



Village of Winnetka

Zoning Board of Appeals Regular Meeting

May 13, 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. March 11, 2024, Regular Meeting Minutes
3. **Community Development Report**
4. **New Cases**
 - a. **Case No. 24-10-V - 680 Locust Street:** An application seeking approval of a variation to allow construction of a one-story addition to the existing residence at 680 Locust Street. The requested variation would permit the proposed addition to exceed the maximum permitted gross floor area. The Zoning Board of Appeals has final jurisdiction on this request.
 - b. **Case No. 24-12-V - 1108 Spruce Street:** An application seeking approval of variations to allow construction of a second floor addition and structural changes necessary for new window openings in the legally nonconforming south side building wall of the existing residence at 1108 Spruce Street. The requested variations would permit the proposed improvements to (i) provide less than the minimum required side yard setback from the south property line; and (ii) perform structural changes necessary to provide new window openings in the legally nonconforming south side building wall. The Zoning Board of Appeals has final jurisdiction on this request.
5. **New Business**
 - a. June 10, 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
MARCH 11, 2024**

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

Zoning Board Members Absent: Mark Haller

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 7:01 p.m. Ms. Klaassen took roll call of the Board Members present.

Public Comment:

No comments were made at this time.

Approval of Meeting Minutes.

Chairman Bradley asked for a motion to approve the February 12, 2024, meeting minutes. A motion to approve the February 12, 2024, meeting minutes was made by Ms. Casale MacNally and seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 5 to 0:

AYES: Bradley, Casale MacNally, Leister, Nielsen, Vender

NAYS: None

Community Development Report.

Mr. Schoon provided the Board with an update with regard to the Sacred Heart School application. He added the Cook County Statement of Economic Interest was emailed and needs to be completed.

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.

Ms. Klaassen identified the property's location, street frontages, size and zoning classification. She described the proposal for three separate play area improvements for the kindergarten play area, the west play area and upper play and their locations. Ms. Klaassen then described the rubber poured-in-place surface and synthetic turf material and concrete path reconfiguration to be installed as part of the improvements as well as the play equipment replacement. She identified the proposed site plan rendering

1 which showed the setbacks noting the kindergarten play area is legally nonconforming with respect to the
2 front yard setback from Hamptondale. Ms. Klaassen stated the relocated west play area would comply
3 with all setbacks. She then referred to the excerpt of the zoning matrix, noting the existing and proposed
4 impermeable lot coverage and setback variations requested.

5
6 Ms. Klaassen stated the proposed plan includes extensive landscape improvements along the
7 southwesterly property line, which is shared with the adjacent residential neighbors. She also noted that
8 the applicant provided renderings of the proposed west play area and the new equipment proposed for
9 the upper play area. Ms. Klaassen stated the DRB and Plan Commission would consider the request at
10 their upcoming meetings and that no public comment was received. Ms. Klaassen stated following the
11 applicant's presentation and public comment, a Board Member may wish to make motion as indicated on
12 page nos. 15-17. She then asked if there were any questions. Ms. Casale MacNally questioned the setbacks
13 for the kindergarten play area. Ms. Klaassen clarified the 4.17 feet setback would be to the poured-in-
14 place rubber surface with the existing play equipment continuing to provide a setback of 9.33 feet. No
15 additional questions were raised at this time.

16
17 Chairman Bradley swore in those speaking to this matter. Katherine Talty, the landscape architect, and
18 Brad Goldstein, CFO for District 36, introduced themselves to the Board. Mr. Goldstein referred to the
19 rescinded prior approval of the previously proposed playground improvements and described the interior
20 layout of the addition currently under construction, which would take place in conjunction with the
21 proposed project. He noted the play equipment has been purchased and they have worked with Village
22 Engineering in terms of storm water runoff as requested by the Board. Mr. Goldstein also stated they have
23 met with neighbors and have made vast improvements in terms of the equipment placement. He stated
24 the south end landscaping would provide a guarded view from mechanical and waste equipment. Mr.
25 Goldstein also stated there would be a reduction of asphalt with the increased grass area which would
26 help with drainage. He described the plan as a vast improvement.

27
28 Chairman Bradley asked the Board if there were any questions and referred to the impermeable lot
29 coverage variations. Ms. Casale MacNally referred to the setback and rubber surface for the kindergarten
30 play area and asked if that area related to most of the issue which would be changed. Ms. Talty confirmed
31 that is correct. Ms. Casale MacNally asked if there would be a wooden curb. Ms. Talty described the
32 concrete curb which would replace the wooden curb, or railroad ties, and confirmed the difference in
33 material caused the problem with the setback encroachment.

34
35 Chairman Bradley questioned the proposed landscaping and fencing on the western property line. Ms.
36 Talty responded the existing fence would remain which would be buried by the landscape bed. She also
37 referred to the neighbors' solid board fence in that area. Mr. Nielsen asked if the kindergarten play area
38 containing the wood chips was moved, would the setback issue go away. Ms. Talty explained that the
39 equipment is not being moved, they want to maintain the existing equipment but install the rubber play
40 surface beneath the existing equipment.

41
42 Chairman Bradley referred to impermeable lot coverage and questioned how the decision was made in
43 terms of the amount of impermeable lot area and the existing asphalt area to remain. Mr. Goldstein and
44 Ms. Talty explained in detail how the decision was reached in terms of determining the space's best use
45 and layout. Ms. Hanley asked if there are areas around the play areas where lawn could be added,
46 specifically in proximity to a shed along Hamptondale Avenue. She indicated there is room for mitigation.
47 ADA compliance was determined to be the issue in that regard. Mr. Goldstein added that vehicles access

1 the site for snow removal close to shed referred to. Ms. Talty stated there is also an ADA accessible ramp
2 from the asphalt to the proposed west play area.

3
4 Chairman Bradley asked for public comment. Paul Konstant asked if permeable asphalt was considered.
5 Ms. Talty responded the use of permeable asphalt has not been successful in our environment. Chairman
6 Bradley swore in those speaking to this matter. Chad Humphrey thanked everyone for addressing their
7 concerns and referred to their privacy issues. He stated they are in favor of the plan. No additional
8 comments were made at this time.

9
10 Chairman Bradley then called the matter in for discussion and commended the applicant on their
11 community outreach. Ms. Casale MacNally stated she is in favor of the request and that a lot of thought
12 has been put into the project over the years. She stated while impermeable lot coverage is a sensitive
13 issue, the proposal would be aesthetically beautiful and functional with the neighbors being in favor. Mr.
14 Nielsen stated he is also in favor of the request and their questions were addressed. Ms. Hanley stated
15 she is in favor of the request and the amount of impermeable lot coverage is the best that can be done.
16 Mr. Vender stated he is also in favor and indicated he is not as concerned with regard to impermeable lot
17 coverage. Ms. Leister stated she is in favor and the applicant addressed the setback issues and the
18 concerns that were raised. Chairman Bradley also stated he is in favor of the request with the special use
19 request being a non-issue under the standards which he read into the record. He noted for the record in
20 connection with impermeable lot coverage request, he stated the Board has seen similar requests
21 numerous times.

22
23 Chairman Bradley then asked for a motion to recommend approval as indicated on page 10. A motion to
24 recommend approval was made by Ms. Casale MacNally. Mr. Nielsen seconded the motion. A vote was
25 taken and the motion unanimously passed, 6 to 0:

26 AYES: Bradley, Casale MacNally, Hanley, Leister, Nielsen, Vender
27 NAYS: None

28
29 **b. Case No. 24-03-V: 1476 Scott Avenue: An application seeking approval of zoning variations to**
30 **allow construction of an addition and structural changes necessary for new window and door openings**
31 **in the legally nonconforming east side building wall of the existing residence at 1476 Scott Avenue. The**
32 **requested variations would permit the proposed improvements to (i) exceed the maximum permitted**
33 **gross floor area; and (ii) perform structural changes necessary to provide new window and door**
34 **openings in the legally nonconforming east side building wall. The Zoning Board of Appeals has final**
35 **jurisdiction on this request.**

36 Ms. Klaassen identified the property's location, size and zoning classification which is a legal
37 nonconforming lot. She referred to existing site photos with variations requested to construct a front
38 addition and porch and identified the net GFA increase. Ms. Klaassen also referred to proposed east and
39 west elevations noting the plan would include a window and door relocation in a legally nonconforming
40 side building wall. She stated the applicant provided the proposed rendering for the front of the home.
41 Ms. Klaassen stated the Board has final jurisdiction with draft approval and denial resolutions included on
42 page nos. 96 and 120 of the packet. She noted no written public correspondence was received and that
43 following the applicant's presentation and public comment, a Board Member may wish to make a motion
44 to adopt either resolution. Ms. Klaassen then asked if there were any questions.

45
46 Chairman Bradley asked how often similar variations are requested. Ms. Klaassen responded that this
47 would have been a Minor Variation, which would have been within the final jurisdiction of the Zoning
48 Administrator, if not for the requested GFA variation. The applicant confirmed the mudroom door would

1 be changed to a window. Ms. Hanley asked if the porch, without the entry, was only 60 square feet if a
2 variation would not be needed. Ms. Klaassen explained that only the roofed lot coverage porch allowance
3 applied and that the expansion of the entry as well as the porch increased the GFA. She further explained
4 the additional square feet specific to the porch and the entry and referred to illustrations to provide
5 clarification. No additional questions were raised at this time.

6
7 Chairman Bradley swore in those speaking to this matter. Luke Johnson introduced himself to the Board
8 along with Paul Konstant, the architect. Mr. Johnson stated they have been looking for a new home in
9 Winnetka for two years and described their family. Paul Konstant stated the home has been a rental
10 property for 9 years and is in a state of disrepair requiring substantial remodeling. He described the
11 proposed addition as simple with the overhang solving the entry to the property which would also
12 improve the aesthetic of the property. Mr. Konstant stated the applicants cannot ever realize the property
13 value without improvements and there are no other options. He then asked if there were any questions.
14 No questions were raised at this time.

15
16 Chairman Bradley called the matter in for discussion. Ms. Casale MacNally described the request as
17 modest to update the home and she would be in favor of the request. Ms. Hanley described the request
18 as a de minimus request to a nonconforming home and she would be in support. Mr. Vender agreed with
19 the comments made and stated he would be in support. Ms. Leister commented the proposal would be a
20 beautiful property upgrade with a small variance to improve the home. Mr. Nielsen referred to the square
21 footage rearrangement and stated he would be in support. Chairman Bradley referred to similar requests
22 for changes in nonconforming walls approved at the Zoning Administrator level and specifically referred
23 to the GFA on the small lot. He thanked the applicants for staying within the zoning standards and
24 although the first standard has not been met, he would be in favor of the request.

25
26 Chairman Bradley then asked for a motion to approve the request as indicated on page 96. A motion to
27 approve the request was made by Ms. Casale MacNally. Mr. Nielsen seconded the motion. A vote was
28 taken and the motion unanimously passed, 6 to 0:

29 AYES: Bradley, Casale MacNally, Hanley, Leister, Nielsen, Vender

30 NAYS: None

31
32 **New Business:**

33 a. April 8, 2024 Meeting - Quorum Check.

34 The Board Members discussed their availability.

35
36 **Adjournment:**

37 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made and seconded. A vote
38 was taken and the motion unanimously passed, 6 to 0:

39 AYES: Bradley, Casale MacNally, Hanley, Leister, Nielsen, Vender

40 NAYS: None

41 The meeting adjourned at 8:07 p.m.

42
43 Respectfully submitted,

44
45 Antionette Johnson

46 Recording Secretary



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MAY 7, 2024
SUBJECT: 680 LOCUST STREET – VARIATION (CASE NO. 24-10-V)

INTRODUCTION

On May 13, 2024, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Jonathan and Elizabeth Rudersdorf (collectively, the “Applicant”), as the owners of the property located at 680 Locust Street (the “Subject Property”). The Applicant requests approval of the following zoning variation to allow construction of a one-story addition to the existing residence on the Subject Property:

1. **Gross Floor Area (GFA)** of 5,027.35 square feet, whereas a maximum of 4,677.28 square feet is permitted, a variation of 350.07 square feet (7.48%) [Section 17.30.040 – Maximum Building Size] [Note: The existing improvements currently consist of 4,865.17 square feet. The proposed addition would add 162.18 square feet of GFA].

