



Village of Winnetka

Zoning Board of Appeals Regular Meeting

March 11, 2024 at 7:00 PM
Village Hall Council Chambers
510 Green Bay Road

AGENDA

1. **Call to Order & Roll Call**
2. **Approval of Minutes**
 - a. February 12, 2024, Regular Meeting Minutes
3. **Community Development Report**
4. **New Cases**
 - a. **Case No. 24-02-SU: 1110 Chatfield Road - Hubbard Woods Elementary School:** An application seeking approval of an amendment to an existing Special Use Permit, which allowed construction of an addition on the southwest corner of the existing school building at 1110 Chatfield Road, and zoning variations. The requested amendment would allow improvements to existing playgrounds on the school property. The variations would permit the proposed improvements to (i) exceed the maximum permitted impermeable lot coverage; and (ii) provide less than the minimum required front yard setback from the northwesterly property line along Hamptondale Avenue. The Village Council has final jurisdiction on this request.
 - b. **Case No. 24-03-V: 1476 Scott Avenue:** An application seeking approval of zoning variations to allow construction of an addition and structural changes necessary for new window and door openings in the legally nonconforming east side building wall of the existing residence at 1476 Scott Avenue. The requested variations would permit the proposed improvements to (i) exceed the maximum permitted gross floor area; and (ii) perform structural changes necessary to provide new window and door openings in the legally nonconforming east side building wall. The Zoning Board of Appeals has final jurisdiction on this request.
5. **New Business**
 - a. April 8, 2024, Regular Meeting - Quorum Check
6. **Public Comments**
7. **Adjournment**

NOTICE

Public comment is permitted on all agenda items at the meeting. If you wish to provide testimony or comments prior to the meeting, you may provide them one of two ways: (1) by sending an email to planning@winnetka.org; or by sending a letter to Community Development, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093. All agenda materials are available at www.villageofwinnetka.org/agendacenter.

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that persons with disabilities, who require certain accommodations to allow them to observe and/or participate in this meeting or have questions about the accessibility of the meeting or facilities contact the Village ADA Coordinator at 510 Green Bay Road, Winnetka, Illinois 60093, (Telephone (847) 716-3543; T.D.D. (847) 501-6041).

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
FEBRUARY 12, 2024**

Zoning Board Members Present: Matt Bradley, Chairman
Lynn Hanley
Mark Haller
Kathryn Leister
Kate Casale MacNally
Mike Nielsen

Zoning Board Members Absent: Todd Vender

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community Development

Call to Order & Roll Call:

Chairman Bradley called the meeting to order at 7:03 p.m. Roll call was taken of the Board Members present.

November 13, 2023, Regular Meeting Minutes:

Chairman Bradley asked for a motion to approve the November 13, 2023, meeting minutes. A motion to approve the November 13, 2023, meeting minutes was made by Ms. Casale MacNally and seconded by Ms. Hanley. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Haller, Hanley, Leister, Casale MacNally, Nielsen

NAYS: None

Community Development Report:

Mr. Schoon provided the Board Members with an update for 717 Park Avenue, 84 Abbottsford and 808 Oak Street. He also provided an update in connection with the pickleball court application.

Public Comment:

No comments were made at this time.

New Cases:

a. **Case No. 24-01-SU: 1095 Gage Street - Sacred Heart School:** An application seeking approval of an amendment to an existing Special Use Permit, which allowed construction of an addition on the west side of the existing school building at 1095 Gage Street and zoning variations. The requested amendment would allow improvements to the existing playground located on the north side of the existing school building. The variations would permit the proposed improvements to (i) exceed the maximum permitted impermeable lot coverage; (ii) provide less than the minimum required rear yard setback from the northerly property line; (iii) provide less than the minimum required side yard setback from the westerly property line; and (iv) exceed the maximum permitted height for a fence. The Village Council has final jurisdiction on this request.

Chairman Bradley and Ms. Hanley noted for the record that they have children who attend the school but they have no conflict and would provide fair and accurate assessments of the application. Ms. Klaassen identified the property's location, zoning classification and the limited special uses allowed in the B-1

1 Multifamily Residential zoning district. She referred to current photos of the site photos and noted the
2 items to be removed and replaced.

3
4 Ms. Klaassen explained the existing play area's proposed redevelopment and improvements in various
5 areas on the site. She identified the proposed fencing installation and replacement as well as the asphalt
6 replacement with an artificial turf field, its measurements and setbacks from the north and west property
7 lines. Ms. Klaassen identified the location of the proposed equipment's placement and referred to the
8 zoning matrix showing impermeable lot coverage percentages. She noted the applicant intends to provide
9 the necessary infiltration system under the proposed artificial turf and rubberized play surface to qualify
10 for a 25% impermeable lot coverage allowance for both surfaces. Ms. Klaassen explained that once the
11 final design of the infiltration system has been determined, the Village Engineering Department will verify
12 whether the proposed system meets the required standards to qualify for the 25% allowance. She then
13 explained that if the allowance applies the proposed impermeable lot coverage would be a reduction from
14 the existing nonconforming impermeable lot coverage.

15
16 Ms. Klaassen referred to the play equipment renderings and rubberized play surface. She stated the
17 Design Review Board and Plan Commission would consider the request at their upcoming meetings and
18 noted one written public comment was received and included in the agenda packet. She then stated
19 following the applicant's presentation and the Board's review, a Board Member may wish to make a
20 motion as indicated on page no. 19 of the agenda packet. Ms. Klaassen asked if there were any questions.

21
22 Ms. Casale MacNally referred the impermeable lot coverage and if the Board approved the request
23 including the impermeable lot coverage, would the applicant be permitted to pull the request for
24 evaluation to include the infiltration system. She questioned why the Board is hearing the request prior
25 to the infiltration system approval. Ms. Klaassen explained that the surfaces were included at 100% since
26 a final determination cannot be made on whether the allowance applies until the final design is presented
27 to the Village Engineering Department. She confirmed the applicant is currently working with the Village
28 Engineering Department. Ms. Klaassen indicated the Board's motion can include a condition.

29
30 Chairman Bradley referred to the 25% qualification. Ms. Hanley had a question regarding the fence height
31 exception for which Ms. Klaassen provided clarification.

32
33 Chairman Bradley swore in those speaking to this matter. Matt Cronin, the architect for the project, and
34 John Gross, the civil engineer for the project, introduced themselves to the Board as project managers
35 from the applicant's architectural design and civil engineering team. Mr. Gross explained to the Board
36 how they would be held to MWRD standards in terms of the infiltration system and described the various
37 site improvements. Mr. Cronin explained that the existing playground is essentially a large parking lot
38 that they want to turn into a better place for kids to play. He noted that the neighbors have provided
39 positive feedback regarding the project.

40
41 Chairman Bradley asked if there were any questions. Mr. Haller asked if the applicant would be required
42 to meet the Village's requirements along with MWRD requirements. Mr. Gross responded the
43 requirements are the similar for both entities. Mr. Haller asked if they met with the north neighbors. Mr.
44 Cronin responded that open houses were held to inform the neighbors of the project and to obtain
45 feedback. He added the north neighbors liked the fence and would have preferred a taller fence. Ms.
46 Hanley asked if four trees in an area she identified would be kept. Mr. Cronin stated they met with the
47 Village Forester regarding the trees and that two trees will be removed and two will be kept. He also
48 explained that two trees will be planted. He added there would no longer be vehicular parking in that

1 area with only emergency vehicle access. Mr. Cronin confirmed there would be no change in the drop-off
2 and pickup functions.

3
4 Chairman Bradley referred to the differing fence heights and asked for the rationale. Mr. Cronin explained
5 the difference in the fence height due to the topography and that the differing heights was out of respect
6 for the neighbors. Chairman Bradley asked if there is a need for the 8 foot fence as far eastward as it is
7 [along the north property line]. Mr. Cronin identified the basketball play area and the fence height was
8 adjusted to keep balls from entering neighboring properties and explained why an existing basketball
9 hoop was moved. Chairman Bradley referred to Figure 9. Mr. Cronin informed the Board the tallest
10 equipment piece would be 16 feet in height. Chairman Bradley asked where the drainage system would
11 be located and its capacity. Mr. Gross identified its location as underneath the synthetic turf and described
12 how it would function. Chairman Bradley questioned the project's construction timing. Mr. Cronin stated
13 the goal is to begin construction in June with completed in the fall and for all of the construction
14 equipment to be stored onsite. No additional questions were raised at this time.

15
16 Chairman Bradley asked if there was any public comment. No public comments were made at this time.
17 He then called the matter in for discussion.

18
19 Chairman Bradley referred to the project's similarity to that at Hubbard Woods and asked if Hubbard
20 Woods required the same infiltration system. Ms. Klaassen stated an infiltration system was not proposed
21 for that project since they weren't trying to qualify for the 25% allowance. Mr. Schoon explained the
22 difference between storm water detention requirements and how credit for permeable surface is
23 achieved.

24
25 Ms. Hanley stated she is in favor of the project and the proposed fence height is reasonable for the use
26 intended. She also stated she did not have an issue with the side yard and rear yard setbacks which would
27 primarily remain the same and with regard to impermeable lot coverage, they have to consider the
28 request being from an institutional use in a residential zone. Ms. Casale MacNally agreed with Ms.
29 Hanley's comments and stated she would be in favor of approval with conditioning additional
30 impermeable lot coverage on the applicant's completing the infiltration system design and working with
31 the Village Engineering Department to qualify for the 25% bonus. She stated they need to be careful that
32 water from this project does not flow unreasonably on neighboring properties.

33
34 Mr. Nielsen stated he is in favor of the project and commented on the multiple open houses held with the
35 neighbors. He referred to the fence height and suggested consideration be given that it is minimal. He
36 concluded he is in favor of the request. Mr. Haller stated he is also in favor of the request and agreed with
37 the comments made. He stated for a special use of this type, he referred to the applicant's consideration
38 of the neighbors. Chairman Bradley read the special use standards and stated they have been met. He
39 stated with regard to the zoning relief standards, he referred to the fence height standard and recent
40 variations from it. Chairman Bradley also stated no neighbors complained about the fence height. He
41 commended the applicant on installing an infiltration system which would benefit the school, the children
42 and would reduce the existing nonconformity and he would not condition its approval. Ms. Leister stated
43 she had no objection and described the project as a great solution which would benefit the school and
44 neighbors as a whole.

45
46 Chairman Bradley asked for a motion to recommend approval with the condition as stated by Ms. Casale
47 MacNally. The motion was not seconded. The motion failed.

Chairman Bradley then asked for a motion to recommend approval as indicated on page 19. A motion was made by Ms. Hanley to recommend approval. The motion was seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Haller, Hanley, Leister, Casale MacNally, Nielsen

NAYS: None

New Business:

a. March 11, 2024 - Quorum Check.

The Board Members discussed their availability.

Mr. Schoon provided the Board Members with an update regarding the Indian Hill streetscape concept plan open house to be held on February 15, 2024.

Adjournment:

Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by several Board Members and seconded. A vote was taken and the motion unanimously passed, 6 to 0:

AYES: Bradley, Haller, Hanley, Leister, Casale MacNally, Nielsen

NAYS: None

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Antionette Johnson
Recording Secretary



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MARCH 6, 2024
SUBJECT: HUBBARD WOODS ELEMENTARY SCHOOL – 1110 CHATFIELD ROAD
SPECIAL USE PERMIT & VARIATIONS (CASE NO. 24-02-SU)

INTRODUCTION

On March 11, 2024, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Winnetka Public School District 36 (the “Applicant”), as the owner of the property located at 1110 Chatfield Road (the “Subject Property”). The Applicant is proposing improvements to existing playgrounds located on the Subject Property and requests approval of the following relief:

1. Approval of an amendment to an existing **Special Use Permit** that allowed construction of an addition on the southwest corner of the existing school building on the Subject Property. The requested amendment would allow improvements to existing playgrounds on the Subject Property, which is located in the R-4 Single-Family Residential Zoning District; and
2. Approval of the following **zoning variations**:
 - a. **Impermeable Lot Coverage (ILC)** of 82,473.21 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 18,836.71 square feet (29.6%) [Section 17.30.030 – Intensity of Use of Lot] [Note: The site currently contains 81,078.21 square feet of ILC. The proposed improvements would add 1,395 square feet]; and
 - b. **Front Yard Setback (Hamptondale Avenue)** of 4.17 feet, whereas a minimum of 30 feet is required, a variation of 25.83 feet (86.1%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The existing play equipment currently provides a front yard setback of 9.33 feet.].

A sign has been posted on the Subject Property indicating the time and date of the ZBA public hearing. A mail notice has been sent to property owners within 250 feet of the Subject Property, in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on February 22, 2024. As of the date of this memo, staff has not received any written comment from the public regarding this application.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant or amend a Special Use Permit; and (ii) grant any variation that is related in any way to a special use.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 2.92 acres (127,273 square feet) in size, is located on the south side of Chatfield Road between Gordon Terrace and Burr Avenue and contains Hubbard Woods Elementary School (see Figure 1). The Subject Property has three front yards, with street frontage along

Chatfield Road to the north, Burr and Laurel Avenues to the east, and Gordon Terrace and Hamptondale Avenue to the west.

The Comprehensive Plan designates the Subject Property as appropriate for “Institutional (Religious Institution, School, Governmental & Other Facilities)” uses. The property is zoned R-4 Single Family Residential, and it is bordered by R-4 Single Family Residential to the north, east, and west, and R-2 Single Family Residential to the southeast and southwest (see Figure 2).

In addition to single-family residential uses, the R-4 District allows a limited range of additional uses by Special Use Permit. Allowed Special Uses in the R-4 District include (a) church or temple; (b) public school, elementary and high, or private school having a curriculum equivalent to a public elementary school, public high school or public institution of higher learning; and (c) library.

The Applicant’s use of the Subject Property as a school is generally consistent with the Comprehensive Plan land use designation and the R-4 zoning district.



Figure 1 – Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

Hubbard Woods School was constructed circa 1911. There have been several additions and various other improvements to the school and Subject Property over the years. There are twelve (12) previous zoning cases on file for the Subject Property:

1. In 1927, ZBA Case No. 282 was approved for a front yard setback variation to allow an addition to the school;
2. In 1953, ZBA Case No. 788 was approved for a front yard setback variation to allow an addition to the school;
3. Ordinance M-287-90 was adopted in February 1990 by the Village Council, granting a special use permit and variations to allow construction of an addition on the south side of the existing school building. The approved variations were for (a) GFA; (b) roofed lot coverage; (c) impermeable lot coverage; and (d) front yard setback from Laurel and Burr Avenues;
4. Ordinance M-472-96 was adopted in October 1996 by the Village Council, granting a special use permit and variations to allow a temporary mobile classroom structure and playground improvements. The approved variations were for GFA and roofed lot coverage;
5. Ordinance M-481-96 was adopted in January 1997 by the Village Council, granting a front yard setback variation to allow play equipment;
6. In 1997, ZBA Case No. 97-14-SU was a request to allow a temporary mobile classroom that would have exceeded the maximum permitted GFA. The application was withdrawn;
7. Ordinance M-528-98 was adopted in June 1998 by the Village Council, granting an amendment to a special use permit and variations to allow the construction of three one-story additions to the existing school building. The approved variations were for (a) GFA; (b) roofed lot coverage; and (c) impermeable lot coverage;
8. Ordinance M-578-99 was adopted in June 1999 by the Village Council, granting a front yard setback variation to allow play equipment within the minimum required front yard setback along Hamptondale Avenue;
9. Ordinance M-18-2006 was adopted in August 2006 by the Village Council, granting variations to allow playground improvements, a new storage shed, and an Outdoor Environmental Learning Area. The approved variations were for (a) GFA; (b) roofed lot coverage; and (c) impermeable lot coverage;
10. Ordinance M-5-2017 was adopted in May 2017 by the Village Council, granting a special use permit and a front yard setback variation to allow playground improvements within the minimum required front yard setback along Hamptondale Avenue;
11. Ordinance M-07-2022 was adopted on April 19, 2022, by the Village Council, granting an amendment to a special use permit, variations, and a certificate of appropriateness to allow improvements to an existing playground located on the north and west side of the Subject Property. The approved variations were for impermeable lot coverage and the side yard setback from the west property line. The playground improvements approved with the adoption of M-07-2022 were never constructed; and
12. Ordinance M-07-2023 (**Attachment C**) was adopted on April 18, 2023, by the Village Council, granting an amendment to a special use permit, variations, and a certificate of appropriateness to allow construction of an addition to the existing school building and site improvements on the Subject Property. The approved variations were for (a) GFA; (b) roofed lot coverage; and (c) impermeable lot coverage (ILC). Prior to the Village Council's consideration of M-07-2023, the Applicant rescinded its application for an amendment to a special use permit and variations for the playground improvements approved in 2022. Therefore, the ILC approved with the adoption of Ordinance M-07-2023 did not include the area of the rubberized play surface proposed in 2022.

Figures 3 and 4 on the following page are current photos of the site where the improvements are

proposed.



Woodchip Play Surface to be Replaced with Rubberized Poured-in-Place Surface

Figure 3 – Subject Property – Kindergarten Playground
(Play equipment in foreground to remain)



Existing Play Surfaces to be Replaced with Synthetic Turf

Figure 4 – Upper Play Area



Figure 4 – Subject Property – Looking North

(Photo taken in 2023, prior to commencement of current construction project)

PROPOSED PLAN

The Applicant is proposing improvements to three separate play areas on the Subject Property: (i) the kindergarten play area, which is the play area closest to Hamptondale Avenue, (ii) the west play area located along the southwesterly property line adjacent to single-family residences, and (iii) the upper play area, which is located next to the building (see Figure 6). The specific improvements for each play area are described below.

Kindergarten Play Area: The existing woodchip play surface would be replaced with a poured-in place rubber play surface, measuring 2,600 square feet. The existing play equipment would remain the same and in its current location. The poured-in-place surface would be setback 4'-2" from the westerly property line along Hamptondale Avenue.

West Play Area: Approximately 7,300 square feet of existing asphalt located towards the center of the Subject Property would be removed and converted into lawn area. The existing play equipment and woodchip play surface would be removed. New play equipment installed on a poured-in-place rubber play surface would be located in a new play area, south and east of the existing play area (see Figure 7). The proposed equipment would be in a palette of green and brown and supplied by NuToys Leisure Products, specifically from the manufacturer Landscape Structures. The tallest piece of play equipment would be 12 feet in height. This new play area would measure 4,340 square feet and be setback 30 feet from the southeasterly property line along Laurel Avenue and 23'-10" from the southwesterly property line.

Upper Play Area: The existing synthetic turf would be replaced with new synthetic turf and slightly reconfigured, along with the concrete paths. The existing bridge would be relocated within the play area and the existing covered gazebo/ pergola structures would remain. In addition to a new sand box, a few small pieces of play equipment are proposed.

The proposed playground improvements represent a net increase in impermeable lot coverage of 1,395 square feet. The proposed site improvements also include extensive landscaping along the southwesterly property line, which is shared with the adjacent residential neighbors, as well as landscaping to screen the mechanical enclosure that was approved with the addition in 2023.

Excerpts of the existing and proposed site plans, landscape plan, and renderings of the proposed equipment are provided below and on the next pages as Figures 6 through 11. The complete set of plans, including the specific plant list associated with the landscape plan, as well as photos of the three existing play areas are provided in the application materials, which are included in this report as **Attachment B**.

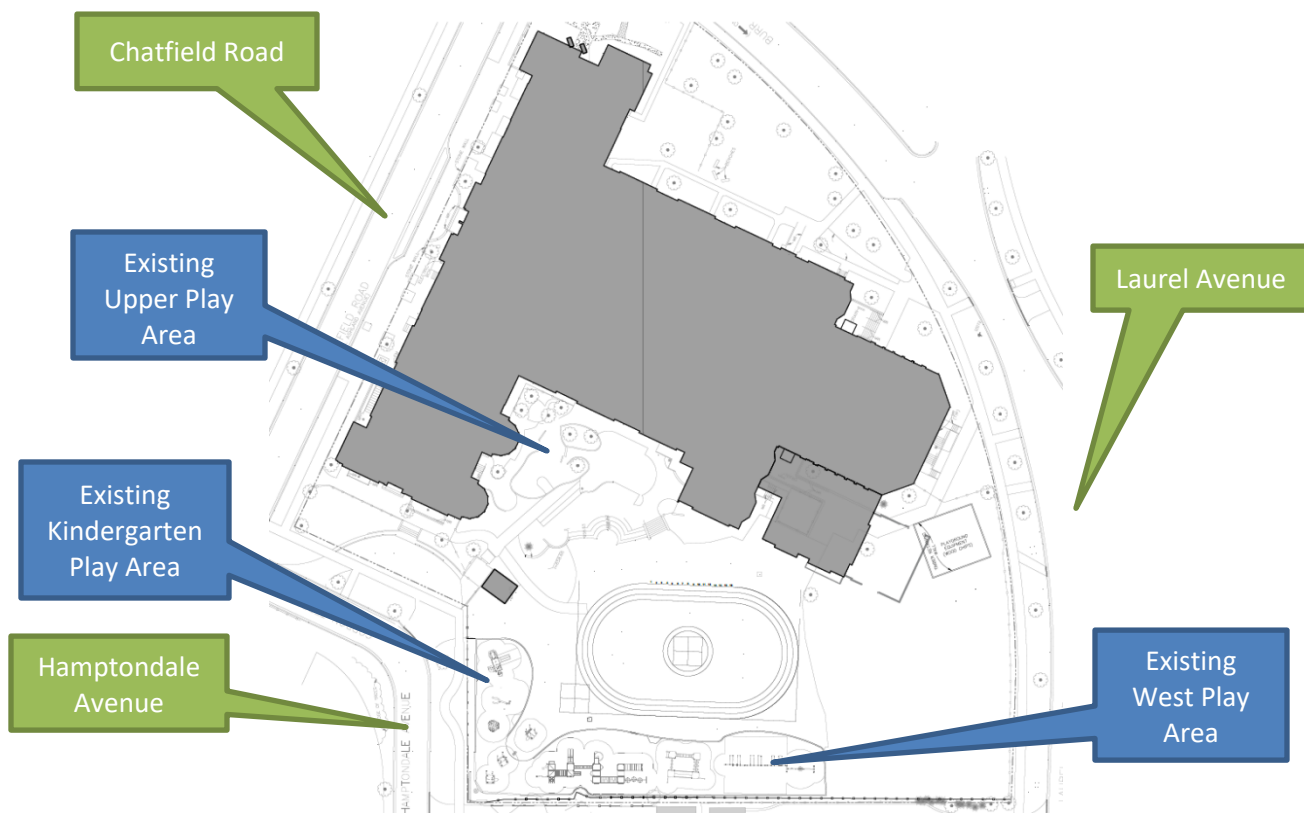
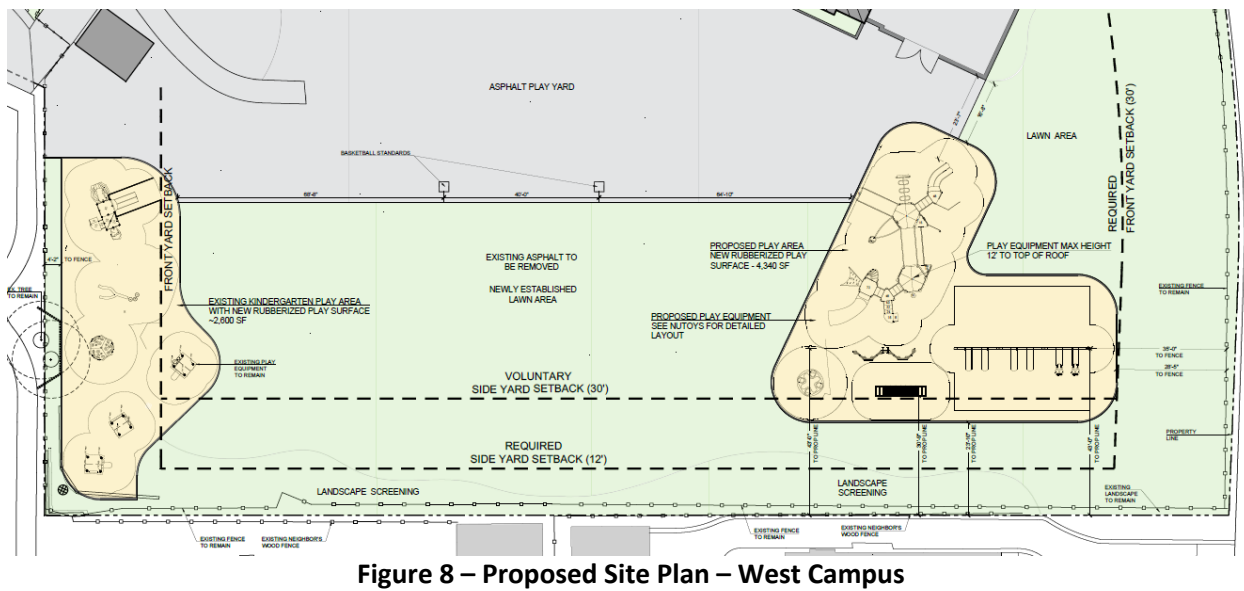
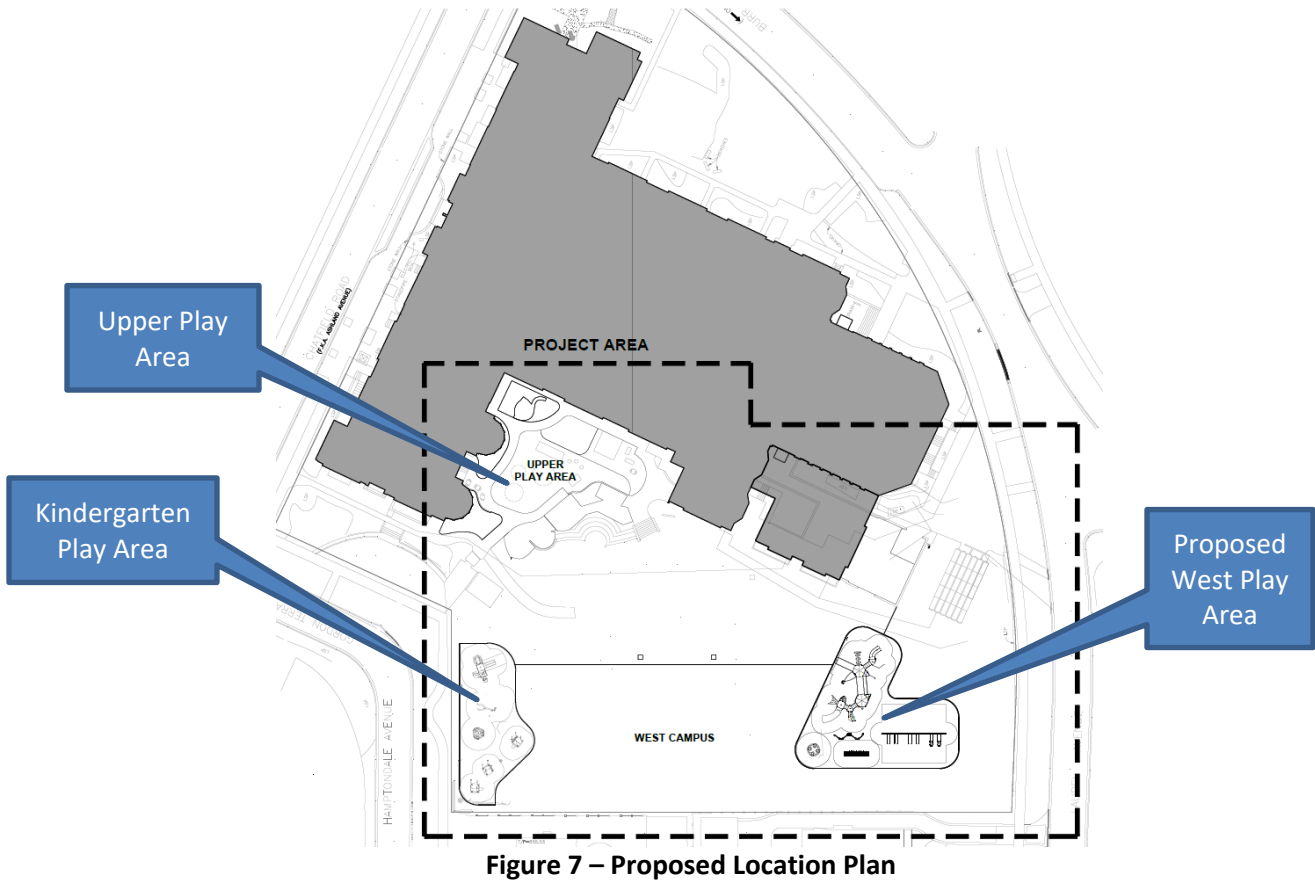
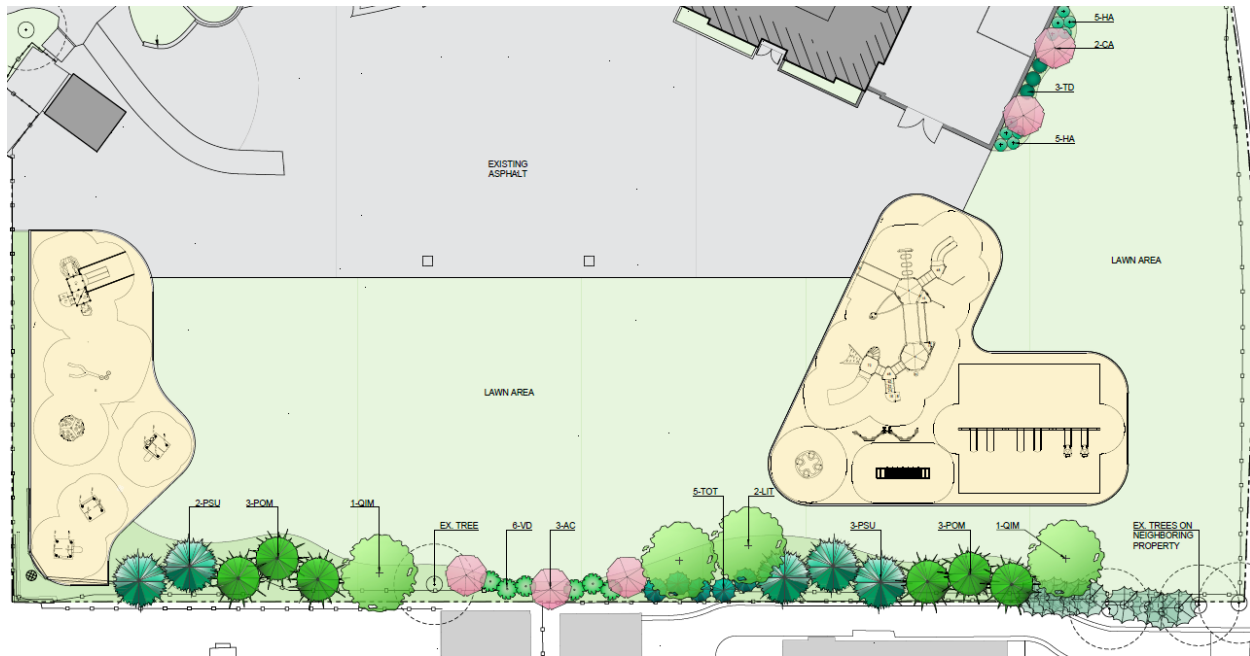


