Zoning Board of Appeals
Tuesday, January 16, 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 January 9, 2018

3. OLD BUSINESS

A. 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 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. NEW 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.

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 quines no hablan inglés. Si usted necesita ayuda, favor de ponerse en contacto con la Oficina de Administración del Centro a 847/866-2916 (voz) o 847/448-8052 (TDD).
MEETING MINUTES
ZONING BOARD OF APPEALS
Tuesday, January 9, 2018
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

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

Members Absent: Mary McAuley, Myrna Arevalo

Staff Present: Scott Mangum, Melissa Klotz, Mario Treto
Presiding Member: Mary Beth Berns

Declaration of Quorum
With a quorum present, Chair Berns called the meeting to order at 7:10 p.m.

Approval of Minutes
The minutes from the December 19, 2017 Zoning Board of Appeals meeting were motioned for approval by Ms. Cullen and seconded by Ms. Dziekan. The minutes were approved 5-0.

New Business
1723 Simpson St. ZBA 17ZMJV-0103
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.

Mr. Mangum read the case into the record and noted recommended conditions.

Applicant Robert Clayton explained the proposal:
- The building is currently vacant but was previously a grocery store and restaurant.
- Propose to operate the restaurant only, not the grocery store.
- Phase 1 of the restaurant will occur first, with no more than 10 people in the building at a time (since there is only one ADA restroom currently).
- Phase 2 will add a second ADA restroom and then the occupancy will not be limited to 10 people.
- Applicant does not currently have enough capital to add the second restroom, but plans to begin Phase 2 within 2 years.
- Both phases include take-out service and counter service.
- Applicant agrees to comply with the conditions DAPR recommended.
- Restaurant will serve breakfast and lunch and operate from 7am - 3pm.
- Maximum of 4-5 staff per shift.
- May add dinner hours at a later date.
Mr. Mangum clarified the building code maximum occupancy of 10 includes staff.

The applicant continued:
- Garbage pickup will occur via the rear of the property.
- Deliveries will come in after school hours so not to conflict with school buses, and will be a small van that will deliver on Simpson St.

Chair Berns asked if deliveries could be done on the side street rather than Simpson St. and the applicant responded it is likely deliveries could be done via the rear, and then agreed deliveries will not occur on any street.

Chair Berns noted a Sustainability Plan was not submitted by the applicant. Mr. Mangum explained the Plan to the applicant, who agreed to submit it.

The applicant continued:
- No awnings are proposed.
- The property has one on-site parking space in the rear for the operator.
- The operator has not run a restaurant previously. The end goal is to use the building as a community gathering place but the restaurant is what will pay the bills.

The ZBA entered into deliberations:
Mr. Gingold noted the special use does not need to condition Phase 1 vs. Phase 2 because the ADA requirement and building code dictates it. Mr. Mirintchev agreed.

Ms. Cullen stated she likes that the operator is community oriented and the business sounds like a great use for that corner.

Chair Berns clarified the applicant agreed that deliveries can occur off-street.

Ms. Dziekan noted it is very important that the block windows be changed to clear windows, so there should be a condition that the facade improvement grant be submitted prior to any approval. Ms. Cullen and Mr. Mirintchev agreed.

Chair Berns agreed that a community gathering place would be a great thing for the neighborhood and stated her excitement to see Phase 2.

The Standards were addressed:
1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes
Ms. Dziekan motioned to recommend approval, which was seconded by Ms. Cullen and unanimously approved with the following conditions:

1. The block windows must be removed and replaced with transparent and unobstructed windows without bars.
2. The facade improvement grant application for storefront modifications shall be submitted prior to any approvals.
3. Employees shall not park on the street.
4. Hours of operation shall not exceed 6am-10pm, 7 days a week.
5. Deliveries shall occur via the rear only and not on the street.
6. Substantial compliance with the documents and testimony on record including submittal of a signed Sustainability Plan.

2014 Orrington Ave.  
ZBA 17ZMJV-0018  
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.

Mr. Mirintchev noted he is the architect of record for the case and therefore recused himself.

Ms. Klotz read the case into the record.

Rabbi Klein, applicant, explained the proposal:

- Approximately 40 years ago a special use was recommended by the ZBA for approval but was denied by City Council. The special use was approved via a court case.
- The facility provides Hebrew club, interfaith programs, religious services, special holiday celebrations and meals, etc.
- The facility is not currently ADA compliant with egress and bathrooms.
- Currently there is a winding staircase egress from the second floor, which would not be a safe exit in the case of a fire.
- The facility does not currently have meeting rooms, classrooms, etc. and needs more space to add those. The capacity/impact of the use will not increase – instead operations will not have to share or shuffle spaces.
- A rear addition was proposed years ago but it was never constructed.
- The front façade has been re-designed 7 times throughout this process, and the front of the second story has been reduced in bulk to closer match the neighborhood.
- The existing building is closer to the front property line than the requirement, so any change requires variation.
- No one lives in the building currently, but previously Rabbi Klein lived there and there may be an emergency that necessitates someone to live there. The applicant would like to keep the option for the future, though the building design does not specifically include a dwelling unit buildout.
- Okay with the condition of the 30 person limitation as listed in the original special use.
- Neighbors and the applicant have agreed to a list of conditions that are appropriate.

