Zoning Board of Appeals  
Tuesday, January 9, 2018  
7:00 P.M.  
Evanston Civic Center, 2100 Ridge Avenue, James C. Lytle City Council Chambers  

AGENDA  

1. CALL TO ORDER / DECLARATION OF QUORUM  

2. APPROVAL OF MEETING MINUTES of December 19, 2017  

3. NEW BUSINESS  

A. 1723 Simpson Street  
Robert Crayton, lessee, applies for a special use for a Type 2 Restaurant, dba Gold Star Enterprises, in the B1 Business District (Zoning Code Section 6-9-2-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

B. 2014 Orrington Avenue  
Rabbi Dov Hillel Klein, property owner, applies for a special use permit for the expansion of a Religious Institution, Lubavitch Chabad of Evanston, LLC, in the R1 Single Family Residential District (Zoning Code Section 6-8-2-4). The applicant also requests major zoning relief for an addition including a third story with a 35’ peak height and exterior knee-wall above 3’ where 2.5 stories with a peak height of 35’ and a maximum 3’ exterior knee-wall are permitted (Zoning Code Sections 6-8-2-9-A & 6-18-3), a 5.4’ north interior side yard setback and 9.5’ south interior side yard setback where 15’ is required for a non-residential structure (Zoning Code Section 6-8-2-8-B-3), a 27.3’ front yard setback where 34’ is required (Zoning Code Section 6-4-1-9-A-3), and a 24.8’ front yard porch eave setback where 27.6’ is required (Zoning Code Section 6-4-1-9-B). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

C. 2626 Reese Avenue  
William James, contractor, applies for major zoning relief to construct a 2-story single family residence in the R1 Single Family Residential District. The applicant

Order & Agenda Items are subject to change. Information about the ZBA is available at:  
Questions can be directed to Melissa Klotz at 847-448-8153. 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 the Community Development Department 48 hours in advance of the scheduled meeting so that accommodations can be made at 847-448-8153 (Voice) or 847-448-8064 (TYY).

La ciudad de Evanston está obligada a hacer accesibles todas las reuniones públicas a las personas minusválidas o las que 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).
requests 37.9% building lot coverage where a maximum 30% is allowed (Zoning Code Section 6-8-2-7), a 4’ street side yard setback (Hartzell Street) where 15’ is required for the principal structure (Zoning Code Section 6-8-2-8-A-2), a 3’ street side yard setback where 15’ is required for the accessory structure (detached garage) (Zoning Code Section 6-8-2-8-C-2), an accessory structure in a street side yard closer to the street than the principal structure (Zoning Code Section 6-4-6-2-F), and a 1’ street side yard setback where 13.5’ is required for the porch (yard obstruction) (Zoning Code Section 6-4-1-9-B-1). The Zoning Board of Appeals is the determining body for this case.

4. OTHER BUSINESS

5. DISCUSSION

6. ADJOURNMENT

The next Zoning Board of Appeals meeting is scheduled for **Tuesday, January 23, 2018** at 7:00pm in James C. Lytle City Council Chambers of the Lorraine H. Morton Civic Center.
MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, December 19, 2017
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Lisa Dziekan, Mary Beth Berns, Myrna Arevalo, Kiril Mirintchev, Scott Gingold, Violetta Cullen

Members Absent: Mary McAuley

Staff Present: Scott Mangum
Presiding Member: Mary Beth Berns

Declaration of Quorum
With a quorum present, Chair Berns called the meeting to order at 7:00 p.m.

Approval of Minutes
The minutes from the November 7, 2017 Zoning Board of Appeals meeting were motioned for approval by Ms. Cullen and seconded by Ms. Arevalo. The minutes were approved 6-0.

New Business
600 Main Street
Scott Schwebel, lessee, applies for a special use permit for a Type 2 Restaurant, Colectivo Coffee Roasters Inc., in the D3 Downtown Core Development District (Zoning Code Section 6-11-4-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Mr. Mangum provided a summary of the staff memo and recommendation.

Scott Schwebel, lessee, noted:
- The business is a type 2 restaurant, cafe.
- The windows would be restored.
- 16 owner occupied locations are in Wisconsin and now one in Chicago, Illinois.
- Deliveries are made daily from off-site bakery.
- No black iron will be required.
- Most employees are from local area with approximately 6-8 onsite at peak times.
- Company has policy for employee parking, incentives are offered for employees to utilize multi-modal transportation.

In response to Ms. Dziekan, the applicant believes that the business will complement and enhance existing businesses. Location would be custom designed to revitalize space and outdoor seating is contemplated.

In response to Mr. Gingold, the applicant stated that products are produced off-site at a commissary and delivered daily. Components for food items such as sandwiches are
assembled onsite.

In response to Ms. Cullen, the applicant stated that generally hours are between 6:00 a.m. and 11:00 p.m with deliveries taken before 6:30 a.m.

In response to Chair Berns, the applicant stated that deliveries are made by Sprinter vans on-street. Evanston deliveries may be made around 5:15 a.m. depending on timing of other deliveries.

In response to Ms. Dziekan, the applicant plans to serve beer brewed by Collectivo. Sustainability practices would be utilized. Evanston would be fourth location in Chicago area and location was presented to applicant by a broker.

Jim Romenesko, resident, noted that he is familiar with Collectivo locations and supported the proposal. He noted that other coffee shops are busy.

The ZBA entered deliberation:

- Ms. Dziekan stated this is an exciting business in an important location and is appropriate and a positive for downtown.
- Mr. Gingold can vouch for quality of other locations and believes there is a healthy market for coffee shops in the area.
- Ms. Cullen also added that other coffee shops are busy.
- Ms. Arevalo agreed it was a good project that would revitalize the corner.
- Mr. Mirintchev concurred about the positives of the project.
- Ms. Berns is excited about uniqueness that is brought to each store. It is an important corner.

The Standards were addressed:

1) Yes
2) Yes
3) Yes
4) Yes
5) Yes
6) Yes
7) Yes
8) Not Applicable
9) Yes

Mr. Gingold moved to recommend approval with conditions, seconded by Ms. Cullen. The ZBA voted to recommend approval, 6-0, with the following conditions:

1) Hours of operation of 6 a.m. to Midnight.
2) Employees prohibited from using metered street parking.
3) Applicant shall provide transparent windows per testimony at DAPR and ZBA.
4) Substantial compliance with documents and testimony on record.

Other Business
ZBA Rules Update
Mr. Mangum explained the proposal to hold regular ZBA meetings once a month in
Chair Berns suggested starting meetings earlier. There was not support for starting earlier.

Mr. Mirintchev inquired about the reasons for the change and expressed concern. Mr. Mangum explained total caseload of 30 cases in 2017 and efficiency for staff time to meet monthly with the ability to still add special meetings.

Mr. Gingold expressed concern with limiting the number of meetings and requested that staff monitor caseload for meetings and schedule additional meetings where necessary to prevent overly long meetings.

Chair Berns explained the typical caseload and the flexibility that exists to add additional meetings.

Additional ideas were discussed such as noticing a large number of items for a meeting with the ability to continue items that are not heard before a certain time and adding notice language that items may be continued. Alternately, the Board agreed to allow staff to manage meeting agendas and schedule special meetings as necessary.

Mr. Gingold moved to approve the proposed rule change, seconded by Ms. Cullen. The ZBA voted to approve the updated rules, 6-0.

**2018 ZBA Schedule**

Mr. Gingold moved to approve the 2018 meeting schedule, seconded by Ms. Cullen. The ZBA voted to approve the 2018 meeting schedule, 6-0.

**Discussion**

There was no additional discussion.

The meeting adjourned at 7:48pm.
1723 Simpson St.
17ZMJV-0103

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Community Development Director
Scott Mangum, Planning and Zoning Administrator
Cindy Plante, Economic Development Specialist

Subject: 1723 Simpson St. – ZBA 17ZMJV-0103
ZBA Recommending Body
City Council Determining Body

Date: January 4, 2017

Notice – Published in the December 21, 2017 Evanston Review:
Robert Crayton, potential lessee, applies for a special use permit for a Type 2 Restaurant, Rubie’s, in the B1 District (Zoning Code Section 6-9-2). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City Staff and DAPR recommend approval for a special use permit for a Type 2 Restaurant, Rubie’s in the B1 District, which is conditioned on the removal of bars on the south facing windows and installation of transparent glass in place of the existing glass block, prohibiting deliveries during times when school busses pick up from in front of the location, providing updated plans and description of operation for proposed phases 1 and 2 for the Zoning Board of Appeals, and requiring that a second accessible restroom is installed prior to phase 2 operations. The ZBA may consider enhancing and clarifying these conditions regarding unobstructed windows, specific delivery hours permitted, and interior signage relating to maximum occupancy without a second accessible restroom. The applicant has complied with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
1723 Simpson St. is located on the north side of Simpson St., at the Northeast corner of Simpson and Darrow in the B1 Business District. It is immediately surrounded by the following zoning districts:

North: B1 Business District
South: R4 General Residential District
1723 Simpson St. features a one-story commercial building that previously operated as a convenience store. In 1999 a Special Use Permit (93-O-99) was approved to authorize zoning variations for a one-story building addition and to operate a Type 2 Restaurant within an existing retail food store establishment. However, the Type 2 Restaurant portion of the use has since been abandoned as it has not operated for a number of years and a retail food store establishment is no longer proposed.

Proposal
The applicant proposes to operate Rubie’s, a Type 2 restaurant, at 1723 Simpson. The Zoning Ordinance defines a Type 2 restaurant as:

An establishment in which the principal use is the service of prepared food and/or beverages for consumption on and/or off the premises and that is not a "restaurant, type 1" as defined herein. This definition shall not include establishments where incidental prepared food and beverage service is accessory to a bakery, food establishment, convenience store, food store establishment, meat market, or similar principal use nor shall it include cafeterias that are accessory to hospitals, colleges, universities, schools or other similar principal uses. (Ord. 9-0-10)

The applicant is proposing to operate from 6am-6pm on weekdays, and from 7am to 4pm on weekends per a revised description of operations. Between four and six employees are expected (2 full-time, 3 part-time). The menu includes breakfast and lunch items including eggs, deli sandwiches and tacos with coffee, tea, and soft drinks available as beverage options.

Proposed Floor Plan:
The “open waiting area” space will not include customer seating in this initial phase of opening, which is limited to the Type 2 carryout restaurant use only. The applicant's intention is to eventually offer this space for community meetings and events, but is unable to do so at this time because an additional ADA bathroom would be required under the building code to support occupancy by more than 10 people. Customers and employees are encouraged to walk or bike to the location or take public transportation. Customers that drive will utilize street parking.

Ordinances Identified for Requested Relief:
6-9-2-3 The following uses may be allowed in the B1 Business district, subject to the provisions set forth in Section 6-3-5, “Special Uses,” of this Title:

Type 2 Restaurant (among other listed uses)

Comprehensive Plan:
The Evanston Comprehensive General Plan encourages the utilization of vacant storefronts along existing commercial corridors that can add sales tax revenue and encourage economic vitality. The Comprehensive Plan specifically includes:

Objective: Promote the growth and redevelopment of business, commercial, and industrial areas.

Objective: Retain and attract businesses in order to strengthen Evanston’s economic base.
Rubie’s will use a currently vacant commercial space to open a locally owned and operated business.

Design and Project Review (DAPR) Discussion and Recommendation:
The Committee had several questions regarding deliveries, building facade, and whether seating would be included. The applicant responded that deliveries would not interfere with school buses, that there would be no seating for customers in this initial opening phase, and that they would work with their landlord to seek funding to update the exterior of the building. The applicant also agreed to provide a written update addressing these questions prior to ZBA.

Recommendation: Unanimous approval conditioned on updates to the building facade, including removal of the bars on the windows and replacement of glass block with transparent windows, limitation on delivery hours, additional information about phasing of operations, and limitations on occupancy per building code.

Special Use Standards:
For the ZBA to recommend that City Council grant a special use, the ZBA must find that the proposed special use:

a) Is one of the listed special uses for the zoning district in which the property lies;
   Type 2 restaurants are permitted under the special use section for the B1 district.

b) Complies with the with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance;
   The use is compliant with the Zoning ordinance and the Comprehensive General Plan because the project promotes growth and redevelopment of business and a commercial area, in addition to attracting business in order to strengthen Evanston’s economic base.

c) Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use; Staff has not received any comments opposing the project, and it is complementary to nearby commercial and institutional uses.

d) Does not interfere with or diminish the value of property in the neighborhood;
   The proposed business would occupy a vacant space, which would add to the value of the property and the neighborhood.

e) Is adequately served by public facilities and services;
   The building is served by Simpson Street and Darrow Avenue, with a CTA 206 bus stop nearby on Simpson.

f) Does not cause undue traffic congestion;
   The business description provided by the applicants suggests that they are aiming to cater to the local community, so it seems likely that many customers would walk or bike to the location. The surrounding area includes on-street
parking and is accessible by CTA bus.
g) Preserves significant historical and architectural resources; Other than the reopening and replacing of the storefront windows, no significant changes will be made to the structure, which is not a landmark or otherwise architecturally significant.
h) Preserves significant natural and environmental resources; No significant natural or environmental resources exist on site. The service plan submitted provided for twice weekly garbage pickup, including recycling.
i) Complies with all other applicable regulations. As long as no seating is provided until after installation of a second ADA bathroom at the facility, the project complies with all other applicable regulations to move forward with the next steps in the special use process.

Attachments
Special Use Application – submitted December 5, 2017
Special Use Application Update Submitted January 3, 2018
Plat of Survey
Interior Site Plan
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Meeting Minutes Excerpt – January 3, 2018
1. PROPERTY

Address: 1723 Simpson St
Permanent Identification Number(s):
PIN 1: 10124200140000 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: Robert Crawford
Organization: Gold Star Enterprises, Corp
Address: 1723 Simpson St.
City, State, Zip: Evanston, IL 60201
Phone: Work: __________ Home: 847-819-4118 Cell/Other: 847-722-0008
Fax: Work: __________ Home: __________
E-mail: r1c971c@yahoo.com
What is the relationship of the applicant to the property owner?

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

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

Name(s) or Organization: WaqasSamir, LLC
Address: 1723 Simpson Street
City, State, Zip: Evanston, IL 60201
Phone: Work: N/A Home: N/A Cell/Other: 773-732-1622
Fax: Work: __________ Home: __________
E-mail: azeem0911@comcast.net

"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."

Waqas Qureshi
Property Owner(s) Signature(s) -- REQUIRED 11/30/2017

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."

Applicant Signature -- REQUIRED 12-5-17
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: __________________________
☐ Project Site Plan Date of Drawings: __________________________
☐ Plan or Graphic Drawings of Proposal (if needed, see notes)
☐ Non-Compliant Zoning Analysis
☒ Proof of Ownership Document Submitted: loan agreement
☐ Application Fee Amount $_________ Transcript Deposit Fee $150

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 & Transcript Deposit
The application fee depends on your zoning district (see zoning fees). Acceptable forms of payment are: Cash, Check, or Credit Card. The $150 transcript deposit is applied to the cost of a court reporter. The City hires a court reporter to transcribe the Zoning Board of Appeals hearing- as specified in the Zoning Board of Appeals' Rules of Procedures. Applicants are responsible for the cost of the hearing transcript at a rate of $7.50 per page. (The $150 deposit is applied to that fee; final fees may result in a refund or additional charges). The final fee directly covers the cost of the court reporter.
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

See attachment.

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)

l.0. 1-3 Special Use for Type 2 Restaurant

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?

No, existing building vibrant to neighborhood

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

Yes, requested special use will be adequately served by public facilities and services.
d) Will the requested special use cause undue traffic congestion?

No, existing building, street parking and


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

Non-applicable.

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

Non-applicable.

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?

Yes, requested special use will comply with all applicable regulations.
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.

Robert C. Santoso
2123 Simpson St. Evanston, IL 60201
(847) 866-4018 (h) 847-722-0038 (c)

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 1 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 1 above, or indicated below.

Robert C. Santoso
2123 Simpson St. Evanston, IL 60201
(847) 866-4018 (h) 847-722-0038 (c)

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 1 above, or indicated below.

Ram W. Quiroz
Wahab Samir, JD
2123 Simpson St. Evanston, IL 60201
773-132-1422
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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michelle L. Askew</td>
<td>Secretary</td>
</tr>
<tr>
<td>Michelle L. Askew</td>
<td>Treasurer</td>
</tr>
<tr>
<td>Woes Biresh</td>
<td>Director</td>
</tr>
</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Robert Clayton</td>
</tr>
</tbody>
</table>

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.
6. Proposed Project:

Rubies will restore the restaurant that previously existed at 1723 Simpson. This opportunity will allow us to provide a safe, comfortable environment with good food for the community. While waiting for their meal, customers will be able to casually hang out by sitting at the counter-tops. They will also be able to enjoy their meal and a conversation in the flexible common space, in comfortable sofas/chairs.

Rubies will serve as a place to frequent for a good meal, while allowing a flexible common space for the community to engage in a variety of positive, innovative and socially conscious events and activities. Rubies is all about building community around good food. A part of our culture is serving; a way in which we interact with you will be welcoming and familiar. You leave feeling like family.

MENU:

Classic breakfast and lunch -
- Eggs with your choice of the following meats (chicken breast, bacon, turkey bacon, sausage or ham); grits, toast/pancakes
- Tacos w/fixings
- Deli Sandwiches (turkey, ham, chicken, roast beef) served on variety of breads, with cheese and
- Chips and Salsa
- Potato chips
- Water/Coffee/Tea/Juice/Soft Drinks

SERVICE PLAN:
- Relatively inexpensive menu
- $8.00 - $10.00 per meal
- 5 staff - 2 full-time and 3 part-time
- Hours: 6:00am-8:30pm weekdays; 7am-9:00pm weekends
- Intimate, neighborly atmosphere
- Convenient and casual
- Familiar menu including classic breakfast and lunch
- For families, neighborhood and community
- Deliveries will be made through the front door.
- Garbage will be picked up twice a week
- Employees will be encouraged to take public transportation, walk or bike to work.
Certificate of Exemption

8860927
SK 2/3

Report Mortgage Fraud
800-632-8765

The property identified as:

Address: 1723 Simpson Street
Street line 2: 
City: Evanston  State: IL  ZIP Code: 60201

Lender: United Trust Bank
Borrower: Waqas Samir, L.L.C.

Loan / Mortgage Amount: $211,202.18

This property is located within the program area and is exempt from the requirements of 765 ILCS 77/70 et seq. because it is commercial property.

Certificate number: FB848B1E-1C21-4149-BB1F-EAF4A00FEE41  Execution date: 06/06/2013
GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MORTGAGE, AND GRANTOR AGREES TO ITS TERMS.

GRANTOR:

WAQAS SAMIR LLC

By: ____________________________
Waqas A. Qureshi, Manager of Waqas Samir LLC

By: ____________________________
Samir Yonen, Manager of Waqas Samir LLC

By: ____________________________
Bushra Yonen, Member of Waqas Samir LLC

By: ____________________________
Zoanie Sattar
Zoanie Sattar, Member of Waqas Samir LLC

LIMITED LIABILITY COMPANY ACKNOWLEDGMENT

STATE OF __________

COUNTY OF __________

On this 6th day of June, 2013, before me, the undersigned Notary Public, personally appeared Waqas A. Qureshi, Manager of Waqas Samir LLC; Samir Yonen, Manager of Waqas Samir LLC; Bushra Yonen, Member of Waqas Samir LLC; and Zoanie Sattar, Member of Waqas Samir LLC, and known to me to be members or designated agents of the limited liability company that executed the Mortgage and acknowledged the Mortgage to be the free and voluntary act and deed of the limited liability company, by authority of statute, its articles of organization or its operating agreement for the uses and purposes therein mentioned, and on oath stated that they are authorized to execute this Mortgage and in fact executed the Mortgage on behalf of the limited liability company.

Residing at __________________________

Notary Public in and for the State of __________

My commission expires __________

"OFFICIAL SEAL"

CLAUDIA BRADB
Notary Public, State of Illinois
My Commission Expires 5/24/2015
6. Proposed Project:

Rubies will serve the community as a place to frequent for a good meal. A part of our culture is service; a way in which we interact with you will be welcoming and familiar. Spending just a short time at Rubies, will have you leaving feeling like family.

PHASE 1 - Restore the carry-out restaurant that previously existed at 1723 Simpson. This opportunity will allow us to provide a safe, convenient, comfortable environment with good food reflective of the community.

PHASE 2 - Future aspirations are to open up the flexible common space to the community for opportunities to eat-in, engage, learn and celebrate.

MENU:

Classic breakfast and lunch -

• Eggs with your choice of the following meats (chicken breast, bacon, turkey bacon, sausage or ham); grits, toast/pancakes

• Tacos w/fixings

• Deli Sandwiches (turkey, ham, chicken, roast beef) served on variety of breads, with cheese and

• Chips and Salsa

• Potato chips

• Water/Coffee/Tea/Juice/Soft Drinks

SERVICE PLAN:

• Relatively inexpensive menu

• $6.00 -$10.00/average per meal

• 5 staff - 2 full-time and 3 part-time

• Hours: 6:00am- 6pm weekdays; 7am-4:00pm weekends

• Intimate, neighborly atmosphere

• Carry-out and convenient

• Classic breakfast and lunch

• For families, neighborhood and community

• Deliveries will be made through the front door.

• Garbage will be picked up twice a week

• Employees will be encouraged to take public transportation, walk or bike to work.
6. **Proposed Project:**

Rubies will serve the community as a place to frequent for a good meal. A part of our culture is service; a way in which we interact with you will be welcoming and familiar. Spending just a short time at Rubies, will have you leaving feeling like family.

**PHASE 1** - Restore the carry-out restaurant that previously existed at 1723 Simpson. This opportunity will allow us to provide a safe, convenient, comfortable environment with good food reflective of the community.

**PHASE 2** - Future aspirations are to open up the flexible common space to the community for opportunities to eat-in, engage, learn and celebrate.

**SERVICE PLAN:**

- Relatively inexpensive menu
- $6.00 - $10.00/average per meal
- 5 staff - 2 full-time and 3 part-time
- Hours: 6:00am- 6pm weekdays; 7am-4:00pm weekends
- Intimate, neighborly atmosphere
- Carry-out and convenient
- Classic breakfast and lunch
- For families, neighborhood and community.
- Employees will be encouraged to take public transportation, walk or bike to work.

**Response to DAPR Recommendations:**

- Deliveries will be made through the front door or through the side door off Darrow St.
- Regularly scheduled deliveries will be arranged during times not to interfere with school bus arrivals or departures.
- Delivery arrivals will be made in vehicles determined by the delivery company, preferably by a cargo or sprinter vans.
- Garbage pick-up will include recycling.
- As the lessee of 1723 Simpson, I will communicate the recommendation to the owner Ray W. Qureshi. He will work with the City of Evanston and Alderman Simmons to address the recommended aesthetic changes for the replacement of the glass blocks with transparent windows, and removal of door bars. Mr. Qureshi is also submitting the Storefront grant application to assist with the costs associated in doing so.
Timeline of Phases –

- Phase 1 - will go into effect after the Special Use application has been approved, and the final inspections are completed and approved.

- Phase 2 – Expanding the use of the restaurant will occur after enough capital has been raised to complete the addition of another restroom. A realistic timeline cannot be given at this time, but would like this to be accomplished within two years.

**MENU:**

**Classic breakfast and lunch**

- Eggs with your choice of the following meats (chicken breast, bacon, turkey bacon, sausage or ham); grits, toast/pancakes
- Tacos w/fixings
- Deli Sandwiches (turkey, ham, chicken, roast beef) served on variety of breads, with cheese and
- Chips and Salsa
- Potato chips
- Water/Coffee/Tea/Juice/Soft Drinks
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES
January 3, 2018


Staff Present: C. Plant, E. Golden, C. Ruiz

Others Present: Ald. Robin Rue Simmons

Presiding Member: J. Leonard

A quorum being present, Ms. Leonard called the meeting to order at 2:30 pm.

Approval of minutes

It was noted minutes from the December 20, 2017, meeting were not included with the agenda packet and will be included and acted upon at the next meeting.

New Business

1. 1723 Simpson Street

Recommendation to ZBA

Robert Crayton, business owner, submits for a special use permit for a Type 2 restaurant, Rubies, in the B1 Business District.

APPLICATION PRESENTED BY: Robert Crayton, business owner, and Monique Parsons

DISCUSSION:

- Mr. Crayton stated the property was the former Ramy’s space. He stated they plan to provide carry-out and counter service, providing breakfast, lunch and a deli, operating between 7:00am – 3:00pm, with 4-6 employees for Phase 1. He stated for Phase 2, there would be later hours and they plan to open up the space for community events.
- Mr. Gerdes stated there are two bathrooms now with only one that is ADA accessible. He stated two ADA bathrooms will be required if/when the space is to be used for events.
- Mr. Gerdes noted signage will require a separate permit.
- Mr. Nelson noted an upgrade to the water service may be needed. He stated if the Fire Department requires the building to be sprinkled, a backflow preventer will be required.
- Ms. Leonard stated the application presented to ZBA needs to be clear that Phase 1 is for the restaurant and Phase 2 is for events.
Ms. Leonard advised Mr. Crayton and Ms. Monique Parsons that if they were found to be operating a space that was beyond the potentially approved Type 2 restaurant that included events or larger gatherings, they would be running the risk of losing their business license and special use approval (if approved).

Ms. Leonard stated the existing glass block windows need to be opened up and the bars from the door need to be removed.

Mr. Mangum concurred that the glass block windows need to be opened up to provide transparency and encourage pedestrian activity along Simpson Street.

Mr. Crayton stated they plan to apply for a grant to redo the windows.

Ms. Plant confirmed she’s had conversations with the applicant, but the grant application has not been received at this time.

Ms. Leonard asked if they plan to have a sidewalk café.

Mr. Crayton stated they are thinking about it.

Mr. Mangum asked about refuse and delivery locations.

Mr. Crayton stated refuse containers are behind the building off of Darrow Avenue. He stated deliveries will be on street once a week.

Ms. Leonard and Mr. Mangum noted that there is a school bus stop in front of the building and that deliveries should occur outside school bus pick-up and drop-off times.

Mr. Mangum made a motion to recommend approval of the project to ZBA subject to the following conditions, seconded by Ms. Biggs:

1. Windows along Simpson Street to be replaced with transparent glass.
2. Updated Phase 1 and 2 details to be presented to ZBA.
3. Coordinate delivery with school bus pick-up and drop-off times.
4. Occupancy by more than 10 requires two ADA bathrooms.

The Committee voted, 8-0, to recommend approval of the property to ZBA, subject to conditions.

2. 2014 Orrington Avenue

Rabbi Dov Hillel Klein, property owner, applies for a special use permit for the expansion of a Religious Institution, Lubavitch Chabad of Evanston, LLC, and major zoning relief for an addition including a third story with a 35' peak height and exterior knee-wall above 3’ where 2.5 stories with a peak height of 35’ and a maximum 3' exterior knee-wall are permitted, a 5.4’ north interior side yard setback and 9.5’ south interior side yard setback where 15’ is required for a non-residential structure, a 27.3’ front yard setback where 34’ is required, and a 24.8’ front yard porch eave setback where 27.6’ is required (Zoning Code Section 6-4-1-9-B), in the R1 Single Family Residential District.

APPLICATION PRESENTED BY: Kiril Mirintchev, architect

DISCUSSION:

- Mr. Mirintchev described the proposed addition, noting they have worked with the
neighborhood and Preservation Commission to achieve the current plan. He stated the building footprint is not changing. He stated an existing rear porch will be converted to interior stairs. He stated they are adding an elevator and ramp into the building to provide ADA accessibility. He went through the plan, noting the shadow study.

- Mr. Mirintchev stated the Preservation Commission wanted a more residential look.
- Mr. Ruiz confirmed the Preservation Commission reviewed this multiple times with the applicant to achieve a more residential look to the alterations.
- Mr. David Schoenfold stated he is a neighborhood resident. He stated residents are concerned with preserving the residential character of area and not having institutional uses. He stated changes made to the design are better but feels the future use may not be not compatible. He stated the proposed alterations to the building limit the use to institutional. He stated he presented a list of suggested conditions of approval to both the applicant and Committee for consideration.
- Mr. Rob Biesenbach stated he lives across the street. He stated his desire to keep the block as residential as possible.
- Rabbi Hect stated they do not intend to relocate. He stated the current location meets their needs. He stated the programing is not changing, but the addition and renovations allow current programs to occur without disrupting other programs. He stated he does not expect to see more traffic to the property with the addition.
- Ms. Leonard stated that since staff only received the proposed conditions that morning, she asked staff to work with the Law Department to review the conditions and provide feedback at the upcoming ZBA meeting.
- Mr. Mirintchev stated they would like to begin construction in March, hoping to complete work in one year.
- Ms. Leonard stated a construction management plan, while not required, would be helpful so that residents could be alerted of activities occurring during construction and also manage the impact of workers coming into and out of the neighborhood.

