Zoning Board of Appeals  
Tuesday, June 19, 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 May 15, 2018

3. OLD BUSINESS

4. NEW BUSINESS

A. 2901 Central St.  18ZMJV-0037
   Kathia Jones and Ryan Jones, lessees, apply for a special use permit for a Type 2 Restaurant, Gata Bee Karma In. DBA – Gotta B Crepes, in the B1a Business District and oCSC Central Street Overlay District (Zoning Code Section 6-9-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

B. 1822 Lyons St.  18ZMJV-0047
   Cooper Kerins, property owner, applies for major zoning relief to establish a third dwelling unit in an existing two-family residence in the R4 General Residential District. The applicant requests a multiple family residence on a lot width of 40’ where a lot width of 50’ is required (Zoning Code Section 6-8-5-5), a total lot size of 2,358 square feet where a lot size of 2,500 square feet per dwelling unit is required (Zoning Code Section 6-8-5-4), and the addition of zero parking spaces where 2 additional parking spaces are required (Zoning Code Section 6-16-3-5). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

C. 750 Chicago Ave.  18ZMJV-0044
   Thomas Ahleman, architect, applies for major zoning relief to establish an outdoor seating area at FireHouse Grill in the C1a Commercial Mixed-Use District. The

Order & Agenda Items are subject to change. Information about the ZBA is available at: http://www.cityofevanston.org/government/agendas-minutes/agendas-minutes---zoning-board-of-appeals/index.php

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).
applicant requests to eliminate two ADA parking spaces for a total of zero parking spaces where 28 parking spaces were originally required and 2 parking spaces currently exist (Zoning Code Section 6-16-3-5 Table 16B), a 3’ tall wood fence (continuous planter box) that is 1’ behind the front building facade (Chicago Ave.) where fencing must be at least 3’ behind the front building façade (Zoning Code Section 6-4-6-7-F-2-e), and an 8’ tall wood fence with a 0’ street side yard setback (Madison St.) where the maximum allowed fence height is 6’ and a 2’ street side yard setback is required (Zoning Code Section 6-4-6-7-F). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

D. 2112 Ewing Ave. 18ZMJV-0051
Margaret Henz, property owner, applies for major zoning relief to eliminate conditions imposed on granted variation case ZAR 01-33-M to allow the coach house to be legally occupied and rented by persons who are not members of the family occupying the principal dwelling unit (as would otherwise be allowed by City Code if not for the variation conditions) (Zoning Code Section 6-3-8-14). The Zoning Board of Appeals is the determining body for this case.

5. DISCUSSION

6. ADJOURNMENT

The next Zoning Board of Appeals meeting is scheduled for **Tuesday, July 17, 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, May 15, 2018
7:00 PM
Civic Center, 2100 Ridge Avenue, Council Chambers

Members Present: Scott Gingold, Mary McAuley, Violetta Cullen, Myrna Arevalo, Kiril Mirintchev
Members Absent: Mary Beth Berns, Lisa Dziekan
Staff Present: Melissa Klotz, Scott Mangum
Presiding Member: Violetta Cullen

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

Old Business
2035 Dodge Avenue
Junior Anderson, property owner, applies for major zoning relief to construct a 2-family residence with a detached garage in the R3 Two-Family Residential District. The applicant requests 2 dwelling units on a total lot size of 5,943 sq. ft. where a minimum 7,000 sq. ft. lot size is required for 2-family residences (Zoning Code Section 6-8-4-4). The Zoning Board of Appeals is the determining body for this case.

Ms. Klotz read the case into the record.

Junior Anderson, property owner, explained the proposal:
- Both units will be rental
- One unit will be affordable to a household at 80% of Area Median Income for a period of 10 years
- Submitted revisions May 8, 2018 that addressed the inconsistencies in the previous plans.

Ms. Klotz agreed that the revised plans addressed the previous inconsistencies.

Mr. Gingold asked why a 3-car garage is proposed rather than a smaller 2-car garage, and the applicant responded he prefers 3 parking spaces at the property so that there is an extra space if one tenant has 2 vehicles. Ms. Klotz noted the parking requirement for a 2-family residence is 3 spaces.

Deliberation:
Mr. Gingold noted the applicant worked hard with the City to minimize the impact and comply with all zoning requirements other than the lot size, which is the one issue that cannot be revised into compliance. The willingness to provide one affordable unit is significant, therefore any impact from the development is mitigated by the benefit of the affordable unit.
Ms. McAuley agreed, noting there is a big need for 3 bedroom, 2 bathroom affordable units. Ms. Arevalo agreed.

Mr. Mirintchev agreed, but noted the facades need additional improvements.

Vice Chair Cullen also agreed and praised the applicant for providing an affordable unit.

Standards:
- Yes
- Yes
- Yes
- Yes
- Yes
- Yes
- Yes

Mr. Gingold motioned for approval, which was seconded by Ms. Arevalo, and unanimously approved.

New Business
1215 Church Street & 1726-1730 Ridge Avenue  ZBA 18ZMJV-0034
Karen Singer, President/CEO, applies for a special use to expand a Community Center – Public and Recreation Center – Public, the YWCA Evanston/North Shore, in the R4 General Residential District (Zoning Code Section 6-8-5-3). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Ms. Klotz read the case into the record.

Hal Frank, attorney, explained the proposal:
- YWCA plans to expand in about 3 years. Purchased home at 1726 Ridge 2 years ago and home at 1730 Ridge last year in preparation for the expansion.
- For now, need to use 1730 Ridge house for temporary employee offices for 10-12 existing employees.

Vice Chair Cullen asked what ADA compliance will be done to the home.

Kristen White, YWCA COO, explained:
- ADA ramp will be added to the side entrance to the house to get to the first floor.
- Second floor cannot be made ADA compliant.
- Able-bodied employees who are willing to work on the second floor have already been identified.

Ms. McAuley asked if the 1730 Ridge home will be demolished after the 2-3 year interim period, and Ms. White stated it will either be torn down or made fully code compliant.

Mr. Gingold asked if the YWCA agrees to comply with the conditions of the previous special use ordinance, and the applicant agreed that the conditions are acceptable. Ms. Klotz noted the previous conditions are not expressly recommended by staff, but if the
ZBA feels they are appropriate, the conditions should be added to this special use recommendation to ensure they carry forward.

Tom Wallen, 1735 Asbury Ave., explained that as a nearby neighbor, neighborhood input should be sought when designing the future expansion. Light shed and acoustic issues should be addressed during design.

Deliberation:
Ms. McAuley stated the proposal is reasonable as an interim solution. This temporary solution meets all ADA requirements feasibly possible and addresses safety for the employees.

Ms. Arevalo noted this is a good proposal, and Mr. Mirintchev agreed.

Standards:
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 requested special use, which was seconded by Ms. Arevalo and unanimously recommended for approval with the following conditions:

1. That the two properties known as 1217 Church St. and 1713 Asbury Ave. shall be sold or maintained by the YWCA and all successors in title for single-family use only so long as the property is zoned R1.
2. Substantial compliance with the documents and testimony on record.

1943 Sherman Avenue
Marko Radman, attorney, applies for major zoning relief to convert a single family residence to a 3-unit multiple family residence in the R5 General Residential District. The applicant requests a 22’ rear yard setback for a three-story stair (yard obstruction) where 22.5' is required (Zoning Code Section 6-4-1-9), and a 9’ two-way drive-aisle width where 24’ is required (Zoning Code Section 6-16-2-7 Table 16-B). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Vice Chair Cullen noted 1943 Sherman Ave. withdrew their application.

Other Business
Ms. Klotz noted a specially scheduled joint meeting with the Plan Commission may occur in the next month or two.
Discussion
There was no additional discussion.

The meeting adjourned at 7:33pm.
2901 Central St.
18ZMJV-0037

ZBA Recommending Body
Memorandum

To: Members of the Zoning Board of Appeals

From: Johanna Leonard, Director of Community Development
      Scott Mangum, Planning and Zoning Administrator
      Paulina Martínez, Economic Development Specialist

Subject: 2901 Central Street – ZBA 18ZMJV-0037
          ZBA Recommending Body
          City Council Determining Body

Date: June 8, 2018

Notice – Published in the May 31, 2018 Evanston Review:
Kathia Jones and Ryan Jones, lessees, apply for a special use permit for a Type 2 Restaurant, Gata Bee Karma Inc. DBA – Gotta B Crepes, in the B1a Business District and oCSC Central Street Overlay District (Zoning Code Section 6-9-5-3). 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, Gata Bee Karma Inc. DBA – Gotta B Crepes, in the B1a Business District and oCSC Central Street Overlay District. The applicant has complied with all zoning requirements, and meets all of the standards of a special use for this district.

Site Background
2901 Central Street is located on the middle of the block of the north side of Central Street in the B1a Business District and oCSC Central Street Overlay District. It is immediately surrounded by the following zoning districts:

North: R1 Single-Family Residential District
South: B1a Business District
East: B1a Business District
West: B1a Business District

2901 Central Street is part of a two-story building that includes office space on the second floor. The property is owned by 2901 Central, LLC, and the tenant space was previously operated by Rose’s bakery before sitting empty for a couple of years.

Proposal
The applicant proposes to operate Gotta Be Crepes, a Type 2 restaurant, at 2901
Central Street. 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 currently operates stands at multiple farmers' markets, including the Evanston Farmers' Market, and previously had a brick and mortar location which was not open to the public at 1601 Simpson Street. Gotta B Crepes will offer hours Wednesday through Sunday from 7 a.m. to 3 p.m. and Friday and Saturday from 7 a.m. to 9 p.m. The hours may be adjusted seasonally and once a customer pattern is established.

The restaurant will feature a breakfast and lunch options. Cooking will be done on site. Service will include counter service with a variety of café seating in a 2,775 sq. ft. space that will hold approximately 55 seats –counter and community table. Eat-in customers will use chinet plates at business opening with the use of plate ware anticipated in the future, and carry-out containers will be from biodegradable materials. Composting is also being considered.

Deliveries will be received from Tuesday through Friday after 7 p.m. through the backdoor. Only small to medium size trucks are expected, as the business model involves sourcing all ingredients from nearby farms.
Gotta B Crepes will have six parking spaces, which will be complemented by nearby non-metered and metered parking. Additionally, the area is served by Metra and CTA, which are within a three quarters to a mile and a half distance, as well as and Divvy.

The applicant expressed intention to paint a mural on the east side of the building. The applicant agrees to follow the City’s Litter Collection and Litter Pick-up Plans as well as other sustainable practices such as composting. Activating this vacant space will increase day-time traffic in the area that can potentially benefit other nearby retailers.

On May 24, Kristi and Andrew Naidech, from the 2600 Lincolnwood Drive block, expressed their support for Gotta B Crepes occupying the vacant space, and adding a dining option to the west side of Central Street. Staff is not aware of any opposition to the request.

Ordinances Identified for Requested Relief:
6-9-5-2 The following uses may be allowed in the B1a Business District, subject to the provisions set forth in Section 6-9-5-3, “Special Uses,” of this Title:
Restaurant – Type 2 (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.

Gotta B Crepes will use a currently vacant commercial space in an area of town that does not offer a wide variety of dining options for residents and visitors. Additionally, the mural to be painted would add vibrancy to west Central Street.

Design and Project Review (DAPR) Discussion and Recommendation:
The Committee found the proposed restaurant to be a good use of a vacant storefront that would positively impact the surrounding neighborhood and draw additional pedestrians to the commercial corridor.
Recommendation: Unanimous approval. No conditions.

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 allowed under the special use section of the B1a Business District. The Central Street Overlay District oCSC does not further restriction the Type 2 Restaurant use within subarea 4.

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; The proposed concept is unique in the area and only helps build the dining options on west Central Street. Additionally, staff has received comments from the public supporting the project.

d) Does not interfere with or diminish the value of property in the neighborhood; Gotta B Crepes plans to enhance the physical image of the building, and 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 property is
adequately connected to public utilities and is surrounded by diverse transportation options, including public transportation.

f) Does not cause undue traffic congestion; The area is served by Metra, CTA Divvy, and is pedestrian friendly. Additionally, there is off-street parking and non-metered and metered on-street parking. Given the transportation and parking options, this project would not cause undue traffic congestion.

g) Preserves significant historical and architectural resources; No significant changes will be made to the structure, besides painting a mural on the east side of the building.

h) Preserves significant natural and environmental resources; Gotta Be Crepes intends to use biodegradable carry-out containers, and is open to composting and eventually using reusable plate ware.

i) Complies with all other applicable regulations; At the time the special use application was submitted, and reviewed by staff, it has been determined that 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 April 29, 2018
Signature Page
Plat of Survey
Business Summary
Sustainability Practices Worksheet - submitted April 29, 2018
Interior Site Plan
Zoning Map of Property
Aerial View of Property
Image of Property
DAPR Meeting Minutes Excerpt – May 30, 2018
6. PROPOSED PROJECT

A. Briefly describe the proposed Special Use:

Kathia & I met making crepes in August 2005. We are looking forward to open our first restaurant space and offering brunch, sweet, savory, & seasonal crepes made to order.

open kitchen where we use ingredients sourced from 30+ farmers to make into crepes for dine in, pickup/delivery, and onsite catering.

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)

We are applying to allow a Type 2 Restaurant in the B1a Business District and the oCSC Central Street Overlay District (Code Sections 6-9-5-3 and 6-15-14-7

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?

Gotta b a positive impact on the neighborhood. Kathia & I are personally involved in daily business and are committed to making this a positive addition to the neighborhood and Evanston. Excited to see so many other local businesses in area with long histories, great reputations and loyal customers.

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

Yes we will have all appropriate facilities and services in place.
d) Will the requested special use cause undue traffic congestion?

I do not believe so. Many people can walk, ride bikes, or take public transportation or uber to reach us. Others who may be running errands at other shops can stop in and enjoy crepe.

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

as applicable we would be happy to

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

in any way that is applicable we would be happy to make sure it does

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, we are committed to complying with all ordinances and regulations.
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.

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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.)

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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.

   Peter O'Brien Arnel Inc. Arnelpao@yahoo.com
   2530 Crawford Ave Ste 108 Evanston, IL
   60201
   847-328-3954

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.

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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.
   Ryan Jones 829 Hibbard Rd Wilmette, IL 60091 President
   Kathia Jones 829 Hibbard Rd Wilmette, IL 60091 Secretary

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.
   Ryan Jones 829 Hibbard Rd Wilmette, IL 60091 49%
   Kathia Jones 829 Hibbard Rd Wilmette, IL 60091 51%

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.