Chair Berns asked what the hardship of the property is, rather than the hardship of the use or structure, and Mr. Mirintchev responded the institutional use is the largest hardship since the building was originally constructed as a single family home.

Chair Berns asked what the hardship is to exceed the 3’ knee-wall, and Mr. Mirintchev explained it is necessary to gain more space, but the third floor is barely visible because the existing parapet wall is 3’ tall and blocks much of it from view.

Ms. Klotz clarified the very first plan submitted included dormers rather than a third story, but the design did not meet the Zoning Ordinance definition of a dormer because the space was bigger than just an addition to accommodate a window opening, so the 3’ knee wall limitation was then applicable and the addition was considered a third story. A third story just comprised of dormers as defined by the Zoning Ordinance would not provide enough head roof for the use.

Mr. Mirintchev further explained how the impact/capacity of the facility will not increase with the added space, and explained how the current operations require the constant moving of things to use the same rooms for multiple uses.

Chair Berns asked if the height beyond the 3’ knee-wall is needed to make the minimum headroom in the rear interior stair, which is needed for egress, and Mr. Mirintchev said yes, the stairwell needs the full third story to accommodate a 7’2” headroom.

Dave Schoenfeld, neighbor, explained that conditions agreed to by the neighbors are important, especially the limitation of uses added in since the 1978 ordinance. Member Gingold noted those uses would require special use approval anyway.

Rabbi Klein summarized that he believes the neighbors like the current proposal, which is less bulky than the original dormer proposal.

The ZBA entered into deliberations:
Member Gingold noted he supports the project and feels it meets the Standards, but is unsure if legally a special use can be conditioned on the operator rather than the land.

Ms. Cullen stated it is unlikely the property will ever revert back to a residential use.

Member Gingold noted there is a large cost to this project and the applicant intends to stay at the property indefinitely.
Ms. Dziekan commended the applicant for working so closely with the neighborhood and considering a variety of designs. The proposal does keep the residential feel of the neighborhood.

Chair Berns noted she does not see a hardship for the property - the hardship is due to the use. She explained she would have preferred to see a proposal with compliant dormers to see if that option would work. However, due to egress code requirements, the third floor with the larger knee-wall is needed.

Attorney Treto clarified the special use can limit the use to a religious institution, but cannot be conditioned to limit the current operation only to distinguish between different religious institutions. Any different type of use would need a different special use.

Ms. Klotz clarified any other religious institution would need either a Substitution of Special Use or new Special Use if there are any operational differences, and explained the Substitution of Special Use process, neighbor notification, and appeal process.

The Standards for Special Use were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes
8. Yes
9. Yes

Mr. Gingold motioned to recommend approval of the special use, which was seconded by Ms. Cullen and unanimously approved with the following conditions:

1. Adopt list of 9 conditions agreed to by applicant/neighbors with amendments as marked on Exhibit A that clarifies #3 and strikes #8.

The Standards for Variation were addressed:

1. Yes
2. Yes
3. Yes
4. Yes
5. Yes
6. Yes
7. Yes

Mr. Gingold motioned to recommend approval of the variations, which was seconded by Ms. Cullen and unanimously approved with the condition the project is within substantial compliance with the documents and testimony on record.

2626 Reese Ave.  ZBA 17ZMJV-0077
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.

Ms. Klotz read the case into the record, and the applicant provided additional documents.

William James, applicant, explained the proposal:

- He spoke with staff prior to purchasing the property and was told variations are determined by their merits and whether they meet the Standards, and that lots like this one are not considered “unbuildable”.
- Achieved the DAPR recommendation for approval with reduced building lot coverage of 37.9% as the current plan shows.
- The hardship is that the City approved the subdivision of the lot and then created the zoning regulations that made it impossible to build on afterwards.
- The applicant explained the massing is appropriate to the neighborhood, and the massing is broken up via a front bay window, recessed middle portion of the house, and varying rooflines.
- The architectural style of the proposed house complements the neighborhood.
- The house is the minimum size needed to fit a typical single family home program of 3 bedrooms on one floor.
- The first floor also has a typical program, with the living room dimensioned on the interior at 15 x 14, dining room at 12 x 13, kitchen at 15 x 13, and 42” stair.
- There is no way to avoid the 15’ street side yard variation, so the applicant chose to provide the full 5’ interior side yard setback to comply on that side and only need the setback variation on the street side yard side.
- 1’ street side yard setback variation is requested for the stoop, which the applicant believes should not trigger a variation.
- 13’ wide section of the house has a cantilevered overhang (off of the south interior side yard).
- There is one step up to the stoop, not 2 as shown on elevations.
- Landscaping will be done around the house. There are large street trees surrounding the property so small landscaping/ornamental plants and trees will be placed throughout the property.
- The applicant explained most lots in the neighborhood are nonconforming due to lot size.