Mr. Mangum made a motion to recommend approval of the Special Use Permit and Major Variations to ZBA with the added condition that Law Department review proposed conditions submitted by Mr. Schoenfold. Seconded by Mr. Gerdes.

The Committee voted, 8-0, to recommend approval of the property to ZBA, subject to the condition.

Adjournment:
Mr. Mangum moved to adjourn, seconded by Ms. Biggs. The Committee voted unanimously 8-0, to adjourn.

The meeting adjourned at 3:22 pm.
The next DAPR meeting is scheduled for Wednesday, January 10 at 2:30 pm in Room 2404 of the Lorraine H. Morton Civic Center.

Respectfully submitted,
Michael Griffith
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Director of Community Development
Scott Mangum, Planning and Zoning Administrator
Melissa Klotz, Zoning Planner

Subject: 2014 Orrington Ave. – ZBA 17ZMJV-0018
ZBA Recommending Body
City Council Determining Body

Date: January 5, 2017

Notice – Published in the December 21, 2017 Evanston Review:
Rabbi Dov Hillel Klein, property owner, applies for a special use permit for the expansion of a Religious Institution, Lubavitch Chabad of Evanston, LLC, in the R1 Single Family Residential District (Zoning Code Section 6-8-2-4). The applicant also requests major zoning relief for an addition including a third story with a 35' peak height and exterior knee-wall above 3' where 2.5 stories with a peak height of 35' and a maximum 3’ exterior knee-wall are permitted (Zoning Code Sections 6-8-2-9-A & 6-18-3), a 5.4’ north interior side yard setback and 9.5’ south interior side yard setback where 15’ is required for a non-residential structure (Zoning Code Section 6-8-2-8-B-3), a 27.3’ front yard setback where 34’ is required (Zoning Code Section 6-4-1-9-A-3), and a 24.8’ front yard porch eave setback where 27.6’ is required (Zoning Code Section 6-4-1-9-B). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City Staff and DAPR recommend approval for a special use permit to expand a Religious Institution, Lubavitch Chabad of Evanston, and major zoning relief for a third story addition, in the R1 Single Family Residential District. The applicant has complied with all zoning requirements, and meets all of the standards of a special use and major variation for this district.

Site Background
2014 Orrington Ave. is located on the west side of Orrington Ave., between Foster St. and Library Pl. in the R1 Single Family Residential District. It is immediately surrounded by the following zoning districts:

North: R1 Single Family Residential District
South: R1 Single Family Residential District
East: R1 Single Family Residential District
2014 Orrington Ave. has existed as a Religious Institution, Lubavitch Chabad of Evanston, for many years. The City Council denied a request for a special use permit in 1978, however, a trial court found that the City’s denial constituted an impediment to the free exercise of religion as guaranteed by the 1st Amendment of the United States Constitution. The Illinois Appellate Court affirmed the decision and the US Supreme Court denied cert (review) of the Illinois Appellate Court decision (attached). The governing special use ordinance includes conditions for the following:

1. Use of the premises shall be limited to a maximum of 30 persons or a lesser number if required by fire, safety or building restrictions;
2. Use of the premises shall be limited to religious services and related study and discussion groups, and similar type activities; and one dwelling unit;
3. The building shall be soundproofed, or activities within it limited so that sound generated within the building cannot be heard at the property line of adjoining lots;
4. All the off-street parking spaces required to serve the actual uses of the building shall be supplied;
5. No persons shall eat or sleep on the premises except for one person, his or her spouse, their offspring and legally adopted children; provided, however, that the foregoing restrictions shall not apply to food served in connection with religious services; and provided, further, that up to 4 religious observants may sleep on the premises on the night of the Jewish Sabbath and the Jewish high holidays.
6. Lubavitch Chabad House of Illinois, Inc., agrees that during its occupancy of the premises it will not operate or avail itself of a van or truck in connection with its occupancy or ownership of the premises.
7. The special use shall apply only to the Lubavitch Chabad House of Illinois, Inc.; and
8. That a covenant in recordable form be executed and delivered to the City of Evanston by the applicant reciting agreement to such conditions.

These conditions, including any updates or modifications, should be included with any recommendation to ensure any new special use approval includes appropriate operational conditions.

Proposal
The applicant proposes to construct an addition and expand the Religious Institution use at 2014 Orrington Ave. The Zoning Ordinance defines a Religious Institution as:

A church, synagogue, temple, meetinghouse, mosque, or other place of religious worship, including any accessory use or structure, such as a school, daycare center, or dwelling.

The property serves the Lubavitch Chabad synagogue community as well as students, faculty, and staff of Northwestern University. The facility offers daily services, Sabbath
and holiday services, Shabbat and holiday meals, fellowship, Hebrew school for 5-7 year olds, and other social activities and holiday celebrations. The applicant specifically notes there will be no difference in the frequency, duration, or intensity of use at the property due to the proposed addition and façade modification.

The applicant proposes to construct a third-story addition, elevator and overrun shaft, rear balcony, ramp, and new front façade to the two-story synagogue. The existing structure does not meet the operational needs of the facility, most notably that there is only one large shared space within the facility, which makes scheduling of activities and moving of furniture problematic. The proposal adds a second multi-purpose space as well as classrooms and offices to alleviate scheduling conflicts. The proposal also adds an elevator that will bring the facility into ADA compliance.

Existing (below) and Proposed (left):

The existing building is located in the Northeast Historic District, but is not a contributing structure. The property is surrounded by historic single-family homes as well as other religious institutions that feature residential building characteristics. The applicant has worked extensively with staff and provided at least 10 re-designs over the last 11 months based on meetings with neighbors and staff and Preservation Commission comments to ensure the proposal is adequately compatible to the neighborhood. The Preservation Commission approved a Certificate of Appropriateness for the addition November 14, 2017.

The existing structure features legally-nonconforming interior side yard and front yard setbacks. The applicant proposes the following zoning relief:
The proposed addition is does not extend beyond the maximum allowed peak height of 35'. However, the addition features an exterior knee-wall greater than 3', which is intended to limit bulk above the first two floors to a half-story, or attic-style story. The applicant attempted to design the addition with a 3' knee-wall to comply with building height, but found it impossible to gain the proper ceiling height in a large enough floor area to meet the facility’s needs. The addition features an exterior knee-wall of approximately 7.2', for a peak height of 35'. The elevator overrun extends beyond 35' but is not counted in the building height per the Zoning Ordinance definition.

The existing structure features a 5.4' north interior side yard setback and a 9.5' south interior side yard setback. A 5' interior side yard setback is required for principal structure residential uses in the R1 District, which the structure does comply with. However, since the structure is non-residential, 15’ required setbacks apply. Since the property is 40’ wide, the buildable area of the property is only 10’ in width, thus making it difficult to construct a compliant addition. The proposal includes a small increase to the building footprint due to a new enclosed stairwell in the northwest corner of the building. The stairwell will align with the existing building setbacks, taking the location of a rear porch that will be demolished. The proposal also includes a new rear balcony that is located at the southwest corner of the building that is within the south interior side yard setback but again aligns with the existing nonconforming setback.

The property features a 34’ required front yard setback based on the block average. Since the second floor of the structure features habitable all-season space above the first floor porch, the principal structure setback is legally nonconforming with a 27.3' front yard setback (the same as the porch). Although the habitable space of the structure will not extend closer to the front property line, the area is extending up and therefore increasing the degree of nonconformity so that zoning relief is necessary for the expansion. Within the required front setback, the building is extending up with a new roofline and dormer over the porch for the second floor; there is no third floor proposed within the required front yard setback.
Additionally, the applicant proposes an eave off of the front porch that is no more than 30” deep, for a front porch eave setback of 24.8’. The required front porch eave setback is:

Required principal structure setback – 10% (porch setback) – 10% (eave setback) = required eave setback

or

34.0 – 3.4 – 3.1 = 27.5' required eave setback

Since the principal structure is existing at 27.3', zoning relief is necessary for a front porch eave. Previous versions of the proposal did not include a front porch eave. However, the eave was added to make the front façade more compatible with the surrounding single family homes, which was encouraged by the Preservation Commission. The eave is not structurally necessary, but the aesthetic improvement it provides is a public benefit since improved curb appeal will benefit the neighborhood.

The new third floor will feature composite wood siding that will be minimally visible from grade. The rear stairwell addition features aluminum windows and stucco. The new front façade features aluminum windows and a small amount of composite wood siding. The original brick on the structure will remain. The proposal is an improvement to a longstanding institutional structure that is in need of rehabilitation and expansion to fit the programing needs of the facility. The proposal also greatly improves the aesthetics of the structure by providing a new façade that is compatible with the Northeast Historic District and surrounding neighborhood. City staff has been aware of opposition to this case as it proceeded through two neighborhood meetings and the Preservation Commission, and underwent significant redesign based on comments provided. Since the Preservation Commission approval of the most recent design on November 14, 2017, and public notice of the request for zoning relief, staff has not received any letters of objection to the proposal, though a list of proposed conditions was submitted prior to the DAPR meeting (attached).

Ordinances Identified for Requested Relief:

6-8-2 R1 Single Family Residential District

6-8-2-4 Special Uses: The following uses may be allowed in the R1 district, subject to the provisions set forth in Section 6-3-5, “Special Uses,” of this Title: Religious Institution (among other listed uses)

6-8-2-8-B-3 Yard Requirements: Nonresidential Structures

Side yard – 15’

6-8-2-9-A Maximum Building Height: The maximum building height for any principal structure in the R1 district, including any exterior knee-wall, shall not exceed 35 feet, measured from grade to the highest point of said structure, or 2 1/2 stories, whichever is less.

6-4-1-9 Yards

6-4-1-9-A-3 General Yard Requirements: Setbacks in Residential, Transitional Campus, and University Districts: In residential, transitional campus and university districts, on streets where a setback greater than 27 feet has been maintained for existing buildings on lots having a combined frontage
of 50% or more of the total frontage on one side of that portion of the street lying between 2 intersecting streets, there shall be maintained a front yard setback based on the average setback of those buildings, provided that this regulation shall not be interpreted to require a front yard setback of more than 50 feet nor to permit a setback of less than 27 feet.

6-4-1-9-B Permitted Obstructions in Required Yards: General Provisions: Yard obstructions attached to the principal or an accessory structure on a site shall include but are not limited to: permanently roofed terraces or porches…overhanging eaves…

A yard obstruction is any of these items extending outside of the allowable building envelope and into a required yard. A yard obstruction may extend into no more than ten percent (10%) of the depth of a required yard…

6-18-3 Definitions

Knee-Wall, Exterior: That portion of a building, with vertical walls, located between the top full story and a half story. Exterior knee-walls shall not exceed 3 feet in height. In order to allow for additional height while minimizing bulk, exterior knee-walls above the second story are not allowed except on buildings with gable or hip roofs.

Comprehensive Plan:
The Evanston Comprehensive General Plan recognizes the importance of enhancing the existing assets of neighborhoods while recognizing how each neighborhood contributes to the overall social and economic quality of Evanston. The Comprehensive Plan specifically includes:

Objective: Maintain the appealing character of Evanston’s neighborhoods while guiding their change.

Objective: Recognize the benefits of mixing residential, commercial, and institutional uses in neighborhoods.

The proposed expansion of the Lubavitch Chabad of Evanston will improve the use and functionality of the existing structure while also aesthetically improving the building so that it is more cohesive with the surrounding historic neighborhood.

Design and Project Review (DAPR) Discussion and Recommendation:
The Committee found the proposed addition will improve the functionality and aesthetics of the building, and will not create any additional impact on the surrounding neighborhood.

Recommendation: Unanimous approval with the condition the Law Department review the proposed conditions suggested by neighbors prior to ZBA.

Preservation Commission
May 16, 2017: Case continued without discussion at the request of the applicant.

June 20, 2017: Case continued without discussion at the request of the applicant.
July 18, 2017: Case continued without discussion at the request of the applicant.

August 29, 2017: Commissioners felt the front elevation was not compatible with the rest of the neighborhood and suggested the applicant continue to revise/simplify the design.

September 19, 2017: Case continued without discussion at the request of the applicant.

October 17, 2017: The applicant proposed a revised plan that incorporated previous design comments. Commissioners still felt the front elevation was not compatible with the rest of the neighborhood, specifically noting the size of the windows on the second floor front elevation were out of scale compared to the first floor front elevation.

November 14, 2017: The applicant proposed a revised plan that incorporated previous design comments and reduced the fenestration on the second floor front elevation as requested. Commissioners found the revisions were compatible with the surrounding residential neighborhood.

Action: Certificate of Appropriateness approved, 7-1. Zoning variations recommended for approval, 7-1.

**Special Use Standards:**
For the ZBA to recommend that City Council grant a special use, the ZBA must find that the proposed special use:

1. Is one of the listed special uses for the zoning district in which the property lies: A Religious Institution is a listed special use in the R1 District.
2. Complies with the purposes and the policies of the Comprehensive General Plan and the Zoning ordinance: The use is compatible to the surrounding neighborhood subject to special use conditions. The Comprehensive Plan recognizes the importance of enhancing the existing assets of neighborhoods and encouraging a mixture of residential and institutional uses in neighborhoods.
3. Does not cause a negative cumulative effect in combination with existing special uses or as a category of land use: Although there are multiple Religious Institutions on the same block, the Lubavitch Chabad of Evanston is an existing use that does not propose any increase in intensity and therefore should not cause a negative cumulative effect.
4. Does not interfere with or diminish the value of property in the neighborhood: The proposal will improve the aesthetics of the building so that it is more cohesive with the historic neighborhood.
5. Is adequately served by public facilities and services: The property is adequately connected to public utilities and is surrounded by diverse transportation options, including public transportation.
6. Does not cause undue traffic congestion: The construction will not increase the impact of the use, therefore additional traffic is not expected.
7. Preserves significant historical and architectural resources: Significant changes
are proposed to the exterior of the structure, including a new front façade and third floor addition. The existing structure is located within an Evanston Historic District but is not a contributing structure, and the proposed new construction has received a Certificate of Appropriateness from the Preservation Commission.

8. Preserves significant natural and environmental resources: NA

9. Complies with all other applicable regulations: Staff determined the project will comply with all other applicable regulations and will be reviewed in the building permit process if approved.

For the ZBA to recommend that City Council grant variations, the ZBA must find that the proposed variations:

1. Will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties: The setback variations requested will match the legally-nonconforming setbacks of the existing structure, therefore the impact will be negligible. The height variation is within the maximum peak height of the R1 District, and will only be minimally visible from the grade, therefore there will be little to no impact on adjoining properties.

2. Is in keeping with the intent of the zoning ordinance: Setbacks are required to ensure adequate open space and minimal impact on adjacent properties and uses. With the exception of the small stairwell addition, all setbacks requested are to extend upwards and not increase the building footprint, therefore open space on the property will be maintained as is.

3. Has a hardship or practical difficulty that is peculiar to the property: The property features legally-nonconforming front and interior side yard setbacks for the existing structure since the building was originally built as a single family residence and later converted to a non-residential use. Any alteration to the structure’s footprint would require zoning relief.

4. Property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience: Without zoning relief, the project is infeasible and alterations including the proposed front façade could not be done.

5. Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived: The proposed improvements are not intended to extract additional income from the property. The intended use of the property for the foreseeable future is an institutional use. The improved façade is a public benefit since the improvements will make the building more compatible with the Northeast Historic District.

6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property: The property has existed as a nonresidential use with legally-nonconforming setbacks for decades.

7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: The applicant proposes to increase the programming space of the facility with only a slight increase to the footprint of the building, and with no further encroachment into existing setbacks (with the exception of the front porch eave, which is an aesthetic improvement).
Attachments
Special Use Application – submitted February 17, 2017
Operations Summary
Zoning Analysis
Plat of Survey
Site Plan
Floor Plans
Shadow Study
Elevations
Renderings
Photographs of Neighborhood
Proposed Conditions (submitted by neighbors)
Appellate Court of Illinois, Decision
1978 Special Use Ordinance
Image of Property
Aerial View of Property
Zoning Map of Property
Preservation Commission Meeting Minutes Excerpts – August 29, 2017, October 17, 2017, and November 14, 2017
DAPR Draft Meeting Minutes Excerpt – January 3, 2018
MAJOR VARIATION
APPLICATION

1. PROPERTY

Address: 2014 ORRINGTON
Permanent Identification Number(s):
PIN 1: 11-18-105-030-0000 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: RABBI DOV HILLEL KLEIN
Organization: LUBAVITCH CHASID OF EVANSTON, INC.
Address: 2014 ORRINGTON AVE
City, State, Zip: EVANSTON, IL 60201
Phone: Work: 847-869-8060 Home: Cell/Other:
Fax: Work: Home: E-mail: RABBIKLEIN@NUCHASID.ORG

What is the relationship of the applicant to the property owner?
☐ same
☐ architect
☐ designer
☐ officer of board of directors
☐ builder/contractor
☐ potential purchaser
☐ lessee
☐ potential lessee
☐ real estate agent
☐ other:

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

Name(s) or Organization: LUBAVITCH CHASID OF EVANSTON, INC.
Address: 2014 ORRINGTON AVE
City, State, Zip: EVANSTON, IL 60201
Phone: Work: 847-869-8060 Home: Cell/Other:
Fax: Work: Home: E-mail: RABBIKLEIN@NUCHASID.ORG

"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."

[Signature]
Date: 2-17-17

Property Owner(s) Signature(s) – REQUIRED

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."

[Signature]
Date: 2-21-17

Applicant Signature – REQUIRED

Page 1 of 6
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: 05/23/2008
- Project Site Plan Date of Drawings: ______________
- Plan or Graphic Drawings of Proposal (If needed, see notes)
- Non-Compliant Zoning Analysis
- Proof of Ownership Document Submitted: CHICAGO TITLE & TRUST
- 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:
ALTERATION OF 1ST AND 2ND EXISTING FLOORS, ADDITION OF 3RD FLOOR/ATTIC FLOOR; NEW EXTERIOR ADA RAMP; NEW ELEVATOR; COMPLETELY ACCESSIBLE ENVIRONMENT; NEW CLASSROOMS, OFFICES, ET.

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)

<table>
<thead>
<tr>
<th>(A) Section (ex. &quot;6-8-3-4&quot;)</th>
<th>(B) Requirement to be Varied (ex. &quot;requires a minimum front yard setback of 27 feet&quot;)</th>
<th>(C) Requested Variation (ex. &quot;a front yard setback of 25.25 feet&quot;)</th>
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<tr>
<td>1</td>
<td>ALLOWED BUILDING HEIGHT - 2 1/2 STORIES REQUESTED PARTIAL 3RD FLOOR</td>
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* For multiple variations, see "IMPORTANT NOTE" under "Application Fee & Transcript Deposit" on Page 2.

2

RELIgIOUS USE IS A SPECIAL USE
REQUESTED RELIGIOUS USE (CURRENTLY EXISTING)

3

Front yard setback, interior side yard setbacks, front porch eave setback
Maintain same front and side yard setbacks, add front eave in setback
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?

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 building will not change use. The proposed addition is carefully designed to fit naturally in the urban fabric of the neighborhood. The building height is kept similar and lower than adjacent buildings. The building volume is increased only in height, but hidden behind parapet walls.

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 property has limited options to allow expansion. If an addition to the existing 2 floors was proposed to the rear, it would create a bilkly uncharacteristic building with negative impact to the neighborhood and with very little usable space due to the need of stairs and an elevator.

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 to keep the current use and to bring new functionality to it by adding floor area. There are no incentives for additional income from the property.

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

   The building is adapted for religious use with a layout inherited from previous use. It needs remodeling and expansion to comply with contemporary requirements.
5. Have other alternatives been considered, and if so, why would they not work?

There are no possibilities for expansion to the side property line. An eventual addition to the rear creates very bulky and uncharacteristic building. The feasibility study shows unsatisfactory results regarding cost per sq. ft. of usable area because most of the addition would be occupied by stairs, corridors and elevator.

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.

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 1 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 1 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__/__ 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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dev Hillel</td>
<td>123 Main St, Chicago, IL 60611</td>
<td>555-1234</td>
</tr>
<tr>
<td>klein</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2019 apple</td>
<td>Evanston IL 60201</td>
<td>547-644-542</td>
</tr>
<tr>
<td>way</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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.
SPECIAL USE
APPLICATION

CASE #: ________________

1. PROPERTY

Address: 2014 OLRINGTON

Permanent Identification Number(s):

PIN 1: 111-16-105-030-0000 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: RABBI DAVI Hillel KLEIN

Organization: LUBAVITCH CHABAD OF EVANSTON, INC.

Address: 2014 ORRINGTON AVE.

City, State, Zip: EVANSTON, IL 60201

Phone: Work: 847-869-8060 Home: ________ Cell/Other: ________

Fax: Work: ________ Home: ________

E-mail: RABBIEKLEIN@NUCHABAD.ORG

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:

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

Name(s) or Organization: LUBAVITCH CHABAD OF EVANSTON, INC.

Address: 2014 ORRINGTON

City, State, Zip: EVANSTON, IL 60201

Phone: Work: 847-869-8060 Home: ________ Cell/Other: ________

Fax: Work: ________ Home: ________

E-mail: RABBIEKLEIN@NUCHABAD.ORG

“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.”

Director ___________ Date 2-21-17

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

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.”

Applicant Signature – REQUIRED

Date 2-21-17
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- [X] Completed and Signed Application Form
- [X] Plat of Survey Date of Survey: 05/23/2008
- [X] Project Site Plan Date of Drawings:
- [X] Plan or Graphic Drawings of Proposal (If needed, see notes)
- [X] Non-Compliant Zoning Analysis
- [X] Proof of Ownership DocumentSubmitted: CHICAGO TITLE & TRUST
- [X] Application Fee Amount $_________

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:

PLACE OF WORSHIP - RELIGIOUS USE


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, RELIGIOUS INSTITUTION - G-B-2-A - Special Uses


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 SAME USE HAS BEEN THERE FOR MANY YEARS - IT IS EXISTING USE.


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

THE RELIGIOUS USE IS EXISTING. IT HAS BEEN SERVED ADEQUATELY BY FOR MANY YEARS
d) Will the requested special use cause undue traffic congestion?

No, there were no traffic congestions in the past, there will be no increased traffic.

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

The special use is existing and it will continue to blend into the historical district with its architecture.

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

Yes, it did in the past and will continue in the future.
City of Evanston
DISCLOSURE STATEMENT
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   [Blank]

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   [Blank]

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.

   [Blank]

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 / above, or indicated below.

   [Blank]
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.

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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.


SUPPLEMENTAL INFORMATION TO THE APPLICATION FOR MAJOR ZONING VARIANCE

SUMMARY OF OPERATIONS

The Tannenbaum Chabad House is a synagogue providing the following services to the Evanston and Northwestern University Jewish community:

- Daily services
- Services for Sabbath and Holidays
- Shabbat evening dinners and lunches
- Holiday meals

Timing and duration of these services depend on the Jewish calendar.

Other services:

- Fellowship for Northwestern University students
- Hebrew school for 5-7 years old
- Adult education
- Lunch and Learn
- Other social activities
- Meetings with members of Jewish communities
- One on one conversations and mentoring
- Study and meditation opportunities
- Judaic Library
- Holiday celebrations

These activities are scheduled either in reference to the Jewish calendar or in groups and individually.

Most of the services listed above are visited by the members of the Jewish community living in a walking distance from the Chabad House. Some of these activities require walking access per the Jewish traditions.

There will be no difference in the frequency, duration and attendance in all activities after the remodeling of the existing building. Currently these activities use one and the same spaces inside the Chabad House and this creates difficulties in schedules, furniture arrangement, kitchen use, etc. With the remodeling there will be dedicated spaces for separate use of the above listed activities. Also the remodeling will create equal opportunities for people with disabilities to visit the Chabad House – something that could not be provided in the past.

Kiril Mirintchev
General Manager
Zoning Analysis

Summary

Case Number: 16ZONA-0320  
Case Status/Determination: Non-Compliant

Proposal:
Remodeling and third floor/attic addition, ADA ramp, rear balcony, raise roof, new front façade/parapet

Site Information:

<table>
<thead>
<tr>
<th>Property Address</th>
<th>Zoning District</th>
<th>Overlay District</th>
<th>Preservation District</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014 ORRINGTON AVE</td>
<td>R1</td>
<td>None</td>
<td>Northeast</td>
</tr>
</tbody>
</table>

Applicant: Kiril Mirintchev  
Phone Number: 

Signature Date

Zoning Section  
Comments

6-8-2-4 special use permit for a religious institution required due to increase in building/impact

6-8-2-9-A Maximum height permitted is 35' to peak or 2.5 stories, whichever is less
Proposed height 35' to peak of roof (excluding rear parapet and elevator overrun)
However, knee-wall exceeds 3' and therefore constitutes a full 3rd story

6-18-3 Exterior knee-walls shall not exceed three (3) feet in height.

6-8-2-8-B-3 15' interior side yard setbacks required for non-residential structure
Propose 5.4' north interior side yard setback and 9.5' south interior side yard setback for additions, front porch, rear balcony

6-4-1-9-A-3 Block average's front yard setback (to house facades, not porches) is 34' and existing setback is 27.3'
Proposed front yard setback 27.3' (extending higher than existing)

6-4-1-9-B Eaves may extend 10% into a setback or a minimum of 6". Front porch eave setback = 27.6'
Proposed front porch eave setback is 24.8'
Proposal:
Remodeling and third floor/attic addition, ADA ramp, rear balcony, raise roof, new front façade/parapet

Site Information:

<table>
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<th>Property Address:</th>
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<td>R1</td>
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</table>

<table>
<thead>
<tr>
<th>Overlay District:</th>
<th>Preservation District:</th>
</tr>
</thead>
<tbody>
<tr>
<td>None</td>
<td>Northeast</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Applicant:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kiril Mirintchev</td>
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</table>

<table>
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<tr>
<th>Phone Number:</th>
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<tr>
<th>Recommendation(s):</th>
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</thead>
<tbody>
<tr>
<td>Click on the link(s) below to access online application(s)</td>
</tr>
<tr>
<td>Apply for Special Use</td>
</tr>
<tr>
<td>Apply for Major Variance</td>
</tr>
</tbody>
</table>
City of Evanston
ZONING ANALYSIS REVIEW SHEET

APPLICATION STATUS: Pending Review   December 06, 2016

RESULTS OF ANALYSIS: Non-Compliant

Z.A. Number: 16ZONA-0320
Purpose: Zoning Analysis without Bld Permit App
Address: 2014 ORRINGTON AVE
District: R1
Applicant: Kiril Mirintchev
Overlay: None
Reviewer: Melissa Klotz
Preservation: Northeast

Proposed Use: Religious Institution

Proposal Description:
Remodeling and third floor/attic addition, ADA ramp, rear balcony, raise roof, new front façade/parapet

ZONING ANALYSIS

PRINCIPAL USE AND STRUCTURE

<table>
<thead>
<tr>
<th>USE:</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>R1</td>
<td>Religious Institution</td>
<td>Religious Institution</td>
<td>Non-Compliant</td>
<td></td>
</tr>
</tbody>
</table>

Comments: Needs new special use permit.