Page 8 of 8
APPLICATION
CASE #: 18215V-0037

1. PROPERTY

Address: 2901 Central St. Unit B
Permanent Identification Number(s):
N1: 05-32-4129-015-0006
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

Ryan + Kathia Jones
Name:
Organization: Gata Bee Karma Inc. DBA-Gotta B Crepes
Address: 829 Hibbard Rd
City, State, Zip: Wilmette, IL 60091
Phone: Work: 847-525-8383 Home: 224-944-7716 Cell/Other:
Fax: Work: Home: ____________
E-mail: ____________

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: Peter O'Brien Arnel, Inc, as agent for 2901 Central, LLC
Address: 2530 Crawford Ave Ste 108,
City, State, Zip: Evanston, IL 60201.
Phone: Work: 847-328-3354 Home: ____________
Fax: Work: 847-328-3204 Home: ____________
E-mail: arnelpoe@yahoo.com

"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
may change the Applicant for this application at any time by contacting the Zoning Office in writing."

Property Owner(s) Signature(s) – REQUIRED

Manager

May 2, 2018
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."

Applicant Signature – REQUIRED

4/29/18
Date
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: ____________________
☐ 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 & 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.
Vicinity Map correctly shows the size, location and type of all buildings, structures, and visible items on the Property and that all buildings and re within the boundary lines and applicable setback lines of the serving the Property enter through adjoining public streets and/or yards, that except as shown, there are no visible easements or right of way. shown, there are no visible (a) improvements, easements, right of way, grade lines, streets or roads, (b) party walls or encroachments, (c) streets, alleys, or right of way by any of such buildings their improvements, (e) encroachments on the Property by buildings, their improvements on the Property by buildings, or (d) on any easement, building setback line or other restricted area by any or other improvements on the Property.

The property is located within an area having a Zone Designation of Community D555, in COOK County, State of ILLINOIS, which is the current flood map of the community in which said Property is situated; ZONE X has direct physical access to CENTRAL STREET, and also has a vehicular access from public area lying north and adjoining, public street of striped parking spaces located on the subject property to the extent possible, are typographically shown hereon. SPACES.

The survey certificate requirements:
A. The survey must be certified to: 2001 Central, LLC, an Illinois limited liability company; JOSEPH W. MARCO III, D.C., D.W. GRAY JR. ESG., THE O'BRIEN FAMILY LIMITED PARTNERSHIP, and FIRST AMERICAN TITLE INSURANCE COMPANY.

B. The survey certificate must be submitted as follows:
1. The survey certificate must be submitted in accordance with 2017 Minimum Standards for ALTA Land Title Surveys jointly established and approved by ALTA and the American Land Title Association.
To whom it may concern,

I am writing summary of our crepe business for 2901 Central St.

We take possession of space 5/1/18 and plan to open space for supporting our catering business and farmers markets beginning end of May. We plan to open made to order crepe restaurant 10/31/18. Our hours will b to start Wed-Sat 10-8 Sun 8-3. We will look to expand business hours into Mondays and Tuesdays and everyday breakfast as we develop/train more crepe makers and build business.

There will b 3-9 employees per shift. We have six parking spaces and other spaces would b non-metered street parking. We also expect some to take public transportation or bike.

Deliveries are Tues, Wed, Thurs, Friday. We receive deliveries thru back door and trucks are small-medium box trucks at largest. For exterior we will add awnings, bench seating in front of windows, and mural on east side of building.

One positive impact will b another community/family friendly business operated by owners. Making crepes is a passion of ours and excited to have a home to invite people in to eat & enjoy. Gotta B Crepes connects neighborhood to 30 + family farmer/producer sourced ingredients. Also, limited retail sale of local flour, eggs, milk, & butter provides convenient access to use same ingredients at home. We also are looking to hire and develop more crepe makers. Kathia creates all sauces and homemade recipes. Ryan makes the crepe batters and runs the cooking line.

Evanston is where we first set up business after starting on our front porch/garage in 2010 and excited to b on Central St. for our 3rd location since then. We look forward to work with you thru this process and continue to b Evanstons local crepe makers.

Sincerely,

Ryan & Kathia
Sustainability Practices
for
Type 2 Restaurants

The City of Evanston prides itself on its commitment to environmental excellence through outstanding and innovative sustainability practices that promote a positive example throughout the community.

Environmental sustainability may be promoted in a variety of ways. In an effort to ensure Type 2 Restaurants do not negatively impact the environment, the following sustainable practices are suggested:

**Litter Collection Plan:**
The applicant shall implement and adhere to a Litter Collection Plan requiring the policing of an area located within a two hundred fifty-foot (250') radius of the space in which the use is located. This area shall be patrolled once every three (3) hours during the hours the use is in operation, and shall be kept free of all litter of any type emanating from any source. For the purpose of this requirement, “litter” shall include, but is not limited to: putrescible animal and vegetable waste resulting from the handling, preparation, cooking, and consumption of food; other putrescible waste, including animal waste, dead animals, yard clippings and leaves; nonputrescible solid waste, including rubbish, ashes, abandoned automobiles, solid waste, paper, polystyrene, wrappings, cigarettes, cardboard, tin cans, glass, bedding, and similar materials; and all other waste material which, if thrown or deposited as herein prohibited, may create a danger to public health, safety, or welfare.

**Litter Pick-Up Plan:**
The applicant shall provide and maintain exterior litter receptacles such as dumpsters, in sufficient number and type to adequately contain all litter collected pursuant to the Litter Collection Plan. Collections shall be a minimum of three (3) times a week, including collections on Sundays to the extent necessary to comply with this condition. All litter receptacles shall be maintained in clean condition with tight-fitting lids, and shall be placed on Code-compliant surfaces at the rear of the property or in an otherwise City-approved location. Within seven (7) days of written notice from the City, the number of litter receptacles and/or the number of collections from each shall be modified or increased as necessary.

**Customer Recycling:**
The applicant shall provide recycling receptacles within the space in which the use is located and shall be available for customer use. The recycling receptacles shall be maintained and emptied as necessary to ensure adequate recycling receptacles are available for use during the hours the use is in operation. Recycling containers shall be co-located with garbage containers and labeled for recycling.
Business Recycling:
The applicant shall provide recycling receptacles within the kitchen area and shall recycle restaurant waste including, but not limited to, cardboard and paper products.

Tap Water:
The applicant shall make tap water available to all customers and provide appropriate signage indicating the availability of tap water.

Reusable Flatware and Dishware:
The applicant shall provide reusable flatware and dishware to customers who opt to eat on premises.

100% Recyclable Carry-Out Packaging:
The applicant shall utilize 100% recyclable packaging for all carry-out/delivery orders. Note: Evanston’s solid waste hauler Groot Industries recycles rigid plastic numbers 1-5 and 7. Plastic number 6 (rigid or foam) is not recyclable in Evanston’s program even though it has the recycling symbol. See attached recycling flyer for details.

Delivery Method:
When possible, the applicant shall utilize environmentally friendly modes of transportation, such as bicycle delivery, when transporting delivery orders to customers.

Other Environmentally-Friendly/Sustainable Practices

- sourcing ingredients from 30+ family farmers/producers
- No large semi deliveries -- smaller/medium box trucks at largest

I certify that I have checked the appropriate boxes that best describe the sustainability practices that will be adhered to at the Type 2 Restaurant in question.

[Signature]

4/29/18

Applicant Signature

Date
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES
May 30, 2018

Storlie, S. Mangum, K. Jensen, L. Biggs, M. Klotz, M. Jones

Staff Present: J. Velan, P. Zalmezak, P. Martinez

Others Present:

Presiding Member: E. Storlie

A quorum being present, Ms. Storlie called the meeting to order at 2:31 pm.

Approval of minutes

May 23, 2018, DAPR Committee meeting minutes.

Mr. Gerdes made a motion to approve the minutes from May 23, 2018, seconded by Mr.
Nelson.

The Committee voted, 10-0, to approve the minutes of May 23, 2018, with 1 abstention.

New Business

1. 2901 Central St. Recommendation to ZBA
Ryan and Kathia Jones, applicants, submit for special use approval for a Type-2 restaurant,
Gotta B Crepes, in the B1a Business and the Central Street Overlay Districts.

APPLICATION PRESENTED BY: Ryan Jones, Business Owner

DISCUSSION:

- Will serve breakfast and lunch then grow from there.
- Will complete Farmer’s Market season and open café in October.
- Ms. Storlie stated that on-street parking meters should not be used by employees.
- Mr. Gerdes clarified that there will be two phases for the business. Mr. Jones stated the
  kitchen will be opened first, then the full service café.
- Deliveries to be Tuesday-Friday usually in the morning and through a rear entry. Will be
  having conversations with neighbors regarding hours for cleaning the grease trap.
- Bench and picnic table set-up for approximately 55 customers.
- Mr. Gerdes stated that bathrooms should be labeled gender neutral.
- Mr. Jensen inquired about the use of composting or food donations. Mr. Jones stated
  that composting has been considered.
- Mr. Mangum inquired about hours of operation. Mr. Jones stated that hours will be
  Monday – Saturday 10:00AM to 8:00PM and Sunday 8:00AM to 3:00PM. May expand if
  more staff is found and neighborhood demand wants it.
- Mr. Jensen inquired about carry-out materials. Mr. Jones stated that carry-out boxes will
  be bio-material. Dine in will be on Chinet plates and eventually work up to plate ware.
Mr. Gerdes made a motion to make a positive recommendation to ZBA, seconded by Mr. Mangum.

The Committee voted, 11-0, to make a positive recommendation to the ZBA for the special use.

2. 750 Chicago Ave. Recommendation to ZBA
Thomas Ahleman, architect, submits for major zoning relief for Firehouse Grill to eliminate two ADA parking spaces for a total of zero parking spaces where 28 parking spaces were originally required and 2 spaces currently exist, and for a 3’ tall wood fence (continuous planter box) that is 1’ behind the front building facade where fencing must be at least 3’ behind the front building facade, and an 8’ tall wood fence with a 0’ street side yard setback where the maximum allowed fence height is 6’ and a 2’ street side yard setback is required, in the C1a Commercial Mixed Use District.

APPLICATION PRESENTED BY: Thomas Ahleman, Architect
Pat Fowler, Owner

DISCUSSION:
- Mr. Fowler recently purchased the Firehouse Grill.
- Seek to expand the outdoor patio area.
- Mr. Gerdes asked how the existing ADA spaces would be addressed. Mr. Fowler stated that a multi-purposed loading zone is proposed in front of the building. Spot Hero is currently utilized in the parking lot to the south of the property.
- Mr. Gerdes added that any new signage will be a separate permit.
- Hours of operation to be 4:30-10:00PM Monday; 11:30AM-10:00PM Tuesday- Thursday; 11:00AM-11:00PM Friday; 11:30AM-11:00PM Saturday; and 10:00AM-8:00PM Sunday.
- 20 ft. long ADA area will be added.
- Mr. Mangum asked if any other configurations had been considered. Mr. Ahleman stated that a fence had been added for added screening and that an enclosure could be added to the trash area.
- Ms. Eckersberg asked if parking could be added back in during the patio’s off season. Mr. Fowler stated he is not sure how that would be handled and that he would like to add Christmas tree sales in the winter.
- Mr. Tristan inquired about the area of the patio which is 1,300 sq. ft. and has seating for 74 people. He added that door swings should be noted and should swing out.
- Mr. Gerdes stated that accessible seating would be required and added that he is hesitant to lose accessibility features which should be addressed at ZBA.
- Outdoor lighting times will match the hours of operation.
- Mr. Mangum requested that the applicant explore the configuration to see if one accessible space could be added behind the patio area.

Mr. Mangum made a motion to make a positive recommendation to ZBA. Seconded by Mr. Gerdes.

The Committee voted, 11-0, to make a positive recommendation to the ZBA for the major zoning relief.
3. 1822 Lyons St.  
Cooper Kerins, property owner, submits for major zoning relief to establish a third dwelling unit in an existing two-family residence, with a 40’ lot width where 50’ is required for a multi-family residence, a total lot size of 2,358 square feet where a lot size of 2,500 square feet per dwelling is required, and the addition of zero parking spaces where 1 additional parking space is required, in the R4 General Residential District.

APPLICATION PRESENTED BY: Cooper Kerins, Property Owner

DISCUSSION:
- Recently purchased building currently has 2 dwelling units, seeking a third within already improved basement.
- Have agreed to provide a unit at 80% AMI for 10 years.
- Utilities will be modified so that each unit has a washer and dryer.
- No parking is provided on-site, on-street parking not typically an issue.
- Mr. Nelson asked if the water service to the building will be increased. Mr. Kerins stated that he will work with the building department to comply with any needed upgrades.

Mr. Mangum made a motion to make a positive recommendation to ZBA, with the condition that the third unit be designated affordable, seconded by Mr. Jensen.

The Committee voted, 11-0, to make a positive recommendation to ZBA for the major zoning relief.

4. 1500 Sherman Ave.  
Donna J. Pugh, attorney, submits for minor adjustments to the Planned Development approved on November 9, 2017 (Ordinance 103-O-17), Albion Planned Development. Adjustments include reduction in dwelling units from 273 to 268, change of exterior balcony placement on north and south elevations, and exterior brick color, in the D4 Downtown Transition District.

APPLICATION PRESENTED BY: Donna J. Pugh, Attorney
Andrew Yule, Developer
Paul Alessandro, Architect

DISCUSSION:
- Letter submitted outlining proposed changes to the building which include: reducing the number of units, changing balcony placement and changing façade materials.
- Intend to begin demolishing existing buildings in the next month.
- Address of residential portion of the building to be 1500 Sherman Ave; 1450 Sherman Ave. will be restaurant space and 1508 Sherman Ave. will be retail space on the north end of the building.
- 1st floor revisions include reorganizing of loading spaces and widening of the garage entry. On the 4th floor, several units were removed to provide for more amenity space.
- Updated building materials intended to better integrate the base of the building to the upper levels, picking up fenestration of residential levels.
- Frosted glass on front façade intended to help dim the headlights from vehicles on the parking levels.
• Plan to break ground in June and have a phased delivery. Inside work to begin 14 to 15 months after the start of construction.
• Mr. Mangum emphasized that there are fewer units but that bedroom counts remain the same as do the number of parking spaces. He stated concern over the new openings for the parking levels and that it would help to see what is visible from the transit elevations. Mr. Yule stated that large louvers would need to be added to the on the Sherman and west facades if parking is fully enclosed. Mr. Mangum stated that a side by side of possible parking level options would be optimal.
• Mr. Mangum inquired if it would possible to narrow the water service room so that more active storefront space could be provided.