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 April 25, 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%.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.33 acres in size, is located on the northwest corner of the intersection of Locust Street and Starr Road, and it contains an existing two-story residence and a detached garage (see Figure 1). The property is zoned R-3 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 corner lot that is 14,311 square feet in lot area, while the minimum required lot area for a corner lot in the R-3 District is 16,800 square feet. Also, the lot has an average lot width of 76 feet, while the minimum required average lot width for a corner lot in the R-3 District is 85 feet.

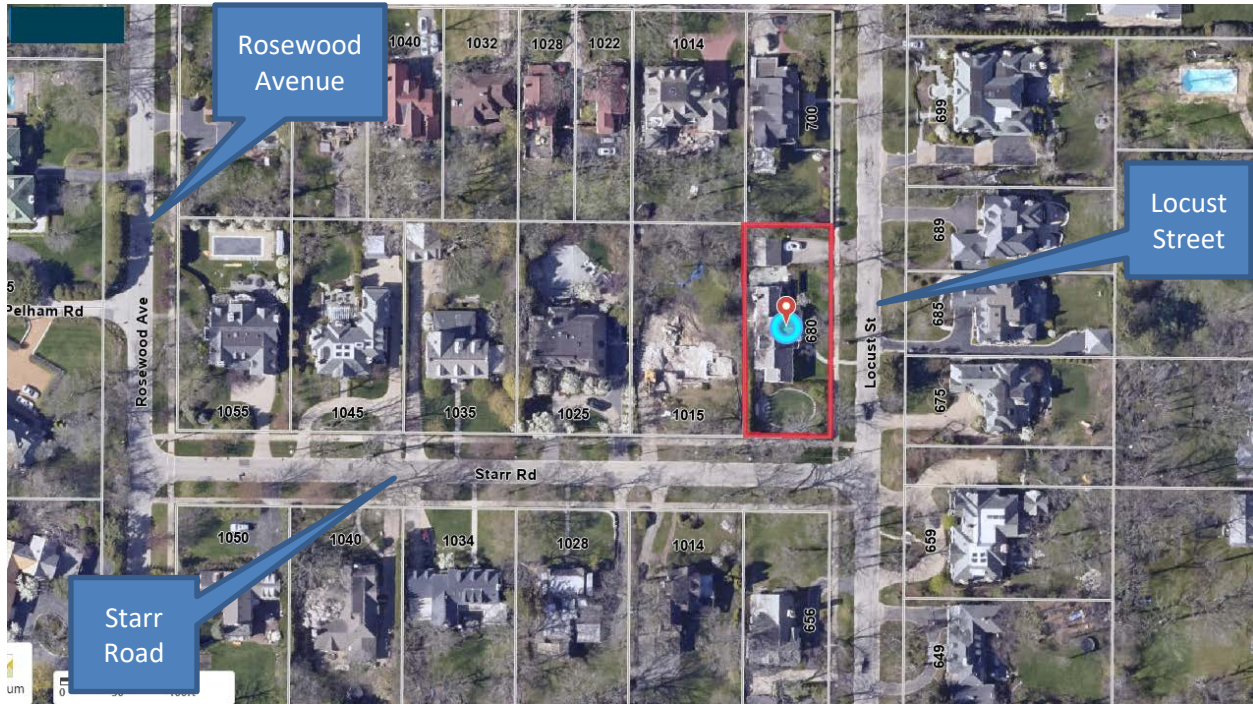


Figure 1 – Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was built in 1923. Subsequent building permits were issued in:

1. 1969 to remodel the interior of the residence;
2. 1969 to construct a two-car detached garage;
3. 1994 to remodel the kitchen, family room, and basement; and
4. 1999 to construct a front porch.

Other minor permits have also been issued over the last several years. In 2000, the property was awarded a Winnetka Preservation Award, in the restoration and rehabilitation category, for removing aluminum siding and restoring clapboard siding on the house.

The Applicant acquired the property in 2020. There are two previous zoning cases on file for the Subject Property:

1. Ordinance M-591-99 was adopted by the Village Council in October 1999, granting a gross floor area (GFA) variation to allow construction of a front porch; and
2. In May 2018, ZBA Case No. 18-10-ZA was approved by the Zoning Administrator to allow the one-for-one replacement of the existing detached garage, which along with the existing residence, exceeds the permitted GFA. The garage approved by this variation was never constructed.

Figures 3 through 5, below and on the following page, are current photos of the site.



Figure 3 – Subject Property - Corner Elevation (Locust Street)



Figure 4 – Subject Property - Partial East and North Elevations



Figure 5 – Subject Property – North (Rear) Elevation

PROPOSED PLAN

The variation is being requested in order to construct a mudroom and covered entry addition to the existing residence. The proposed one-story addition represents a net increase in GFA of 162.18 square feet, and is described as follows:

First Floor:

- Mudroom addition measuring approximately 32 square feet; and
- Covered Porch measuring 96 square feet.

The reason the net increase in GFA is greater than the actual square footage of the proposed addition is because the existing bay window, in the location of the proposed addition, no longer qualifies for the bay window GFA allowance since it would not form part of the exterior building line as a result of the proposed addition.

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

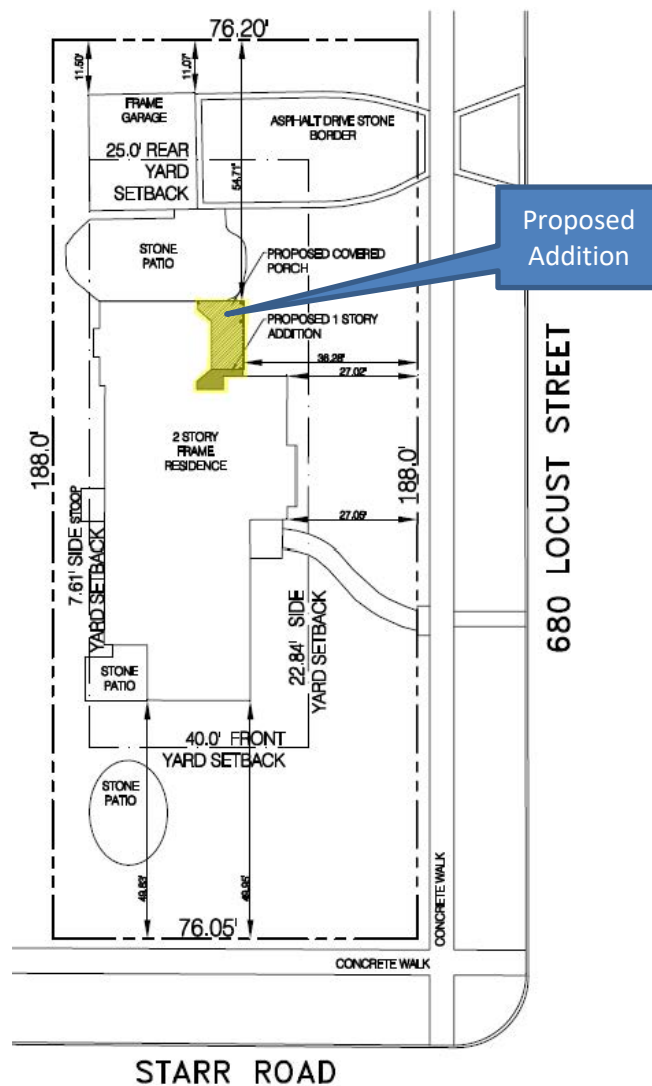
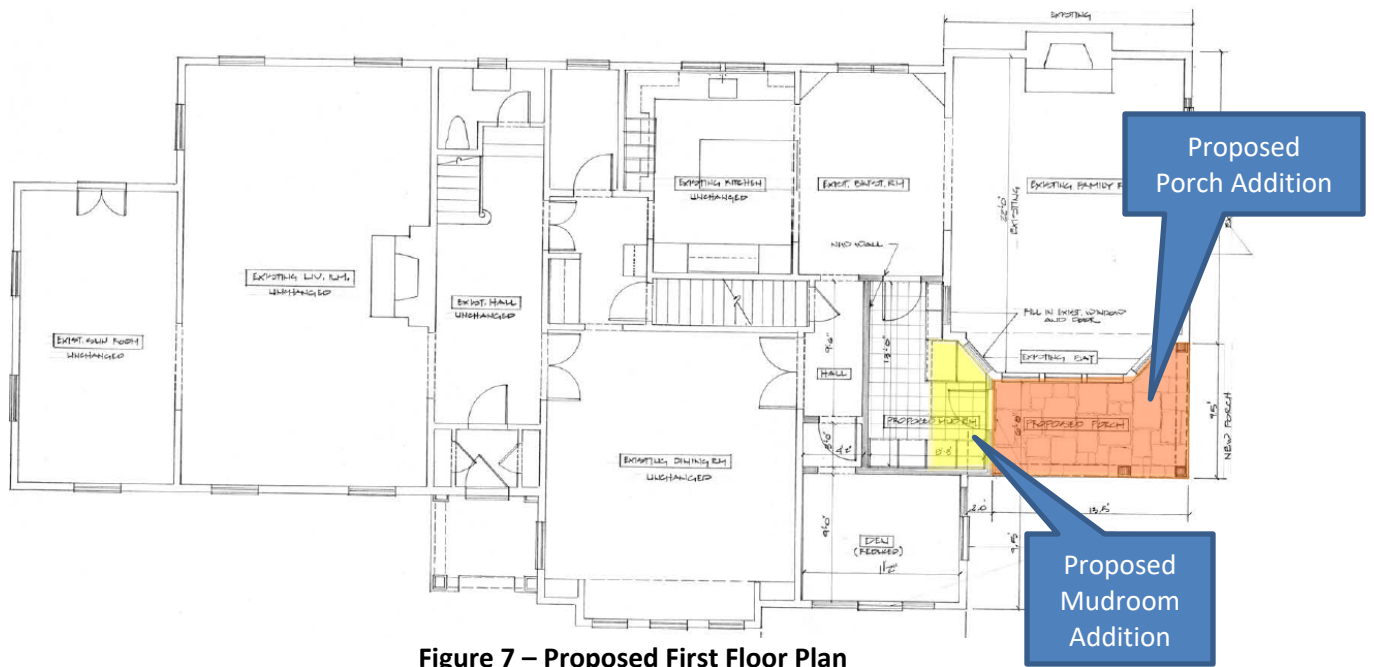


Figure 6 – Excerpt of Site Plan



Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (**Attachment B**). Based on the proposed plan 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 addition, which are required to comply with the Village stormwater regulations. Figure 10 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year flood area.



Figure 10 - GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvement's compliance with the R-3 zoning district (**Attachment A**). One variation is being requested to exceed the maximum permitted gross floor area. The site currently contains 4,865.17 square feet, exceeding the maximum permitted GFA by 187.89 square feet (4.02%). The increase in GFA with the proposed addition is 162.18 square feet, bringing the total GFA to 5,027.35 square feet, whereas a maximum of 4,677.28 square feet is permitted, a variation of 350.07 square feet (7.48%).

FINDINGS

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

Staff has prepared the attached draft resolutions for the Board's consideration (**Attachment D**). 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 variation or the resolution to deny the requested variation.