Minimum Lot Width (LF):

- R1: 35 LF
- Other: 40 LF

Minimum Lot Area (SF):

- R1: 7,200 sqft
- Other: 8885 SF (Compliant)

Comments:

Dwelling Units:

- 0
- 0
- 0 (Non-Compliant)

Rooming Units:

- Comments: Needs new special use permit

Building Lot Coverage (SF, %):

- 2665.5 SF, 26.1% (Compliant)
- 2319 SF, 26.4%
- 2346.5 SF

Comments:

Impervious Surface Coverage (SF, %):

- 3998.25 SF, 50.6%
- 4495 SF, 47.2%
- 4197.5 SF (Legal Non-Conforming)

Comments:

Accessory Structure Rear Yard Coverage:

- 40% of rear yard (Compliant)
- <40%

LF: Linear Feet    SF: Square Feet    FT: Feet
<table>
<thead>
<tr>
<th>Gross Floor Area (SF)</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use:</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Comments:</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Height (FT)</td>
<td>35’ or 2.5 stories</td>
<td>25’</td>
<td>35’ (roof peak); 3 stories</td>
<td>Non-Compliant</td>
</tr>
<tr>
<td>Comments:</td>
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<tr>
<td>Front Yard(1) (FT)</td>
<td>34</td>
<td>27.3</td>
<td>27.3 (new height/bulk)</td>
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<td>Direction:</td>
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<tr>
<td>Street:</td>
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<td>Comments:</td>
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<tr>
<td>Front Yard(2) (FT)</td>
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<td></td>
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<td>Direction:</td>
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<td>Comments:</td>
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<tr>
<td>Interior Side Yard(1) (FT)</td>
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<td>2.9</td>
<td>5.4</td>
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<td>9.5</td>
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<tr>
<td>Comments:</td>
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<tr>
<td>Rear Yard (FT)</td>
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<td>Compliant</td>
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<tr>
<td>Direction:</td>
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</tr>
<tr>
<td>Comments:</td>
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### PARKING REQUIREMENTS

<table>
<thead>
<tr>
<th>Use(1): Religious Institution</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use of auditorium, assembly hall, or sanctuary (Table 16-B).</td>
<td>1 per 10 seats = 3.4 spaces</td>
<td>no seating increase</td>
<td>8 (tandem)</td>
<td>8 (no change)</td>
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<tr>
<td>Comments:</td>
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Use(2):

Comments:

Use(3):

Comments:

TOTAL REQUIRED:

<table>
<thead>
<tr>
<th>Use</th>
<th>Requirement</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
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<tbody>
<tr>
<td>Use</td>
<td>1 per 10 seats</td>
<td>8 (tandem)</td>
<td>8 (no change)</td>
<td>Compliant</td>
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Handicap Parking Spaces:

Sec. 6-16-2-6

Comments:

Access:

Sec. 6-16-2-2

Comments:
<table>
<thead>
<tr>
<th>Vertical Clearance (LF)</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
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<tbody>
<tr>
<td></td>
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<td>asphalt</td>
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<td>Compliant</td>
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<table>
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<tr>
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<table>
<thead>
<tr>
<th>Location</th>
<th>Sec. 6-4-6-2</th>
<th>rear +30'</th>
<th>rear +30' (no change)</th>
<th>Legal Non-Conforming</th>
</tr>
</thead>
</table>

| Angle(1):               |                      |           |                       |                      |
| Width(W) (FT)           |                      |           |                       |                      |
| Depth(D) (FT)           |                      |           |                       |                      |
| Aisle(A) (FT)           |                      |           |                       |                      |

| Angle(2):               |                      |           |                       |                      |
| Width(W) (FT)           |                      |           |                       |                      |
| Depth(D) (FT)           |                      |           |                       |                      |
| Aisle(A) (FT)           |                      |           |                       |                      |

<table>
<thead>
<tr>
<th>Garage Setback from Alley Access (FT)</th>
<th></th>
<th></th>
<th></th>
<th></th>
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</table>

<table>
<thead>
<tr>
<th>MISCELLANEOUS REQUIREMENTS</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirement (1):</td>
<td>front porch eave = 27.6' req.</td>
<td>24.8' front porch eave</td>
<td>Non-Compliant</td>
<td></td>
</tr>
<tr>
<td>Eaves</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Requirement (2):                    |                      |            |                       |                      |

| Requirement (3):                    |                      |            |                       |                      |

Analysis Comments
Results of Analysis: This Application is **Non-Compliant**

Site Plan & Appearance Review Committee approval is: **Required**

See attached comments and/or notes.

---

**SIGNATURE**

**DATE**
TANNENBAUM CHABAD HOUSE
NORTHWESTERN JEWISH CENTER

REMODELING/ATTIC FLOOR ADDITION

2014 ORRINGTON, EVANSTON, IL 60201
The south half of lot 5 in block 4, in Evanston, on the northwest quarter of section 18, township 41 north, range 14, east of the third principal meridian, in Cook County, Illinois.

Commonly known as 2014 Orrington Avenue, Evanston, Illinois.
EXIST. PORCH AND BALCONY TO BE CONVERTED INTO STAIRCASE
EXIST. 2 STORY BUILDING + NEW FLOOR ADDITION
NEW ELEVATOR SHAFT
OPEN PORCH ON 1ST FLOOR, EXISTING 2ND FLOOR AND NEW ATTIC
NEW ADA RAMP

ZONING CALCULATIONS
1. ZONING DISTRICT - R-1; EXIST. USE - PLACE OF WORSHIP; NEW USE - PLACE OF WORSHIP
2. LOT AREA - 8885.33 SQ. F. > 7000 SQ. F. PER ZONING CODE
3. EXISTING BUILDING FOOTPRINT = 2319.21 SQ. F.
4. NEW BUILDING FOOTPRINT = 2319.21 SQ. F.
5. EXISTING BUILDING HEIGHT - 2 STORIES/25'-0"
6. NEW BUILDING HEIGHT - 3 STORIES/35'-0"
7. PARKING
   - EXISTING CONDITION - ASPHALT PARKING IN REAR YARD
   - NEW CONDITIONS - NO CHANGE

SITE PLAN
1" = 20'-0"
NEW STAIRS TO GROUND LEVEL
NEW ELEVATOR
EXISTING CRAWLSPACE
EXIST. UTILITY/LAUNDRY ROOM
EXIST. STORAGE
EXIST. STORAGE
EXIST. STORAGE
EXIST. STORAGE
EXIST. STORAGE
EXIST. STORAGE
EXIST. BOILER ROOM
EXIST. BATH

BLDG ELEMENTS TO BE DEMOLISHED
EXIST. BLDG ELEMENTS TO REMAIN
NEW BLDG ELEMENTS
NEW KITCHEN
MULTI-PURPOSE ROOM
OPEN TO ABOVE
MEDITATION ROOM
ADA RESTROOM
RESTROOM

BLDG ELEMENTS TO BE DEMOLISHED
EXIST. BLDG ELEMENTS TO REMAIN
NEW BLDG ELEMENTS

2ND FLOOR PLAN
1/8" = 1'-0"
1. March 22nd - Existing Conditions

2. March 22nd - New Conditions

3. June 22nd - Existing Conditions

4. June 22nd - New Conditions

5. December 22nd - Existing Conditions

6. December 22nd - New Conditions

Sun Studies @ 2:00 PM
EXISTING WOOD SHAKES / TO BE REMOVED /

EXISTING BRICK MASONRY

EXISTING STUCCO

NEW ALUMINUM WINDOWS - IVORY POWDER COATED MULLIONS WITH LOW-E GLAZING

NEW FASCIA BOARDS / TYP. / STAIN

NEW ROOF - ASPHALT SHINGLES

EXISTING FACE BRICK MASONRY

EXISTING STUCCO

NEW BRICK GUARDRAILS - MATCH EXISTING MASONRY

NEW FASCIA BOARDS / TYP. / STAIN

NEW ROOF - ASPHALT SHINGLES

EXISTING FACE BRICK MASONRY

NEW TUCKPOINTING

NEW BRICK GUARDRAILS - MATCH EXISTING MASONRY

NEW ROOF - ASPHALT SHINGLES

EXISTING WOOD SHAKES / TO BE REMOVED /

EXISTING BRICK MASONRY

EXISTING STUCCO

NEW ALUMINUM WINDOWS - IVORY POWDER COATED MULLIONS WITH LOW-E GLAZING

NEW FASCIA BOARDS / TYP. / STAIN

NEW ROOF - ASPHALT SHINGLES

EXISTING FACE BRICK MASONRY

EXISTING STUCCO

NEW BRICK GUARDRAILS - MATCH EXISTING MASONRY

NEW ROOF - ASPHALT SHINGLES
EXISTING BRICK MASONRY

EXISTING SIDING / TO BE REMOVED /

NEW ALUMINUM WINDOWS - IVORY POWDER COATED MULLIONS WITH LOW-E GLAZING

NEW STUCCO

NEW FASCIA BOARDS / TYP. / - STAIN

NEW STUCCO

NEW ROOFS - ASPHALT SHINGLES

NEW BRICK MASONRY - MATCH EXISTING

WEST ELEVATION - EXISTING

1/8" = 1'-0"

WEST ELEVATION - NEW

1/8" = 1'-0"
PHOTOS OF EXISTING CONDITIONS

FRONT
FRONT/SIDE
REAR
STREET FRONT
Fwd: Chabad House Special Use Permit

1 message

Meagan Jones <mmjones@cityofevanston.org>Wed, Jan 3, 2018 at 9:04 AM
To: Johanna Leonard <leonard@cityofevanston.org>, "Mangum, Scott" <smangum@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>

FYI

Meagan Jones
Neighborhood and Land Use Planner
Community Development
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170
mmjones@cityofevanston.org | cityofevanston.org

---------- Forwarded message ----------
From: Rob Biesenbach <rob.biesenbach@gmail.com>
Date: Wed, Jan 3, 2018 at 8:31 AM
Subject: Fwd: Chabad House Special Use Permit
To: mmjones@cityofevanston.org

Dear Meagan:

We are neighbors of the Chabad House who have been following and providing comment on its plans for renovation, most recently at the preservation committee. Several of us plan on attending today's DAPR meeting and wanted you to have a copy of the letter we sent to Rabbi Klein regarding our concerns.

Thank you.

Rob Biesenbach
312-560-5569

---------- Forwarded message ----------
From: K Nelson <knelson777@yahoo.com>
Date: Tue, Jan 2, 2018 at 4:34 PM
Subject: Re: Chabad House Special Use Permit
To: "rabbiklein@nuchabad.org" <rabbiklein@nuchabad.org>
Cc: David Schoenfeld <des3344@aol.com>, Dave Mack <dmack@pathfindergroupllc.com>, "emiliegogan@sbcglobal.net" <emiliegogan@sbcglobal.net>, "bill.hogan2018@gmail.com" <bill.hogan2018@gmail.com>, "rob.biesenbach@gmail.com" <rob.biesenbach@gmail.com>, Andrew Sollinger <andrewsollinger@gmail.com>

Dear Rabbi Klein,

We appreciate the cooperation between Chabad House and the neighborhood throughout the process of improving the appearance and function of your building.

As part of that process, we are writing to begin a discussion of your Special Use permit with the hope that we can reach an agreement in advance of hearings related to the application and approach the

https://mail.google.com/mail/u/0?ui=2&ik=4762073d7a&jsver=10C0YKmlJf4.4.en.&view=pt&q=rabbi&qs=true&search=query&th=160bc8e46e7c775e&si...
Zoning Board with an agreed application.

In various discussions that we have had over the past 6 months, you have assured the neighbors that you did not intend to expand the range of services that your Synagogue currently offers and you do not use the building as a residence. In light of that, we propose using the conditions described in your current Special Use Permit 94-0-78 dated 1978 with some modifications (deletions stuck out and additions underlined below):

1. Use of the premises shall be limited to a maximum of thirty (30) persons or a lesser number if required by fire, safety or building restrictions.
2. Use of the premises shall be limited to religious services and related study and discussion groups and similar type activities; and one dwelling unit.
3. Use of the premises will exclude other uses described in Evanston Zoning Ordinance Section 6-8-2-4 including, use as a bed and breakfast establishment, cemetery, child residential care home, daycare center, planned development, public utility, residential care home or a transitional treatment facility.
4. The building shall be soundproofed, or activities within it limited so that sound generated within the building cannot be heard at the property line of adjoining lots.
5. All of the off-street parking spaces required to serve the actual uses of the building shall be supplied.
6. No persons shall eat or sleep on the premises, except for one person, his or her spouse, their offspring and legally adopted children; provided however, that the foregoing restrictions shall not apply to food served in connection with religious services and provided, further, that up to four (4) religious observants may sleep on the premises on the night of the Jewish Sabbath and the Jewish high holidays.
7. Lubavitch Chabad House of Illinois, Inc., agrees that during its occupancy of the premises it will not operate or avail itself of a van or truck in connection with its occupancy or ownership of the premises.
8. The special use shall apply only to the Lubavitch Chabad House of Illinois, Inc. and will terminate if the Lubavitch Chabad House of Illinois sells or vacates the premises.
9. That a covenant in recordable form be executed and delivered to the City of Evanston by the applicant reciting agreement to such conditions.

Thank you again for the thoughtful discussion that you have had with us over the past six months. We look forward to continued cooperation. Please let us know if these conditions, which we understand to be consistent with your organization’s intended use of the property, are acceptable to you, in which case we are prepared to endorse a special use permit that incorporates them.

Regards,

Jackie and Dave Mack
Karen Nelson and Rob Biesenbach
Emilie and Bill Hogan
David Schoenfeld
Andrew and Rachel Sollinger
Nonprofit religious corporation brought action against city, seeking judgment declaring that city should have allowed its application for a special use permit. Neighborhood property owners intervened. The Circuit Court, Cook County, James C. Murray, J., entered judgment in favor of plaintiff, and defendants appealed. The Appellate Court, Rizzi, J., held that: (1) contradictory evidence was insufficient to demonstrate impropriety of finding that plaintiff's application for special use permit complied with city's zoning ordinance, and (2) denial of special use permit was infringement of plaintiff's right to freedom of religion.

**Attorneys and Law Firms**

*224 **344 ***864 Jack M. Siegel, Chicago, for defendant-appellant.
Robert S. Atkins, Chicago, for intervenors-appellant.

**Opinion**

RIZZI, Justice:
This is a declaratory judgment action brought by plaintiff, Lubavitch Chabad House of Illinois, Inc., an Illinois general not-for-profit corporation, against defendant, City of Evanston. Plaintiff sought a judgment declaring that Evanston should have allowed its application for a special use permit relating to certain property located in Evanston. Fourteen neighborhood property owners were permitted to intervene as defendants. The trial court found that plaintiff met all of the requirements **345 ***865 for the issuance of a special use permit as set forth in Evanston's zoning ordinance,
and that the denial of plaintiff’s application for a special use permit constituted an impediment to the free exercise of religion as guaranteed by the 1st Amendment of the United States Constitution. The trial court entered judgment in favor of plaintiff based upon its findings. We affirm.

Plaintiff is a religious body which observes, teaches and practices strict orthodox Judaism, including the observance of the rites and traditions of kashrut and the Sabbath as formulated in the Torah and Talmud. It owns a two-story building on property with a frontage of 40 feet and a depth of 220 feet at 2014 Orrington Avenue, in Evanston, Illinois. Plaintiff proposes to use the premises as a religious sanctuary. Primarily, plaintiff intends to serve Jewish students at Northwestern University, which is in close proximity and has, according to plaintiff’s witnesses, about 2,000 Jewish students. Plaintiff’s services would include rabbinical counseling, group discussions and worship services on the Sabbath and Jewish holidays. Also, plaintiff would provide a limited number of sleep-in accommodations for Northwestern University students who do not reside within walking distance of the property. These sleep-in accommodations would be provided only on the Sabbath and Jewish holidays when all travel other than pedestrian travel is prohibited for strict orthodox Jews. There would not be a daily kitchen in operation on the premises, but kosher meals would be served to students participating in services on the Sabbath. Plaintiff would preclude more than 30 persons from taking part in worship services on the premises, which would be in accordance with an applicable provision of Evanston's zoning ordinance.

Plaintiff was informed by Evanston’s Department of Inspections and Permits that its intended use of the property constituted a church as defined by the applicable zoning ordinance and, as such, it required a special use permit. A special use permit application was filed, and a full factual hearing was conducted by the Zoning Board of Appeals. The Zoning Board of Appeals found that plaintiff’s proposed use met the requirements of Evanston’s zoning ordinance, and it voted 4 to 1 in favor of granting plaintiff’s application for a special use permit. The Zoning Board of Appeals' recommendation was forwarded to the City Council. The City Council did not conduct a factual hearing, but it voted to overrule the recommendation of the Zoning Board of Appeals by a vote of 12 to 6, and it denied plaintiff’s application for a special use permit. A motion to reconsider the denial was defeated by a vote of 10 to 9, with the vote of the mayor being used to break the tie vote of the aldermen.

A trial was had in the circuit court at which both sides introduced extensive testimony and exhibits. The evidence establishes that to the west of the subject property is a multifamily condominium building with 40 apartment units. On the adjacent south side of the property is Canterbury House, an Episcopalian facility. Approximately a block and a half north of the property is Lutheran House, a Lutheran facility. At 1935 Shermer Avenue, which is one block west and approximately one block south of the property, is Hillel House, a Jewish facility.
Canterbury House has year-round boarders. There was testimony that worship services are held and brunches are available for students of the Episcopalian faith. On occasion, large gatherings are held on the lawn. Lutheran House has weekly Sunday worship services, which are followed by a coffee hour and brunch. Other activities include Tuesday night study sessions, Wednesday night seminars and Sunday night dinners. Lutheran House is open from 9 a.m. to midnight. Hillel House, which operates under the auspices of the Hillel Foundation, conducts various social events and has some discussion group activities. It does not have a resident rabbi. Some worship services are conducted at Hillel House, but they are not the same strict orthodox worship services that are held by plaintiff.

Several months before plaintiff's application for a special use permit was filed, Evanston approved a special use permit for the Hillel Foundation to operate a synagogue and rabbinical counseling facility at 2001 Orrington Avenue, which is across the street to the southeast of the subject property. However, the Hillel Foundation decided not to acquire the building, and the Zoning Board of Appeals subsequently allowed the structure to be converted into two attached single-family dwellings. The Hillel Foundation's activities are unlike plaintiff's activities in that plaintiff observes, teaches and encourages strict orthodox observance of Hasidic rites, practices and customs, while the Hillel Foundation is associated with the worship, practices, customs and social aspects of Judaism generally.

Except for evidence relating to plaintiff's strict orthodox religious rites, practices and customs, the evidence at trial was typical of evidence that is found in zoning cases. This evidence included contradictory testimony as to the highest and best use of the property, the uses of property in the surrounding areas, the trend of development in the area, and the loss to plaintiff if the special use permit were denied as compared to the purported injury to the nearby properties if the permit were granted. This contradictory evidence is insufficient to demonstrate that the trial court's finding that plaintiff's application for a special use permit complied with Evanston's zoning ordinance was improper. Where, as in this case, the testimony is contradictory, the weight to be accorded the testimony is a matter to be determined by the trier of fact, and the findings of the trier of fact are not to be disturbed unless they are against the manifest weight of the evidence. See City of Peru v. Nienaber, 97 Ill.App.3d 925, 927, 53 Ill.Dec. 672, 674, 424 N.E.2d 85, 87 (1981); Stanek v. County of Lake, 60 Ill.App.3d 357, 361, 17 Ill.Dec. 597, 601, 376 N.E.2d 743, 747 (1978); First National Bank of Des Plaines v. County of Cook, 46 Ill.App.3d 677, 683, 4 Ill.Dec. 944, 949, 360 N.E.2d 1377, 1382 (1977).

Under the circumstances, we conclude that the trial court's finding that plaintiff met "all of the requirements for the issuance of a special use permit as set forth in the Zoning Ordinance of the City of Evanston" is not against the manifest weight of the evidence, and that the finding was proper and should not be disturbed.
We next address defendants' contention that the judgment should be reversed because it is based on the trial court's improper finding that the denial of plaintiff's application for a special use permit constituted an impediment to the free exercise of religion. In support of this contention, defendants state that the "City's sole interest [in denying plaintiff's application] was to preserve the integrity of the Zoning Ordinance and the fine single-family character of the area in question." Defendants also state that "[t]his case is a simple zoning case in which the plaintiff happens to be a religious organization." In effect, defendants argue that we should disregard the fact that the right which defendants seek to restrict is the free exercise of religion. However, we believe that we cannot overlook this fact because the standard of judicial review for this case is determined by the nature of the right assertedly threatened or violated rather than the power being exercised or the specific limitation being imposed. Schad v. Borough of Mount Ephraim, 452 U.S. 61, 68, 101 S.Ct. 2176, 68 L.Ed.2d 671, 680 (1981). In this regard, it is plain that the impact of Evanston's refusal to grant plaintiff's petition for a special use permit prevents plaintiff from the free practice of religion at this particular location, and so serves in some degree to limit the free exercise of religion. See Columbus Park Congregation of Jehovah's Witnesses, Inc. v. Board of Appeals, 25 Ill.2d 65, 71, 182 N.E.2d 722, 725 (1962). Thus, defendants' argument that we should ignore the fact that the right which defendants seek to restrict is the free exercise of religion is without merit.

Of course, the location of churches and other religious sanctuaries can be regulated by zoning ordinances in proper cases. **See South Side Move of God Church v. Zoning Board of Appeals, 47 Ill.App.3d 723, 7 Ill.Dec. 833, 365 N.E.2d 118 (1977); Coston Chapel A.M.E. Church v. Chaddick, 9 Ill.App.3d 321, 292 N.E.2d 215 (1972); St. James Temple of the A.O.H. Church of God, Inc. v. Board of Appeals, 100 Ill.App.2d 302, 241 N.E.2d 525 (1968). However, in determining whether this is a proper case for such a restriction, we must take into account that the right of freedom of religion, and other 1st Amendment freedoms, rise above mere property rights. In addition, 1st Amendment rights and freedoms far outweigh considerations of public inconvenience, annoyance or unrest. Columbus Park Congregation, 25 Ill.2d at 71, 182 N.E.2d at 725, citing Terminiello v. Chicago, 337 U.S. 1, 4, 69 S.Ct. 894, 896, 93 L.Ed. 1131, 1134 (1949).

Here, the trial court specifically found that plaintiff's proposed use meets all of the requirements for the issuance of a special use permit as set forth in Evanston's zoning ordinance. Thus, based on this finding, there was no proper reason to deny plaintiff's application for a special use permit. Yet, plaintiff's application was denied. "Under the circumstances, we cannot overlook the fact that there are other religious facilities in the immediate area offering services similar to those proposed by plaintiff. The only apparent difference between plaintiff's proposed use and the uses made by the other religious associations is that plaintiff would use its facility to practice and teach strict orthodox observance of Hasidic practices and customs, and the other religious associations are using their..."
facilities to practice and teach what the community may view as more palatable practices and customs. As the trial court stated in its memorandum opinion:

The evidence clearly infers that the defendant City is not concerned with lot lines, requirements, side yard, front yard and rear yard sizes, off street parking, number of occupants and other land use restrictions applicable to real property regardless of ownership. Rather the evidence infers that the real fear of the defendant City and intervenors is that the plaintiff will use its property to permit the plaintiffs to practice their ancient religion in the way they have conducted it for the past centuries, i.e. serving of kosher meals on high holidays to students at Northwestern, leaving those students stay overnight where their religious beliefs demand such and other practices.

This discredits defendants’ statements that the “City's sole interest [in denying plaintiff's application] was to preserve the integrity of the zoning ordinance” and that “[t]his case is a simple zoning case in which the plaintiff happens to be a religious organization.” Moreover, after seeing and hearing all the witnesses and the evidence, the trial court specifically found that Evanston's denial of plaintiff's application “constitutes an impediment to the practice of Orthodox Jewish faith as practiced by members of Plaintiff and its followers * * *,” in violation of their rights under the 1st Amendment of the Constitution of the United States. For these reasons, we believe that there is no merit to defendants' contention that the denial of a special use permit at this location was not an infringement of plaintiff's right to freedom of religion.

Accordingly, we conclude that the findings of the trial court were proper, and we affirm the judgment in favor of plaintiff.

AFFIRMED.

McNAMARA, and McGILLICUDDY, JJ., concur.
AN ORDINANCE

Granting A Special Use Permit For The Premises At 2014 Orrington Avenue

WHEREAS, the Evanston Zoning Board of Appeals conducted public hearings on July 18, 1978, August 15, 1978, September 19, 1978, and October 17, 1978 upon the application of the Lubavitch Chabad House of Illinois, Inc., as sole beneficiary of the LaSalle National Bank, Trust 53425, to permit the establishment of a church on property commonly known as 2014 Orrington Avenue, which is in a R-1 Residential District; said public hearings having been conducted pursuant to notice and publication thereof in the manner prescribed by law; and

WHEREAS, the Zoning Board of Appeals has recommended that such special use permit be granted;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS:

SECTION 1: That the application of the Lubavitch Chabad House of Illinois, Inc. for a special use permit to permit the establishment of a church on property commonly known as 2014 Orrington Avenue, Evanston, Illinois, and legally described as:

The South 1/2 of Lot 5 in Block 4 in Evanston, in the Northwest 1/4 of Section 18, Township 41 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois,

is granted subject to compliance with the conditions hereinafter set forth.
SECTION 2: That the grant of the special use permit to the
Lubavitch Chabad House of Illinois, Inc. is granted sub-
ject to compliance with all other provisions of the Zoning Ordinance, other
applicable laws, and the following conditions:

1. Use of the premises shall be limited to a maximum
   of thirty (30) persons or a lesser number if re-
   quired by fire, safety or building restrictions;

2. Use of the premises shall be limited to religious
   services and related study and discussion groups,
   and similar type activities; and one dwelling
   unit;

3. The building shall be soundproofed, or activities
   within it limited so that sound generated within
   the building cannot be heard at the property line
   of adjoining lots;

4. All the off-street parking spaces required to
   serve the actual uses of the building shall be
   supplied;

5. No persons shall eat or sleep on the premises ex-
   cept for one person, his or her spouse, their
   offspring and legally adopted children; provided,
   however, that the foregoing restrictions shall not
   apply to food served in connection with religious
   services; and provided, further, that up to four
   (4) religious observants may sleep on the premises
   on the night of the Jewish Sabbath and the Jewish
   high holidays;

   that during its occupancy of the premises it will
   not operate or avail itself of a van or truck in
   connection with its occupancy or ownership of the
   premises.

7. The special use shall apply only to the Lubavitch
   Chabad House of Illinois, Inc.; and

8. That a covenant in recordable form be executed and
   delivered to the City of Evanston by the applicant
   reciting agreement to such conditions.

SECTION 3: The director of inspections and Permits is hereby ordered
and directed to grant such permits as shall be required
to effectuate the provisions of this ordinance.
SECTION 4: This ordinance shall be in full force and effect from
and after its passage, approval, and publication in the
manner provided by law.

Introduced ________________ , 1978
Adopted ________________ , 1978

Approved ________________ , 1978

__________________________
Mayor

ATTENT:

__________________________
City Clerk

Approved as to form: ____________________________
Corporation Counsel
2014 Orrington Ave.
This map is not a plat of survey. This map is provided "as is" without warranties of any kind. See www.cityofevanston.org/mapdisclaimers.html for more information.
MEETING MINUTES (EXCERPT)
EVANSTON PRESERVATION COMMISSION

Tuesday, August 29, 2017
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2404
7:00 P.M.

Members Present: Robert Bady, Elliott Dudnik, Ken Itle, Julie Hacker, Mark Simon, Tim Schmitt, and Diane Williams

Members Absent: Sally Riessen Hunt and Karl Vogel

Staff Present: Scott Mangum, Planning and Zoning Administrator, Division Manager
Carlos Ruiz, Senior Planner/Preservation Coordinator

Presiding Member: Diane Williams, Chair

CALL TO ORDER / DECLARATION OF QUORUM

Chair Williams called the meeting to order at 7:02 pm with a quorum present.

OLD BUSINESS

B. 2014 Orrington Av. (NEHD) – Dov Hillel Klein, applicant. Exterior remodeling for ADA accessibility; partial 3rd floor/attic addition to accommodate needed spaces; updated front and rear facades; new elevator for ADA accessibility. Requires Zoning Variations: 6-8-2-4 special use permit for a religious institution required due to increase in building/impact. 6-8-2-9-A Maximum height permitted is 35' to peak or 2.5 stories, whichever is less. Proposed height 35' to peak of roof (excluding rear parapet and elevator overrun). However, knee-wall exceeds 3' and therefore constitutes a full 3rd story. 6-18-3 Exterior knee-walls shall not exceed three (3) feet in height. 6-8-2-8-B-3 15’ interior side yard setbacks required for non-residential structure. Propose 5.4’ north interior side yard setback and 9.5’ south interior side yard setback for additions, front porch, rear balcony. 6-4-1-9-A-3 Block average’s front yard setback (to house facades, not porches) is 34’ and existing setback is 27.3’. Proposed front yard setback 27.3’ (extending higher than existing). 6-4-1-9-B Eaves may extend 10% into a setback or a minimum of 6”. Front porch eave setback = 27.6’. Proposed front porch eave setback is 24.8’. Applicable standards: [Alteration] 1-10; [Construction] 1-16; [Demolition] 1-5; [Zoning Variation] A and C.