Figure 6 – Existing Site Plan







PROJECT TABLE SET
COMMUNITY PLAYTHINGS®



OUTDOOR PLAY KITCHEN
COMMUNITY PLAYTHINGS®



Figure 11 – Proposed Play Equipment – Upper Play Area

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, it is worth noting that the Applicant has submitted preliminary engineering plans that have been reviewed by the Village Engineer. Based on these preliminary engineering plans and discussions between the Village Engineer and the Applicant's engineering team, the Village Engineer is confident the final engineering plans will be approved for the proposed improvements. Figure 12 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain.

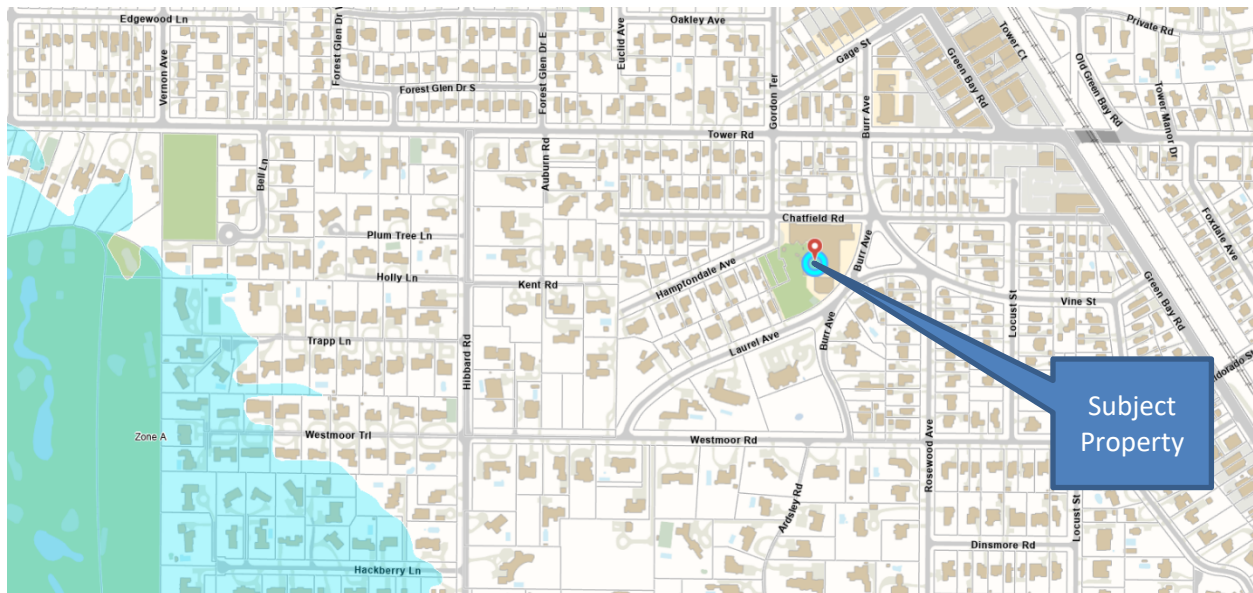


Figure 12 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvements' compliance with the R-4 zoning district (**Attachment A**). Two variations are being requested to allow the proposed playground improvements: (1) impermeable lot coverage; and (2) front yard setback.

Impermeable Lot Coverage (ILC). The maximum permitted ILC in the R-4 District is 50% of the lot area. The maximum allowed ILC on the Subject Property is 63,636.5 square feet. The building addition approved in 2023 also required approval of a variation to exceed the maximum permitted ILC as the existing improvements on the site already exceed the permitted ILC. As detailed in attached Ordinance M-07-2023, an ILC of 81,078.21 square feet was approved in 2023 to allow construction of an addition to the existing school building, as well as a mechanical equipment and refuse container enclosure, exceeding the maximum permitted ILC by 17,441.71 square feet (27.41%). The proposed improvements currently before the Board for consideration represent an increase of 1,395 square feet of ILC from the ILC approved in 2023; bringing the total ILC to 82,473.21 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 18,836.71 square feet (29.6%).

Front Yard Setback (Hamptondale Avenue). The existing play equipment in the kindergarten play area currently provides a front yard setback of 9.33 feet. The proposed rubberized play surface would provide a setback of 4.17 feet, whereas a minimum of 30 feet is required, a variation of 25.83 feet (86.1%). The existing play equipment would remain in its current location, with the proposed play surface beneath it.

CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

The Design Review Board is scheduled to consider a Certificate of Appropriateness for the proposed improvements on March 20, 2024.

The Plan Commission is scheduled to consider the Special Use Permit on April 3, 2024.

FINDINGS

The ZBA is charged with evaluating Special Uses for consistency with the six standards for granting specials use permits, as well as evaluating Variations for consistency with the eight standards for granting of zoning variations.

In the attached application materials submitted by the Applicant, the Applicant has provided a statement of justification regarding how the requested Special Use Permit and variations meet the standards for granting the requested Special Use Permit and zoning variations. Does the ZBA find that the requested amendment to an existing Special Use Permit and variations meet the standards for granting such special use and variations; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the requested amendment to the existing special use that allowed construction of an addition on the southwest corner of the existing school building on the Subject Property granted by Ordinance M-07-2023 and the following zoning variations: (1) impermeable lot coverage; and (2) front yard setback to allow improvements to existing playgrounds on the Subject Property, based on evidence in the record, or a public document, and upon the following findings of fact:

1. The proposed playground improvements are consistent with the Standards for the granting

of Special Use Permits, as follows:

- a. That the establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
- b. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
- c. That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
- d. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
- e. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided; and
- f. That the special use in all other respects conforms to the applicable regulations of this and other Village ordinances and codes.

2. The requested zoning variations to allow:

- a. Impermeable Lot Coverage (ILC) of 82,473.21 square feet, whereas a maximum of 63,636.5 square feet is permitted, a variation of 18,836.71 square feet (29.6%) [Section 17.30.030 – Intensity of Use of Lot]; and
- b. Front Yard Setback (Hamptondale Avenue) of 4.17 feet, whereas a minimum of 30 feet is required, a variation of 25.83 feet (86.1%) [Section 17.30.050 – Front Yard Setback].

are **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **have been met [have not been met]:**

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants.
3. The variation, if granted, will not alter the essential character of the locality.
4. An adequate supply of light and air to the adjacent property will not be impaired.
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

[The amendment to the special use for the proposed playground improvements and the requested variations should only be approved subject to the following conditions...]

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Application Materials

Attachment C: Ordinance M-07-2023, adopted April 18, 2023

ATTACHMENT A

ZONING MATRIX

ADDRESS: 1110 Chatfield Road - Hubbard Woods Elementary School

CASE NO: 24-02-SU

ZONING: R-4

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	13,300 SF	127,273 SF	N/A	N/A	OK
Min. Average Lot Width	70 FT	351.92 FT	N/A	N/A	OK
Min. Lot Depth	120 FT	361.65 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	31,818.25 SF (1)	49,531.58 SF	49,531.58 SF	0 FT	EXISTING NONCONFORMING
Max. Gross Floor Area	31,087.79 SF (1)	55,333.74 SF	55,333.74 SF	0 FT	EXISTING NONCONFORMING
Max. Impermeable Lot Coverage	63,636.5 SF (1)	81,078.21 SF	82,473.21 SF	1,395 SF	18,836.71 SF (29.6%) VARIATION
Min. Front Yard (Chatfield/North)	30 FT	4.97 FT	4.97 FT	0 FT	EXISTING NONCONFORMING
Min. Front Yard (Burr/Laurel/East)	30 FT	11.35 FT	11.35 FT	0 FT	EXISTING NONCONFORMING
Min. Front Yard (Gordon Terr./Hamptondale/West)	30 FT	9.33 FT (3)	4.17 FT (4)	- 5.16 FT	25.83 FT (86.1%) VARIATION
Min. Side Yard (Southwest)	12 FT	9.5 FT (3)	23.83 FT (4)	14.33 FT	OK

NOTES:

(1) Based on lot area of 127,273 s.f.

(2) Variation amount is the difference between proposed and requirement.

(3) Setback to existing play equipment.

(4) Setback to proposed rubberized poured-in-place play surface.

ATTACHMENT B

Village of Winnetka
SPECIAL USE PERMIT APPLICATION

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION

Case No. 24-02-SU
302224-079

Property Information

Site Address: Hubbard Woods School - 1110 Chatfield Road, Winnetka, IL 60093

Applicant Information

Name: Kathryn Talty Landscape Architecture, Inc.

Primary Contact: Kathryn Talty

Address: 1926 Waukegan Road, Suite 340

City, State, ZIP: Glenview, IL 60025

Phone No. 847-612-5154

Email: kathryn@ktlandarch.com

Owner Information

Name: Winnetka Public School District 36

Primary Contact: Brad Goldstein

Address: 1235 Oak Street

City, State, ZIP: Winnetka, IL 60093

Phone No. 847-446-9400

Email: bradgoldstein@winnetka36.org

Architect Information

Name: _____

Primary Contact: _____

Address: _____

City, State, ZIP: _____

Phone No. _____

Email: _____

Attorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

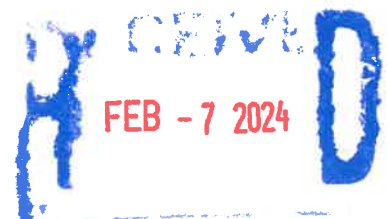
Applicant Signature: Brad Goldstein Digitally signed by Brad Goldstein
Date: 2024.02.06 15:13:57 -06'00'

Property Owner Signature: Brad Goldstein Digitally signed by Brad
Goldstein
Date: 2024.02.06 15:14:13
-06'00'

Printed Name of Owner: Brad Goldstein

Date: 02/05/2024

Date: _____



Hubbard Woods School Playground Enhancements

Project narrative

School District 36 respectfully submits this application for a zoning variance and special use permit to enhance existing outdoor recreational areas on its Hubbard Woods School campus. As part of this project, the District seeks to remove a portion of its asphalt play yard to increase the amount of lawn area, replace vintage play equipment that has aged past its useful life, replace the engineered fiber woodchips with poured-in-place rubber safety surfacing and renovate the upper play area space adjacent to the building.

Currently, Hubbard Woods School has three separate play areas that will be affected by this enhancement, referred to as the Kindergarten, west and upper play area. All existing play equipment will be removed from the west play area and the space will be incorporated into a new lawn and landscaped border that runs the length of the west property line. The west play area will be relocated to the south and setback a substantial 30' from both the side and front property lines. Both the west and Kindergarten play areas will have poured-in-place rubber play surfacing under the equipment in accordance with all safety requirements. The upper play area will be renovated with new synthetic turf surfacing, a small sandbox, a minimal amount of permanent play equipment and reconfigured concrete paths. The exiting pergola structures will be maintained.

The principal of Hubbard Woods School gathered input from a group of teachers, students and parents representing all grade levels instructed at the school. Attention was focused on adding play pieces that allow the greatest opportunity for inclusive play, serving all the students at Hubbard Woods. Consideration of adjacent neighbors was a priority in determining the relocation of the west play area and layout of the new play equipment. Substantial landscaping has been added to the perimeter to further buffer the school's outdoor activities. The District met with the adjacent neighbors to garner their feedback and the new plans were met favorably.

A comprehensive grading and stormwater management plan prepared by Eriksson Engineering accompanies this application and will be submitted to the Village Engineering Department as part of the permit process.

The District seeks approval to install this play equipment during the school's summer break with a planned commencement of June 2024. Depending on the outcome of the competitive bid process and related budgetary constraints, the project may be installed in phases.

Special Use Standards Commentary – Hubbard Woods School

1. *That the establishment, maintenance, and options of the Special Use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;*

Hubbard Woods School seeks approval of this Special Use to allow the reconfiguration of its campus outdoor space including: a) the removal of existing asphalt to establish more green space, b) renovation of the upper play area, adjacent to the building, c) replacement and relocation of aging play equipment and d) the installation of rubberized safety surface in their existing Kindergarten playground. The new surface will provide a more accessible route for students with mobility issues. The renovation of the existing play areas will provide a safe, inclusive play experience for all Hubbard Woods' students. The project will be installed observing public health, safety, comfort, morals and general welfare.

2. *That the Special Use will not substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;*

The proposed, renovated Hubbard Woods School campus has been sensitively designed to respect the immediate neighbors. The relocation of the west play area and the introduction of additional green space was conceived to provide more of a buffer to the neighbors along the west property line. Equipment was placed at an increased side-yard setback with the intention to observe the privacy of adjacent backyards and additional landscaping has been included to provide a visual buffer. Having this lovely resource near homes in the area will only enhance the appeal to property owners in that the playground will be appropriately maintained and safety measures and guidelines will be followed throughout the installation process. The current plans meet all safety regulations and the structures themselves are attractive.

3. *That the establishment of Special Use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;*

The playground area and location on the property were consciously selected to preserve neighboring lots' privacy and provide a visual buffer to the play activity. The design is in keeping with the type and rough dimensions of the existing equipment. The surrounding neighborhood will not be impacted negatively nor will the normal and orderly development be impeded.

4. *That adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways;*

The proposed site improvements and installation of the new playground equipment will in no way impede the normal activities that occur around Hubbard Woods School. The pedestrian and vehicular traffic will remain unchanged by the replacement of the play equipment. Furthermore, the District will use good judgment and decision making as to when the equipment will be installed, ensuring, to the best of our ability, that traffic and sidewalks will not be obstructed for users.

5. *The adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the Special Use exits or are to be provided;*

The playground project does not require changes to existing parking, roads, drainage or facilities. The District will ensure that any disruption to the neighbors due to the installation of the new equipment will be minimal. We will provide information to the neighbors regarding the installation process.

6. *That the Special Use in all other respects conforms to the applicable regulations of this and other village ordinances and code.*

The school district is obliged to follow the safety rules and regulations stated in school code, which ensures a safe playground for children to enjoy. The District will comply with all Village regulations, ordinances and codes in this process.



VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 24-02-SU

Property Information

Site Address: Hubbard Woods School - 1110 Chatfield Road, Winnetka, IL 60093

Owner Information

Name: Winnetka Public School District 36

Address: 1235 Oak Street

City, State, ZIP: Winnetka IL 60093

Email: bradgoldstein@winnetka36.org

Primary Contact: Brad Goldstein

Phone No. 847-446-9400

Date property acquired by owner: 01/01/1914

Architect Information

Name: Kathryn Talty Landscape Architecture, Inc.

Primary Contact: Kathryn Talty

Address: 1926 Waukegan Road, Suite 340

City, State, ZIP: Glenview, IL 60025

Phone No. 847-612-5154

Email: kathryn@ktlandarch.com

Attorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: Institutional use (school) within a residentially zoned district. The property has existing non-conformances exceeding allowed impermeable surface and a front-yard setback encroachment.

Brief explanation of variation(s) requested (attach separate sheet providing additional details): Winnetka Public School District 36, requests two variances: a) to increase the total impermeable surface on the lot in order to install poured-in-place rubber safety surfacing under two (1 existing and 1 proposed) play areas on campus and b) to allow the installation of play surface within the front-yard setback.

Property Owner Signature: _____

Date: 02/06/2024

Standards for Granting Zoning Variation – Hubbard Woods School

1. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allow by regulations in that district;*

Hubbard Woods School seeks approval of two variances: to exceed the allowed impermeable surface on the lot and the installation of poured-in-place rubber safety surface within the front yard setback. If granted, this variance will allow the installation of rubberized safety surface in their new and existing playgrounds in lieu of engineered wood fiber (wood chips). The proposed surface will provide an accessible route for students with mobility issues or other physical challenges. As Hubbard Woods School provides an inclusive environment that serves students of all capabilities, it is imperative to the educational process that every student can access the play equipment on site.

2. *The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question, rather than being related to the occupants;*

Hubbard Woods School occupies a parcel that, though limited in size, must accommodate the multitude of everyday activities associated with the educational process of students of all abilities.

3. *The variation, if granted, will not alter the essential character of the locality;*

The proposed changes to the playground safety surface have increased our impermeable lot coverage on an existing non-conforming lot. This increase has been substantially offset by the introduction of additional green space. In the case of the existing Kindergarten play area, the new safety surface will encroach on the front-yard setback along Chatfield triggering the request of an additional variance. Due to the existing non-conformities of the lot, the character of the locality will not be altered if we are granted this variation.

4. *An adequate supply of light and air to adjacent property will not be impaired;*

Nothing within the scope of the proposed work will impair the supply of light and air to adjacent properties.

5. *The hazard from fire and other damages to the property will not be increased;*

Nothing within the scope of the proposed work will increase the hazard from fire or other damages to the property.

6. *The taxable value of the land and buildings throughout the Village will not diminish;*

Winnetka's remarkable Public Schools have a positive effect on property values throughout the Village. The objective in upgrading the playgrounds is to maintain District 36's standards of excellence in inclusive education.

7. *The congestion in the public street will not increase;*

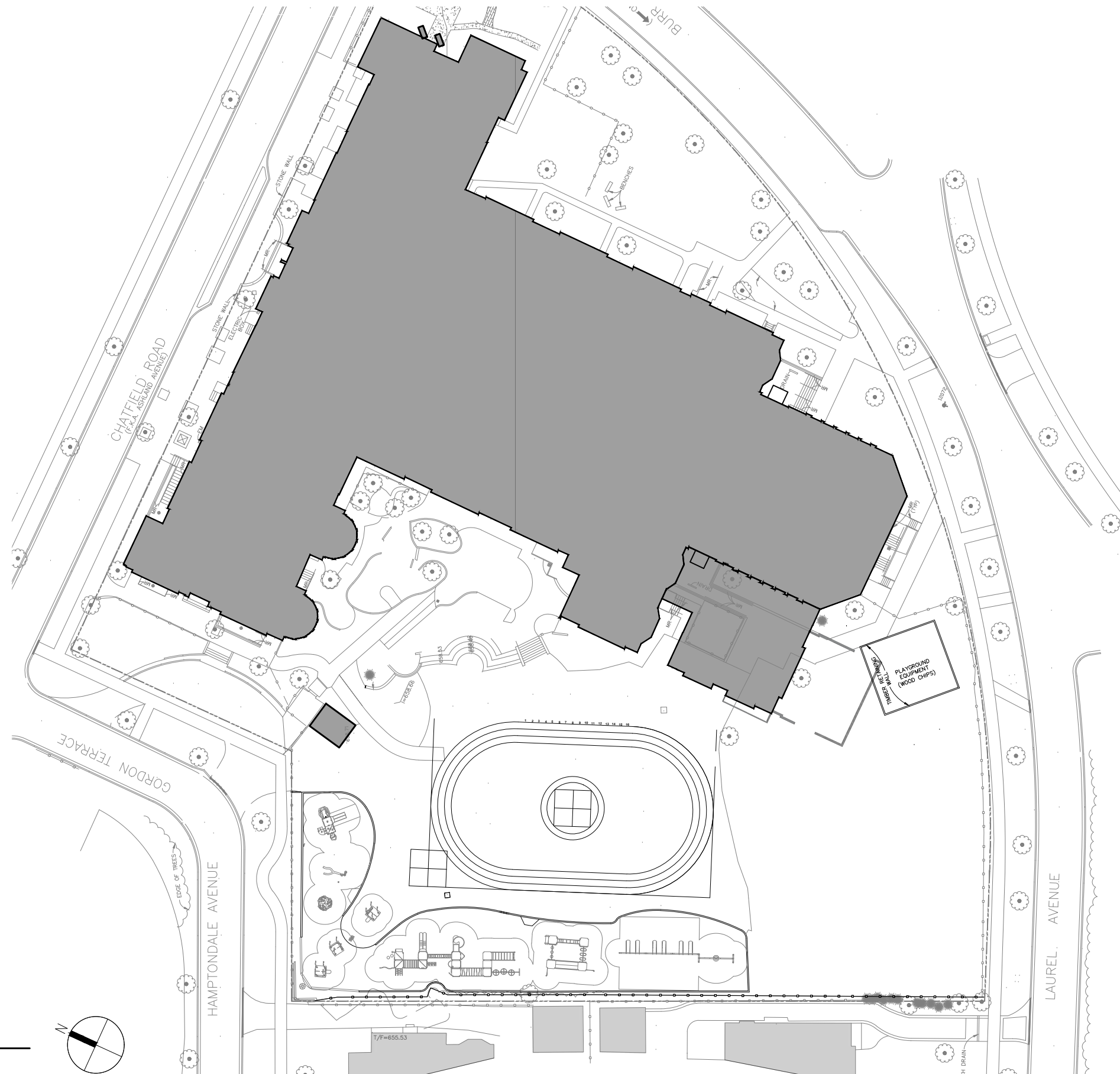
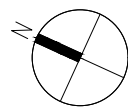
The installation of the new playground equipment will in no way increase the congestion in the Public Streets around Hubbard Woods School. The pedestrian and vehicular traffic will remain unchanged by the replacement of the play equipment. Furthermore, the District will use good judgment and decision making as to when the equipment will be installed, ensuring, to the best of our ability, that traffic and sidewalks will not be obstructed for users.

8. *The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired.*

The renovation of the existing play area will provide a safe, inclusive play experience for all Hubbard Woods' students, improving the public health, safety, comfort, morals and welfare of the Village's youngest residents. The current plan meets all safety regulations and will be installed in accordance with all building permit requirements.

