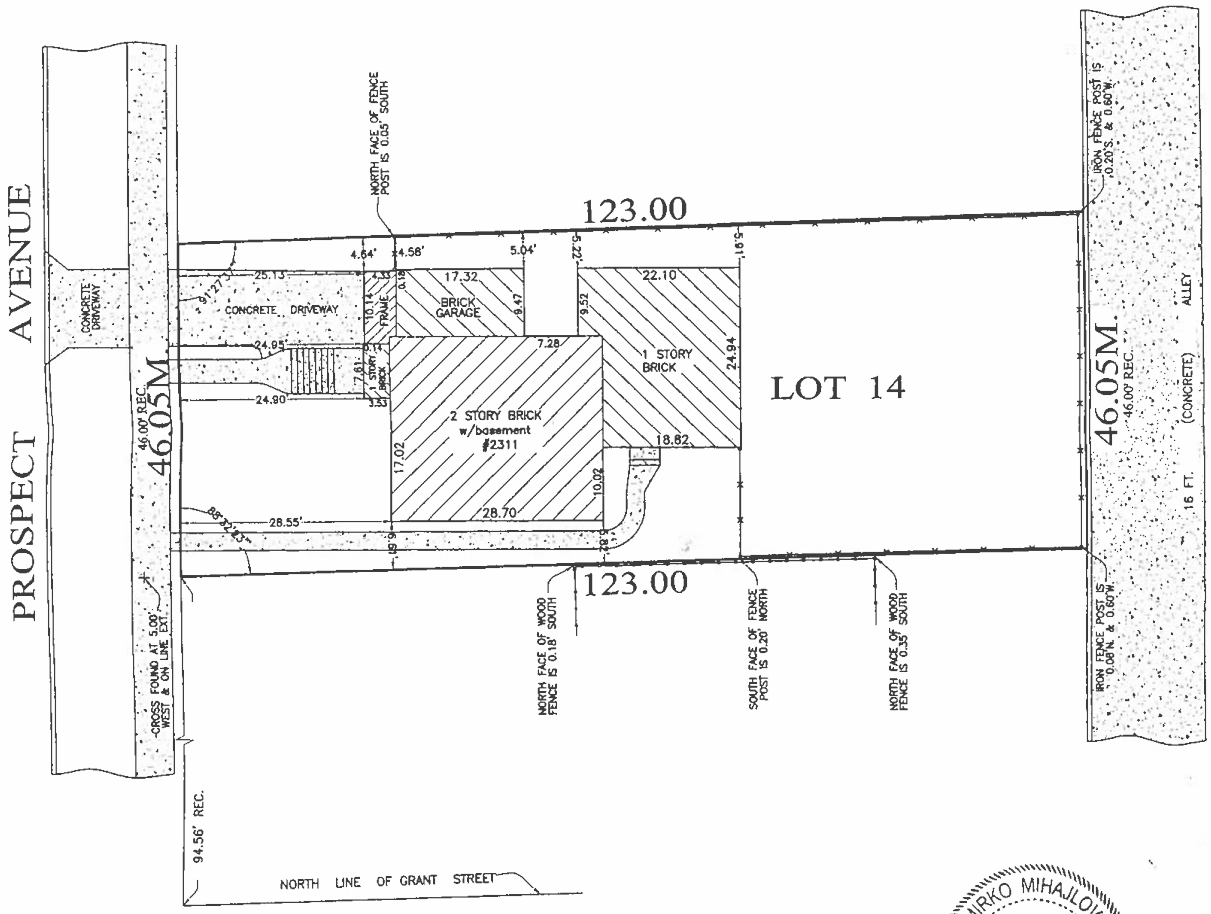
PROFESSIONAL DESIGN FIRM No. 184-003233

PLAT OF SURVEY

OF

LOT 14 IN BLOCK 2 IN J.S. HOVLAND'S FIRST ADDITION TO EVANSTON, A SUBDIVISION OF THE EAST ½ OF HE WEST ½ OF THE NORTHWEST ¼ OF THE SOUTHWEST ¼ OF THE FRACTIONAL SECTION 11, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

TOTAL LAND AREA = 5,662 sq.ft.



LEGEND:

- CHAIN LINK FENCE
- WOOD FENCE
- IRON FENCE
- CONCRETE PAVEMENT

E.F.P.	– ENCLOSED FRAME PORCH
O.F.P.	– OPEN FRAME PORCH
O.B.P.	– OPEN BRICK PORCH
O.C.P.	– OPEN CONC. PORCH
E.C.	– EDGE OF CONCRETE

ORDER NO. 82476

SCALE: 1 INCH= 16 FEET

FIELDWORK COMPLETION DATE: 02 APRIL 2014

ORDERED BY: WOLFE & POLOVIN

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

FOR BUILDING LINES, EASEMENTS AND OTHER RESTRICTIONS NOT SHOWN HEREON, REFER TO YOUR DEED, TITLE POLICY AND LOCAL ZONING ORDINANCE, ETC.

LEGAL DESCRIPTION NOTED ON THIS PLAT WAS PROVIDED BY THE CLIENT AND MUST BE COMPARED WITH DEED AND/OR TITLE POLICY.

NO CORNERS WERE MONUMENTED PER CUSTOMER REQUEST.

MIRKO MIHAJLOVIC
35-2522
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS
CHICAGO, ILLINOIS

State of Illinois
ss
County of Cook

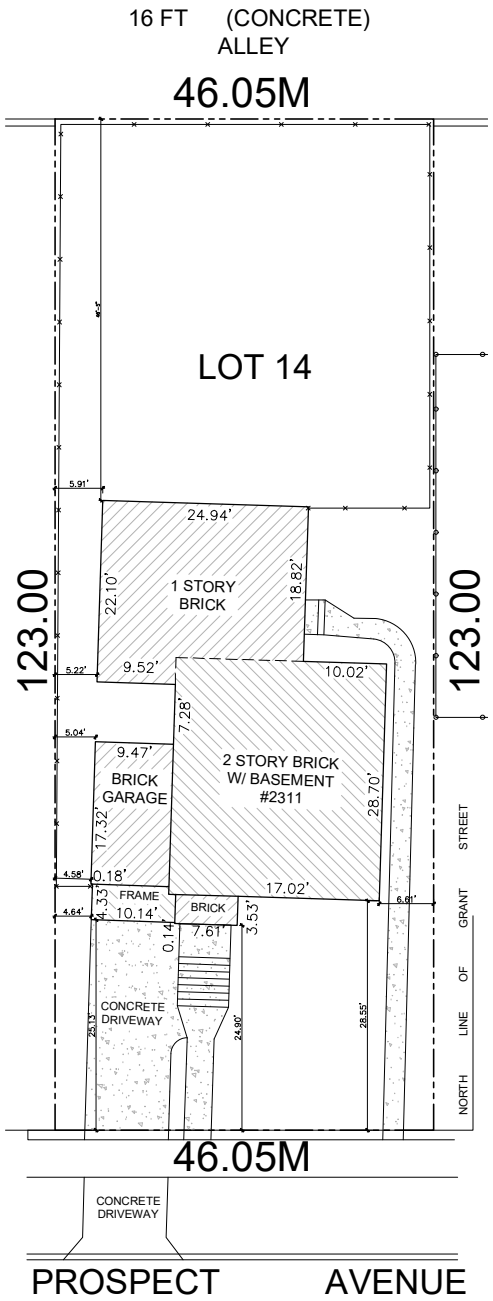
We, M M Surveying Co., Inc., do hereby certify that we have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey.

Signature: M. Mihajlovic

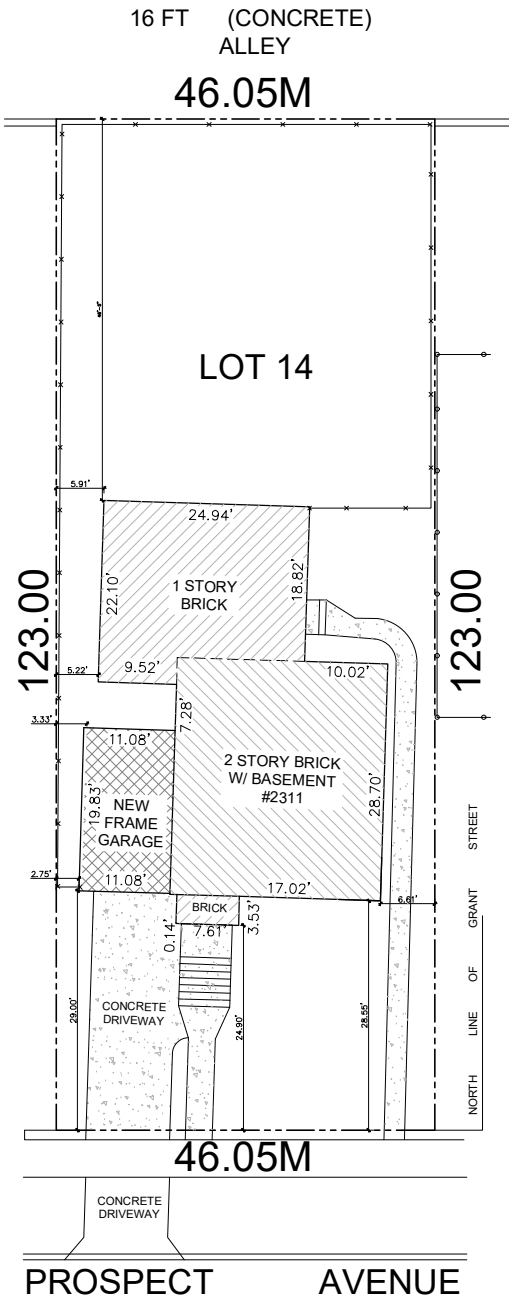
Date: 04-03-2014

REG. ILL. Land Surveyor No. 35-2522
LIC. EXP. NOVEMBER 30, 2014

EXPAND EXISTING 1 CAR GARAGE FOR EXISTING SINGLE FAMILY RESIDENCE AS PER PLANS AT: 2311 PROSPECT AVE.