Rabbi Klein and Kiril Mirintchev, architect, presented the project for remodeling and adding an attic floor to the building at 2014 Orrington. The 2-flat building was purchased 40 years ago as a Synagogue and student center. In 1985, after a decision by the United States Supreme Court, the Synagogue and student center opened its doors. The Chabad Center serves four distinct populations: 1) Synagogue community 2) students, faculty and staff of Northwestern University, 3) the secular Jewish community of Evanston, ad 4) the overall Evanston community.
Rabbi Klein said they need to add space for making the building accessible with a ramp and elevator, dedicated rooms for the different activities, classrooms, ADA bathrooms, office space for their staff, an appropriate kitchen(s) and a Sanctuary and meditation space. To this end, instead of making the building longer, a partial third floor is being added. The original plan was developed with the input of City administrators, community members and neighbors. The design has a strong Synagogue feel and it blends with the existing landscape. Based on the input from neighbors, architect Kiril Mirintchev redesigned the front of the building for a more residential feel than a Synagogue feel. At the time the revised design was presented at the neighborhood meeting, no one objected.

K. Mirintchev said because the Zoning limitation of height in a residential zone, the proposed attic is not a full floor. However, Zoning considers it a third floor. The existing setbacks are smaller than required, 7’ and 5’, where 15’ is required. The height is 35’. He described the Zoning Variations as listed above.

The floor plans add an attic floor with classrooms and offices. The floors below become accessible; there is an elevator and a ramp outside. With the remodel there will be a better entrance, Sanctuary, library, and kitchen. The proposed attic will not be visible from the street because the existing parapet walls will block its view. The front elevation has a residential feel with a new dormer and a combination of gable and hip roofs with the same line of eave as all the buildings on the block have. The existing brick side walls remain. The front pilasters and structural columns will remain. The two columns on the side will be shorten and the middle one stops even shorter at the new roof for the new front dormer above.

K. Mirintchev said they removed from the front elevation the elements that are not characteristics of the neighborhood (the front element with its large windows, stucco window sills, and the partial roof). Instead, the gable roof with the dormer on the front is proposed. The side walls remain almost the same and the rear addition elevation corresponds with the brick buildings across the alley. On the front elevation the new large gable roof with a projecting eave reduce the bulkiness of the building. The materials are: brick on the front, stucco at the rear addition, and standard shingles for the roofs. All the front elements are wood; the windows are dark bronze aluminum with tinted glass.

Public Comments:
Jack Weiss of 813, #2 Forest Av. said the proposed design fails to meet standards of alteration 1, 9 and 10; and standards of construction 1, 2, 4, 8 and 10.

Rob Biesenbach of 2011 Orrington said his concern is about the aesthetic of the design. There is too much glass and the design is not quite fitting with the residential character of the neighborhood. He suggested continuing working on the design.

Dave Mack of 2015 Orrington concurred with Rob Biesenbach’s remarks. He said the building is an eyesore and needs work.

Patricia Atkins of 2005 Orrington said that after the two neighborhood meetings, she found the designs of the enlarged space and raised roof, advancing front, and altered...
windows, to be out of character and incompatible with the neighborhood and its single family residential character. The design does not meet standards of alteration 1, 2, 3, 6, 9 and 10. Ms. Atkins objected to the Institutional uses, specifically the classroom and offices associated with the proposed design.

Kiril Mirintchev said the proposed front elevation blends in the residential neighborhood, but the function of the building is different with a little bit of expression of its functionality. The proportion width and height are the same as some the buildings on the block. The look is different because its function.

Commissioner Simon asked about the buildings across the alley. K Mirintchev said the buildings are four-story brick buildings. Commissioner Simon wondered how to apply preservation standards on a building that is a non-contributing structure to the district. Chair Williams said that, to some degree, it is about the context. Commissioner Dudnik questioned whether the Commission should review this as a residential building, when it is not. Commissioner Hacker said it is about looking at the buildings on the block, looking at the proportion of the windows and such.

Commissioner Dudnik said the proposed front elevation is busy with a dormer of one type, another dormer of a different type. The other issue is the scale of the second floor; the dormer is over scaled. The windows on the second floor, compared to the windows on the first floor, are out of scale. If the Commission were to review the front elevation in a residential context, then it is a problem. On the front elevation the roofs seemed to be of the different height. On the side elevation all of roofs are lined up. K. Mirintchev clarified that the front elevation shows the roofline that is at the rear of the building as well.

Commissioners discussed particularly the proposed large dormer on the front elevation as being out of scale, the excessive amount of glass on the second floor and attic, the mismatch style of the existing first floor and the proposed second floor with different roof lines. Commissioners suggested simplifying the design for it to be more compatible with residential context of the block, and yet still express the function and the Chabad House use.

Commissioner Bady made a motion to continue the item to September 19, 2017, seconded by Commissioner Simon. The motion passed. Vote: 7 – 0.

Respectfully submitted,

Carlos D. Ruiz
Senior Planner/Preservation Coordinator
MEETING MINUTES (EXCERPT)
EVANSTON PRESERVATION COMMISSION

Tuesday, October 17, 2017
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2404
7:00 P.M.

Members Present: Elliott Dudnik, Ken Itle, Julie Hacker Jamie Morris, Suzi Reinhold, Mark Simon, Karl Vogel, and Diane Williams

Members Absent: Robert Bady, Sally Riessen Hunt, and Tim Schmitt,

Staff Present: Scott Mangum, Planning and Zoning Administrator, Division Manager; Carlos Ruiz, Senior Planner/Preservation Coordinator, and Mario Treto, Assistant City Attorney II.

Presiding Member: Diane Williams, Chair

CALL TO ORDER / DECLARATION OF QUORUM

Chair Williams called the meeting to order at 7:02 pm with a quorum present.

OLD BUSINESS

A. 2014 Orrington Av. (NEHD) – Dov Hillel Klein, applicant. Exterior remodeling for ADA accessibility; partial 3rd floor/attic addition to accommodate needed spaces; updated front and rear facades; new elevator for ADA accessibility. Requires Zoning Variations: 6-8-2-4 special use permit for a religious institution required due to increase in building/impact. 6-8-2-9-A Maximum height permitted is 35’ to peak or 2.5 stories, whichever is less. Proposed height 35' to peak of roof (excluding rear parapet and elevator overrun). However, knee-wall exceeds 3’ and therefore constitutes a full 3rd story. 6-18-3 Exterior knee-walls shall not exceed three (3) feet in height. 6-8-2-8-B-3 15’ interior side yard setbacks required for non-residential structure. Propose 5.4’ north interior side yard setback and 9.5’ south interior side yard setback for additions, front porch, rear balcony. 6-4-1-9-A-3 Block average's front yard setback (to house facades, not porches) is 34' and existing setback is 27.3’. Proposed front yard setback 27.3’ (extending higher than existing). 6-4-1-9-B Eaves may extend 10% into a setback or a minimum of 6". Front porch eave setback = 27.6’. Proposed front porch eave setback is 24.8’. Applicable standards: [Alteration] 1-10; [Construction] 1-16; [Demolition] 1-5; [Zoning Variation] A and C.

Rabbi Dov Hillel Klein and Kiril Mirintchev, architect, presented the application. Rabbi Klein said that 2014 Orrington is a building of wordship, and as such it can only be in a residential area. It operates under a zoning variance, with approval of City Council, and a Court order that was challenged, but it was upheld by the Supreme Court of the United States in 1983. The synagogue is one of several non-conforming structures in one block radius. The goal is to upgrade the facility and how the building looks in order
to increase the value of the neighborhood, enhance to its life, and make the facility accessible and safe. Rabbi Klein said they want to be sensitive and extremely caring to their neighbors. They are willing to create a balance and made their facility look and appear more residential.

Rabbi Klein said the Lakeshore Historic District (2012 Survey) shows there is a distinction between residential, non-residential architecture, and religious facilities. There are seven religious facilities in the district, and five of them are historic. Clearly in 2012 there was an understanding that religious facilities should not be treated like residential facilities.

The proposed design takes elements from the neighborhood and fits right in. Jewish law requires a synagogue to have windows. Other religious centers including other synagogues in Evanston are filled with windows. Rabbi Klein showed examples of other religious and residential buildings in the Northeast Evanston Historic District with fairly amount of windows.

Rabbi Klein said based on the Commission’s and the neighbors’ comments the revised design is unique, it blends with the nature of the block and they will be changing the synagogue from one that does not conform into one that will live up to the Northeast Evanston Historic District.

Kiril Mirintchev listed the comments from the Commission as follows:

- The bulkiness of the top floor as compared to the bottom floor.
- The use of brick material on the sides of the dormer.
- The large openings of the windows, not being proportionally scaled towards the rhythm of openings and solids parts of walls in the neighboring buildings.
- The whole façade is too complicated.

Kiril Mirintchev described the revisions to the front facade as follows:

- The roof is the same; the width of the dormer is reduced by a foot by removing the brick pilasters, and replacing them with simple framed walls with stucco finish.
- The sloped roof behind the dormer has been removed, so now one can see a straight horizontal line, bringing more unity to the front elevation.
- With a slimmer dormer, the roof is steeper. It looks more elegant rather than bulky.
- More solid parts were added to the dormer windows with a different rhythm. Now it resembles the proportions of the windows on two houses on the block.
- The revisions allow the front façade to merge or blend better with the residential environment around it.
- The front façade represents the character of the building as a synagogue.
- The ridge height of the building is lower than the adjacent buildings, and the gable roof on the dormer corresponds to the size of gables around it.
• The revisions bring the design closer to the adjacent buildings and the character of the neighborhood. Thus, presenting the building as a non-residential building which is its character.

Public comments:
Gerry Melkov of 901 Colfax said what it should be preserved is the diversity of Evanston. The proposed partition of the window into three panels addresses his concern about the aesthetics of it.

Ellen Wodika of 1508 Oak, 2S said she was pleased with the proposed design and for the Chabad House being part of the community.

Bob Bisenback of 2011 Orrington said the windows and drawings continue to make progress. He wants the Chabad House continue to be a great neighbor and the building blend in as much as possible into the residential character.

Dave Mack of 2015 Orrington said he supports having the Chabad House in the neighborhood and will follow what the Commission wants to do.

Jesse Viner of 1130 Judson said the project meets long overdue needs of the Jewish community in Evanston. He believes the process underway represents the diversity and integration of the community.

Laura Viner of 1130 Judson said a very important aspect of her life is her strong affiliation with the Chabad House. The process reflects Rabbi Klein’s intention to be completely cooperative and transparent in the way he approached the process with the Commission and the neighborhood. She supports the project and believes the design meets the criteria to be both collaborative and blending with the community and the residential aspect.

Sholom Hecht of 1107 Garrett Pl. said that the proposed design meets the standards and goes above and beyond than others structures in the neighborhood and historic district.

Chair Williams said the Commission received a letter from Jack Weiss that says essentially the proposed changes fail to respond to the concerns of mass and scale of the neighborhood.

Commission’s questions and comments:
Elliott Dudnik:
• Religious buildings in most communities do not necessarily reflect the residential character of the rest of the block.
• Do our standards encompass the issue of a building of different type and use and so on, relative to the other buildings?
• The issue is not the scale of the windows, but the way they are imposed on the front elevation, given the scale of all other windows. The mullions or the divisions between the windows could be more broken down.

Commissioner Hacker:
• The dormer windows could be double hung and keeping with the scale of the existing windows. Also, the rear façade is within the purview of the Commission.

Chair Williams asked about the windows on the side of the dormer. K. Mirintchev the side windows are divided and with an arch. The addition on top is also stucco.

Chair Williams asked Mario Treto for direction to allow no more than two Commissioners provide feedback and guidance to the applicant to continue working on revisions to the design. M. Treto said it needs to be clear that it would be any indication as to approval by the whole Preservation Commission and just provide input as to the design.

Commissioner Itle:
• The conflict is what is happening in the first floor; its scale, material and character do not relate to the second floor. The windows on the first floor seemed too small and out of scale.

Chair Williams said that, based on the discussion, the applicant will lighten up the second floor windows and look at the first floor. The revised drawings would be circulated by City staff to no more than two (2) Commissioners.

Commissioner Itle made a motion to table the application at 2014 Orrington Av. until November 14, 2017, seconded by Commissioner Dudnik. The motion passed. Vote: 7 ayes, 0 nays.

Respectfully submitted,

Carlos D. Ruiz
Senior Planner/Preservation Coordinator

Next Meeting: TUESDAY, November 14, 2017 at 7:00 P.M. (Subject to change)
MEETING MINUTES (EXCERPT)
EVANSTON PRESERVATION COMMISSION

Tuesday, November 14, 2017
Lorraine H. Morton Civic Center, 2100 Ridge Avenue, Room 2404
7:00 P.M.

Members Present: Robert Bady, Elliott Dudnik, Ken Itle, Julie Hacker, Jamie Morris, Suzi Reinhold, Tim Schmitt, and Mark Simon

Members Absent: Sally Riessen Hunt, Karl Vogel, and Diane Williams

Staff Present: Scott Mangum, Planning and Zoning Administrator, Division Manager; Carlos Ruiz, Senior Planner/Preservation Coordinator,

Presiding Member: Ken Itle, Vice Chair

CALL TO ORDER / DECLARATION OF QUORUM

Vice Chair Itle called the meeting to order at 7:04 pm with a quorum present.

OLD BUSINESS

A. 2014 Orrington Av. (NEHD) – Dov Hillel Klein, applicant. Exterior remodeling for ADA accessibility; partial 3rd floor/attic addition to accommodate needed spaces; updated front and rear facades; new elevator for ADA accessibility. Requires Zoning Variations: 6-8-2-4 special use permit for a religious institution required due to increase in building/impact. 6-8-2-9-A Maximum height permitted is 35’ to peak or 2.5 stories, whichever is less. Proposed height 35’ to peak of roof (excluding rear parapet and elevator overrun). However, knee-wall exceeds 3’ and therefore constitutes a full 3rd story. 6-18-3 Exterior knee-walls shall not exceed three (3) feet in height. 6-8-2-8-B-3 15’ interior side yard setbacks required for non-residential structure. Propose 5.4’ north interior side yard setback and 9.5’ south interior side yard setback for additions, front porch, rear balcony. 6-4-1-9-A-3 Block average's front yard setback (to house facades, not porches) is 34' and existing setback is 27.3’. Proposed front yard setback 27.3’ (extending higher than existing). 6-4-1-9-B Eaves may extend 10% into a setback or a minimum of 6”. Front porch eave setback = 27.6’. Proposed front porch eave setback is 24.8’. Applicable standards: [Alteration] 1-10; [Construction] 1-16; [Demolition] 1-5; [Zoning Variation] A and C.

Kiril Mirintchev, architect, presented the application. K. Mirintchev said the revised front elevation second story windows are more proportionally sized, where the arched window was lowered and the side windows are more residential scale. The stucco was removed; instead wood is being used, adding more detail. The exterior materials include wood siding at the top of the gable and on the sides of the added third level. The main dormer has a much slimmer look and is in sync with its surroundings. The elements that
surround the windows have more detailing with a horizontal mullion, making them look slimmer. On the sides, the large triangular windows are simplified with a horizontal mullion. The trim around the windows has typical elements for residential construction. The front elevation is similar with all the gables of the surrounding houses and maintains the setback line of the porches of the neighboring structures.

Commissioner Dudnik said the proposed design is a better solution than before. Commissioners Schmitt and Morris concurred.

Commissioner Schmitt made a motion to issue a COA for 2014 Orrington Av. as submitted, in that standards for alteration 1-10 apply, seconded by Commissioner Simon. The motion passed. Vote: 7 ayes, 1 nay (Commissioner Itle).

Commissioner Schmitt made a motion to issue a COA for 2014 Orrington Av., in that standards for construction 1-16 apply, seconded by Commissioner Simon. The motion passed. Vote: 7 ayes, 1 nay (Commissioner Itle).

Commissioner Schmitt made a motion to issue a COA for 2014 Orrington Av. in that standards for demolition 1-5 apply, seconded by Commissioner Simon. The motion passed. Vote: 7 ayes, 1 nay (Commissioner Itle).

Commissioner Schmitt made a motion to issue a recommendation to the Zoning Board of Appeals for the project at 2014 Orrington Av. for Zoning variances, in that standards A and C have been met, seconded by Commissioner Simon. The motion passed. Vote: 7 ayes, 1 nay (Commissioner Itle).

Respectfully submitted,

Carlos D. Ruiz
Senior Planner/Preservation Coordinator
A quorum being present, Ms. Leonard called the meeting to order at 2:30 pm.

New Business

2. 2014 Orrington Avenue  Recommendation to ZBA

Rabbi Dov Hillel Klein, property owner, applies for a special use permit for the expansion of a Religious Institution, Lubavitch Chabad of Evanston, LLC, and major zoning relief for an addition including a third story with a 35' peak height and exterior knee-wall above 3' where 2.5 stories with a peak height of 35' and a maximum 3' exterior knee-wall are permitted, a 5.4' north interior side yard setback and 9.5' south interior side yard setback where 15' is required for a non-residential structure, a 27.3' front yard setback where 34' is required, and a 24.8' front yard porch eave setback where 27.6' is required (Zoning Code Section 6-4-1-9-B), in the R1 Single Family Residential District.

APPLICATION PRESENTED BY: Kiril Mirintchev, architect

DISCUSSION:

- Mr. Mirintchev described the proposed addition, noting they have worked with the neighborhood and Preservation Commission to achieve the current plan. He stated the building footprint is not changing. He stated an existing rear porch will be converted to interior stairs. He stated they are adding an elevator and ramp into the building to provide ADA accessibility. He went through the plan, noting the shadow study.
- Mr. Mirintechev stated the Preservation Commission wanted a more residential look.
- Mr. Ruiz confirmed the Preservation Commission reviewed this multiple times with the applicant to achieve a more residential look to the alterations.
- Mr. David Schoenfold stated he is a neighborhood resident. He stated residents are concerned with preserving the residential character of area and not having institutional uses. He stated changes made to the design are better but feels the future use may not be not compatible. He stated the proposed alterations to the
building limit the use to institutional. He presented a list of suggested conditions of approval to both the applicant and Committee for consideration.

- Mr. Rob Biesenbach stated he lives across the street. He stated his desire to keep the block as residential as possible.
- Rabbi Hect stated they do not intend to relocate. He stated the current location meets their needs. He stated the programing is not changing, but the addition and renovations allow current programs to occur without disrupting other programs. He stated he does not expect to see more traffic to the property with the addition.
- Ms. Leonard stated that since staff only received the proposed conditions that morning, she asked staff to work with the Law Department to review the conditions and provide feedback at the upcoming ZBA meeting.
- Mr. Mirintechev stated they would like to begin construction in March, hoping to complete work in one year.
- Ms. Leonard stated a construction management plan, while not required, would be helpful so that residents could be alerted of activities occurring during construction and also manage the impact of workers coming into and out of the neighborhood.

Mr. Mangum made a motion to recommend approval of the Special Use Permit and Major Variations to ZBA with the added condition that Law Department review proposed conditions submitted by Mr. Schoenfold. Seconded by Mr. Gerdes.

The Committee voted, 8-0, to recommend approval of the property to ZBA, subject to the condition.
2626 Reese Ave.
17ZMJV-0077

ZBA Determining Body
To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Director of Community Development  
Scott Mangum, Planning and Zoning Administrator  
Melissa Klotz, Zoning Planner

Subject: 2626 Reese Avenue - ZBA 17ZMJV-0077  
ZBA Determining Body

Date: December 28, 2017

Notice - Published in the December 21, 2017 Evanston Review
William James, contractor, applies for major zoning relief to construct a 2-story single family residence in the R1 Single Family Residential District. The applicant requests 37.9% building lot coverage where a maximum 30% is allowed (Zoning Code Section 6-8-2-7), a 4’ street side yard setback (Hartzell Street) where 15’ is required for the principal structure (Zoning Code Section 6-8-2-8-A-2), a 3’ street side yard setback where 15’ is required for the accessory structure (detached garage) (Zoning Code Section 6-8-2-8-C-2), an accessory structure in a street side yard closer to the street than the principal structure (Zoning Code Section 6-4-6-2-F), and a 1’ street side yard setback where 13.5’ is required for the porch (yard obstruction) (Zoning Code Section 6-4-1-9-B-1). The Zoning Board of Appeals is the determining body for this case.

Recommendation
City staff and DAPR recommend approval of major zoning relief for building lot coverage, street side yard setbacks, and accessory structure location to construct a new single family residence and a two-car detached garage in the R1 District. The applicant has complied with all other zoning requirements and meets all of the standards for major variations for this district.

Site Background
2626 Reese Ave. is located on the southwest corner of Hartzell St. and Reese Ave. in the R1 Single Family Residential District, and is surrounded by the following:

North: R1 Single Family Residential District
East: R1 Single Family Residential District
South: R1 Single Family Residential District
West: R1 Single Family Residential District

The property is a vacant corner lot that is substandard in lot width and lot size. The property is surrounded by moderately-sized single family residences in all directions.
2626 Reese Ave. is an existing vacant lot with a substandard 25’ lot width where 35’ is required, and 3,325 square foot lot size where 7,200 square feet is required. The lot was platted prior to 1960, therefore, it is a buildable lot. With setbacks taken into account, the buildable area on the lot is 5’ x 83.5’, so zoning relief is necessary to construct a usable single family residence. A previous owner attempted to gain zoning relief in 2016 that included five setback variations and a building lot coverage variation, but withdrew the application prior to the ZBA hearing amidst neighborhood opposition.

The applicant proposes to construct a 2-story single family residence and 2-car detached garage. The request includes the following zoning relief:

<table>
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<tr>
<th>Required</th>
<th>Proposed</th>
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<tr>
<td>Building Lot Coverage</td>
<td>30% maximum</td>
</tr>
<tr>
<td>Street Side Yard (Principal Structure)</td>
<td>15’ minimum</td>
</tr>
<tr>
<td>Street Side Yard (Accessory Structure - garage)</td>
<td>15’ minimum</td>
</tr>
<tr>
<td>Accessory Structure Location (garage)</td>
<td>Not closer to the street than the house</td>
</tr>
<tr>
<td>Street Side Yard (Yard Obstruction – porch)</td>
<td>13.5’ minimum</td>
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</table>

The proposed house complies with the averaged required front yard setback on Reese Ave. at 19.5’ as well as the required rear yard setback. The proposal is purposefully compliant with the 5’ south interior side yard setback to ensure the abutting property to the south is not negatively impacted. Therefore, the house is located closer to the street side yard abutting Hartzell St. Since the lot is only 25’ wide, the applicant proposes a 4’ street side yard setback where 15’ is required. There is one additional foot between the property line and the sidewalk, so the house is proposed 5’ from the Hartzell St. sidewalk.

The house features a partially-roofed entrance on the Hartzell façade, which protrudes into the required setback for a 1’ street side yard setback for a yard obstruction where 13.5’ is required. Although the partially-roofed entrance is not absolutely necessary, it adds depth to the Hartzell façade of the home and also provides coverage from inclement weather when entering and leaving the house. The partially-roofed entrance requires zoning relief, but is appropriate since it provides a public benefit of an improved façade and house design that blends with the neighborhood.

The applicant proposes to construct a 19’ x 20’ 2-car detached garage. The garage is 19’ in width, the minimum necessary to accommodate two vehicles, but therefore requires zoning relief for the street side yard setback. Accessory structures such as garages require a 15’ street side yard setback and also cannot protrude closer to the street than the principal structure (house). The garage is proposed 3’ from the Hartzell property line (which is the typical setback for a detached garage on a non-corner lot). The garage is proposed 1’ closer to the Hartzell property line than the house, but is still further from the property line than the partially-roofed entry.
The applicant revised the proposal as requested by the DAPR Committee to reduce the building lot coverage down to a requested 37.9% where a maximum 30% is permitted. The applicant worked to design a house that meets the minimum standards and expectations of the Evanston housing market. By reducing the building lot coverage, the applicant eliminated a proposed mudroom, closet, and kitchen pantry. The first floor is now the minimum necessary and consists of an eat-in kitchen, dining room, and living room. The second floor features a slightly larger footprint due to a 2’ cantilever to accommodate the master bathroom near the south interior side yard. The cantilevered portion complies with the required 5’ interior side yard setback. Since the cantilever is similar in size to an eave, the overhang does not count towards building lot coverage. Surrounding properties that are similar in size appear to have 32%-35% building lot coverage.

The applicant originally submitted for major zoning relief in August 2017. Letters of objection to the original proposal, as well letters of objection to the revised plan, are attached with a map indicating the vicinity of objectors to the subject property. The applicant distributed information regarding the proposal and met with neighbors in June 2017. Staff is aware of strong neighborhood opposition to the proposal, as well as strong opposition from the property owner abutting 2626 Reese Ave.

**Ordinances Identified for Requested Relief**

6-8-2 R1 Single Family Residential District

6-8-2-7 The maximum building lot coverage in the R1 District is 30%.

6-8-2-8 The minimum yard requirements in the R1 District are as follows:

- 6-8-2-8-A-2 Side yard abutting a street – 15’
- 6-8-2-8-C-2 Side yard abutting a street – 15’ (accessory structure)

6-4-6-2 General Provisions for Accessory Structures and Uses

6-4-6-2-F No accessory building located in the rear yard of a corner lot shall be nearer to a street lot line than the minimum width required for a side yard abutting a street in the district where the lot is located.

6-4-1-9 Yards

6-4-1-9-B Permitted Obstructions in Required Yards:

1. General Provisions: Yard obstructions attached to the principal or an accessory
structure on a site shall include but are not limited to: permanently roofed terraces or porches, chimneys, bay windows, window-mounted air conditioning units, awnings, canopies, arbors, trellises, balconies, overhanging eaves, unenclosed staircases four (4) feet or more above grade, and enclosed staircases. A yard obstruction is any of these items extending outside of the allowable building envelope and into a required yard. A yard obstruction may extend into no more than ten percent (10%) of the depth of a required yard...

Design and Project Review Committee (DAPR) Discussion and Recommendation
September 20, 2017 – The DAPR Committee expressed concerns about the building lot coverage and recommended reducing the building lot coverage by 2.5% to no more than 37.9% to make the proposed house a more comparable size to neighboring houses. Recommendation: approval subject to a reduction of the building lot coverage to 37.9% prior to ZBA, and a survey of the existing condition of the neighboring property (if neighbor agrees) and approved shoring plan prior to construction.

The applicant submitted a revised plan to reduce the building lot coverage to 37.9% on November 28, 2017.

Variation Standards
For a variation to be approved, the ZBA must find that the proposed variation:

1. Will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties: The property is a vacant lot that is not serving the highest and best land use. The proposed house is similar in bulk to the surrounding neighborhood so it will complement the area while increasing the tax base. The house features a compliant south interior side yard setback to ensure there is no negative impact on the adjacent property.

2. Is in keeping with the intent of the zoning ordinance: Setbacks are required to ensure adequate open space and minimal impact on adjacent properties and uses. Setbacks adjacent to neighboring properties are compliant, and the noncompliant setbacks are adjacent to large right-of-way green-space.

3. Has a hardship or practical difficulty that is peculiar to the property: The property is substandard in lot width and lot size, and features increased setbacks since it is a corner lot. The remaining available building footprint is only 5’ wide.

4. Property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience: With a 5’ wide building footprint, the property is essentially unbuildable without zoning relief.

5. Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived: The applicant intends sell the house for a profit. However, a public benefit will be provided by increasing the tax base and providing a housing unit for a family on an otherwise unbuildable lot.

6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property: The property has existed at its platted size and width since before the current ownership.