EXISTING CONDITIONS

SCALE: 1" = 50'-0"



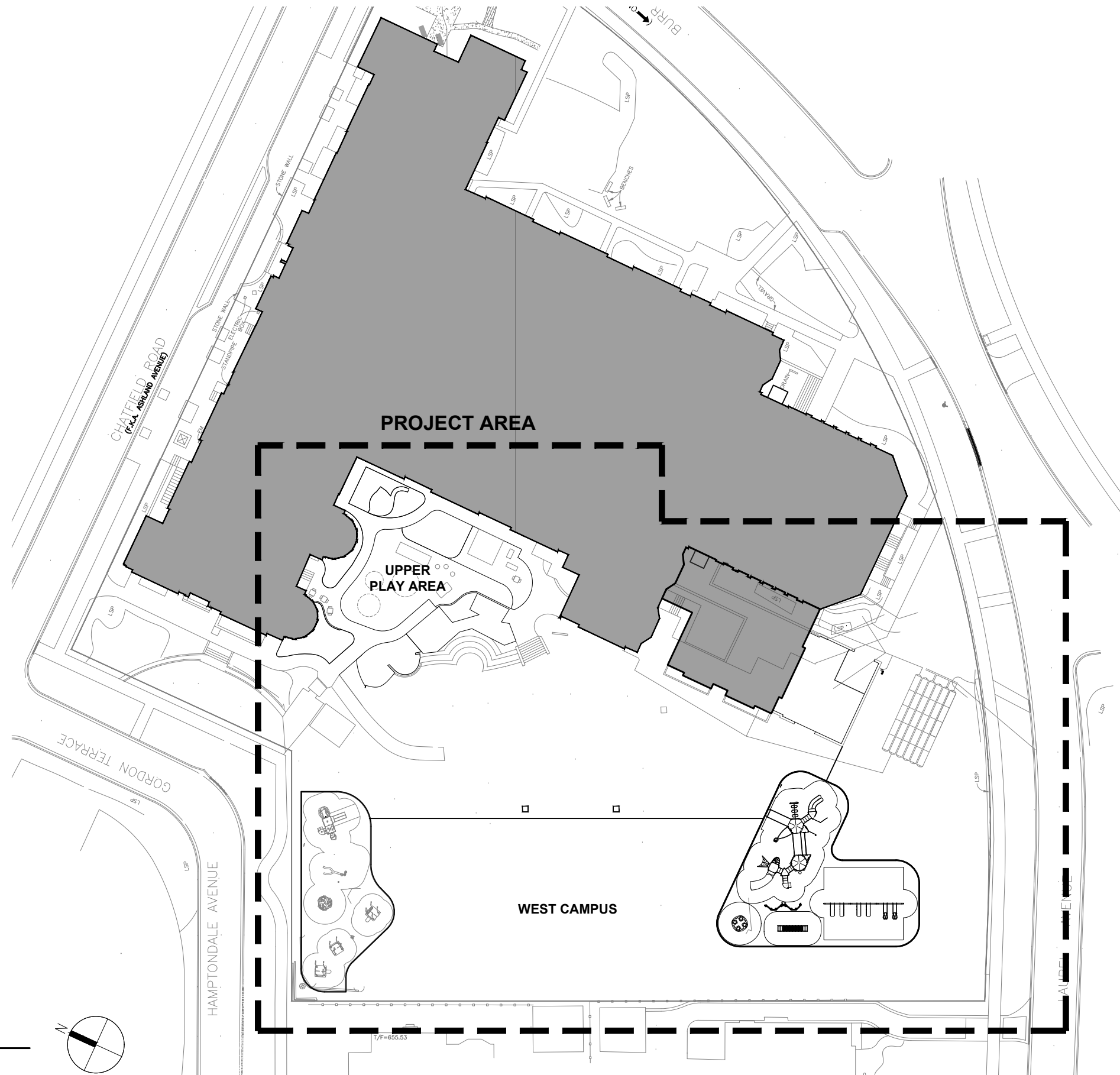
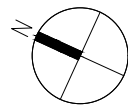
PLAY AREA IMPROVEMENTS

WINNETKA, ILLINOIS

SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

PROJECT LOCATION PLAN

SCALE: 1" = 50'-0"





SURFACE AREA CALCULATIONS - UPPER PLAY AREA	
 PLAY AREA TO BE REMOVED: (IMPERMEABLE)	- 3,932 SF
 PROPOSED PLAY AREA: (IMPERMEABLE)	+ 3,932 SF
TOTAL CHANGES TO IMPERVIOUS AREA:	0

SURFACE AREA CALCULATIONS - WEST CAMPUS	
 ASPHALT TO BE REMOVED: (IMPERMEABLE)	- 7,304 SF
 PLAY AREA TO BE REMOVED: (PERMEABLE)	
 PROPOSED ASPHALT: (IMPERMEABLE)	+ 1,665 SF
 PROPOSED RUBBERIZED PLAY SURFACE: (IMPERMEABLE)	+ 7,034 SF
TOTAL CHANGES TO IMPERVIOUS AREA:	+1,395 SF



SITE PHOTOS
EXISTING EQUIPMENT TO BE REPLACED

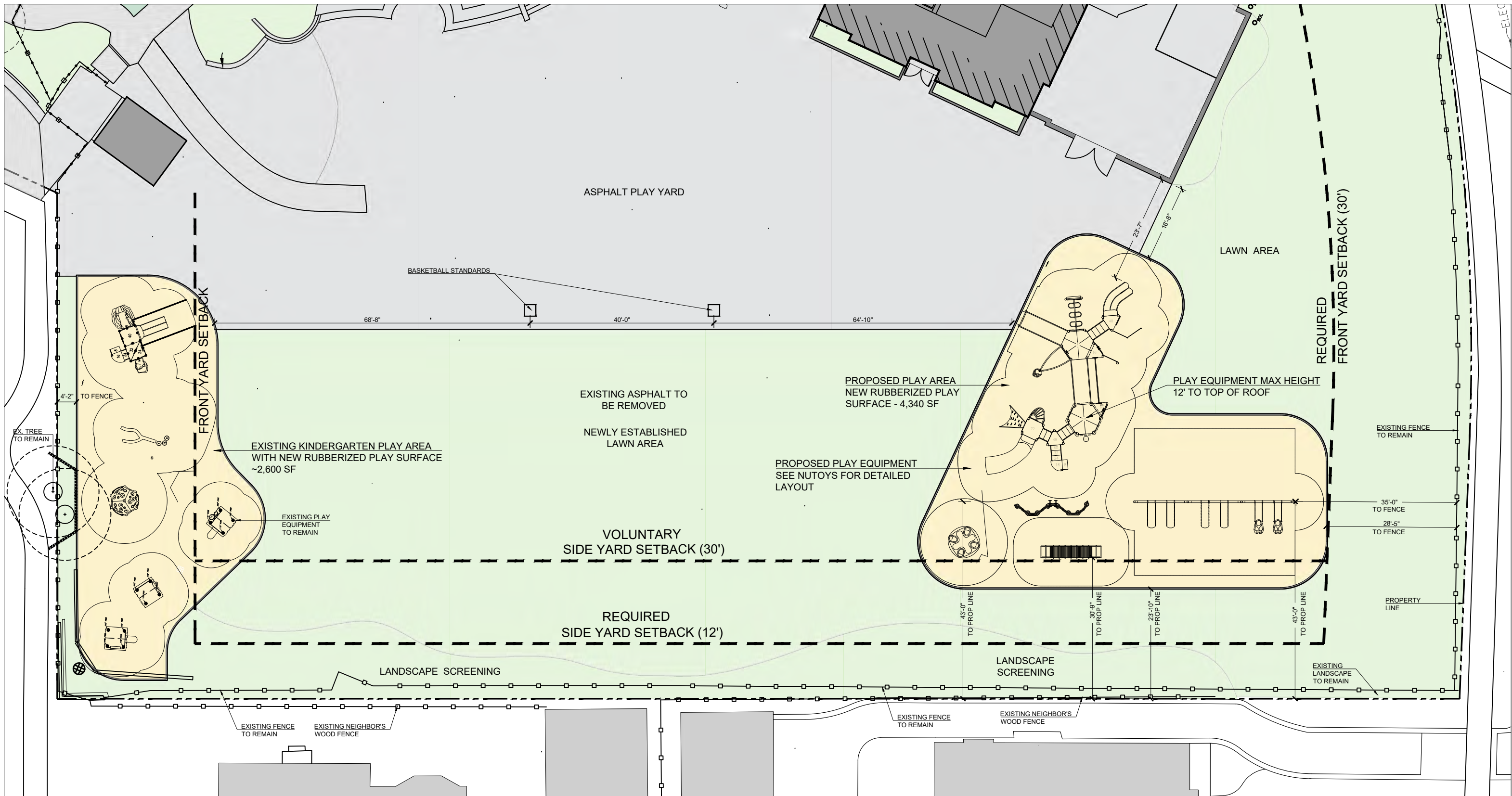


SITE PHOTOS
EXISTING EQUIPMENT TO BE REMAIN



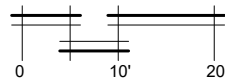
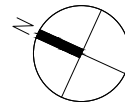
SITE PHOTOS
SITE CONDITIONS





SITE PLAN - WEST CAMPUS

SCALE: 1" = 20'-0"



PLAY AREA IMPROVEMENTS

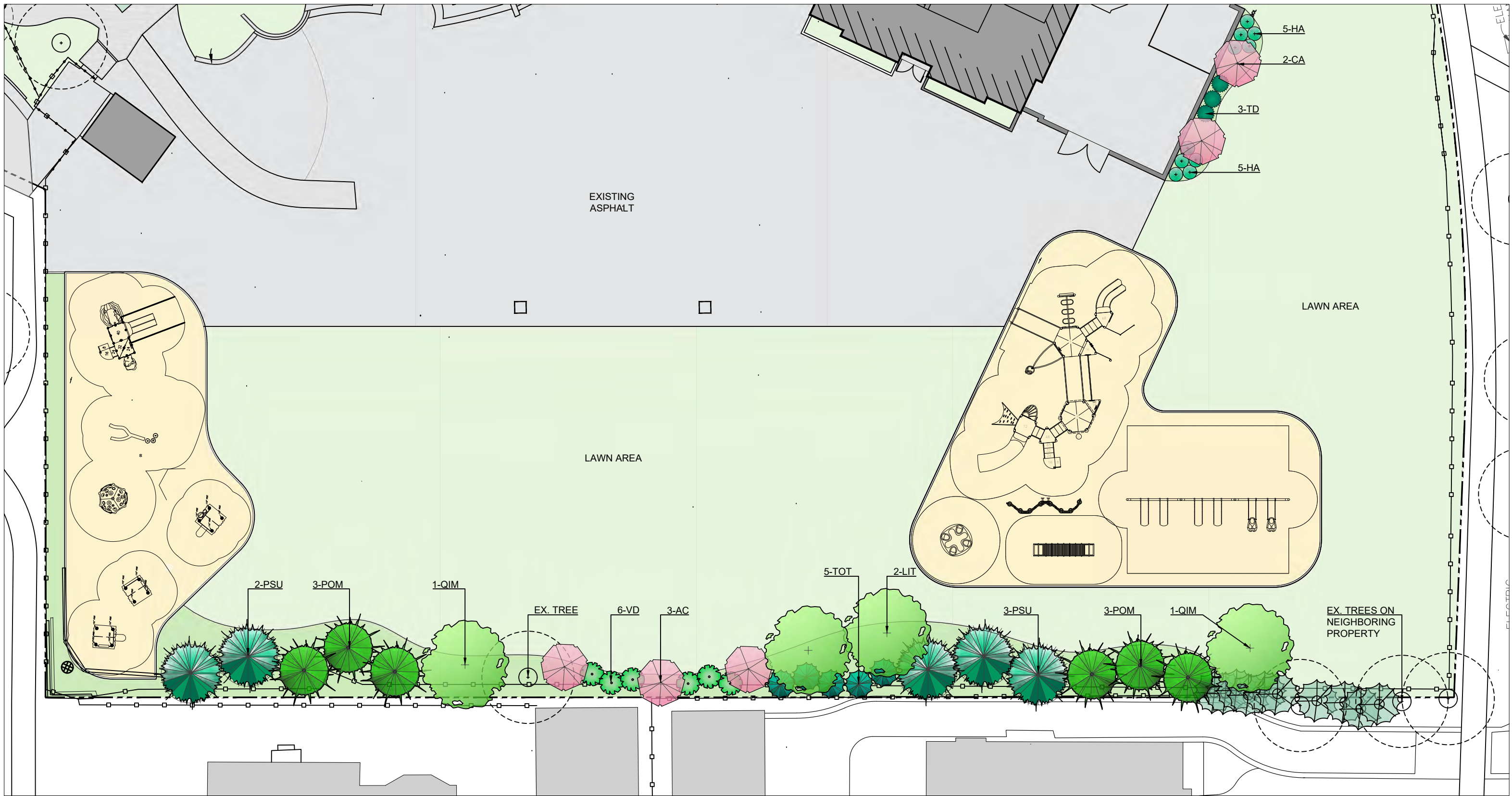
SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

WINNETKA, ILLINOIS



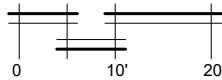
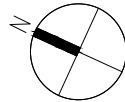






LANDSCAPE PLAN

SCALE: 1" = 20'-0"



PLAY AREA IMPROVEMENTS

SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

WINNETKA, ILLINOIS



SHADBLOW SERVICEBERRY



PAGODA DOGWOOD



SHINGLE OAK



TULIP TREE



ARROWWOOD VIBURNUM



ANNABELLE HYDRANGEA



DENSE YEW

Master Plant List						
Shade Trees						
Symbol	Quantity	Botanical Name	Common Name	Size	Origin	Notes
GBI	1	GINKGO BILOBA	GINKGO	3' BB		URBAN, MALE SPEC. ONLY
LIT	2	LIRIODENDRON TULIPIFERA	TULIP TREE	3' BB	NATIVE	MOIST
QIM	2	QUERCUS IMERICARA	SHINGLE OAK	3' BB		
Evergreen Trees						
POM	4	PICEA OMORICA	SERBIAN SPRUCE	8' BB		URBAN
PSU	5	PSEUDOTSUGA MENZIESII	DOUGLAS FIR	8' BB		
TUT	6	THUJA OCCIDENTALIS 'TECHNY'	TECHNY ARBORVITAE	6' BB		
Ornamental Trees						
AC	3	AMELANCHIER CANADENSIS	SHADBLOW SERVICEBERRY	6' BB	NATIVE	MOIST SOIL
CA	2	CORNUS ALTERNIFOLIA	PAGODA DOGWOOD	8' BB	NATIVE	
Evergreen Shrubs						
TD	3	TAXUS x MEDIA 'DENS'	DENSE YEW	24' BB		
Deciduous Shrubs						
HA	10	HYDRANGEA ARBORESCENS	ANNABELLE HYDRANGEA	5 GAL	NATIVE	
VO	6	VIBURNUM DENTATUM 'CHICAGO LUSTRE'	CHICAGO LUSTRE ARROWWOOD VIBURNUM	48' BB	NATIVE	



TECHNY ARBORVITAE



DOUGLAS FIR



SERBIAN SPRUCE



SITE PHOTOS
EXISTING TREES TO BE REMOVED (2)



SITE PHOTOS
EXISTING STRUCTURES TO REMAIN



SITE PHOTOS
EXISTING BRIDGE TO BE RELOCATED



SITE PHOTOS
EXISTING PLAY SURFACE TO BE REPLACED

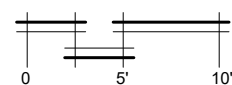
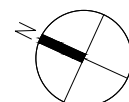


PLAY AREA IMPROVEMENTS
WINNETKA, ILLINOIS

SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL



EXISTING UPPER PLAYGROUND
SCALE: 1" = 10'-0"



PLAY AREA IMPROVEMENTS

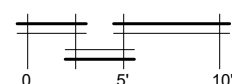
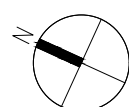
SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

WINNETKA, ILLINOIS



SITE PLAN - UPPER PLAY AREA

SCALE: 1" = 10'-0"



UPPER PLAY AREA IMPROVEMENTS

SCHOOL DISTRICT 36 - HUBBARD WOODS SCHOOL

WINNETKA, ILLINOIS



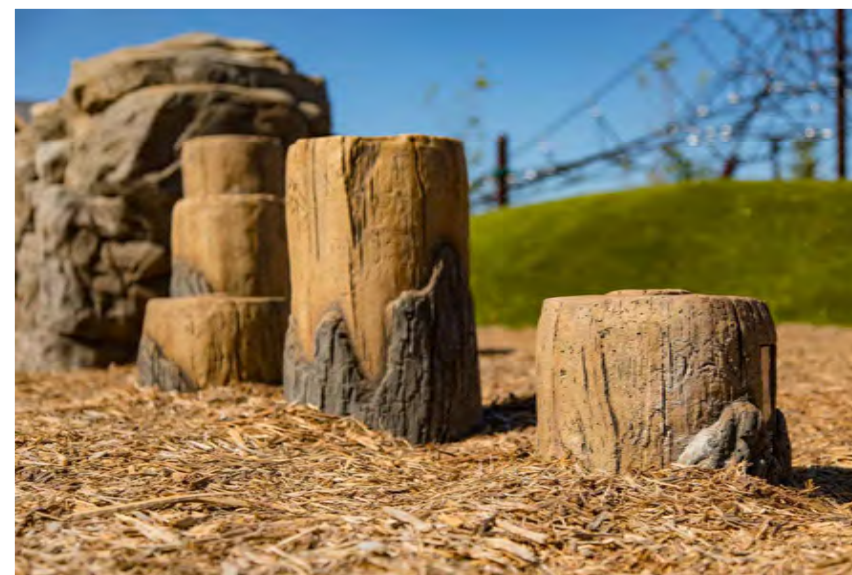
PROJECT TABLE SET
COMMUNITY PLAYTHINGS®



OUTDOOR PLAY KITCHEN
COMMUNITY PLAYTHINGS®



LOG TUNNEL
LANDSCAPE STRUCTURES®



LOG STEPPERS
LANDSCAPE STRUCTURES®



SANDBOX COVER
PLAYGROUND EQUIPMENT USA®



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contactus@villageofwinnetka.org • villageofwinnetka.org

Page 41 of 122

**AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE, VARIATIONS
FROM THE WINNETKA ZONING ORDINANCE, AND A CERTIFICATE OF
APPROPRIATENESS FOR THE DESIGN OF AN ADDITION AND
SITE IMPROVEMENTS WITHIN THE
R-4 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT
(1110 CHATFIELD ROAD)**

WHEREAS, Winnetka Public School District 36 ("**Applicant**") is the record title owner of the parcel of real property commonly known as 1110 Chatfield Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("**Subject Property**"); and

WHEREAS, the Subject Property is located within the R-4 Single-Family Residential Zoning District of the Village ("**R-4 District**"), measures approximately 2.92 acres in size, and is currently improved with a school building ("**School Building**"); and

WHEREAS, the Applicant desires to construct an addition to the School Building ("**Addition**"), exterior mechanical equipment and refuse container enclosure, HVAC improvements, a front entry ramp, and various security upgrades (collectively, "**Proposed Improvements**"); and

WHEREAS, pursuant to Section 17.16.020(C)(2) of the Winnetka Zoning Ordinance ("**Zoning Ordinance**"), a public school is not permitted within the R-4 District without a special use permit; and

WHEREAS, the Village Council previously approved an Ordinance M-287-90 in February of 1990 granting the Applicant a special use for the Subject Property ("**Original Special Use Permit**"), which Original Special Use Permit use has been amended various times, including, without limitation, by Ordinances M-472-96, M-528-98, M-5-2017, M-07-2022 (the Original Special Use Permit as amended by the various amendments is the "**Special Use Permit**"); and

WHEREAS, pursuant to Section 17.30.030 of the Zoning Ordinance, the maximum permitted roofed lot coverage on the Subject Property shall not exceed 31,818.25 square feet; and

WHEREAS, pursuant to Section 17.30.030 of the Zoning Ordinance, the maximum impermeable lot coverage on the Subject Property shall not exceed 63,636.5 square feet; and

WHEREAS, pursuant to Section 17.30.040 of the Zoning Ordinance, the maximum building size on the Subject Property is 31,087.79 square feet of gross floor area; and

WHEREAS, to permit construction of the Proposed Improvements, the Applicant filed an application for: (i) a special use permit amendment pursuant to Sections 17.16.020(C)(2) of the Zoning Ordinance to allow the Proposed Improvements to be constructed on the Subject Property within the R-4 District ("**Special Use Permit Amendment**"); (ii) a variation from the maximum permitted roofed lot coverage limitation in Section 17.30.030 of the Zoning Ordinance for the School Building and all other improvements on the Subject Property to have a total roofed lot

coverage of 49,531.58 square feet, a variation of 17,713.33 square feet (55.67%); (iii) a variation from the maximum impermeable lot coverage limitation in Section 17.30.030 of the Zoning Ordinance for the School Building and all other improvements on the Subject Property to have a total impermeable lot coverage of 81,078.21 square feet, a variation of 17,441.71 square feet (27.41%); (iv) a variation for the maximum building size limitation in Section 17.30.040 of the Zoning Ordinance for the School Building and all other improvements on the Subject Property to have a total building size of 55,333.74 square feet of gross floor area, a variation of 24,245.95 square feet (77.99%) (collectively, the *"Variations"*); and (v) a certificate of appropriateness pursuant to Section 15.40.010 of the Village Code (*"Certificate of Appropriateness"*) (the Special Use Permit Amendment, Variations, and Certificate of Appropriateness are, collectively, the *"Requested Relief"*); and

WHEREAS, on March 13 2023, after due notice thereof, the Zoning Board of Appeals conducted a public hearing on the proposed Special Use Permit Amendment and Variations and, by a vote of seven in favor and zero opposed, recommended that the Village Council approve the Special Use Permit Amendment and Variations; and

WHEREAS, on March 16, 2023, after due notice thereof, the Winnetka Design Review Board (*"Design Review Board"*) conducted a public hearing to consider the Certificate of Appropriateness for the Proposed Improvements; and

WHEREAS, on March 16, 2023, the Design Review Board, by a vote of four in favor and zero opposed, recommended the Village Council approve the Certificate of Appropriateness subject to the condition set forth in Section 5.D of this Ordinance; and

WHEREAS, on March 22, 2023, after due notice thereof, the Plan Commission conducted a public hearing on the Special Use Permit Amendment and, by a vote of five in favor and zero opposed, recommended that the Village Council approve the Special Use Permit Amendment; and

WHEREAS, the Village Council has determined that: (i) the Variations are in harmony with the general purpose and intent of the Zoning Ordinance and are in accordance with general or specific rules set forth in Chapter 17.60 of the Zoning Ordinance; and (ii) there are practical difficulties or particular hardships in the way of carrying out the strict letter of the provisions or regulations of the Zoning Ordinance from which the Variations have been sought; and

WHEREAS, the Village Council has determined that approval of the proposed Special Use Permit Amendment satisfies the standards for the approval of special use permits within the R-4 District set forth in Chapter 17.56 of the Zoning Ordinance; and

WHEREAS, the Village Council has determined that approval of the Requested Relief for the construction and operation of the Proposed Improvements on the Subject Property within the R-4 District is in the best interest of the Village and its residents;

NOW, THEREFORE, the Council of the Village of Winnetka do ordain as follows:

SECTION 1: RECITALS. The foregoing recitals are hereby incorporated into this section as the findings of the Village Council, as if fully set forth herein.

SECTION 2: APPROVAL OF SPECIAL USE PERMIT AMENDMENT. Subject to, and contingent upon, the terms and conditions set forth in Section 5 of this Ordinance, the Special Use Permit Amendment is hereby granted, pursuant to Chapter 17.56 and Section 17.16.020(C)(2) of the Zoning Ordinance and the home rule powers of the Village, to allow the Proposed Improvements on the Subject Property within the R-4 District.

SECTION 3: APPROVAL OF VARIATIONS. Subject to, and contingent upon, the terms and conditions set forth in Section 5 of this Ordinance, the Variations from Sections 17.30.030 and 17.030.040 of the Zoning Ordinance to allow the construction of the Proposed Improvements on the Subject Property are hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 4: APPROVAL OF CERTIFICATE OF APPROPRIATENESS. Subject to, and contingent upon, the terms and conditions set forth in Section 5 of this Ordinance, the Certificate of Appropriateness is granted for the Subject Property, pursuant to Section 15.40.010 of the Village Code and the home rule powers of the Village.

SECTION 5: CONDITIONS. The approvals granted by Sections 2, 3, and 4 of this Ordinance are subject to, and contingent upon, compliance by the Applicant with the following conditions:

- A. **Commencement of Construction.** The Applicant must commence the construction of the Proposed Improvements no later than 12 months after the effective date of this Ordinance.
- B. **Compliance with Regulations.** Except to the extent specifically provided otherwise in this Ordinance, the development, use, and maintenance of the Proposed Improvements and the Subject Property must comply at all times with all applicable Village codes and ordinances, as they have been or may be amended over time.
- C. **Reimbursement of Village Costs.** In addition to any other costs, payments, fees, charges, contributions, or dedications required under applicable Village codes, ordinances, resolutions, rules, or regulations, the Applicant must pay to the Village, promptly upon presentation of a written demand or demands therefor, all fees, costs, and expenses incurred or accrued in connection with the review, negotiation, preparation, consideration, and review of this Ordinance. Payment of all such fees, costs, and expenses for which demand has been made shall be made by a certified or cashier's check. Further, the Applicant must pay upon demand all costs incurred by the Village for publications and recordings required in connection with the aforesaid matters.
- D. **Landscape Plan.** The Applicant agrees to install and maintain landscaping to buffer the walls of the mechanical equipment and refuse container enclosure pursuant to a landscape plan that is approved by the Design Review Board. The Applicant must obtain the approval of such a landscape plan at the same time the Applicant applies for Village approval to install new playground equipment on the Subject Property.

E. Compliance with Plans. The development, use, and maintenance of the Proposed Improvements on the Subject Property must be in strict accordance with the following documents and plans, except for minor changes and site work approved by the Director of Community Development or the Director of Public Works (within their respective permitting authority) in accordance with all applicable Village codes, ordinances, and standards:

1. The Site Plan prepared by Perkins & Will, consisting of one sheet, and with a latest revision date of January 30, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit B**;
2. The Floor and Roof Plans prepared by Perkins & Will, consisting of three sheets, and with a latest revision date of January 30, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit C**;
3. The Front Entry Plan & Details prepared by Perkins & Will, consisting of one sheet, and with a latest revision date of January 30, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit D**;
4. The Addition Plan & Details and Exterior Elevations prepared by Perkins & Will, consisting of two sheets, and with a latest revision date of January 30, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit E**;
5. The Equipment Enclosure Plan & Details prepared by Perkins & Will, consisting of one sheet, and with a latest revision date of January 30, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit F**;
6. The Addition Exterior Materials prepared by Perkins & Will, consisting of one sheet, and with a latest revision date of January 30, 2023, attached to and, by this reference made a part of this Ordinance as **Exhibit G**;

SECTION 6: RECORDATION; BINDING EFFECT. A copy of this Ordinance will be recorded with the Cook County Clerk Recording Division. This Ordinance and the privileges, obligations, and provisions contained herein inure solely to the benefit of, and are binding upon, the Applicant and each of its heirs, representatives, successors, and assigns.

SECTION 7: FAILURE TO COMPLY. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Ordinance, in addition to all other remedies available to the Village, the approvals granted in Sections 2, 3, and 4 of this Ordinance will, at the sole discretion of the Village Council, by ordinance duly adopted, be revoked and become null and void; provided, however, that the Village Council may not so revoke the approvals granted in Sections 2, 3, and 4 of this Ordinance unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Village Council. In the event of revocation, the development and use of the Subject Property will be governed solely by the regulations of the applicable zoning

district and the applicable provisions of the Zoning Ordinance, as the same may, from time to time, be amended. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 8: AMENDMENTS. Any amendment to this Ordinance may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Zoning Ordinance for amending or granting variations.

SECTION 9: SEVERABILITY. If any provision of this Ordinance or part thereof is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect, and shall be interpreted, applied, and enforced so as to achieve, as near as may be, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

SECTION 10: EFFECTIVE DATE.

A. This Ordinance will be effective only upon the occurrence of all of the following events:

1. Passage by the Village Council in the manner required by law;
2. Publication in pamphlet form in the manner required by law; and
3. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent in the form of **Exhibit H** attached to and, by this reference, made a part of this Ordinance to accept and abide by each and all of the terms, conditions, and limitations set forth in this Ordinance and to indemnify the Village for any claims that may arise in connection with the approval of this Ordinance.

B. In the event that the Applicant does not file with the Village Clerk a fully executed copy of the unconditional agreement and consent described in Section 10.A.3 of this Ordinance within 60 days after the date of passage of this Ordinance by the Village Council, the Village Council shall have the right, in its sole discretion, to declare this Ordinance null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

PASSED this 18th day of April, 2023, pursuant to the following roll call vote:

AYES: Trustees Apatoff, Cripe, Dalman, Dearborn, Handler, and Swierk

NAYS: _____

ABSENT: _____

APPROVED this 18 day of April, 2023.