Mr. Gerdes made a motion to approve preliminary review and minor adjustments to the project, seconded by Mr. Mangum.

The Committee voted, 11-0, for preliminary approval and minor adjustments with the stated conditions.

Adjournment

Mr. Mangum moved to adjourn, seconded by Mr. Gerdes. The Committee voted unanimously, 11-0, to adjourn. Meeting adjourned at 3:28 pm.

The next DAPR meeting is scheduled for Wednesday, June 6, 2018, at 2:30 pm in Room 2404 of the Lorraine H. Morton Civic Center.

Respectfully submitted,
Meagan Jones
1822 Lyons St.
18ZMJV-0047

ZBA Recommending Body
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
      Lily Neppl, Planning and Zoning Intern

Subject: 1822 Lyons Street - ZBA 18ZMJV-0047
          ZBA Recommending Body
          City Council Determining Body

Date: June 14, 2018

Notice - Published in the May 31, 2018 Evanston Review
Cooper Kerins, property owner, applies for major zoning relief to establish a third dwelling unit in an existing two-family residence in the R4 General Residential District. The applicant requests a multiple family residence on a lot width of 40’ where a lot width of 50’ is required (Zoning Code Section 6-8-5-5), a total lot size of 2,358 square feet where a lot size of 2,500 square feet per dwelling unit is required (Zoning Code Section 6-8-5-4), and the addition of zero parking spaces where 2 additional parking spaces are required (Zoning Code Section 6-16-3-5). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Recommendation
City staff and DAPR recommend approval of major zoning relief to establish a third dwelling unit in an existing two-family residence in the R4 General Residential District, subject to an affordability commitment for one the garden unit. The applicant has complied with all other zoning requirements and meets all of the standards for major variations for this district.

Site Background
1822 Lyons St. is located on the south side of Lyons St. between Dodge Ave. and Darrow Ave. The property is located in the R4 General Residential District, and is surrounded by the following:

North: R4 General Residential District
East:  R4 General Residential District
South: R4 General Residential District
West:  R4 General Residential District

The property features a two-story 2-flat and is surrounded by a mixture of single family, two-family, and multiple-family dwelling units.
Proposal
The property owner purchased the property in November 2017 as a 2-flat with two-bedroom units and a finished basement. The owner originally intended to use the finished basement for common laundry facilities. After further consideration, the owner determined the basement space could be better used by converting it into a third dwelling unit for the property. As it currently exists, the basement does not feature a full dwelling unit, but it is finished and features all aspects of a full dwelling unit other than a kitchen.

The property is located in the R4 General Residential District, which requires a minimum lot size of 2,500 square feet per dwelling unit for multiple-family dwelling. The property features a total lot size of 2,358 square feet and is therefore legally-nonconforming for two dwelling units and requires zoning relief for the proposed third unit. Additionally, the property is 40’ wide, which is compliant for a 2-flat (35’ lot width required), but requires zoning relief when converted to a multiple-family three unit building since a lot width of 50’ is required. The property owner believes the property is appropriate for a third dwelling unit since it will be contained within the existing structure and no exterior modifications to the building or property are needed.

The proposed garden unit is a 2-bedroom unit, which then requires two parking spaces to be added to the property. The property currently features zero parking spaces, does not have alley access, and does not have space in any yard for any parking. The existing parking requirement for the 2-flat is 3 parking spaces (where zero exist), and the new parking requirement as a multiple-family building is a total of 5 parking spaces. Since most neighboring properties feature on-site parking, adequate street parking is available in the immediate area, as shown in a recent aerial image:

The proposed zoning relief will allow the property owner to extract additional income from the property, so the owner proposes to rent the new basement unit as an affordable unit similar to other recently granted variations with affordable housing (2035 Dodge Ave) as a
public benefit. The owner is not required to provide one affordable unit, but has agreed to a 10-year time frame where the unit will be rented at a level affordable to a household earning up to 80% of the Area Median Income (AMI). The City has seen a drastic reduction in affordable housing units in the last decade and is in dire need of new affordable housing, especially two-bedroom units that can house larger families, so the one affordable unit proposed is a substantial public benefit.

The applicant worked with staff to determine the best option for affordability of the new dwelling unit. The building is owner occupied and owner managed. City staff is aware of concerns from neighboring property owners. Multiple property owners contacted City staff to object to a third-story addition from misinterpreting the public notice. Once clarified, one letter of objection was submitted due to parking concerns (attached).

Ordinances Identified for Requested Relief
6-8-5 R4 General Residential District
6-8-5-4 Lot Size: The minimum lot size in the R4 district for multiple-family dwelling units and group occupancy units - 2,500 square feet per dwelling unit.
6-8-5-5 Lot Width: The minimum lot width in the R4 district for other uses (multiple-family residences) – 50 feet.
6-16-3-5 Table 16-B: Schedule of Minimum Off-Street Parking Requirements
  Multiple-family dwellings: 1.25 spaces for 1 or fewer bedroom units
  1.5 spaces for 2 bedroom units
  2 spaces for 3 bedroom or more units

Design and Project Review Committee (DAPR) Discussion and Recommendation
May 30, 2018 – The DAPR Committee found the proposed zoning relief would not negatively impact the neighborhood, and the affordable housing public benefit acceptable. Recommendation: Unanimous approval with the basement unit affordable at 80% AMI for 10 years.

Variation Standards
For a variation to be recommended for approval, 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 applicant is not proposing any exterior changes to the property. The property is surrounded by other multiple-family residences so it will continue to blend in the surrounding area.
2. Is in keeping with the intent of the zoning ordinance: Although the property does not meet the required lot size, width, or parking for a multiple-family residence, the zoning ordinance allows for consideration of zoning relief when a public benefit, such as an affordable housing unit, is provided.
3. Has a hardship or practical difficulty that is peculiar to the property: The basement was finished by a prior owner with everything needed to constitute a dwelling unit other than a kitchen. The current owner hopes to utilize the potential of this space that already exists, which may have been used as an illegal dwelling unit in the past. The property was platted at its current size and width prior to current ownership, and features legally-nonconforming setbacks that make on-site parking impossible to achieve. Additionally, the property does not feature alley access.
4. Property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience: Without the requested zoning relief, the property can only feature a two-family residence, which would not utilize the full potential of the building and provide the public benefit of an affordable housing unit.

5. Is not based exclusively upon a desire to extract additional income from the property or public benefit to the whole will be derived: Additional income will be extracted from the property, but one on-site, 2-bedroom affordable unit is a substantial public benefit to the community.

6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property: The property was platted at its size and width prior to the current ownership, and has never featured on-site parking.

7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: The property owner proposes to utilize an existing finished space within the existing building, which is the minimum change necessary.

**Attachments**
- Variation Application – submitted May 24, 2018
- Affordable Unit Description
- Plat of Survey
- Interior Site Plan (of proposed unit)
- Letter of Objection
- Image of Property
- Aerial View of Property
- Zoning Map of Property
- DAPR Draft Meeting Minutes Excerpt – May 30, 2018
MAJOR VARIATION
APPLICATION
CASE #: 18 ZMV - 0047

1. PROPERTY

Address: 1822 Lyon St, Evanston, IL 60201
Permanent Identification Number(s):
PIN 1: 171 - 16 - 02 - 002 - 06 - 00 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: Cooper Kern
Organization: N/A
Address: 1822 Lyon St
City, State, Zip: Evanston, IL, 60201
Phone: Work: Home: Cell/Other: 773-297-5398
Fax: Work: Home:
E-mail: cooper.kern88@gmail.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: Cooper Kern
Address: 1822 Lyon St
City, State, Zip: Evanston, IL, 60201
Phone: Work: Home: Cell/Other: 773-297-5398
Fax: Work: Home:
E-mail: cooper.kern88@gmail.com

"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."

Property Owner(s) Signature(s) REQUIRED

05/17/18
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."

Applicant Signature – REQUIRED

05/17/18
Date
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

☐ (This) Completed and Signed Application Form
☐ Plat of Survey                  Date of Survey: 11-2-2017
☐ Project Site Plan - basement    Date of Drawings: 5-2-18
☐ Plan or Graphic Drawings of Proposal (If needed, see notes)
☐ Non-Compliant Zoning Analysis
☐ Proof of Ownership
☐ Application Fee (see zoning fees) Amount $400 plus Deposit Fee $150
☐ Affordable Housing Details + mailing fee

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:

The project will entail the expansion conversion of the existing basement into a separate dwelling unit along with creating a separate utilities room for building wide access.

B. Have you applied for a Building Permit for this project?  

<table>
<thead>
<tr>
<th>Date Applied:</th>
<th>Building Permit Application #:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

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</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-8-5-4</td>
<td>Lot size of 2,500 sq. ft. per dwelling unit required.</td>
<td>Increase from 2 dwelling units to 3.</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?

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.

   I am not proposing any exterior changes. The property is located in a multi-family district and is surrounded by other multi-family buildings. The use will fit right in with the neighborhood.

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.

   Since it is an existing finished space, the space would remain unused and not occupied towards its potential.

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.

   (b) I am providing a public benefit that works towards the city's goal of sustainable affordable housing that would remain at 80% area median income levels for the next 10 years. All the while charging below fair market rent.

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

   The previous owner created the illegal unit at the time of purchase. I was aware it was not legal, however it was a work of grace.
5. Have other alternatives been considered, and if so, why would they not work?

I considered displacing the mist statue down, but it would provide benefit for myself but no benefit to the city of Evanston's goal for affordable housing.

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 _____ 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 _____ above, or indicated below.

Cooper, Kerin 1822 Evanston Dr. 60201 773-792-5398, cookevans2@comcast.net

Page 5 of 6
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.

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.
1822 Lyons St Affordable Unit Description

The basement of 1822 Lyons is to be converted into a 2 bedroom legal dwelling, garden apartment, with the stipulation of making it within Evanston’s goal of affordable housing. After meeting and working with Sarah Flax and Savannah Clement, of the Evanston Housing Department, the price of rent would remain at 80% or below the area median income level for the next 10 years with a signed contract with the City of Evanston. The starting price of the rent, directly following the renovations, would be $1200 per month, or well below the 80% area median income level. Water, sewer, and trash utilities would be paid for by the property owner, while utility allowances will be given based off of The Housing Authority of The County of Cook allowances for Tenant Furnished Utilities and other services. The potential tenants would be vetted and provided through Community Partners for Affordable Housing, while all management obligations would be taken care of by the property owner.
THE EAST 40 FEET (EXCEPT THE SOUTH 9 FEET THEREOF) OF THE WEST 1/4 OF LOT 23 IN MERRILL LADD'S 2ND ADDITION TO EVANSTON BEING A SUBDIVISION OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 13, TOWNSHIP 41 N, RANGE 13 E, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THAT PORTION OF SAID PREMISES, IF ANY FALLING WITHIN THE EAST 65 FEET OF SAID LOT 23 IN COOK COUNTY, ILLINOIS.

STATE OF ILLINOIS
COUNTY OF COTTINITY

This is to certify that this professional service conforms to the current Illinois minimum standards for a Boundary Survey given under my hand and seal this 2nd day of November 2017 at 5:16 PM at Jackson Street in Morris, IL 60450

Kenneth Kennedy
Illinois Professional Land Surveyor No. 3403
License Expires 11/30/2018
Exacta Land Surveyors Inc.

500-00404
Professional Land Surveyor
Morris, IL

GRAPHIC SCALE (In Feet)
1 inch = 20 ft.

EXACTA ILLINOIS SURVEYORS INC
316 East Jackson Street, Morris, IL 60450
Toll Free: 877-729-6711
Phone: 815-942-8263 Fax: 815-942-0370
www.exactaillinois.com

Points of Interest
None Visible

The Cara Program
Transforming Lives...
www.thecara-program.org

Client Number: 40035351G
Date: 11/2/2017
Buyer: Cooper Kerins
Seller: Pervez Hai
Certified to: Cooper Kerins; Chicago Title Insurance Company

This is page 1 of 2 and is not valid without all pages.
Good afternoon,

I'm writing with regard to the proposed major variations to 1822 Lyons - #18ZMJV-0047. First of all, I live around the corner at 1726 Darrow Ave. and did not receive this notice. I was informed by my next door neighbor. This is worrisome because I don't know how else our fellow neighbors would get this important information. Furthermore, I will be out of town for the hearing on 6/19 so I would like to voice my concerns via email:

First, Lyons is a very narrow street with restricted parking. It is always overcrowded and difficult to navigate. A third story apartment would only add to this current issue since there is no driveway at 1822 Lyons - like most of the block.

Second, there are no third story structures in the area. This building would loom over others and look out of place.

Lastly, in my opinion, the fifth ward of Evanston seems to receive less thoughtful consideration when it comes to zoning issues. For example, I have a vacant lot and abandoned house directly across the across the alley that poses a danger to neighborhood children. The building is in major disrepair and I often see people trying to sneak into the house. I have called the city countless times to report issues such as this and there is little to nothing done.

I feel like this wouldn't stand in other wards and that concerns me. This is just one example of a bigger issue I have noticed in my community and the way it is treated in comparison to other, wealthier areas of Evanston. I worry that this third story addition could be yet another example of this issue. This area of the city is ripe for growth, but I personally do not think adding a third story dwelling in an already congested area is a positive type of growth.

Thank you for your time. I am sharing this email with my alderwoman as well. If there is anyone else I should share this with in order to make sure my voice is heard, please let me know.

Regards,
Michael Mary Conlon
1726 Darrow Ave.
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES
May 30, 2018


Staff Present: J. Velan, P. Zalmezak, P. Martinez

Others Present:

Presiding Member: E. Storlie

A quorum being present, Ms. Storlie called the meeting to order at 2:31 pm.

Approval of minutes

May 23, 2018, DAPR Committee meeting minutes.

Mr. Gerdes made a motion to approve the minutes from May 23, 2018, seconded by Mr. Nelson.

The Committee voted, 10-0, to approve the minutes of May 23, 2018, with 1 abstention.

New Business

3. 1822 Lyons St. Recommendation to ZBA

Cooper Kerins, property owner, submits for major zoning relief to establish a third dwelling unit in an existing two-family residence, with a 40’ lot width where 50’ is required for a multi-family residence, a total lot size of 2,358 square feet where a lot size of 2,500 square feet per dwelling is required, and the addition of zero parking spaces where 1 additional parking space is required, in the R4 General Residential District.