7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: The applicant has modified the proposal multiple times to minimize the necessary zoning relief, including a modification to reduce the building lot coverage by an additional 2.5% to 37.9% as requested by the DAPR Committee.
Attachments
Variation Application – submitted August 29, 2017
Zoning Analysis
Plat of Survey
Site Plans (revised November 28, 2017)
Elevations
Landscape Plan
Letters of Opposition (October 2017 proposal & current)
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Meeting Minutes – September 20, 2017
1. PROPERTY

Address: Aley

Permanent Identification Number(s):

PIN 1: 0 5 3 3 - 4 2 9 - 0 0 7 - 0 0 0 0

PIN 2: [Blank]

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

2. APPLICANT

Name: William James

Organization: Oakton-Custer Partners, LLC

Address: 345 Sherman Avenue

City, State, Zip: Evanston, IL 60202

Phone: Work: 312.879.9518 Home: [Blank] Cell/Other: 312.399.4063

Fax: Work: 847.556.6410 Home: [Blank]

E-mail: bijames@camiros.com

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:

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

Name(s) or Organization: [Blank]

Address: [Blank]

City, State, Zip: [Blank]

Phone: Work: [Blank] Home: [Blank] Cell/Other: [Blank]

Fax: Work: [Blank] Home: [Blank]

E-mail: [Blank]

"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."

William R. Jones

Property Owner(s) Signature(s) – REQUIRED 8/21/17

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."

William R. Jones

Applicant Signature – REQUIRED 8/21/17

Date
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- [X] Completed and Signed Application Form
- [X] Plat of Survey  
  Date of Survey: 1/11/2016
- [X] Project Site Plan  
  Date of Drawings: 8/3/2016
- [X] Plan or Graphic Drawings of Proposal (If needed, see notes)
- [X] Non-Compliant Zoning Analysis
- [X] Proof of Ownership  
  Document Submitted: Deed
- [X] Application Fee (see zoning fees)  
  Amount $1,400.00 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:
   Construction of a new single family residence on a vacant lot.

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)

<table>
<thead>
<tr>
<th>(A) Section (ex. &quot;6-8-3-4&quot;)</th>
<th>(B) Requirement to be Varied (ex. &quot;requires a minimum front yard setback of 27 feet&quot;)</th>
<th>(C) Requested Variation (ex. &quot;a front yard setback of 25.25 feet&quot;)</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-8-2-7</td>
<td>&quot;maximum lot coverage is 30%&quot;</td>
<td>&quot;lot coverage of 40.40%, which qualifies for a minor variation.&quot;</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Reduced to 37.9%</td>
</tr>
</tbody>
</table>

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

| 2 | minimum side yard for a residential structure abutting a street is 15 feet |
| 3 | minimum side yard for an accessory structure abutting a street is 15 feet |

| 2 | side yard abutting a street of 4 feet |
| 3 | side yard abutting a street of 3 feet |
6. PROPOSED PROJECT

A. Briefly describe the proposed project:

see description above

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)

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<thead>
<tr>
<th>(A) Section</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-4-1-9-B-1</td>
<td>&quot;yard obstructions may extend 10% into a required yard&quot;  For a side yard abutting the street in the R-1 District, the required yard is 15' and the allowable obstruction is 1.5'.</td>
<td>1' setback to porch (2.5' to roof) “an obstruction for a front door canopy of 12.5' with a yard of 2.5'. This application contains a variance request for a 4' yard abutting the street on the principal building.”</td>
</tr>
<tr>
<td>640-2-F</td>
<td>Accessory structure in a street side yard closer to the property line than the house</td>
<td>Accessory structure (garage) with 3' setback where house has 4' setback</td>
</tr>
</tbody>
</table>

* For multiple variations, see “IMPORTANT NOTE” under “Application Fee & Transcript Deposit” on Page 2.
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 property is a lot of record that is legal nonconforming due to lot area and lot width. These characteristics preclude the use of the lot for a residential dwelling without relief from the provisions of the Zoning Ordinance specified in this application.

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 lot is a corner lot and only one property (2524 Reese) is adjoining along the common interior side yard to the south. The proposed residence meets interior the side yard requirements of the ordinance, resulting in no impact on the adjoining property. The requested lot coverage variation is modest in the degree of variation and meets the standard for a minor variation (40.50%) and will not result in substantial adverse impact. The corner side yard variations and the obstruction variation are on the opposite side of the lot and will not affect the adjoining property.

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.

If the strict letter of the regulations were to be carried out the lot could not be built on and the property owner's investment in the purchase of the property and the investment in design plans for the new residence would be a total loss, which is a true hardship.

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 §6-3-6-2, 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.

(a) The purpose of the variations is to allow the lot to be used for residential purposes, which is not possible without the variations. 6-3-8-12-(E)-5-(a) states that the variations should not be "based exclusively upon a desire to extract additional income" from the property. The variations will not lead to maximizing (additional) income, which would result from the largest house possible. Rather, the proposal is for the smallest house still practical, resulting in the minimum financial gain. The proposed house is the smallest house practical in terms of meeting the needs of families for a modern lifestyle.

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

The hardship is the nonconforming lot area and lot width of the property. This condition was not self-created, but was created at the time of subdivision, which was approved by the City of Evanston. The hardship is also the result of the establishment of zoning regulations that do not reflect the lot size and lot width characteristics in the immediately surrounding area.
5. Have other alternatives been considered, and if so, why would they not work?

Much effort has been expended in formulating a design for the proposed house that minimizes the number of variances and the degree of variance in those variations requested. No house could be built on this lot without variations. The application of the corner side yard (15') and interior side yard (5') regulations would leave only 5 feet of lot width on which to build a house. The proposed house is only 16 feet wide, which is the smallest practical width.

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.
   Same as applicant.
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 ______ 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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
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<tbody>
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</tbody>
</table>

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.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
</tbody>
</table>

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.

Oakton-Custer Partners, LLC is a single-member limited liability company with William James as sole member.

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Relationship</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
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</tr>
</tbody>
</table>

Page 6 of 6
Zoning Analysis

Summary

Case Number: 17ZONA-0174  Case Status/Determination: Non-Compliant

Proposal:
Construction of a new single family dwelling unit and a detached two car garage on a vacant lot.

Site Information:

<table>
<thead>
<tr>
<th>Property Address:</th>
<th>Zoning District:</th>
<th>Overlay District:</th>
</tr>
</thead>
<tbody>
<tr>
<td>2626 REESE AVE</td>
<td>R1</td>
<td>None</td>
</tr>
</tbody>
</table>

Applicant: William James

Phone Number:  

Zoning Section | Comments |
---|---|
6-8-2-7 | The maximum lot coverage in the R1 district is thirty percent (30%). Proposed lot coverage is 46.4% |
6-4-6-2-F | Accessory structures cannot be located closer to a street than the principal structure. Propose accessory structure (garage) closer to street than the principal structure |
6-8-2-8-A-2 | 15' street side yard setback required for principal structure. Proposed setback is 4' |
6-8-2-8-C-2 | 15' street side yard setback required for accessory structure (garage). Proposed setback is 3' |
6-4-1-9-B-1 | Yard obstruction may extend 10% into required setback. Proposed obstruction of 1.5' for street side yard setback of 1' for porch where <3.5' required |
City of Evanston
ZONING ANALYSIS REVIEW SHEET

APPLICATION STATUS: July 12, 2017
RESULTS OF ANALYSIS: Non-Compliant

Z.A. Number: 17ZONA-0174
Address: 2626 REESE AVE
Applicant: William James

Purpose: Zoning Analysis without Bld Permit App
District: R1
Overlay: None
Preservation District:
Reviewers:

PHONE:

THIS APPLICATION PROPOSES (select all that apply):

<table>
<thead>
<tr>
<th>New Principal Structure</th>
<th>Change of Use</th>
<th>Sidewalk Cafe</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Accessory Structure</td>
<td>Retention of Use</td>
<td>Other</td>
</tr>
<tr>
<td>Addition to Structure</td>
<td>Plat of Resubdiv/Consol.</td>
<td></td>
</tr>
<tr>
<td>Alteration to Structure</td>
<td>Business License</td>
<td></td>
</tr>
<tr>
<td>Retention of Structure</td>
<td>Home Occupation</td>
<td></td>
</tr>
</tbody>
</table>

ANAALYSIS BASED ON:

Plans Dated:
Prepared By:
Survey Dated:
Existing Improvements:

Proposal Description:
Construction of a new single family dwelling unit and a detached two car garage on a vacant lot.

ZONING ANALYSIS

RESIDENTIAL DISTRICT CALCULATIONS

The following three sections apply to building lot coverage and impervious surface calculations in Residential Districts.

<table>
<thead>
<tr>
<th>Front Porch Exception (Subtract 60%)</th>
<th>Pavers/Pervious Paver Exception (Subtract 25%)</th>
<th>Open Parking Debit (Add 206sqft/open space)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Elftgge</td>
<td>Total Paver Area</td>
<td># Open Required Spaces</td>
</tr>
<tr>
<td>Front Porch</td>
<td>Paver Regulatory Area</td>
<td>Addtn. to Bldg Lot Cov.</td>
</tr>
<tr>
<td>Regulatory Area</td>
<td></td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PRINCIPAL USE AND STRUCTURE</th>
</tr>
</thead>
<tbody>
<tr>
<td>USE:</td>
</tr>
<tr>
<td>------------------------------</td>
</tr>
<tr>
<td>Dwelling - SF Attached</td>
</tr>
</tbody>
</table>

Comments:

Minimum Lot Width (LF)

<table>
<thead>
<tr>
<th>USE: Single Family Detached</th>
</tr>
</thead>
<tbody>
<tr>
<td>35</td>
</tr>
<tr>
<td>25</td>
</tr>
<tr>
<td>25</td>
</tr>
<tr>
<td>No Change</td>
</tr>
</tbody>
</table>

Minimum Lot Area (SF)

<table>
<thead>
<tr>
<th>USE: Single Family Detached</th>
</tr>
</thead>
<tbody>
<tr>
<td>7,200 sqft</td>
</tr>
<tr>
<td>3325</td>
</tr>
<tr>
<td>3325</td>
</tr>
</tbody>
</table>

Dwelling Units:

| Comments: |
| 0          |
|            |

Rooming Units:

| Comments: |
| 1          |
|            |

Building Lot Coverage

<table>
<thead>
<tr>
<th>(SF) (defined, including subtractions&amp; additions):</th>
</tr>
</thead>
<tbody>
<tr>
<td>997.5</td>
</tr>
<tr>
<td>0</td>
</tr>
<tr>
<td>1342.3</td>
</tr>
<tr>
<td>Non-Compliant</td>
</tr>
</tbody>
</table>

Comments: See section 6-3-2-7

Revised: 1260.1 = 37.9%
<table>
<thead>
<tr>
<th>Impervious Surface Coverage (SF, %)</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1496.25</td>
<td>0</td>
<td>1432.5</td>
<td>Compliant</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>43.1%</td>
<td></td>
</tr>
</tbody>
</table>

Comments: COMPLIANT ON THE CONDITION THAT ALL IMPERVIOUS SURFACES SHALL BE PAVED IN BRICK.

<table>
<thead>
<tr>
<th>Accessory Structure Rear Yard Coverage:</th>
<th>40% of rear yard</th>
<th>31%</th>
<th>Compliant</th>
</tr>
</thead>
</table>

| Gross Floor Area (SF) Use: Comments: |
|--------------------------------------|------------------|-----|-----------|
|                                      |                  |     |           |

| Height (FT) Comments: |
|----------------------|------------------|-----|-----------|
|                      | 35               | 29.6| Compliant |

| Front Yard(1) (FT) Direction: E Street: Reese Ave Comments: See section 6-4-1-0-A-5(b) |
|-----------------------------------------------|-------------------|------------------|-----------|
| 19.5 (average)                                | 19.5              | Compliant        |

Front Yard(2) (FT) Direction: Does Not Apply Street: Comments:

| Street Side Yard (FT) Direction: N Street: Hartzell Comments: See section 6-8-2-8-A-2 |
|--------------------------------------------|------------------|------------------|-----------|
| 15                                         | 4                | Non-Compliant    |

| Interior Side Yard(1) (FT) Direction: S Comments: |
|---------------------------------------------------|------------------|-----------|
| 5                                                 | 5                | Compliant |

Interior Side Yard(2) (FT) Direction: Does Not Apply Comments:

| Rear Yard (FT) Direction: W Comments: |
|--------------------------------------|------------------|-----|-----------|
|                                      | 30               | 40.5| Compliant |

| ACCESSORY USE AND STRUCTURE |
|------------------------------|------------------|-----|-----------|

<p>| Use (1) Standard Existing Proposed Determination |
|-------------------------------------------------|------------------|-----|-----------|
| Permitted Districts: None Garage (Det), Coachhouse or Carport | Compliant |
| Comments: |
| Permitted Required Yard: None Rear Yard | Compliant |
| Comments: |
| Additional Standards: |
| Comments: |
| Height (FT) Flat or mansard roof 14.5', ot Comments: |
| Flat or mansard roof 15.6 | Compliant |</p>
<table>
<thead>
<tr>
<th></th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Distance from</td>
<td>10.00'</td>
<td></td>
<td></td>
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<tr>
<td>Principal Building:</td>
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<tr>
<td>Comments:</td>
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<tr>
<td>Front Yard (1A) (FT)</td>
<td></td>
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<tr>
<td>Direction: E</td>
<td></td>
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<tr>
<td>Street: Reese Ave</td>
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<tr>
<td>Comments:</td>
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<tr>
<td>Front Yard (1B) (FT)</td>
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<tr>
<td>Direction: Does Not Apply</td>
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<tr>
<td>Street:</td>
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<td>Comments:</td>
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<tr>
<td>Street Side Yard (FT)</td>
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<td>3</td>
<td>Non-Compliant</td>
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<tr>
<td>Direction: N</td>
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<tr>
<td>Street: Hartzell</td>
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<tr>
<td>Comments:</td>
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<tr>
<td>Interior Side Yard 1A</td>
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<tr>
<td>(FT)</td>
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<td>3</td>
<td>Compliant</td>
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<td>Direction: S</td>
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<td>Comments:</td>
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<tr>
<td>Interior Side Yard 1B</td>
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<td>Direction: Does Not Apply</td>
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<td>Comments:</td>
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<tr>
<td>Rear Yard (FT)</td>
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<td>Compliant</td>
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<tr>
<td>Direction: W</td>
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<td>Comments:</td>
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</tbody>
</table>

**PARKING REQUIREMENTS**

<table>
<thead>
<tr>
<th>Use(1): Single-family Detached</th>
<th>2 per dwelling unit (Table 16-B).</th>
<th>2</th>
<th>Compliant</th>
</tr>
</thead>
<tbody>
<tr>
<td>Comments:</td>
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<tr>
<td>Use(2):</td>
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<td>Use(3):</td>
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<td>Comments:</td>
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<td>Handicap Parking Spaces:</td>
<td>Sec. 6-16-2-4</td>
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<td>Comments:</td>
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<td>Access:</td>
<td>Sec. 6-16-2-2</td>
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<td>Comments:</td>
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<tr>
<td>Vertical Clearance (LF)</td>
<td>7</td>
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<tr>
<td>Comments:</td>
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</tbody>
</table>
### MISCELLANEOUS REQUIREMENTS

<table>
<thead>
<tr>
<th>Requirement (1):</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yard Obstruction</td>
<td>10% into depth of reqd yard</td>
<td>0</td>
<td>1.5 into front yard</td>
<td>Compliant</td>
</tr>
</tbody>
</table>

Comments: The bay window on the west façade is compliant for the 19.5' front setback.

<table>
<thead>
<tr>
<th>Requirement (2):</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yard Obstruction</td>
<td>10% into depth of reqd yard</td>
<td>0</td>
<td>1.5 into street side yard</td>
<td>Non-Compliant</td>
</tr>
</tbody>
</table>

Comments: The canopy obstruction on the north façade would require a variation to legalise the yard obstruction of 115' in a street side yard of only 40'

<table>
<thead>
<tr>
<th>Requirement (3):</th>
<th>Standard</th>
<th>Existing</th>
<th>Proposed</th>
<th>Determination</th>
</tr>
</thead>
<tbody>
<tr>
<td>Garage location</td>
<td>Not closer to street tran house</td>
<td>garage 3' and house 4'</td>
<td></td>
<td>Non-Compliant</td>
</tr>
</tbody>
</table>

Comments:
RESULTS OF ANALYSIS

Results of Analysis: This Application is Non-Compliant

Site Plan & Appearance Review Committee approval is:

See attached comments and/or notes.

SIGNATURE          DATE
NOTES: Property corners were NOT staked per customer. It's possible some improvements not shown due to snow and ice cover. Property may contain sub-surface concrete and other improvements not shown herein.

Scale: 1 inch equals 15 feet

Order Number: 20169

Legend

North

South

East

West

(FT)

Rec.

Res.

Typical

Mother

Moat

Street

Avenue

Plat of Survey by Central Survey LLC

Legal Description
Lot 1 in Block 5 in Brown and Culver's Addition to North Evanston, in George Smith's Subdivision in Section 33, Township 42 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois. Commonly Known as 2520 Reese Ave, Evanston, Illinois. Area of Land Described: 3,324 Sq. Ft.

Hartzell Street

Reese Avenue

Concrete Curb

Vacant Land

(Improvements)

Note: All dimensions are in feet and hundredths and are corrected to a base of 60° Fahrenheit.
BASEMENT FLOOR PLAN

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
NORTH ELEVATION: 2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
SOUTH ELEVATION

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC

SCALE: 3/16" = 1'
1. Front yard Twenty-seven (27) feet; parking prohibited

2. Side yard abutting a street Fifteen (15) feet; parking prohibited

3. Side yard Five (5) feet

NARRATIVE: Existing street trees along Reese Avenue and Hartzell Street provide a strong canopy, creating scale for the building. The intent of on-site landscaping is to accentuate the design on the building, provide visual interest for pedestrians and to define space in the front and rear yards.

LANDSCAPE PLAN

December, 2017

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
SCALE: 1” = 10’ NORTH
Comments Received based on October Site Plan Submittal
2829 Park PL  
Evanston, IL  
September 28, 2017

Zoning Board of Appeals  
City of Evanston  
2100 Ridge Ave.  
Evanston, IL 60201

Dear Zoning Board,

I am writing to express concerns with the application for multiple variances for the property located at 2626 Reese Avenue, scheduled to be considered on 3-OCT-2017 by the Zoning Board of Appeals.

Development in Evanston is good for the city, though I believe that the proposed development is not reasonable, as evidenced both by the number of major variances being requested, and the amount of the variance for 2 of those requests.

My concerns are primarily safety as well as visual continuity and density. The proposed garage will be a visual barrier to any car exiting the alley and a danger to residents and the public in the neighborhood. The residence and garage would have a negative impact on the visual continuity and neighborhood structure, radically out of step with prevailing dimensions and lot coverage.

I would ask, therefore, that the ZBA reject the current application.

Carolyn Wing
Richard Horsting <dhorsting711@aol.com> Thu, Sep 28, 2017 at 1:23 PM
To: mklotz@cityofevanston.org, njmcrane@aol.com, skirkpatrick63@gmail.com, avstark@gmail.com, katmiller1000@gmail.com, knaidech@gmail.com, kimark48@gmail.com, bseyle@aol.com, Rigotti-Clark@msn.com, rob_coons@yahoo.com, joseph@theparadis.com, annherder@yahoo.com, dawn@larbalestiers.com, cmphillips8@hotmail.com, djeffclark@msn.com
Cc: tsuffredin@cityofevanston.org

Dear Melissa:

This pending case is starting to aggravate me for the lack of respect for my time and my patience.

Mr. James doesn't have a chance to build on the property if he follows the current zoning laws.

Please have someone from the ZBA actually come out and inspect the property to see what he's up against.

Any reduced variations on his part still won't help the massive percentages in variances he's asking for.

Sincerely,

Dick Horsting
2624 Reese Ave.
Evanston, Illinois

-----Original Message-----
From: Melissa Klotz <mklotz@cityofevanston.org>
To: njmcrane <njmcrane@aol.com>; Dhorsting711 <Dhorsting711@aol.com>; skirkpatrick63 <skirkpatrick63@gmail.com>; Allison Stark <avstark@gmail.com>; katmiller1000 <katmiller1000@gmail.com>; knaidech <knaidech@gmail.com>; kimark48 <kimark48@gmail.com>; bseyle <bseyle@aol.com>; Rigotti-Clark <Rigotti-Clark@msn.com>; rob_coons <rob_coons@yahoo.com>; Joseph Paradi <joseph@theparadis.com>; annherder <annherder@yahoo.com>; dawn <dawn@larbalestiers.com>; cmphillips8 <cmphillips8@hotmail.com>; djeffclark <djeffclark@msn.com>
Cc: Thomas Suffredin <tsuffredin@cityofevanston.org>
Sent: Thu, Sep 28, 2017 1:07 pm
Subject: 2626 Reese RESCHEDULED

Neighbors of 2626 Reese,

The applicant has requested additional time to further reduce the requested variations. The case WILL NOT be heard by the ZBA on October 3rd. The case will likely proceed in a month or so - new notices will be mailed out to ensure property owners within 500' are aware of the new date once established. Please share this news with other concerned neighbors.

Thank you for your input in the process thus far,

Melissa Klotz
Zoning Planner
Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston
Re: 2626 Reese RESCHEDULED

1 message

WILLIAM SEYLE <bseyle@aol.com> Thu, Sep 28, 2017 at 3:42 PM
To: Melissa Klotz <mklotz@cityofevanston.org>
Cc: Nancy Crane <njmcrame@aol.com>, Dhorsting711@aol.com, skirkpatrick63@gmail.com, Allison Stark <avstark@gmail.com>, katmiller1000@gmail.com, kinaidech@gmail.com, kimark48@gmail.com, Rigottl-Clark@msn.com, rob_coons@yahoo.com, Joseph Paradis <joseph@the Paradis.com>, annherder@yahoo.com, dawn@larbalestiers.com, cmphillips8@hotmail.com, djeffclark@msn.com, Thomas Suffredin <tsuffredin@cityofevanston.org>

Dear Ms. Klotz,

Thank you for letting us know about the postponement of ZBA's consideration of major zoning relief for 2626 Reese Ave. I especially appreciate your thanking us for our input in the process. I believe a respect for process is a large part of what makes Evanston a special place to live and raise a family, and the common good is best achieved when there is respectful input from as many points of view as possible. Many of us live in homes that were built in the 1920s, and we have an appreciation of how decisions made almost 100 hundred years ago have shaped the neighborhood we inhabit today. And it's an easy step to imagine how decisions made today will be shaping this neighborhood another hundred years down the road. My participation in this process will be to advocate for the long view, so that future generations can benefit, as we have, from zoning decisions that were thoughtful, reasonable and safe for the greatest number of people affected by those decisions.

Bill Seyle

On Sep 28, 2017, at 1:06 PM, Melissa Klotz <mklotz@cityofevanston.org> wrote:

Neighbors of 2626 Reese,

The applicant has requested additional time to further reduce the requested variations. The case WILL NOT be heard by the ZBA on October 3rd. The case will likely proceed in a month or so - new notices will be mailed out to ensure property owners within 500' are aware of the new date once established. Please share this news with other concerned neighbors.

Thank you for your input in the process thus far,

Melissa Klotz
Zoning Planner
Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

2100 Rice Ave. | Evanston, IL 60201 | 847-448-6230
mklotz@cityofevanston.org | cityofevanston.org

https://mail.google.com/mail/u/0/?ui=2&ik=4762073d7a&ssel=1&csel=1&ssig=0.9YKmliA4.en.&view=pt&ct=2626%20Reese&search=cat&th=1sca3a779334471...
2626 Reese
1 message

D. Jeff Clark <djeffclark@msn.com> Thu, Sep 28, 2017 at 9:49 AM
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>
Cc: "avstark@gmail.com" <avstark@gmail.com>, Kathy Miller <katmill1000@gmail.com>, Ann Rigotti-Clark <rigotti-clark@msn.com>

Dear Ms Klotz,

I am writing you to add my opposition to variance requests for 2626 Reese Avenue.

Prior to any discussion regarding requested variances at 2626 Reese environmental and engineering impact studies need to be undertaken. The environmental study needs to address the impact on drainage, parking, and safety in the Reese/Hartzell neighborhood. The engineering study needs to address the impact and consequences of excavation and construction to the existing structure at 2624 Reese.

Because of the scope of the variances requested by Mr. James for 2626 Reese it seems to me that the requests are really not for variances but rather a rewrite of existing code.

I found several definitions of variance:

- A dispensation to bypass a rule or law.
- Official permission to bypass regulations.
- A licence to do something contrary to rule.

A variance is also, in fact, a compromise between existing code and the wishes of a property owner. The needs and wishes of adjacent property owners must also be considered. The city created specific rules and codes for the good of all property owners. The reliefs that Mr. James requests are excessive and do not consider the needs and wishes of his neighbors.

I urge the Zoning Board of Appeals to deny Mr. James variance requests.

Sincerely, David J. Clark, Jr.

https://mail.google.com/mail/u/0/?ui=2&ik=4762073d7a&jsver=1QCYKmiiIA4.en.&view=p&at=2626%20Reese&search=cat&th=15ec8f7021a117e6f&si...
Dear Melissa,

Thank you for receiving my letter.
I have lived at 2821 Hartzell street since the mid 80's when I purchased this home. I am a committed and long time resident of this desirable and wonderful neighborhood.

My main concern about this construction is the proposed basement. In addition to the impact it will have on the neighboring foundation being in such close proximity, I am wondering if there has been any kind of study done to prove that putting in a basement in this dense area is not going to cause me and others to get water in our basements because of lack of green space and drainage. The displaced drainage areas will cause the rain water to have to go somewhere and I know I can speak on behalf of my neighbors in that none of us would like to see that place be our basements.

As a result of this property being built, it would not be at all fair if any of us have to spend money to prevent the damage that could occur in our homes as a result of this construction.

Please note that I feel as a property owner in this neighborhood and a taxpayer that it is only fair and reasonable that studies and the results thereof should be presented to us as homeowners so that we can be assured we will not have to spend money in repairs as a result of this construction which is too large for that tiny parcel of land.

Thank you,
Nancy Crane

Sent from my iPhone
ZBA Letter for Packet (attached & below)

1 message

Allison Stark <avstark@gmail.com>  
To: "Klotz, Melissa" <mklotz@cityofevanston.org>

Wed, Sep 27, 2017 at 10:16 AM

Dear Chair Berns,

We are writing to express our opposition to the proposed variances requested for the development of the lot located at 2626 Reese Avenue, Evanston, IL. Applicant William James, Commercial & Residential Property Builder, requests 5 major zoning variances to construct a new single-family residence a 2 story home with a detached 2 car garage. We ask that the ZBA insist that Mr. James reduce the size of the home and garage, reducing the number of requested variances, and do further studies on the impact on the neighborhood. Specifically, we ask that Mr. James have a soil/drainage study completed, with particular focus on the impact of a full basement, analysis of commercial alley use (safety, visibility), parking study and impact on the neighboring structure at 2624 Reese Ave and its foundation.

Mr. James is requesting to build a 2500 ft² house[1] on a 3325 ft² piece of land. Of the 17 houses immediately surrounding this property, lot sizes range from 3325 ft² to 7162 ft². The majority of these homes are between 1500 and 1800 sq ft. Only two are over 2000 ft² and their lots are over 6000 ft². Grandfathered homes on lots the size of this property (which are immediately adjacent) are 762 ft² and 1547 ft².

We feel that the house Mr. James proposes to build—and the variances such a structure will require—will have adverse effects on the neighborhood, and thus will not benefit the public good. Instead, the requested variances, as well as the extent of the variances, only serve to allow Mr. James to earn a larger profit on the house he is choosing to build and then sell. A much more reasonably sized home, that more appropriately fits the size of the lot, would fit in with the neighborhood and make less of a negative impact on neighboring properties. It would also require fewer variances. At the June 22, 2917 meeting Mr. James was specifically asked if he would consider building a 1200-1500 ft² home and he responded that he would not “make enough money” on a home of that size. Again, this is obviously not an effort to gain relief to build a home, it is requesting significant relief to extract additional income.

Mr. James requested variation will have substantial adverse impact on the use, enjoyment and property values of adjacent properties. The addition of this home, on a half block that already has 5 houses, may cause additional problems or issues that have not been studied. We request that additional studies and analyses be done to assess the impact of a 6th house.

- Mr. James has failed to demonstrate how a requested variance on the lot coverage will not create flooding issues for neighbors and not put further stress on the sewer system given concerns over soil conditions. In April
2016, both Mr. Latinovic, Planning and Zoning Administrator, and Ms. Biggs, City Engineer, expressed concern over any variances in lot coverage during the April 13th, 2016 Design and Project Review Committee when discussing this property. We can attest during rainstorms that both the storm drain in the alley often overflows and our own backyard and parts of our front yard flood. Has there been an impact study showing that this property is not processing the excess water in the neighborhood which will be displaced upon building, especially given the proposal to have a full basement? This type of an analysis should be done as there has never been a structure on this property.