Village President

Countersigned:



Village Clerk

Published by authority of the
President and Board of Trustees
of the Village of Winnetka,
Illinois, this 19 day of April,
2023.

Introduced: April 18, 2023

Passed and Approved: April 18, 2023

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Those parts of Block 8 in County Clerk's Division according to the plat thereof recorded as Document No. 178081 filed on April 27, 1878, in the Southwest $\frac{1}{4}$ of Section 17, Township 42 North, Range 13 East of the Third Principal Meridian, Village of Winnetka, Cook County, Illinois described as follows: Lots 1, 2, 3, 4, 5 and 12 in said Block 8 in County Clerk's Division and that part of Lot 11 in said Block 8 in County Clerk's Division lying Easterly of a line forming an angle of 24 degrees 56 minutes to the left at the point of intersection with the East line of the Northwest $\frac{1}{4}$ of said Southwest $\frac{1}{4}$ of Section 17, 678.00 Feet South of the Northeast corner of said Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 17.

Commonly known as 1110 Chatfield Road, Winnetka, Illinois.

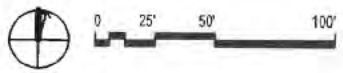
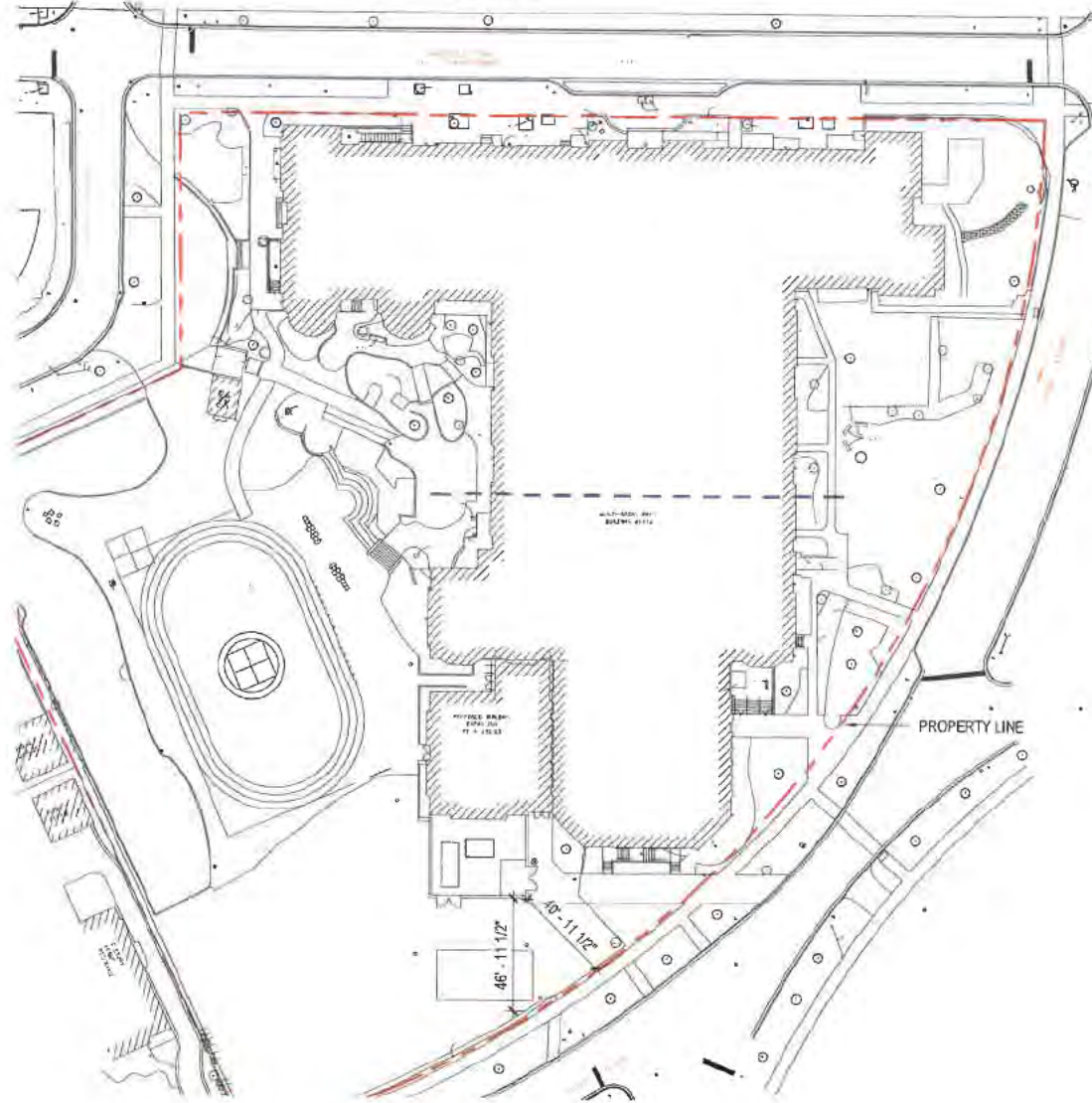
PINS: 05-17-307-012-0000, 05-17-307-013-0000, and 05-17-307-024-0000

EXHIBIT B

SITE PLAN

(SEE ATTACHED EXHIBIT B)

EXHIBIT B



HUBBARD WOODS

SITE PLAN

Scale: 1/8" = 1'-0"

Perkins&Will

01/30/23

EXHIBIT C

FLOOR AND ROOF PLANS

(SEE ATTACHED EXHIBIT C)

EXHIBIT C

TOTAL FLOOR AREA = 18,198 SF

$18,198 \times (511.5/692) =$
 $18,198 \times .739 = 13,448,322$

13,448 SF LEVEL 00 AREA TO BE
COUNTED IN GFA

ADDITION
850.69 SF

**ADDITION DOUBLE
HEIGHT**
2202.06 SF

**MECHANICAL
EQUIPMENT ENCLOSURE**
1363.92 SF

EXISTING LEVEL 00
2752.05 SF

INTERIOR COURTYARD, 150'-10" EXPOSED PERIMETER ABOVE GRADE > 4'

360'-8" EXPOSED PERIMETER ABOVE GRADE > 4'

150'-10" + 360'-8" = 511'-6" TOTAL EXPOSED
PERIMETER OF BASEMENT, ABOVE GRADE > 4',
SHOWN IN RED

180'-6" LF PERIMETER NOT ABOVE GRADE

511'-6" + 180'-6" = 692'-0" TOTAL BASEMENT
PERIMETER

**EXISTING LEVEL 00
DOUBLE HEIGHT**
4413.37 SF

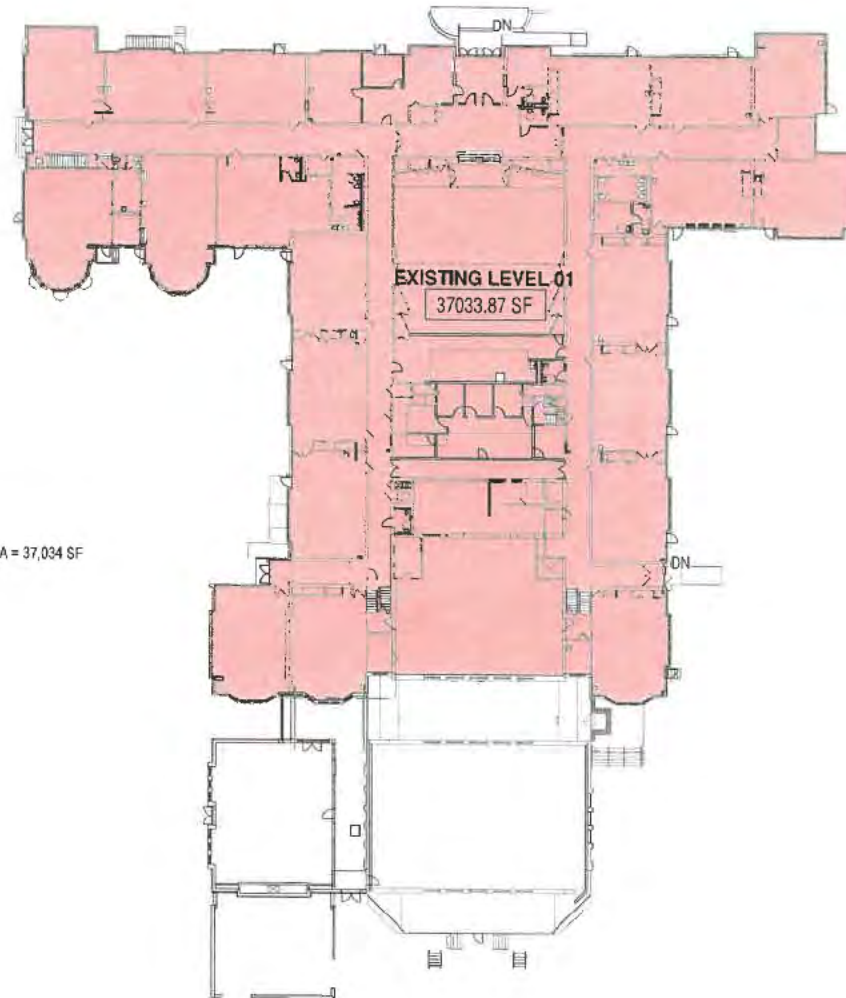
**LEVEL
00
TOTAL
PERIM
ETER =**

LEVEL 00 - AREA AND PERIMETER PLAN

Scale: 3/16" = 1'-0"



HUBBARD WOODS



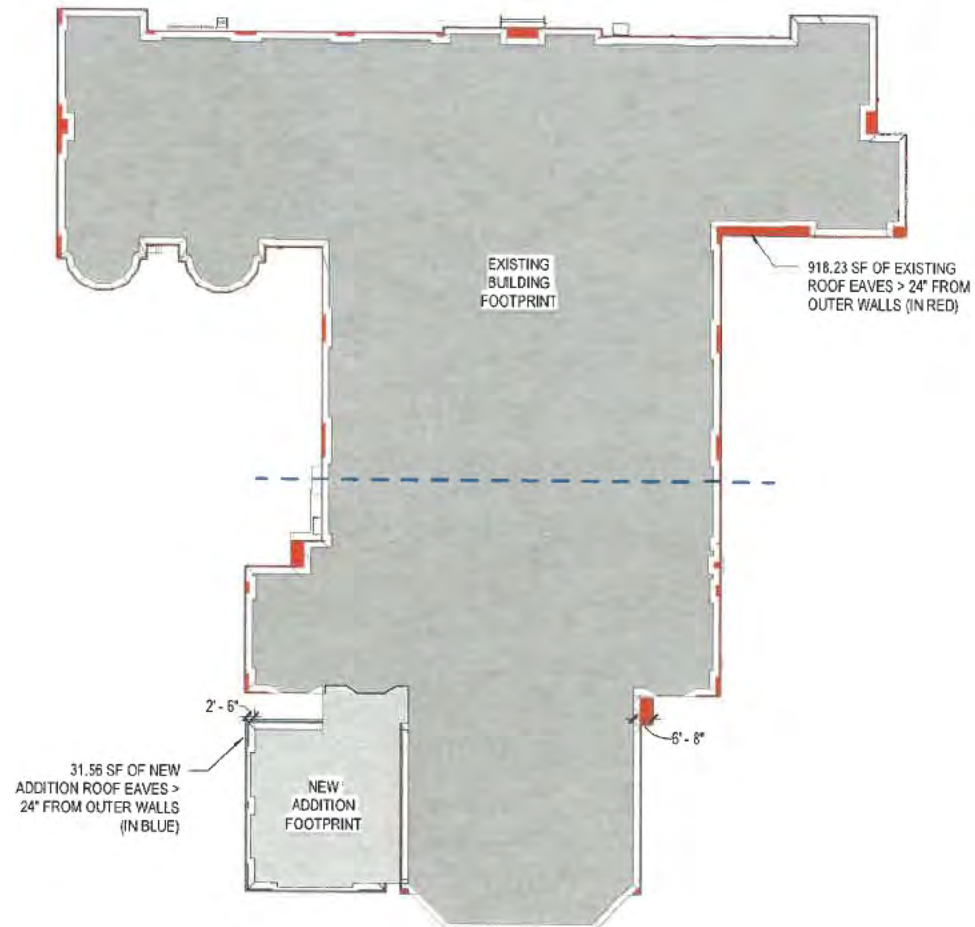
HUBBARD WOODS

LEVEL 01 - AREA PLAN

Scale: 3/2" = 1'-0"

Perkins&Will

01/30/23



HUBBARD WOODS

ROOF PLAN

File 303-0434-0
Scale 3/8"=1'-0"

Perkins&Will

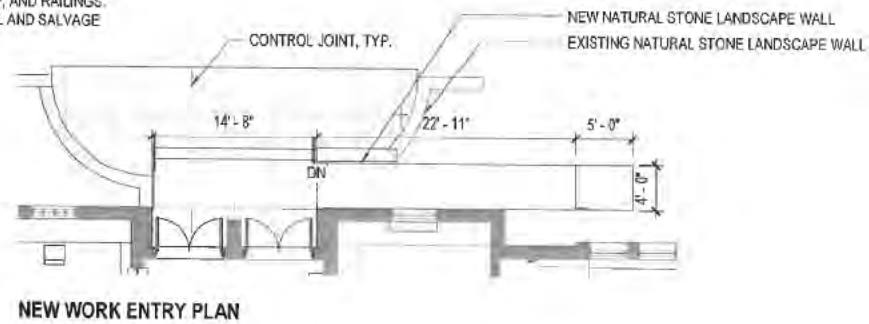
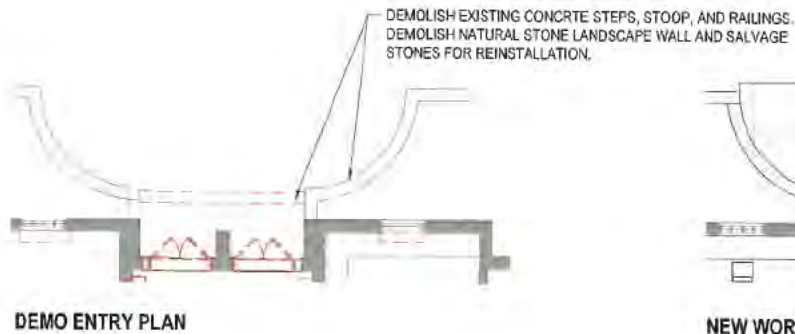
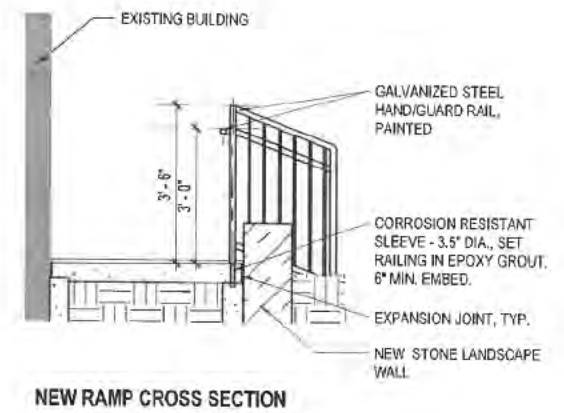
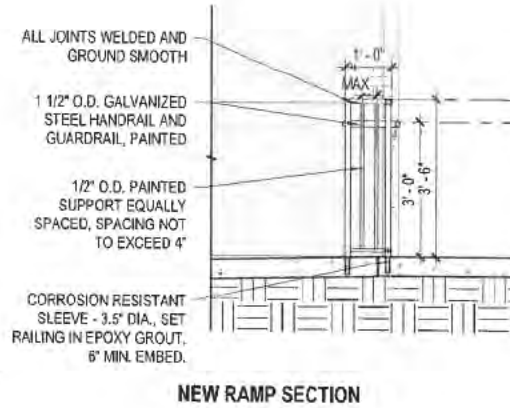
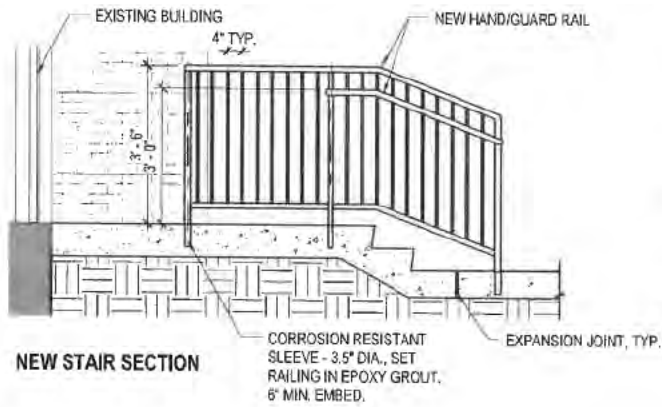
01/30/23

EXHIBIT D

FRONT ENTRY PLAN & DETAILS

(SEE ATTACHED EXHIBIT D)

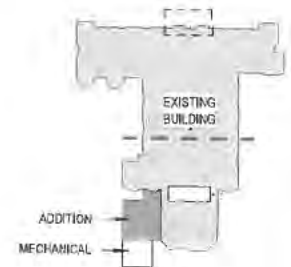
EXHIBIT D



HUBBARD WOODS

FRONT ENTRY PLAN & DETAILS

Scale As Indicated



Perkins&Will

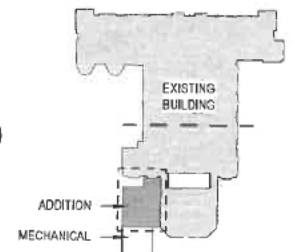
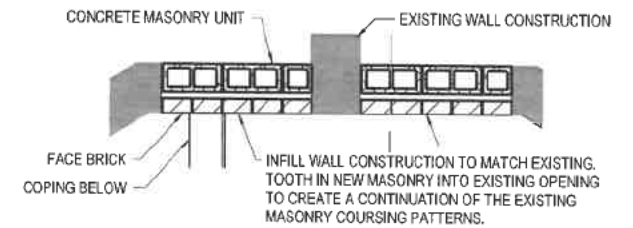
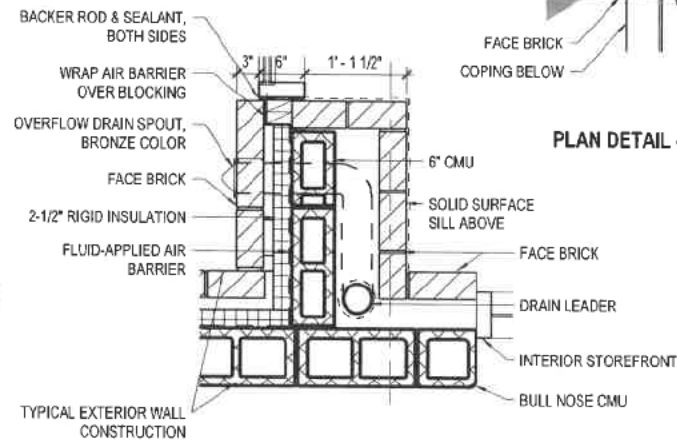
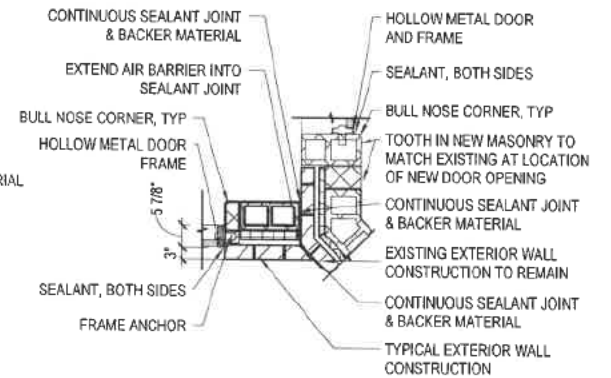
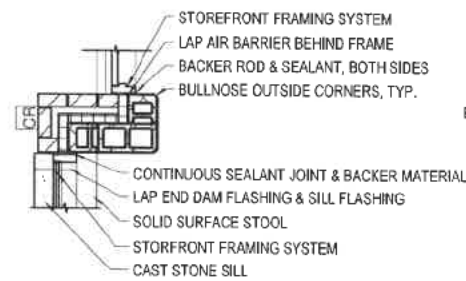
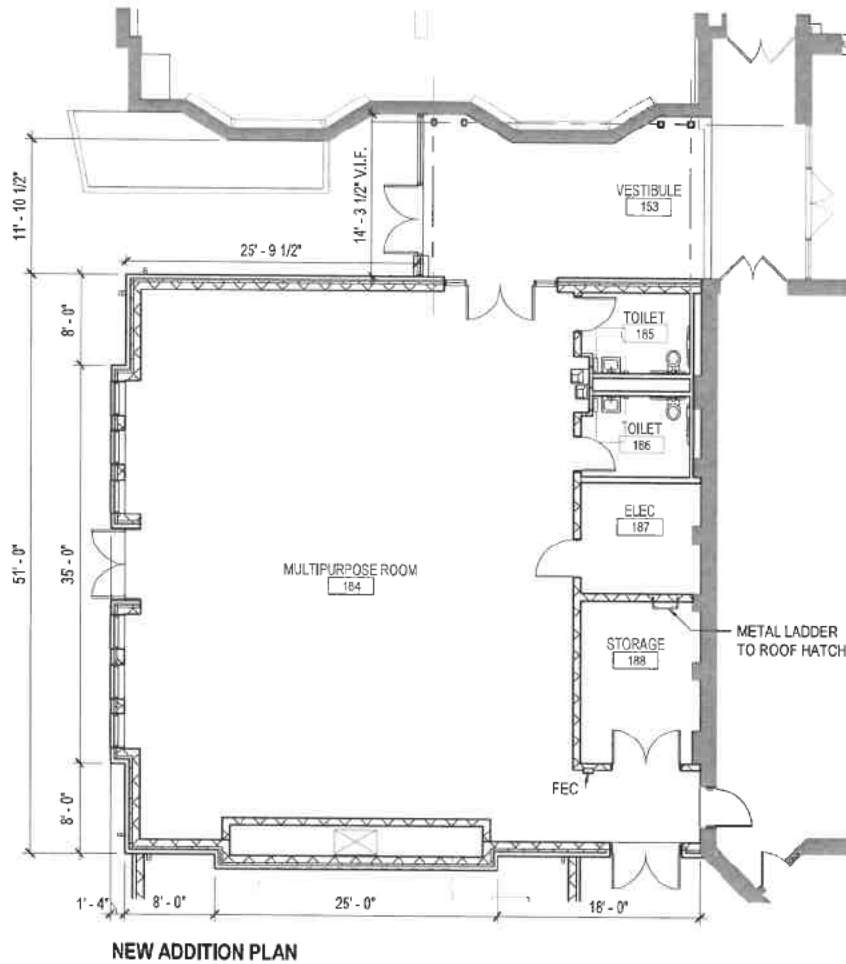
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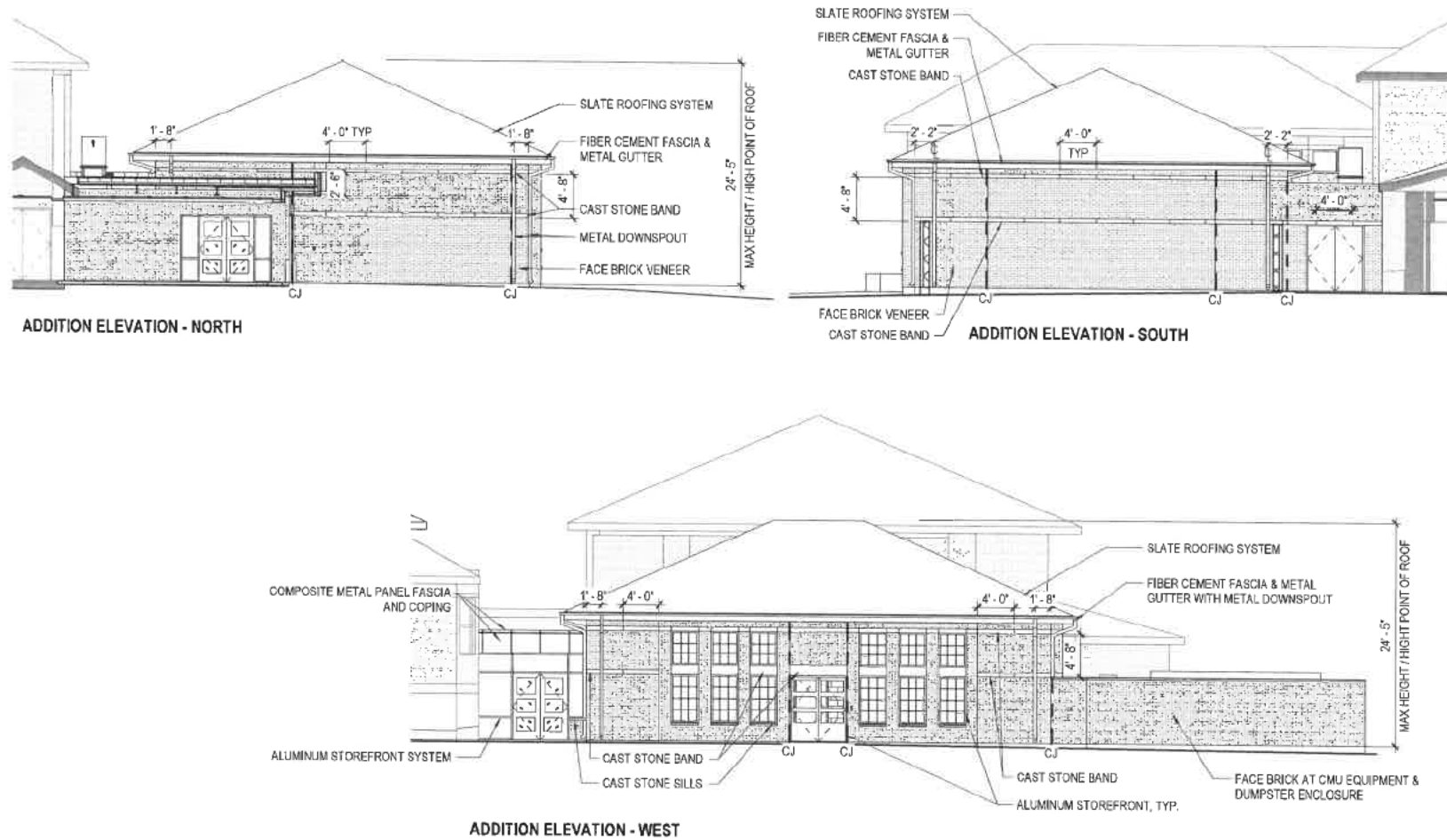
EXHIBIT E

ADDITION PLAN & DETAILS AND EXTERIOR ELEVATIONS

(SEE ATTACHED EXHIBIT E)

EXHIBIT E





HUBBARD WOODS

ADDITION EXTERIOR ELEVATIONS

Scale: 3/32" = 1'-0"