APPLICATION PRESENTED BY: Cooper Kerins, Property Owner

DISCUSSION:

- Recently purchased building currently has 2 dwelling units, seeking a third within already improved basement.
- Have agreed to provide a unit at 80% AMI for 10 years.
- Utilities will be modified so that each unit has a washer and dryer.
- No parking is provided on-site, on-street parking not typically an issue.
- Mr. Nelson asked if the water service to the building will be increased. Mr. Kerins stated that he will work with the building department to comply with any needed upgrades.

Mr. Mangum made a motion to make a positive recommendation to ZBA, with the condition that the third unit be designated affordable, seconded by Mr. Jensen.

The Committee voted, 11-0, to make a positive recommendation to ZBA for the major zoning relief.
750 Chicago Ave.
18ZMJV-0044

ZBA Recommending Body
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: 750 Chicago Ave. - ZBA 18ZMJV-0044
          ZBA Recommending Body
          City Council Determining Body

Date: June 13, 2018

Notice - Published in the May 31, 2018 Evanston Review

Thomas Ahleman, architect, applies for major zoning relief to establish an outdoor seating area at FireHouse Grill in the C1a Commercial Mixed-Use District. The applicant requests to eliminate two ADA parking spaces for a total of zero parking spaces where 28 parking spaces were originally required and 2 parking spaces currently exist (Zoning Code Section 6-16-3-5 Table 16B), a 3’ tall wood fence (continuous planter box) that is 1’ behind the front building facade (Chicago Ave.) where fencing must be at least 3’ behind the front building façade (Zoning Code Section 6-4-6-7-F-2-e), and an 8’ tall wood fence with a 0’ street side yard setback (Madison St.) where the maximum allowed fence height is 6’ and a 2’ street side yard setback is required (Zoning Code Section 6-4-6-7-F). The Zoning Board of Appeals makes a recommendation to City Council, the determining body for this case.

Update: Following the recommendation of the DAPR Committee, the applicant submitted a revised site plan with a total of one ADA parking space on site and that eliminates the ADA drop-off zone (with the delivery truck zone on Madison St. to remain as is).

Recommendation

City staff and DAPR recommend approval of major zoning relief to eliminate one ADA parking space for a total of one (ADA) parking space on site, and for major zoning relief for fencing surrounding the outdoor seating area, in the C1a Commercial Mixed-Use District. The applicant has complied with all other zoning requirements and meets all of the standards for major variations for this district.

Site Background

750 Chicago Ave. is located on the northwest corner of Madison St. and Chicago Ave. in the C1a Commercial Mixed-Use District, and is surrounded by the following:

North: C1a & OS Commercial Mixed-Use District & Open Space (St. Paul Park)
East: C1a Commercial Mixed-Use District
South: C1a Commercial Mixed-Use District
West: C2 Commercial District

The property features Firehouse Grill, a Type 1 Restaurant, and is surrounded by a variety of commercial, office, and residential mixed-use buildings, as well as the CTA and Metra tracks.

Proposal
The applicant proposes to replace the small outdoor seating area that is on the south portion of the property with a larger outdoor seating area approximately 1,400 square feet in size. The area will be covered by a fabric canopy that will be removed during winter months, and is surrounded by wooden planter boxes to create a barrier from the public right-of-way.

The expanded seating area requires the elimination of on-site parking. The applicant originally proposed elimination of the two existing on-site ADA parking spaces and creation of a drop-off zone off of Madison St. (original proposal attached) but revised the plan at the recommendation of the DAPR Committee so that one ADA parking space is maintained on the property. With one ADA parking space, the following site plan is now proposed:
The relocated ADA parking space is compliant at 8.5' x 16' and includes an accessible route into the restaurant as required. Firehouse Grill was originally required to have 28 parking spaces when the building was converted to a restaurant use in the late 1970's. Most of the required parking spaces were located off-site and were leased from the CTA. However, over time the parking lease was not maintained and the 28 required spaces have not been available for more than a decade. If the requested parking variation is approved, the ordinance will clarify the original 28 parking spaces are no longer required.

As requested by the DAPR Committee, the applicant also proposes to enclose the dumpsters that will be relocated to the southwest corner of the property near the Madison St. right-of-way with fencing so that they are not visible.

As a part of the outdoor seating area, the applicant proposes 3’ tall wooden planter boxes that form a continuous barrier and are therefore considered fencing. To maximize the seating area, the planter boxes are proposed 1’ behind the front building façade (Chicago Ave.) and right at the street side yard (Madison St.) property line. The Zoning Ordinance requires fencing to be at least 3' behind the front building façade, and set back at least 2' from the street side yard property line. The setback requirements are intended to encourage landscaping and beautification between fencing and the right-of-way, and to ensure fencing does not create a fortress effect. Since the proposed fencing is a 3’ tall planter box, landscaping is provided and sight lines are maintained.

The applicant also requests an 8’ tall wooden fence within the interior of the property, behind the seating area, to create a visual buffer between the seating area and the parking/mechanical/dumpster area that is not desirable to outdoor diners. Since the 8’ tall fence is within the interior of the property, does not block any adjacent property views, does not create a fortress effect, and screens the seating area from the parking/mechanical/dumpster area and train embankment, it is an appropriate variation.

The applicant revised the original proposal to address the concerns raised by the DAPR Committee. City staff is aware of concerns from nearby property owners, who received the public notice stating all on-site ADA parking spaces as originally proposed. Additionally, City staff is aware of concerns related to the current and potential outdoor noise that emanates from Firehouse Grill and travels down the Chicago Avenue corridor to nearby residents. Neighbors believe the noise is exacerbated when the restaurant door is propped open, which can be addressed by a condition for approval that the door shall not be propped open, and possibly by a condition limiting the hours of operation for the outdoor seating area or else enforcement of the City’s noise ordinance.

**Ordinances Identified for Requested Relief**

6-16-3-5-Table 16B: Schedule of Minimum Off-Street Parking Requirements

| Restaurants, Type 1 and Type 2: | 4 spaces per 1,000 sq. ft. of gross floor area |

6-4-6-7: Special Regulations Applicable to Fences

| 6-4-6-7-F-2: Permitted Fence Location |
| 6-4-6-7-F-2-b: Required street side yard, provided a two-foot setback from the property line is maintained |
| 6-4-6-7-F-2-e: …any fence located within the building envelope shall be set back from any front-facing façade of the principal building by 3’… |

6-4-6-7-F-3: Permitted Fence Height: Fences accessory to the uses listed in this Subsection (F) shall not exceed six (6) feet in height…
Design and Project Review Committee (DAPR) Discussion and Recommendation

May 30, 2018 – The DAPR Committee found the proposed zoning relief will allow a positive improvement to Firehouse Grill. The Committee requested the applicant explore the ability to provide one ADA parking space on-site and construct a trash enclosure.

Recommendation: Unanimous approval

Variation Standards

For a variation to be recommended for approval, 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 corner lot that abuts the train embankment and does not immediately abut any other commercial or residential use. Conditions relating to noise restrictions may be necessary to ensure patio noise is not a nuisance to nearby residents.

2. Is in keeping with the intent of the zoning ordinance: Although the property does not meet the parking requirement of the Zoning Ordinance, the area is transit oriented with nearby CTA and Metra stations and is highly walkable. The restaurant has existed for decades with minimal on-site parking. The proposed fencing will encourage outdoor use of the space and will not create a fortress appearance or safety hazard.

3. Has a hardship or practical difficulty that is peculiar to the property: The property is not large enough to meet the parking requirement of 28 spaces or to establish an adequate outdoor seating area with substantial on-site parking. If the property owner were to lease parking for its exclusive use from the CTA as was done historically, commuters who currently park to take the train will be displaced and shift a parking problem into the surrounding residential neighborhood west of the train embankment. The CTA parking that was previously leased is currently available to the public as paid parking that is managed by SpotHero.

4. Property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience: Without the requested zoning relief, the restaurant cannot provide an adequate outdoor seating area that is necessary to aid in the success of the business. Additionally, the public sidewalk is not wide enough to accommodate a Sidewalk Café like many restaurants in the downtown area utilize so all outdoor seating must be contained within the private property.

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 outdoor seating area that is appropriately screened with a planter box barrier may be considered a public benefit. Customers seated in the outdoor area will provide eyes on the street to encourage a safer and friendlier neighborhood that deters criminal activity, and the area will be beautified by landscaping (planter boxes) where a small parking lot currently exists.

6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property: The property was platted at its size prior to the current ownership and prior to the current use of a restaurant. The property is an adaptive reuse from the original City fire house.

7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: The applicant has worked with staff to modify the proposal to
ensure adequate ADA parking is available and the overall modifications to the property are a visual improvement.

Attachments
Variation Application – submitted May 17, 2018
Plat of Survey
Site Plans & Elevations
Letters of Concern
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Draft Meeting Minutes Excerpt – May 30, 2018
1. PROPERTY

Address: 750 SOUTH CHICAGO AVENUE

Permanent Identification Number(s):

PIN 1: 1 1 1 4 0 0 0 0 4 0 0 0 0

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

2. APPLICANT

Name: THOMAS AHLEMAN

Organization: STUDIO TALO ARCHITECTURE, INC.

Address: 1234 SHERMAN AVENUE, SUITE 202

City, State, Zip: Evanston, IL 60202

Phone: Work: 847.733.7300 Home: Cell/Other:

Fax: Work: Home:

E-mail: THOMAS@STUDIOTALO.COM

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

- [ ] same
- [ ] architect
- [x] officer of board of directors
- [ ] builder/contractor
- [ ] attorney
- [ ] potential purchaser
- [ ] lessee
- [ ] potential lessee
- [ ] real estate agent

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

Name(s) or Organization: STATION TWO LLC

Address: 750 South Chicago Avenue

City, State, Zip: Evanston, IL 60202

Phone: Work: 847.733.1911 Home: Cell/Other:

Fax: Work: Home:

E-mail: GPMFOWLER@GMAIL.COM

“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.”

Property Owner(s) Signature(s) – REQUIRED

Date: 05/17/2018

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: 05/17/2018
5. REQUIRED DOCUMENTS AND MATERIALS

The following are required to be submitted with this application:

- [x] (This) Completed and Signed Application Form
- [x] Plat of Survey
- [x] Project Site Plan
- [x] Plan or Graphic Drawings of Proposal (If needed, see notes)
- [ ] Non-Compliant Zoning Analysis
- [x] Proof of Ownership
- [x] Application Fee (see zoning fees)

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.

Page 2 of 6
6. PROPOSED PROJECT

A. Briefly describe the proposed project:
   Convert an existing asphalt parking area into a street-front open-air restaurant patio with planters, lighting, shading and a fence to screen the adjacent raised train tracks and dumpsters. Provide a loading/accessable drop-off space (using an existing curb cut) with a sign on Madison St. just east of the train tracks.

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</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-16-2</td>
<td>Required to have (4) spaces per 1,000 sf of gross floor area</td>
<td>Removal of (2) existing on-site parking spaces with no spaces remaining on site.</td>
</tr>
</tbody>
</table>

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

2

<table>
<thead>
<tr>
<th>(A) Section</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-4-6-7-F-2-5-1</td>
<td>2' setback required for fences in the street side yard</td>
<td>0' street side yard (Madison St.) setback for fence</td>
</tr>
</tbody>
</table>

3

<table>
<thead>
<tr>
<th>(A) Section</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>6-4-6-7-F-3</td>
<td>Maximum 6' fence height</td>
<td>8' fence</td>
</tr>
</tbody>
</table>

6-4-6-7-F-2-e Fencing must be set back 3' from front facade planter box (fence) 1' from front facade
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? Station Two’s lot is not large enough to accommodate the number of parking spaces that would be required by the city if it were to be built today. The city’s requirements for restaurant parking do not seem to be uniformly applied throughout the city, and requiring Station Two to adhere to them would effectively be creating a unique disadvantage relative to other establishments.

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 proposed improvements (landscaping, outdoor seating, lighting, paving) are similar to the improvements at Fountain Square and will significantly improve the streetscape. Rather than an adverse impact on nearby properties, the proposed work provides a public amenity that will improve the neighborhood and traffic flow. Locating a striped loading/accessible drop-off space with a sign on Madison St. will mean that delivery trucks will not hinder traffic on Chicago at the Kinzie intersection. It also means that customers will have an accessible location for drop off from Madison St. Replacing asphalt paving with pervious pavers will reduce stormwater run off.

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 parking requirements for restaurants set forth in the zoning ordinance do not seem to be uniformly applied. Requiring our client to meet them imposes a unique burden. Holding Station Two to a higher standard when it wishes to improve the streetscape imposes a particular 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 §6-3-8-2, 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.

Additional outdoor seating will provide some additional income to Station Two. However there are significant benefits to the surrounding neighborhood and city as a whole such as those outlined in the standards of 6-3-6-3, especially:

A) The development of open space provides a public benefit and enhances the liveliness of the streetscape. Pavers, suspended lighting and seating will be very similar to those amenities installed by the city at Fountain Square. As the city council approves residential projects that increase density in Evanston, it is increasingly important to improve open spaces for social interaction.

C) The projects improves an historic structure (the Station Two firehouse) that contributes to the character of the city.

D) The very purpose of the project is to use design, landscape and architectural features to create a pleasing environment.

G) The additional income produced by the outdoor seating area will have the effect of strengthening the tax base.

I) The incorporation of pervious pavers to replace asphalt is a sustainable design practice that will reduce the amount of stormwater run off from the site.

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

The difficulty has not been self-created: the building lot size and asphalt paving were existing when purchased by Station Two.
5. Have other alternatives been considered, and if so, why would they not work?
The alternative, leaving the largely un-used asphalt parking spaces as-is, was considered. Doing so would mean that the significant benefits to the surrounding neighborhood and city would not be realized.

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.
   Not applicable

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.)
   Owner is also the user of the land.

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.
   See Above
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.

See Above.

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.

   George F. Fowler

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.
FIREHOUSE GRILL
750 SOUTH CHICAGO AVE.
EVANSTON, IL 60202

06/01/18
Patio to have 5% of seats accessible with a compliant level path of egress.