ATTACHMENTS

- Attachment A: Zoning Matrix
- Attachment B: Stormwater Matrix
- Attachment C: Application Materials
- Attachment D: Draft Resolutions

ATTACHMENT A

ZONING MATRIX

ADDRESS: 680 Locust Street

CASE NO: 24-10-V

ZONING: R-3

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	16,800 SF	14,311.4 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	85 FT	76.12 FT	N/A	N/A	EXISTING NONCONFORMING
Min. Lot Depth	150 FT	188 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	3,577.85 SF (1)	3,189.62 SF	3,317.66 SF	128.04 SF	OK
Max. Gross Floor Area	4,677.28 SF (1)	4,865.17 SF	5,027.35 SF	162.18 SF	350.07 SF (7.48%) VARIATION
Max. Impermeable Lot Coverage	7,155.7 SF (1)	6,700.42 SF	6,828.46 SF	128.04 SF	OK
Min. Front Yard (Starr/South)	40 FT	49.83 FT	49.83 FT	0 FT	OK
Min. Corner Yard (Locust/East)	22.84 FT	25.25 FT	25.25 FT	0 FT	OK
Min. Side Yard (West)	7.61 FT	9.61 FT	9.61 FT	0 FT	OK
Min. Rear Yard (North)	25 FT	54.58 FT	54.58 FT	0 FT	OK

NOTES:

(1) Based on lot area of 14,311.4 s.f.

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

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc. An exception is for lots along the lakefront that directly discharge into Lake Michigan; those lots are not required to provide stormwater volume detention on-site. They are required to meet all other Village stormwater system design requirements.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 680 Locust Street</i> <i>Based upon preliminary review of information to date, it appears that 680 Locust Street <u>would not</u> have to provide additional storm water detention volume. However, a final determination will not occur until engineering plans are submitted with a building permit application.</i>
E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)	The amount of additional required storm water detention volume is based upon: a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed	

Stormwater Volume Requirements for Development Sites

	by zoning that will be removed and replaced, and/or b) The amount of ILC in addition to what currently exists on the lot. The amount of required detention volume is then determined using the run-off coefficient for 100-year storm event.	
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ATTACHMENT C

Village of Winnetka
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 24-10-V

Property Information

Site Address: 680 LELAND

VA2004-239

Owner Information

Name: JONATHAN & ELIZABETH RUDERSDORF

Primary Contact: ELIZABETH

Address: 680 LELAND

Phone No. _____

City, State, ZIP: WINNETKA, ILLINOIS

Email _____

Date property acquired by owner: 2020

Architect Information

Name: GTH ARCHITECTS

Name: _____

Primary Contact: JEFF HARTING

Primary Contact: _____

Address: 105 REVERE DRIVE F2

Address: _____

City, State, ZIP: NORTHBROOK IL 60062

City, State, Zip: _____

Phone No. 847. 772. 9679

Phone No. _____

Email: GTHARCHITECTS@SBCGLOBAL.NET

Email: _____

Nature of any restrictions on property: SEE ATTACHED PLEASE

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

SEE ATTACHED PLEASE

Property Owner Signature: _____

Date: April 25, 2024



March 26, 2024

Village of Winnetka
Zoning Board of Appeals

RE: 680 Locust
Winnetka, Illinois
Rudersdorf Residence

Dear Zoning Board of Appeals

Thank you for your thoughtful time and considerations of our clients plight in requesting zoning relief for their property at 680 Locust. The hardship that we have identified is based solely on the current conditions of the original home, and specifically the orientation of the home on its corner lot; transition to the yard and garage and; and overall original structure that exists.

The existing home has a family room located on the north side of the house that then transitions to a family dining space and then kitchen. Currently, there is no real mud room or covered entry from the garage and patio to the existing home and access from those spaces without going through the actual family room. Unfortunately this leaves the family room as both family room and mud room for the young family.

Given the actual orientation of the house and patio and garage, this most northerly space does not allow for any potential addition between the home and the garage without losing valuable outdoor space. Given the rear(or side) yard setback to the neighboring property to the west on Starr, there is no opportunity for any mud room addition there. And, given the light and views from the existing family room bay, there doesn't exist a viable option for an addition there without losing that precious asset.

Our proposed solution is to add a small habitable addition in the inside pocket "courtyard" between the original screened porch (subsequently enclosed as an office and closet) and to just add a small amount of habitable space beyond the existing den north wall and also then add a covered porch along the front of the existing family room bay for sheltered entry to the house. This solution in turn then allows entry from the garage and courtyard into the home via this porch and into the mud room and more center of family space without having to access through the family room itself.

In this proposal, we will reduce the size of the existing den as well as change the non consistent front window to be a standard double hung with shutters to match the other windows in the home. The goal of the porch is to be consistent with the colonial style of the house without being as

formal as the existing front porch which we designed several years ago.

In the process of this proposed entry porch addition, we then subsequently loose the current family room bay allowance of 36.95 feet as it will be under the proposed porch. We are adding only 25.15 sf in this interior "pocket" to create the proposed mud room and the porch itself constitutes 102.43 sf of additional space. In total this would create a required variance of 164.53 feet including the existing bay, or 131.58 of the proposed mud room space and proposed porch (not including the existing bay).

Thank you for your consideration of this proposed improvement to the existing home on behalf of our clients.

Kind Regards,

Jeff Harting
GTH Architects



March 26, 2024

Village of Winnetka
Zoning Board of Appeals

RE: 680 Locust

Dear Zoning Board of Appeals

Responses to the Applicable Standards

1.

The property currently has diminished returns based on the impracticality and condition of what, in all use, is not a usable covered family entry or mud room based on the existing home and its orientation and plan.

2.

The plight is due to the existing unique and original construction of the home, orientation of the house and its interior spaces as well as exterior spaces and detached garage. These conditions are associated with the characteristics of the property and not reflective of what the occupants have created.

3.

The approved variation will blend as seamlessly as possible to the existing home with matching materials and details and it is our goal to enhance the exterior façade.

4.

Neither Light or air will be effected to any adjacent property.

5.

The proposed improvements shall not create any hazards from fire or other damages to the property increased in any way.

6.

The taxable values of land or buildings throughout the Village will not be effected or diminished.

7.

The congestion in the public street will not be increased or effected.

8.

8.

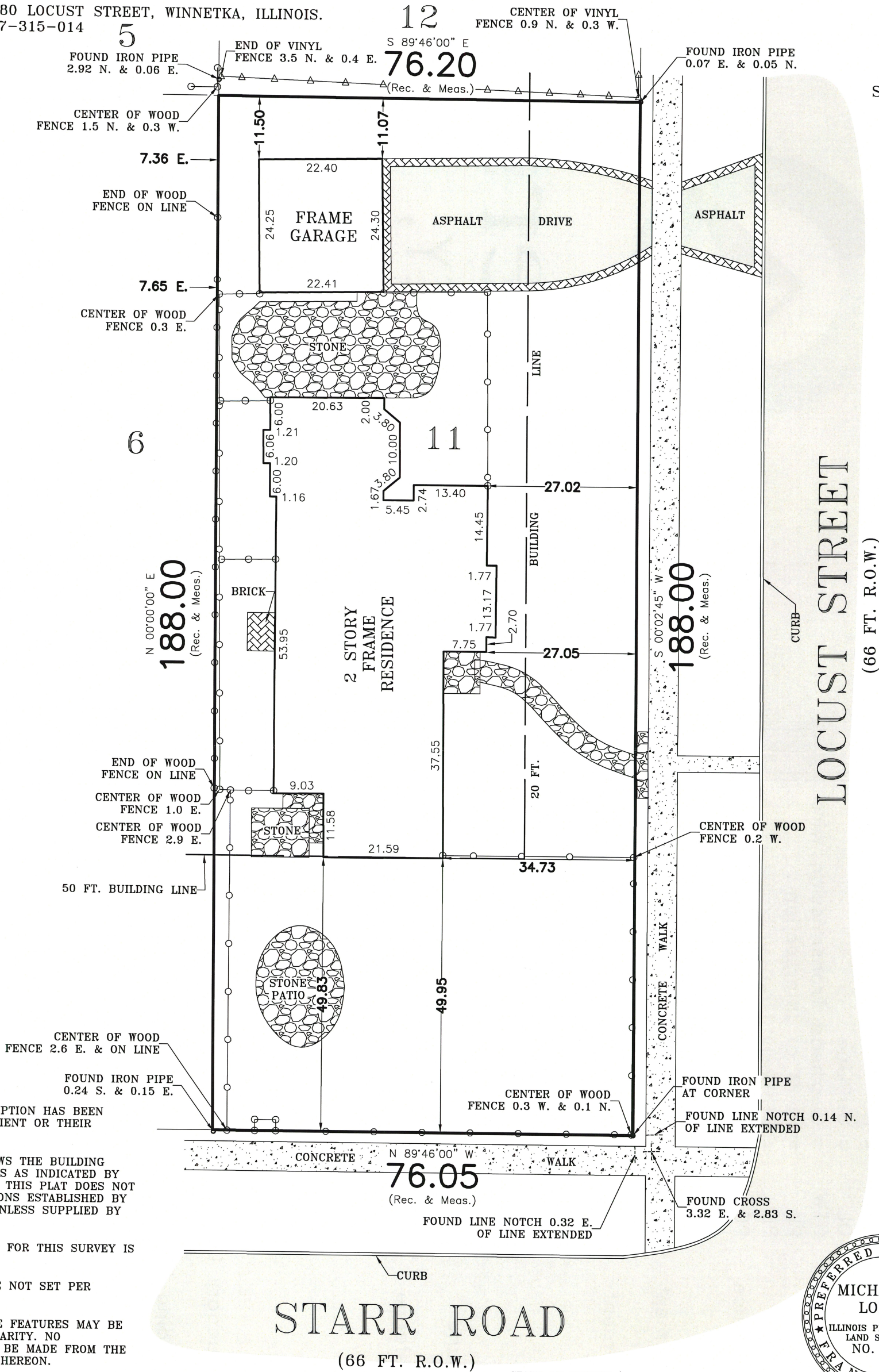
The public health, safety, comfort, morals or welfare of the Village or inhabitants shall not be impaired.

Jeff Harting GTH Architects

PLAT OF SURVEY
of

LOT 12 IN BLOCK 2 IN WINNETKA HEIGHTS, BEING A SUBDIVISION OF THAT PART OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF AND ADJOINING THE EAST LINE AND THE EAST LINE EXTENDED OF ROSEWOOD (FORMERLY OAKRIDGE AVENUE) IN THE VILLAGE OF WINNETKA, IN COOK COUNTY, ILLINOIS.

ADDRESS: 680 LOCUST STREET, WINNETKA, ILLINOIS.
P.I.N. 05-17-315-014



North

SCALE: 1"=20'

GENERAL NOTES:

- 1) THE LEGAL DESCRIPTION HAS BEEN PROVIDED BY THE CLIENT OR THEIR AGENT.
- 2) THIS SURVEY SHOWS THE BUILDING LINES AND EASEMENTS AS INDICATED BY THE RECORDED PLAT. THIS PLAT DOES NOT SHOW ANY RESTRICTIONS ESTABLISHED BY LOCAL ORDINANCES UNLESS SUPPLIED BY THE CLIENT.
- 3) BASIS OF BEARING FOR THIS SURVEY IS AS ASSUMED NORTH.
- 4) MONUMENTS, WERE NOT SET PER CLIENTS REQUEST.
- 5) LOCATION OF SOME FEATURES MAY BE EXAGGERATED FOR CLARITY. NO INTERPOLATIONS MAY BE MADE FROM THE INFORMATION SHOWN HEREON.
- 6) ONLY COPIES WITH AN ORIGINAL SIGNATURE AND SEAL ARE OFFICIAL LEGAL DOCUMENTS. ALL SURVEYS ARE COPYRIGHTED MATERIALS WITH ALL RIGHTS RESERVED.