Page 368 of 464

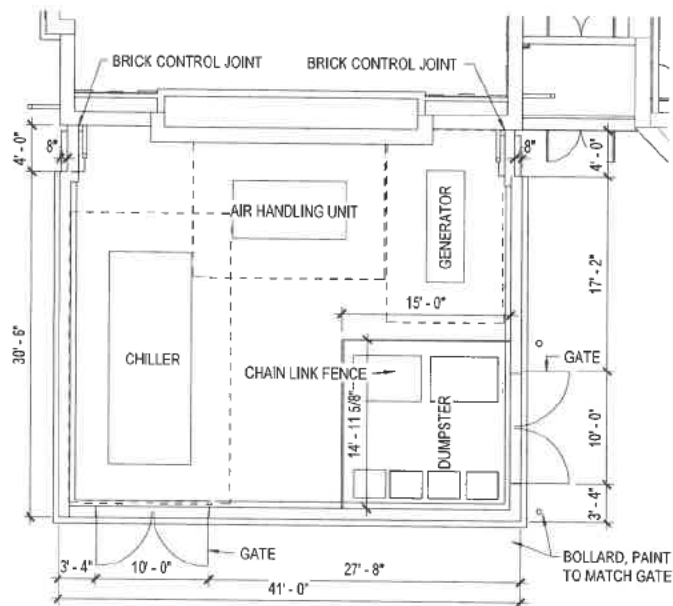
Perkins&Will
01/30/23

EXHIBIT F

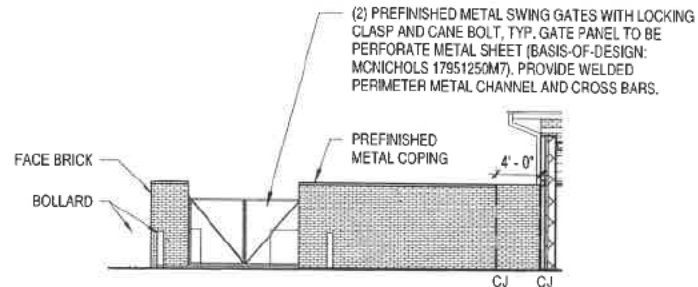
EQUIPMENT ENCLOSURE PLAN & DETAILS

(SEE ATTACHED EXHIBIT F)

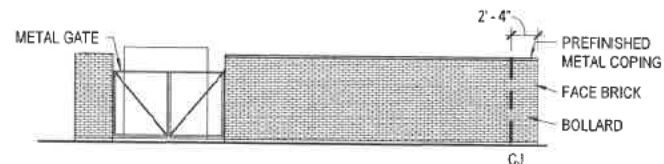
EXHIBIT F



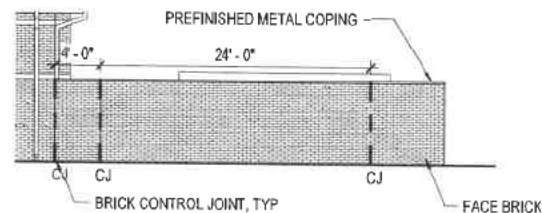
NEW EQUIPMENT ENCLOSURE PLAN



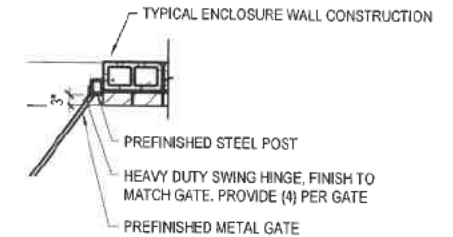
EAST ELEVATION



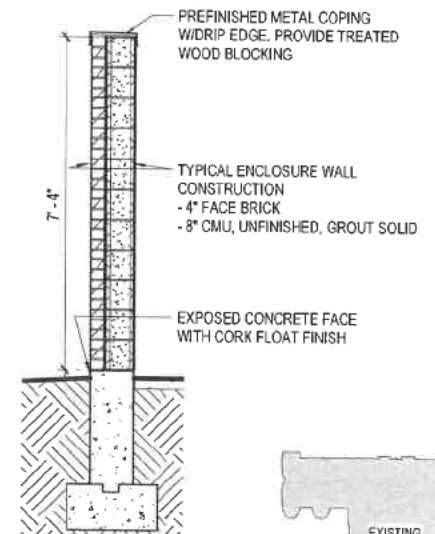
SOUTH ELEVATION



WEST ELEVATION



DOOR CONNECTION DETAIL



WALL SECTION

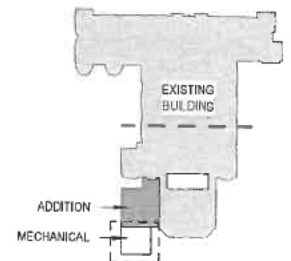


EXHIBIT G

ADDITION EXTERIOR MATERIALS

(SEE ATTACHED EXHIBIT G)

EXHIBIT G



- IGU, WITH SIMULATED DIVIDED LINES
- SLATE TILE
- CAST STONE
- BRICK PATTERN
- WHITE STOREFRONT



- CAST STONE
- BRICK PATTERN



- SLATE TILE
- CAST STONE
- BRICK
- IGU, WITH SIMULATED DIVIDED LINES



EXHIBIT H
UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois ("*Village*");

WHEREAS, Winnetka Public School District 36 ("*Applicant*") is the record title owner of the parcel of real property commonly known as 1110 Chatfield Road in Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made a part of this Ordinance ("*Subject Property*"); and

WHEREAS, the Subject Property is located within the R-4 Single-Family Residential Zoning District of the Village ("*R-4 District*"), measures approximately 2.92 acres in size, and is currently improved with a school building ("*School Building*"); and

WHEREAS, the Applicant desires to construct an addition to the School Building ("*Addition*"), exterior mechanical equipment and refuse container enclosure, HVAC improvements, a front entry ramp, and various security upgrades (collectively, "*Proposed Improvements*"); and

WHEREAS, to permit construction of the Proposed Improvements, the Applicant filed an application for: (i) a special use permit amendment pursuant to Sections 17.16.020(C)(2) of the Zoning Ordinance to allow the Proposed Improvements to be constructed on the Subject Property within the R-4 District ("*Special Use Permit Amendment*"); (ii) a variation from the maximum permitted roofed lot coverage limitation in Section 17.30.030 of the Zoning Ordinance for the School Building and all other improvements on the Subject Property to have a total roofed lot coverage of 49,531.58 square feet, a variation of 17,713.33 square feet (55.67%); (iii) a variation from the maximum impermeable lot coverage limitation in Section 17.30.030 of the Zoning Ordinance for the School Building and all other improvements on the Subject Property to have a total impermeable lot coverage of 81,078.21 square feet, a variation of 17,441.71 square feet (27.41%); (iv) a variation for the maximum building size limitation in Section 17.030.040 of the Zoning Ordinance for the School Building and all other improvements on the Subject Property to have a total building size of 55,333.74 square feet of gross floor area, a variation of 24,245.95 square feet (77.99%) (collectively, the "*Variations*"); and (v) a certificate of appropriateness pursuant to Section 15.40.010 of the Village Code ("*Certificate of Appropriateness*") (the Special Use Permit Amendment, Variations, and Certificate of Appropriateness are, collectively, the "*Requested Relief*"); and

WHEREAS, Ordinance No. M-07-2023, adopted by the Village Council on April 18, 2023 ("*Ordinance*"), grants the Requested Relief; and

WHEREAS, Section 10 of the Ordinance provides, among other things, that the Ordinance will be of no force or effect unless and until the Applicant has filed, within 60 days following the passage of the Ordinance, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Ordinance;

NOW, THEREFORE, the Applicant does hereby agree and covenant as follows:

1. The Applicant hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Ordinance.

2. The Applicant acknowledges that public notices and hearings have been properly given and held with respect to the adoption of the Ordinance, has considered the possibility of the revocation provided for in the Ordinance, and agrees not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.

3. The Applicant acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's grant of the Requested Relief for the Subject Property or its adoption of the Ordinance, and that the Village's approvals are not, and will not be, in any way, deemed to insure the Applicant against damage or injury of any kind and at any time.

4. The Applicant hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Ordinance granting the Requested Relief for the Subject Property.

5. The Applicant hereby agrees to pay all expenses incurred by the Village in defending itself with regard to any and all of the claims mentioned in this Unconditional Agreement and Consent. These expenses will include all out-of-pocket expenses, such as attorneys' and experts' fees, and will also include the reasonable value of any services rendered by any employees of the Village.

Dated: May 1, 2023

ATTEST:

WINNETKA PUBLIC SCHOOL DISTRICT 36

By: 

By: 

Its: Adm. Asst. to CFO

Its: CFO



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MARCH 6, 2024
SUBJECT: 1476 SCOTT AVENUE - VARIATIONS (CASE NO. 24-03-V)

INTRODUCTION

On March 11, 2024, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Christopher Johnson (the "Applicant"), as the owner of the property located at 1476 Scott Avenue (the "Subject Property"). The Applicant requests approval of the following zoning variations to allow construction of an addition to the existing residence on the Subject Property:

1. **Gross Floor Area (GFA)** of 3,495.17 square feet, whereas a maximum of 3,180 square feet is permitted, a variation of 315.17 square feet (9.91%) [Section 17.30.040 – Maximum Building Size] [Note: The existing improvements currently consist of 3,407.35 square feet. The proposed addition would add 87.82 square feet of GFA]; and
2. **Structural changes necessary to provide new window and door openings** in the legally nonconforming east side building wall of the existing residence that provides a side yard setback of 5.39 feet, whereas a minimum of 8 feet is required [Section 17.64.060 – Nonconformities].

A mail notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on February 22, 2024. As of the date of this memo, staff has not received any written comment from the public regarding this application.

The Zoning Board of Appeals (ZBA) has final jurisdiction on this request as the Board has the authority to grant a variation to allow a zoning lot with a pre-FAR building (constructed prior to 1989) to exceed the maximum permitted GFA by no more than 10%. Typically, the Zoning Administrator has final jurisdiction on requests to allow structural changes necessary to provide new window and door openings in a legally nonconforming side building wall; however, since this request includes additional zoning relief for which the Zoning Administrator does not have jurisdiction, the ZBA also has final jurisdiction on the request to allow structural changes to provide new window and door openings in the legally nonconforming east side building wall.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.18 acres in size, is located on the south side of Scott Avenue, between Greenwood Avenue and Grove Street, and contains an existing two-story residence with an attached garage and a shed (see Figure 1). The property is zoned R-5 Single Family Residential, and it is surrounded by the same. (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

The existing lot is a legally nonconforming interior lot that is 7,950 square feet in lot area, while the minimum required lot area for an interior lot in the R-5 District is 8,400 square feet. Also, the lot has an average lot width of 50 feet, while the minimum required average lot width for an interior lot in the R-5 District is 60 feet.

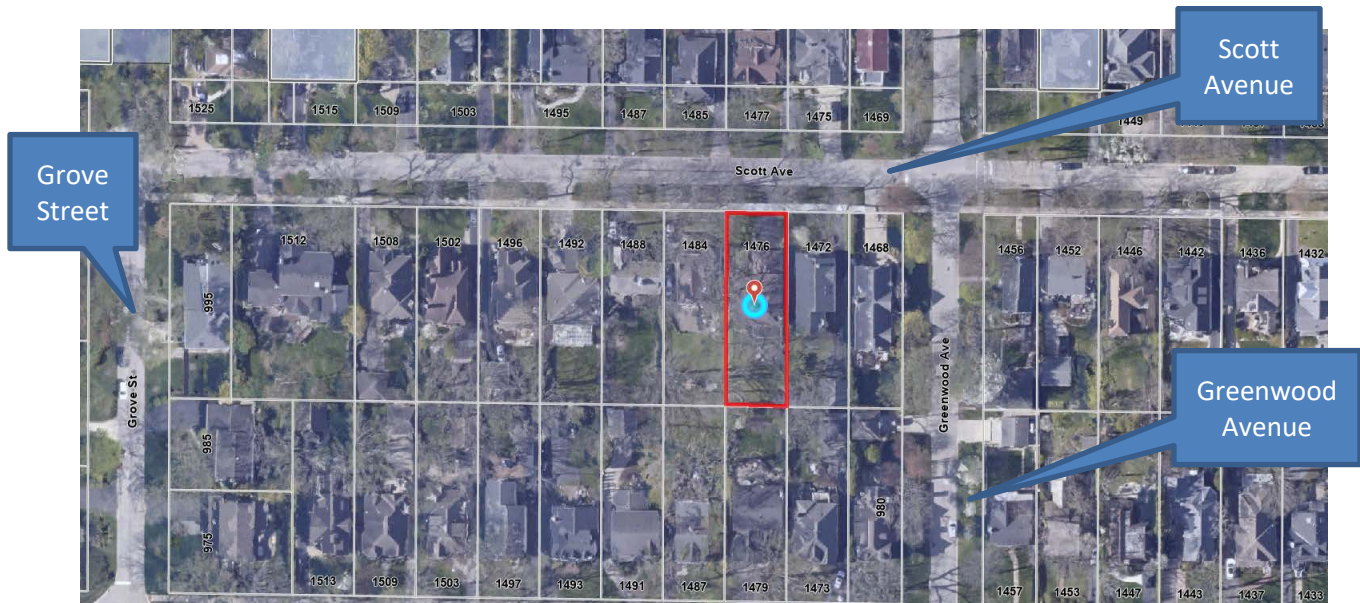


Figure 1 – Aerial Map

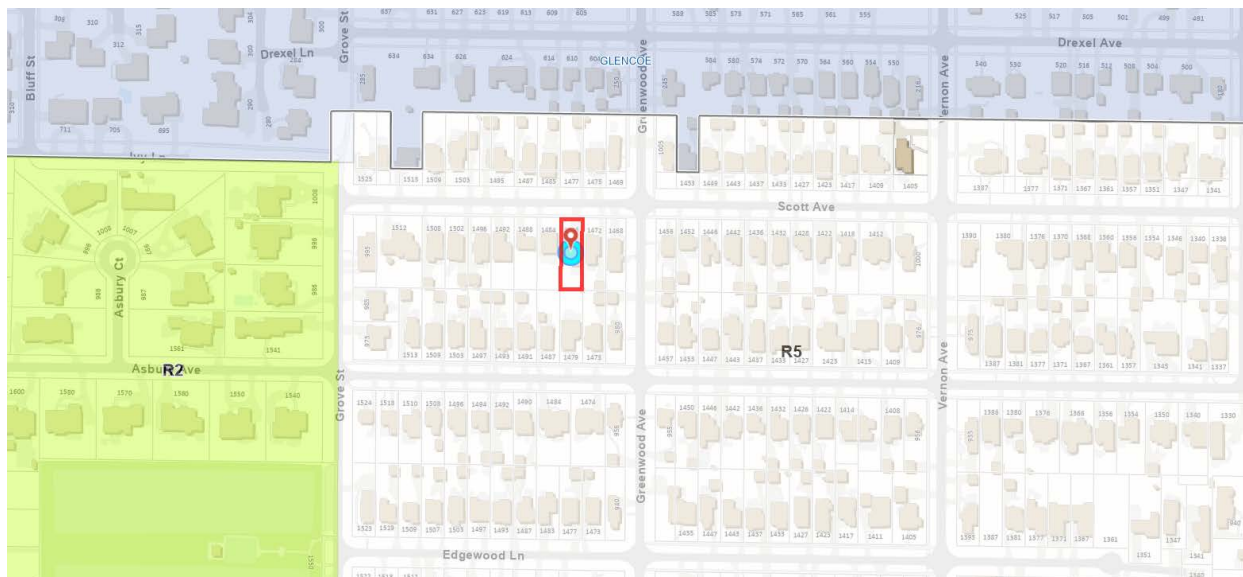


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was built in 1966. A few minor subsequent permits have been issued over the last several years. The Applicant acquired the property in February 2024. There are no previous zoning cases on file for the Subject Property.

Figures 3 through 5 on the following pages are current photos of the site.



Figure 3 – Subject Property - Front Elevation (Scott Avenue)



Figure 4 – Subject Property – East Elevation



Figure 5 – Subject Property (West Elevation)

PROPOSED PLAN

The variations are being requested in order to construct a front entry addition and a front porch. The proposed plan also includes relocating a door to provide exterior access to the garage, as well as relocating a window in a slightly different location. The door and window are located in the legally nonconforming east side building wall.

The proposed one-story addition represents a net increase in GFA of 87.82 square feet. The proposed addition is described as follows:

First Floor:

- Entry expansion measuring 4.93 feet by 6.33 feet (net increase of 20.41 square feet); and
- Front porch measuring 6.83 feet by 9.87 feet (67.41 square feet).

Excerpts of the proposed site plan, floor plans, and building elevations are provided on the following pages as Figures 6 through 9. The complete set of plans is provided in the application materials (**Attachment B**).

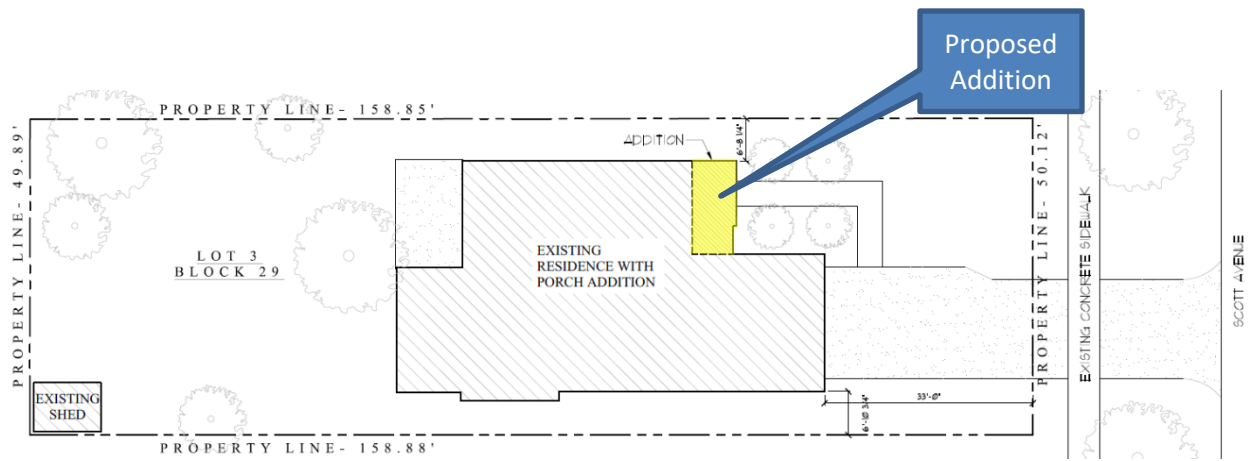


Figure 6 – Excerpt of Site Plan

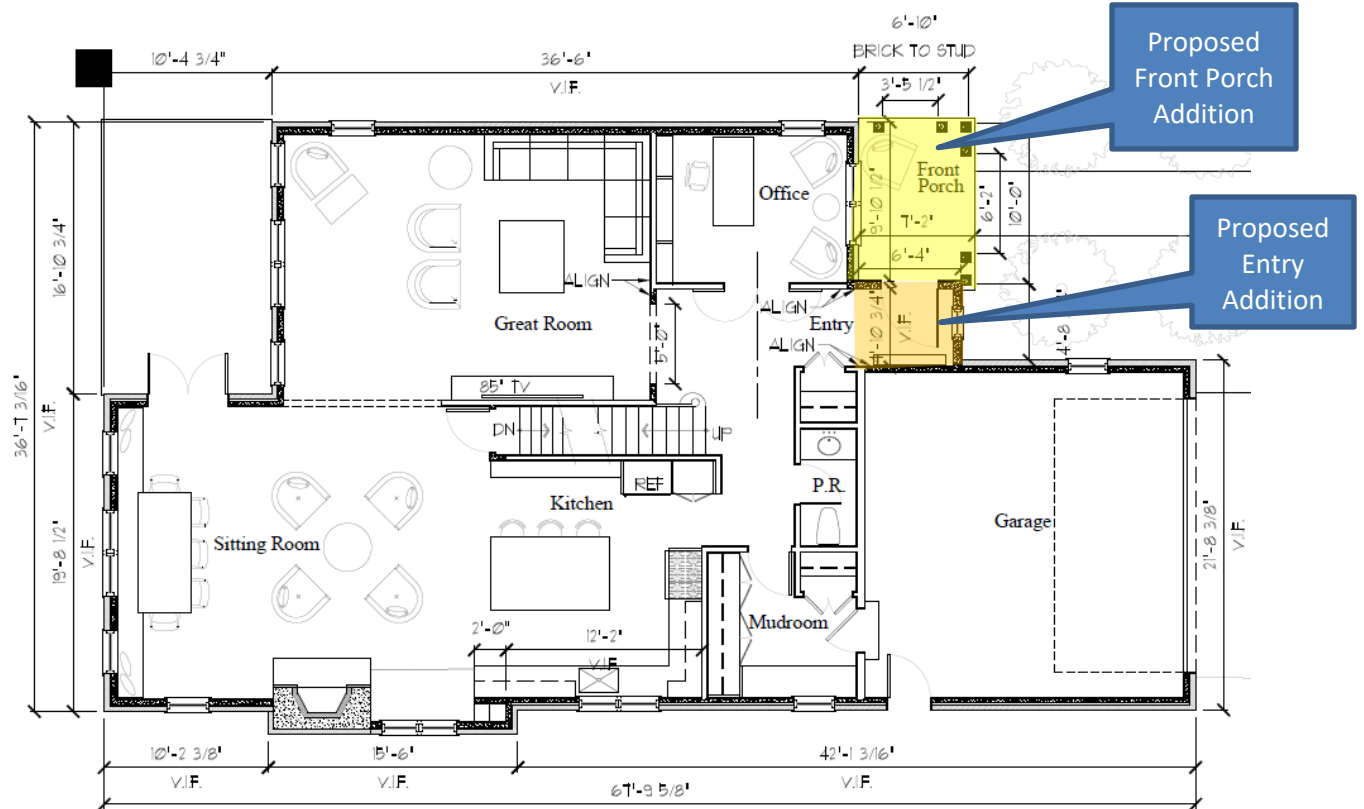


Figure 7 – Proposed First Floor Plan



Figure 8 – Proposed Front Elevation



Figure 9 – Proposed West (Side) Elevation



Figure 10 – Proposed East Elevation

The proposed improvements represent a decrease of approximately 395 square feet of impermeable lot coverage (ILC). This is due to the removal of the majority of an existing walkway on the east side of the residence, as well as the replacement of the existing patio with a smaller patio at the rear of the home. Based on the reduction of ILC it appears additional stormwater detention would not be required. However, a final determination will be made by Village Engineering staff upon submittal of the permits necessary for the proposed improvements, which are required to comply with the Village stormwater regulations. Figure 11 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain and the red and blue hatch represents the floodway.

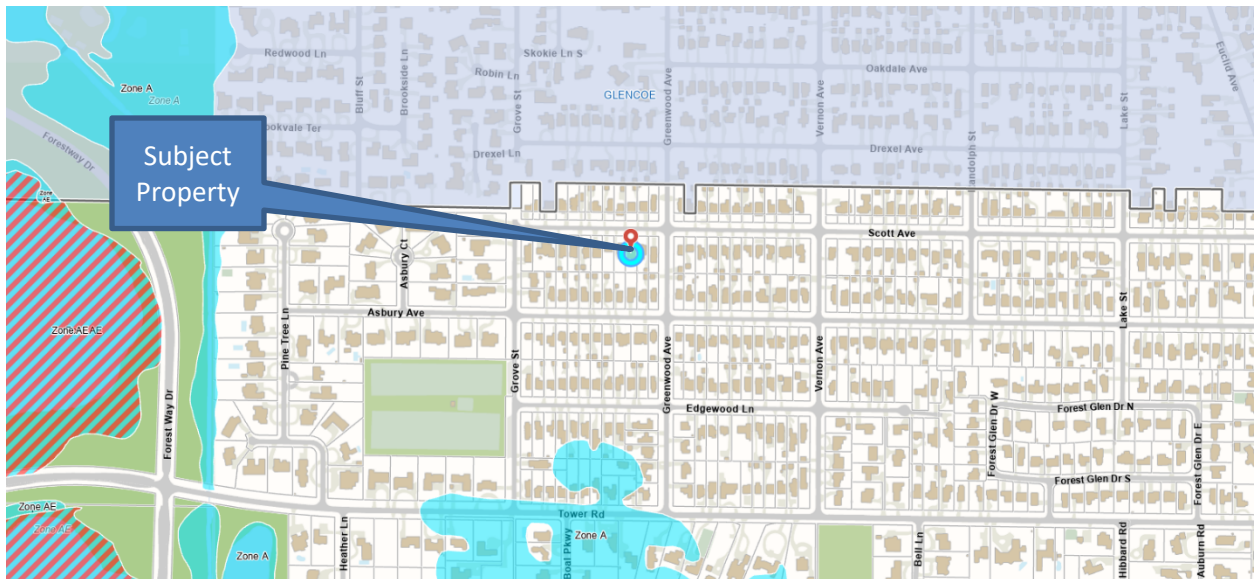


Figure 11 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvements' compliance with the R-5 zoning district (**Attachment A**). Two variations are being requested: (1) gross floor area; and (2) structural changes necessary to provide new door and window openings.

Maximum Building Size (GFA). The site currently contains 3,407.35 square feet of GFA, exceeding the maximum permitted GFA by 227.35 square feet (7.15%). The increase in GFA with the proposed addition is 87.82 square feet, bringing the total GFA to 3,495.17 square feet, whereas a maximum of 3,180 square feet is permitted, a variation of 315.17 square feet (9.91%).

Structural Changes for New Window Openings. Zoning relief is necessary to allow the proposed door and window openings in the legally nonconforming east side building wall of the existing residence that provides a side yard setback of 5.39 feet, whereas a minimum of 8 feet is required. Existing doors and windows may be replaced in the same location and size; however, enlarged or relocated doors and windows in a nonconforming side building wall require approval of a zoning variation.

FINDINGS

In the attached application materials submitted by the Applicant, the Applicant has provided a statement of justification regarding how the requested variations meet the standards for granting the requested zoning variations. Does the ZBA find that the requested variations meet the standards for granting such variations; and if so, is the ZBA prepared to approve the requested variations?

Staff has prepared the attached draft resolutions for the Board's consideration (**Attachment C**). One resolution approves the request, while the other denies the request. A Board member may wish to make a motion to adopt either the resolution to approve the requested variations or the resolution to deny the requested variations.

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Application Materials

Attachment C: Draft Resolutions

ATTACHMENT A

ZONING MATRIX

ADDRESS: 1476 Scott Avenue

CASE NO: 24-03-V

ZONING: R-5

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	8,400 SF	7,950 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	60 FT	50.04 FT	N/A	N/A	EXISTING NONCONFORMING
Min. Lot Depth	120 FT	158.88 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	2,146.5 SF (1)	2,107.72 SF	2,128.13 SF	20.41 SF	OK
Max. Gross Floor Area	3,180 SF (1)	3,407.35 SF	3,495.17 SF	87.32 SF	315.17 SF (9.91%) VARIATION
Max. Impermeable Lot Coverage	3,975 SF (1)	3,524.72 SF	3,129.67 SF	-395.05 SF	OK
Max. Front Yard Lot Coverage	450 SF	620 SF	612.4 SF	-7.6 FT	EXISTING NONCONFORMING
Min. Front Yard (Scott/North)	30 FT	32.95 FT	32.95 FT	0 FT	OK
Min. Side Yard (West)	6 FT	5.87 FT	5.87 FT (3)	0 FT	EXISTING NONCONFORMING
Min. Side Yard (East)	8 FT	5.39 FT	5.39 FT (4)	0 FT	EXISTING NONCONFORMING
Min. Rear Yard (South)	23.83 FT	57.8 FT	57.8 FT	0 FT	OK

(1) Based on lot area of 7,950 s.f.