New gate

Painted wood fence

New trash enclosure

New 6'-0" tall painted wood fence painted steel posts

Suspended fabric sunshades

Extend existing permeable paving

New 8'-0" tall planters and string lights

Wood 36" tall planters

Existing transformer

New accessible parking space, sign and access aisle

Existing curb cut

Existing bridge

Chicago Avenue

Madison Street

Firehouse Grill

Date: 06/01/18

Project #: 1808

SD0.1B
FIREHOUSE GRILL
Date: 06/01/18
Project # 1808

PATIO RENDERING
NEW 8' TALL PAINTED WOOD FENCE
NEW GATE
WOOD 36" TALL PLANTERS
SUSPENDED FABRIC SUNSHADES
EXTEND EXISTING PERMEABLE PAVING
PAINTED STEEL POSTS W/ HANGING PLANTERS AND STRING LIGHTS
EXISTING TRANSFORMER
EXISTING CURB CUT
PROJECT # 1808
ARCHITECTURE
SD0.1
Hi Andrew,

I forwarded your email to those handling this zoning case, Melissa Klotz, my coworker in the zoning office, and Scott Mangum, Planning and Zoning Administrator, copies on this email. This case is before the Zoning Board of Appeals on June 19, this is a public hearing. The Zoning Board of Appeals will then make a recommendation that is forwarded to the City Council's Planning and Development Committee (scheduled for July 9), with the full City Council being the determining body.

Let us know if you have any other questions or comments.

Respectfully,
Michael Griffith
Development Planner
Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

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

Call 311 to make an appointment, or available for walk-ins at the Building Permit Desk on Thursdays

On Mon, Jun 11, 2018 at 10:57 AM, Andrew Tryba <andrew_tryba@yahoo.com> wrote:

Dear Mr. Griffith,

I hope your day is off to a great start. I was wondering if you can confirm you received my email below and was wondering if there is anyone else at the City of Evanston that I should additionally send it to. Was this issue or will this issue be voted on soon?

-Andrew

On Friday, June 08, 2018 08:20:54 AM, Andrew Tryba <andrew_tryba@yahoo.com> wrote:

mgriffith@cityofevanston.org
Michael Griffith,
Planning and Zoning Division
Phone: 847-448-4311

Dear Michael Griffith,

Re: City of Evanston, IL support for disenfranchising individuals with disabilities
Pat Fowler, the new owner of Firehouse Grill restaurant, in Evanston, IL has requested and has been granted a favorable recommendation from the city of Evanston’s Design and Project Review Committee to eliminate an existing handicap parking space on the restaurant property in favor of a handicap “drop off zone” adjacent to the proposed expanded outdoor seating area.

The new owner of Firehouse Grill (or other business owners) should NEVER be allowed to eliminate handicap parking, in exchange for providing handicap “drop-off zones”. Supporting eliminating handicap parking in exchange for providing handicap “drop off zones” clearly disenfranchises people with disabilities that drive themselves, yet need nearby parking to gain access to restaurants, government services and shopping. Adding a handicap “drop off zone” is not an acceptable alternative to designated handicap parking spaces as it wrongly assumes that disabled individuals did not (or cannot) drive themselves.

We disagree with the City of Evanston’s Design and Project Review Committee’s tacit support for limiting disabled individuals’ access to community businesses and services, by supporting eliminating handicap parking spaces and replacing them with “drop off zones”.

I am not disabled myself and the parking issue at Firehouse (or other establishments) does not directly affect me, yet the City of Evanston’s Design and Project Review Committee’s support sets the wrong, yet palpable precedence that it is “OK” for businesses to disenfranchise disabled / handicapped individuals, which I hope you agree is wrong. In contrast, I believe that heroes, such as Senator Tammy Duckworth, who admirably served our country in the military and was disabled while serving our country, as well as other disabled people, that could benefit from reasonable accommodations while accessing community services, should not face such discriminatory practices. Disabled individuals deserve better and need your help to prevent the city from supporting / allowing discriminatory, disenfranchising practices. In writing to you, I hope you will take action to intervene against allowing these disenfranchising plans.

Thanks in advance,

-Andrew
Re: Fw: Re: City of Evanston, IL support for disenfranchising individuals with disabilities

1 message

Andrew Tryba <andrew_tryba@yahoo.com>
To: Melissa Klotz <mklotz@cityofevanston.org>

Mon, Jun 11, 2018 at 10:15 PM

Melissa,

Thank you for your email. The EvanstonNow article: Food beat: Big patio plans at Firehouse

Food beat: Big patio plans at Firehouse
Firehouse Grill owner Pat Fowler hopes to dramatically expand the size of the outdoor dining area at the Chicago...

Indicated:

“They would also eliminate an existing handicap parking space on the property, but Fowler said he’s proposing to have a handicap drop-off zone adjacent to the patio.”

And,

“City staff at the DAPR meeting suggested a handicap space might be added in what’s now a loading zone at the rear of the site, adjacent to the CTA tracks.”

The key phrase being "might be added" rather than "will be added".

If I understand your email correctly, Mr. Fowler has revised his plan and added ADA parking space adjacent to the entry so that it is accessible, is that correct? I hope this a space that serves its intended purpose...

By the way, I have additional concerns regarding the restaurant noise level. The new bar owner can't seem to help himself from leaving the door open at all hours, so we literally hear bingo night, or trivia night, or whatever night in our living rooms, etc. until ~11pm, despite living in the middle of the Amli building, which is South of the Firehouse Grill and on the fourth floor elevation. Trust me, I am not the only one in the Amli building complaining about the noise. The weather has not been patio friendly this past week or so, but when the weather has been nice, we hear drunk patrons loud conversations on the patio and their yelling their conversations down the street as they return to their cars. With the new plan to double the patio seating size will come twice the noise. I don't think an owner that currently isn't taking responsibility to observe noise ordinances should be given more responsibility to manage twice the noise...

Also, just to let you know, I think the Firehouse Grill is a nice restaurant, and I do want Mr. Fowler and his restaurant to succeed, just not at the expense of residents' right to peaceful enjoyment of their homes and at the expense of those living with disabilities. I am also not a resident that is against change, or progress, I am pro-responsible progress.

https://mail.google.com/mail/u/0?ui=2&ik=4762073d7a&ssar=k8XTJOJ1kuE.en.&cbl=gmail_fe_180606.07_p4&view=p&search=inbox&th=1631fdeea224526&sz=0
On Monday, June 11, 2018 04:48:47 PM, Melissa Klotz <mklotz@cityofevanston.org> wrote:

Andrew,

Thank you for the email - your comments will be passed on to the ZBA for consideration. To clarify, the DAPR Committee recommended approval subject to one ADA space being on-site, so the applicant has revised the plan since the mailing postcard went out - there is now one ADA parking space proposed (full space, not a drop off).

Thank you,

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
Call 311 to make an appointment, or walk-in to the Building Permit Desk on Tuesdays

On Mon, Jun 11, 2018 at 11:13 AM, Michael Griffith <mgriffith@cityofevanston.org> wrote:

Hi Andrew,

I forwarded your email to those handling this zoning case, Melissa Klotz, my coworker in the zoning office, and Scott Mangum, Planning and Zoning Administrator, copies on this email. This case is before the Zoning Board of Appeals on June 19, this is a public hearing. The Zoning Board of Appeals will then make a recommendation that is forwarded to the City Council's Planning and Development Committee (scheduled for July 8), with the full City Council being the determining body.

Let us know if you have any other questions or comments.

Respectfully,
Michael Griffith
Development Planner
Planning & Zoning Division
Community Development Department
Morton Civic Center
City of Evanston

2100 Ridge Ave. | Evanston, IL 60201 | 847-448-8230
mgriffith@cityofevanston.org | cityofevanston.org
Call 311 to make an appointment, or available for walk-ins at the Building Permit Desk on Thursdays

On Mon, Jun 11, 2018 at 10:57 AM, Andrew Tryba <andrew_tryba@yahoo.com> wrote:

Dear Mr. Griffith,

I hope your day is off to a great start. I was wondering if you can confirm you received my email below and was wondering if there is anyone else at the City of Evanston that I should additionally send it to. Was this issue or will this issue be voted on soon?

-Andrew
On Friday, June 08, 2018 08:20:54 AM, Andrew Tryba <andrew.tryba@yahoo.com> wrote:

mgriffith@cityofevanston.org
Michael Griffith,
Planning and Zoning Division
Phone: 847-448-4311

Dear Michael Griffith,

Re: City of Evanston, IL support for disenfranchising individuals with disabilities

Pat Fowler, the new owner of Firehouse Grill restaurant, in Evanston, IL has requested and has been granted a favorable recommendation from the city of Evanston’s Design and Project Review Committee to eliminate an existing handicap parking space on the restaurant property in favor of a handicap “drop off zone” adjacent to the proposed expanded outdoor seating area.

The new owner of Firehouse Grill (or other business owners) should NEVER be allowed to eliminate handicap parking, in exchange for providing handicap “drop-off zones”. Supporting eliminating handicap parking in exchange for providing handicap “drop off zones” clearly disenfranchises people with disabilities that drive themselves, yet need nearby parking to gain access to restaurants, government services and shopping. Adding a handicap “drop off zone” is not an acceptable alternative to designated handicap parking spaces as it wrongly assumes that disabled individuals did not (or cannot) drive themselves.

We disagree with the City of Evanston’s Design and Project Review Committee’s tacit support for limiting disabled individuals’ access to community businesses and services, by supporting eliminating handicap parking spaces and replacing them with “drop off zones”.

I am not disabled myself and the parking issue at Firehouse (or other establishments) does not directly affect me, yet the City of Evanston’s Design and Project Review Committee’s support sets the wrong, yet palpable precedence that it is “OK” for businesses to disenfranchise disabled / handicapped individuals, which I hope you agree is wrong. In contrast, I believe that heroes, such as Senator Tammy Duckworth, who admirably served our country in the military and was disabled while serving our country, as well as other disabled people, that could benefit from reasonable accommodations while accessing community services, should not face such discriminatory practices. Disabled individuals deserve better and need your help to prevent the city from supporting / allowing discriminatory, disenfranchising practices. In writing to you, I hope you will take action to intervene against allowing these disenfranchising plans.

Thanks in advance,

-Andrew
750 Chicago Ave.

Staff Present: J. Velan, P. Zalmezak, P. Martinez

Others Present:

Presiding Member: E. Storlie

A quorum being present, Ms. Storlie called the meeting to order at 2:31 pm.

Approval of minutes

May 23, 2018, DAPR Committee meeting minutes.

Mr. Gerdes made a motion to approve the minutes from May 23, 2018, seconded by Mr. Nelson.

The Committee voted, 10-0, to approve the minutes of May 23, 2018, with 1 abstention.

New Business

2. 750 Chicago Ave. Recommendation to ZBA

Thomas Ahleman, architect, submits for major zoning relief for Firehouse Grill to eliminate two ADA parking spaces for a total of zero parking spaces where 28 parking spaces were originally required and 2 spaces currently exist, and for a 3’ tall wood fence (continuous planter box) that is 1’ behind the front building facade where fencing must be at least 3’ behind the front building facade, and an 8’ tall wood fence with a 0’ street side yard setback where the maximum allowed fence height is 6’ and a 2’ street side yard setback is required, in the C1a Commercial Mixed Use District.

APPLICATION PRESENTED BY: Thomas Ahleman, Architect
Pat Fowler, Owner

DISCUSSION:

- Mr. Fowler recently purchased the Firehouse Grill.
- Seek to expand the outdoor patio area.
- Mr. Gerdes asked how the existing ADA spaces would be addressed. Mr. Fowler stated that a multi-purposed loading zone is proposed in front of the building. Spot Hero is currently utilized in the parking lot to the south of the property.
- Mr. Gerdes added that any new signage will be a separate permit.
- Hours of operation to be 4:30-10:00PM Monday; 11:30AM-10:00PM Tuesday- Thursday; 11:00AM-11:00PM Friday; 11:30AM-11:00PM Saturday; and 10:00AM-8:00PM Sunday.
- 20 ft. long ADA area will be added.
Mr. Mangum asked if any other configurations had been considered. Mr. Ahleman stated that a fence had been added for added screening and that an enclosure could be added to the trash area.

Ms. Eckersberg asked if parking could be added back in during the patio’s off season. Mr. Fowler stated he is not sure how that would be handled and that he would like to add Christmas tree sales in the winter.

Mr. Tristan inquired about the area of the patio which is 1,300 sq. ft. and has seating for 74 people. He added that door swings should be noted and should swing out.

Mr. Gerdes stated that accessible seating would be required and added that he is hesitant to lose accessibility features which should be addressed at ZBA.

Outdoor lighting times will match the hours of operation.

Mr. Mangum requested that the applicant explore the configuration to see if one accessible space could be added behind the patio area.

Mr. Mangum made a motion to make a positive recommendation to ZBA. Seconded by Mr. Gerdes.

The Committee voted, 11-0, to make a positive recommendation to the ZBA for the major zoning relief.
2112 Ewing Ave.
18ZMJV-0051

ZBA Determining Body
To: Zoning Board of Appeals

From: Johanna Leonard, Director of Community Development  
Scott Mangum, Manager, Zoning and Planning Division  
Melissa Klotz, Zoning Planner  
Lily Neppl, Planning and Zoning Intern

Subject: 2112 Ewing Avenue, ZBA 18ZMJV-0051  
ZBA Determining Body

Date: June 14, 2018

Notice—Published in the May 31, 2018 Evanston Review:  
Margaret Henz, property owner, applies for major zoning relief to eliminate conditions imposed on granted variation case ZAR 01-33-M to allow the coach house to be legally occupied and rented by persons who are not members of the family occupying the principal dwelling unit (as would otherwise be allowed by City Code if not for the variation conditions) (Zoning Code Section 6-3-8-14). The Zoning Board of Appeals is the determining body for this case.

Recommendation:  
Staff and DAPR recommend approval of major zoning relief to eliminate conditions imposed on granted variation case ZAR 01-33-M to allow the coach house to be legally occupied and rented by persons who are not members of the family occupying the principal dwelling unit in the R1 Single Family Residential District, given the City recently amended to definition of coach house to permit rental to tenants who are unrelated to the occupants of the principal structure. Staff and DAPR recommend that a condition of granting this major zoning relief be that the coach house unit be rented at an affordable level to households earning no more than 80% of Area Median Income (AMI) for a period not less than 10 years. The applicant has complied with all other zoning requirements and meets all of the standards for major variations for this district.

Site Background:  
2112 Ewing Ave. is located on the west side of Ewing Ave., midblock between Simpson St. and Payne St. 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 features a moderate single family residence with coach house at the rear of the property, and is surrounded by similar single family residences in all directions.