EXISTING SITE PLAN
SCALE: 3/32" = 1'-0"



PROPOSED SITE PLAN
SCALE: 3/32" = 1'-0"

ABBREVIATIONS

A.B.	ANCHOR BOLT	EXST.	EXISTING	PROV'D	PROVIDED
ABV. GRD.	ABOVE GRADE	EXT	EXTERIOR	PS	PLUMBING STACK
ACC.	ACCESSIBLE	F.D.	FLOOR DRAIN	PSF	POUNDS PER SQUARE FOOT
ACT	ACOUSTICAL TILE	F.F.	FINISH FLOOR	PSI	POUNDS PER SQUARE INCH
A.D.	AREA DRAIN	FIN.	FINISH	PSL	PARALLEL STRAND LUMBER
A.F.F.	ABOVE FINISHED FLOOR	FLR	FLOOR	P.T.	PRESSURE TREATED
AFI	ARC FAULT INTERRUPTER	FND'N	FOUNDATION	PTD.	PAINTED
A.F.S.	ABOVE FINISHED SURFACE	FTG.	FOOTING	PVC	POLYVINYL CHLORIDE
APT	APARTMENT	FURN.	FURNACE	Q.T.	QUARRY TILE
BLDG	BUILDING	F.W.	FIRE WALL	R	RISER
BLKG	BLOCKING	GFI	GROUND FAULT INTERRUPTER	R.A.	RETURN AIR
B.O.	BOTTOM OF	GL.	GLAZING	REF.	REFRIGERATOR
BR	BEDROOM	GL.BL.	GLASS BLOCK	REG.	REGISTER
BRG	BEARING	GND	GROUND	REQ'D	REQUIRED
BRK.	BRICK	GYP. BD	GYPSUM BOARD	RET.	RETURN
BSMT.	BASEMENT	HC	HOLLOW CORE	RM.	ROOM
BTUH	BRITISH THERMAL UNITS PER HOUR	HDWR	HARDWARE	R.O.	ROUGH OPENING
C	CARBON MONOXIDE DETECTOR	HM	HOLLOW METAL	S	SEALANT
CAB.	CABINET	HR	HOUR	SC.	SOLID CORE
CFM	CUBIC FEET PER MINUTE	HT	HEIGHT	SCFS	SEALED CONCRETE FLOOR
CHEK'D	CHECKERED	HWH	HOT WATER HEATER	S.D.	SMOKE DETECTOR
CLG.	CEILING	INSUL.	INSULATION	S.F.	SQUARE FEET (FOOT)
CLO.	CLOSET	INT	INTERIOR	SHO	SHOWER
CPT.	CARPET	J.BOX	JUNCTION BOX	SHT.	SHEET
CMU	CONCRETE MASONRY UNIT	KIT.	KITCHEN	SIM.	SIMILAR
CONC.	CONCRETE	KSF	KIP PER SQUARE FOOT	SP	SUMP PUMP
CONST.	CONSTRUCTION	LAV.	LAVATORY	S&P	STAIN & POLYURETHANE
CONT.	CONTINUOUS	LB.	POUND	STL.	STEEL
C.T.	CERAMIC TILE	LBP	LEAD BASED PAINT	STRUCT	STRUCTURAL
C.U.	CONDENSING UNIT	LIN	LINEN CLOSET	T	TREAD
D	DRYER	LIV. RM.	LIVING ROOM	T&B	TOP AND BOTTOM
DBL.	DOUBLE	LL	LIVE LOAD	T.D.	TRAVEL DISTANCE
DIM.	DIMENSION	LVL	LAMINATED VENEER LUMBER	T.GL.	TEMPERED GLASS
DIN. RM.	DINING ROOM	MANUF.	MANUFACTURER	T.O.	TOP OF
DISP.	DISPOSAL	MAT'L	MATERIAL	T&P	TEMPERATURE AND PRESSURE
DL	DEAD LOAD	MAX.	MAXIMUM	TJ	TRUSS JOIST
DR	DOOR	MECH.	MECHANICAL	TYP.	TYPICAL
DS.	DOWN SPOUT	MIL.	MILLIMETER	UL	UNDERWRITER'S LABORATORY
DTL.	DETAIL	MIN.	MINIMUM	VCT	VINYL COMPOSITION TILE
DW	DISHWASHER	M.O.	MASONRY OPENING	VENT	VENTILATION
EA.	EACH	MTD.	MOUNTED	V.I.F.	VERIFY IN FIELD
E.F.	EXHAUST FAN	MTL	METAL	V.T.R.	VENT TO ROOF
EFIS	EXTERIOR FINISH INSULATING SYSTEM	N.I.C.	NOT IN CONTRACT	W	WASHER
ELEC	ELECTRIC	NTS	NOT TO SCALE	W/	WITH
ELEV.	ELEVATION	O.C.	ON CENTER	W.C.	WATER CLOSET
EP	EJECTOR PUMP	OCC.	OCCUPANCY	WD	WOOD
EQUIP.	EQUIPMENT	O.H.	OPPOSITE HAND	W/D	WASHER/DRYER
EXH.	EXHAUST	P.C.	PULL CHAIN	WP	WEATHER PROOF
EXP	EXPOSED CONSTRUCTION	PLYWD.	PLYWOOD	WWF.	WELDED WIRE FABRIC

GENERAL NOTES

1. DRAWINGS GENERALLY INDICATE SCOPE OF WORK. EACH CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS PRIOR TO START OF WORK TO ENSURE A COMPLETE AND PROPER INSTALLATION OF THEIR WORK. SEE SPECIFICATIONS FOR ADDITIONAL NOTES.
2. ALL WORK SHALL COMPLY WITH CITY OF EVANSTON, STATE AND FEDERAL ORDINANCES HAVING JURISDICTION. NOTHING HEREIN SHALL BE INTERPRETED TO THE CONTRARY. ALL PERMITS AND INSPECTIONS REQUIRED SHALL BE SECURED BY THE CONTRACTOR INVOLVED.
3. EVERY CONTRACTOR AND SUB–CONTRACTOR BY USING THESE PLANS FOR THEIR WORK HEREBY AGREES TO HOLD THE CITY OF EVANSTON, THE OWNER OF RECORD, THE ARCHITECT OF RECORD, INCLUDING THEIR RESPECTIVE EMPLOYEES AND AGENTS, WHILE ACTING WITH THE SCOPE OF THEIR DUTIES, FROM AND AGAINST ANY LIABILITY, CLAIMS, DAMAGES AND THE COST OF DEFENSE, ARISING OUT OF THE CONTRACTORS PERFORMANCE OF THE WORK DESCRIBED IN THESE PLANS AND SPECIFICATIONS, BUT NOT INCLUDING THE SOLE NEGLIGENCE OF THE OWNER, ARCHITECT, ENGINEER OR THEIR EMPLOYEES AND AGENTS.

CERTIFICATION STATEMENT

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF CONFORM TO THE CURRENT EDITION OF THE CITY OF EVANSTON BUILDING AND ZONING CODE.

DRAWING LIST

T-1 TITLE SHEET & SITE PLAN

A-1 ARCHITECTURAL FLOOR PLANS
A-2 ARCHITECTURAL ROOF PLAN & DETAILS
A-3 ARCHITECTURAL ELEVATIONS

ZONING R-1

SAFETY & LIABILITY NOTICE

THE ARCHITECT HAS NO RESPONSABILITY FOR SAFETY PROGRAMS OR PROCEDURES: AND HAS NO RIGHT TO STOP ANY WORK. JOBSIDE SAFETY IS THE RESPONSABILITY OF THE GENERAL CON-TRACTOR AND ALL SUB-CONTRACTORS.