(2) Variation amount is the difference between proposed and requirement.

(3) Existing nonconforming setback of 5.87 ft. will remain. Proposed addition would provide a setback of 6.69 ft.

(4) Variation required to allow structural changes necessary to add new window and door openings in the legally nonconforming east side building wall that provides less than the minimum required side yard setback.

ATTACHMENT B

Village of Winnetka
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. **24-03-V**

Property Information

Site Address: 1476 Scott Avenue, Winnetka, IL 60093

Owner Information

Name: Christopher Johnson

Address: 1476 Scott Ave

City, State, ZIP: Winnetka, IL 60093

Email: _____

Primary Contact: QuinnKelsey

Phone No. (847)967-6115

Date property acquired by owner: _____

Architect Information

Name: Tom Lybrook

Primary Contact: Quinn Kelsey

Address: 5300 Golf Road

City, State, ZIP: Skokie, IL 6077

Phone No. (847) 967-6115

Email: qk@konstantarchitecture.com

Attorney Information

Name: N.A.

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: The house pre-dates current zoning and is over the allowable FAR

Brief explanation of variation(s) requested (attach separate sheet providing additional details): _____

Want to expand the Existing entry and add a front porch

Property Owner Signature: _____

Date: 02/07/2024

February 7, 2024

**RE: Private Residence
1476 Scott Ave.
Winnetka, IL**

Explanation of Variation Requested

The current house is 3,388 sq ft. Its construction pre-dates current zoning, which would allow a house of 3,177 sq ft.

The existing house is 210.6 sq ft over this (6.63%). The proposed porch and entry addition is 102.4 sq ft. (3.22%) for a total of 313 sq ft. over the allowable. (9.8%)

To add the porch, a variation is needed.

The existing East wall of the house is nonconforming to the current set back. We will be replacing the windows on this wall, but using all the existing headers and locations so there will be no structural changes.

There will be the addition of a door leading into the garage where there is an existing window. The current door into the mudroom will be removed. This design change will maximize the use of the mudroom by allowing for additional storage and functional space. The door into the garage is better suited for the intended circulation and use for maintenance into the side yard without having to lift the garage door when wanting garage access. Lastly, the windows on the east wall of the sitting room will become smaller. There is still plenty of light and ventilation entering the living space, but this will lessen the views towards the neighbors house and highlight the backyard greenspace.

February 7, 2024

**RE: Private Residence
1476 Scott Ave.
Winnetka, IL**

Standards for Granting Zoning Variations

- 1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulation in that zone.**

1476 Scott Avenue is a brick house built in 1967 that has not had a live-in resident owner for many, many years. It is out of date and tired. The house is out of character with the neighborhood, and current market interest.

The new owners plan to update the interior, and without improving the exterior, the house will not have the potential for a reasonable return on this investment. The current curb appeal is bleak. The main entry is almost out of sight, tight to the west wall of the garage with an uncovered sinking concrete stoop. The garage dominates the street frontage. The addition of the proposed new entry and covered porch will take the focus away from the dominant garage. Adding a garage door will add value to the property since it will be a functional addition, reducing the frequency of having to open that garage door, along with benefiting the mudroom area as well.

- 2. The plight of the Owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in question rather than being related to the occupants.**

The existing house has a unique circumstance given that it pre-dates current zoning making the addition, or any structure including a covered porch, subject to a variation.

- 3. The variation, if granted, will not alter the essential character of the locality.**

Quite the contrary. The addition of the front porch, covered entry and additional work the Owner plans, new garage door, windows, and painting the brick white, will make the house more consistent with the neighborhood. We feel this will actually enhance the character of the neighborhood.

- 4. An adequate supply of light and air to the adjacent property will not be impaired.**

The porch addition is 1 story embraced by the garage to the east. It will project just 7' to the north, still 12' south of the garage. It will not impair the light or ventilation to the neighboring properties.

5. The hazard from fire and other damages to the property will not be increased.

The hazard from fire and other damages to the property will not be increased because of the proposed improvements. The proposed new construction and materials meet and exceed local building codes.

6. The taxable value of the land and building throughout the Village will not diminish.

The variation will not affect the taxable value of the land and buildings throughout the Village.

7. The congestion to the public street will not increase.

The congestion to the public street will not increase because the use is not changing. It is remaining a single-family residence.

8. The public health, safety, comfort, morals, and welfare of the inhabitants of the village will not otherwise be impaired.

Will not be affected by the variation.

LOT 3 IN BLOCK 29 IN CHICAGO NORTH SHORE LAND CO.'S SUBDIVISION
IN SECTION 8, 17 AND 18 ALL IN TOWNSHIP 42 NORTH, RANGE 13, EAST
OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

BASIS OF BEARING:
SOUTH LINE OF SCOTT AVENUE AS FOUND
MONUMENTED AND OCCUPIED.

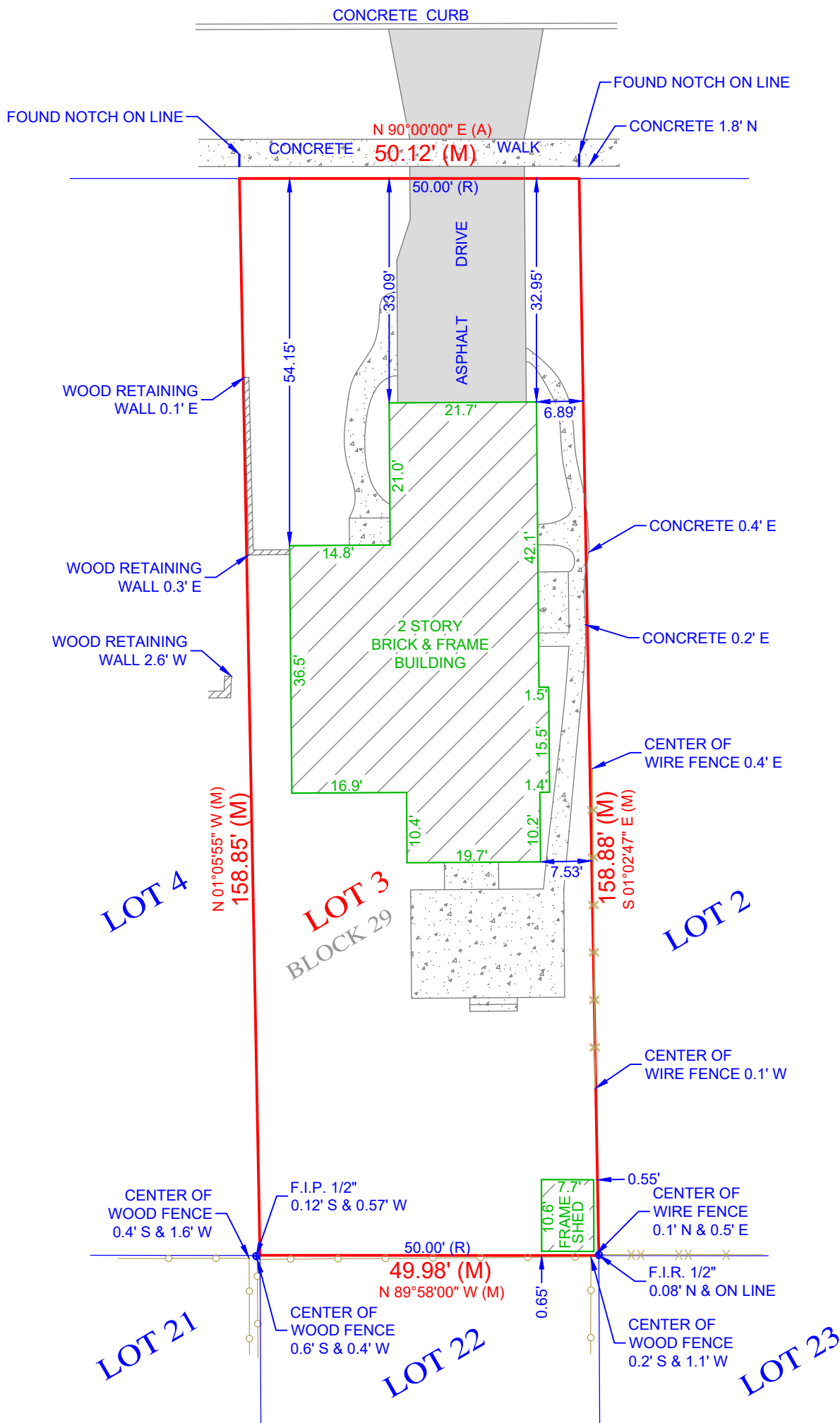
N 90°00'00" E (A)

AREA OF SURVEY:

"CONTAINING 7,950 SQ. FT. OR 0.18 ACRES MORE OR LESS"

(66' R.O.W.)

SCOTT AVENUE

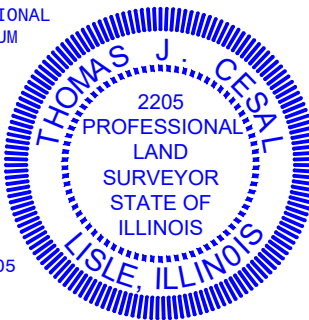


STATE OF ILLINOIS }
COUNTY OF DUPAGE }SS

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 31ST DAY OF JANUARY, A.D.,
2024, AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2205
 LICENSE EXPIRATION DATE NOVEMBER 30, 2024
 ILLINOIS BUSINESS REGISTRATION NO. 184-001245



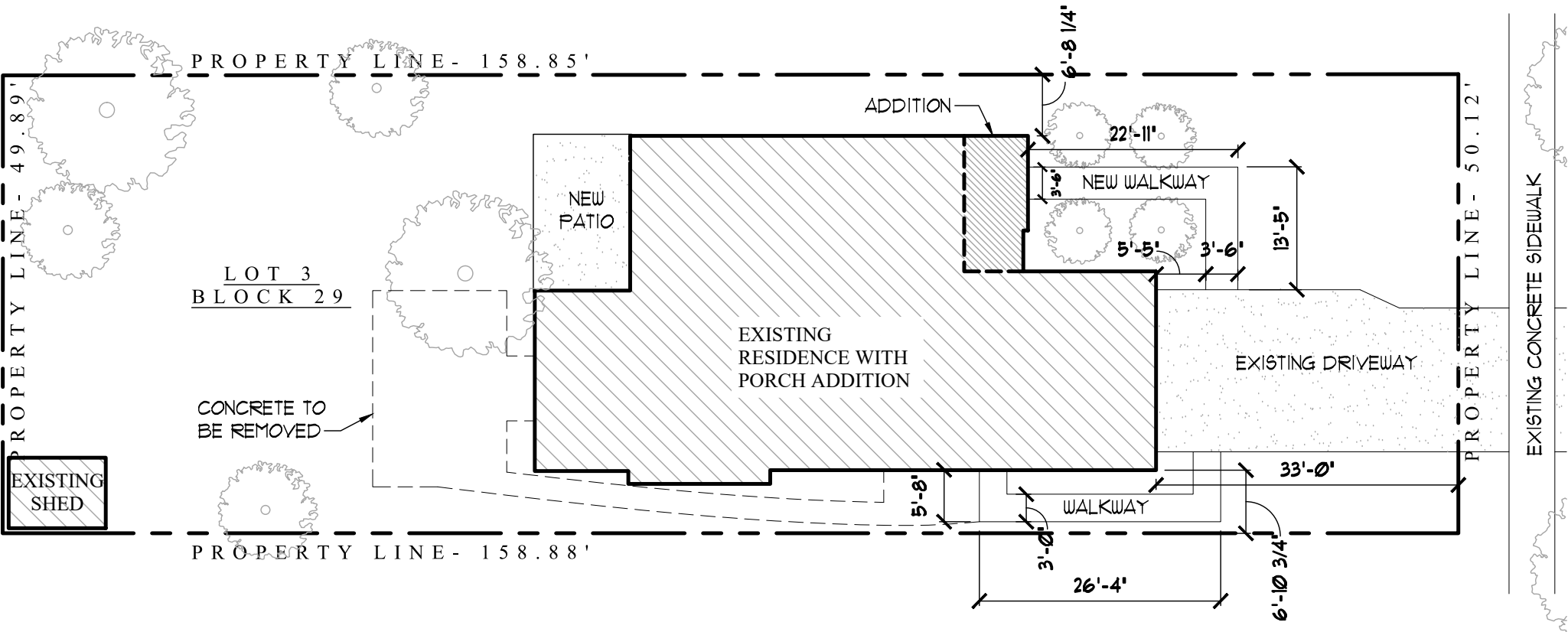
NOTE:

1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 1476 SCOTT AVENUE
WINNETKA, ILLINOIS

CLIENT LAW OFFICES OF ROBIN S. KING

FIELDWORK DATE (CREW) 01/29/2024 (BV/JN)
DRAWN BY: R.S. REVISED: _____ JOB NO. 24-01-0170

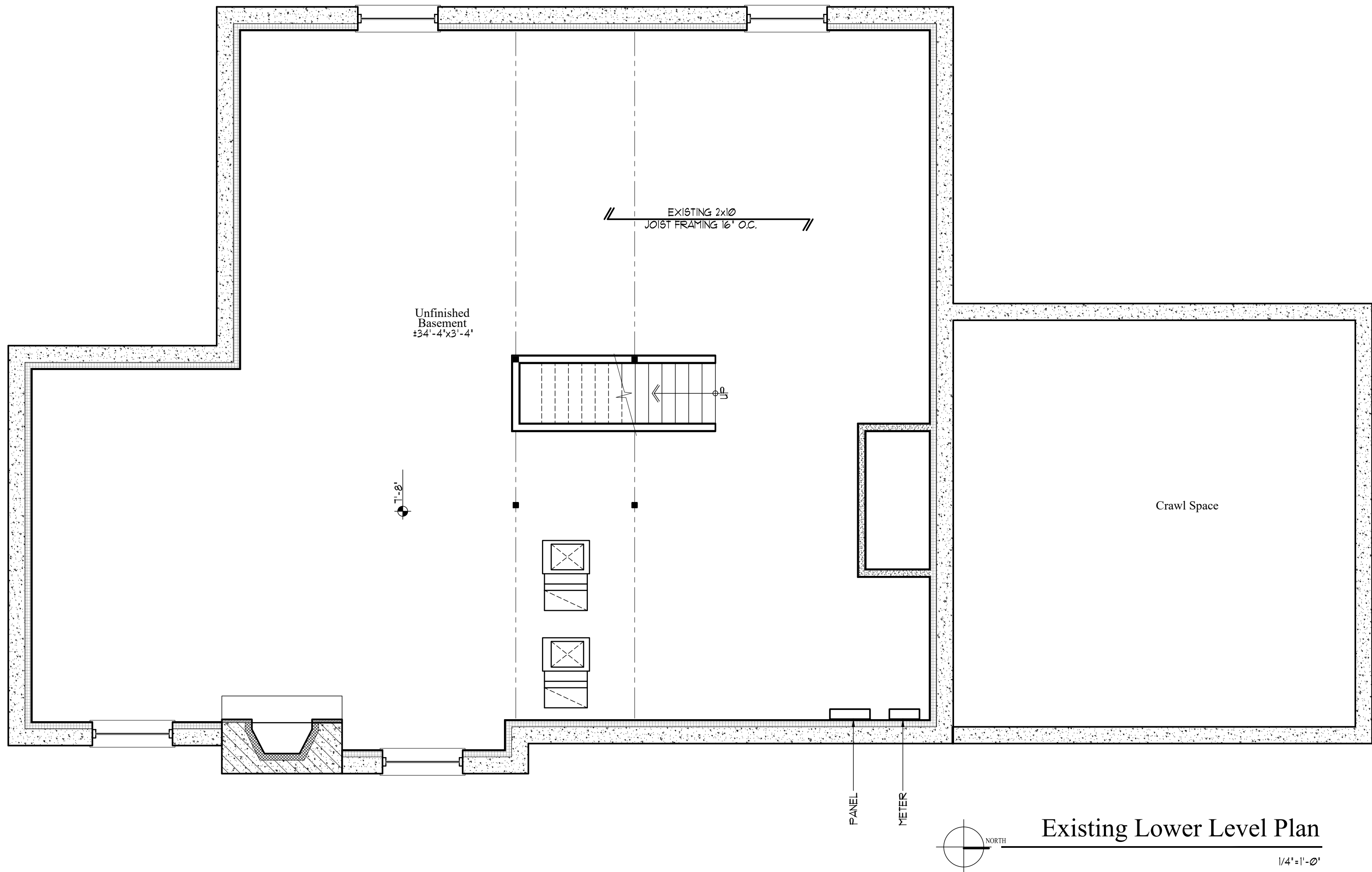


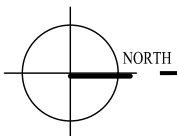
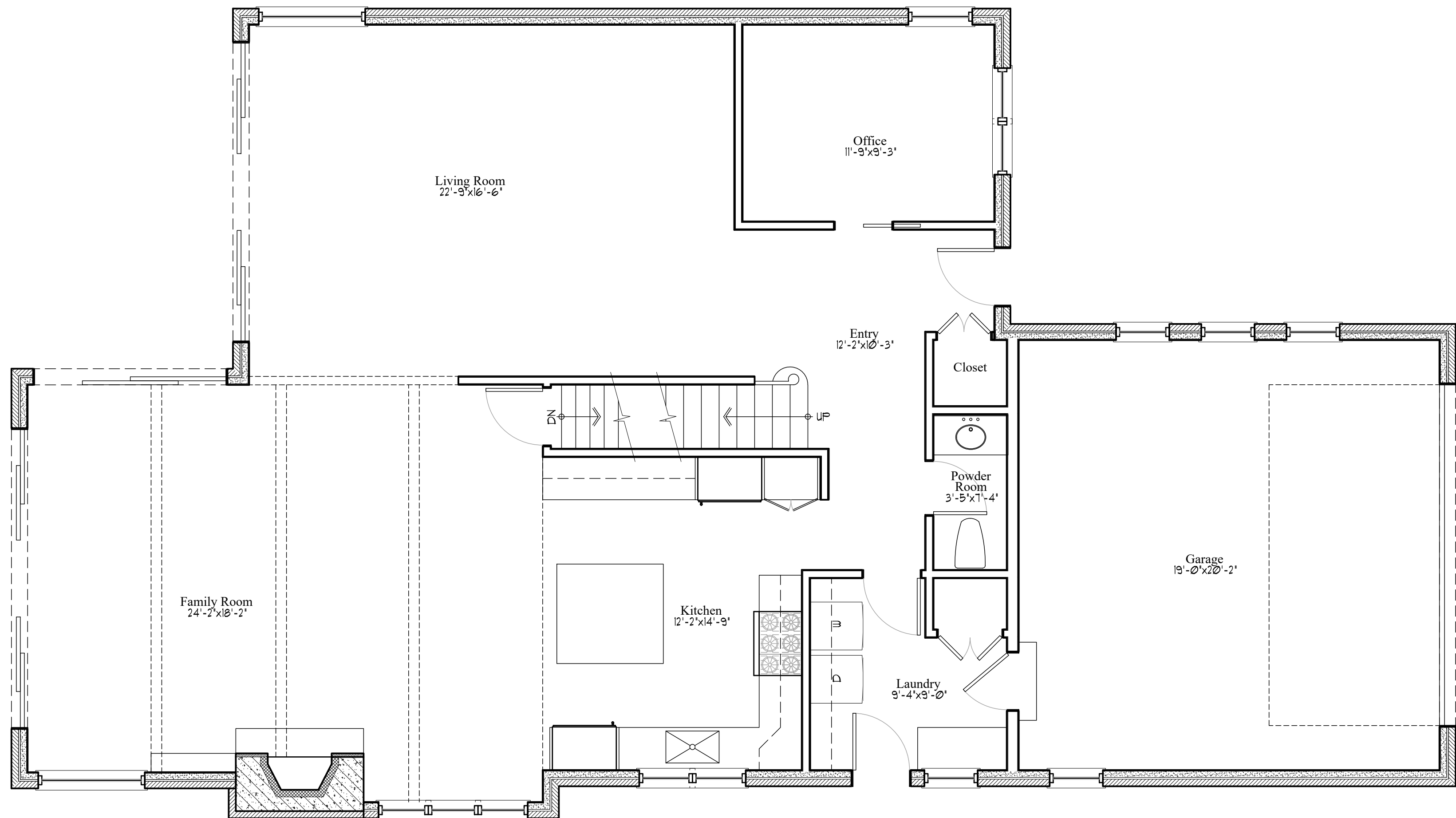
Konstant ☐ Architecture ☐ Planning
 5300 Golf Road Skokie Illinois 60077 847-967-6115-Inc.

Mr. & Mrs. Christopher Johnson Residence
 1476 Scott Ave, Winnetka, IL 60093
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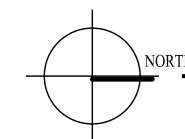
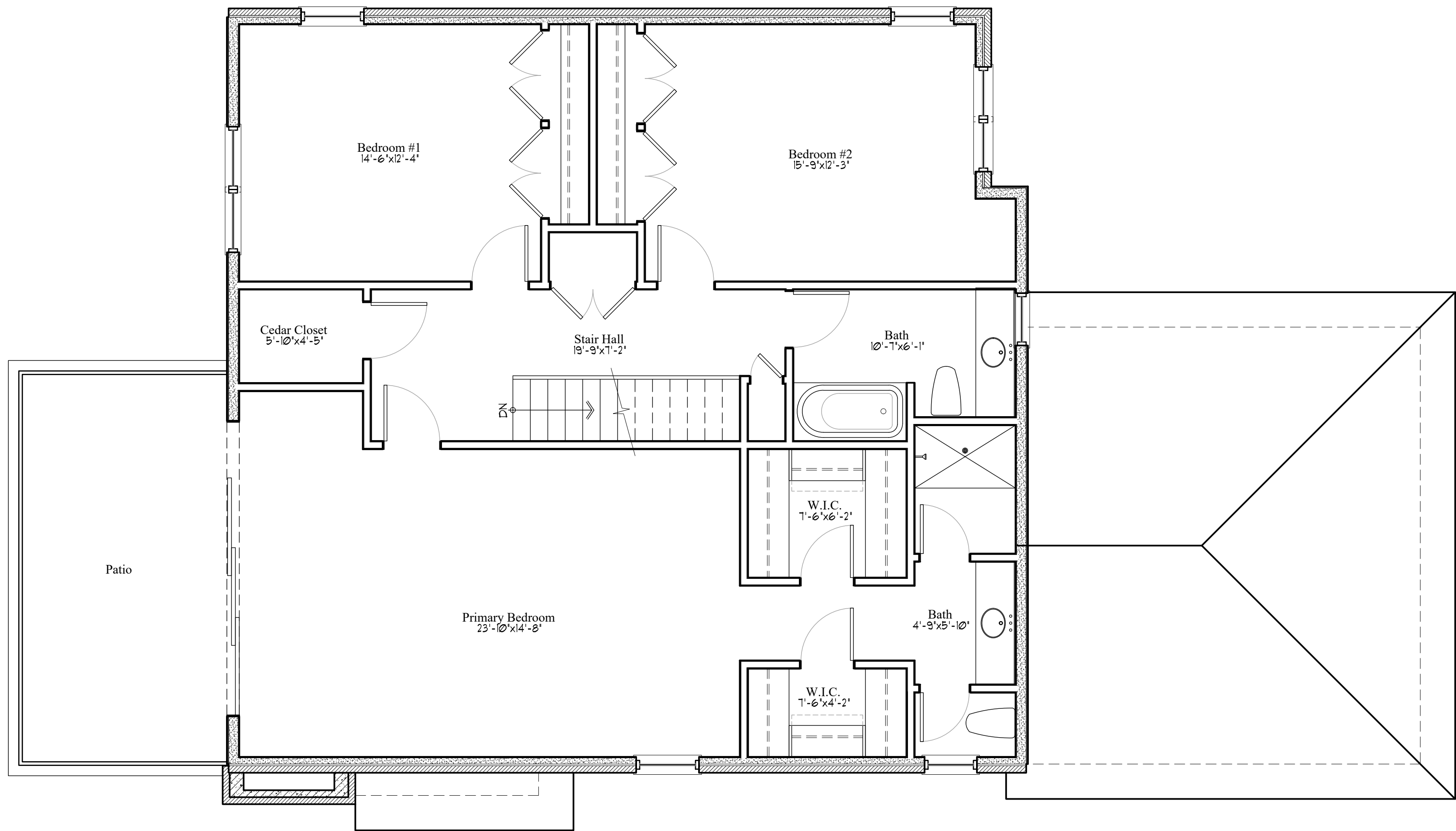
Job No: 2403





Existing Main Level Plan

1/4" = 1'-0"



Existing Upper Level Plan

1/4" = 1'-0"



Existing North Elevation

1/4" = 1'-0"



Existing West Elevation

1/4"=1'-0"



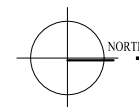
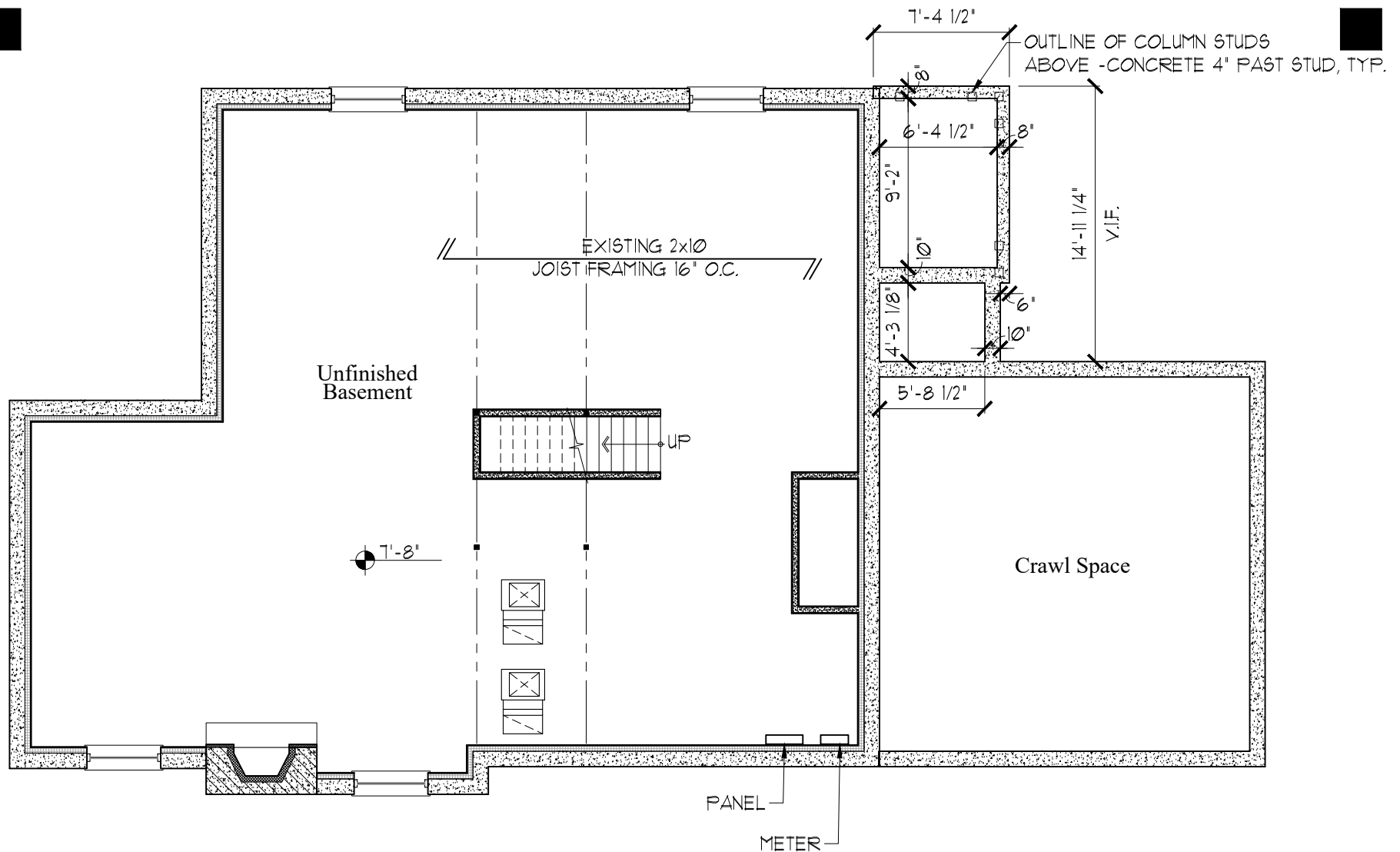
Existing South Elevation