**Property Background:**
On July 19, 2001 a minor variation was granted to previous property owners to build a 22’ tall (measured to the mean slope of the roof per the Zoning Ordinance at the time) garage “or other permitted detached accessory building” whereas the Zoning Ordinance permitted a maximum mean slope height of 17.5’ for accessory structures. The minor variation was granted subject to the following pertinent conditions:

1. Any dwelling in any accessory building on the subject property must always be accessory to the principal dwelling, no more than a single family may occupy the combined principal and accessory dwelling, and the coach house may not be occupied by persons who are not members of the family occupying the principal dwelling.

2. The property owner of the subject property shall record a covenant with the Cook County Recorder of Deeds to the effect that no portion of the subject property will constitute a dwelling unit separate from any other portion of the subject property in violation of the Evanston Zoning Ordinance, nor shall any portion be rented as a dwelling separate from any other portion of the subject property in violation of the Evanston Zoning Ordinance, nor shall the subject property be used for any residential use other than as a detached single family.

In 2013, the same property owner was found in violation of the minor variation approval following complaints that the coach house was illegally occupied and rented. The property owner then filed a Family Necessity Variation, citing a financial hardship due to a divorce, to obtain zoning relief from the previously established conditions that prohibit the occupancy or rental of the accessory structure (coach house) by non-family members of the principal structure. At the time, the City did not allow the rental of coach houses (other than previously established coach houses that were constructed prior to the City’s coach house regulations; ie. coach houses +50 years old or more). Staff and DAPR (then SPAARC) recommended denial of the Family Necessity Variation, and the ZBA ultimately denied the removal of the rental conditions following two ZBA hearings. Shortly following the ZBA determination, the property was sold to the now current owner, who was aware of the coach house conditions prior to purchase.

On May 14, 2018, the City Council approved a text amendment that modified the definition of coach house to the following:

**Coach House:** A single detached secondary or accessory dwelling located on the same zoning lot as the principal dwelling unit including a garage. Tenants of coach houses may be unrelated to the owners of the principal residential structure. A maximum of one coach house is allowed per Single-Family Detached Dwelling.

This text amendment therefore approved the rental of all existing coach houses throughout the City as well as any newly constructed coach houses. However, since the structure at 2112 Ewing Ave. was granted zoning relief with conditions that expressly prohibit the rental of an accessory dwelling unit, those conditions override the recent text amendment. Staff
is not aware of any other accessory dwelling unit that features similar conditions prohibiting rental/occupancy by non-family as a condition of approved zoning relief.

Proposal:
The current property owner requests zoning relief to remove previously imposed conditions from granted minor variation ZAR 01-33-M to now allow the occupancy and rental of the existing coach house by persons who are not members of the family occupying the principal dwelling. The current property owner believes the conditions should be removed since the City now allows the rental of all other coach houses.

The property owner states the current conditions limit what kind of people may reside in the coach house (ie. family members only) rather than if any people may reside in the coach house. The owner notes a two-unit rental property exists 50’ north of 2112 Ewing Ave. that is not owner occupied, and both units feature tenants that are not related to the property owner (which has not been confirmed by staff).

Additionally, the property was assessed for the 2016 tax bill year (due in 2017) to more than twice the previous assessment by determining the property featured two dwelling units (the principal structure and the coach house). With a tax bill of $7,045.66 due in 2016 to a tax bill of $15,890.45 due in 2017, the property owner has stated that it is economically infeasible to maintain the property and has put it up for sale.

The property owner believes allowing the coach house to be rented will positively impact the neighborhood since it will allow the 2112 Ewing Ave. property to be properly maintained by a future owner. The DAPR Committee recommended approval of removing the coach house conditions, subject to a new condition that the coach house be rented as an affordable unit at a maximum 80% AMI for a minimum of 10 years. The coach house features two bedrooms and one bathroom, and is limited in occupancy by a maximum of two persons per the Property Maintenance Code (with the limiting factor being the combined living room and dining room square footage).

Staff is aware of a variety of concerns, objections, and support to the proposed case by surrounding property owners. Letters of concern continue to reach staff, so all letters received so far are included in the ZBA packet, and additional letters as well as a map noting the location of concerned residents will be provided at the ZBA hearing.

Ordinances Identified for Requested Major Variation
6-3-8-14 Conditions on Variations:
The...Zoning Board of Appeals, in the case of applications for family necessity variations, major variations, and combined major and minor variations...may impose specific conditions and limitations upon the granting of a variation as are necessary to achieve the purposes and objectives of this Ordinance. Such conditions and limitations may include, but are not limited to, those concerning use, construction, character location, landscaping, screening and other matters relating to the purposes and objectives of this Ordinance and shall be expressly set forth in the decision granting the variation...
Design and Project Review Committee (DAPR) Discussion and Recommendation
June 6, 2018 – The DAPR Committee found the request to remove the prohibitive conditions appropriate if the coach house is utilized as an affordable unit.
Recommendation: Unanimous approval with conditions
1. The coach house shall be rented at 80% AMI for a period of at least 10 years.
2. Vacation Rental is prohibited.

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 coach house was constructed 17 years ago and is currently vacant. The use of the coach house as a rental unit will allow the property to be sold and maintained, whereas the prohibition of using the coach house as a rental will lead the property to vacancy, disrepair, and possible foreclosure, which will in turn adversely impact adjoining properties.
2. Is in keeping with the intent of the zoning ordinance: The recently approved text amendment to the definition of coach house allows for the rental of all coach houses in Evanston that are not otherwise conditioned against.
3. Has a hardship or practical difficulty that is peculiar to the property: The property is assessed and features a tax bill that reflects two dwelling units. However, the current conditions prohibit the use of the coach house as a rentable dwelling unit.
4. Property owner would suffer a particular hardship or practical difficulty as distinguished from a mere inconvenience: The property owner cannot maintain the property with its current tax bill and fears the property will not sell with the current tax bill unless the coach house can be rented out. If the coach house cannot be rented out, the property will fall into disrepair and possible foreclosure.
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 variation request is due to a desire to extract additional income from the property. However, the use of the existing coach house structure as an income generating source will allow the property to be adequately maintained instead of falling into disrepair and possible foreclosure, which is a public benefit to the neighborhood.
6. Does not have a hardship or practical difficulty that was created by any person having an interest in the property: The coach house was granted minor variation approval for height and constructed by the previous property owner.
7. Is limited to the minimum change necessary to alleviate the particular hardship or practical difficulty: The property owner does not request any physical change to the property, and requests a use change to allow the coach house to be rented similar to all other coach houses in the city.

Attachments
Variation Application – submitted May 22, 2018
Coach House Conditions (2001 approval)
Plat of Survey
Interior Site Plan
Tax Bill History
Letters of Support and Objection
Adopted Ordinance 47-O-18 – Text Amendment to the Definition of Coach House
Image of Property
Aerial View of Property
Zoning Map of Property
DAPR Draft Meeting Minutes Excerpt – June 6, 2018
MAJOR VARIATION
APPLICATION
CASE #: 18-291460-0051

1. PROPERTY

Address: 2112 GIVING AVE, EVANSTON IL 60201
Permanent Identification Number(s): PIN 1: 10114190130000 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: MARGARET HENZ
Organization: __________________________
Address: 2112 GIVING AVE
City, State, Zip: EVANSTON IL 60201
Phone: Work: Home: Cell/Other: 847-274-0458
Fax: Work: Home: 
E-mail: peggylhentz@gmail.com

Please circle the primary means of contact.

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

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

Name(s) or Organization: NA
Address: ______________________________
City, State, Zip: ________________________
Phone: Work: Home: Cell/Other: __________________
Fax: Work: Home: ________________________
E-mail: ________________________________

"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."

Property Owner(s) Signature(s) – REQUIRED __________________________ Date ________________

4. SIGNATURE

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

Applicant Signature – REQUIRED __________________________ Date 5/22/18
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: 2/16/2012
- [x] Project Site Plan Date of Drawings: ____________
- [ ] Plan or Graphic Drawings of Proposal (if needed, see notes)
- [x] Non-Compliant Zoning Analysis (certificate of zoning doc)
- [x] Proof of Ownership Document Submitted: mortgage doc
- Application Fee (see zoning fees) Amount $385 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:

```
Remove outdated condition on 17-year-old coach house to bring it inline with all other
Evanson coach houses for rentability.
```

B. Have you applied for a Building Permit for this project?  □ NO □ YES  NA

(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</th>
<th>(B) Requirement to be Varied</th>
<th>(C) Requested Variation</th>
</tr>
</thead>
<tbody>
<tr>
<td>(ex. &quot;6-8-3-4&quot;)</td>
<td>(ex. &quot;requires a minimum front yard setback of 27 feet&quot;)</td>
<td>(ex. &quot;a front yard setback of 25.25 feet&quot;)</td>
</tr>
<tr>
<td>NA</td>
<td>Remove condition on existing coach house</td>
<td></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?

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.

   See attached notes point #1.

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.

   See attached notes point #4

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.

   See attached point #5

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

   See attached point #6
5. Have other alternatives been considered, and if so, why would they not work?

Neither I, nor future owners will be able to consistently fill the coach house with family. Unless it is allowed to be occupied rented to non-family, this coach house is sure to remain under-utilized or usually vacant.

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 _____ 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 _____ above, or indicated below.

NA
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.

NA

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.

NA

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.

NA

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.

NA
A. GENERAL INFORMATION

1. What projects are eligible for a Major Variation?

Property Owners may apply for a Major Variation from the following zoning regulations:

1. Yards and setbacks
2. Height
3. Lot size, width and depth (including flag lots).
4. Lot coverage including impervious surface and/or floor area ratio
5. Off street parking and loading
6. Home occupations. (Ord. 115-0-04)

2. Who can submit an application?

The applicant must either own, lease, or have legal or equitable interest in the subject property, or must be the representative of such a person. All persons or parties which have an ownership interest in the affected properties must be identified and must sign the application. The Property Owner(s) may, at their discretion, designate another person as Applicant to act on their behalf in processing this application. In that case, the designated Applicant will be considered the primary contact, until the application is closed or the Property Owner changes the designated Applicant by contacting the Zoning Office in writing. Standing (§6-3-8-4):

3. How do I submit an application?

Applications must be submitted in person to the Zoning Office, City of Evanston, Civic Center Room 3700, 2100 Ridge Avenue. Our office hours are Monday through Friday (excluding Holidays) from 8:30am until 5:00pm. Evanston.

Applications must be complete, including all required documentation and fee.
Applications are not accepted by mail or e-mail.
Application materials cannot be returned.

4. What forms of payment are accepted? Cash, Credit Card, Check.

5. Can I withdraw my application? Will my fee be returned?

Yes, an application may be withdrawn any time prior to the final publication of the ZBA Agenda (the Friday before the hearing). If the newspaper notice has not been published or mailed notices sent out, a full refund is general granted. If this has occurred, only the $150 transcript deposit is returned.

6. Who has access to my application materials?

The application is a public document, and as such, may be reviewed by the general public upon request.

B. INFORMATION ABOUT MAJOR VARIATIONS

1. What is the timeframe?

The approximate time from when the Zoning Division receives a completed Major Variation application to when the applicant can reasonably expect a decision on that application is 30-40 days.
2. What is the Process?

- Upon receipt of a complete application, the Zoning Department contacts the applicant via phone and with a letter detailing the next steps in the process.
- The City publishes a notice of the hearing in a locally circulating newspaper, generally the Evanston Review, between 15 and 30 working days prior to a hearing.
- The City posts a sign announcing the date of the Zoning Board of Appeals hearing on the subject property no less than 10 working days before the hearing date.
- The City must mail notification of the public hearing and an overview of the proposed application to all properties that are within 500’ of any point on the subject property.
- The project is heard before the Site Plan Appearance and Review Committee (SPAARC). This committee provides a recommendation to the Zoning Board of Appeals. This committee is made up of representatives from City departments such as Building, Police, Fire and Preservation. A representative of your project must attend. The committee meets every Wednesday at 2:30 at the Civic Center, room 2404.
- The Zoning Board of Appeals is a City Board made up of 7 members. You will present your case to the Board, who in turn will ask you questions to assist in their deliberation. Further, anyone in opposition may present their case and ask questions of you (as you may to them). It takes 4 yes votes to approve a submitted application.
- The City encourages all applicants to discuss their proposal with their neighbors prior to the public hearing.

3. What standards are used to decide? (§6-3-8-12(A)):

To grant a major variance, the Zoning Board of Appeals must find that the request meets the following 7 standards:

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

4. Can I Appeal?

An applicant may appeal the decision of the Zoning Board of Appeals to the Illinois Circuit Court. (§6-3-8-6(E)):

CONTACT INFORMATION

Community & Economic Development Department – Planning & Zoning Division
2100 Ridge Avenue, Room 3202 Evanston, Illinois 60201
P.847-448-4311  F.847-448-8126  E.zoning@cityofevanston.org  www.cityofevanston.org/zoning
These notes match the 7 standards on the back of the major variance application.

2112 EWING AVE COACH HOUSE

At this current time, the request to remove the condition on the coach house at 2112 Ewing does meet the following 7 standards:

1) The issue is not IF people can live in the coach house, but what KIND of people can live in the coach house. Making family connections the determining factor in how the neighborhood is impacted, sends a message that people unrelated to the owner are somehow lesser and inferior people.

Additionally, if only relations can live in the coach house, it will probably be vacant a majority of the years ahead. Being a second floor unit precludes it from being ideal for aging parents, and even aging parents, college-age children and others eventually move out. Having any dwelling vacant does not benefit the neighborhood, and creates waste as the property must still be heated and maintained so as not to fall into ruin or become the home of vermin.

Finally, the neighborhood — this block — already contains a two-unit rental exclusively occupied by people unrelated to the owner. This rental property is only 50 feet north of 2112 Ewing, is not owner-occupied, and has been there for longer than any of the residents of this neighborhood (100+ years).

2) The intent of the city-wide zoning ordinance passed January 29 was increase the amount of available housing in Evanston. This new ordinance states that ALL coach houses are able to be rented. Removing the condition from the 2112 Ewing coach house does support the intent of the new zoning ordinance.

Additionally, it is wasteful and counterproductive for Evanston to now allow all other Evanston coach houses to be rented, and new ones to be built, while the 2112 coach house is forced to remain vacant with a misguided, non-sustainable condition.

3) 2112 Ewing would have the only coach house in Evanston that is not able to be rented. It is a sunny, 900 square foot, 2-bedroom, 1 bath, apartment with an eat-in kitchen, full laundry room and forced heat/AC. It is probably more appropriate to rent than some of the other coach houses covered by the new ordinance.