ANDREW WANG
ARCHITECT

4747 W. PETERSON AVE.
SUITE 311
CHICAGO, IL 60646
773.904.7560

TITLE SHEET
SITE PLAN & NOTES

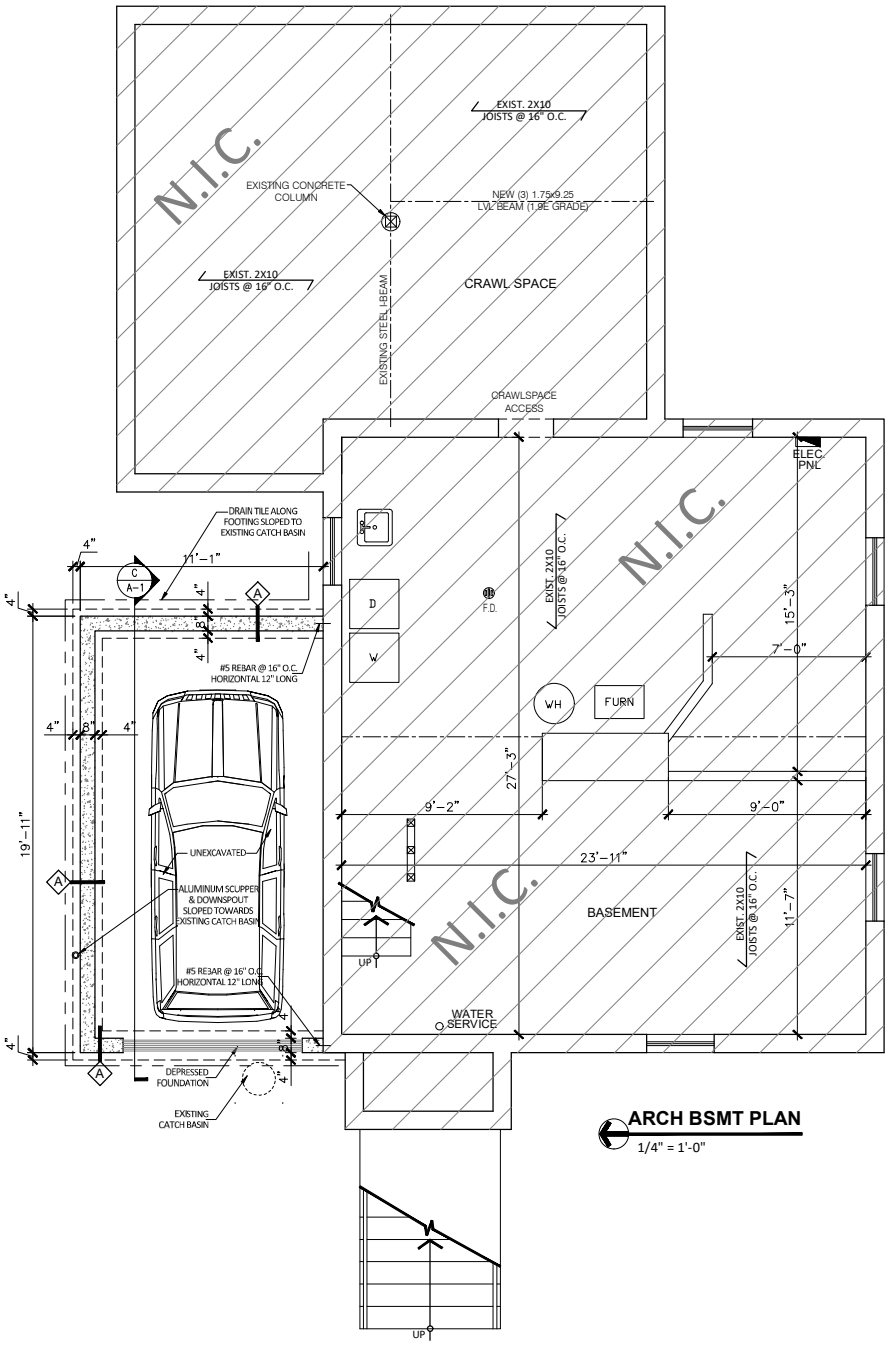
2311 PROSPECT AVE.
EVANSTON, IL 60201

1△
2△
3△

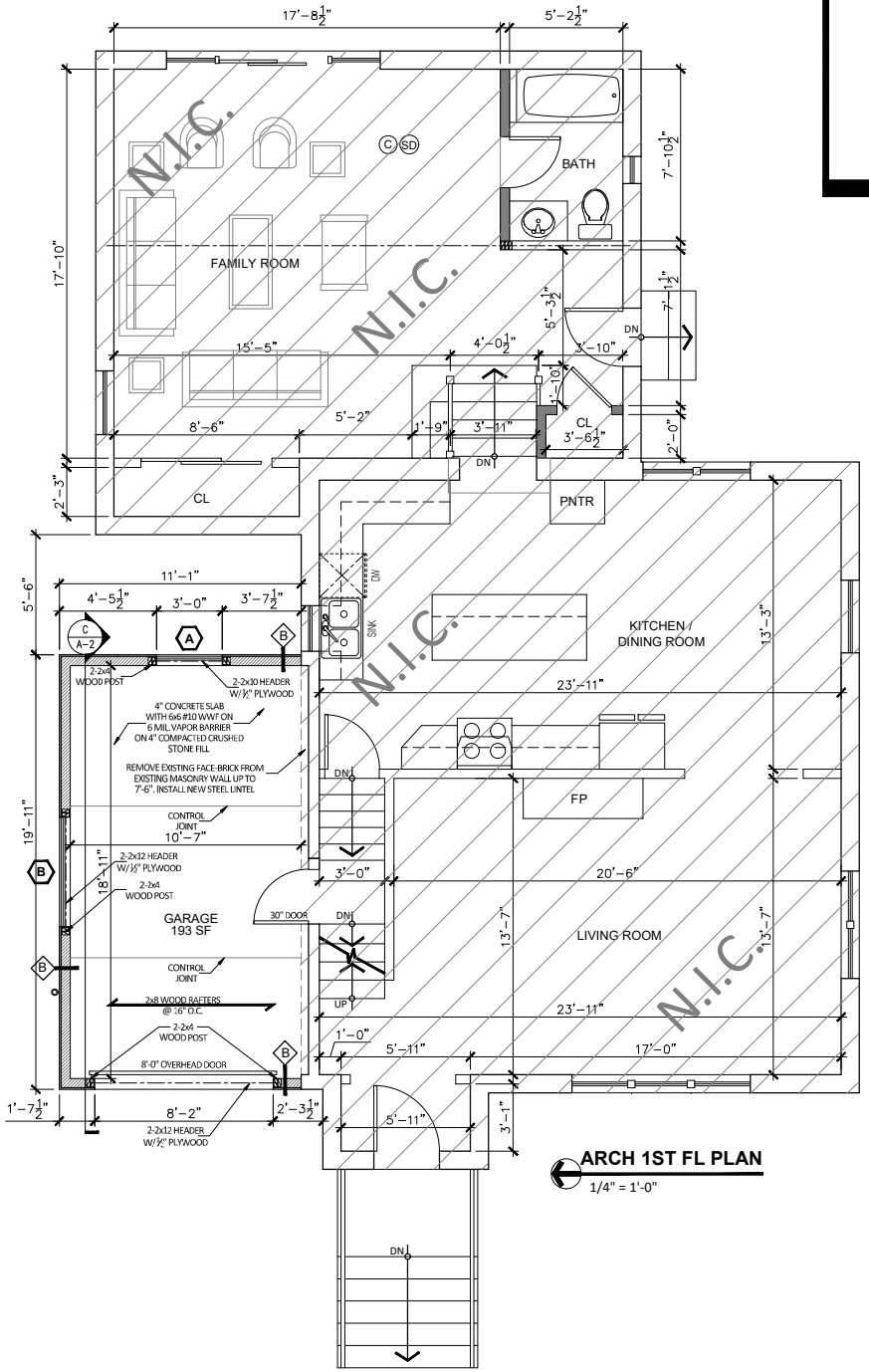
DATE: 09.13.22
DRAWN BY: C.G.
CHECKED BY: A.W.

SHEET

T-1



ARCH BSMT PLAN
1/4" = 1'-0"



ARCH 1ST FL PLAN
1/4" = 1'-0"

SAFETY & LIABILITY NOTICE

THE ARCHITECT HAS NO RESPONSIBILITY FOR SAFETY PROGRAMS OR PROCEDURES: AND HAS NO RIGHT TO STOP ANY WORK. JOBSIDE SAFETY IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR AND ALL SUB-CONTRACTORS.

ANDREW WANG ARCHITECT

4747 W. PETERSON AVE.
SUITE 311
CHICAGO, IL 60646
773.904.7560

ARCHITECTURAL FLOOR PLANS

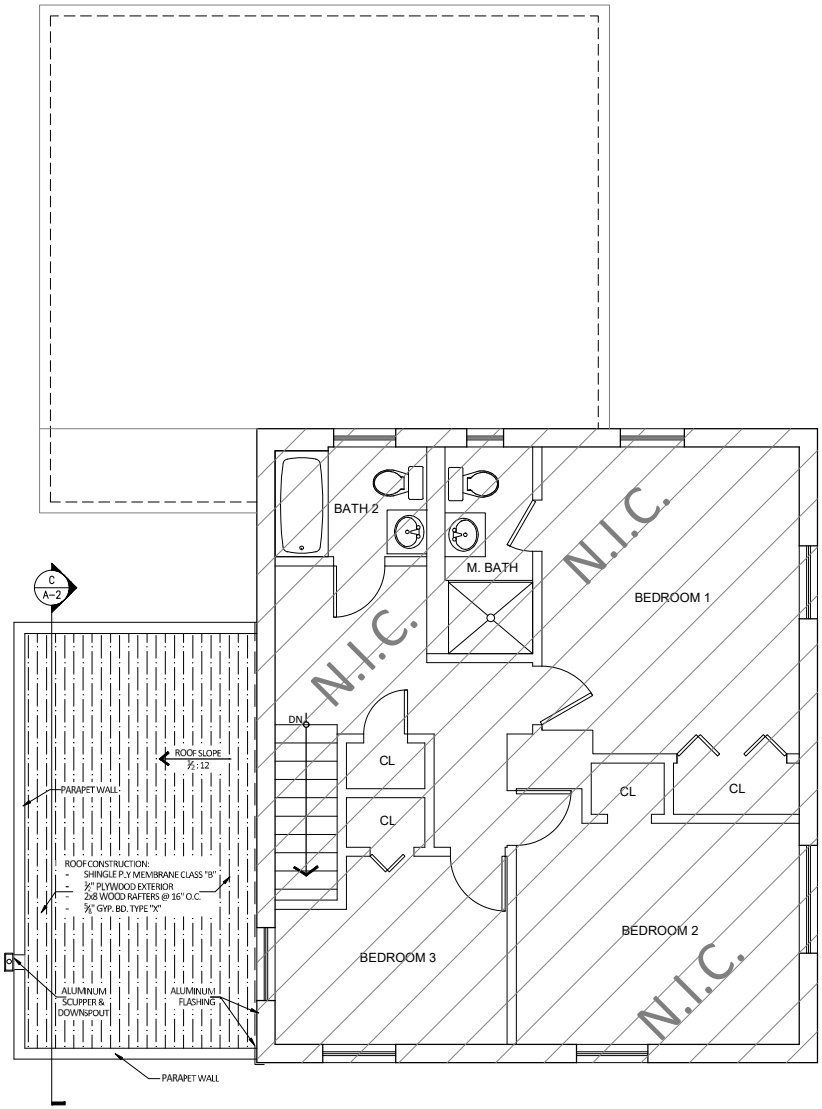
2311 PROSPECT AVE. EVANSTON, IL 60201

1
2
3

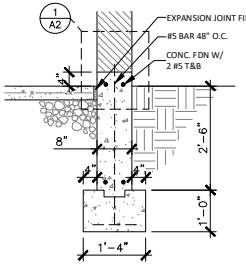
DATE: 09.13.22
DRAWN BY: C.G.
CHECKED BY: A.W.

SHEET

A-1



ARCH 2ND FL PLAN
1/4" = 1'-0"



A FOUNDATION DETAIL
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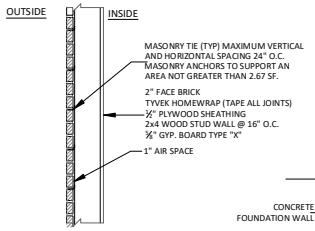

B WALL DETAIL
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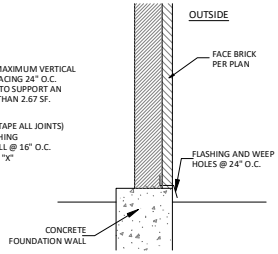

1 FLASHING DETAIL
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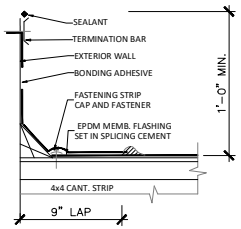

2 PARAPET/CURB
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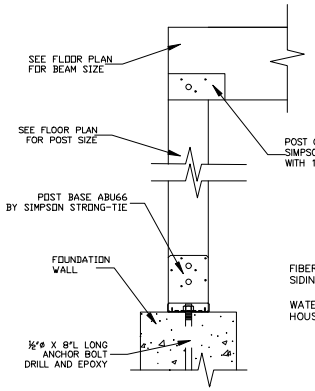

3 BEAM TO POST CONNECTION
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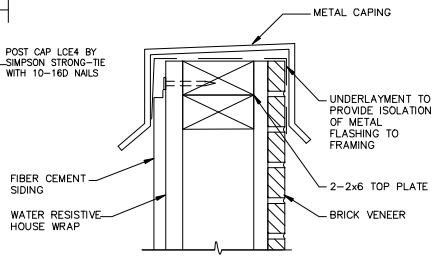

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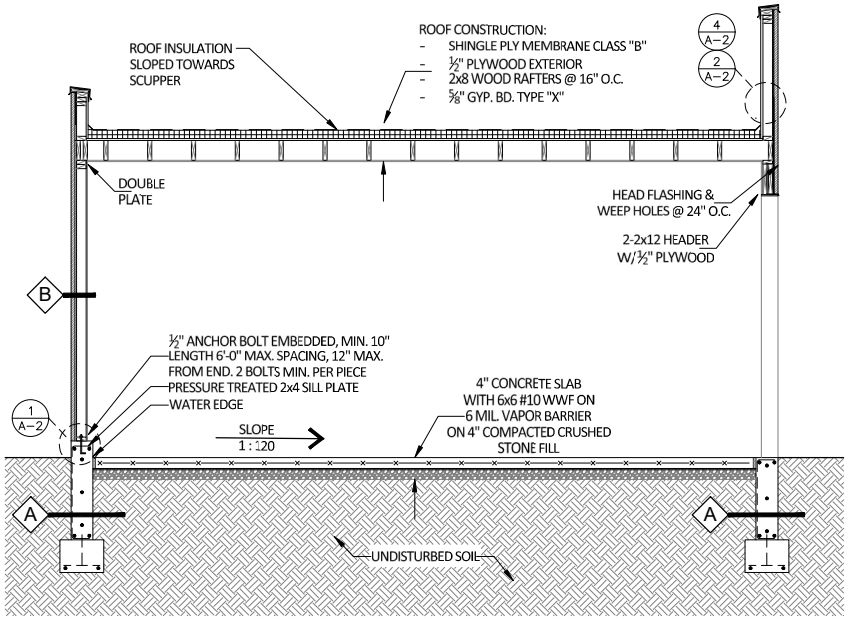

C **GARAGE SECTION**
3/8" = 1'-0"