STATE OF ILLINOIS)
COUNTY OF COOK)

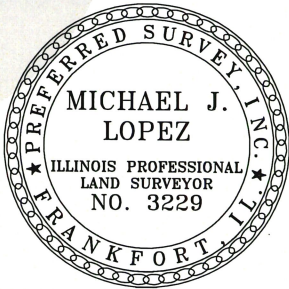
SURVEY ORDERED BY: GTH ARCHITECTS

I, MICHAEL J. LOPEZ, AS AN EMPLOYEE OF PREFERRED SURVEY INC., DO HEREBY STATE THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARD FOR A BOUNDARY SURVEY. PROPERTY CORNERS HAVE BEEN SET OR NOT IN ACCORDANCE WITH CLIENT AGREEMENT. DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

GIVEN UNDER MY HAND AND SEAL THIS
28TH DAY OF MARCH A.D. 2024

MY LICENSE EXPIRES ON 11/30/24

P.S.I. NO. 240395

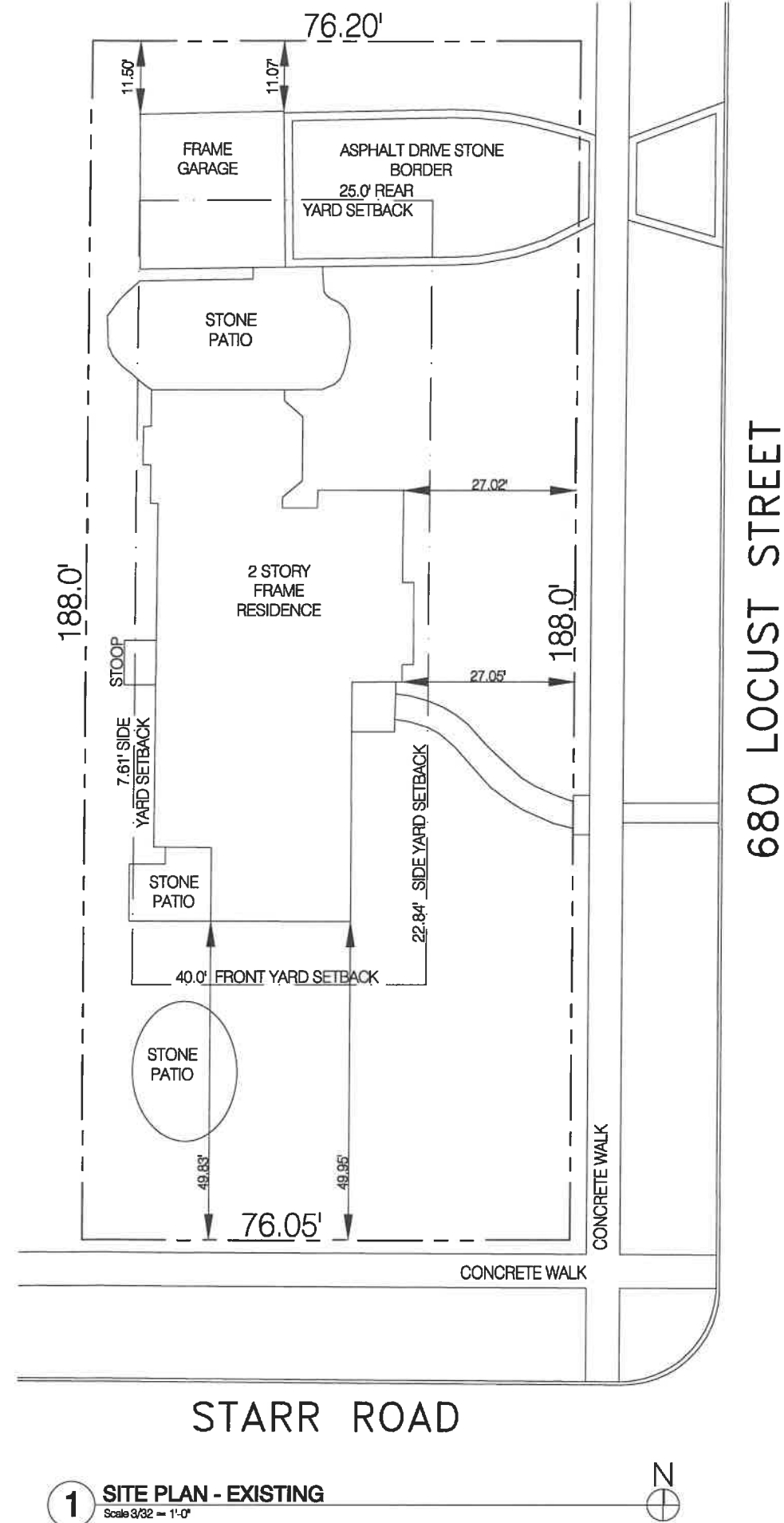
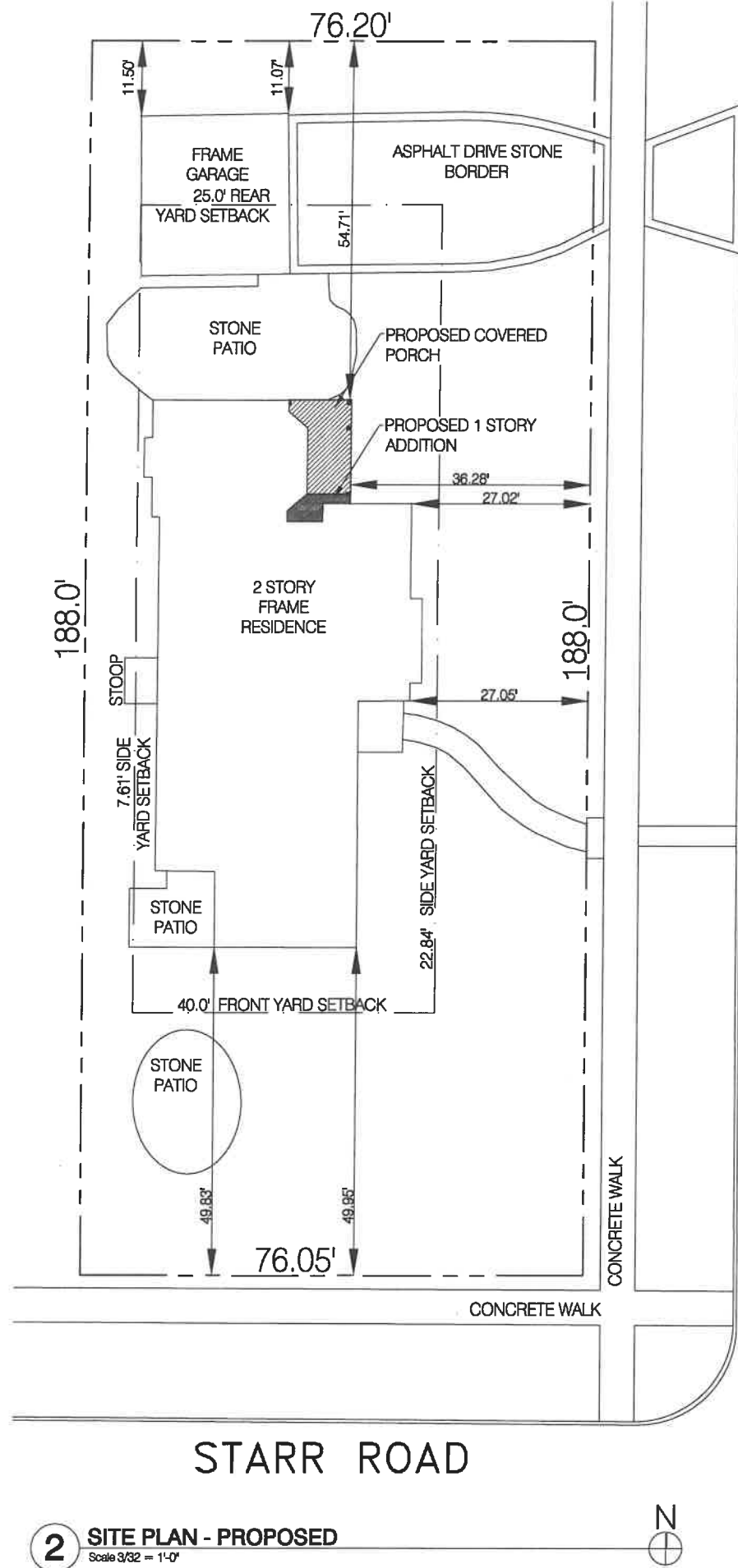


Professional Design Registration #184-002795

Preferred
SURVEY, INC

10091 W. LINCOLN HWY., FRANKFORT, IL. 60423
Phone 708-458-7845 / Fax 708-475-4975
www.psisurvey.com

Field Work Completed	03/28/2024	FLD CREW:	AM2/TS
Land Area Surveyed	14,311.4 Sq. Ft.	CAD:	EG
Drawing Revised			



PROJECT:
RUDERSDORF RESIDENCE
680 LOCUST STREET
WINNETKA ILLINOIS

GENSBURG • TONIOLO
HARTING
ARCHITECTS
105 Revere Drive Suite F2
Northbrook IL 60062
(Office) 847.715.9395
(Fax) 847.715.9392

No.	Date	Issue
1	3/28/2024	
2		
3		
4		
5		

GTH No.
R24001

Drawn
JLH

Checked
JAT

Date
3/28/2024

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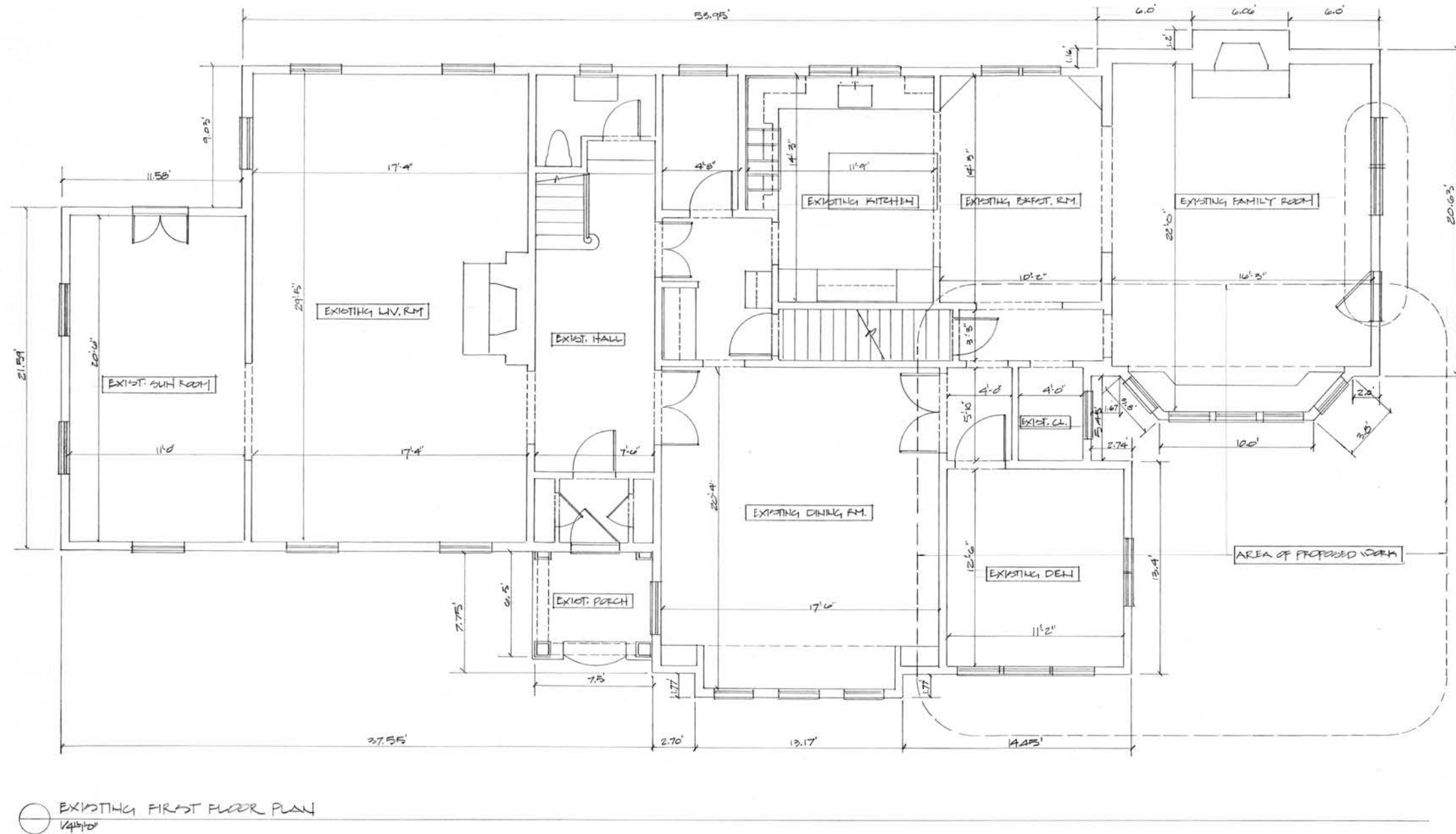