Chair Berns noted adjacent lots that are nonconforming in size still meet the street side yard setback.

The applicant continued:
Lots in the neighborhood should be more appropriately zoned R2 since they are small lots, which would then allow up to 40% building lot coverage so this proposal would comply.

Explained there are more nonconforming street side yards than conforming in the neighborhood.

Ms. Klotz clarified the minimum lot width in the R1 District is 35' not 50’ as shown in the presentation.

The applicant continued:
- He explained the four closest houses to the subject property have building lot coverage of 34.1%-41.6% (estimated via GIS).
- The proposal is more compliant than many nearby homes including 2910 Park Place, 3003 Park Place, 2821 Thayer, and others.
- The applicant reached out to neighbors to find a design acceptable to neighbors, mailed preliminary plans and asked for responses, held a meeting on June 22, 2017 with 3 alternative designs (provided in documents submitted).
- Neighbors did not want a driveway off of Hartzell due to traffic concerns.
- The applicant showed examples of other front stoops/porches close to the property line.

Public Testimony:

Richard Horsting, 2624 Reese Ave, spoke in opposition:
- Provided history of ownership at 2624 and 2622 Reese.
- Disputed the 37.9% lot coverage of 2624 Reese as calculated by the applicant.
- Described the narrow width of his home and explained the proposed house is more narrow.
- Expressed that his attorney would be happy to attend ZBA.
- Indicated that he would be interested in purchasing 2622 Reese.

David Lossi, 2644 Lincolnwood, spoke in opposition, and noted his concern with the aesthetics of the proposed house.

Scott Kirkpatrick, 2904 Hartzell, spoke in opposition, and noted the applicant paid too much for the parcel and obviously has a profit motive.

Colleen Barkley, 2622 Reese, spoke in opposition and noted:
- Vehicle and pedestrian safety is a very big concern due to the proposed location of garage so close to the sidewalk.
- Stormwater management since the house is so close to the sidewalk and water will have to go toward the sidewalk and may freeze.
- Impact of construction on adjacent trees and their root systems, and plant selection proposed.

Allison Stark, 2620 Reese, spoke in opposition and noted:
- Safety is a concern due to the commercial traffic in alley.
- The proposed house (4BR, 3BA) is not the minimum necessary. It is larger than a typical house in the neighborhood.
Mark Newman, 2833 Hartzell, spoke in opposition and noted the lot has remained undeveloped for so long because a house is not economically feasible on it.

John Walsh, 2736 Hartzell, spoke in opposition and stated the proposed house is too large.

Kathy Miller, 2831 Hartzell, spoke in opposition and explained the applicant made mistake in purchasing lot.

Joseph Paradi, 2907 Hartzell, spoke in opposition and stated the proposed house is not the minimum necessary, and there is a profit motive.

Dawn Larbalestier, 2627 Lincolnwood, spoke in opposition and Ann Herder, 2837 Hartzell, spoke in opposition, both agreeing with previous comments.

Jeff Clark, 2815 Hartzell, spoke in opposition and stated the only way the property can be developed is if it is with the lot to the south, which Mr. Horsting is not interested in selling.

Helen Madden, 2932 Park Place, spoke in opposition and stated there is not enough green space in the proposal.

Ann Rigoti-Clark, 2815 Hartzell, spoke in opposition and stated the applicant was comparing a proposed new home to pre-existing homes that were built decades ago.

Mr. Gingold motioned to continue the case to January 16, 2018 at 7:00 pm, which was seconded by Ms. Cullen and unanimously approved.

**Other Business**
There was no other business.

**Discussion**
There was no additional discussion.

The meeting adjourned at 11:03pm.
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: 2626 Reese Avenue - ZBA 17ZMJV-0077
ZBA Determining Body

Date: January 12, 2018

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.

The ZBA continued this item from the January 9, 2018 meeting.

Clarifications
At the January 9, 2018 ZBA hearing, the applicant explained the elevation drawings provided incorrectly showed two steps at the front stoop off of Hartzell St. where there will actually only be one step.

Additionally, the applicant presented research indicating nonconforming properties in the area and indicated the required lot width in the R1 District is 50’. Staff clarified the required lot width in the R1 District is 35’.