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ANDREW WANG
ARCHITECT

4747 W. PETERSON AVE.
SUITE 311
CHICAGO, IL 60646
773.904.7560

ARCHITECTURAL
ROOF PLAN & DETAILS

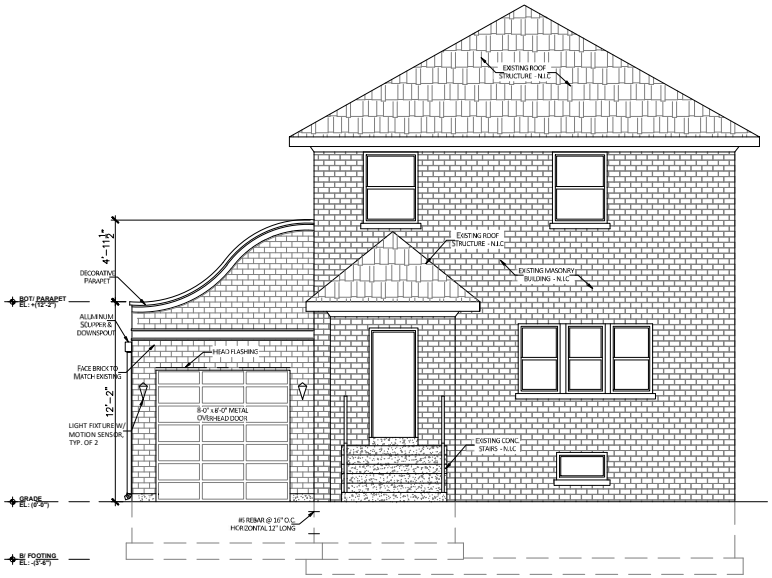
2311 PROSPECT AVE.
EVANSTON, IL 60201

1△
2△
3△

DATE: 09.13.22
DRAWN BY: C.G.
CHECKED BY: A.W.

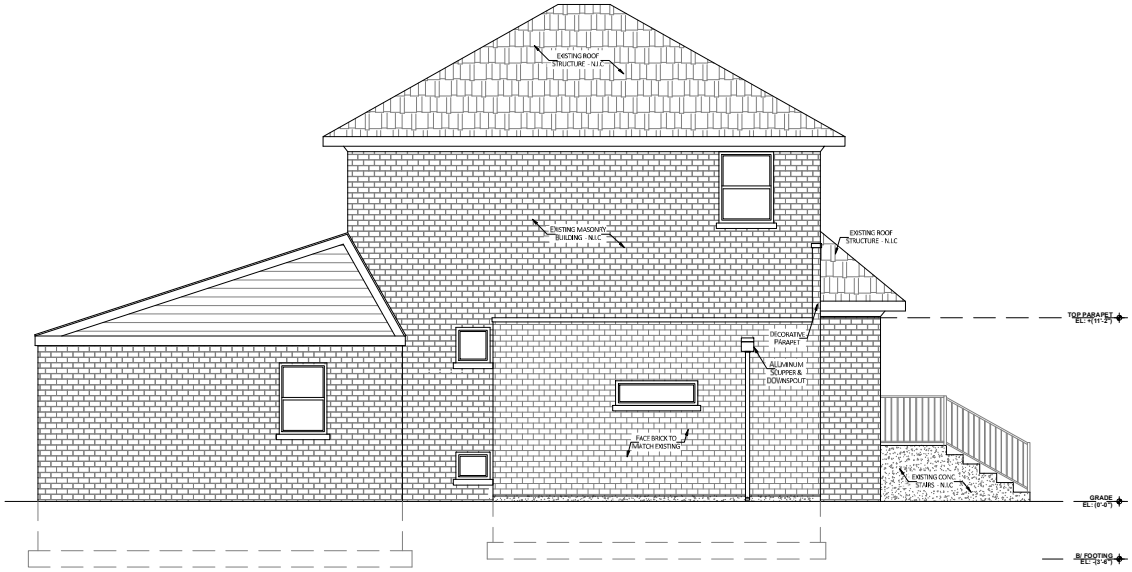
SHEET

A-2



WEST ELEVATION

3/16" = 1'-0"



NORTH ELEVATION

3/16" = 1'-0"

SAFETY & LIABILITY

NOTICE

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ANDREW WANG
ARCHITECT

4747 W. PETERSON AVE.
SUITE 311
CHICAGO, IL 60646
773.904.7560

ARCHITECTURAL ELEVATIONS

2311 PROSPECT AVE.
EVANSTON, IL 60201

1△
2△
3△

DATE: 09.13.22
DRAWN BY: C.G.
CHECKED BY: A.W.

SHEET

A-3

Zoning Analysis
Summary

Case Number:	Case Status/Determination:
22ZONA-0173 – 2311 PROSPECT AVE	NON-COMPLIANT

Plan Dated: 09-13-22

Proposal: **By: ANDREW WANG, ARCHITECT**

ENLARGE EXISTING 1-CAR ATTACHED GARAGE, WIDEN FROM 9.5' TO 11.1'

Zoning Section:	Comments:
6-8-2	Property is zoned R1
6-8-2-3	Lot size: Legal non-conforming, no change Standard: 7200 sf Existing: 5664.2 sf
6-8-2-6	Lot width: Compliant, no change Standard: 35.0' Existing: 46.1'
6-8-2-7	Building lot coverage: Compliant Standard: 30% of lot area, 1699.3 sf Existing: 26%, 1470 sf Proposed: 26.1%, 1480 sf
6-8-2-10	Impervious surface coverage: Compliant Standard: 45% of lot area, 2548.9 sf Existing: 35.8%, 2030 sf Proposed: 36.5%, 2070 sf

6-8-2-9	Building height, principal structure – attached garage: Compliant Standard: 35.0’ not to exceed 2.5 stories Existing: ~30’ at 2-stories Proposed, attached garage: 12.2’ at 1 story
6-8-2-8; 6-4-1-9	**Yards/setbacks, principal structure – attached garage:** Front yard, west: Compliant Standard: 23.5’, average existing setback of adjacent homes measured off GIS Existing: 24.9’ Proposed, attached garage: 29.0’ **Interior side yard, north: Non-compliant** **Standard: 5.0’** **Existing: 4.6’** **Proposed, attached garage: 2.75’** Interior side yard, south: Compliant Standard: 5.0’ Existing: 6.6’ Proposed, attached garage: 5.0’+ Rear yard, east: Compliant Standard: 30.0’ Existing: 46.9’ Proposed, attached garage: 30.0’+
6-4-1-9	Attached garage: No roof overhang
6-16-1-3; 6-16-2	Off-street parking: Legal non-conforming, no change Standard: 2 spaces Existing: 1 space Proposed, attached garage: 1 space
	Parking space size: Compliant Standard: 8.5’ x 18’ Existing: 8.8’ wide Proposed: 10.6’ x 18.9’

- **As proposed, approval of a major variation is required to reduce the required north interior side yard setback from 5.0’ to 2.75’**
- **Major variations are a determination by the Land Use Commission.**

Michael Griffith, Planner
10-26-22

2201 Oakton Street
Special Use and Major Variations
22ZMJV-0087

LUC Recommending Body

Memorandum

To: Chair and Members of the Land Use Commission

From: Katie Ashbaugh, AICP, Planner

CC: Sarah Flax, Interim Director of Community Development
Elizabeth Williams, Planning Manager

Subject: Major Variations & Special Use Permit
2201 Oakton Street | 22ZMJV-0087

Date: January 20, 2023

Request

Daniel Grove, PLA, AICP, of Kimley Horn and applicant on behalf of the property owner, The Home Depot, requests a Special Use Permit to allow for outdoor storage and open sales on the property located at 2201 Oakton Street in the I1 Industrial/Office District and the oRD Redevelopment Overlay District. The applicant also requests two Major Variations from the Evanston Zoning Code to allow for the proposed outdoor storage to be located in the front yard where outdoor storage is prohibited [Section 6-14-1-8(A)] and to not screen the proposed outdoor storage where screening on all sides by an eight-foot-tall solid fence is required [Section 6-14-1-8(B)]. The Land Use Commission makes a recommendation to the City Council, the determining body for this case in accordance with Zoning Code Section 6-3-5-9, and Ordinance 92-O-21.

Notice

The Application has been filed in conformance with applicable procedural and public notice requirements including publication in the Evanston Review on January 5, 2023.

General Information

Applicant: Daniel Grove, PLA, AICP
Kimley Horn
4201 Winfield Road #600
Warrenville, Illinois 60655

Owner(s): The Home Depot
℅ Suzanne Russo, Assistant General Counsel
2455 Paces Ferry Road
Atlanta, Georgia 30339

Property Address: 2201 Oakton Street
Evanston, IL 60202

PIN: 10-24-310-049-0000

Analysis

Existing & Surrounding Conditions

The site, 2201 Oakton Street, is an approximately 13.77 acre (600,110 s.f.) lot located on the north side of Oakton Street (E-W), east of the intersection of McCormick Boulevard and also the North Shore Canal. The property is improved with an existing one-story, commercial retail building with a footprint of approximately 138,065 square feet. The commercial building is occupied by The Home Depot, which is a national home goods and small construction supply retailer. A 530-stall surface parking lot is located to the south of the building in the front yard.

Notably, although the property measures approximately 780 feet at its widest point (E-W), it only has about 114 feet of frontage along Oakton Street. The property extends south on the east and west sides to accommodate the primary driveways to Oakton. The east driveway is shared with the Petsmart (2221 Oakton Street) and the Aldi (2211 Oakton Street) stores, located immediately to the east.

Surrounding Zoning and Land Uses	Zoning District	Land Use
North	I1 Industrial/Office	Industrial
South (across Oakton)	C1 Commercial & I1 Industrial/Office, oRD Redevelopment Overlay	Retail, industrial
East	I1 Industrial/Office, oRD Redevelopment Overlay	Retail
West	I3 General Industrial	Industrial

Proposal

The applicant requests a Special Use Permit to allow for outdoor storage and open sales as well as two Major Variations to allow the proposed outdoor storage to be located in the front yard where outdoor storage is prohibited and to not screen the proposed outdoor storage. Outdoor storage is not allowed in the front yard and it is also required to be screened.

The outdoor storage and sales use specifically include the following: The Home Depot outdoor garden center, located at the northwest corner of the existing parking lot; residential sheds, located at the northeast corner of the existing parking lot; and trailers and large rentals located along the east side of the parking lot. The garden center occupies 74 parking stalls and the sheds and truck and trailer rentals occupy 52, for a total of 126 spaces. As retail requires one (1) parking stall per 350 square feet of gross

floor area, and the approximate gross floor area of 138,000, no more than 395 parking stalls are required for the use. Deducting the stalls proposed for the outdoor storage and sales, a net 404 stalls remain available and the property remains in compliance with the minimum required parking.

Staff notes that this business has been operating with the outdoor storage and sales use as shown for many years and is now requesting the aforementioned relief to be compliant with City zoning requirements.

No additional zoning relief is required and no other changes to the existing building or property are proposed. No written objections were received before the distribution of this report.