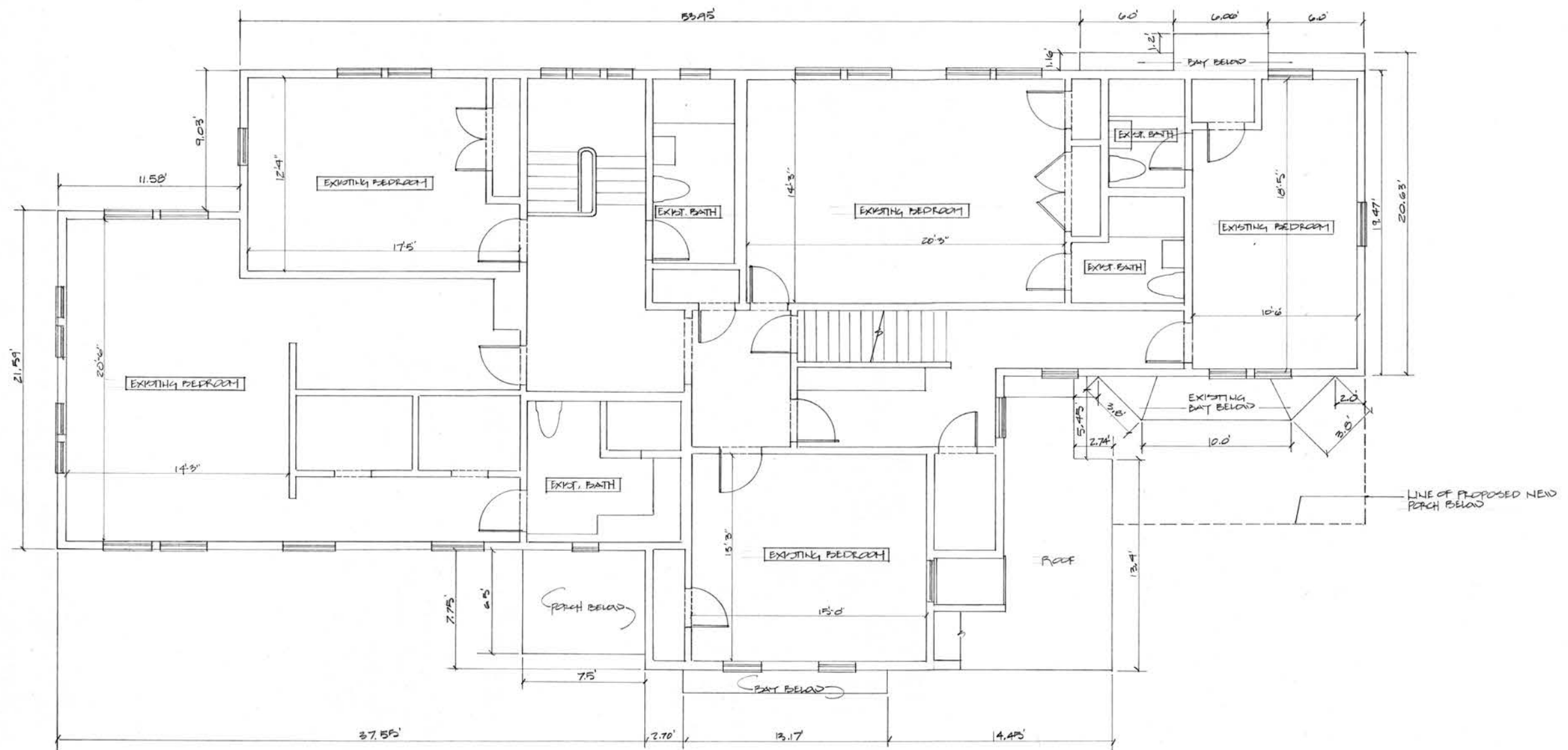
RUDERSDORF RESIDENCE
600 LAKEST
WINNETKA, ILLINOIS

No.	Date	Issue

WITH No.	
drawn	
checked	
date	

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EXISTING SECOND FLOOR PLAN : NO ALTERATIONS
1/4" = 1'-0"



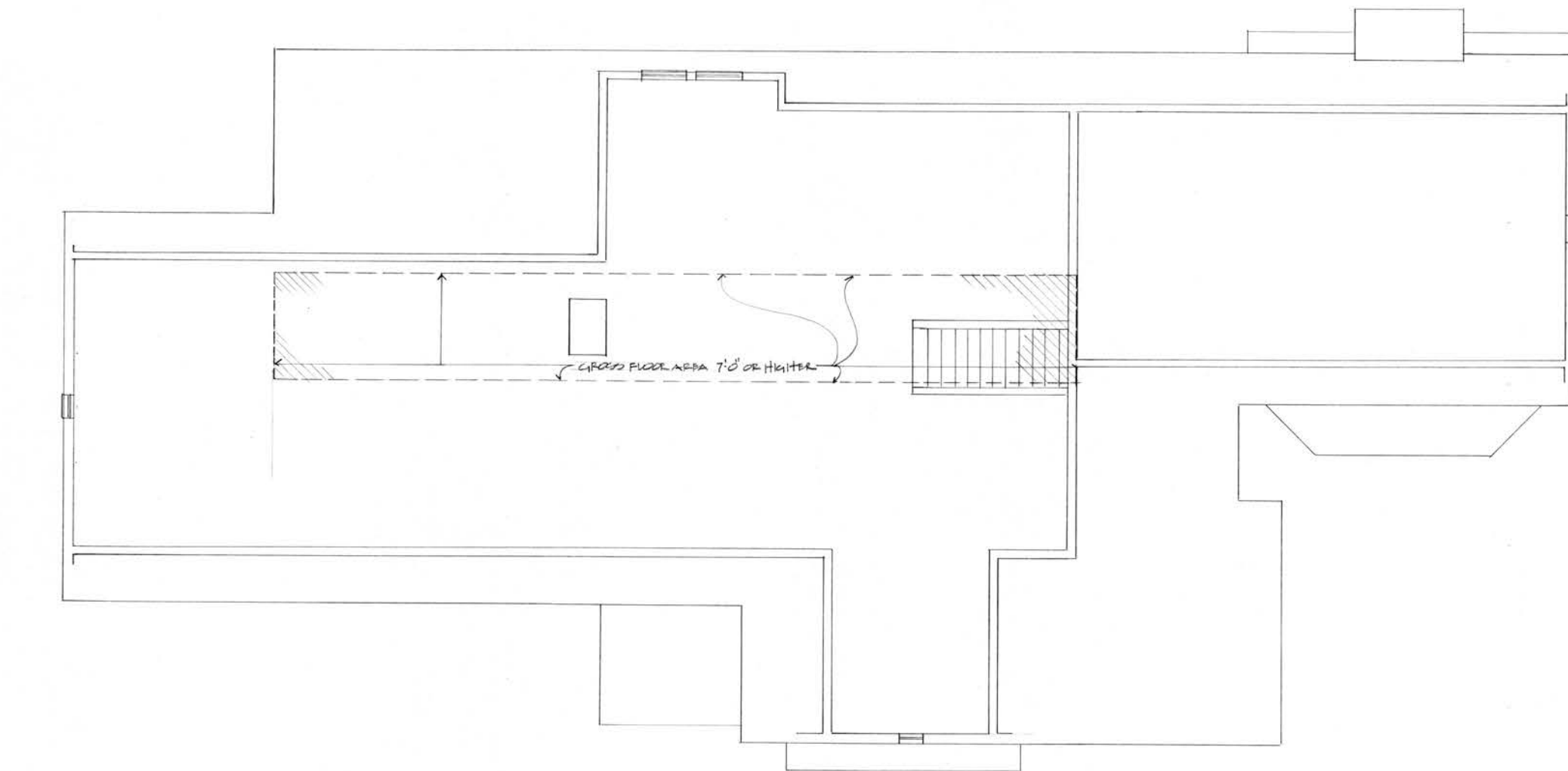
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HARTING
ARCHITECTS
105 Revere Drive Suite F2
Northbrook IL 60062
(Office) 847.715.9385
(Fax) 847.715.9382

KUDERSDORF RESIDENCE
600 LAUREL
NORTHBROOK, ILLINOIS

No.	Date	Issue

GTH No.	
Drawn	
Checked	
Date	

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EXISTING THIRD FLOOR / ATTIC PLAN : NO ALTERATIONS
12/15/20



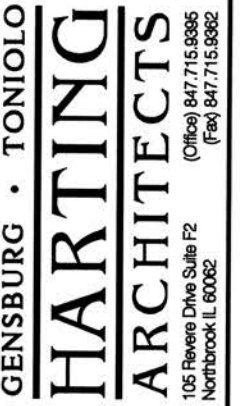
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Northbrook, IL 60062
(Office) 847.715.9385
(Fax) 847.715.9382

RUDERSDORF RESIDENCE
600 LOCUST
WINNETKA, ILLINOIS

No.	Date	Issue

GTH No.	
Drawn	
Checked	
Date	

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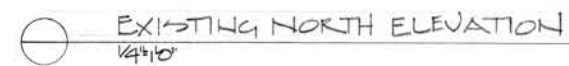
RUDERSDORF RESIDENCE
680 LOCUST
WINNETKA, ILLINOIS



GTH No. Drawn Checked Date	No.	Date	Issue	
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RUDERDORF RESIDENCE
680 LAURET
WINNETKA, ILLINOIS



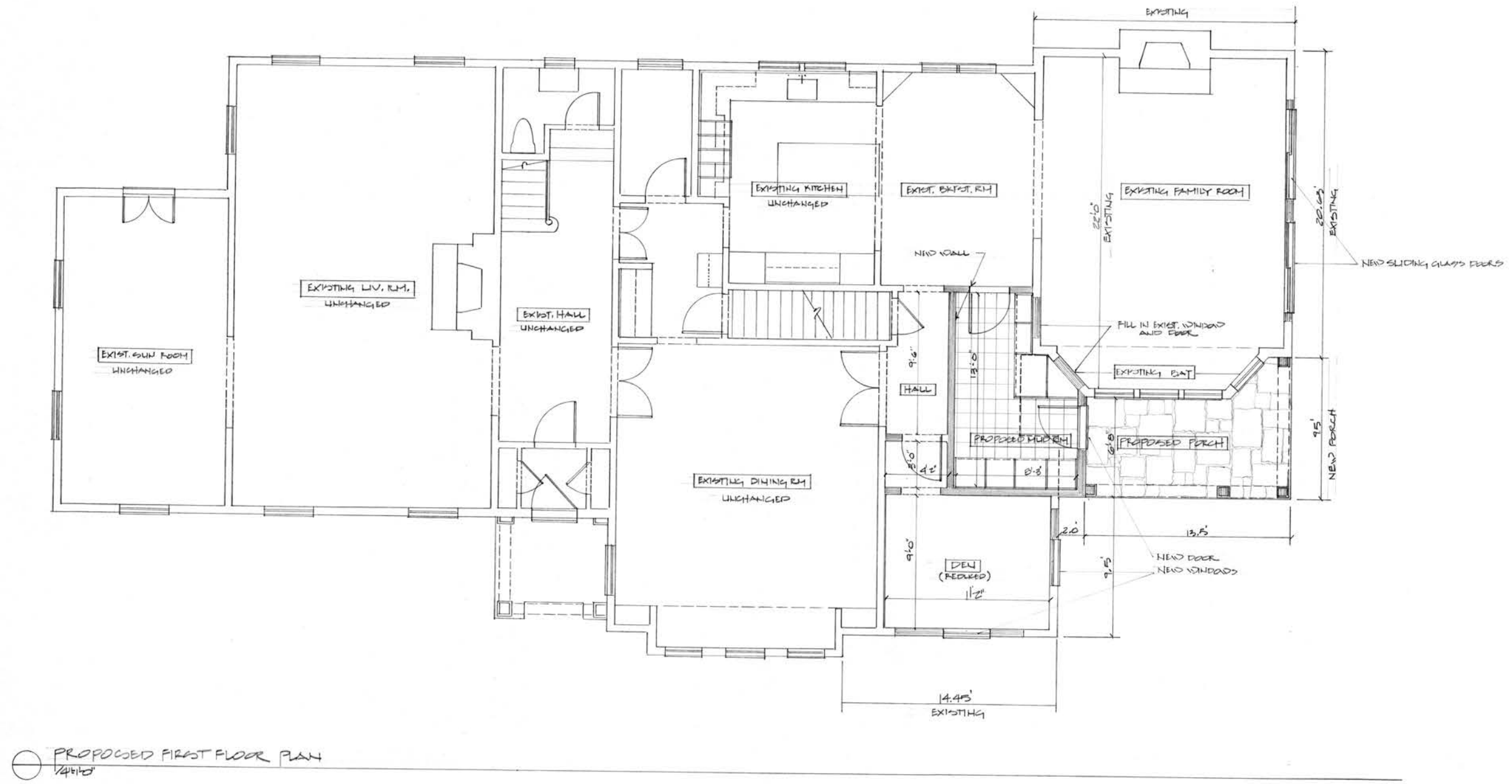
No.	Date	Issue						GTH No.			
								Drawn	Checked	Date	
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RUDERDORF RESIDENCE
680 LAURET
WINNETKA, ILLINOIS