Attachments
Zoning Board of Appeals Meeting Packet of January 9, 2018
Applicant Presentation from January 9, 2018 ZBA hearing
Design Plans – submitted by Applicant at January 9, 2018 ZBA hearing
Neighbor Materials - submitted by Applicant at January 9, 2018 hearing
Opposition Exhibits – submitted by Neighbors at January 9, 2018 hearing
Additional Letter of Opposition
Presentation Outline

I. Petitioner Background and Qualifications
II. Basis for Variance Request
III. House Plans
IV. Zoning Policy and Neighborhood Characteristics
V. Neighbor Outreach
VI. Relation to Variance Standards
VII. Summary
I. Petitioner Background & Qualifications

Evanston Homebuilder

• Petitioner: built 22 houses in Evanston
• Never appeared before the Evanston ZBA requesting a variance for any house.
I. Petitioner Background & Qualifications

Zoning Expert

- Partner at Camiros: national planning/zoning consultant
- Camiros has written dozens of zoning ordinances for cities in Illinois and across the U.S.
- I have authored many of Camiros’ zoning ordinances

Local Zoning Ordinances by Camiros

- Berwyn, IL
- Campton Hills, IL
- Grundy County, IL
- Gurnee, IL
- Hinsdale, IL
- La Grange Park, IL
- Libertyville, IL
- Maywood, IL
- McHenry County, IL
- Mundelein, IL
- Niles, IL
- Oak Park, IL
- Park Forest, IL
- Park Ridge, IL
- River Grove, IL
- Riverside, IL
- Wilmette, IL
- Winnebago County, IL

National Zoning Ordinances Prepared by Camiros

- Baltimore, Maryland
- Buffalo, New York
- Charlotte, North Carolina
- Clark County (Las Vegas), Nevada
- Davenport, Iowa
- Newark, New Jersey
- New Orleans, Louisiana
- Palm Beach County, Florida
- Pittsburg, Pennsylvania
- Providence, Rhode Island
- Salt Lake City, Utah
- Salt Lake County, Utah
II. Basis for Variance Request

Due Diligence Identified City Policies Supportive of the Variance Process

1. City Staff confirmed the City’s policy is that nonconforming lots like the subject property are not unbuildable.

2. City Staff indicated that requests for variance would be decided on their technical merits, that is the standards for variance in the Zoning Ordinance.

3. The prior owner received a favorable recommendation from DAPR for a larger house.

4. I appeared before DAPR and received a favorable recommendation by a vote of 7 to 1, conditioned upon a further reduction of building coverage of 2.5%.

5. I revised the plans to achieve the 2.5% reduction in building coverage.

6. The presence of a hardship is very clear:
   a) the City of Evanston approved the subdivision that created this lot;
   b) then the City of Evanston created zoning regulations that made building on this lot impossible without variances.
III. House Plans; Design Approach

Compatibility with Neighborhood Characteristics

- Scale and massing; minimize perception of mass through façade articulation
- Architectural character
- Yards comparable to other houses in the surrounding area
- House design must meet needs of modern family lifestyle

Minimize the Degree of Variance Requested

Meet Variance Standards
Site Plan & First Floor Plan

BUILDING COVERAGE: 37.9%
MINOR VARIATION THRESHOLD FOR BUILDING COVERAGE: 40.5%
BASEMENT FLOOR PLAN

RECREATION / MEDIA ROOM
21’ X 14’

BATH

UTILITY ROOM / LAUNDRY

BEDROOM
13’ X 12’

SCALE: 3/16” = 1’

NORTH

December 2017

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
2626 Reese Avenue, Evanston, Illinois

Presentation of Proposed Design & Requested Variances

Evanston ZBA;
January 9, 2018
2626 Reese Avenue, Evanston, Illinois
Presentation of Proposed Design & Requested Variances

Evanston ZBA;
January 9, 2018
LOW VOLTAGE EXTERIOR LANDSCAPE ACCENT LIGHTING WILL BE INSTALLED
IV. Zoning Policy & Neighborhood Characteristics

Evanston Zoning Policy Contributes to the Hardship

1) Sound zoning policy holds that zoning regulations should relate to the form and character of existing development

2) Evanston zoning regulations for this area bears little relationship to the existing form and character of development

3) R-1 District regulations are intended for larger lots of 7,200 square feet and lot widths of 50 feet. The subject property is zoned R-1.

4) R-2 District regulations are intended for smaller lots of 5,000 square feet and lot widths of 35 feet.

5) Yards are the same for both districts.

6) The form and character of the area surrounding the subject property does not relate to the R-1 District regulations.
Nonconformity Due to Lot Area
Nonconforming Corner Side Yards

CONFORMING; 15
NONCONFORMING; 20
The proposal for 2626 Reese is comparable to existing building coverage in the area.
Existing Corner Lot Houses Similar to this Proposal

Nonconforming Street Side Yard, Lot Width & Building Coverage

Several existing houses exist in the area that are similar to the proposed house indicating that:

1. The proposed house is consistent with the character of the area; and
2. Significant impacts will not result from the proposed house.