Ordinances Identified for Requested Relief

Section 6-14-2-3, I1 Industrial/Office District, Special Uses

The following uses may be allowed in the I1 district, subject to the provisions set in Section 6-3-5, "Special Uses," of this Title:

- Open sales lot
- Outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use)
- (among others listed)

Section 6-14-1-8(A), Industrial Districts, District Requirements, Outdoor Storage

Outdoor storage shall be permitted as an accessory use in all the industrial districts subject to the following condition:

> I1 Industrial/Office District: in the rear yard without limitation and in the interior side yard provided the area devoted to the storage shall not exceed thirty percent (30%).

Section 6-14-1-8(B), Industrial Districts, District Requirements, Outdoor Storage

All outdoor storage areas whether accessory or principal shall be enclosed on all sides by an eight-foot-tall solid fence and shall be subject to design and project review.

Design and Project Review (DAPR) Discussion

January 17, 2023 – Staff attending the Design and Project Review meeting found the project modest and appropriate and overall did not have any concerns. Staff acknowledged this request is to formally approve the existing conditions of the property and how The Home Depot operates currently. The applicant confirmed that the parking spaces shown to be used for the rental truck storage and the outdoor garden center is accurate and reflects the largest footprint of both uses within the parking lot. No conditions of approval were suggested.

Department Recommendation

The proposal is intended to formally authorize the existing conditions on the property. Once approved, the adopting ordinance for the requested zoning relief will give the City

a specific document by which to enforce the current operations should issues arise (i.e. new management, changes in operation). If the Land Use Commission determines the standards are met, they should recommend that the City Council approve the request as proposed.

Standards for Approval

The proposed development must follow the Standards for a Major Variation [Section 6-3-8-12(E)] and also the Standards for a Special Use (Section 6-3-5-10).

For the Land Use Commission to recommend that the City Council grant a Special Use, the Land Use Commission must find that the proposed Special Use:

1. Is one of the special uses specifically listed in the zoning ordinance;
2. Is in keeping with purposes and policies of the adopted comprehensive general plan and the zoning ordinance as amended from time to time;
3. Will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special uses of all types on the immediate neighborhood and the effect of the proposed type of special use upon the City as a whole;
4. Does not interfere with or diminish the value of property in the neighborhood;
5. Can be adequately served by public facilities and services;
6. Does not cause undue traffic congestion;
7. Preserves significant historical and architectural resources;
8. Preserves significant natural and environmental features; and
9. Complies with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation.

To recommend approval of the Major Variations, the Land Use Commission must find that each of the individual variations meets each of the following standards:

1. The requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.
2. The requested variation is in keeping with the intent of the zoning ordinance.
3. The alleged hardship or practical difficulty is peculiar to the property.
4. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.
5. Either the purpose of the variation is not based exclusively upon a desire to extract additional income from the property, or, while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Land Use Commission or the City Council, depending on final jurisdiction under Section 6-3-8-2 of this Chapter, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the

variation, that include, but are not limited to, any of the standards of Section 6-3-6-3 of this Chapter.

6. The alleged difficulty or hardship has not been created by any person having an interest in the property.
7. The requested variation requires the least deviation from the applicable regulation among the feasible options identified before the Land Use Commission issues its decision or recommendation to the City Council regarding said variation.

Action by the Commission

After making findings of fact as to whether or not the requested Major Variations and the Special Use does or does not meet the aforementioned standards, the Land Use Commission may make a recommendation or recommendations to the Planning & Development Committee of the City Council to approve, approve with conditions, or deny the zoning relief as requested. The Commission may [make individual motions for recommendations for each of the Major Variations and the Special Use, or one motion for one recommendation covering all of the requested zoning relief.

The Land Use Commission is the recommending body and the City Council is the determining body pursuant to Section 6-3-5-9 of the Evanston City Code.

Attachments

1. Major Variations Application, Special Use Application, and Proof of Ownership
2. Aerial Photo
3. Street View
4. Zoning Map
5. Plat of Survey
6. Plans
7. Zoning Analysis

SPECIAL USE
APPLICATION

CASE #:_____

zoning office use only

1. PROPERTY

Address 2201 OAKTON ST EVANSTON

Permanent Identification Number(s):

PIN 1: 10-24-310-049-0000 PIN 2: __-__-___-___-____

(Note: An accurate plat of survey for all properties that are subject to this application **must** be submitted with the application.

2. APPLICANT

Name: Daniel Grove PLA, AICP

Organization: Kimley Horn

Address: 4201 Winfield Rd #600

City, State, Zip: Warrenvile, IL, 606555

Phone: Work: +1 630-487-3415 Home:_____ Cell/Other:_____

Fax: Work: _____ Home:_____

E-mail: _____

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- ☐ **same**
- ☐ architect
- ☐ officer of board of directors
- ☐ builder/contractor
- ☐ attorney
- ☒ other: Planner
- ☐ potential purchaser
- ☐ lessee
- ☐ potential lessee
- ☐ real estate agent

3. PROPERTY OWNER (Required if different than applicant. All property owners must be listed and must sign below.)

Name(s) or Organization: The Home Depot - Contact: Suzanne Russo (Assistant General Counsel)

Address: 2455 Paces Ferry Road

City, State, Zip: Atlanta, GA, 30339

Phone: Work: 770-384-2406 Home:_____ Cell/Other:_____

Fax: Work: _____ Home:_____

E-mail: _____

Please circle the primary means of contact.

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Suzanne Russo _____ 1/13/2023

Property Owner(s) Signature(s) -- **REQUIRED** Date

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

_____ January 13, 2023

Applicant Signature – **REQUIRED** Date

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- ☑ **(This) Completed and Signed Application Form**
- ☑ **Plat of Survey** Date of Survey: 08-29-2022
- ☑ **Project Site Plan** Date of Drawings: 1-13-2023
- ☐ **Plan or Graphic Drawings of Proposal** (If needed, see notes)
- ☑ **Non-Compliant Zoning Analysis**
- ☑ **Proof of Ownership** Document Submitted: Deed
- ☑ **Application Fee** Amount $ 660

Notes: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan or floor plans, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Special Use application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed change of use is non-compliant with the Zoning Code and requires a variance.

Application Fee

The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

Increase outdoor storage/sales at Home Depot

APPLICANT QUESTIONS

a) Is the requested special use one of the special uses specifically listed in the Zoning Ordinance? What section of the Zoning Ordinance lists your proposed use as an allowed special use in the zoning district in which the subject property lies? (See Zoning Analysis Review Sheet)

Yes. The Property is zoned I-1, and included in the special uses for this district is "outdoor storage (when covering more than thirty percent (30%) of an interior side yard or as a principal use)."

b) Will the requested special use interfere with or diminish the value of property in the neighborhood? Will it cause a negative cumulative effect on the neighborhood?

The storage areas are consistent with the use and character of the developed area, will be kept clean, and will not create a negative effect on the neighborhood.

c) Will the requested special use be adequately served by public facilities and services?

The storage areas are adequately served. As they are just storage and display areas, they do not require utilities. They are appropriately illuminated by the existing parkng lot lighting and are accessible through the existing parking lot drive aisles.

d) Will the requested special use cause undue traffic congestion?

The location of the proposed storage areas will not cause traffic congestion.

e) Will the requested special use preserve significant historical and architectural resources?

There are no significant historical or architectural resources on site to preserve.

f) Will the requested special use preserve significant natural and environmental features?

The display areas are located in the existing parking lot, and therefore will not remove or impact any existing environmental features.

g) Will the requested special use comply with all other applicable regulations of the district in which it is located and other applicable ordinances, except to the extent such regulations have been modified through the planned development process or the grant of a variation?

In addition to the requested special use, we are also seeking major variations to allow the rental display within the front yard setback and to allow the rental display without the required screening.

City of Evanston
DISCLOSURE STATEMENT

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

The Home Depot - Contact: Suzanne Russo (Assistant General Counsel) 2455 Paces Ferry Road Atlanta, GA, 30339

770-384-2406

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number __X____ above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number __X____ above, or indicated below.

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

Home Depot U.S.A., Inc., is a wholly-owned subsidiary of The Home Depot, Inc., a publicly traded company on the New York Stock Exchange. It reports all of its public disclosures in accordance with SEC and other applicable regulations.

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

MAJOR VARIATION
APPLICATION

CASE #:

zoning office use only

1. PROPERTY

Address 2201 OAKTON ST EVANSTON

Permanent Identification Number(s):

PIN 1: 10-24-310-049-0000 PIN 2: --- --- ---

(Note: An accurate plat of survey for all properties that are subject to this application **must** be submitted with the application.

2. APPLICANT

Name: Daniel Grove PLA, AICP

Organization: Kimley Horn

Address: 4201 Winfield RD #600

City, State, Zip: Warrenville IL, 60555

Phone: Work: +1 630-487-3415 Home: Cell/Other:

Fax: Work: Home:

E-mail: DANIEL.GROVE@KIMLEY-HORN.COM

Please circle the primary means of contact.

What is the relationship of the applicant to the property owner?

- ☐ **same**
- ☐ builder/contractor
- ☐ potential purchaser
- ☐ potential lessee
- ☐ architect
- ☐ attorney
- ☐ lessee
- ☐ real estate agent
- ☐ officer of board of directors
- ☒ other: Planner

3. PROPERTY OWNER (Required if different than applicant. **All** property owners must be listed and must sign below.)

Name(s) or Organization: The Home Depot - Contact: Suzanne Russo (Assistant General Counsel)

Address: 2455 Paces Ferry Road

City, State, Zip: Atlanta, GA, 30339

Phone: Work: 770-384-2406 Home: Cell/Other:

Fax: Work: Home:

E-mail:

Please circle the primary means of contact.

"By signing below, I give my permission for the Applicant named above to act as my agent in all matters concerning this application. I understand that the Applicant will be the primary contact for information and decisions during the processing of this application, and I may not be contacted directly by the City of Evanston. I understand as well that I may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Suzanne Russo — 1/13/2023

Property Owner(s) Signature(s) -- **REQUIRED** — Date

4. SIGNATURE

"I certify that all of the above information and all statements, information and exhibits that I am submitting in conjunction with this application are true and accurate to the best of my knowledge."

January 13, 2023

Applicant Signature – **REQUIRED** — Date

5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- ☑ **(This) Completed and Signed Application Form**
- ☑ **Plat of Survey** Date of Survey: 08-29-2022
- ☑ **Project Site Plan** Date of Drawings: 1-13-2023
- ☐ **Plan or Graphic Drawings of Proposal** (If needed, see notes)
- ☑ **Non-Compliant Zoning Analysis**
- ☑ **Proof of Ownership** Document Submitted: Deed
- ☑ **Application Fee (see zoning fees)** Amount $ 1,320 plus Deposit Fee $150

Note: Incomplete applications will not be accepted. Although some of these materials may be on file with another City application, individual City applications must be complete with their own required documents.

Plat of Survey

(1) One copy of plat of survey, drawn to scale, that accurately reflects current conditions.

Site Plan

(1) One copy of site plan, drawn to scale, showing all dimensions.

Plan or Graphic Drawings of Proposal

A Major Variance application requires graphic representations for any elevated proposal-- garages, home additions, roofed porches, etc. Applications for a/c units, driveways, concrete walks do not need graphic drawings; their proposed locations on the submitted site plan will suffice.