Issue Date No.					
GTH No. Drawn Checked Date	Copyright 2024 © GTH Architects INC.				

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RUDERSDORF RESIDENCE
GEO LOCHIST
DINNETTA, ILLINOIS

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Drawn	
Checked	
Date	

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PROPOSED NORTH ELEVATION
2/14/25



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ARCHITECTS
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Northbrook, IL 60062
(Office) 847.715.9395
(Fax) 847.715.9362

RUDERDORF RESIDENCE
680 LOCUST
WINNETKA, ILLINOIS

No.	Date	Issue

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Drawn	
Checked	
Date	

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ATTACHMENT D
RESOLUTION NO. ZBA-02-2024
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 24-10-V – 680 LOCUST STREET

WHEREAS, Jonathan and Elizabeth Rudersdorf (collectively, the “Applicant”) are the owners of the property commonly known as 680 Locust Street, 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-3 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence and a detached garage that are nonconforming with respect to the maximum permitted building size (gross floor area) (**“Building”**); and

WHEREAS, the Applicant desires to construct a one-story addition to the Building on the Subject Property that would exceed the maximum permitted gross floor area; (**“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 4,677.28 square feet; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with a gross floor area that exceeds the maximum permitted of 4,677.28 square feet, a violation of Section 17.30.040 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for a variation from Section 17.30.040 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with a gross floor area of 5,027.35 square feet (**“Requested Variation”**); and

WHEREAS, a public notice for the Requested Variation was duly published on April 25, 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 May 13, 2024, for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on May 13, 2024; and

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

1. Application for the Requested Variation submitted by the Applicant, dated March 25, 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 Variation.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variation does 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 the gross floor area 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 VARIATION. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested gross floor area variation from Section 17.30.040 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, the gross floor area requirement set forth in Section 17.30.040 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 Variation 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.

ADOPTED this 13th day of May, 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

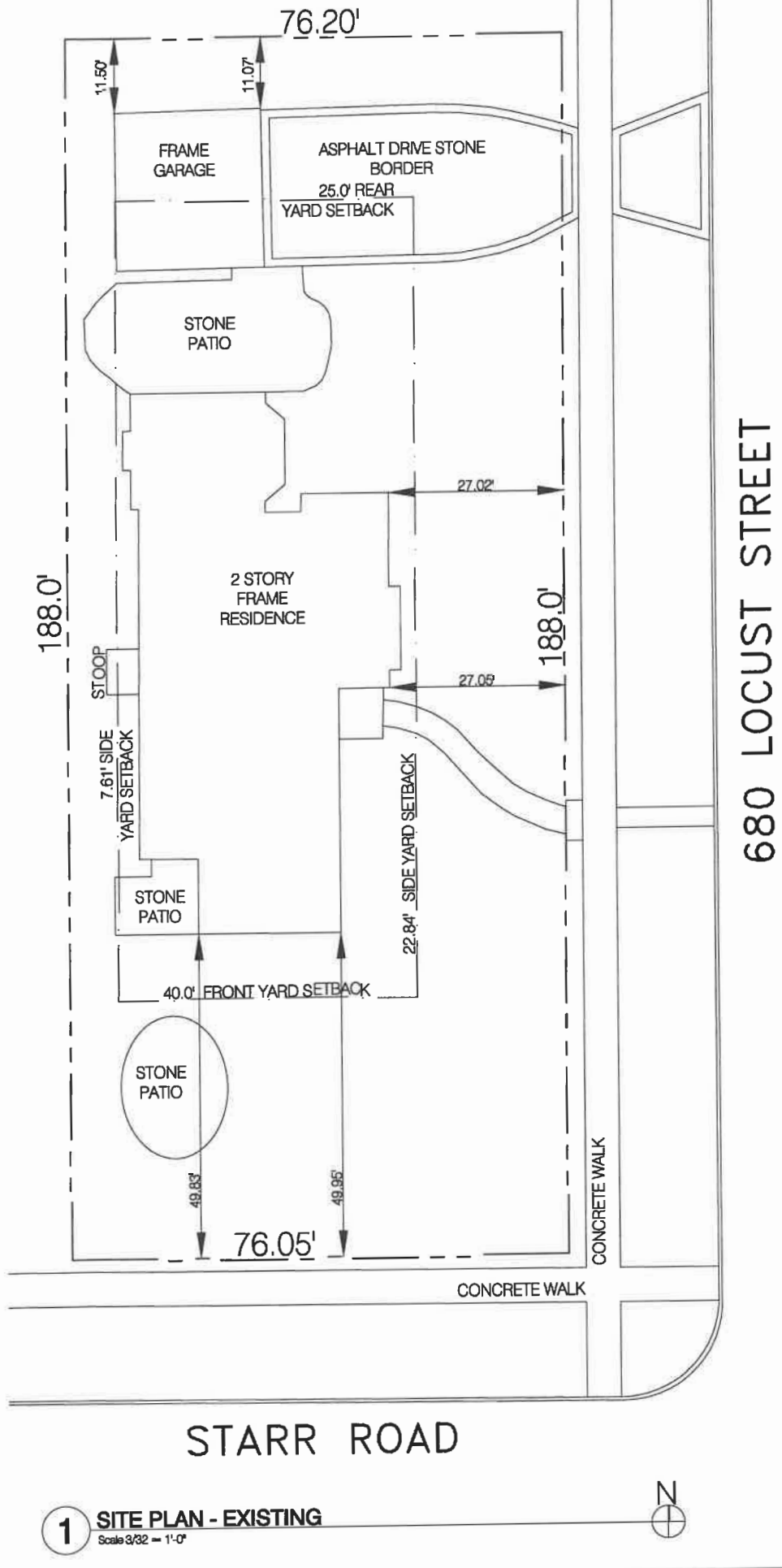
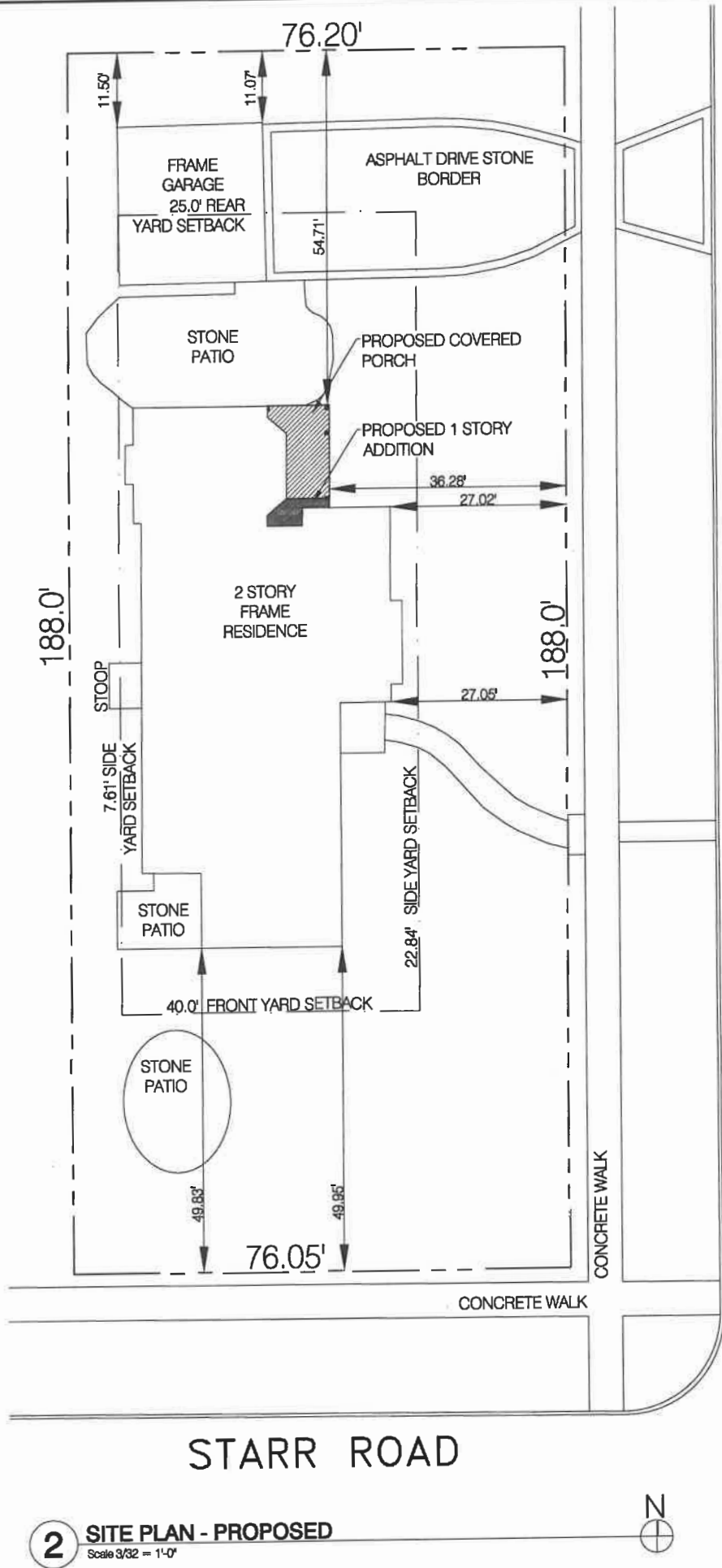
Lot 12 in Block 2 in Winnetka Heights, being a subdivision of that part of the South Half of the Southwest Quarter of Section 17, Township 42 North, Range 13 East of the Third Principal Meridian, lying East of and adjoining the East Line and the East Line extended of Rosewood (formerly Oakridge Avenue) in the Village of Winnetka, in Cook County, Illinois.

Commonly known as 680 Locust Street, Winnetka, Illinois.