1/4" = 1'-0"



Existing East Elevation

1/4"=1'-0"



Proposed Lower Level Plan

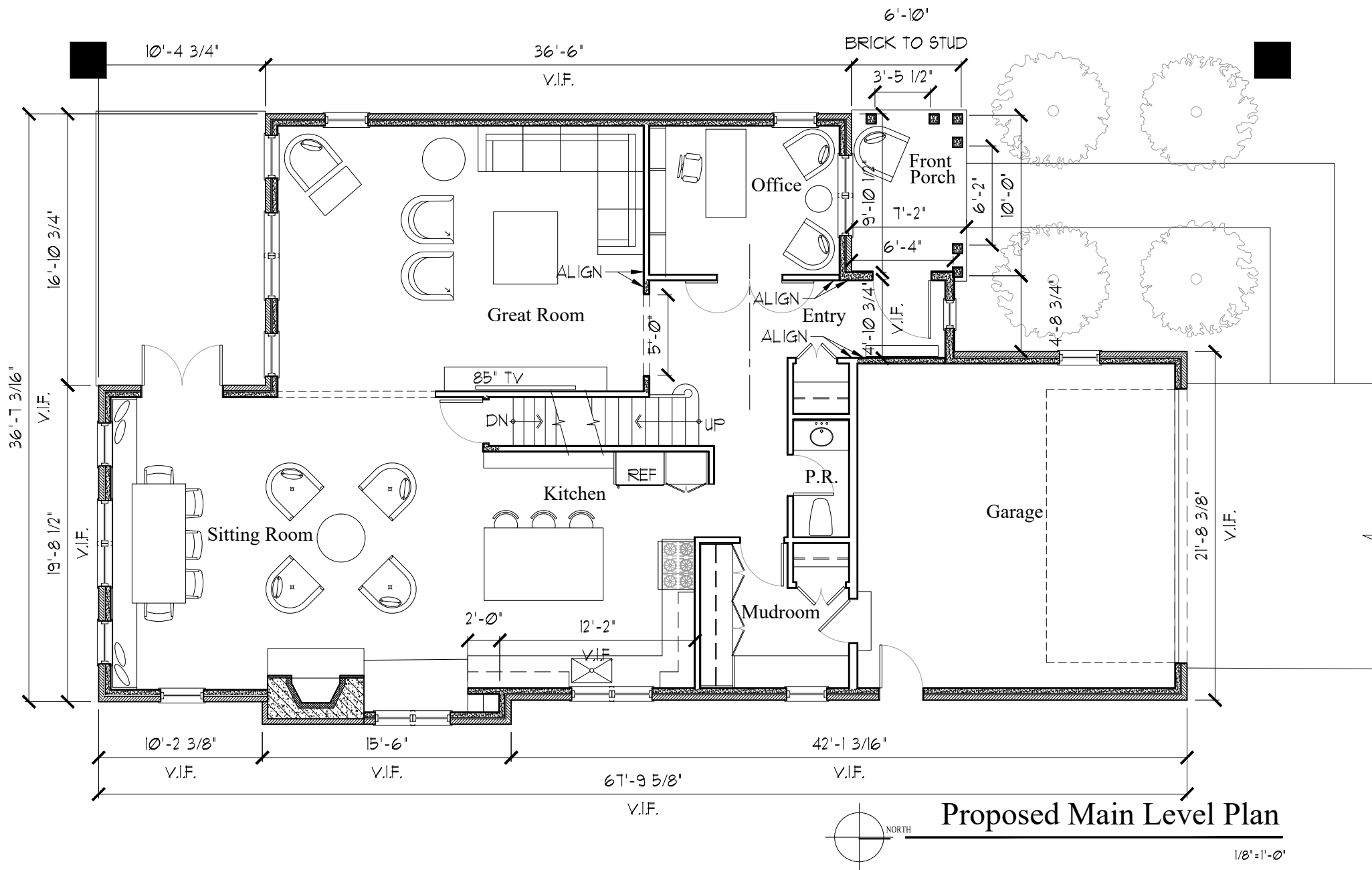
1/8" = 1'-0"

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Job No: 2403

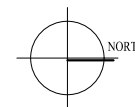
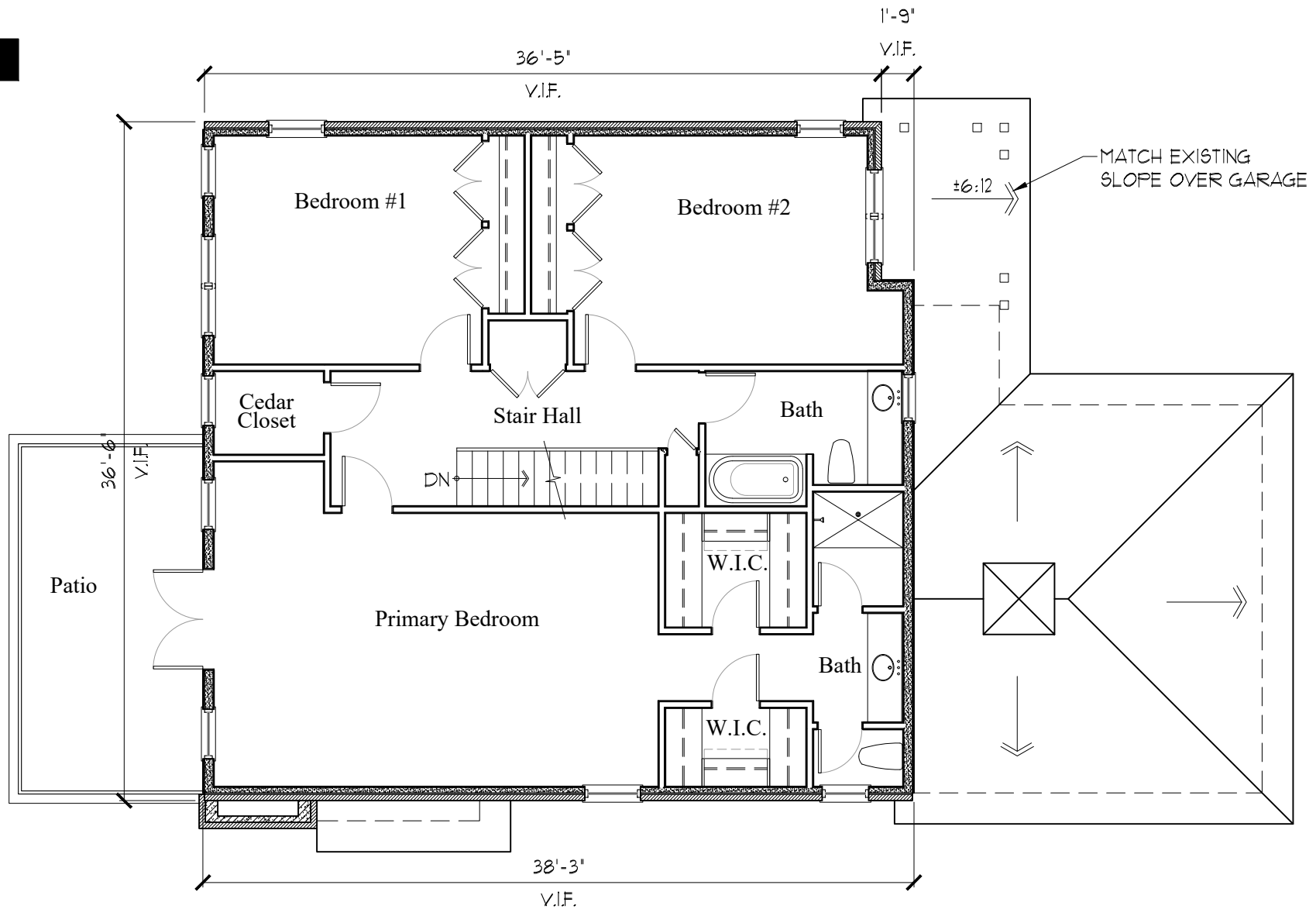


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Proposed Upper Level Plan

1/8" = 1'-0"

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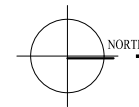
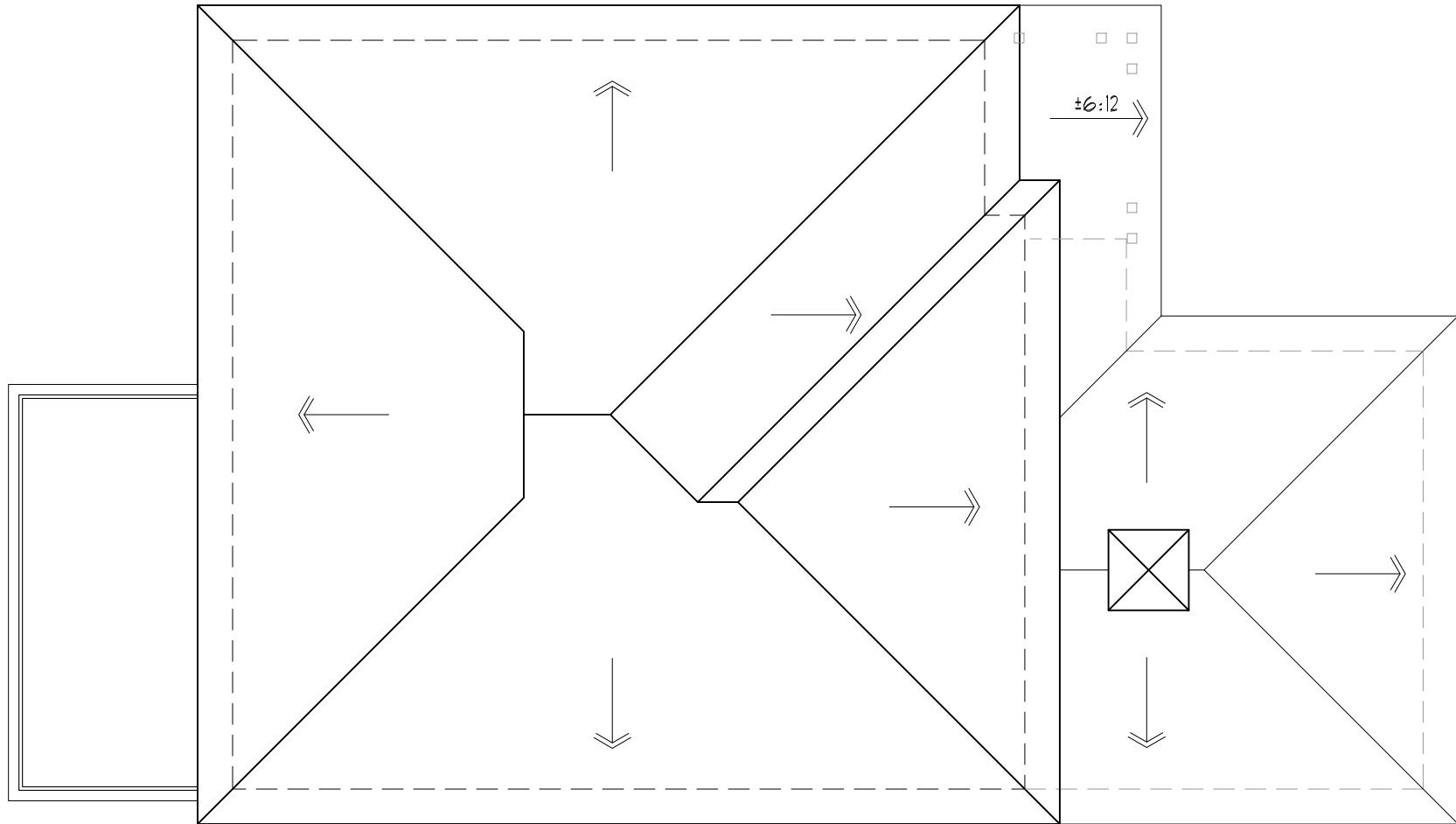
Mr. & Mrs. Christopher Johnson Residence

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Proposed Roof Level Plan

1/8" = 1'-0"

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Proposed North Elevation

1/8" = 1'-0"

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Proposed West Elevation

1/8" = 1'-0"

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Proposed South Elevation

1/8" = 1'-0"

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Proposed East Elevation

1/8" = 1'-0"

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**ATTACHMENT C
RESOLUTION NO. ZBA-01-2024**

**VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS**

APPROVAL OF ZBA CASE NO. 24-03-V – 1476 SCOTT AVENUE

WHEREAS, Christopher Johnson (the “Applicant”) is the owner of the property commonly known as 1476 Scott Avenue, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (**“Subject Property”**); and

WHEREAS, the Subject Property is located in the R-5 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence that is nonconforming with respect to (i) the maximum permitted building size (gross floor area); and (ii) the minimum required side yard setback from the east property line (**“Building”**); and

WHEREAS, the Applicant desires to construct a one-story addition to the Building and relocate a window and door in the legally nonconforming east side building wall of the Building on the Subject Property that would (i) exceed the maximum permitted gross floor area; and (ii) require structural changes necessary to provide new window and door openings in the legally nonconforming east side building wall of the existing Building that provides less than the minimum required side yard setback; (**“Proposed Improvement”**); and

WHEREAS, pursuant to Section 17.30.040 of the Winnetka Zoning Ordinance (**“Zoning Ordinance”**), the Subject Property is permitted a maximum gross floor area of 3,180 square feet; and

WHEREAS, pursuant to Section 17.64.060 of the Zoning Ordinance, zoning relief is necessary to allow enlarged or relocated doors and windows in a nonconforming side building wall; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a gross floor area that exceeds the maximum permitted of 3,180 square feet, a violation of Section 17.30.040 of the Zoning Ordinance; and (ii) construct new door and window openings in the legally nonconforming east side building wall that provides less than the minimum required side yard setback of 8 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Sections 17.30.040 and 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) a gross floor area of 3,495.17 square feet; and (ii) new door and window openings in the existing east side building wall that provides a setback of 5.39 feet; (**“Requested Variations”**); and

WHEREAS, a public notice for the Requested Variations was duly published on February 22, 2024, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on March 11, 2024, for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on March 11, 2024; and

WHEREAS, the Zoning Board of Appeals has considered the evidence presented, as follows:

1. Application for the Requested Variations submitted by the Applicant, dated February 7, 2024, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variations do satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance; and

WHEREAS, the Zoning Board of Appeals has determined that it will serve and be in the best interest of the Village and its residents to grant the application for (i) the gross floor area variation; and (ii) the structural changes necessary to provide new window and door openings variation in accordance with, and subject to, the conditions, restrictions, and provisions of this Resolution.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Appeals of the Village of Winnetka, Cook County, Illinois, that:

SECTION 1. RECITALS. The foregoing recitals are incorporated into, and made part of, this Resolution as the findings of the Zoning Board of Appeals.

SECTION 2. APPROVAL OF VARIATIONS. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested (i) gross floor area variation from Section 17.30.040 of the Zoning Ordinance; and (ii) structural changes to allow new door and window openings in a nonconforming side building wall variation from Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 3. CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Winnetka Zoning Ordinance or any other rights the Applicant may have, the approval granted in Section Two of this Resolution is hereby expressly subject to and contingent upon compliance with each and all of the following conditions:

- A. Compliance with Plans. Except for minor changes and site work approved by the Director of Community Development in accordance with all applicable Village standards, the development, use, operation, and maintenance of the Subject Property, shall comply with those certain plans attached hereto as **Exhibit B**.
- B. Compliance with Regulations. The construction, development, use, operation, and maintenance of the Proposed Improvement and the Subject Property must comply with all applicable Village codes and ordinances, as the same may be amended from time to time, except to the extent specifically provided otherwise in this Resolution.

SECTION 4. RECORDING; BINDING EFFECT. A copy of this Resolution will be recorded in the office of the Cook County Clerk Recording Division. This Resolution and the privileges, obligations, and provisions contained herein will inure solely to the benefit of, and be binding upon, the Applicant

and its respective heirs, personal representatives, successors and assigns.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Resolution, the approval granted in Section Two of this Resolution will, at the sole discretion of the Zoning Board of Appeals, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Zoning Board of Appeals may not so revoke the approval granted in Section Two of this Resolution unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, (i) the gross floor area requirement set forth in Section 17.30.040 of the Zoning Ordinance; and (ii) the structural changes to provide new window and door openings in a nonconforming side building wall requirement set forth in Section 17.64.060 of the Zoning Ordinance. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

SECTION 6. AMENDMENTS. Any amendments to the Requested Variations granted in Section Two of this Resolution may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Winnetka Zoning Ordinance.

SECTION 7. EFFECTIVE DATE.

- A. This Resolution will be effective only upon the occurrence of all of the following events:
- B. Passage by the Zoning Board of Appeals in the manner required by law; and
- C. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent, in the form of **Exhibit C** attached to and, by this reference, made a part of this Resolution, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Resolution and to indemnify the Village for any claims that may arise in connection with the approval of this Resolution.
- D. In the event that the Applicant does not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 7.C of this Resolution, within 60 days after the date of final passage of this Resolution by the Zoning Board of Appeals, the Zoning Board of Appeals will have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 11th day of March, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lot 3 in Block 29 in Chicago North Shore Land Company's Subdivision in Section 8, 17 and 18 all in Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

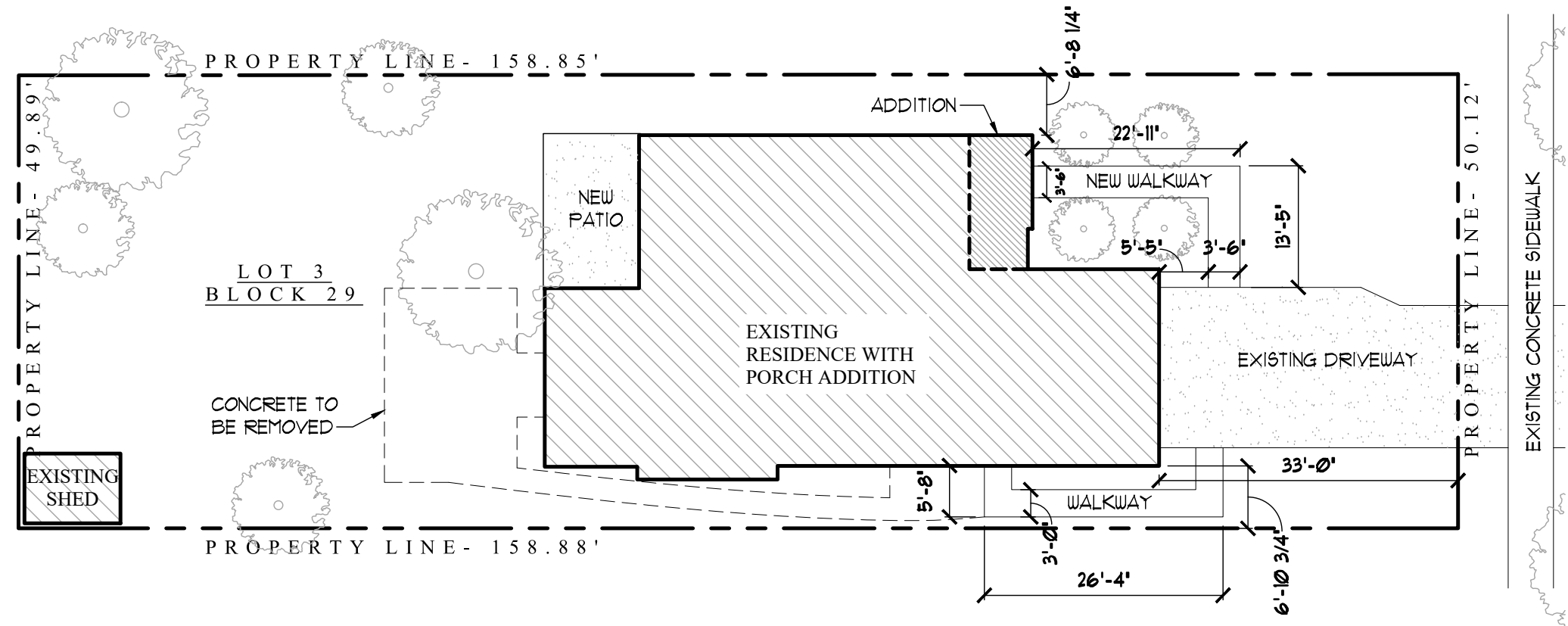
Commonly known as 1476 Scott Avenue, Winnetka, Illinois.

Parcel Index Number: 05-18-216-010-0000

EXHIBIT B
PLANS

(SEE ATTACHED EXHIBIT B)