4) Cook County began taxing both structures as dwellings in 2017. The current tax is close to $16,000 for this property. The main house is a modest 1,400 sq foot dwelling with no basement. Supporting two dwellings with a large tax bill creates an unrealistic burden for any future home-owner and could cause them to be less able to make improvements or even keep up the property to a standard they could have.

5) Allowing this space to be part of the new coach house ordinance will benefit the public by adding to the housing stock, and will benefit the neighborhood by decreasing the likelihood of having a vacant dwelling.

6) This condition was already in place when I purchased the property. I feel it was short-sighted for the coach house to have been allowed to be built in the first place with such a condition that made it nearly impossible for future owners to utilize it. Unless taken into the fold with all
the other coach houses in Evanston under the new ordinance, this property will continue to be problematic for future owners and for the city.

7) The least disruptive thing for this coach house would be to include it under the new coach house ordinance. The original tenancy condition placed on the coach house 17 years ago was in exchange for allowing it to be built 5 1/2 ft taller than allowed. This condition doesn't seem commensurate with the 5 1/2 ft extra height allowance, and as so many of the coach houses in Evanston have unique situations (built closer to a property line than is now allowable, etc.), the new ordinance should override the unique height of the 2112 coach house.

If it is not brought under the new coach house ordinance, this building and property will continue to exist in limbo; unable to be consistently utilized as housing, and will continue to be an outlier, waste of resources and point of contention.

NOTE RE NEIGHBORHOOD INPUT:
I am not going to petition the neighborhood. The petitioning of the neighborhood by the previous owner 5 years ago caused much division and I don't want to do that to my block.

I might get yes's vs. no's than the previous owner because I've improved and maintained the property, and have positive relationships with many of my neighbors. However, this should not be a popularity contest or a decision in the hands of a few people.

This is a situation that was created by Evanston's Zoning board (17 years ago), and now needs to be resolved by Evanston's current zoning board in a logical manner consistent with the rest of the city.

Since the new coach house ordinance did not consider individual neighbor's input, neither should the 2112 coach house. The ordinance was passed for the overall good of the city to utilize existing house and to create new housing. To exclude the 2112 coach house from this resolution or to let a handful of individuals determine it's outcome would be wasteful and a double standard to the rest of the now-rentable coach houses, and soon-to-be-built coach houses.

IN SUMMARY:
The original condition made no sense and was extremely short-sighted. Allowing this coach house to be pulled under the umbrella of the new ordinance allowing ALL Evanston coach houses to be rented will allow this property to be utilized and productive as all Evanston buildings should be.
2112 Ewing Coach house is tucked at the back of a double lot -- behind a modest 1,400 sq ft house.
2112 Ewing Coach house is 17 years old. It should be given the same status as the other 200+ existing coach houses covered by the new ordinance -- to be a regular rental.
The requested variance meets all 7 standards:

1. It will not have substantial adverse use or impact on the use, enjoyment, or property values of the adjoining properties. The coach house is tucked at the back of a double lot, over 50 ft away from all but its northern neighbor (who never objected to its rental). And the value increase in this property will have a positive effect on those around it.

2. It is in keeping with the intent of the zoning ordinance. Not allowing this coach house to be rented, or imposing additional onerous conditions would be contrary to the ordinance City Council unanimously passed this January.

3. This hardship is particular to only this property — it is literally the only property in Evanston with a condition on the coach house.

4. The property owner would suffer financial hardship — since the property is being taxed for 2 full dwellings, but only one is able to be consistently used as such.

5. The purpose of the variance is not based exclusively on the desire for more income. This is a practical matter. Both dwellings are taxed as dwellings, are fully built as homes, need to be maintained, and allowing one to stand empty (due to lack of relatives to fill it!) is senseless.

6. This condition was not created by the current owner.

7. This requested variation does require the least deviation from the regulation. It pulls the property under the new ordinance, so it is grouped with the other 200+ existing coach houses and no longer an outlier.
Coach house interior
This rental doesn’t cause a significant increase in density
It does not make sense for this coach house to become Affordable Housing

1) It is inconsistent with the ordinance City Council passed on existing coach houses that was passed specifically without an Affordability clause in it. Now is the time to bring this property under the same ordinance with the other 200+ existing coach houses.

2) 80% Affordable doesn’t match Cook County’s tax & valuation on the property and puts unfair burden the owners.

**Cook County is taxing this property at a valuation of $650,000**
- main house + land = worth $400,000 (1,400 sq. ft / no basement)
- coach house is worth = $250,000 (2 bedroom / 1 bath / hardwood floors / HVAC)

This coach house would rent for $2,400 /mo on the open market. **Imposing an 80% AMI on this would make the rent $1,523/mo (66% of market value)**

80% Affordable for this neighborhood is not unrealistically low.
2112 Coach house interior photos.
City of Evanston, Illinois
Certificate of Zoning Compliance

APPROVED SUBJECT TO CONDITIONS
ZONING CERTIFICATE NUMBER: 01-220-BP(2)
DATE ISSUED: July 19, 2001

In accordance with Section 6-3-2 of the Zoning Ordinance, the building, structure, and/or use described below complies with the provisions of the Zoning Ordinance governing the proposed use.

PROPERTY ADDRESS: 2112 Ewing Avenue
ZONING DISTRICT: R1
OVERLAY DISTRICT: None
USE: Garage and storage.

CONDITIONS OR COMMENTS:
The Zoning Administrator has granted a minor variation from §6-4-6.2 G of the Zoning Ordinance to give zoning certification to a building permit application to construct a garage or other permitted detached accessory building with a height of 22 feet (measured at the mean of the pitch of the roof) whereas the Zoning Ordinance limits the height to 17 1/2 feet (measured at the mean of the pitch of the roof).

This grant of zoning relief is subject to the following conditions:
Ø The proposed construction shall be in compliance with all other provisions of the Zoning Ordinance and other applicable laws.
Ø The proposed construction shall be in substantial compliance with the plans and documents placed on file in connection with this case, as modified by the conditions of this variation.
Ø The proposed construction shall be no closer than 5 feet to the north lot line of the subject property.
Ø Any dwelling in any accessory building on the subject property must always be accessory to the principal dwelling, no more than a single family may occupy the combined principal and accessory dwelling, and the coach house may not be occupied by persons who are not members of the family occupying the principal dwelling.
Ø The property owner of the subject property shall record a covenant with the Cook County Recorder of Deeds to the effect that no portion of the subject property will constitute a dwelling unit separate from any other portion of the subject property in violation of the Evanston Zoning Ordinance, nor shall any portion be rented as a dwelling separate from any other portion of the subject property in violation of the Evanston Zoning Ordinance, nor shall the subject property be used for any residential use other than as a detached single family

CERTIFICATE BASED ON:
Plans Prepared As: Construction Drawings
Plans Dated: 4/20/01
Plans Prepared By: applicant
Plat of Survey Dated: 3/27/92
Plans Originating As: Building Permit Application
Building Permit Application Number: 01ACC00041
Miscellaneous:

ISSUED BY:
Arthur Alterson
PROFESSIONALS ASSOCIATED SURVEY, INC.

PROFESSIONAL DESIGN FIRM NO. 184-000303

PLAT OF SURVEY

OF

LOTS 10 AND 11 IN BLOCK 1 IN J. J. SMITH'S ADDITION TO EVANSTON, BEING A SUBDIVISION OF THE SOUTH 457.50 FEET OF THE EAST 43 RODS OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 11, TOWNSHIP 41 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 6,822 SQ. FT. = 0.157 ACRE.

COMMONLY KNOWN AS: 2112 EWING AVENUE, EVANSTON, ILLINOIS.

THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREIN

DRAWN IS A COPY OF THE ORIGIN, AND FOR ACCURACY

SHOULD BE COMPARED WITH THE TITLE OR DEED.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

BUILDING LINES AND BASEMENTS ARE SHOWN ONLY WHERE

THEY ARE SO RECORDED IN THE MAPS; OTHERWISE REFER

TO YOUR DEED OR ABSTRACT.

Order No. 97-40426

Scale: 1 inch = 16 feet.

Date of Field Work: February 13, 2013.

Ordered by: Joan M. Ferraro & Associates, Ltd.

Attorneys at Law

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

THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS.

THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND

AT ONCE REPORT ANY DIFFERENCE.

State of Illinois

County of Cook

We, PROFESSIONALS ASSOCIATED SURVEY INC., do hereby certify that we have surveyed the above described property and that to the best of our knowledge, the plat hereto shown is an accurate representation of said survey.

[Signature]

Licensed Land Surveyor

Drawn by: [Signature]
2 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

3 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

NOTE: ALL HEADERS ARE TO BE 2" Diameter 1/2" PLUMED SPACER UNLESS NOTED OTHERWISE.
## Property Characteristics for PIN:

**10-11-419-013-0000**

### Property Address

| 2112 EWING AVE  
| EVANSTON      
| 60201         
| Township: EVANSTON |

### Mailing Address

| MARGARET HENZ  
| 2112 EWING AVE  
| EVANSTON, IL 60201 |

### Tax Billed Amounts & Tax History

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*=(1st Install Only)

[More Tax Bill Information](#)

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[More Exemption Information](#)

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[More Appeal Information](#)
FW: 2112 Ewing coach House
1 message

pmyran@comcast.net <pmyran@comcast.net>  Fri, Jun 15, 2018 at 12:17 PM
To: mklotz@cityofevanston.org

As an co-owner of 2127 Foreshview Road, sharing an alley with the 2112 Ewing, I would prefer that the house be lived in by the owner and that the coach house NOT be rented as Affordable Housing or at all. Don’t allow a change to the residential zoning code for this property or area. Keep it as it is now, allowing only single family properties and no coach house / or converted garage rentals.

Peter Myran

______________________________

Peter Myran
2127 Foreshview Rd
Evanston, IL  60201

(773) 972-1987  {sent from XPS}
I made a typo on my last email to you. My address is 2127 Forestview Road.

Begin forwarded message:

From: Lizzie <pupusa@comcast.net>
Subject: 2112 Ewing coach House
Date: June 15, 2018 at 12:12:19 PM CDT
To: mklotz@cityofevanston.org

As an owner of 2127 Payne street, sharing an alley with the 2112 Ewing, I would prefer that the house be lived in by the owner and that the coach house NOT be rented as Affordable Housing or at all.

Elizabeth Mendoza
Questions for ZBA 6/19/18 meeting re. 2112 Ewing Major Variation [#18ZMJV-0051]

Doris Brown <dorisrbrown@hotmail.com>  Thu, Jun 14, 2018 at 2:46 PM
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>
Cc: Peter Steinhouse <psteinhouse@sbcglobal.net>, Abbey Prujan <ajprujan@sbcglobal.net>,
"tsuffredin@cityofevanston.org" <tsuffredin@cityofevanston.org>

June 14, 2018

To: Melissa Klotz, Zoning Planner, Evanston

From: Doris Brown, 2741 Simpson (NE corner Simpson & Ewing), Evanston

Re. Question for 6/19/18 Zoning Board re. 2112 Ewing Major Variation [#18ZMJV-0051] application

I may be unable to attend the ZBA on June 19 because of medical tests that day. Please submit these questions re. the “coach house” Major Variation [#18ZMJV-0051] application for 2112 Ewing so they are discussed at the meeting:

1) Does every request for a variance to allow coach house rental include the “affordable housing” requirement? If not, why does the 2112 Ewing DARP staff recommendation include the recommendation: “1. Coach house rented at 80% AMI for a period of at least 10 years”? Do the coach houses in the 1st, 3rd and 7th wards have a requirement of 80% AMI for at least 10 years to make them “affordable housing”? If not, why this arbitrary recommendation for 2112 Ewing in the 6th ward?

2) What recourse do neighbors have if the “at least 10 years” results in less maintenance and property degradation, which de facto will lower property values? The “coach house” adds value ONLY to the property on which it is located and will have a negative impact on surrounding house values. If the 10 year restriction is designed to allow the property owner to get a higher rent after the 10 years to provide funds for property maintenance deferred for 10 years, the 10 year 80% AMI restriction means a serious blow to the house values of any neighborhood with a coach house—lower rent resulting in less maintenance over those 10 years will make 2112 Ewing a major causal factor when our property values go down in relation to other areas of Evanston. In effect the City is giving the coach house owner an excuse to NOT maintain the property, to the detriment of the neighborhood.

3) Does Evanston have a consistent policy re. distribution of affordable housing so it is spread throughout all wards and all neighborhoods in every ward? New high-rise developments seem to be able to buy their way out of providing “affordable housing”, so does this mean that we in R1 zones [especially those away from the lake and NU] will be
targeted on a lot by lot basis now that any garage can become a coach house by building an apartment on top?

Doris R. Brown
dorisrbrown@hotmail.com
Property at 2112 Ewing Ave.
1 message

Peggy McCarthy <mccarthypeggy1@gmail.com> Thu, Jun 14, 2018 at 2:57 PM
To: mklotz@cityofevanston.org

Dear Ms. Klotz,

My husband and I are unable to attending the zoning board hearing on June 19, but would like to make you aware of the fact that we support treating the coach house at 2112 in the same manner as all other coach houses in the city of Evanston.

As indicated in the new ordinance, renters could be unrelated to the owners of the principal residence. In other words, the owner of 2112 Ewing should be allowed to rent the property as stipulated in the ordinance without any other contingencies or exceptions. The law has changed and the owners of the home should be allowed the same benefits as the owners of similar coach houses without restrictions.

We have lived in our home for 38 years. During that time, we have seen a variety of rental situations in this neighborhood. For example, the home across Simpson street has been rented several times over the years. The home in back of us on Forestview had 4 rental apartments when we bought our house, but has since been changed to a single family home. The house across the street from that one on Forestview continues to be a rental. In addition, we have an existing rental two-flat on the 2100 block of Ewing (our block). As such, there is ample precedance for rental properties in our immediate area.

Thank you for your consideration. We hope that you will rule in favor of Ms. Henz without any binding conditions (ie. Affordable Housing at 80%) that are inconsistent with those assigned to all coach houses in Evanston.

Sincerely,
Margaret A. McCarthy and Thomas J. Cramer
property owners at 2100 Ewing Ave.
Hi Melissa,

My husband Peter and I are in favor of the coach house at 2112 Ewing being treated like every other coach house in Evanston per the January 29, 2018 ordinance passed by the City Council. While we personally don’t think it necessary that one dwelling at 2112 always be owner occupied, we would support that condition if necessary.