- **The height and length will negatively impact the property values of 2622 and 2624 Reese Ave.** Due to the small size of the lot, 2626 Reese will be long and narrow. All 3 lots 2622, 2624 and 2626 are narrow and of similar size. The proposed house is 62'3" in length vs. the house at 2622 is 44'4". The home is at least 18' longer than all of the 5 houses on that block. This proposed house will block the entire length of 2624 house and 1/2 of the yard. In addition, all 4 North-facing windows on 2624 Reese will now be obstructed. Resale value will be impacted because views from the backyards of 2622 and 2624, and to some extent our own property, will now be obstructed - instead of seeing trees and green space, we will now see a building. Has Mr. James considered a home that is shorter and has a smaller footprint in order to be in line with neighboring properties? Has he analyzed how this home integrates with existing homes?

- **Building the house that Mr. James proposes places an undue burden on the owner of 2624 Reese Avenue in particular.** He has not provided detailed plans on how to address the significant risk of damage during construction, nor has studied the impact on the foundation of 2626 Reese.

- **Mr. James will be removing significant green space from the neighborhood.** Neighbors walk their dogs in this space and there are a number of large trees. Has Mr. James done his best to ensure that all of the trees will be maintained and preserved? Given the size of this property there is no extra space for vehicles and construction materials to operate.

- **Mr. James' proposed house also does not take into account the increase traffic, parking and congestion on both the commercial alley and on Hartzell and Reese Ave.** We have seen a significant increase in traffic on Reese and in our commercial alley in the last few years, especially since the opening of Orange Theory and Sky Nails salon (on top of Evanston glass, Brian’s Garage and Hartigan’s Ice Cream). Sky Nails employees, in particular, use our alley as a thoroughfare, often traveling at unsafe speeds. Furthermore, the imminent opening of a large day care is likely to increase congestion along streets and alleys even more. The 2 car detached garage that Mr. James proposes will only be a couple of feet from the sidewalk and will impact the visibility and safety of motor vehicles and pedestrians, especially the many children, including our own, on these blocks. Has Mr. James done a traffic study and parking study to address these concerns?

Thank you for your consideration. We hope the Zoning Board of Appeals hears our concerns and takes appropriate action.

Sincerely,

Allison Stark, Brodie Austin

cc: Melissa Klotz, Zoning Planner

[1] Mr. James held a meeting at Old Neighborhood Grill on June 22, 2017 where he shared his plans for the house at 2626 Reese Ave. He estimated that the home would be “about 2500 ft².”
Dear Melissa and members of the Zoning Board,

My husband and I are owners at 2622 Reese, two lots south of he proposed home and our garage is on the same alley. I am writing with concerns for the proposed plans for the 2626 property. As I understand the ZBA role is to evaluate the proposal as it relates to variations from provisions of the Zoning Ordinance. This particular proposal is requesting multiple variances and I ask the board what is the true hardship to break these zoning ordinances? Zoning ordinances are put in place for reasons to protect the health, safety, and welfare of the community. As you weigh the request of numerous variances, my areas of concern are as follows:

1) Proposed Lot covered, exceeds allowance which would add stress the storm water management issues of the area. The alley and adjacent lots struggle with heavy rains as it stands today, adding impervious would overload the drainage. Let alone, with the tight lot, not having room to splash downspouts to properly drain away from the house without adding to safety concern of adjacent sidewalks in a freeze/thaw scenario.

2) Alley safety as it relates site triangles exiting alley with pedestrian and vehicular traffic, this proposal does not accommodate a site triangle with breaking the setback.

3) With the bulk ratio to size of the lot size and adjacency to 2624 and even ours, I ask if a structural engineer has reviewed the proposal with a question of stability with building proximity to these older home foundations, would they be compromised?

4) Landscape, I understand this is part of the DPRC to review, however the last week’s meeting minutes are yet to be posted and I ask the question of how do they meet Chapter 24 requirements and soften the bulk of this home?

I appreciate your time to read my concerns.

Thank you,

Colleen & Jeff Barkley

2622 Reese
Development at 2626 Reese
1 message

Rob Coons <rob_coons@yahoo.com> 
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>

Tue, Sep 26, 2017 at 10:20 PM

Dear Ms. Klotz -

I hope this email finds you well. We live at 2617 Lincolnwood, which shares an alley with the empty lot at 2626 Reese. I understand several neighbors have written about their concerns; our main concern about the proposed plan is the unsafe conditions it would create for both pedestrians and vehicular traffic at the intersection of the alley and Hartzell St.

The variations proposed for this lot would substantially impact the visibility coming out of this alley. With the alley being adjacent to commercial businesses, delivery trucks often block the ability to go the other way and force non-resident traffic to drive through to the Hartzell end at a speed more conducive to a road rather than an alley. Combining this with no visibility to the sidewalk is a recipe for disaster in a neighborhood filled with small children. There are 9 elementary school-aged children on our block of Lincolnwood alone (and many more on Reese and Hartzell) who love to ride their bikes around the block. The zoning laws were put into place in part to ensure safety issues like this were not created; allowing significant variations to these laws seems needlessly risky in a family neighborhood.

We urge you to uphold the city's zoning ordinances and reject this and any proposal that does not follow them. Thank you for your consideration.

Best,
Rob Coons and Christine Mayer
847-293-9120
2626 Reese Avenue
1 message

Dawn Larbalestier <dawn@larbalestiers.com>  Tue, Sep 26, 2017 at 3:17 PM
To: mklotz@cityofevanston.org

To whom it may concern (Evanston Zoning Board of Appeals);

We are writing to oppose the proposed construction at 2626 Reese St.

The proposed construction is blatantly inappropriate for the size of the lot -- the number of requested major variances clearly demonstrate this.

In general, we are not opposed to the lot being developed however, a full two-story house with a 2 car garage is absurd. The proposed 2500 sq.ft. house on a very narrow 3325 sq. ft. lot would literally dwarf the house next door. If you come to Reese and walk around, you will see the majority of houses are considerably smaller than the proposed home, no matter their lot size.

In addition to the size of the proposed home, we are concerned about the possibility of drainage issues related to the proposed lot coverage. Our home has flooded twice in our sixteen year tenure and we are reluctant to encourage anything that could exacerbate drainage problems. The percentage of lot coverage is key to controlling drainage and we hope that a variance would not be granted without further investigation.

We live at 2627 Lincolnwood Dr., two lots down on the block from the proposed home at 2626 Reese (Hartzell side).

Thank you for your consideration. Please feel free to contact us if you have any questions.

Kind regards,

Dawn and Nikolai Larbalestier
2626 Reese
1 message

Ann Rigotti-Clark <Rigotti-Clark@msn.com>  Mon, Sep 25, 2017 at 9:41 PM
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>
Cc: "avstark@gmail.com" <avstark@gmail.com>, Kathy Miller <katmiller1000@gmail.com>

Dear Ms. Klotz,

In the time my husband, Jeff, and I have lived in Evanston, we have on numerous occasions found ourselves at Z.B.A. meetings.

After forty one years here, we now find ourselves to be not only the longest standing residents in the Reese/Hartzell neighborhood but among the most senior. We lived first in the non-conforming house at 2622 Reese and since 1989 have resided at 2815 Hartzell.

Of the issues covered in those Z.B.A. meetings, I recall all the topics having been dealt with in one meeting. Several times, the question of building on the lot at 2626 Reese has been raised. Each time the request has been withdrawn or the Board has rejected the variances needed to build on that property.

The exception to that is the current pending request for multiple, major variances to build a virtual "McMansion" on that corner. I have had questions regarding how this proposal has been handled, but the only one that matters is why, under current statutes, this is even being considered.

In addition to the law as currently written, I see numerous other reasons for which the current request should be denied: neighborhood congestion in terms of traffic, parking, population with attendant risk to the children in the neighborhood; the question of drainage already a problem in this area; the loss of yet more green space; probable damage to the adjacent structure at 2624; and frankly the unattractive appearance and inappropriate design of the proposed house and garage. The only person likely to benefit from approval is the contractor who has no contact or interest in this neighborhood except potential profit.

To my knowledge, the vast majority of nearby residents oppose the building of the residence as (inadequately) described by the builder. I can only urge the Z.B.A. to listen to the current tax paying neighbors who oppose this request and all that it represents. Minimally, any further consideration should be delayed to allow adequate time for further evaluation of the impact on the neighborhood of this proposal.
Ann Rigotti-Clark
Fwd: Re: Opposition to 2626 Reese

1 message

Meagan Jones <mmjones@cityofevanston.org>
To: "Klotz, Melissa" <mklotz@cityofevanston.org>
Mon, Sep 25, 2017 at 2:32 PM

Meagan Jones
Neighborhood and Land Use Planner
City of Evanston
mmjones@cityofevanston.org
847-448-8170

---------- Forwarded message ----------
From: "Ann Herder" <annherder@yahoo.com>
Date: Sep 25, 2017 2:29 PM
Subject: Re: Opposition to 2626 Reese
To: <mmjones@cityofevanston.org>, "Bill Seyle" <bseyle@aol.com>
Cc: "Kathy Miller" <kmiller1000@gmail.com>, "Scott Kirkpatrick" <skirkpatrick63@gmail.com>, "Colleen Phillips" <cphilips8@hotmail.com>, "Robert Phelan" <rphelan4@gmail.com>, <carolynphelan@gmail.com>, "mark newman" <kimark48@gmail.com>, "Dirk Vogel" <askdirk@gmail.com>, "Ann Rigotti-Clark" <Rigotti-Clark@msn.com>, "Andrew Naidech" <andrew.naidech@gmail.com>, "Kristi Naidech" <knaidech@gmail.com>, "Bob" <bobr@thirstydog.net>, "Nancy Crane & Molly" <njcrane@aol.com>, "Kelli Klinger" <kelitemp@gmail.com>, "Joseph and Beth Paradi" <beth@iheparadis.com>, "Joseph and Beth Paradi" <Joseph@iheparadis.com>, "Liza Kirkpatrick" <lizakirkpatrick@kellogg.northwestern.edu>, "jrherder@aol.com" <jrherder@aol.com>

Dear Ms. Jones, For 25 years, my husband and I have lived at 2837 Hartzell ST directly across from the small vacant lot at 2626 Reese. I agree with my neighbors that the proposed building on this small, very narrow lot is not appropriate. I assume many variances would be necessary for the proposed building to be approved. I am opposed to those variances being granted. The rules are in place to protect the neighborhood. I am often supportive of minor exceptions to the rules, but the owner of the property asks for too much and knew what he was getting into before purchasing it. My husband, John Herder, is also opposed to the building.

Sincerely,
Ann Herder
On Wednesday, September 20, 2017, 6:34:02 PM CDT, Bill Seyle <bseyle@aol.com> wrote:

Dear Ms. Jones,

Whose idea was it, in the first place, to bless our community with zoning restrictions? We can imagine that it was early stewards of our neighborhoods who envisioned a place of orderliness, predictability and civility across property lines. And who might have imagined the usefulness of such a thing as variances from the established order? Probably, it was visionaries who foresaw that rigidity need not stand in the way of a neighbor who needed an inch or two here or there to make an improvement to their home. And who would have the audacity to barge into this balanced way of behaving to ask for multiple exceptions to the rules we all live by -- not in subtle inches but with a blatant disregard for otherwise respected standards? And why does it take the full and tireless vigilance of an entire neighborhood over a period of many months to be heard above the insistent demands of someone we have never seen at one of our block parties and who does not intend to live among us after running roughshod over all the rules? Why, indeed, are we even having this conversation?

Bill Seyle/2035 Hartzell
Kelli Klinger/2647 Reese

Sent from my iPhone

On Sep 20, 2017, at 3:26 PM, mark newman <kimark48@gmail.com> wrote:
Dear Ms. Jones:
We own the home at 2833 Hartzell, across the street for the small vacant lot.
We oppose the plan for the proposed building for the reasons outlines in the above email.
We strongly urge that the proposed building project be stopped.

Regards,
Mark and Kim Newman

On Wed, Sep 20, 2017 at 1:57 PM, Kathy Miller <kalmiller1000@gmail.com> wrote:

Dear Ms. Jones:

I am the owner of 2831 Hartzell Street, Evanston, directly across from the small vacant lot, 2626 Reese. I am also part of the organized neighborhood opposition to this project.

I am writing again to contest the proposed building at that location, as I did when the previous application was pulled from city consideration on May 3, 2016. A home of the proposed size on a lot of this dimension, to meet the financial interests of the builder, is not in keeping with our neighborhood.

Zoning rules are there to protect the interests of the community. In this case, there are many issues of concern to neighbors, including but not limited to:

- Reducing the amount of valuable permeable surfaces,
- Eliminating needed open space in northwest Evanston,
- Adding to greater density on an already dense block, and
- Crowding of street-side parking, to name a few.

Because this builder made the mistake of purchasing this property after another’s failed attempt does not mean the neighbors need to live with his blunder -- nor does the Design and Project Review Committee need to lend its support.

Sincerely,
Kathy Miller
2831 Hartzell Street
Via email: mmuenzer@cityofevanston.org

April 29, 2016

Mark E. Muenzer
Director of Community Development
City of Evanston
2100 Ridge Avenue
Evanston, IL 60201

Re: Application for Major Variation at 2626 Reese Avenue

Dear Mr. Muenzer:

As a licensed structural engineer and an owner of a neighboring property, I am writing to express my concerns to the Design and Project Review Committee (DAPR) and Zoning Board of Appeals (Board) regarding the Application for Major Variation for the development of the lot located at 2626 Reese Avenue, Evanston, Illinois.

I have reviewed the following publicly available documents pertaining to the 2626 Reese Avenue Application for Major Variation:

- 3.30.16 DAPR packet.pdf
- 3-30-16 DAPR Minutes & Comments.pdf
- 4-13-16 DAPR Minutes & Comments.pdf

My primary concern regarding the application relates to the Applicants’ request for a variation to the required 5 ft. interior side yard setback. As a structural engineer I have investigated numerous incidents of structural damage resulting from new construction and excavation performed in close proximity to older, existing structures. These incidents are common in the City of Chicago, where in certain districts minimum interior side yard setbacks of 4 ft. or less are required. Fortunately this type of damage occurs less frequently in the City of Evanston, in large part due to the City’s greater minimum interior side yard setback requirements.

In the case of the proposed construction at 2626 Reese, the adjacent existing structure at 2624 Reese was reportedly constructed in 1925 and is a legal non-conforming structure. According to a January 6, 1988 Plat of Survey prepared by B.H. Suhr & Company, the north wall of the 2624 Reese residence is located 3 ft. south of the north property line, and the structure’s masonry chimney is located 2 ft. south of the line. The proposed interior side yard setback of the new construction is 3 ft., less than the 5 ft. minimum required by code. This provides a separation of only 6 ft. between the proposed structure and the north wall of the existing, nearly century-old structure. This separation would only be 5 ft. at the chimney. The proposed full basement foundation will require an excavation to a depth of 8 ft. or more. During construction, this
excavation would be very close to the existing structure, potentially extending to the property line, or to within approximately 2 ft. of the existing structure at its nearest point.

The Standards for Major Variations require that the Applicants demonstrate that “the requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.” A reduced separation between structures would be permitted should the interior side yard setback variation be granted, and any structural damage to the existing residence related to the proximity of the new construction and excavation would clearly constitute “a substantial adverse impact” on the use and value of the adjoining property. Therefore, it is the Applicants’ burden to demonstrate that the requested interior side yard variation will not contribute to damage to the adjacent structure. Based on my review of the publicly available documents related to this application, the Applicants have not provided such proof.

The April 13, 2016 DAPR meeting minutes state that Mr. G. Gerdes “requested that a survey be provided including interior/exterior photos prior to start of construction to ensure no damage to neighboring property.” I agree that a detailed pre-construction survey of existing conditions at the 2624 Reese residence should be performed by a licensed structural engineer. However, it must be recognized that while such a survey will protect the interests of both property owners to some extent, it will do nothing to “ensure no damage” to the existing structure at 2624 Reese Avenue. The pre-construction survey will simply facilitate distinguishing between pre-existing conditions and any damage resulting from the new construction, after the fact.

In my opinion, in order to demonstrate that the adjacent structure at 2624 Reese Avenue will not be damaged as a result of the interior side yard setback variation being requested, at a minimum the following items should be addressed by the Applicants to the satisfaction of the DAPR and/or Board:

1. What consideration has been given to the age of the existing adjacent structure at 2624 Reese, and to the depth and nature of construction of the foundation system of said structure as it relates to the proximity of the proposed new construction and excavation?
2. What is the maximum proposed depth of excavation? This depth is not shown on the drawings. How does this depth compare to the depth of the foundation of the existing adjacent structure?
3. What is the design footing width? This width is not shown on the drawings. What is the proposed width of excavation and how close to the property line will the excavation extend in order to provide for the design footing width?
4. The March 30, 2016 DAPR meeting minutes contain the note: “Will use shoring on the property line to prevent soil erosion.” Presumably this comment refers to a proposed excavation bracing/shoring system. Has the proposed excavation bracing system been designed by a licensed structural engineer experienced in the design of such systems? Does it take into account the proximity of the existing structure and the relevant characteristics of its foundation?
5. Have sealed drawings of the excavation bracing system been presented to the DAPR for their review?
6. Of what materials will the excavation bracing system be constructed?
7. To what depth will the excavation bracing extend and how does this depth compare to the depth of the foundation of the existing adjacent structure?
8. At what specific location relative to the property line will the excavation bracing system be installed? What are the plan dimensions of the excavation bracing system?
9. Will the bracing designer perform a site inspection following installation to verify construction in accordance with the design?
10. What equipment will be used to install the bracing system? For example, if sheet piles are to be used will they be installed with a vibratory hammer or a hydraulic press?
11. Considering the bracing system and installation methods to be used, what steps will be taken to protect the adjacent property from damage during installation of the excavation bracing?
12. What equipment will be used during backfilling following completion of the foundation construction?
13. What steps will be taken to protect the adjacent property from damage during backfilling?
14. What provisions will be made to provide for adequate drainage in the area between the new and existing structures?

Based on my review of the publicly available documents pertaining to this application, none of the foregoing considerations has been adequately addressed by the Applicants. As a structural engineer, I find it alarming that the DAPR Committee would consider recommending approval of the requested interior side yard setback variation without these issues being satisfactorily addressed. If the Board grants the interior side yard setback variation, particularly without adequate demonstration by the Applicants that the adjacent property will not be harmed, it seems that the Board and the City of Evanston would be taking on a degree of responsibility for any damage that may result from the proximity of the proposed new construction to the existing adjacent structure. Clearly, the Applicants and their contractor would also bear responsibility for any related damage. I suggest that the Board request the City’s legal department to carefully review this situation before a decision is made on this variation.

While I am unable to attend the Public Hearing scheduled for Tuesday, May 3rd due to a health-related commitment, I would be pleased to meet with you at a mutually convenient time to discuss these issues further and address any questions you may have. In addition, my father, Wade P. Clarke, will attend the hearing on my behalf, will request permission to speak briefly, to read portions of this letter at the hearing, and hand out copies of the letter. He will also be available to pass along to me any questions or comments from the DAPR, the Board, or the Applicants.

Thank you for your consideration of this matter.

Sincerely,

Wade M. Clarke, P.E., S.E.
Licensed Structural Engineer
Illinois No. 6360

cc: Mr. Dick Horsting, owner. 2624 Reese Avenue
Mr. Gary Gerdes, Manager, Building and Inspection Services, City of Evanston
Ms. Melissa Klotz, Zoning Planner, City of Evanston
Zoning Board of Appeals  
City of Evanston  
2100 Ridge Ave.  
Evanston, IL 60201  

Dear Zoning Board,  

I am writing you to express some serious concerns with the application for multiple variances for the property located at 2626 Reese Avenue, which is scheduled to be considered on 3-OCT-2017 by the Zoning Board of Appeals.  

While I agree that development in Evanston is good for the city, I believe that the proposed development is not reasonable, as evidenced both by the number of major variances being requested, and the amount of the variance for 2 of those requests. Before the ZBA approves development at 2626 Reese, I think there are some items that the ZBA should consider.  

The proposed development is very close to the adjacent building on the adjacent property. There is a very high risk of significant damage to that structure and impact on the existing residents of that property. It would be reasonable to both ask for a structural engineering study to determine how/if construction can proceed without negative impact, as well as requiring the developer to post a bond covering the cost of the adjacent structure to ensure that replacement due to damage would not require legal action by the adjacent property owner.  

The proposed garage will provide a visual barrier to any car trying to exit the alley as it is very close (3’) from both the alley and the sidewalk. This presents a danger to residents and the public in the neighborhood. A more reasonable option would be a smaller garage on the south side of the property, leaving greater visibility at the alley. This is, in fact, the challenge that we faced on our property, and our garage is located within code requirements for visibility.  

A more reasonable development on 2626 Reese could address many of the concerns of the neighbors, and would result in a new home that is both consistent with the existing houses on that block, as well as reduce the number and amount of the variances required. While this may result in less financial gain for the developer, I do not believe that the City is responsible for maximizing the financial gain for developers when working in the City. A more reasonable development would not reduce the tax income for Evanston very much.  

In this case, the developer was very aware of the restrictions on development on a lot of this size, and in this location, in advance of the purchase of the land. In fact, the developer was well aware that the previous owner had attempted to build a large house on that property in 2016 and met with a high level of resistance at that time. Instead of proposing a reasonable development on the property, the developer has come to the City with a proposal that is only slightly less reasonable than the 2016 one.  

I would ask, therefore, that the ZBA reject the current application.  

Joseph and Beth Paradi  
2907 Hartzell St.  
Evanston, IL
Fwd: 2626 Reese
1 message

Meagan Jones <mmjones@cityofevanston.org>
To: Melissa Klotz <mklotz@cityofevanston.org> Fri, Sep 22, 2017 at 9:06 AM

Meagan Jones
Neighborhood and Land Use Planner
Community Development
Morton Civic Center
City of Evanston
2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170
mmjones@cityofevanston.org | cityofevanston.org

---------- Forwarded message ----------
From: Rob Coons <rob_coons@yahoo.com>
Date: Thu, Sep 21, 2017 at 10:25 PM
Subject: 2626 Reese
To: "mmjones@cityofevanston.org" <mmjones@cityofevanston.org>

Dear Ms. Jones -

I hope this email finds you well. We live at 2617 Lincolnwood, which shares an alley with the empty lot at 2626 Reese. I understand several neighbors have written about their concerns; our main concern about the proposed plan is the unsafe conditions it would create for both pedestrians and vehicular traffic at the intersection of the alley and Hartzell St.

Every plan we've seen for this lot has included zoning exceptions to allow them to build up to the sidewalk line. This would substantially impact the visibility coming out of this alley. With the alley being adjacent to commercial businesses, delivery trucks often block the ability to go the other way and force non-resident traffic to drive through to the Hartzell end at a speed more conducive to a road rather than an alley. Combining this with no visibility to the sidewalk is a recipe for disaster in a neighborhood filled with small children. There are 9 elementary school-aged children on our block of Lincolnwood alone (and many more on Reese and Hartzell) who love to ride their bikes around the block. The zoning laws were put into place in part to ensure safety issues like this were not created; allowing exceptions to these laws seems needlessly risky in a family neighborhood.

We urge you to uphold the city's zoning ordinances and reject this and any proposal that does not follow them. Thank you for your consideration.

Best,
Rob Coons and Christine Mayer
847-293-9120
Re: Opposition to 2626 Reese
1 message

Thu, Sep 21, 2017 at 7:59 PM

I stand with and also agree with my neighbors. I moved into this home in the mid eighties and desire to see the integrity of this neighborhood preserved, which is what drew me to this area all those years ago.

Nancy Crane

Sent from my iPhone

On Sep 21, 2017, at 3:50 AM, Ann Rigotti-Clark <Rigulli-Clark@msn.com> wrote:

Dear Ms. Jones,

I am perhaps the most senior resident of the Reese/Hartzell neighborhood, having lived here for 41 years. My first residence was at 2622 Reese, and I now reside at 2815 Hartzell.

Yesterday I was unaware of the meeting of the Design Review Committee. In the years during which I have lived here, I have watched repeated attempts, motivated by monetary greed, from speculators who wanted to try to build on the lot at 2626. All would have involved multiple variances to the City's Building Code. Additionally, I have been made aware of the additional problems which would be caused by building on that small property, i.e. flooding, parking, child safety, etc. In that time, my property taxes have risen from $600.00 per year on the Reese house to many thousands of dollars more - on the two bedroom "plus tandem", almost 100 year old house in which I now live. During that time, City "services" have continually dwindled.

What relevance does that have to the vacant lot at 2626 Reese? How much time, City salary dollars, and resources by neighborhood residents have been wasted?????? This is an issue which should not ever be under consideration. The number of neighbors here who are opposed to ANY variances that would be needed to be granted in order to build there, grows with each go around. That, of course, includes MULTIPLE variances. Bill James has no stake in this neighborhood as his only motivation is monetary. He was ignorant; no, make that stupid, enough to purchase that piece of property with the hopes of making a huge profit.
As I am sure you are aware, this lot has been vacant since the annexation to Evanston of the Brown and Culver subdivision in 1903 at which time all lots were twenty five feet wide and sold as single, double, or rarely triple lots. Over the years, there have been modifications to the Building Code making a twenty five foot lot "unbuildable". As stated repeatedly, a number of neighborhood residents have expressed valid reasons why there is no reason to change the status quo now.

So once again this will go in front of the Zoning Board of Appeals due to the action of the committee on which you sit. More time, money, people resources spent for something that should not even be under consideration.

I hope you and your colleagues and the people on the Zoning Board of Appeals finally get the message, which should not be necessary to be sent yet again. This people in this neighborhood are more than ever in support of adhering to the building codes as currently written.

Ann Rigotti-Clark

---

**From:** Bill Seyle <bseyle@aol.com>
**Sent:** Wednesday, September 20, 2017 6:33 PM
**To:** mmjones@cityofevanston.org
**Cc:** Kathy Miller; Scott Kirkpatrick; Colleen Phillips; Robert Phelan; carolynphelan@gmail.com; mark newman; Dirk Vogel; Ann Rigotti-Clark; Andrew Naidech; Kristi Naidech; Bob; John and Ann Herder; Nancy Crane & Molly; Kelli Klinger; Joseph and Beth Paradi; Joseph and Beth Paradi; Liza Kirkpatrick
**Subject:** Re: Opposition to 2626 Reese
Opposition to 2626 Reese

1 message

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Ann Rigotti-Clark

From: Bill Seyle <bseyle@aol.com>
Sent: Wednesday, September 20, 2017 6:33 PM
To: mmjones@cityofevanston.org
Cc: Kathy Miller; Scott Kirkpatrick; Colleen Phillips; Robert Phelan; carolynphelan@gmail.com; mark newman; Dirk Vogel; Ann Rigotti-Clark; Andrew Naidech; Kristi Naidech; Bob; John and Ann Herder; Nancy Crane & Molly; Kelli Klinger; Joseph and Beth Paradi; Joseph and Beth Paradi; Liza Kirkpatrick
Subject: Re: Opposition to 2626 Reese
Fwd: Re: Opposition to 2626 Reese

1 message

Meagan Jones <mmjones@cityofevanston.org>  Wed, Sep 20, 2017 at 7:10 PM
To: "Mangum, Scott" <smangum@cityofevanston.org>, "Klotz, Melissa" <mklotz@cityofevanston.org>

Meagan Jones
Neighborhood and Land Use Planner
City of Evanston
mmjones@cityofevanston.org
847-448-8170

---------- Forwarded message ----------
From: "Bill Seyle" <bseyle@aol.com>
Date: Sep 20, 2017 6:34 PM
Subject: Re: Opposition to 2626 Reese
To: <mmjones@cityofevanston.org>
Cc: "Kathy Miller" <katmiller1000@gmail.com>, "Scott Kirkpatrick" <skirkpatrick63@gmail.com>, "Colleen Phillips" <cphilips8@hotmail.com>, "Robert Phelan" <rphelan4@gmail.com>, <carolynphelan@gmail.com>, "mark newman" <kmnewman@gmail.com>, "Dirk Vogel" <askdirk@gmail.com>, "Ann Rigotti-Clark" <rigotti-clark@msn.com>, "Andrew Naidech" <andrew.naidech@gmail.com>, "Kristi Naidech" <knaidech@gmail.com>, "Bob" <bob@thirstydog.net>, "John and Ann Herder" <anherder@yahoo.com>, "Nancy Crane & Molly" <njmc crane@aol.com>, "Kelli Klinger" <kellitemp@gmail.com>, "Joseph and Beth Paradis" <beth@the paradis.com>, "Joseph and Beth Paradis" <Joseph@the paradis.com>, "Liza Kirkpatrick" <lkirkpatrick@kellogg.northwestern.edu>

Dear Ms. Jones,

Whose idea was it, in the first place, to bless our community with zoning restrictions? We can imagine that it was early stewards of our neighborhoods who envisioned a place of orderliness, predictability and civility across property lines. And who might have imagined the usefulness of such a thing as variances from the established order? Probably, it was visionaries who foresaw that rigidity need not stand in the way of a neighbor who needed an inch or two here or there to make an improvement to their home. And who would have the audacity to barge into this balanced way of behaving to ask for multiple exceptions to the rules we all live by -- not in subtle inches but with a blatant disregard for otherwise respected standards? And why does it take the full and tireless vigilance of an entire neighborhood over a period of many months to be heard above the insistent demands of someone we have never seen at one of our block parties and who does not intend to live among us after running roughshod over all the rules? Why, indeed, are we even having this conversation?