3003 Park Place

2910 Park Place

2821 Thayer
Existing Corner Lot Houses Similar to this Proposal

Nonconforming Street Side Yard, Lot Width & Building Coverage

Several existing houses exist in the area that are similar to the proposed house indicating that:

1. The proposed house is consistent with the character of the area; and
2. Significant impacts will not result from the proposed house.
Interior Side Yards on the Subject Block
Existing Nonconforming Garages due to C S Y

2910 Park Place
3000 Thayer
3003 Park Place
V. Neighbor Outreach

Outreach and Responses

- Mailed copies of preliminary plans to all properties within notice area.
- Received a mix of supportive and negative responses.
- Held a meeting with interested neighbors on June 22nd; presented alternative designs.
  - Neighbors at meeting were all objectors, whose unified position was opposition to any house built on the lot, regardless of design.
V. Neighbor Outreach

Attached Garage Concept

Alternative Concept Designs Presented

<table>
<thead>
<tr>
<th>Variance Needed</th>
<th>Required</th>
<th>Provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corner Side Yard</td>
<td>15'</td>
<td>4'</td>
</tr>
<tr>
<td>Interior Side Yard</td>
<td>5'</td>
<td>3'-0&quot;</td>
</tr>
<tr>
<td>Side Yard Encroachment</td>
<td>unsure</td>
<td>2'-6&quot; Projection</td>
</tr>
<tr>
<td>Street Driveway</td>
<td>Granted only by City Council</td>
<td></td>
</tr>
</tbody>
</table>
V. Neighbor Outreach

Attached Garage Concept

Alternative Concept Designs Presented

VARIANCES NEEDED
Corner Side Yard: 15' Required 4' Provided
Side Yard Encroachment: unsure 2'-6" Projection
Building Coverage: 40% Allowed 43.2% Coverage
V. Neighbor Outreach

Alternative Concept Designs Presented

Attended Garage Concept

VARIANCES NEEDED
Corner Side Yard: 15' Required 4' Provided
V. Neighbor Outreach

Some neighbors support the proposal

- The homeowner at 2627 Reese told me he supported the proposal.
- A couple walking their dog stopped me while I was cutting the grass at the lot and said: “We would like to see a nice house built here rather than having this vacant lot.
- The vocal objectors suppress the voice of the supports. Supports risk the enmity of the objectors.
- I have not solicited vocal supporters to avoid conflict between neighbors.

- >>> Bill,
- >>> My name is XXXXX. I live at XXXX XXXXXXXXXX in Evanston. I received your site plan for 2626 Reese. Looks great. You got my support. Now, we've got some crazy neighbors around here that are or will give some push back if you haven't realized already. But I'm happy to throw my support behind your project. Is there a hearing? Because in the past, these neighbors have made a strong voice for anything built on that lot.
- >>> Happy to support,
- >>> XXXXXXXX
VI. Relation to Variance Standards

B. What characteristics of the property prevent compliance?

1. Will not have a substantial adverse impact the use and enjoyment of adjacent 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.

3. The variation is not based exclusively on a desire to extract additional income.

4. The alleged hardship or practical difficulty has not been self-created.

5. Have other alternatives been considered, and if so, why will they not work?
B. What characteristics of the property prevent compliance?

1. Will not have a substantial adverse impact the use and enjoyment of adjacent property. Proposed building coverage meets the requirement for a minor variation and is comparable to that of the adjacent property and the surrounding area in general.

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. Without relief from the building coverage requirement the house size would be significantly reduced, making building the house impractical and infeasible.

3. The variation is not based exclusively on a desire to extract additional income. The request for additional building coverage is not based on maximizing income/profit, but a balance approach to development that minimizes the degree of variance and reflecting existing conditions in the surrounding area.

4. The alleged hardship or practical difficulty has not been self-created. The hardship was created by the subdivision of land creating this lot and the establishment of zoning regulations that make it infeasible to develop the lot without relief from the building coverage requirement.

5. Have other alternatives been considered, and if so, why will they not work? Other alternative have been considered, but no alternative would eliminate the need for relief from the building coverage requirement.
STREET SIDE YARD VARIANCE

STREET SIDE YARD VARIANCE FOR PRINCIPAL STRUCTURE: 4’ Requested; 15’ Required

B. What characteristics of the property prevent compliance?

1. Will not have a substantial adverse impact the use and enjoyment of adjacent property. The street side yard is opposite the adjacent property, creating no adverse impact on the use and enjoyment. Also, a substantial number of homes on corner lots with nonconforming corner side yards exist in the surrounding area such that the proposed house will be consistent with the character of the area.

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. Without relief from the street side yard requirement building a house on the lot would be impossible.

3. The variation is not based exclusively on a desire to extract additional income. The relief requested is the minimum needed for a viable, modern house and the request is not based on maximizing profit.

4. The alleged hardship or practical difficulty has not been self-created. The hardship was created by the subdivision of land creating this lot and the establishment of zoning regulations that make it impossible to develop the lot without relief from the street side yard requirement.