Parcel Index Number: 05-17-315-014-0000

EXHIBIT B
PLANS

(SEE ATTACHED EXHIBIT B)





GENSBURG • TONIOLO
HARTING
ARCHITECTS
105 Revere Drive Suite P2
Northbrook IL 60062
(Office) 847.715.9395
(Fax) 847.715.9392

PROJECT:
RUDERSDORF RESIDENCE
680 LOCUST STREET
WINNETKA ILLINOIS

No.	Date	Issue
1	3/28/2024	
2		
3		
4		
5		

GTH No.
R24001

Drawn
JLH

Checked
JAT

Date
3/28/2024

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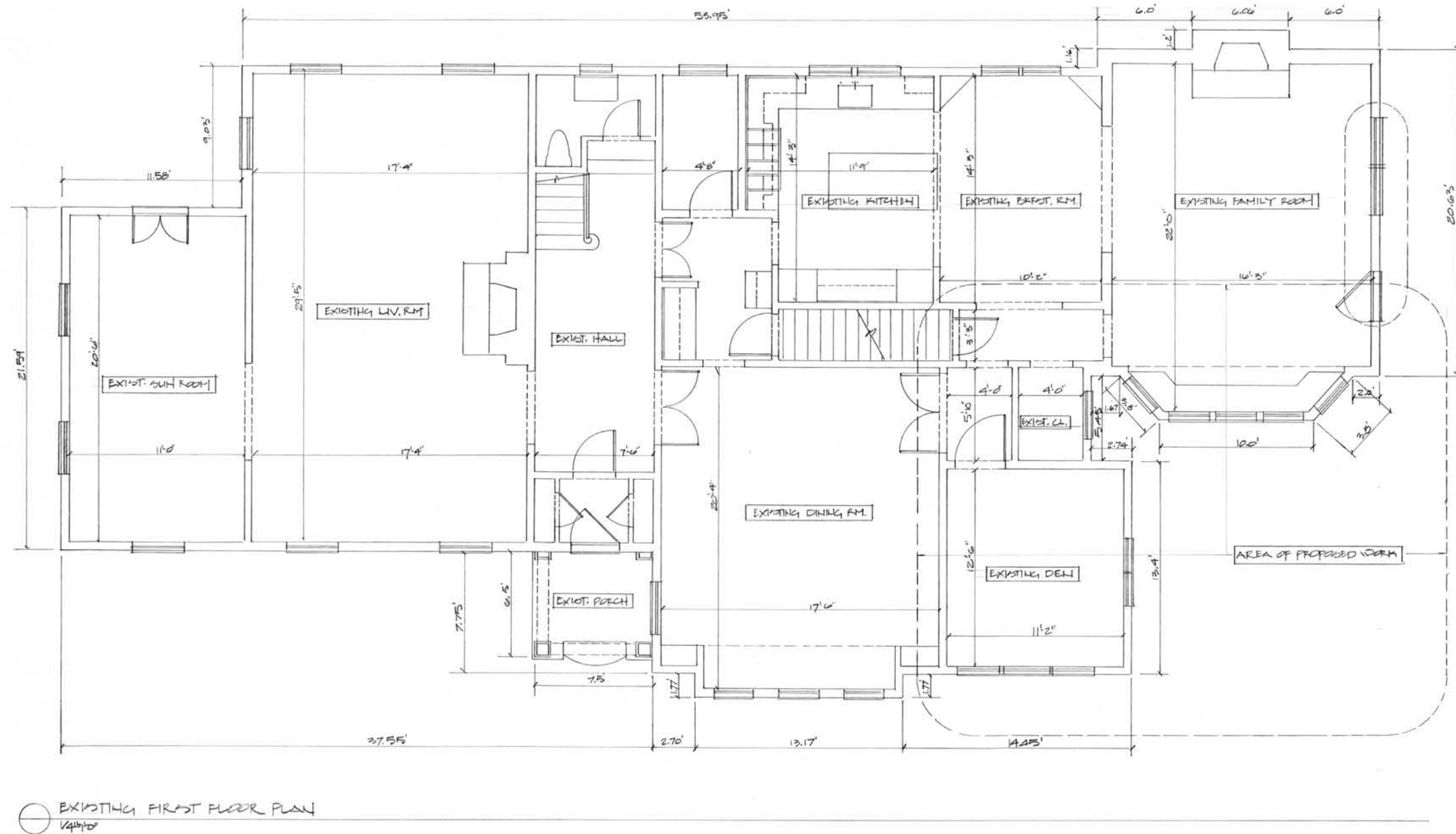


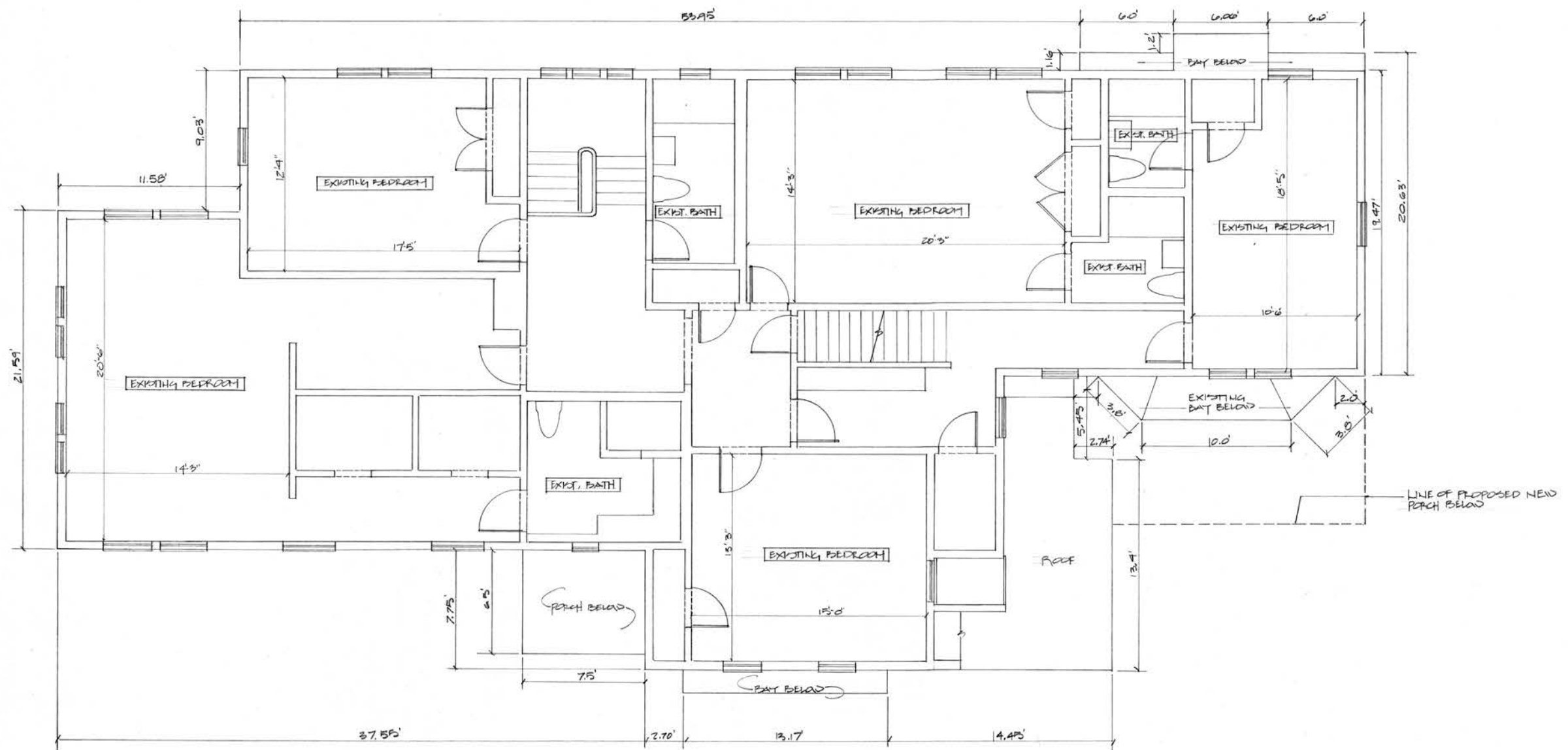
RUDERSDORF RESIDENCE
600 LAKEST
WINNETKA, ILLINOIS

No.	Date	Issue

WITH No.	
drawn	
checked	
date	

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EXISTING SECOND FLOOR PLAN : NO ALTERATIONS
1/4"=1'-0"



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Northbrook IL 60062
(Office) 847.715.9385
(Fax) 847.715.9382

KUDERSDORF RESIDENCE
600 LAUREL
NORTHBROOK, ILLINOIS

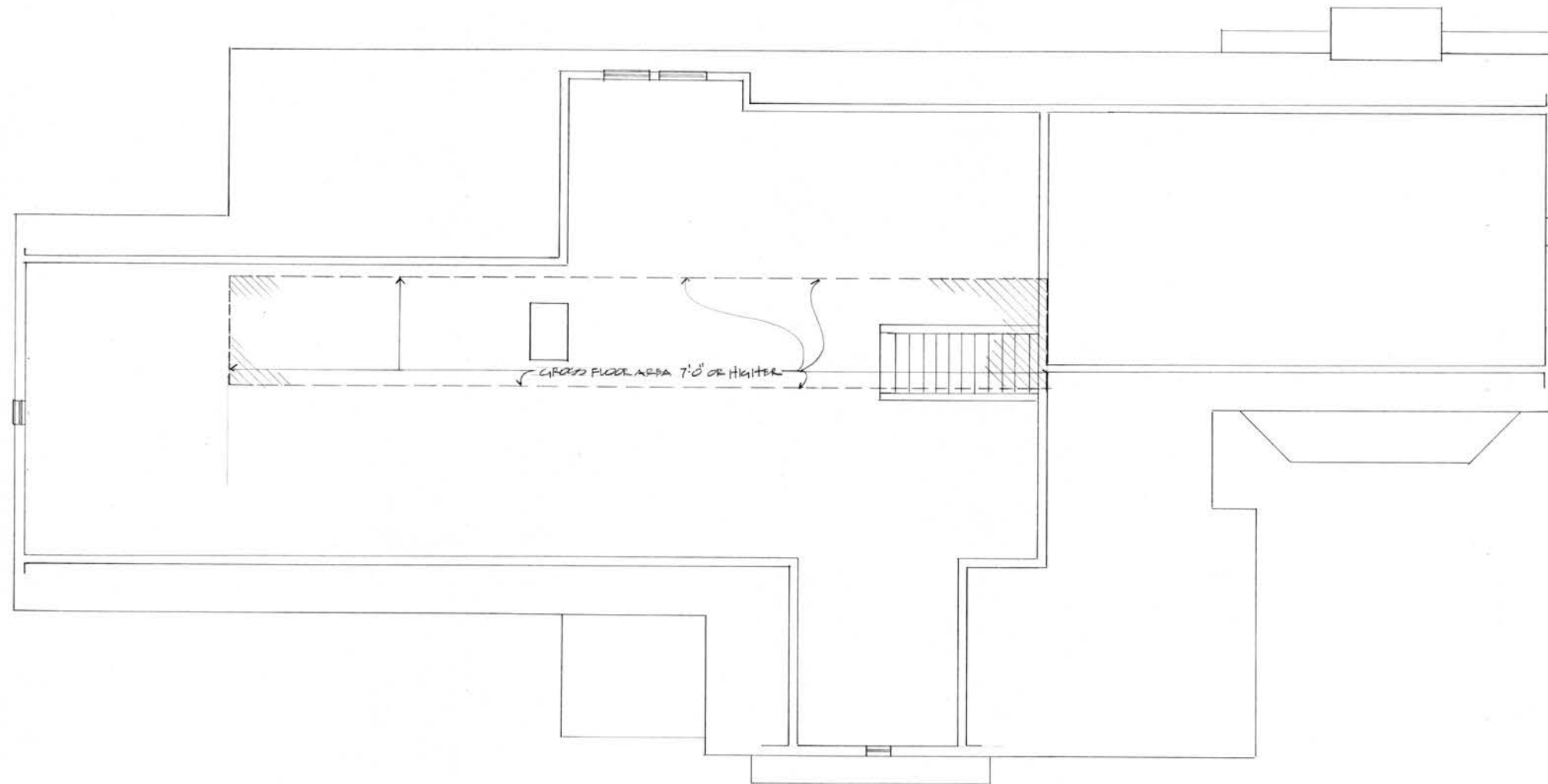
No.	Date	Issue

GTH No.	
Drawn	
Checked	
Date	

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RUDERSDORF RESIDENCE
600 LOCUST
WINNETKA, ILLINOIS



EXISTING THIRD FLOOR / ATTIC PLAN : NO ALTERATIONS

No.	Date	Issue
GTH No.		
Drawn	Copyright 2024 © GTH Architects INC.	
Checked		
Date		