Bill Seyle/2835 Hartzell
Kelli Klinger/2647 Reese

Sent from my iPhone

On Sep 20, 2017, at 3:26 PM, mark newman <kimnewman@gmail.com> wrote:

Dear Ms. Jones:
We own the home at 2833 Hartzell, across the street for the small vacant lot.
We oppose the plan for the proposed building for the reasons outlined in the above email.
We strongly urge that the proposed building project be stopped.

Regards,
Mark and Kim Newman

On Wed, Sep 20, 2017 at 1:57 PM, Kathy Miller <katmiller1000@gmail.com> wrote:
Dear Ms. Jones:
I am the owner of 2831 Hartzell Street, Evanston, directly across from the small vacant lot, 2626 Reese. I am also part of the organized neighborhood opposition to this project.

I am writing again to contest the proposed building at that location, as I did when the previous application was pulled from city consideration on May 3, 2016. A home of the proposed size on a lot of this dimension, to meet the financial interests of the builder, is not in keeping with our neighborhood.

Zoning rules are there to protect the interests of the community. In this case, there are many issues of concern to neighbors, including but not limited to:

- Reducing the amount of valuable permeable surfaces,
- Eliminating needed open space in northwest Evanston,
- Adding to greater density on an already dense block, and
- Crowding of street-side parking, to name a few.

Because this builder made the mistake of purchasing this property after another’s failed attempt does not mean the neighbors need to live with his blunder -- nor does the Design and Project Review Committee need to lend its support.

Sincerely,
Kathy Miller
2831 Hartzell Street
Fwd: Opposition to 2626 Reese

1 message

Meagan Jones <mmjones@cityofevanston.org> Wed, Sep 20, 2017 at 3:28 PM
To: "Mangum, Scott" <smangum@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>

FYI

Meagan Jones
Neighborhood and Land Use Planner
Community Development
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170
mmjones@cityofevanston.org | cityofevanston.org

-------- Forwarded message --------
From: mark newman <kimark48@gmail.com>
Date: Wed, Sep 20, 2017 at 3:26 PM
Subject: Re: Opposition to 2626 Reese
To: Kathy Miller <katmiller1000@gmail.com>
Cc: mmjones@cityofevanston.org, Scott Kirkpatrick <skirkpatrick63@gmail.com>, Colleen Phillips <cmphillips8@hotmail.com>, Robert Phelan <rphelan4@gmail.com>, carolynphelan@gmail.com, Dirk Vogel <askdirk@gmail.com>, Ann Rigotti-Clark <Rigotti-Clark@msn.com>, Andrew Naidech <andrew.naidech@gmail.com>, Kristi Naidech <knaidech@gmail.com>, Bob <bobr@thirstydog.net>, John and Ann Herder <annherder@yahoo.com>, Bill Seyle <bseyle@aol.com>, Nancy Crane & Molly <njmcrane@aol.com>, Kelli Klinger <kelliltemp@gmail.com>, Joseph and Beth Paradi <beth@the Paradis.com>, Joseph and Beth Paradi <Joseph@the Paradis.com>, Liza Kirkpatrick <l-kirkpatrick@kellogg.northwestern.edu>

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Sincerely,
Kathy
Miller
2831 Hartzell Street
Meagan Jones
Neighborhood and Land Use Planner
City of Evanston
mmjones@cityofevanston.org
847-448-8170

From: "Kristi Naidech" <knaidech@gmail.com>
Date: Sep 20, 2017 2:40 PM
Subject: Re: Opposition to 2626 Reese

We couldn't agree more and urge you to uphold the zoning restrictions put in place to protect our community.

Kristi and Andrew Naidech
2619 Lincolnwood Drive

On Sep 20, 2017, at 1:57 PM, Kathy Miller <kz1000@gmail.com> wrote:

Dear Ms. Jones:

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Sincerely,
Kathy Miller
Fwd: Re: Opposition to 2626 Reese

1 message

Meagan Jones <mmjones@cityofevanston.org> Wed, Sep 20, 2017 at 2:48 PM
To: "Mangum, Scott" <smangum@cityofevanston.org>, "Klotz, Melissa" <mklotz@cityofevanston.org>
Meagan Jones
Neighborhood and Land Use Planner
City of Evanston
mmjones@cityofevanston.org
847-448-8170

---------- Forwarded message ----------
From: "Kristi Naidech" <knaidech@gmail.com>
Date: Sep 20, 2017 2:40 PM
Subject: Re: Opposition to 2626 Reese
To: "Kathy Miller" <kalmiller1000@gmail.com>, <mmjones@cityofevanston.org>
Cc: "Scott Kirkpatrick" <skirkpatrick63@gmail.com>, "Colleen Phillips" <cmphillips8@hotmail.com>, "Robert Phelan" <rphelan4@gmail.com>, "scaryolphelan@gmail.com>, "Dirk Vogel" <askdirk@gmail.com>, "Ann Rigotti-Clark" <Rigotti-Clark@msn.com>, "Andrew Naidech" <andrew.naidech@gmail.com>, "Bob" <bobr@thirstydog.net>, "Mark & Kim Newman" <kimark48@gmail.com>, "John and Ann Herder" <anherder@yahoo.com>, "Bill Seyle" <bseyle@aol.com>, "Nancy Crane & Molly" <njncrane@aol.com>, "Kelli Klinger" <kellitemp@gmail.com>, "Joseph and Beth Paradi" <beth@theparadis.com>, "Joseph and Beth Paradi" <Joseph@theparadis.com>, "Liza Kirkpatrick" <lzkirkpatrick@kellogg.northernwestern.edu>

We couldn't agree more and urge you to uphold the zoning restrictions put in place to protect our community.

Kristi and Andrew Naidech
2619 Lincolnwood Drive

Sent from my iPhone

On Sep 20, 2017, at 1:57 PM, Kathy Miller <kalmiller1000@gmail.com> wrote:

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support.

Sincerely,
Kathy
Miller
2831 Hartzell Street
Meagan Jones <mmjones@cityofevanston.org>

Fwd: 2626 Reese
1 message

Meagan Jones <mmjones@cityofevanston.org>  Wed, Sep 20, 2017 at 1:51 PM
To: "Asilis, Ana" <aasilis@cityofevanston.org>, "Biggs, Lara" <lbiggs@cityofevanston.org>, "Caneva, Carl O." <ccaneva@cityofevanston.org>, Carlos Ruiz <cruez@cityofevanston.org>, "Eckersberg, Ingrid" <leckersberg@cityofevanston.org>, "Flax, Sarah" <sflax@cityofevanston.org>, "Gerd, Gary" <gggerdes@cityofevanston.org>, Jennifer Lasik <jlasik@cityofevanston.org>, Katherine Knapp <kknapp@cityofevanston.org>, Kumar Jensen <kjensen@cityofevanston.org>, "Mangum, Scott" <smangum@cityofevanston.org>, Mario Tristan <mtristan@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>, "Nelson, James" <jnelson@cityofevanston.org>, Paul Zalmazak <pzalmazak@cityofevanston.org>, Paulina Martinez <pmartinez@cityofevanston.org>, Rajeev Dahal <rdahal@cityofevanston.org>, Raymond Doerner <rdoerner@cityofevanston.org>, Sathya samp Nagar <snagar@cityofevanston.org>

FYI, 2nd email of opposition to today's DAPR agenda item.

Meagan Jones
Neighborhood and Land Use Planner
Community Development
Morton Civic Center
City of Evanston
2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170
mmjones@cityofevanston.org | cityofevanston.org

-------- Forwarded message --------
From: Scott Kirkpatrick <skirkpatrick63@gmail.com>
Date: Wed, Sep 20, 2017 at 8:56 AM
Subject: 2626 Reese
To: mmjones@cityofevanston.org
Cc: Kathy Miller <katmiller1000@gmail.com>, Allison Stark <avstark@gmail.com>, Liza Kirkpatrick <lkirkpatrick@kellogg.northwestern.edu>

Ms. Jones. My name is George Kirkpatrick and live at 2904 Hartzell Street adjacent to the proposed 2626 Reese Building.

While just seeing the notice this morning and the meeting this afternoon so unable to attend, I wanted to let you know that we are adamantly opposed the construction project as outlined.

One primary concern is, as I understand it, a driving philosophy behind providing projects with variances is that the granting of a variances is not create a financial windfall for the recipient. It cannot be reasonably argued that the major variances requested would not provide a "financial windfall" for the builder who plans on building and then selling the house for a significant profit - his words not mine. (from a meeting we had this summer)

There is nearly unanimous opposition to this project from the neighbors for a whole host of legitimate reasons and I have shared just one of many.

Sincerely,

George & Elizabeth Kirkpatrick
2904 Hartzell Street

Scott Kirkpatrick
Partner

https://mail.google.com/mail/u/0?ui=2&ik=4762073d7a&jsver=1QCYKmllAI4.en.&view=pt&cat=2625%20Reese&search=cat&ih=15ea0a19a8e9688&…  1/2
Chicago Sports & Entertainment Partners
-Strategy-Partnerships-Management-Activation-

w: www.chicagoSEP.com
e: scott@chicagoSEP.com
m: 312-543-1457
fb: www.facebook.com\ChicagoSportsandEntertainmentPartners
Fwd: Opposition to building on 2626 Reese
1 message

Meagan Jones <mmjones@cityofevanston.org> Wed, Sep 20, 2017 at 1:39 PM
To: "Asilis, Ana" <aasilis@cityofevanston.org>, "Biggs, Lara" <lbiggs@cityofevanston.org>, "Caneva, Carl O."<ccaneva@cityofevanston.org>, Carlos Ruiz <cruez@cityofevanston.org>, "Eckersberg, Ingrid"<leckersberg@cityofevanston.org>, Ellyn Golden <egolden@cityofevanston.org>, "Flax, Sarah" <sflax@cityofevanston.org>, "Gerdes, Gary" <ggerdes@cityofevanston.org>, Jennifer Lasik <jlasik@cityofevanston.org>, Katherine Knapp <kknapp@cityofevanston.org>, Kumar Jensen <kjensen@cityofevanston.org>, "Mangum, Scott"<smangum@cityofevanston.org>, Mario Tristan <mtristan@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>, "Nelson, James" <jnelson@cityofevanston.org>, Paul Zalmekaz <pzalmekaz@cityofevanston.org>, Paulina Martinez <pmartinez@cityofevanston.org>, Rajeev Dahal <rdahal@cityofevanston.org>, Raymond Doerner <rdoerner@cityofevanston.org>, Sathyshsa sat Nagar <snagar@cityofevanston.org>

FYI, Email of opposition for today's DAPR Agenda Item

Meagan Jones
Neighborhood and Land Use Plannner
Community Development
Morton Civic Center
City of Evanston
2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170
mmjones@cityofevanston.org | cityofevanston.org

---------- Forwarded message ----------
From: Allison Stark <vsstark@gmail.com>
Date: Wed, Sep 20, 2017 at 12:10 PM
Subject: Opposition to building on 2626 Reese
To: mmjones@cityofevanston.org
Cc: Kathy Miller <katmiller1000@gmail.com>, Scott Kirkpatrick <skirkpatrick63@gmail.com>, Colleen Phillips <cmphillips8@hotmail.com>, Robert Phelan <rphelan4@gmail.com>, carolynphelan@gmail.com, Dirk Vogel <askdirk@gmail.com>, Ann Rigotti-Clark <Rigotti-Clark@msn.com>, Liza Kirkpatrick <lkirkpatrick@kellogg.northwestern.edu>, Andrew Naidech <andrew.naidech@gmail.com>, Kristi Naidech <knaidech@gmail.com>

Dear Ms. Jones,

We are the owners of 2620 Reese Ave. We are writing to express our strong opposition to the Mr. James' proposed structure for 2626 Reese that DAPR will be reviewing today. I hope you will forward our concerns to the committee.

We are opposed to allowing the building lot coverage to exceed 30% and any variances on set back for the home or detached garage. We believe this structure will radically alter the feel of the neighborhood (green space, density, oversized home) as well as the safety of our commercial alley (due to visibility), will negatively impact neighboring property values and potentially cause significant flooding and other water retention issues. Finally, and probably most importantly, to DAPR, the granting of these variances absolutely create a financial windfall for the builder. His stated goal, as relayed to a number of neighbors, is to build the largest house that he can on this property so that the can make a larger profit.

There is significant neighborhood wide opposition to this structure on both sides of Reese, Hartzell and the east side of Lincolnwood (who share the alley). We anticipate you receiving significant negative feedback on this proposed home and hope that DAPR will communicate to Mr. James that his proposed home is not appropriate for this particular property.

Thank you,
Allison Stark & Brodie Austin
2620 Reese Ave
Fwd: Opposition to building on 2626 Reese

1 message

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To: "Asilis, Ana" <aasilis@cityofevanston.org>, "Biggs, Lara" <lbiggs@cityofevanston.org>, "Caneva, Carl D." <ccaneva@cityofevanston.org>, Carlos Ruiz <cruez@cityofevanston.org>, "Eckersberg, Ingrid" <leckersberg@cityofevanston.org>, Ellyn Golden <egolden@cityofevanston.org>, "Flax, Sarah" <sflax@cityofevanston.org>, "Gerdes, Gary" <ggerdes@cityofevanston.org>, Jennifer Lasik <jlasik@cityofevanston.org>, Katherine Knapp <kknapp@cityofevanston.org>, Kumar Jensen <kjensen@cityofevanston.org>, "Mangum, Scott" <smangum@cityofevanston.org>, Mario Tristan <mtristan@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>, "Nelson, James" <jnelson@cityofevanston.org>, Paul Zamelzak <pzamelzak@cityofevanston.org>, Paulina Martinez <pmartinez@cityofevanston.org>, Rajeev Dahal <rdahal@cityofevanston.org>, Raymond Doerner <rdoerner@cityofevanston.org>, Sathysha sat Nagar <snagar@cityofevanston.org>

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Cc: Kathy Miller <katmiller1000@gmail.com>, Scott Kirkpatrick <skirkpatrick63@gmail.com>, Colleen Phillips <cmphillips8@hotmail.com>, Robert Phelan <rphelan4@gmail.com>, carolynphelan@gmail.com, Dirk Vogel <askdirk@gmail.com>, Ann Rigotti-Clark <Rigotti-Clark@msn.com>, Liza Kirkpatrick <l-kirkpatrick@kellogg.northwestern.edu>, Andrew Naidech <andrew.naidech@gmail.com>, Kristi Naidech <knaidech@gmail.com>

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Thank you,
Allison Stark & Brodie Austin
2620 Reese Ave

https://mail.google.com/mail/u/0/?ui=2&ik=4762073d7a&jserver=1QCYKmlIA4.en.&view=pt&cat=2626%20Reese&search=cat&lh=15ea0973c70f95e&... 1/1
Meagan Jones <mmjones@cityofevanston.org>  
To: "Mangum, Scott" <smangum@cityofevanston.org>, Melissa Klotz <mklotz@cityofevanston.org>  

FYI

Meagan Jones  
Neighborhood and Land Use Planner  
Community Development  
Morton Civic Center  
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2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8170  
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Thank you,
Allison Stark & Brodie Austin
2620 Reese Ave
Meagan Jones <mmjones@cityofevanston.org>  
To: "Mangum, Scott" <smangum@cityofevanston.org>, "Klotz, Melissa" <mklotz@cityofevanston.org>  

FYI

Ms. Jones. My name is George Kirkpatrick and live at 2904 Hartzell Street adjacent to the proposed 2626 Reese Building.

While just seeing the notice this morning and the meeting this afternoon so unable to attend, I wanted to let you know that we are adamantly opposed the construction project as outlined.

One primary concern is, as I understand it, a driving philosophy behind providing projects with variances is that the granting of a variances is not to create a financial windfall for the recipient. It cannot be reasonably argued that the major variances requested would not provide a “financial windfall” for the builder who plans on building and then selling the house for a significant profit - his words not mine. (from a meeting we had this summer)

There is nearly unanimous opposition to this project from the neighbors for a whole host of legitimate reasons and I have shared just one of many.

Sincerely,

George & Elizabeth Kirkpatrick
2904 Hartzell Street

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Scott Kirkpatrick
Partner
Chicago Sports & Entertainment Partners
-Strategy-Partnerships-Management-Activation-
City of Evanston Meeting Oct. 3, 2017

1 message

Dhorsting711@aol.com <Dhorsting711@aol.com>  
To: mklotz@cityofevanston.org  

Tue, Sep 19, 2017 at 2:38 PM

Dear Melissa:

My name is Richard E. Horsting and I live and I have owned the home at 2624 Reese Avenue since 1986.

As you well know, the owner of the vacant lot is trying to build on a corner lot which is only 25' wide.

Please read the attached file explaining my complete opposition to any structure being built at the 2626 address.

Please be advised that there isn't one neighbor within three blocks of the property that is in favor of these ridiculous plans.

Sincerely,

Richard E. Horsting

2624 Reese Ave.
Evanston, Illinois

2626 reese 2017.wps  
14K
100% OBSESSION TO ANY PROPOSED STRUCTURE TO BE BUILT OR ATTEMPTED TO BE BUILT AT 2626 REESE AVENUE, EVANSTON, IL., 60201.

#1. VARIANCES. According to the City of Evanston, any corner lot has to have a 15’ setback from the side and a 5’ setback from any existing structure’s property line. I oppose any variation.

#2. PRIVACY. These existing plans shows the home at being 27’ tall and 3’ from my backyard fence. These plans will violate my privacy and safety and encroach on 40% of my backyard. Legality to be determined.

#3. SAFETY. A driveway leading out across the parkway into the middle of Hartzell is a severe and dangerous child safety, parking and traffic hazard.

#4. STRUCTURAL. Please review Wade Clarke’s structural evaluation from April 29, 2016. Need I say more?

#5. HARTZELL ADDRESS. These proposed plans are for the 2800 hundred block of Hartzell. These aren’t plans for a 2626 Reese Ave. address.

#6. CONDENSED HOUSING. This plan would condense six homes on one block. This would overload the parking, the sewers, the water run off, the cable & electrical services, and the general scale of the neighborhood, etc., etc.

#7. WALL OF SOUND. My neighbors on the 2800 block of Hartzell will have an echo of noise fading them everyday from the truck and car traffic.

#8. GREENSPACE & NEIGHBORHOOD SPACING PRIVACY. Lack of necessary open land in the neighborhood. Privacy, noise, water retention issues.

#9. LEGAL GRANDFATHERED/NON-CONFORMING STRUCTURES AT 2624 AND 2622 REESE AVE. These structures were built in 1926 and 1940*. Current proposed plans aren’t protected by the current code and variances.

#10. DECEPTIVE PLANS AND DISCRIMINATION TO 2624 REESE AVE. Vacant lot isn’t maintained or kept up with Evanston’s property standards. These deceptive proposed plans aren’t accurate or to scale or to code.

Sincerely,

Dick Horning, 2624 Reese Ave., Evanston, Il 60201

Comments Received based on December Site Plan Submittal
(with building lot coverage reduction)
Re: 2626 Reese RESCHEDULED

1 message

Fri, Dec 22, 2017 at 9:03 AM

Richard Horsting <dhorsting711@aol.com>
To: skirkpatrick63@gmail.com, joseph@theparadis.com
Cc: mklotz@cityofevanston.org, njmcrane@aol.com, avstark@gmail.com, katmiller1000@gmail.com, knaidech@gmail.com, kimark48@gmail.com, bseyle@aol.com, Rigotti-Clark@msn.com, rob_coons@yahoo.com, annherder@yahoo.com, dawn@larbalestiers.com, cmphillips8@hotmail.com, djeffclark@msn.com, tsuffredin@cityofevanston.org

To All Good Neighbors and the Dear City of Evanston:

Please review the Zoning Variance setbacks in your zoning library.
Zoning variance requests of 80 to 90% is unheard of and can set a dangerous precedent for the future.
Please place an asterisk in your zoning code books that state that variance codes don't exist in the City of Evanston anymore.
You can call it the "Pete Rose" clause.
The percentages that have been code for sixty years are just a guideline.
Don't worry about the spatial compatibility of a neighborhood.
Or the neighbors who live in the neighborhood.

Just pave paradise and put up a parking lot.

Seriously, City of Evanston, are you kidding me? Is Bill James on the payroll?

Dick Horsting
2624 Reese Ave.

-----Original Message-----
From: Scott Kirkpatrick <skirkpatrick63@gmail.com>
To: Joseph Paradil <joseph@theparadis.com>
Cc: Klotz, Melissa <mklotz@cityofevanston.org>; Nancy Crane & Molly <njmcrane@aol.com>; Dhorsting711 <Dhorsting711@aol.com>; Allison Stark <avstark@gmail.com>; katmiller1000 <katmiller1000@gmail.com>; knaidech <knaidech@gmail.com>; kimark48 <kimark48@gmail.com>; bseyle <bseyle@aol.com>; Rigotti-Clark <Rigotti-Clark@msn.com>; rob_coons <rob_coons@yahoo.com>; annherder <annherder@yahoo.com>; dawn <dawn@larbalestiers.com>; cmphillips8 <cmphillips8@hotmail.com>; djeffclark <djeffclark@msn.com>; Thomas Suffredin <tsuffredin@cityofevanston.org>
Sent: Thu, Dec 21, 2017 9:38 pm
Subject: RE: 2626 Reese RESCHEDULED

Melissa. This is particularly troubling given the timing around the holidays with no material changes to the plans.

Feels like the fix is in.

Best

Scott Kirkpatrick

On Dec 21, 2017 9:35 PM, "Joseph Paradil" <joseph@theparadis.com> wrote:

Melissa,
I received my notice today about the upcoming hearing on 9-JAN-2018 regarding 2626 Reese. The only change to the provided information is a small decrease in the building lot coverage, but no other information has been provided
Dear Chair Berns,

We are writing to express our opposition to the proposed variances requested for the development of the lot located at 2626 Reese Avenue, Evanston, IL. Applicant William James, Commercial & Residential Property Builder, requests 5 major zoning variances to construct a new single-family residence a 2 story home with a detached 2 car garage. We ask that the ZBA insist that Mr. James reduce the size of the home and garage, reducing the number of requested variances, and do further studies on the impact on the neighborhood. Specifically, we ask that Mr. James have a soil/drainage study completed, with particular focus on the impact of a full basement, analysis of commercial alley use (safety, visibility), parking study and impact on the neighboring structure at 2624 Reese Ave and its foundation.

Mr. James is requesting to build a 2500 ft² house¹ on a 3325 ft² piece of land. Of the 17 houses immediately surrounding this property, lot sizes range from 3325 ft² to 7162 ft². The majority of these homes are between 1500 and 1800 sq ft. Only two are over 2000 ft² and their lots are over 6000 ft². Grandfathered homes on lots the size of this property (which are immediately adjacent) are 762 ft² and 1547 ft².

We feel that the house Mr. James proposes to build—and the variances such a structure will require—will have adverse effects on the neighborhood, and thus will not benefit the public good. Instead, the requested variances, as well as the extent of the variances, only serve to allow Mr. James to earn a larger profit on the house he is choosing to build and then sell. A much more reasonably sized home, that more appropriately fits the size of the lot, would fit in with the neighborhood and make less of a negative impact on neighboring properties. It would also require fewer variances. At the June 22, 2917 meeting Mr. James was specifically asked if he would consider building a 1200-1500 ft² home and he responded that he would not “make enough money” on a home of that size. Again, this is obviously not an effort to gain relief to build a home, it is requesting significant relief to extract additional income.

Mr. James requested variation will have substantial adverse impact on the use, enjoyment and property values of adjacent properties. The addition of this home, on a half block that already has 5 houses, may cause additional problems or issues that have not been studied. We request that additional studies and analyses be done to assess the impact of a 6th home.

- Mr. James has failed to demonstrate how a requested variance on the lot coverage will not create flooding issues for neighbors and not put further stress on the sewer system given concerns over soil conditions. In April 2016, both Mr. Latinovic, Planning and Zoning Administrator, and Ms. Biggs, City Engineer, expressed concern over any variances in lot

¹ Mr. James held a meeting at Old Neighborhood Grill on June 22, 2017 where he shared his plans for the house at 2626 Reese Ave. He estimated that the home would be “about 2500 ft²”
coverage during the April 13th, 2016 Design and Project Review Committee when discussing this property. We can attest during rainstorms that both the storm drain in the alley often overflows and our own backyard and parts of our front yard flood. Has there been an impact study showing that this property is not processing the excess water in the neighborhood which will be displaced upon building, especially given the proposal to have a full basement? This type of an analysis should be done as there has never been a structure on this property.

- The height and length will negatively impact the property values of 2622 and 2624 Reese Ave. Due to the small size of the lot, 2626 Reese will be long and narrow. All 3 lots 2622, 2624 and 2626 are narrow and of similar size. The proposed house is 62’3” in length vs. the house at 2622 is 44’4”. The home is at least 18’ longer than all of the 5 houses on that block. This proposed house will block the entire length of 2624 house and 1/2 of the yard. In addition, all 4 North-facing windows on 2624 Reese will now be obstructed. Resale value will be impacted because views from the backyards of 2622 and 2624, and to some extent our own property, will now be obstructed - instead of seeing trees and green space, we will now see a building. Has Mr. James considered a home that is shorter and has a smaller footprint in order to be in line with neighboring properties? Has he analyzed how this home integrates with existing homes?

- Building the house that Mr. James proposes places an undue burden on the owner of 2624 Reese Avenue in particular. He has not provided detailed plans on how to address the significant risk of damage during construction, nor has studied the impact on the foundation of 2626 Reese.

- Mr. James will be removing significant green space from the neighborhood. Neighbors walk their dogs in this space and there are a number of large trees. Has Mr. James done his best to ensure that all of the trees will be maintained and preserved? Given the size of this property there is no extra space for vehicles and construction materials to operate.

- Mr. James’ proposed house also does not take into account the increase traffic, parking and congestion on both the commercial alley and on Hartzell and Reese Ave. We have seen a significant increase in traffic on Reese and in our commercial alley in the last few years, especially since the opening of Orange Theory and Sky Nails salon (on top of Evanston glass, Brian’s Garage and Hartigan’s Ice Cream). Sky Nails employees, in particular, use our alley as a thoroughfare, often traveling at unsafe speeds. Furthermore, the imminent opening of a large day care is likely to increase congestion along streets and alleys even more. The 2 care detached garage that Mr. James proposes will only be a couple of feet from the sidewalk and will impact the visibility and safety of motor vehicles and pedestrians, especially the many children, including our own, on these blocks. Has Mr. James done a traffic study and parking study to address these concerns?

Thank you for your consideration. We hope the Zoning Board of Appeals hears our concerns and takes appropriate action.

Sincerely,

Allison Stark, Brodie Austin

cc: Melissa Klotz, Zoning Planner
Reese Hartzell Commons (RHC) represents the thoughts of homeowners who share the streets, sidewalks, alleys, parkways, drainage, airspace and neighborly relations at or near the intersection of Reese Avenue and Hartzell Street.

Concerning the proposed development at 2626 Reese Avenue, we request that a comprehensive study be made to provide insight into concerns, answers to questions and solutions to issues.