5. Have other alternatives been considered, and if so, why will they not work? Other alternative have been considered, but no alternative would eliminate the need for relief from the street side yard requirement.
STREET SIDE YARD VARIANCE - GARAGE

STREET SIDE YARD VARIANCE FOR ACCESSORY STRUCTURE: 3’ Requested; 15’ Required

B. What characteristics of the property prevent compliance?

1. Will not have a substantial adverse impact the use and enjoyment of adjacent property. The street side yard is located opposite the adjacent property. The required yard for an accessory structure is provided along the lot line of the adjacent property, eliminating substantial adverse impact.

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. A two-car garage is standard for new houses. The standard width of a two-car garage is 20 feet. The width of the proposed garage has been reduced to 19 feet. Further reduction would make a two-car garage infeasible.

3. The variation is not based exclusively on a desire to extract additional income. The relief requested is the minimum needed for a workable two-car garage while allowing the full required yard to be met next to the adjacent property to the south.

4. The alleged hardship or practical difficulty has not been self-created. The hardship was created by the subdivision of land creating this lot and the establishment of zoning regulations that make it impossible to build a two-car garage with the proposed house.

5. Have other alternatives been considered, and if so, why will they not work? An attached garage alternative was considered, but other negative consequences eliminated this as an option.
1. The porch variance was not intended as part of this application.
2. Prior discussions with staff focused on a variance for the 18” projecting canopy.
3. The Evanston Zoning Ordinance is highly ambiguous in defining and regulating porches.
4. Depending on the interpretation of the Ordinance, it may be impossible to avoid a variation for a “porch” for this property.

| PORCH: | An open or enclosed area attached to the building and located between the exterior wall of a building and the right-of-way. A porch may be covered by a roof which may be attached to a side wall or common with the main roof of the building. (Ord. No. 165-O-15, § 10, 5-23-2016) |
(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.
STREET SIDE YARD VARIANCE - PORCH

Requested Relief
1. A front door canopy projecting 18” from the face of the building extending 9’-6” long.
2. A front door stoop no more than 8” high, 3’ wide and 9’-6” long.
3. The posts extending from the canopy to the stoop can be eliminated.

Zoning Analysis

<table>
<thead>
<tr>
<th>Zoning Section</th>
<th>Comments</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-8-2-7</td>
<td>The maximum lot coverage in the RI district is thirty percent (30%). Proposed lot coverage is 40.48%.</td>
</tr>
<tr>
<td>6-8-2-10</td>
<td>The maximum impervious surface ratio for the RI district is forty-five percent (45%) Proposed impervious surface ratio is 45.75%. USE OF BRICK PAVER ON IMPERVIOUS SURFACES SHALL BRING PROPOSED COVERAGE TO 44.9%.</td>
</tr>
<tr>
<td>6-8-2-8-A-2</td>
<td>Minimum yard requirement for residential structure side yard abutting street is 150 Proposed setback is 4'</td>
</tr>
<tr>
<td>6-8-2-8-C-2</td>
<td>Minimum yard requirement for accessory uses side yard abutting street is 150 Proposed setback is 4'</td>
</tr>
<tr>
<td>6-4-1-9-8-1</td>
<td>May extend 10% into required setback INCLUDES FRONT AND SIDE YARDS, i.e., porches into front and side setbacks. Proposed obstruction of 16’ into north side yard setback would need a major variance.</td>
</tr>
</tbody>
</table>
Obstructions to front entries in front and street side yards are widespread in the surrounding area. The 2626 Reese proposal would have far less obstruction that these houses, and that typical in the area.
STREET SIDE YARD VARIANCE - PORCH

B. What characteristics of the property prevent compliance?

1. Will not have a substantial adverse impact the use and enjoyment of adjacent property. The street side yard is located opposite the adjacent property, thus no direct substantial adverse impact will be created. Also, several houses exist within the immediate area with similar nonconforming porches such that the porch on the proposed house is consistent with the character of the area.

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. Some minimal structure is needed at the front door of the house to facilitate entry.

3. The variation is not based exclusively on a desire to extract additional income. The relief requested is based on providing minimal convenience for future occupants of the house, not maximizing profit.

4. The alleged hardship or practical difficulty has not been self-created. The hardship was created by the subdivision of land creating this lot and the establishment of zoning regulations that make it impractical to design a minimal entry into the house without relief.

5. Have other alternatives been considered, and if so, why will they not work? A variance for the front canopy was expected, not a variance for a “porch.” The petitioner will endeavor to eliminate the variance for a “porch” but needs a variance for the front canopy.
VII. SUMMARY

The ZBA is requested to consider the following facts and evidence when considering the requested variances:

1. The City of Evanston had a central role in creating the hardship for this property. It approved the subdivision of land creating this lot, then established zoning regulations that make it impossible to develop the property without variances.

2. The proposal represents a balanced approach to the design of the house on the lot, one that minimizes the degree of variance yet still yields a practical, livable house.

3. This proposal seeks a much lower degree of variance that the petition filed by the former owner, which was recommended for approval by the DAPR Committee.

4. The classification of the area surrounding the property in the R-1 District is not consistent with existing lot and yard conditions, which are far more consistent with the R-2 District. If the area were zoned R-2, no variance in building coverage would be needed.