Proof of Ownership

Accepted documents for Proof of Ownership include: a deed, mortgage, contract to purchase, closing documents (price may be blacked out on submitted documents).

- **Tax bill will not be accepted as Proof of Ownership.**

Non-Compliant Zoning Analysis

This document informed you that the proposed project is non-compliant with the Zoning Code and is eligible to apply for a major variance.

Application Fee

*** IMPORTANT NOTE: Except for owner-occupied residents in districts R1, R2 & R3, a separate application fee will be assessed for each variation requested.**

The fee application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card.

6. PROPOSED PROJECT

A. Briefly describe the proposed project:

Increase outdoor storage/sales at Home Depot

B. Have you applied for a Building Permit for this project? ☑ **NO** ☐ **YES**

(Date Applied: _____ Building Permit Application #: _____)

REQUESTED VARIATIONS

What specific variations are you requesting? For each variation, indicate (A) the specific section of the Zoning Ordinance that identifies the requirement, (B) the requirement (minimum or maximum) from which you seek relief, and (C) the amount of the exception to this requirement you request the City to grant.
(See the Zoning Analysis Summary Sheet for your project's information)

(A) Section (ex. "6-8-3-4")	**(B) Requirement to be Varied** (ex. "requires a minimum front yard setback of 27 feet")	**(C) Requested Variation** (ex. "a front yard setback of 25.25 feet")
1		
6-14-1-8-A	Outdoor storage is allowed in the interior side yard provided the area devoted to the storage does not exceed 30%.	Requesting outdoor storage to be located in the front yard setback, but placed close to the side property lines to meet the intent of the requirement.

*** For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.**

2		
6-14-1-8-B	Outdoor storage shall be screened by an 8' tall solid fence.	Requesting variance to not install screening.
3		

B. A variation's purpose is to provide relief from specified provisions of the zoning ordinance that may unduly impact property due to the property's particular peculiarity and special characteristics. What characteristics of your property prevent compliance with the Zoning Ordinance requirements?

The owner's goal is to provide for customer and community demand for rental materials. The site's side yard setback areas where this would be permitted are either unavailable or inaccessible for the public and therefore, not appropriate. The front yard setback is the only potential location for this use.

1. The requested variation will not have a substantial adverse impact on the use, enjoyment, or property values of adjoining (touching or joining at any point, line, or boundary) properties.

The storage areas are consistent with the use and character of the developed area and will be kept clean.

2. The property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience if the strict letter of the regulations were to be carried out.

This equipment is too large to place in the store and needs to be accessible for rental. If the regulations were to be enforced as written, the owner would not be able to provide any outdoor rental displays, which would be a hardship, as this type of rental is typical of large home improvements stores and meets a customer demand.

3. Either…

(a) the purpose of the variation is not based exclusively upon a desire to extract income from the property, or

(b) while the granting of the variation will result in additional income to the applicant and while the applicant for the variation may not have demonstrated that the application is not based exclusively upon a desire to extract additional income from the property, the Zoning Board of Appeals or the City Council, depending upon final jurisdiction under §6-3-8-2, has found that public benefits to the surrounding neighborhood and the City as a whole will be derived from approval of the variation, that include, but are not limited to any of the standards of §6-3-6-3.

The granting of the variation will likely result in additional income to the applicant, but the application is not based exclusively on the desire to extract additional income, rather it is to serve the demands of customers in the community and stay competitive with other similar large home improvement stores.

4. The alleged difficulty or hardship has not been self-created, if so, please explain.

The hardship is created by the demand from the customers. The hardship is a result of both the site configuration and the desire to meet customer demand.

5. Have other alternatives been considered, and if so, why would they not work?

Alternative locations on site would be impractical. There is insufficient space within the building for this use, and an interior location would impede accessibility for rental. Side yard locations are either not large enough or lack accessibility and visibility for customers.

City of Evanston
DISCLOSURE STATEMENT FOR ZONING HEARINGS

(This form is required for all Major Variances and Special Use Applications)

The Evanston City Code, Title 1, Chapter 18, requires any persons or entities who request the City Council to grant zoning amendments, variations, or special uses, including planned developments, to make the following disclosures of information. The applicant is responsible for keeping the disclosure information current until the City Council has taken action on the application. For all hearings, this information is used to avoid conflicts of interest on the part of decision-makers.

1. If applicant is an agent or designee, list the name, address, phone, fax, and any other contact information of the proposed user of the land for which this application for zoning relief is made: Does not apply.

The Home Depot - Contact: Suzanne Russo (Assistant General Counsel) 2455 Paces Ferry Road Atlanta, GA, 30339
770-384-2406

2. *If a person or organization owns or controls the proposed land user*, list the name, address, phone, fax, and any other contact information of person or entity having constructive control of the proposed land user. Same as number _____ above, or indicated below. (An example of this situation is if the land user is
a division or subsidiary of another person or organization.)

3. List the name, address, phone, fax, and any other contact information of person or entity holding title to the subject property. Same as number __X___ above, or indicated below.

4. List the name, address, phone, fax, and any other contact information of person or entity having constructive control of the subject property. Same as number ___X___ above, or indicated below.

_____

_____

_____

_____

If Applicant or Proposed Land User is a Corporation

Any corporation required by law to file a statement with any other governmental agency providing substantially the information required below may submit a copy of this statement in lieu of completing a and b below.

a. Names and addresses of all officers and directors.

Home Depot U.S.A., Inc., is a wholly-owned subsidiary of The Home Depot, Inc., a publicly traded company on the New York Stock Exchange. It reports all of its public disclosures in accordance with SEC and other applicable regulations.

b. Names, addresses, and percentage of interest of all shareholders. If there are fewer than 33 shareholders, or shareholders holding 3% or more of the ownership interest in the corporation or if there are more than 33 shareholders.

_____

_____

_____

_____

_____

If Applicant or Proposed Land User is not a Corporation

Name, address, percentage of interest, and relationship to applicant, of each partner, associate, person holding a beneficial interest, or other person having an interest in the entity applying, or in whose interest one is applying, for the zoning relief.

_____

_____

_____

_____

_____

_____

_____

GEORGE E. COLE®
LEGAL FORMS

No. 808
February, 1985

RECEIVED
DEC 17 1993

COOK
CO. NO. 016
045209

SPECIAL WARRANTY DEED
(Corporation to Individual)
(Illinois)

CAUTION: Consult a lawyer before using or acting under this form. *Neither the publisher nor the seller of this form makes any warranty with respect thereto, including any warranty of merchantability or fitness for a particular purpose.*

LEGAL 93871628

THIS INDENTURE, made this 27TH day of October, 19 93, between Rust-Oleum Corporation,

a corporation created and existing under and by virtue of the laws of the State of Illinois and duly authorized to transact business in the State of Illinois, party of the first part, and Home Depot U.S.A., Inc., a corporation,

(NAME AND ADDRESS OF GRANTEE)

party of the second part, WITNESSETH, that the party of the first part, for and in consideration of the sum of Ten and No/100s Dollars and other good and valuable consideration in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, and pursuant to authority of the Board of Directors of said corporation, by these presents does REMISE, RELEASE, ALIEN AND CONVEY unto the party of the second part, and to its heirs and assigns, FOREVER, all the following described real estate, situated in the County of Cook and State of Illinois known and described as follows, to wit:

Above Space For Recorder's Use Only

STATE OF ILLINOIS REAL ESTATE TRANSFER TAX OCT 28'93 DEPT. OF REVENUE 987.50 P.B. 10775

COOK CO. NO. 016 045210

See Exhibit A attached hereto.

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $50.00

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $10,000

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $1000.00

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $200.00

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $4,000

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $500.00

OCT 28 1993 Real Estate Transfer Tax CITY OF EVANSTON $4,000

STATE OF ILLINOIS REAL ESTATE TRANSFER TAX OCT 28'93 DEPT. OF REVENUE 987.50 P.B. 10775

Together with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim or demand whatsoever, of the party of the first part, either in law or equity, of, in and to the above described premises, with the hereditaments and appurtenances: TO HAVE AND TO HOLD the said premises as above described, with the appurtenances, unto the party of the second part, its heirs and assigns forever.

And the party of the first part, for itself, and its successors, does covenant, promise and agree, to and with the party of the second part, its heirs and assigns, that it has not done or suffered to be done, anything whereby the said premises hereby granted are, or may be, in any manner incumbered or charged, except as herein recited; and that the said premises, against all persons lawfully claiming, or to claim the same, by, through or under it, it WILL WARRANT AND DEFEND, subject to:

See Exhibit B attached hereto.

Permanent Real Estate Index Number(s): 10-24-310-009, 018, 019, 022, 024, 026, 028 and 045

Address(es) of real estate: 2201-2301 W. Oakton Street, Evanston, Illinois

IN WITNESS WHEREOF, said party of the first part has caused its corporate seal to be hereto affixed, and has caused its name to be signed to these presents by its _____ President, and attested by its _____ Secretary, the day and year first above written.

COOK CO. NO. 016 045211

STATE OF ILLINOIS REAL ESTATE TRANSFER TAX OCT 28'93 DEPT. OF REVENUE 987.50 P.B. 10776

Rust-Oleum Corporation
(Name of Corporation)

By _____ VICE President

Attest: _____ Secretary

This instrument was prepared by Christopher Vidovic; Mayer, Brown & Platt, 190 South LaSalle Street, Chicago, Illinois 60603
(NAME AND ADDRESS)

SEND SUBSEQUENT TAX BILLS TO:

(Name)

(Address)

(City, State and Zip)

MAIL TO: MS. KATHRYN E. LEE (Name)
HOME DEPOT U.S.A. INC (Address)
2727 PACES FERRY ROAD
ATLANTA GEORGIA 30339 (City, State and Zip)

OR RECORDER'S OFFICE BOX NO. 333

93871628

STATE OF ILLINOIS
COUNTY OF COOK } ss.

I, JOSEPH J STRYCZEK, a notary public in and for said County, in the State aforesaid, DO HEREBY CERTIFY that Michael Murphy personally known to me to be the Vice President of ~~Rust-Oleum Corporation~~, an Illinois corporation, and _____, personally known to me to be the _____ Secretary of said corporation, and personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person and severally acknowledged that as such Vice President and _____ Secretary, they signed and delivered the said instrument and caused the corporate seal of said corporation to be affixed thereto, pursuant to authority, given by the Board of Directors of said corporation as their free and voluntary act, and as the free and voluntary act and deed of said corporation, for the uses and purposes therein set forth.

GIVEN under my hand and official seal this 27th day of October, 1993.