We would expect such a study to address:

- The effect of the proposed new construction on drainage issues that affect many neighbors
- The impact of construction activity on the structural integrity of 2624 Reese, a single family dwelling that was built in 1926
- The danger to pedestrians, bikers and motorists given the obstructed egress from the commercial alley, created by the variances sought for the garage placement
- The potential harm to existing trees along the parkway during construction
- The visual continuity and neighborhood density if approval is granted for a structure radically out of step with prevailing dimensions and lot coverage
- The safeguards that can be specified during construction on such a small plot of land in such a high traffic area – to protect community life and property
- The rationale for enforcing Title 6 of the Evanston City Code going forward, once setbacks for 2626 Reese have been reduced from 15’ to 4’ ... from 15’ to 3’ ... and from 13.5’ to 1’ – and building lot coverage has been increased by more than 33 percent over the stated maximum allowance
In the backyards and by the fence posts of the Reese-Hartzell neighborhood, we have arrived at our thoughts on The Common Good through conversations along these lines:

**Drainage**
Due to the higher clay composition of soil in NW Evanston, many homes in the immediate vicinity of 2626 Reese Ave. have a history of flooding issues. It seems reasonable to ask that a study be performed to determine the level of impact from any proposed development – particularly any development with a basement – on drainage in the area. Depending on the results of the study, a basement restriction, for example, might be a reasonable requirement for any development that might increase the risk of neighborhood flooding.

**Structural Integrity**
The proposed development of 2626 Reese is very close to its nearest neighbor at 2624 Reese. It seems reasonable to ask for a structural engineering study to determine how/if construction can proceed without negative impact, as well as requiring the developer to post a bond to ensure that recovery of damages suffered by the adjacent property owner would not require legal action on his part.

**Commercial Alley**
As the proposed garage is only three feet from both the alley and the sidewalk, it will create a visual barrier to any car or truck trying to exit the alley. This presents a danger to residents and the public visiting the neighborhood – along a well-traveled path for K-5 students who attend Willard Elementary School. A safer option might be a smaller garage on the south side of the property, leaving greater visibility at the alley.

**Parkway Trees**
We can see that removal of trees at 2626 Reese is well within the rights of the property owner. However, it seems reasonable that existing trees on the city-owned parkway should be retained – and should be protected during construction. Since construction could negatively impact root systems of the parkway trees, it seems reasonable to require that a bond be posted to pay for replacement of any tree that dies during a reasonable period (three years) following completion of construction. Due to disease, pests, and storms, we have lost many trees over the years. We cannot lose more to human causes.

**Visual Continuity/Neighborhood Density**
This will be the largest home in the immediate area – on the smallest lot. The proposed development is not consistent with the intimate scale of that block on Reese, or with other similarly sized lots in the area. A more reasonable development option might be a smaller structure that is more harmonious with all the other homes on the block, which would also reduce the requirement for variances due to lot coverage.

**Construction Safeguards**
Any construction on such a small plot of land within an existing densely developed area creates numerous challenges, including impact on surrounding properties, as well as on city-owned parkways, sidewalks and alleys. To emphasize the importance of managing the impact on the community, it seems reasonable to incorporate a set of specific, enforceable restrictions in any approved development plan – including matters involving ingress and egress on private property, blocking of public streets and alleys, and fire safety – to ensure that the developer abides by norms established by the City of Evanston.

**Title 6**
A building of these extreme dimensions, on a plot that has thwarted all previous dreams of development, requiring multiple variances that wipe out most of the required setbacks (for example, negating 92 percent of the maximum allowed porch setback), introduces the term “McMansion” to this neighborhood of early 20th Century classics and presents a textbook example of what a zoning ordinance is supposed to provide to a community. Scaling back the requested major variances would be thoughtful, reasonable, safe – and more respectful to the concept of “zoning ordinance.”
The Neighbors of 2626 Reese Ave.

Signatories of Reese Hartzell Commons:

2621 Lincolnwood
Tara Punwani
Jason Ross

2619 Lincolnwood
Kristi Naidech
Andrew Naidech

2647 Reese
Kelli Klinger

2627 Reese
Dirk Vogel
Tilley Vogel

2624 Reese
Richard Horsting

2622 Reese
Colleen Barkley
Jeff Barkley

2620 Reese
Allison Stark
Brodie Austin

2907 Hartzell
Joseph Paradi
Beth Paradi

2904 Hartzell
Scott Kirkpatrick
Liza Kirkpatrick

2837 Hartzell
John Herder
Ann Herder

2835 Hartzell
Bill Seyle

2833 Hartzell
Kim Newman
Mark Newman

2831 Hartzell
Kathy Miller
Bob Ryan

2821 Hartzell
Nancy Crane

2815 Hartzell
Ann Rigotti-Clark
Jeff Clark
Zoning Board of Appeals
Tuesday, January 9, 2018, 7:00 pm
Morton Civic Center, 2100 Ridge Avenue
Council Chambers

2626 Reese Ave. #17ZMJV-0077

Major Variations

To: Members of the Zoning Board of Appeals

The application for zoning variances at 2626 Reese Avenue raises a number of issues, but one is more significant than the rest. Since the applicant has requested a major variance from the side yard setback, it seems fair that he would build a structure that is less imposing, with fewer square feet of living space than the one proposed. A more modest structure in size would minimize the negative visual effect of the smaller setback variation, which brings the house closer to the sidewalk. Instead, he’s asking for significantly more lot coverage and a bigger building very close to the lot line, maximizing his profit to the long-term detriment of the neighborhood.

The lot is small. The proposed house would be large and out of scale not only with the lot size but with those homes around it. While the city has to achieve balance among construction interests, neighborhood concerns, and the legitimate purposes of the zoning code, this application seems to ignore the interests of the neighborhood and the reasoning behind the code. It should not be approved.

Thank you for your consideration.

Robert Phelan
Carolyn Phelan
2618 Reese Avenue
Evanston, IL 60201
2626 Reese RESCHEDULED
1 message

Ann Rigotti-Clark <Rigotti-Clark@msn.com> Fri, Dec 22, 2017 at 3:56 PM
To: Melissa Klotz <mklotz@cityofevanston.org>, Thomas Suffredin <tsuffredin@cityofevanston.org>
Cc: Joseph Paradi <joseph@theparadis.com>, *njcrane@aol.com* <njcrane@aol.com>, "Dhorsting711@aol.com" <Dhorsting711@aol.com>, Allison Stark <avstark@gmail.com>, Kathy Miller <kathomiller1000@gmail.com>, "knaidech@gmail.com" <knaidech@gmail.com>, "kimark48@gmail.com" <kimark48@gmail.com>, Scott Kirkpatrick <skirkpatrick63@gmail.com>, *rob_coons@yahoo.com* <rob_coons@yahoo.com>, "annherder@yahoo.com" <annherder@yahoo.com>, "dawn@larbalestiers.com" <dawn@larbalestiers.com>, "cmphillips8@hotmail.com" <cmphillips8@hotmail.com>, Kelli Klinger <kellitemp@gmail.com>

I wish to add my voice to those already expressing their great dissatisfaction with the timing of the latest proposal from Mr. James regarding the vacant lot at 2626 Reese. There is also currently a lack of particulars, i.e. blueprints, regarding the exact design. If, as I suppose, those plans are "on file" with the City and not immediately in evidence to the neighbors of that property, that would seem to be another attempt to make the timing even more questionable.

I am perhaps both the oldest and longest resident of the Reese/Hartzell neighborhood. This is an issue that has come up a number of times in the 41 years during which I have lived here. Mr. James is an outside speculator whose ideas are neither anywhere in compliance with the existing code nor the wishes of adjacent neighbors.

Ann Rigotti-Clark

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From: WILLIAM SEYLE <bseyle@aol.com>
Sent: Friday, December 22, 2017 7:09 AM
To: Klotz, Melissa; Thomas Suffredin
Cc: Joseph Paradi; Nancy Crane & Molly; Dhorsting711@aol.com; Allison Stark; katmiller1000@gmail.com; knaidech@gmail.com; kimark48@gmail.com; Scott Kirkpatrick; Rigotti-Clark@msn.com; rob_coons@yahoo.com; annherder@yahoo.com; dawn@larbalestiers.com; cmphillips8@hotmail.com; djeffclark@msn.com; Kelli Klinger
Subject: Re: 2626 Reese RESCHEDULED

Here we were, four days from Christmas and the day after the eight days of Hanukkah. Kids home from college. Cookies in the oven. Packages piling up on the porch. Mail full of greetings from people you only hear from once a year. Oh, here's today's mail:
Christmas card …
Christmas card …
Christmas card …
Public Notice of a Meeting.
What? Zoning Board of Appeals? 2626 Reese Ave #17ZMJV-0077 Major Variations? That meeting that was postponed from last October? Let's see, in whose interest is it to drop this notice on December 21st? Oh, yeah, it's in the very specific of the applicant — not a neighbor, but a developer.

"It's rigged, folks," says the #MAGA man. But he's not talking about our representative democracy here in Evanston, where our elected representatives are our neighbors. So then, how does it
happen that an entire neighborhood and potential voting bloc can say “no,” only to be treated by our institutions as the trouble-makers in this negotiation?

How does it happen that our institutions try to slip a meeting in on us when they think we’re not paying attention, for an applicant who is not just asking for a foot or two off a 13.5 foot setback — he wants 12.5 of those 13.5 feet, and that’s just for starters? On a narrow strip of land where no one has seen fit to build since the first settlers came here 100 years go and which requires zoning relief so egregious that it makes a mockery of government of, by and for the people.

No, we say, over and over. Well, we’re told, come to a meeting and say that, how about at a time that makes the least possible sense for you and we drop it on you at a time when you’re the most distracted?

I have to say, it does sound rigged. And this time its personal — not a tweet from the Commander in Chief, but a postcard through my mail slot from my local government, about the monstrosity that I will live with for the rest of my days at the corner of Hartzell and Reese, long after the profit-seeker and the government that stacked the deck against us are gone.

If we have to live in a time when everything’s rigged, how about rigging it in favor of the people who live here, vote here, raise their children here, walk their dogs here, and celebrate government of, by and for the people right here, in the looming shadow of 2626 Reese, every Independence Day?

And happy holidays to you, too.

Bill Seyle
2835 Hartzell

On Dec 21, 2017, at 9:38 PM, Scott Kirkpatrick <skirkpatrick63@gmail.com> wrote:

Melissa. This is particularly troubling given the timing around the holidays with no material changes to the plans.

Feels like the fix is in.

Best

Scott Kirkpatrick

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We look forward to hearing more information soon.

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Sent: Thursday, September 28, 2017 1:06 PM
To: njmcrane@aol.com; Dhorsting711@aol.com; skirkpatrick63@gmail.com; Allison Stark <avstark@gmail.com>; katmiller1000@gmail.com; knaidech@gmail.com; kimark48@gmail.com; bseyle@aol.com; Rigotti-Clark@msn.com; rob_coons@yahoo.com; Joseph Paradi <joseph@theparadis.com>; annherder@yahoo.com; dawn@iarbalestiers.com; cmphilips8@hotmail.com; djeffclark@msn.com
Cc: Thomas Suffredin <tsuffredin@cityofevanston.org>
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Thank you for your input in the process thus far,

Melissa Klotz
Zoning Planner
Planning & Zoning Division
Community Development Department
Morton Civic Center
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2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8230
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City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8230
mklotz@cityofevanston.org | cityofevanston.org
Re: 2626 Reese
1 message

Dirk Vogel <dvogel07@gmail.com>                           Fri, Jan 5, 2018 at 3:47 PM
To: "Klotz, Melissa" <mklotz@cityofevanston.org>

I would appreciate the contents of this email be included in the Zoning Board of Appeals (ZBA) packet that will be disseminated to ZBA members later today.

TO: Mary Beth Berns, Chair, Zoning Board of Appeals

FROM: Dirk Vogel & Dr. Mary Tilley Jenkins Vogel, 2627 Reese Ave, Evanston, IL 60201

RE: 2626 Reese Avenue

As a concerned neighbor who lives directly across the street from the proposed 2626 Reese development (17ZMVJ-0077), I am opposed to the Evanston Zoning Board of Appeals (ZBA) granting the developer’s requested zoning variances for this property.

We find the developer’s proposed variances to be disproportionate and aimed at placing a structure in our midst that will negatively impact the quality of life in our immediate neighborhood. My opposition includes, but is not limited to the following concerns:

– We support all points raised in the previous letters from our neighbors.

– Allowing for these extreme variances would set a dangerous precedent for similar lots in Evanston. We have recently moved to this neighborhood because we find it to be one of the most attractive areas to live and raise a family, and zoning laws are in place to protect this type of desirability. This large scale development, in contrast to surrounding residential properties, is inconsistent with our neighborhood environment.

– As the father of two young children, and witnessing traffic situations on the intersection between Reese Ave and Hartzell outside of our door every day, I predict that an oversized structure that is only marginally set back from the sidewalk (by only 30% of the 15 feet required by ordinance) would reduce visibility of the intersection for motorists in a dangerous fashion. This puts pedestrians and especially children, many of them walking to Willard School and crossing Reese along the way, in immediate danger.

– The intersection between Reese Ave and Hartzell already sees many near-accidents every day, as only the Hartzell side of the intersection is subject to a Stop sign. One development in our neighborhood we would highly welcome would be to turn this intersection into a 4-way stop, as Reese Ave serves as a shortcut to Isabella for many of the delivery service cars and transportation providers (Uber, Lyft, Amazon, DoorDash etc.) who speed through our neighborhood – and this intersection – at reckless speeds already. Adding an impediment to visibility in the form of an oversized building, two stories high, only increases the risk factor of this intersection.

I would also like to state for the record that we are not categorically against development or set on shutting down any type of development of vacant properties. But we call for development within the reasonable boundaries of zoning laws and the spatial constraints of this particular space. If a smaller-sized home similar to the one on the lot next to 2626 Reese Ave was being proposed, we would not be in opposition.

Thank you for your attention.

Sincerely,

Dirk Vogel, M.A.
Dear Melissa Klotz:

Please review the enclosed structural engineering report on the dangers of building on the vacant lot at 2626 Reese Ave.

According to current city code on a vacant 25' corner lot, the house could only be 5' wide and forty feet deep.

The percentages of 40 to 90% that Mr. James is asking for is shocking.

And his current plans are for a Hartzell address, not Reese Avenue where this property is legally registered from the original 1926 Plat of Survey that I possess.

Sincerely,

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2624 Reese Ave.
Evanston, IL

ItrMuenzer2626Reese.pdf
131K
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Attached:
- itrmuenzer2626reese.pdf (131K)
Via email: mmuenzer@cityofevanston.org

April 29, 2016

Mark E. Muenzer  
Director of Community Development  
City of Evanston  
2100 Ridge Avenue  
Evanston, IL 60201

Re: Application for Major Variation at 2626 Reese Avenue

Dear Mr. Muenzer:

As a licensed structural engineer and an owner of a neighboring property, I am writing to express my concerns to the Design and Project Review Committee (DAPR) and Zoning Board of Appeals (Board) regarding the Application for Major Variation for the development of the lot located at 2626 Reese Avenue, Evanston, Illinois.

I have reviewed the following publicly available documents pertaining to the 2626 Reese Avenue Application for Major Variation:

- 3.30.16 DAPR packet.pdf
- 3-30-16 DAPR Minutes & Comments.pdf
- 4-13-16 DAPR Minutes & Comments.pdf

My primary concern regarding the application relates to the Applicants’ request for a variation to the required 5 ft. interior side yard setback. As a structural engineer I have investigated numerous incidents of structural damage resulting from new construction and excavation performed in close proximity to older, existing structures. These incidents are common in the City of Chicago, where in certain districts minimum interior side yard setbacks of 4 ft. or less are required. Fortunately this type of damage occurs less frequently in the City of Evanston, in large part due to the City’s greater minimum interior side yard setback requirements.

In the case of the proposed construction at 2626 Reese, the adjacent existing structure at 2624 Reese was reportedly constructed in 1925 and is a legal non-conforming structure. According to a January 6, 1988 Plat of Survey prepared by B.H. Suhr & Company, the north wall of the 2624 Reese residence is located 3 ft. south of the north property line, and the structure’s masonry chimney is located 2 ft. south of the line. The proposed interior side yard setback of the new construction is 3 ft., less than the 5 ft. minimum required by code. This provides a separation of only 6 ft. between the proposed structure and the north wall of the existing, nearly century-old structure. This separation would only be 5 ft. at the chimney. The proposed full basement foundation will require an excavation to a depth of 8 ft. or more. During construction, this
excavation would be very close to the existing structure, potentially extending to the property line, or to within approximately 2 ft. of the existing structure at its nearest point.

The Standards for Major Variations require that the Applicants demonstrate that “the requested variation will not have a substantial adverse impact on the use, enjoyment or property values of adjoining properties.” A reduced separation between structures would be permitted should the interior side yard setback variation be granted, and any structural damage to the existing residence related to the proximity of the new construction and excavation would clearly constitute “a substantial adverse impact” on the use and value of the adjoining property. Therefore, it is the Applicants’ burden to demonstrate that the requested interior side yard variation will not contribute to damage to the adjacent structure. Based on my review of the publicly available documents related to this application, the Applicants have not provided such proof.

The April 13, 2016 DAPR meeting minutes state that Mr. G. Gerdes “requested that a survey be provided including interior/exterior photos prior to start of construction to ensure no damage to neighboring property.” I agree that a detailed pre-construction survey of existing conditions at the 2624 Reese residence should be performed by a licensed structural engineer. However, it must be recognized that while such a survey will protect the interests of both property owners to some extent, it will do nothing to “ensure no damage” to the existing structure at 2624 Reese Avenue. The pre-construction survey will simply facilitate distinguishing between pre-existing conditions and any damage resulting from the new construction, after the fact.

In my opinion, in order to demonstrate that the adjacent structure at 2624 Reese Avenue will not be damaged as a result of the interior side yard setback variation being requested, at a minimum the following items should be addressed by the Applicants to the satisfaction of the DAPR and/or Board:

1. What consideration has been given to the age of the existing adjacent structure at 2624 Reese, and to the depth and nature of construction of the foundation system of said structure as it relates to the proximity of the proposed new construction and excavation?
2. What is the maximum proposed depth of excavation? This depth is not shown on the drawings. How does this depth compare to the depth of the foundation of the existing adjacent structure?
3. What is the design footing width? This width is not shown on the drawings. What is the proposed width of excavation and how close to the property line will the excavation extend in order to provide for the design footing width?
4. The March 30, 2016 DAPR meeting minutes contain the note: “Will use shoring on the property line to prevent soil erosion.” Presumably this comment refers to a proposed excavation bracing/shoring system. Has the proposed excavation bracing system been designed by a licensed structural engineer experienced in the design of such systems? Does it take into account the proximity of the existing structure and the relevant characteristics of its foundation?
5. Have sealed drawings of the excavation bracing system been presented to the DAPR for their review?
6. Of what materials will the excavation bracing system be constructed?
7. To what depth will the excavation bracing extend and how does this depth compare to the depth of the foundation of the existing adjacent structure?
8. At what specific location relative to the property line will the excavation bracing system be installed? What are the plan dimensions of the excavation bracing system?
9. Will the bracing designer perform a site inspection following installation to verify construction in accordance with the design?
10. What equipment will be used to install the bracing system? For example, if sheet piles are to be used will they be installed with a vibratory hammer or a hydraulic press?
11. Considering the bracing system and installation methods to be used, what steps will be taken to protect the adjacent property from damage during installation of the excavation bracing?
12. What equipment will be used during backfilling following completion of the foundation construction?
13. What steps will be taken to protect the adjacent property from damage during backfilling?
14. What provisions will be made to provide for adequate drainage in the area between the new and existing structures?

Based on my review of the publicly available documents pertaining to this application, none of the foregoing considerations has been adequately addressed by the Applicants. As a structural engineer, I find it alarming that the DAPR Committee would consider recommending approval of the requested interior side yard setback variation without these issues being satisfactorily addressed. If the Board grants the interior side yard setback variation, particularly without adequate demonstration by the Applicants that the adjacent property will not be harmed, it seems that the Board and the City of Evanston would be taking on a degree of responsibility for any damage that may result from the proximity of the proposed new construction to the existing adjacent structure. Clearly, the Applicants and their contractor would also bear responsibility for any related damage. I suggest that the Board request the City’s legal department to carefully review this situation before a decision is made on this variation.

While I am unable to attend the Public Hearing scheduled for Tuesday, May 3rd due to a health-related commitment, I would be pleased to meet with you at a mutually convenient time to discuss these issues further and address any questions you may have. In addition, my father, Wade P. Clarke, will attend the hearing on my behalf, will request permission to speak briefly, to read portions of this letter at the hearing, and hand out copies of the letter. He will also be available to pass along to me any questions or comments from the DAPR, the Board, or the Applicants.

Thank you for your consideration of this matter.

Sincerely,

[Signature]

Wade M. Clarke, P.E., S.E.
 Licensed Structural Engineer
 Illinois No. 6360

cc: Mr. Dick Horsting, owner, 2624 Reese Avenue
    Mr. Gary Gerdes, Manager, Building and Inspection Services, City of Evanston
    Ms. Melissa Klotz, Zoning Planner, City of Evanston
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Ann Herder <annherder@yahoo.com> Thu, Jan 4, 2018 at 10:04 PM
To: "njmcrane@aol.com" <njmcrane@aol.com>, "jeffclark@msn.com" <jeffclark@msn.com>, Dhorsting711@aol.com, skirpatrick63@gmail.com, Allison Stark <avstark@gmail.com>, katmiller1000@gmail.com, knaidech@gmail.com, kimark48@gmail.com, bseyle@aol.com, Rigotti-Clark@msn.com, rcb_coons@yahoo.com, Joseph Paradi <joseph@theparadis.com>, dawn@larbaestiers.com, cmphillips8@hotmail.com, Melissa Klotz <mklotz@cityofevanston.org>
Cc: Thomas Suffredin <tsuffredin@cityofevanston.org>

Dear Melissa, I am writing in advance of Tuesday's hearing on the proposed construction at 2626 Reese. I see that not much has changed in the proposal which still has numerous major variation requests that if granted would have an adverse affect on adjoining and closely neighboring properties. For 25 years, I have lived directly across the street from the property at 2837 Hartzell, across from where the garage would have just a 3' street side yard setback. This garage setback of 3' and the house setback of 4' as opposed to the 15' requirement cannot possibly be in keeping with the intent of the zoning order which I assume was written with safety, aesthetics, and other other factors in mind. Given that there are at least three other major variations requested and numerous other concerns, I agree with my neighbors that the variations should not be granted. The very narrow lot has limitations of which the owner knew when he purchased it. If a house is to be built on that lot, it should be substantially smaller than what he is proposing. I respectfully request that the zoning board keep in mind its own requirements and standards for granting variations at the hearing and turn down this proposal.

Sincerely, Ann Herder

On Thursday, September 28, 2017, 1:07:02 PM CDT, Melissa Klotz <mklotz@cityofevanston.org> wrote:

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2100 Ridge Ave. | Evanston, IL 60201 | 647-448-8230
mklotz@cityofevanston.org | cityofevanston.org
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES
September 20, 2017


Staff Present: Katie Knapp

Others Present:

Presiding Member: S. Mangum

A quorum being present, Mr. Mangum called the meeting to order at 2:32 pm.

Approval of minutes

September 13, 2017 DAPR Committee meeting

Ms. Biggs moved to approve the minutes from September 13, 2017, seconded by Mr. Nelson.

The Committee unanimously voted, 8-0, to approve minutes from the September, 2017 meeting.

New Business

1. 2626 Reese Avenue Recommendation to ZBA

William James, submits to construct a 2-story single family residence with 40.4% building lot coverage where 30% is allowed, a 4’ street side yard setback where 15’ is required for the principal structure, a 3’ street side yard setback where 15’ is required for the accessory structure (detached garage), an accessory structure in a street side yard closer to the street than the principal structure, and a 1’ street side yard setback for a porch where 13.5’ is required, in the R1 Single Family Residential District.

APPLICATION PRESENTED BY: William James, Property Owner

DISCUSSION:

- Mr. James provided an overview of the proposed project. He purchased the lot from previous owners who had attempted to build on the site. He then checked with Zoning staff regarding requirements and buildability and stated there are many nonconforming lots in the area which zoned R1. He also reached out to neighbors for feedback and received a mix of positive and negative feedback.
- Proposing to build a 2-story building with entry on Hartzell with a small canopy, 19 ft. 6 in. set back from Reese Avenue, which is the average setback along that street. Seeking to have a house that is within context of the nearby properties.
Bay window projecting 1 ft. 6 in. on Reese Avenue side of the building, middle of house inset. 20 ft. 6 in. between house and detached garage.

Project meets impervious surface coverage, building lot coverage a minor variation.

Floor heights are 9 ft. with a 28 ft. total building height.

Mr. Gerdes stated that the small setback increase will still affect the neighboring property as well as the impact on existing trees between the properties. Will install shoring for construction to mitigate effects on the adjacent property. Any needed tree removal would consist of removing tree down to the stumps and not tearing out the roots.

Mr. Mangum inquired about the size of the window well projection. Mr. James responded that there will be an approximate 2 to 2 ft. 6 in. projection.

Mr. Gerdes inquired about location of the sewer and water lines on the adjacent property. Mr. Nelson responded that he believes they are located off of Reese Avenue.

Mr. Gerdes asked about the depth of proposed full basement. Mr. James stated that there will be an 8 ft. ceiling height, with footings going down an additional foot.

Ms. Biggs stated that staff will need Civil Plans and that while the impervious surface coverage is ok, the building lot coverage still causes some concern.

Mr. Nelson expressed concern about stormwater run-off control. Ms. Biggs added that the downspouts of the house should not be directed south and must be 10 ft. from the property line. Mr. Nelson stated that directing the downspouts north could negatively impact the sidewalk.

Ms. Eckersberg stated that the sewer in the improved alley may need a sump discharge.

Mr. Nelson asked where the water service is located. Upon Mr. James’s assurance that it’s at the laundry/mechanical room, Mr. Nelson responded that the service must be within 5 ft. of the meter and have a 10 ft. separation from the sewer line.

Mr. Mangum stated that given the small size of the lot some variations are inevitable then asked if there had been in additional consideration to reducing the 40% building lot coverage, noting that the proposed building goes back further on the lot than most in the area and there looks to be less volume on the 2nd level. Mr. James stated that there had been some work done reducing the coverage to 40% and that he was open to coming up with alternatives to further reduce the coverage. Mr. Mangum stated that removing 5 to 10 feet would help reduce the lot coverage.

Mr. Mangum then stated that there were several letter of opposition received and that a sign has been posted on the property in addition to mailed notices sent regarding the Zoning Board of Appeals meeting on October 3rd.

Mr. Gerdes confirmed the impervious coverage and inquired about the possible addition of a deck. Ms. Klotz responded that a small deck would be possible with a deck credit as long as a pervious surface is below it.

Ms. Knapp inquired about the reasoning behind raised entrances. Raised 1.5 ft. attempted to have a separation from the sidewalk. Ms. Knapp continued mentioning ways for increased access. Mr. James stated that the rear entry would likely lend itself to something such as a ramp if needed.
Mr. Nelson inquired whether or not there are separation requirements for chimneys, pointing out the adjacent neighbor’s chimney on the north side of their property. Mr. Gerdes stated that there is no residential requirement.

Mr. Mangum added that there should be an attempt to lessen the effects on the adjacent neighbor and reduce the lot coverage. Mr. Gerdes reiterated his concerns for affecting the neighboring property and agreed that the lot coverage should be reduced.

Ms. Eckersberg inquired about alternative site layouts had been considered. Mr. James stated that different alternatives were proposed to the neighbors which received increased negative feedback.

Mr. Mangum made a motion to recommend approval of the variations to the ZBA with the conditions that the applicant reduce the building lot coverage variation as well as provide a survey of existing conditions on the adjacent property prior to construction. Seconded by Mr. Nelson.

The Committee voted 7-1, to approve the recommendation to ZBA.

Adjournment:
Ms. Biggs moved to adjourn, seconded by Mr. Nelson. The committee voted unanimously 8-0, to adjourn.

The meeting adjourned at 3:17 pm.

The next DAPR meeting is scheduled for Wednesday, October 4 2017 at 2:30 pm in Room 2404 of the Lorraine H. Morton Civic Center.

Respectfully submitted,
Meagan Jones