5. The proposed house would be very consistent with the character of the area. The relief being sought can be found on multiple other houses in the area.
VII. SUMMARY

7. Evanston has no stated policy that lots such as the subject property are unbuildable, in fact, City staff told the petitioner it is the City’s intent that such lots be developed.

8. Neighbor objections made known to the petitioner had nothing to do with the standards for variance in the Zoning Ordinance. The petitioner will conform to all best practices required by the Evanston Building Department to ensure that no impact results from: a) storm water runoff, b) subsidence due to excavation; or other development related impacts.


10. Combining the subject property with the lot to the south is not a viable option.

11. The standards for variance do not require a “perfect” design/proposal.

12. The older homes in the area do not represent a standard for denying the requests.

13. Building a home on the lot will generate needed property tax revenue to fund schools and other public services.

14. New, moderately priced homes are needed in Evanston.

15. Approval of the requests will result in the building of a beautiful house that will be a great home for generations of families.
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.
NORTH ELEVATION: 2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
SOUTH ELEVATION

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

DECEMBER 2017
EAST AND WEST ELEVATIONS

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
MATERIALS PRESENTED AT MEETING WITH NEIGHBORS OF 2626 REESE AVENUE;
DISCUSSION OF ALTERNATE CONCEPTS FOR HOUSE DESIGN AND MASSING;
JUNE 22, 2017

CONCEPTS CONSIDERED:
- ATTACHED GARAGE CONCEPT
- DETACHED GARAGE CONCEPT
- DETACHED GARAGE 2-1/2 STORY CONCEPT

CONTENTS
- Site Plan; Attached Garage Concept ......................................................... 1
- North Elevation; Attached Garage Concept .................................................. 2
- Site Plan; Detached Garage Concept ........................................................... 3
- North Elevation; Detached Garage Concept .................................................. 4
- Site Plan; Detached Garage 2-1/2 Story Concept .......................................... 5
- North Elevation; Detached Garage 2-1/2 Story Concept .................................. 6
SITE PLAN: ATTACHED GARAGE CONCEPT

2626 REESE AVENUE
DEVELOPED BY: DRYDEN PARTNERS, LLC

MAY 12, 2017

VARIANCES NEEDED
Corner Side Yard: 15' Required 4' Provided
Interior Side Yard: 5' Required 3'-0" Provided
Side Yard Encroachment: unsure 2'-6" Projection
Street Driveway: Granted only by City Council

TOTAL BUILDING COVERAGE: 1,187: 35.6%
TOTAL IMPERVIOUS SURFACE COVERAGE: 1,304 39.22%

SCALE: 1" = 10'
NORTH
NORTH ELEVATION: ATTACHED GARAGE CONCEPT

SECOND FLOOR
Bedroom #1; Bedroom #2; Hall Bath
Master Bedroom; Master Bath

FIRST FLOOR
Living Room; Dining Room; Kitchen;
Powder Room; Entry; Mud Room

2626 REESE AVENUE
DEVELOPED BY: DRYDEN PARTNERS, LLC

SCALE: 3/16" = 1'
SITE PLAN:  
TWO STORY DETACHED GARAGE CONCEPT  

2626 REESE AVENUE  
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
NORTH ELEVATION: TWO STORY DETACHED GARAGE CONCEPT

SECOND FLOOR
Bedroom #1; Bedroom #2; Hall Bath
Master Bedroom; Master Bath

FIRST FLOOR
Living Room; Dining Room; Kitchen;
Powder Room; Entry; Mud Room

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
NORTH ELEVATION:
2 - ½ STORY CONCEPT

2626 REESE AVENUE
DEVELOPED BY: OAKTON-CUSTER PARTNERS, LLC
COOK COUNTY ASSESSOR'S OFFICE
Property Search Results

Property Index Number: 05-33-429-008-0000
Address: 2624 Reese Ave
City: Evanston

12/1/2000

Close Window
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RICHARD E. HORSTING
6/3/18
Hi Melissa
Could you please give letter this to the Members of the Zoning Board of Appeals for the upcoming January 16th meeting.

Thanks
Bob Phelan

January 12, 2018

To  Members of the Zoning Board of Appeals

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

Thank you for your consideration in hearing our concerns.

A house can be built on the 2626 Reese Ave property and “a public benefit will be provided by increasing the tax base and providing a housing unit for a family on an otherwise unbuildable lot.”[1] However it should not be the proposed house, which clearly is based “upon a desire to extract additional income from the property”[2] from a zoning variation. A profitable house can be built on this property. Only two doors down, there is a very nice two bedroom house that is on the same lot size as 2626 Reese and is very much more appropriate for the lot.[3] If the zoning board accepts the contractor’s justification that he needs “to design a house that meets the minimum standards and expectations of the Evanston housing market”[4] and the house therefore must exceed the maximum lot coverage, soon zoning laws will have no meaning.