Sincerely,

Julie Fleps
2151 Forestview Road
Evanston 60201

Sent from my iPhone
18ZMJV-0051 2112 Ewing
1 message

David Rothgery <rothgery@me.com> Thu, Jun 14, 2018 at 6:40 PM
To: Melissa Klotz <mklotz@cityofevanston.org>
Cc: Ruthie Rothgery <ruthrothgery@gmail.com>, Dave Rothgery <daverothgery@gmail.com>

Melissa
Here are our comments regarding the above matter. Please acknowledge receipt of this email and distribute this email to the members of the Zoning Board of Appeals that will be reviewing this issue.

To the Zoning Board of Appeals (6/14/18).

Since June 2012 we have occupied the single-family residence at 2114 Ewing, which is immediately adjacent to the coach house in question. The southwest corner of our house is about twenty (20) feet from the northeast corner of the coach house.

During the past six years we have experienced two different families occupying the coach house, both without any indecent or disturbance. Our position is that the City of Evanston should grant the request to eliminate the conditions imposed on granted variation case ZAR-01-33-M, (imposed many years ago), as submitted by Margaret Henz. This coach house should be treated like all the others in Evanston and thereby allow any owner of 2112 Ewing to rent the coach house in accordance with Evanston’s statues and regulations. Why should this building be treated any differently than any of the others in our town.

Please feel free to contact either of us should you have any questions.

Dave and Ruth Rothgery
2114 Ewing Avenue
Evanston, IL 60201
Phone: 630-235-0545
daverothgery@gmail.com
ruthrothgery@gmail.com
Zoning variance for 2112 Ewing Ave

1 message

Patrice Devereaux <annpatricek@yahoo.com>
Reply-To: Patrice Devereaux <annpatricek@yahoo.com>
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>
Cc: Dave Devereaux <dave_devereaux@sbcglobal.net>

Thu, Jun 14, 2018 at 9:16 AM

Hi,

My husband and I are owners and residents of 2109 Ewing Ave., almost directly across the street from the newly renovated home and its coach house at 2112 Ewing. We are in favor of removing the restriction so as to allow non-related persons to rent the coach house. Without this change, the potential sale value of 2112 will be negatively effected, which is a detriment to surrounding neighbors. The ability to rent the coach house, without restrictions, is also a wonderful way to make our beautiful neighborhood accessible to those that may not be in a position to purchase a home at this time.

I have received a letter from a neighbor that is opposed to this change, and believe that it overstates and exaggerates the potential downside of this situation. In fact, the degree of animosity reflected in the letter is surprising, and not reflective of the cohesiveness of the neighborhood. The current property owner at 2112 (someone we have NOT met) has done a wonderful job improving the curb appeal of the home, and as a neighbor, I appreciate that.

Additionally, I've been informed that the Zoning Board will be considering requiring that the coach house be a designated Affordable Housing rental. While I am not opposed to the availability of rentals that provide relief or subsidies for low income renters, I believe this to be an unnecessary and arbitrary restriction if all other coach house properties in the area are NOT subject to this restriction.

Thank you for considering our point of view.

Sincerely,

Patrice Devereaux
2109 Ewing Ave
Evanston, IL
Re: 2112 Ewing Avenue
1 message

 Abbey Prujan <ajprujan@sbcglobal.net>  Wed, Jun 13, 2018 at 9:54 PM
To: mkiotz@cityofevanston.org
Cc: Peter Steinhouse <psteinhouse@sbcglobal.net>

Dear Ms. Klotz-

I am writing to voice my opinion about the removal of the variance on the garage structure at 2112 Ewing Avenue. My husband and I have lived at 2108 Ewing Avenue for over 21 years and have been involved repeatedly in the issues surrounding the structure on the property next door to us. We are firmly opposed to changing the variance on the garage apartment which would allow it to be rented to persons who are not related to those who live in the primary dwelling on the property.

In 2001, the original owners at 2112 Ewing needed a special variance to construct a new garage which would exceed the height limitations imposed by the City. When it was revealed that, in addition to a garage, there would be an apartment as a part of this structure, it was stipulated that the apartment constructed above the garage was never to be rented to non-relatives and that there would never be more than one family living on the property as a whole. In fact, in an effort to be "good neighbors," we lent our support to the original variance with the written understanding that those stipulations would be upheld. We were assured by the then-owners that the apartment was for their business and/or an "in-law apartment".

As per Mr. Dominick Argumedo of the Zoning Office in March, 2011, the key provisions of the variance ZAR 01-33-M state:

1. Any dwelling in any accessory building on the subject property must always be accessory to the principal dwelling, no more than a single family may occupy the combined principal and accessory dwelling, and the coach house may not be occupied by persons who are not members of the family occupying the principal dwelling.
2. The property owner of the subject property shall record a covenant with the Cook County Recorder of Deeds to the effect that no portion of the subject property will constitute a dwelling unit separate from any other portion of the subject property in violation of the Evanston Zoning Ordinance. nor shall any portion be rented as a dwelling separate from any other portion of the subject property in violation of the Evanston Zoning Ordinance, nor shall the subject property be used for any residential use other than as a detached single family dwelling.

Over the years, these stipulations have been violated. The garage apartment was repeatedly, illegally rented by the then-owners. In 2013, we opposed an application by new owners to have the neighborhood zoning changed in order to allow for rental of the garage apartment. The records of that application and the ensuing debate at the level of the Zoning Board of Appeals are extensive. At that time, the original variance was upheld.

The current owner of the property at 2112 Ewing Avenue was well aware of the limits regarding the rental of the garage apartment when she purchased the property in 2013. Her ownership immediately followed the contentious fight to overturn the variance. The current owner is now seeking to sell the property and is once again requesting that the original variance be lifted to allow for rental of the garage apartment. It is her intention to maximize the price on the sale of this property by advertising it currently (prior to decision by the Zoning Board of Appeals) as having an income-producing coach house. This decision has not been legally determined by the City of Evanston.

We are aware that the City of Evanston has recently changed their ordinance regarding non-relative rental of accessory dwellings in R1 neighborhoods such as ours. We are extremely concerned that this unusual and confusing piece of property would then be eligible for as many as six unrelated persons to rent in both the primary and accessory dwellings. The allowance for multiple persons to live on and rotate through our block is of great concern.

There are no other coach houses on our block or on the contiguous blocks. We live in a single-family neighborhood. We chose to live in a single family neighborhood in 1997 when we purchased our home. We have lived here for 21 years, we have raised our daughters here, we intend to live here for at least another 21 years! We stand firmly in opposition to a neighbor who seeks to change the nature and culture of this block AND THEN MOVE AWAY! This is not an application to IMPROVE the quality of our street or neighborhood. Why should a resident seeking to leave the neighborhood be allowed to have a say in what it will look like when she is gone?

We recognize that the garage apartment at 2112 Ewing Avenue is an unfortunate and confusing complication to the property, but we feel strongly about enforcing the original variance limiting the rental of the apartment to related persons so that only one family will occupy the property as a whole. We will continue to request that the original variance on the
CITY OF EVANSTON Mail - Re: 2112 Ewing Avenue

garage structure at 2112 Ewing Avenue be maintained. As such, the accessory dwelling would only be inhabited, rental or otherwise, by persons related to those in the primary dwelling.

Abbey Prujan and Peter Steinhause
2108 Ewing Avenue
Clarification re: 2112 Ewing

Abbey Prujan <ajprujan@sbcglobal.net>
To: mklotz@cityofevanston.org
Cc: Peter Steinhouse <plsteinhouse@sbcglobal.net>

Tue, Jun 5, 2018 at 7:23 AM

Dear Ms. Klotz-

I was actively opposed to the request for variation on the property of 2112 Ewing in 2013. At that time, the request for variation was denied.

I have now received notification that another variation is being requested.

I am requesting clarification.

- Is this still considered an R1 zoned neighborhood?

- Are coach houses now allowed in R1 neighborhoods for rental where they previously were not? I am led, by the owner of the property, to believe that the City of Evanston has changed their position on rental of accessory dwellings in R1 neighborhoods.

- I am curious as to what has changed since 2013 to allow this request AGAIN.

- Additionally, I would like to obtain a copy of the 2018 application for variation. Please advise me as to how to go about obtaining that.

My husband and I intend to oppose this request. We continue to maintain that the structure in question was granted variance in 2001 as a garage with NO mention of dwellings. It was stipulated upon that variance that the structure was not to be occupied by anyone unrelated to the owner of the primary dwelling.

Thank you for your clarification. I will look forward to hearing back.

Abbey Prujan and Peter Steinhouse
2108 Ewing Avenue
847-207-3114
Zoning Appeal 18ZMJV-0051

1 message

William Backs <william@backs.name>  
To: mklotz@cityofevanston.org  
Cc: tsu/fredin@cityofevanston.org

Tue, Jun 12, 2018 at 4:38 PM

Dear Ms. Klotz,

A few years ago the owner of the property at 2112 Ewing asked for relief of the zoning restriction placed on the property. It was denied. Now only a few years later the new owner of the property is asking for the same relief. The property is up for sale, so the only benefit the current owner would receive is the ability to sell the property at a higher price if the apartment was available for lease. The whole issue began when the previous owner built the apartment illegally in the first place. The city did not demand that the structure be torn down, but ruled that it could not be rented. Now we have the second appeal of that decision within a few years. Needless to say, I oppose the request. I have three requests:

1) Could you provide me either the materials related to case ZAR 01-33-M, or provide me a link where I can view the materials online?

2) Could you provide the dates on which the original decision was made, and then on which the first appeal was denied? I want to see the appeal happened two years ago, but I may well be wrong on that.

3) Could you explain how it is that a decision can be appealed over and over again? Is there a length of time in which a decision expires? Can the original decision be appealed repeatedly until the neighborhood just gets tired of fighting, and if so, how often? As I mentioned above, the property is for sale. If this appeal is denied, can the new owner start the process again in six months? When is a decision of the ZBA considered final?

Thank you very much for your time and effort. I look forward to hearing from you.

William Backs
2730 Simpson Street
Evanston, IL 60201
(847) 492-0417

https://mail.google.com/mail/u/0/?ui=2&ik=4762073d7a&javer=k8XTJOJ1kuE.en.&cbl=gmail_fe_180606.07_p4&view=pt&search=inbox&th=163f5e64c484ae8&
2112 Ewing Ave Zoning Issue
1 message

Ann Glynn <anndglynn@hotmail.com> Sun, Jun 10, 2018 at 3:06 PM
To: "mklotz@cityofevanston.org" <mklotz@cityofevanston.org>

We are writing to express our concern and lack of support for the requested change in variance for the property located at 2112 Ewing.

This is a single family home residential neighborhood not designed to accommodate multi-unit buildings. As such we are concerned with the safety of our family oriented neighborhood, along with increased traffic, garbage and parking issues that having a rental unit would cause.

As single family home owners we take care to maintain our own home and chose to live in an area with people who made the commitment to own and maintain their homes as well.

The existing variance for renting the unit above the garage is just that-a reasonable accommodation-to allow the homeowner to rent to a close family member who they have vetted and hold a certain level of responsibility for.

The neighbors in this area have never agreed to make this residence a "multi unit rental" which could occur if the variance is expanded to allow non relative renters in both the main home and the garage unit.

We implore you to rescind the variance completely or at most uphold the "limited variance" for this property.

Sincerely,
Ann Glynn and Paul Dain
2036 Ewing

Sent from my iPhone
47-0-18

AN ORDINANCE

Amending the Definition of “Coach House,” in City Code Section 6-18-3 of the Evanston City Code

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

SECTION 1: The definition of “Coach House” in City Code Section 6-18-3 of the Evanston City Code of 2012, as amended, is hereby further amended as follows:

| COACH HOUSE: | A single detached secondary or accessory dwelling located on the same zoning lot as the principal dwelling unit including a garage. Tenants of coach houses may be unrelated to the owners of the principal residential structure. A maximum of one coach house is allowed per Single-Family Detached Dwelling. |

SECTION 2: All ordinances or parts of ordinances in conflict herewith are hereby repealed.

SECTION 3: If any provision of this ordinance or application thereof to any person or circumstance is ruled unconstitutional or otherwise invalid, such invalidity shall not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

SECTION 4: The findings and recitals herein are declared to be prima facie evidence of the law of the City and shall be received in evidence as provided by the Illinois Compiled Statutes and the courts of the State of Illinois.
SECTION 5: Ordinance 47-O-18 shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

Introduced: April 23, 2018

Adopted: May 14, 2018

Approved:

June 1, 2018

Stephen H. Hagerty, Mayor

Attest:

Devon Reid, City Clerk

Approved as to form:

Michelle Masoncup, Interim City Attorney
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR) MINUTES EXCERPT
June 6, 2018


Staff Present: J. Velan, E. Golden

Others Present:

Presiding Member: J. Leonard

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

New Business

3. 2112 Ewing Ave. Recommendation to ZBA
Margaret Henz, property owner, submits for a major variation zoning relief to eliminate conditions imposed on granted variation case ZAR 01-33-M to allow the coach house to be legally occupied and rented by persons who are not members of the family occupying the principal dwelling unit (as would otherwise be allowed by City Code if not for the variation conditions).

APPLICATION PRESENTED BY: Margaret Henz, property owner

DISCUSSION:

● Ms. Henz stated she is requesting to have a condition removed from the 2001 variation granted to allow the coach house, to be permitted to rent out the coach house, asking to have the coach house treated the same as other coach houses in Evanston. She noted the recent code amendment passed by City Council permitting coach houses to be rented.

● Ms. Henz stated her tax bill increased significantly, she cannot afford the property, therefore, she needs to sell.

● Mr. Mangum reviewed the history of the property, noted a variation was granted to permit the coach house to be built taller than otherwise permitted with the condition that it not be rented out.

● Ms. Leonard stated she is favor of removing the condition, but with the condition that the coach house is rented as an affordable dwelling, at 80% AMI, and that it not be a vacation rental.

● Ms. Henz asked if there could be time limit on the affordable restriction.

● Mr. Leonard suggested for at least 10 years.

Ms. Leonard made a motion to recommend approval to ZBA subject to the following conditions: 1. Coach house rented at 80% AMI for a period of at least 10 years, 2. Vacation rental prohibited, seconded by Mr. Mangum.

The Committee voted, 10-0, to recommend approval to ZBA subject to the above conditions.
Adjournment

Ms. Biggs moved to adjourn, seconded by Mr. Nelson. The Committee voted unanimously, 10-0, to adjourn. Meeting adjourned at 3:47 pm.

The next DAPR meeting is scheduled for Wednesday, June 20, 2018, at 2:30 pm in Room 2404 of the Lorraine H. Morton Civic Center.

Respectfully submitted,
Michael Griffith