EXHIBIT B

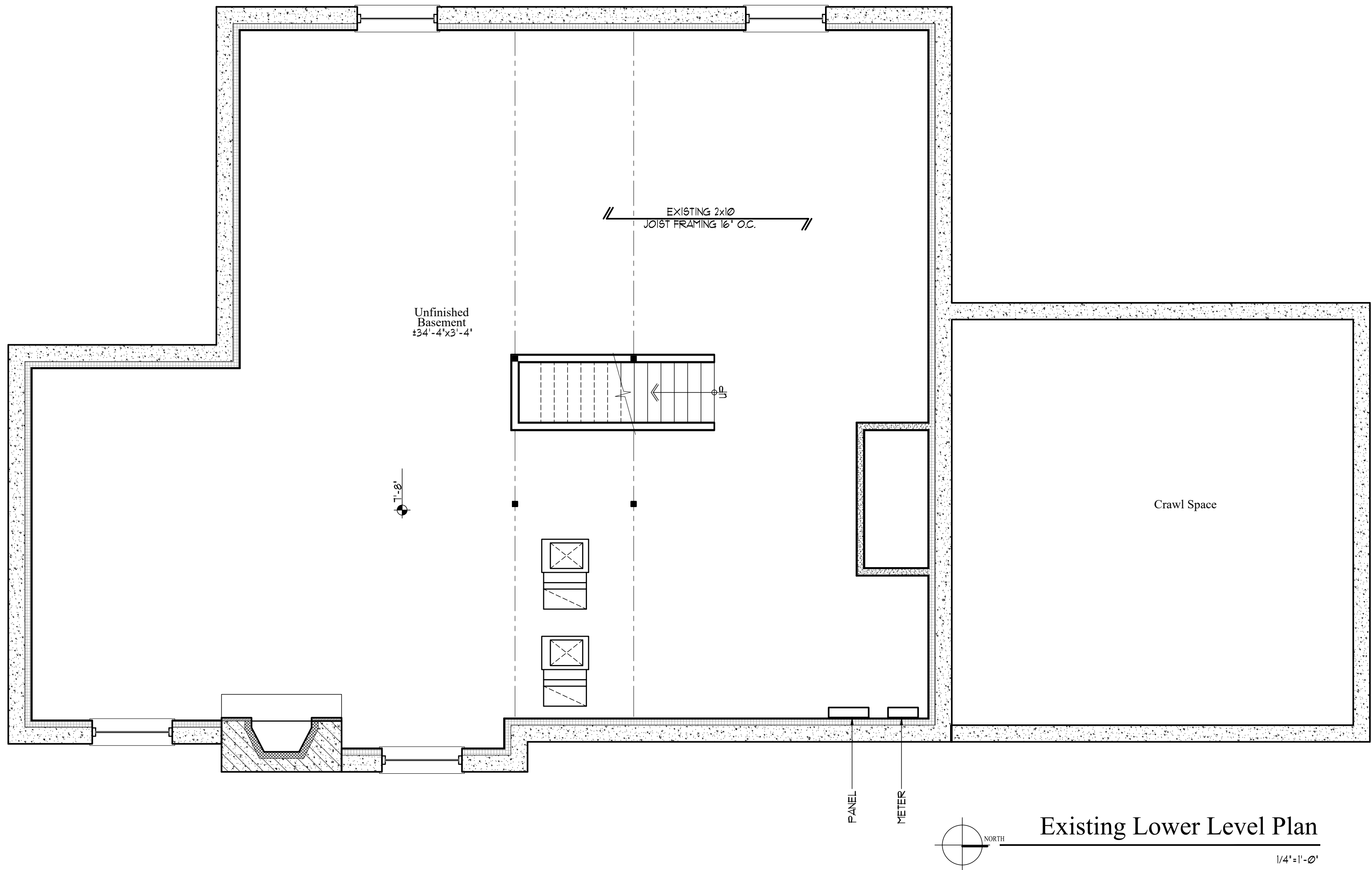


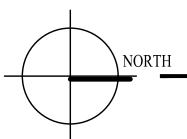
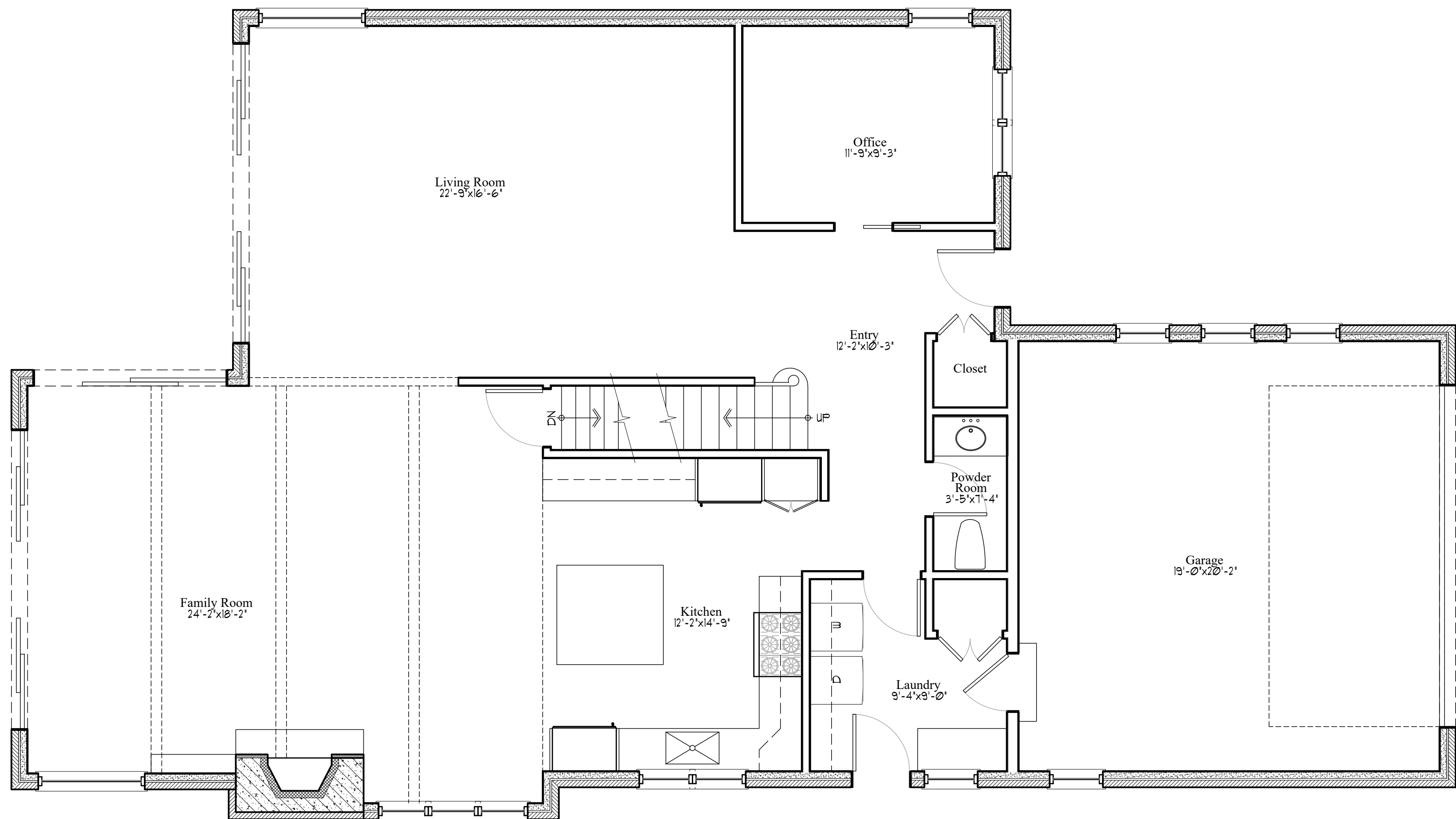
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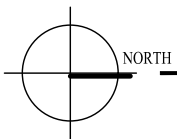
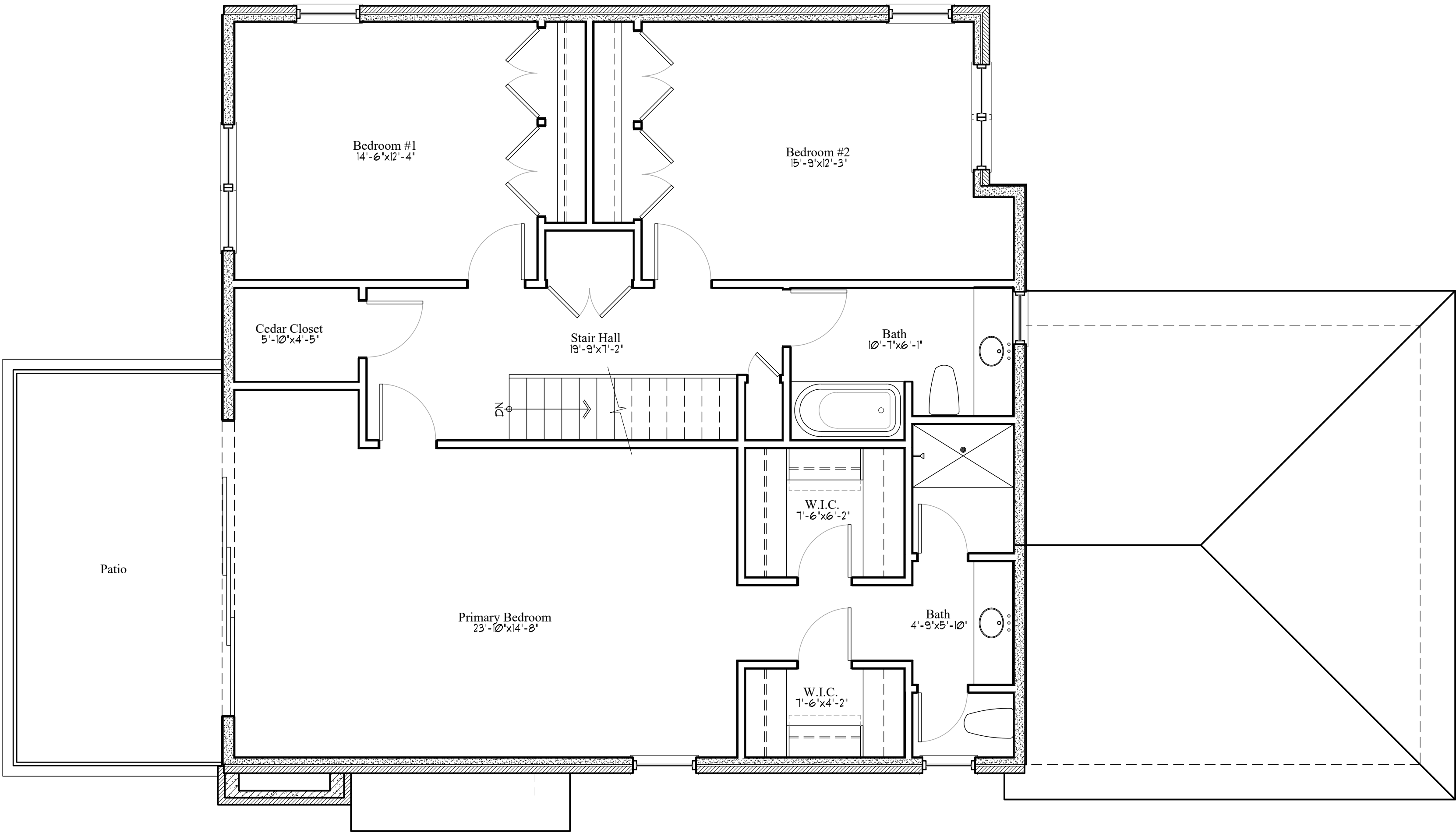
Job No: 2403





Existing Main Level Plan

1/4" = 1'-0"



Existing Upper Level Plan

1/4" = 1'-0"



Existing North Elevation

1/4" = 1'-0"



Existing West Elevation

1/4"=1'-0"



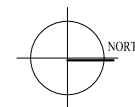
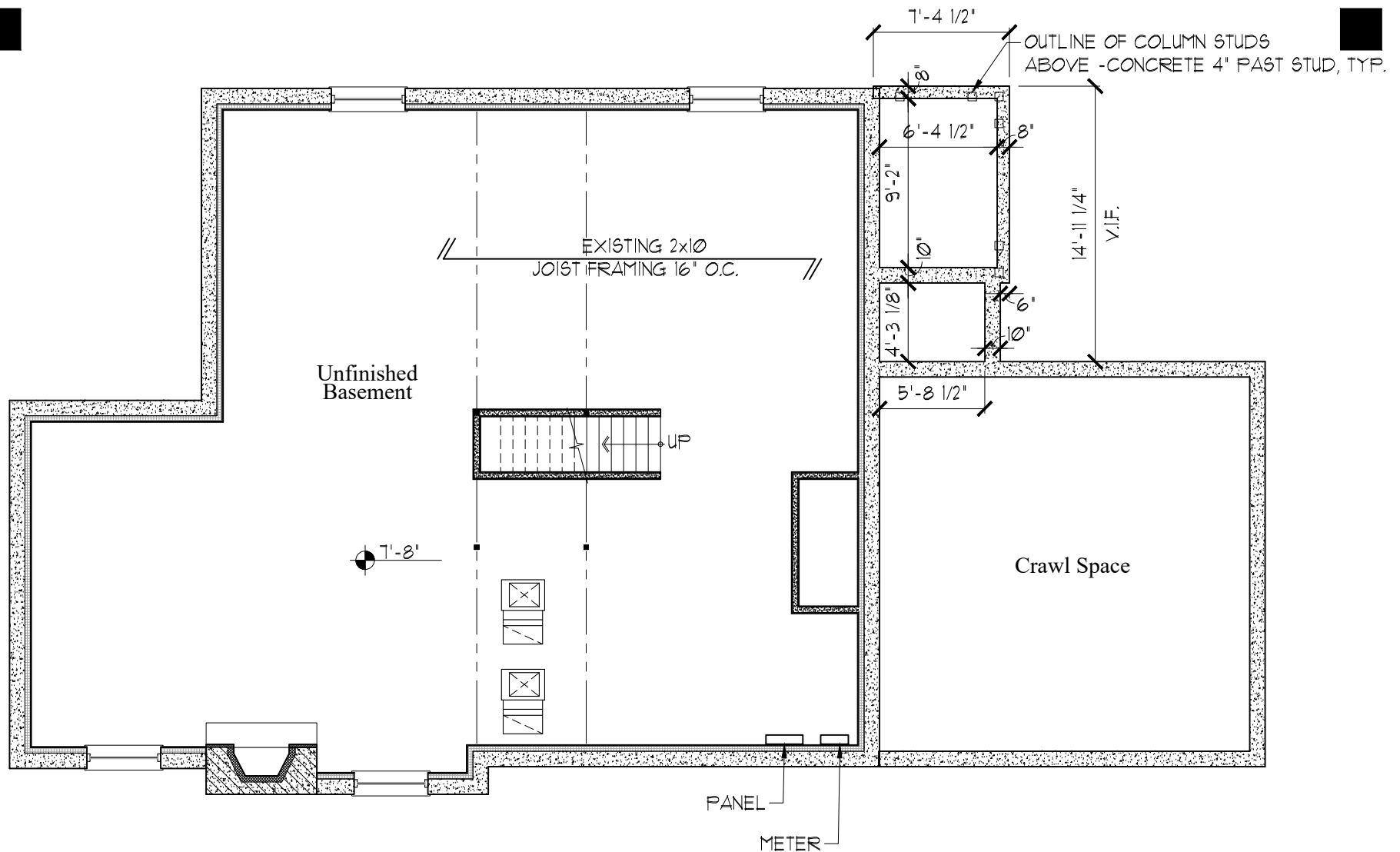
Existing South Elevation

1/4"=1'-0"



Existing East Elevation

1/4" = 1'-0"



Proposed Lower Level Plan

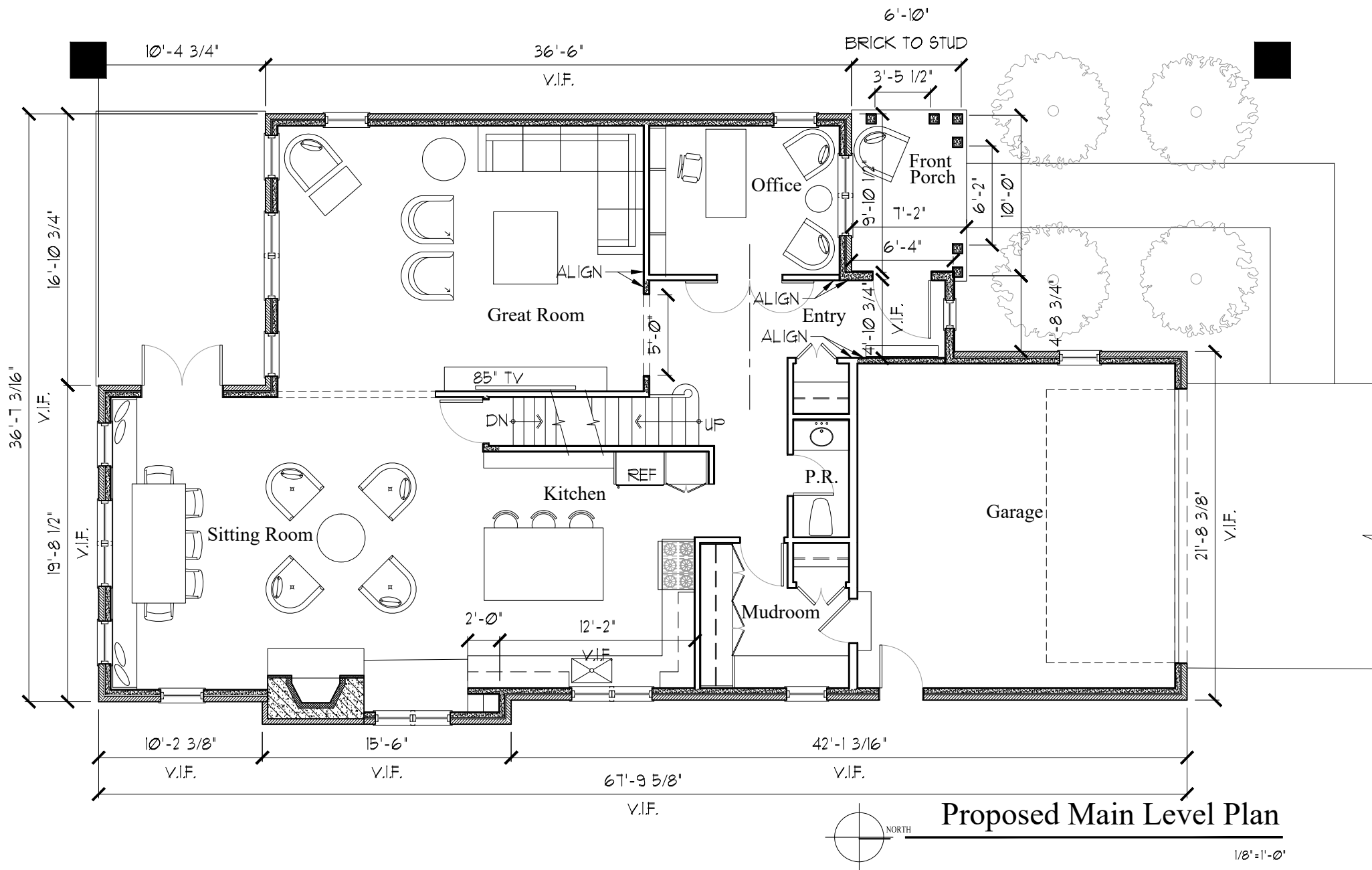
1/8" = 1'-0"

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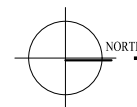
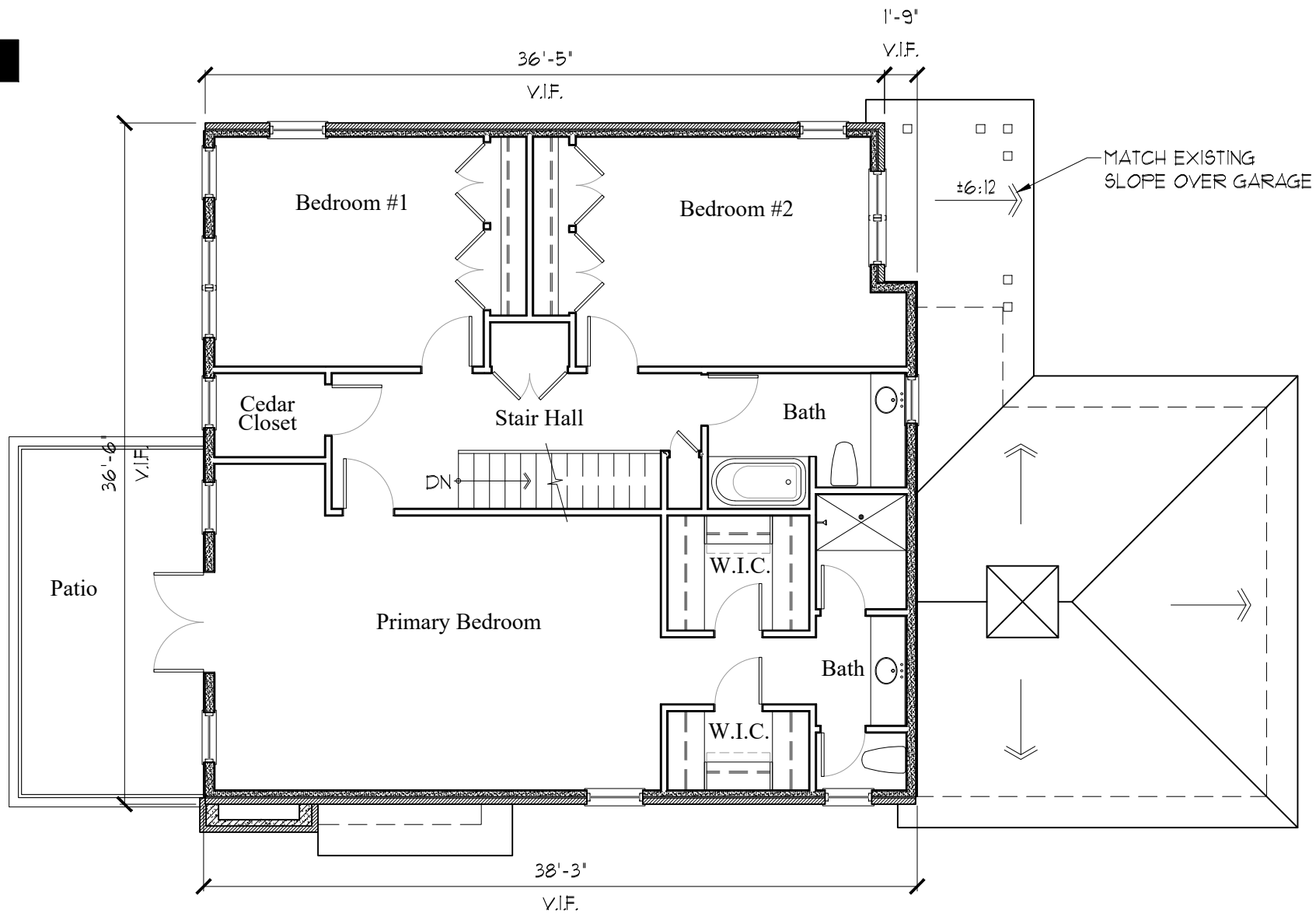


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Mr. & Mrs. Christopher Johnson Residence
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Proposed Upper Level Plan

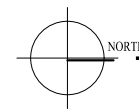
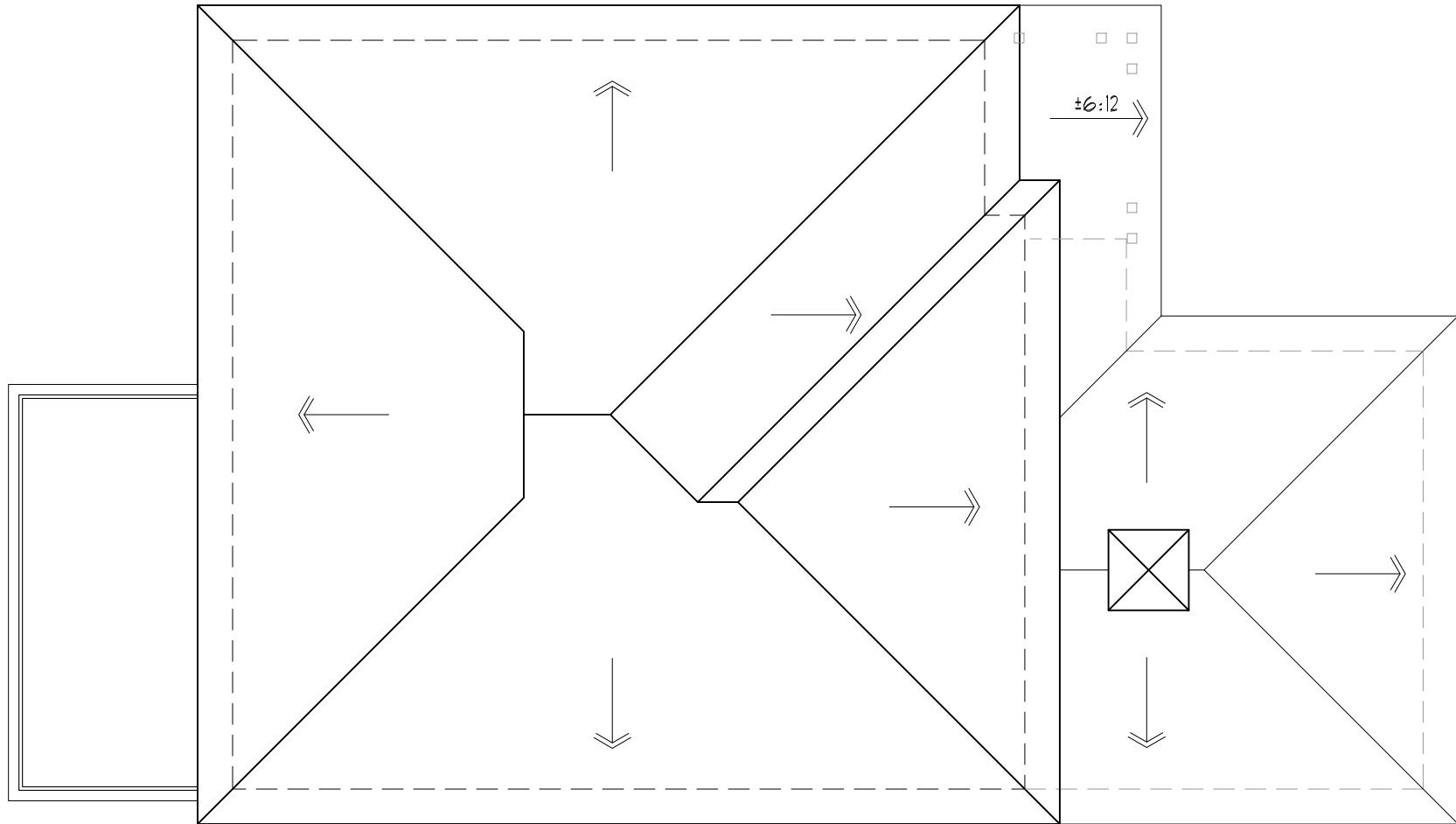
1/8"=1'-0"

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Proposed Roof Level Plan

1/8"=1'-0"

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Job No: 2403



Proposed North Elevation

1/8" = 1'-0"

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Proposed West Elevation

1/8" = 1'-0"

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Proposed South Elevation

1/8" = 1'-0"

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Sheet #:
A2.2

Job No: 2403



Proposed East Elevation

1/8" = 1'-0"

Konstant ☐ Architecture ☐ Planning
5300 Golf Road Skokie Illinois 60077 847-967-6115-INC.

Mr. & Mrs. Christopher Johnson Residence
1476 Scott Ave, Winnetka, IL 60093
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Sheet #:
A2.3

Job No: 2403

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

TO: The Village of Winnetka, Illinois ("**Village**");

WHEREAS, Christopher Johnson (the "**Owner**") is the owner of record of that certain real property located at 1476 Scott Avenue, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-01-2024, adopted by the Winnetka Zoning Board of Appeals on March 11, 2024 ("**Resolution**"), grants variations to construct a one-story addition and relocate a door and window in the existing legally nonconforming east side building wall of the existing single family residence on the Subject Property; and

WHEREAS, Section 7.A.2 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the Owner has filed, within 60 days following the passage of the Resolution, its unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

NOW, THEREFORE, the Owner does hereby agree and covenant as follows:

1. The Owner hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The Owner acknowledges that public notices and public hearings have been properly given and held with respect to the adoption of the Resolution, have considered the possibility of the revocation provided for in the Resolution, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Owner acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of the variations, and that the Village's approval of the variations does not, and will not, in any way, be deemed to insure the Owner against damage or injury of any kind and at any time.
4. The Owner hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting the variations for the Property.

[SIGNATURE PAGE FOLLOWS]

Dated: _____, 2024.

ATTEST

OWNER

By: _____

By: _____

Christopher Johnson

Name: _____

RESOLUTION NO. ZBA-01-2024
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 24-03-V – 1476 SCOTT AVENUE

WHEREAS, Christopher Johnson (the “Applicant”) is the owner of the property commonly known as 1476 Scott Avenue, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (**“Subject Property”**); and

WHEREAS, the Subject Property is located in the R-5 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence that is nonconforming with respect to (i) the maximum permitted building size (gross floor area); and (ii) the minimum required side yard setback from the east property line (**“Building”**); and

WHEREAS, the Applicant desires to construct a one-story addition to the Building and relocate a window and door in the legally nonconforming east side building wall of the Building on the Subject Property that would (i) exceed the maximum permitted gross floor area; and (ii) require structural changes necessary to provide new window and door openings in the legally nonconforming east side building wall of the existing Building that provides less than the minimum required side yard setback; (**“Proposed Improvement”**); and

WHEREAS, pursuant to Section 17.30.040 of the Winnetka Zoning Ordinance (**“Zoning Ordinance”**), the Subject Property is permitted a maximum gross floor area of 3,180 square feet; and

WHEREAS, pursuant to Section 17.64.060 of the Zoning Ordinance, zoning relief is necessary to allow enlarged or relocated doors and windows in a nonconforming side building wall; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a gross floor area that exceeds the maximum permitted of 3,180 square feet, a violation of Section 17.30.040 of the Zoning Ordinance; and (ii) construct new door and window openings in the legally nonconforming east side building wall that provides less than the minimum required side yard setback of 8 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Sections 17.30.040 and 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) a gross floor area of 3,495.17 square feet; and (ii) new door and window openings in the existing east side building wall that provides a setback of 5.39 feet; (**“Requested Variations”**); and

WHEREAS, a public notice for the Requested Variations was duly published on February 22, 2024, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on March 11, 2024, for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on March 11, 2024; and

WHEREAS, the Zoning Board of Appeals has considered the evidence presented, as follows:

1. Application for the Requested Variations submitted by the Applicant, dated February 7, 2024, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variations **do not** satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance because (i) the Requested Variations are not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; (ii) the Subject Property can yield a reasonable return if it is permitted to be used only under the conditions allowed for the R-5 Single Family Residential District; and (iii) the plight of the Applicant is not due to unique circumstances; and

WHEREAS, the Zoning Board of Appeals has determined that it will not serve and be in the best interest of the Village and its residents to approve the Requested Variations.

NOW, THEREFORE, BE IT RESOLVED, by the Zoning Board of Appeals of the Village of Winnetka, Cook County, Illinois, that:

SECTION 1. RECITALS. The foregoing recitals are incorporated into, and made part of, this Resolution as the findings of the Zoning Board of Appeals.

SECTION 2. DENIAL OF VARIATIONS. In accordance with and pursuant to Chapter 17.60 of the Winnetka Zoning Ordinance and the home rule powers of the Village, the Zoning Board of Appeals denies the Requested Variations for the Subject Property.

SECTION 3. EFFECTIVE DATE. This Resolution will be effective upon passage by the Zoning Board of Appeals in the manner required by law.

ADOPTED this 11th day of March, 2024, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lot 3 in Block 29 in Chicago North Shore Land Company's Subdivision in Section 8, 17 and 18 all in Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 1476 Scott Avenue, Winnetka, Illinois.

Parcel Index Number: 05-18-216-010-0000