We would like to see an appropriate house built on the property. We would accept a side street variance from 15' to 5' (maybe 4' as the plan is laid out), which is the main impediment to building a house on this lot. In consideration of this major variance, we don’t think any other code variances should be granted, except one. To improve sightlines for pedestrians and alley traffic, something should be done about the parking space requirements – perhaps the garage setback could be 5' and a larger 1 car garage allowed rather than 2. Then, in return for the major zoning variations given, require something like a building height reduction, a 2nd story set-back, or a reduction in the maximum lot coverage allowed, to lessen the impact that the house will create because of the reduced street side setback.

Your decision will affect our neighborhood for many years and create a precedent for others. Please do not allow a building so out of place in the community and so inappropriate for the lot size, when something much more appropriate can easily and profitably be built.

Robert Phelan
Carolyn Phelan
2618 Reese Ave.
Evanston, IL 60201
847-328-7840
Rphelan4@gmail.com


[3] The property at 2622 Reese Ave. which is two doors down from the subject property sold for $439,500 on 6/24/16 and is 77 years old. There is a good profit that can be made on a similar sized building at 2626 Reese.

Dear Neighbors:

Kathy. Thank you for the information.

Please take a look at the current plans for the house and you will see that the house is only 16' wide. Outside wall to outside wall.

Inside my front living room, the measurements are 18'4" from interior wall to wall. That's right. My \textit{interior} width is 2'4" (2 feet, four inches) \textit{wider} than the entire width of the proposed plans.

Subtract 2"x6" wall studs, drywall, sheathing and siding, and you get a house that is less than 15' from interior wall to interior wall.

It will be so out of proportion with my house and all of the houses directly south of me that I'm shocked that the City of Evanston is letting this go forward.

And it will be a wall of brick facing my Hartzell neighbors creating a wall of sound not heard since Phil Spector.

And the house will encroach on 18' of my backyard less than 3' from my fence. 3' feet away and 30' tall overlooking my backyard. Privacy. What privacy?

If you think my house is small, imagine this house being built that is 16' wide and 30' tall. Remember, once it's built we all have to live with it.

And add to the fact that the garage will create a serious safety hazard for all of us. This plan will be jeopardizing the entire neighborhood.
Take out a tape measure and see how narrow 14'10" is. **Shocking to say the least!**

Sincerely,

Dick Horsting
2624 Reese Ave.

-----Original Message-----
From: Kathy Miller <katmiller1000@gmail.com>
To: Allison Stark <avstark@gmail.com>; Richard Horsting <Dhorsting711@aol.com>; Scott Kirkpatrick <skirkpatrick63@gmail.com>; Bill Seyle <bsyle@aol.com>; Andrew Naidech <andrew.naidech@gmail.com>; Ann Rigotti-Clark <rigotti-clark@msn.com>; Colleen Phillips <cmphillips8@hotmail.com>; Joseph and Beth Paradis <Joseph@theParadis.com>; Kristi Naidech <knaidech@gmail.com>; Deb Fero <dso49@sbcglobal.net>; Dirk Vogel <dvogel07@gmail.com>; jherder <jherder@aol.com>; John and Ann Herder <annherder@yahoo.com>; Mark & Kim Newman <kimark48@gmail.com>; Tara Punnwani <tpunnwani@gmail.com>; Kelli Klinger <kellitemp@gmail.com>; Nancy Crane & Molly <njmcrane@aol.com>; Rob Coons <rob_coons@yahoo.com>; Robert Phelan <rphelan4@gmail.com>; Carolyn Wing <carolynwing@gmail.com>; Tora Stoneman <tora_stoneman@yahoo.com>; John Lindner <jlindner@comcast.net>; Joseph and Beth Paradis <beth@theParadis.com>; Dawn Larbalestier <dawn@larbalestiers.com>; D. Jeff Clark <djeffclark@msn.com>; tilleytillz <tilleytillz@gmail.com>; Bob <bob@thirstydog.net>; carolynphelan <carolynphelan@gmail.com>
Sent: Fri, Jan 5, 2018 5:58 pm
Subject: Fwd: 17ZMJV-0077

Neighbors, here is the packet. Hope to see as many of you at the ZBA meeting as possible. For those who will not be speaking at the ZBA hearing AND did not submit a letter in time to be included in the packet to ZBA, please let me know if you would like us to attempt to distribute your letter at the meeting. Kathy Miller 847.227.7174

Kathy,

The application is within the ZBA packet that is now posted at https://www.cityofevanston.org/home/showdocument?id=33726.

Have a great weekend,

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

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8230
mklotz@cityofevanston.org | cityofevanston.org

On Thu, Jan 4, 2018 at 2:58 PM, Kathy Miller <katmiller1000@gmail.com> wrote:

Hi, Melissa:

Can you provide me with the zoning application for variances of developer William James?

Kind regards,

Kathy

Kathy Miller,
28 31 Hartzell