Joseph J Stryczek
Notary Public

Commission expires _____

Cook County
REAL ESTATE TRANSACTION TAX
REVENUE STAMP OCT28'93 P.D. 11427
987.50
2498934

"OFFICIAL SEAL"
Joseph J. Stryczek
Notary Public, State of Illinois
My Commission Expires Feb. 9, 1997

Cook County
REAL ESTATE TRANSACTION TAX
REVENUE STAMP OCT28'93 P.D. 11427
987.50
2498935

COOK COUNTY, ILLINOIS
FILED FOR RECORD
~~93 OCT 28 PM 2:17~~ 93871629

COOK COUNTY, ILLINOIS
FILED FOR RECORD
~~93 OCT 28 PM 2:24~~ 93871628

COOK COUNTY, ILLINOIS
FILED FOR RECORD
93 OCT 29 AM 11:36 93871628

93871628

Box _____

SPECIAL WARRANTY DEED
Corporation to Individual

TO

ADDRESS OF PROPERTY:

MAIL TO:

GEORGE E. COLE®
LEGAL FORMS

EXHIBIT A

PARCEL 1: LOT "A" OF OAKTON CONSOLIDATION, IN THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PART OF THE NORTH 5 FEET (AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE) OF LOT "A" LYING WEST OF THE EAST LINE OF LOT 2, EXTENDED SOUTH, IN HESS' SUBDIVISION AND LYING EAST OF A LINE DRAWN AT RIGHT ANGLES TO SAID NORTH LINE OF LOT "A" THROUGH THE NORTHWESTERNLY CORNER THEREOF, IN COOK COUNTY, ILLINOIS

AND ALSO

EXCEPTING THAT PART OF SAID LOT "A", DESCRIBED AS FOLLOWS:: BEGINNING AT THE MOST SOUTHWESTERNLY CORNER OF SAID LOT, BEING 81.0 FEET EAST OF THE WEST LINE AND 33.0 FEET NORTH OF THE SOUTH LINE OF SAID SOUTHWEST 1/4 (AS MEASURED PARALLEL TO SAID SECTIONAL LINES); THENCE EAST ALONG THE SOUTH LINE OF SAID LOT, A DISTANCE OF 179.00 FEET TO A CORNER OF SAID LOT; THENCE NORTHERLY ALONG AN EASTERLY BOUNDARY LINE OF SAID LOT AND ITS EXTENSION NORTHERLY, 233.0 FEET; THENCE WEST PARALLEL TO THE SAID SOUTH LINE OF SAID LOT, 111.0 FEET; THENCE NORTHERLY PARALLEL TO THE MOST WESTERLY LINE OF SAID LOT, 172.0 FEET TO A POINT IN THE NORTHWESTERLY LINE OF SAID LOT, BEING ALSO, THE SOUTHEASTERLY LINE OF THE CHICAGO AND NORTHWESTERN RAILROAD; THENCE SOUTHWESTERLY ALONG SAID LINE, 181.85 FEET TO THE SAID MOST WESTERLY LINE OF SAID LOT; THENCE SOUTHERLY ALONG SAID LINE, 239.80 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 2: THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN DESCRIBED AS FOLLOWS::

BEGINNING AT A POINT IN THE SOUTH LINE OF SAID QUARTER QUARTER SECTION, 380 FEET EAST OF THE SOUTHWEST CORNER THEREOF; THENCE NORTH PARALLEL WITH THE WEST LINE OF SAID SOUTHWEST 1/4 BEING ALSO, THE EAST LINE OF A 20 FOOT STRIP OF LOT "A" AFORESAID, A DISTANCE OF 223.0 FEET; THENCE EAST PARALLEL WITH THE SAID SOUTH LINE OF SAID QUARTER QUARTER SECTION, BEING ALSO, A BOUNDARY LINE OF SAID LOT "A", 461.40 FEET TO A LINE 433 FEET WEST OF (BY RIGHT ANGLE MEASURE) THE EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE SOUTH ALONG SAID LINE 223.0 FEET TO THE SAID SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE WEST ALONG SAID LINE, 461.66 FEET TO THE POINT OF BEGINNING (EXCEPT THE SOUTH 33 FEET THEREOF CONVEYED TO THE CITY OF EVANSTON FOR STREET PURPOSES) IN COOK COUNTY, ILLINOIS

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PARCEL 3: THE SOUTH 1/2, AS MEASURED ALONG THE EAST AND WEST LINES THEREOF, OF THAT PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND DESCRIBED AS FOLLOWS::

COMMENCING AT THE NORTHWEST CORNER OF OAKTON STREET AND HARTREY AVENUE, SAID POINT BEING 33.0 FEET NORTH OF THE SOUTH LINE AND 33.0 FEET WEST OF THE EAST LINE (AT RIGHT ANGLE MEASUREMENT) OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4; THENCE RUNNING NORTH ALONG SAID WEST LINE OF HARTREY AVENUE AND 33.0 FEET WEST OF AND PARALLEL TO SAID EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE

OF 861.05 FEET TO A POINT; THENCE WEST AT RIGHT ANGLES TO SAID WEST LINE OF HARTREY AVENUE, A DISTANCE OF 400.0 FEET TO A POINT; THENCE SOUTH, PARALLEL TO SAID EAST LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 881.35 FEET TO A POINT IN THE NORTH LINE OF OAKTON STREET; THENCE EAST ALONG THE NORTH LINE OF OAKTON STREET AND 33.0 FEET NORTH OF (AT RIGHT ANGLE MEASUREMENT) AND PARALLEL TO SAID SOUTH LINE OF SAID SOUTHWEST 1/4 OF THE SOUTHWEST 1/4, A DISTANCE OF 400.51 FEET TO THE PLACE OF BEGINNING, IN COOK COUNTY, ILLINOIS

PARCEL 4: LOTS "A", "B", "C", AND "E" IN MACTAGGART AND NEWTON'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 24, TOWNSHIP 41 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

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EXHIBIT B

PERMITTED EXCEPTIONS

1. Easement over Parcel 1 to connect to an existing sewer and storm sewer as contained in grant made by Tiara Corporation and Oakton Corporation recorded May 1, 1969 as Document 20833668 (affects Parcel 1)

2. Easement in, upon, under, over and along a part of Lot A to install and maintain all equipment necessary for the installation of all equipment necessary for the purpose of serving the land and other property together with right to install anchor and buy wires over parts of land with right of access to said equipment as created by grant to the Commonwealth Edison Company and the Illinois Bell Telephone Company their successors and assigns recorded September 15, 1969 as Document 17658293.

3. Six (6) foot easement for public utilities as shown on plat of subdivision recorded October 25, 1954 as Document 16051963 over the west and north lines of lot "E" south, the south and west lines of Lot "A", the west and south lines of Lot "C", and the south line of Lot "B". (affects Parcel 4).

4. Existing unrecorded leases and all rights thereunder of the lessees and of any person or party claiming by, through or under the lessees.

5. Unrecorded easement for public utilities along the westerly line as disclosed by overhead wires depicted on the survey dated January 11, 1993 and prepared by B.H. Suhr and Company, Inc., order Number 93-2. (affects Parcel 1)

6. Unrecorded easement for public utilities over the northeasterly corner as disclosed by overhead wires depicted on the survey dated January 11, 1993 and prepared by B.H. Suhr and Company, Inc., order Number 93-2. (affects Lot C)

7. Unrecorded easement for public utilities over the southwesterly corner as disclosed by overhead wires as depicted on the survey prepared by B.H. Suhr and Company, Inc., order 93-2 dated January 11, 1993. (affects Parcel 2)

8. Unrecorded gas main easement in favor of Northern Illinois Gas as disclosed by the utility letter from Northern Illinois Gas dated April 17, 1990. (affects Parcel 1)

9. Unrecorded Electric Service Station Agreement N-1616, dated August 28, 1959, between Rustoleum Manufacturing Company,

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Inc., and Public Service Company Division of Commonwealth Edison Company as disclosed by utility letter from Commonwealth Edison dated April 23, 1990. (affects Parcel 1)

10. Rights of owners of lots in MacTaggart and Newton's Subdivision in and to the south 25.25 feet of Lots E, F and G and to the north 25.25 feet of Lots A, B and D falling in Keeney Street (a private street) for ingress and egress and public utilities as shown on plat.

11. Rights of the public, the State of Illinois and the Municipality for roadway purposes in and to the area depicted as Keeney Street on the plat of survey prepared by B.H. Suhr and Company, Inc., dated August 16, 1989.

12. Encroachment of I-Beam of frame overhang located mainly on property north and adjoining over and onto the north line of the land by 0.10 feet south as disclosed by survey made by B.H. Suhr and Company, Inc. as order 93-2 dated January 11, 1993. (affects Parcel 1)

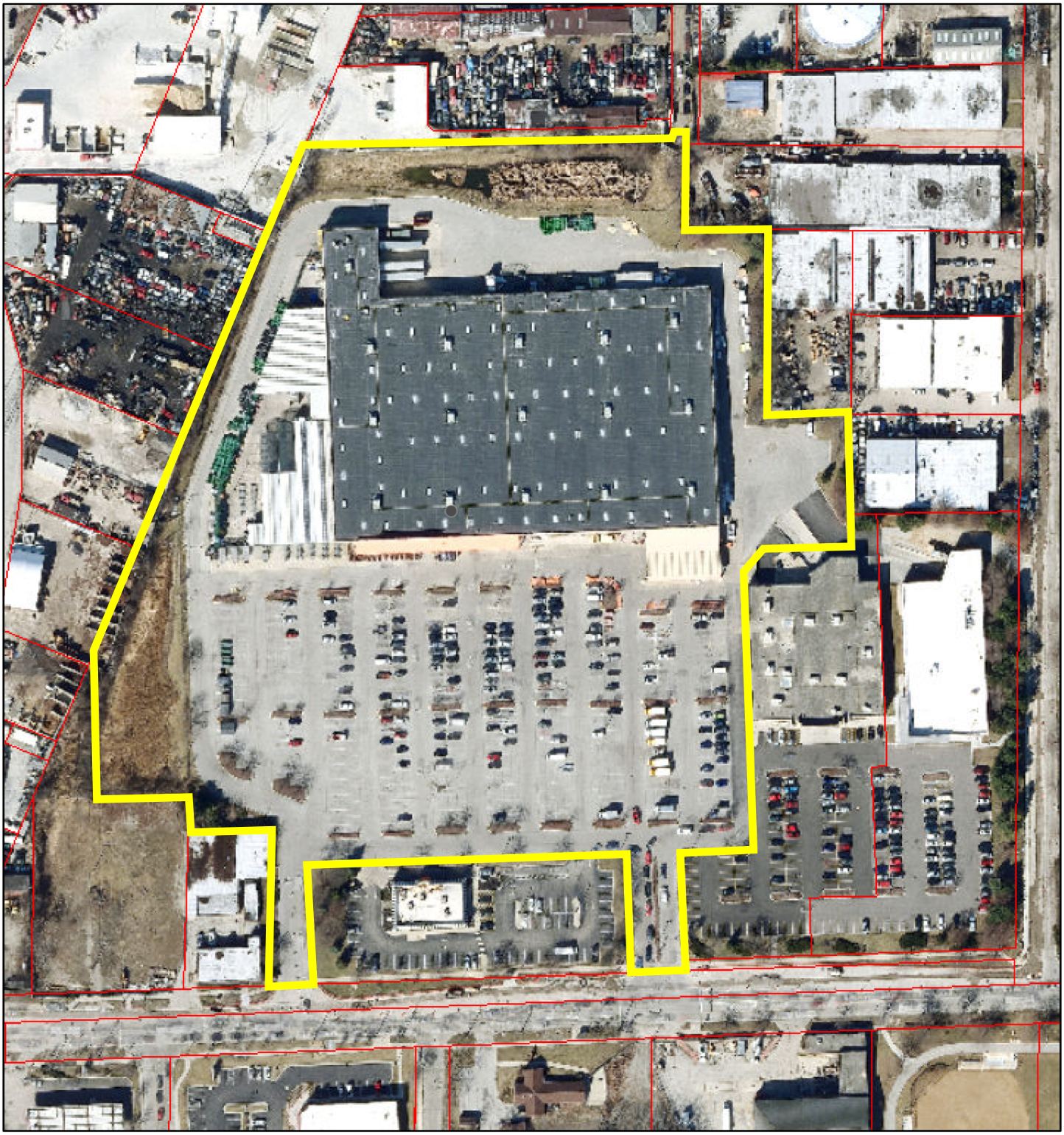
13. Encroachment of concrete curb located mainly on Pinter Avenue north and adjoining over and onto the north line of the land by 10.40 feet south as disclosed by survey aforesaid.

14. Encroachment of chain link fence located mainly on the land over and onto property southwest and adjoining by about 20 feet south and 10 feet west as disclosed by survey aforesaid.

15. Encroachment of chain link fence located mainly on the land at the northwest corner of Parcel 1 over and onto property west and adjoining by about 5.0 feet as disclosed by survey aforesaid.

16. Possible easement in favor of Cablevision of Chicago to maintain facilities attached to a utility pole located on the easterly line of the land as disclosed by letter form Cablevision of Chicago dated August 25, 1993.

2201 Oakton Street - Aerial



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0 0.03 0.06 0.11 km

City Boundary

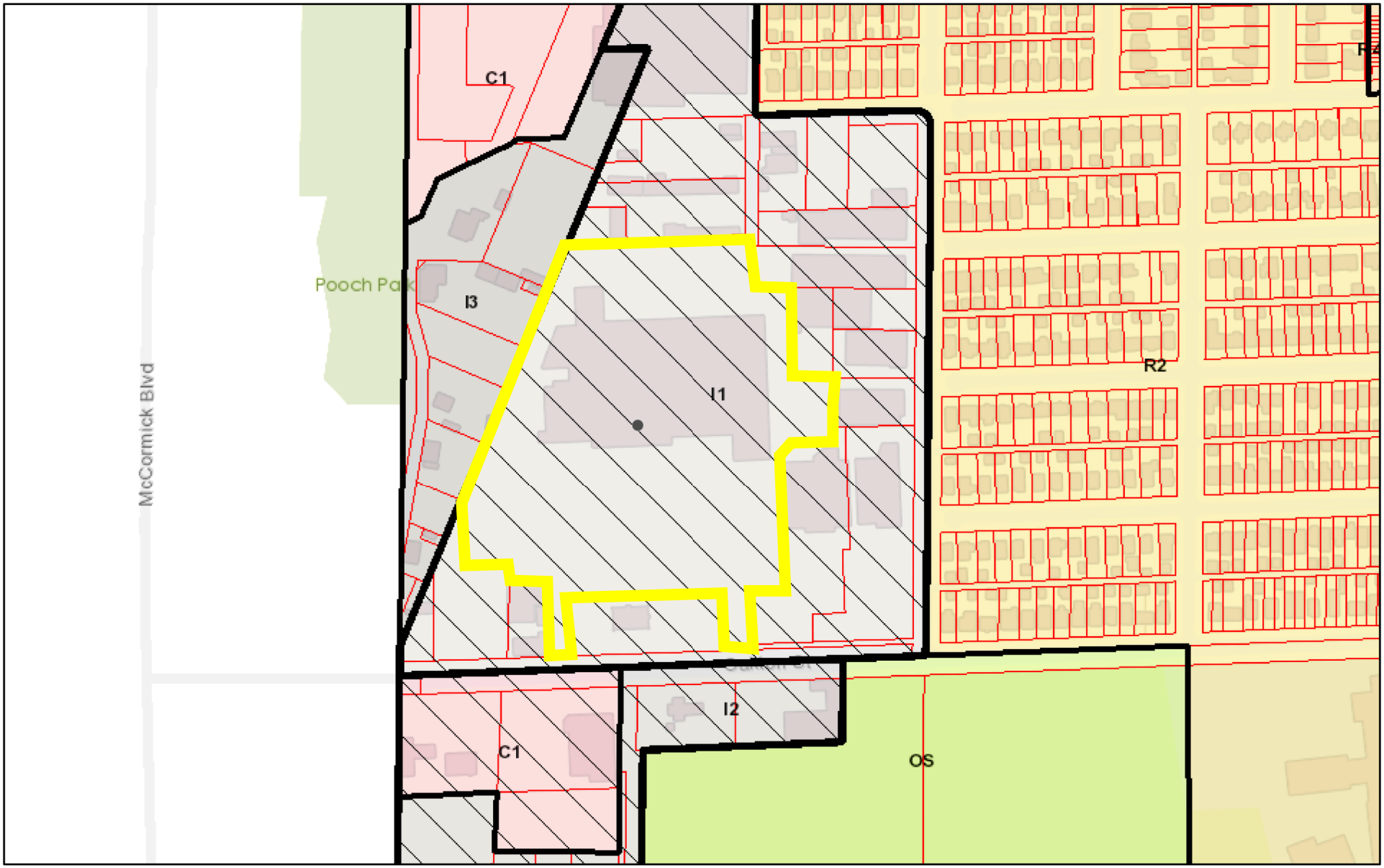
Tax Parcels

Cook County GIS

ArcGIS Web AppBuilder
Cook County GIS |

2201 Oakton Street – Street view (looking north)

2201 Oakton Street - Zoning Map



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Zoning Boundaries & Labels

Zoning Overlay Districts

oCSC - Central Street Corridor

oDM - Dempster-Main Overlay

oH - Hospital Overlay

oRD - Redevelopment Overlay

oWE- West Evanston Overlay

Zoning Districts

B1 - Business

B1a - Business

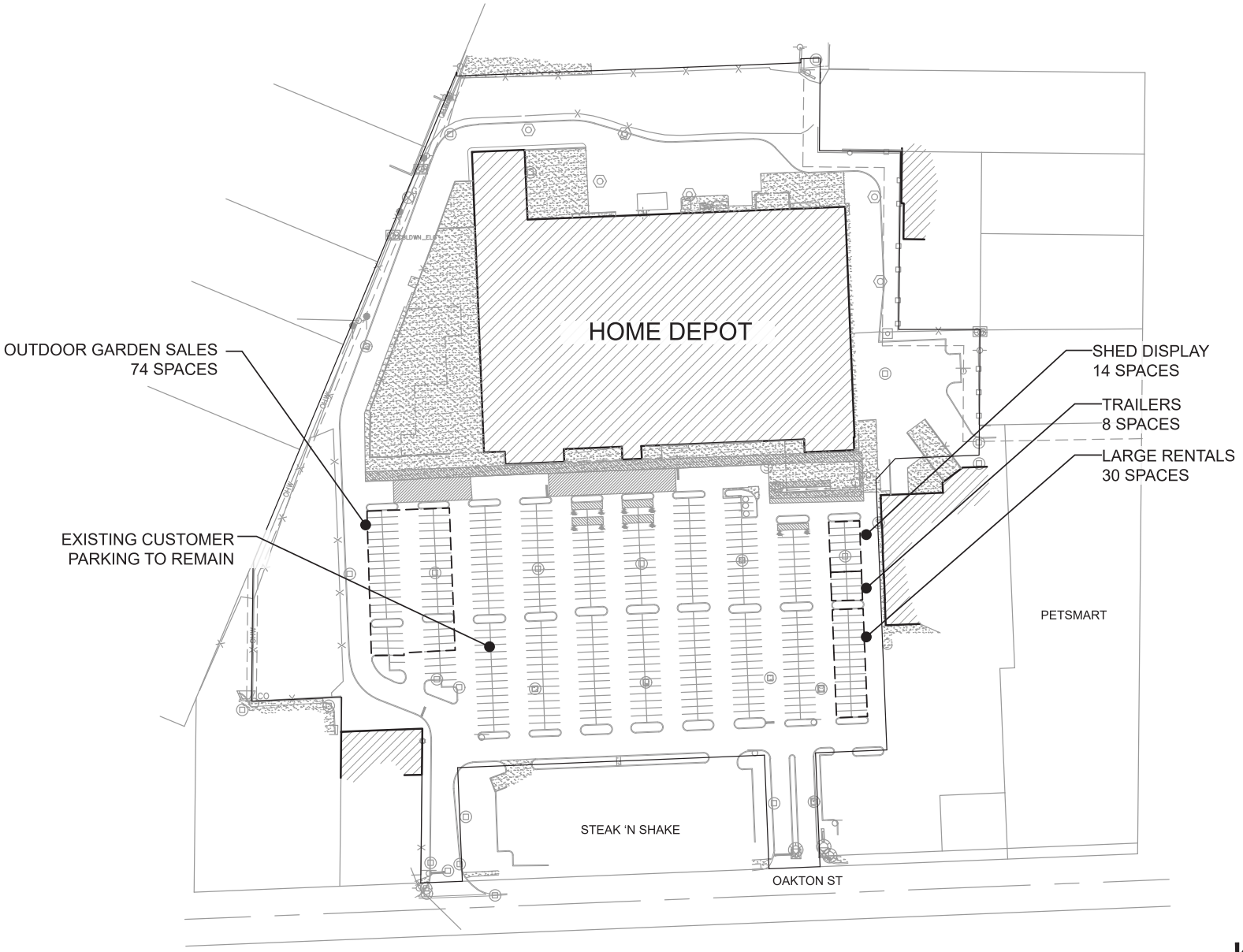
B2 - Business

B3 - Business

C1 - Commercial

C1a - Commercial Mixed-Use

ArcGIS Web AppBuilder



HOME DEPOT | EVANSTON, IL

JANUARY 2023 | PROPOSED IMPROVEMENTS

Kimley»Horn

0 60 120 240

N

Zoning Analysis
Summary

2201 Oakton St.
Reviewed 09/21/21

Case Number:	**Case Status/Determination:**
21ZONA-0131	Non-compliant

Proposal:

Increase outdoor storage/sales at Home Depot

Zoning Section:	**Comments:**
6-14-2-3	Special Use required to increase a Retail Goods Establishment in the I1 District Recommendation: apply for Special Use
6-14-1-8-A	Outdoor storage is allowed in the interior side yard provided the area devoted to the storage does not exceed 30%. Recommendation: Revise storage location to either far west on the property near the garden center or far east on the property near the side of the Petsmart building. Both locations are within the front yard but near the side to meet the intent of the regulation. Then apply for a Major Variation to allow outdoor storage in the front yard in conjunction with the Special Use
6-14-1-8-B	Outdoor storage shall be screened by an 8 tall solid fence. Recommendation: Apply for Major Variation for no screening
Revise	Show rental vehicle storage area as well (not approved for the middle of the parking lot area) at far east or west area of lot

Note: The Special Use process takes approximately 90 days are requires a public hearing with the Zoning Board of Appeals and a final determination by the City Council. If granted, the approval will include requirements for the Rental Vehicles that have been the source of past zoning violation notices.