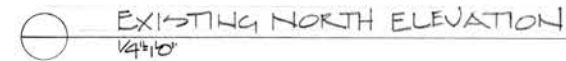
RUDERSDORF RESIDENCE
680 LOUDET
WINNETKA, ILLINOIS



GTH No. Drawn Checked Date	No.	Date	Issue					
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RUDERDORF RESIDENCE
680 LAURET
WINNETKA, ILLINOIS



No.	Date		Issue

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Date	

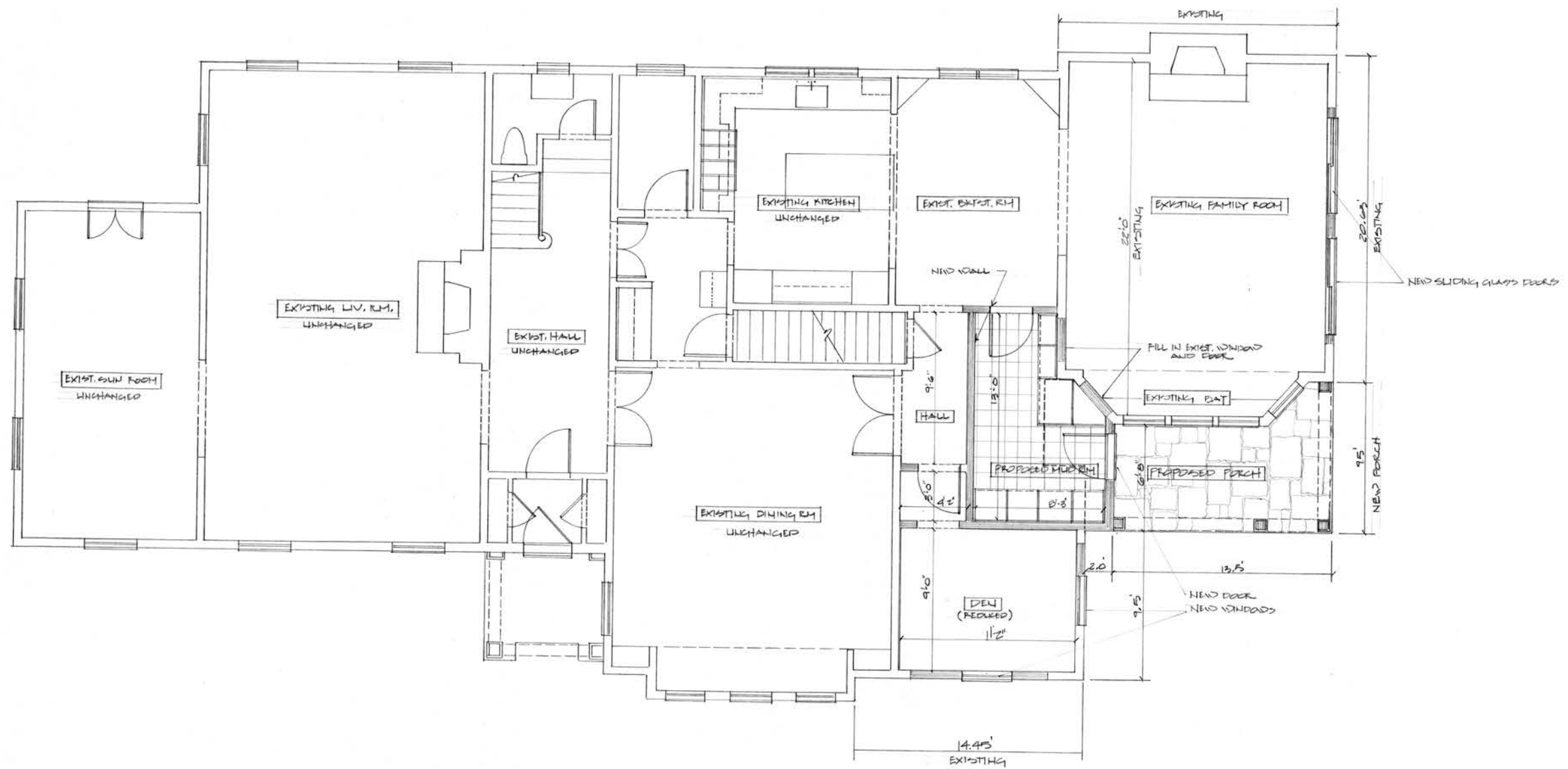
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RUDERDORF RESIDENCE
680 LAURET
WINNETKA, ILLINOIS

Issue Date No.					
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PROPOSED FIRST FLOOR PLAN
7/4/14



PROPOSED EAST ELEVATION
1/4"=1'-0"



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ARCHITECTS
105 Riverside Drive Suite F2
Northbrook, IL 60062
(Office) 847.715.9395
(Fax) 847.715.9382

RUDERDORF RESIDENCE
680 LOCUST
WINNETKA, ILLINOIS

No.	Date	Issue

GTH No.	
Drawn	
Checked	
Date	

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PROPOSED NORTH ELEVATION
2/14/25



GENSBURG • TONIOLO

HARTING
ARCHITECTS
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Northbrook, IL 60062
(Office) 847.715.9395
(Fax) 847.715.9362

RUDERDORF RESIDENCE
680 LOCUST
WINNETKA, ILLINOIS

No.	Date	Issue

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Drawn	
Checked	
Date	

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EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Jonathan and Elizabeth Rudersdorf (collectively, the "**Owner**") are the owner of record of that certain real property located at 680 Locust Street, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-02-2024, adopted by the Winnetka Zoning Board of Appeals on May 13, 2024 ("**Resolution**"), grants a variation to construct a one-story addition to 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 variation, and that the Village's approval of the variation 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 variation for the Property.

[SIGNATURE PAGE FOLLOWS]

Dated: _____, 2024.

ATTEST

OWNER

By: _____

By: _____

Jonathan Rudersdorf

Name: _____

By: _____

Elizabeth Rudersdorf

RESOLUTION NO. ZBA-02-2024
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 24-10-V – 680 LOCUST STREET

WHEREAS, Jonathan and Elizabeth Rudersdorf (collectively, the “Applicant”) are the owners of the property commonly known as 680 Locust Street, 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-3 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence and a detached garage that are nonconforming with respect to the maximum permitted building size (gross floor area) (**“Building”**); and

WHEREAS, the Applicant desires to construct a one-story addition to the Building on the Subject Property that would exceed the maximum permitted gross floor area; (**“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 4,677.28 square feet; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with a gross floor area that exceeds the maximum permitted of 4,677.28 square feet, a violation of Section 17.30.040 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for a variation from Section 17.30.040 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with a gross floor area of 5,027.35 square feet (**“Requested Variation”**); and

WHEREAS, a public notice for the Requested Variation was duly published on April 25, 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 May 13, 2024, for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on May 13, 2024; and

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

1. Application for the Requested Variation submitted by the Applicant, dated March 25, 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 Variation.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variation **does 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 Variation is 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-3 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 Variation.

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 VARIATION. 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 Variation 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 13th day of May, 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 12 in Block 2 in Winnetka Heights, being a subdivision of that part of the South Half of the Southwest Quarter of Section 17, Township 42 North, Range 13 East of the Third Principal Meridian, lying East of and adjoining the East Line and the East Line extended of Rosewood (formerly Oakridge Avenue) in the Village of Winnetka, in Cook County, Illinois.

Commonly known as 680 Locust Street, Winnetka, Illinois.

Parcel Index Number: 05-17-315-014-0000



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: MAY 8, 2024
SUBJECT: 1108 SPRUCE STREET - VARIATIONS (CASE NO. 24-12-V)

INTRODUCTION

On May 13, 2024, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Charles and Molly Lang (collectively, the "Applicant"), as the owners of the property located at 1108 Spruce Street (the "Subject Property"). The Applicant requests approval of the following zoning variations to allow construction of a second-floor addition to the existing residence on the Subject Property:

1. **Side Yard Setback** of 7.74 feet from the south property line, whereas a minimum of 12 feet is required, a variation of 4.26 feet (35.5%) [Section 17.30.060 – Side Yard Setback] [Note: The existing residence currently provides a south side yard setback of 5.9 feet]; and
2. **Structural changes necessary to provide new window openings** in the legally nonconforming south side building wall of the existing residence that provides a side yard setback of 5.9 feet, whereas a minimum of 12 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 April 25, 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 reduce side yard setbacks for any principal building by no more than 50%. 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 openings in the legally nonconforming south side building wall.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.3 acres in size, is located on the southeast corner of the intersection of Spruce Street and Glendale Avenue, and it contains an existing two-story residence and a detached garage (see Figure 1). The property is zoned R-5 Single Family Residential, and it is bordered by the same to the north, south, and east, and R-2 Single Family Residential to the west. (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.

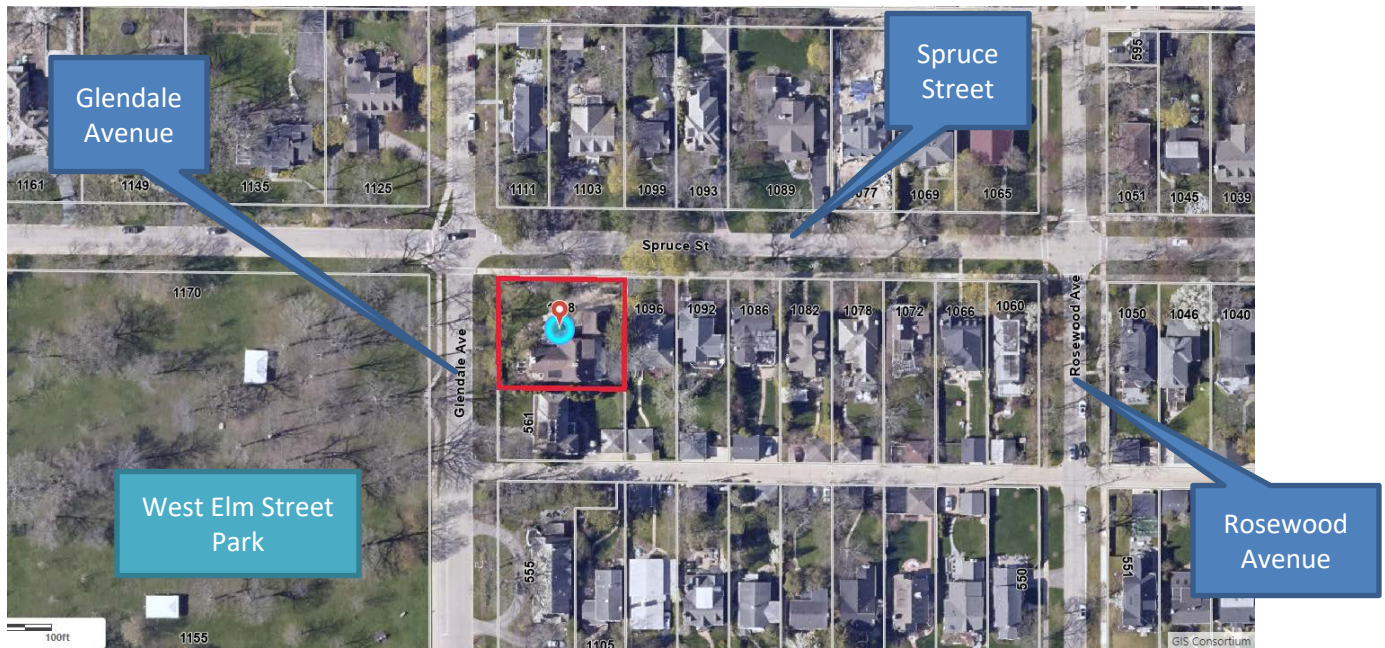


Figure 1 – Aerial Map

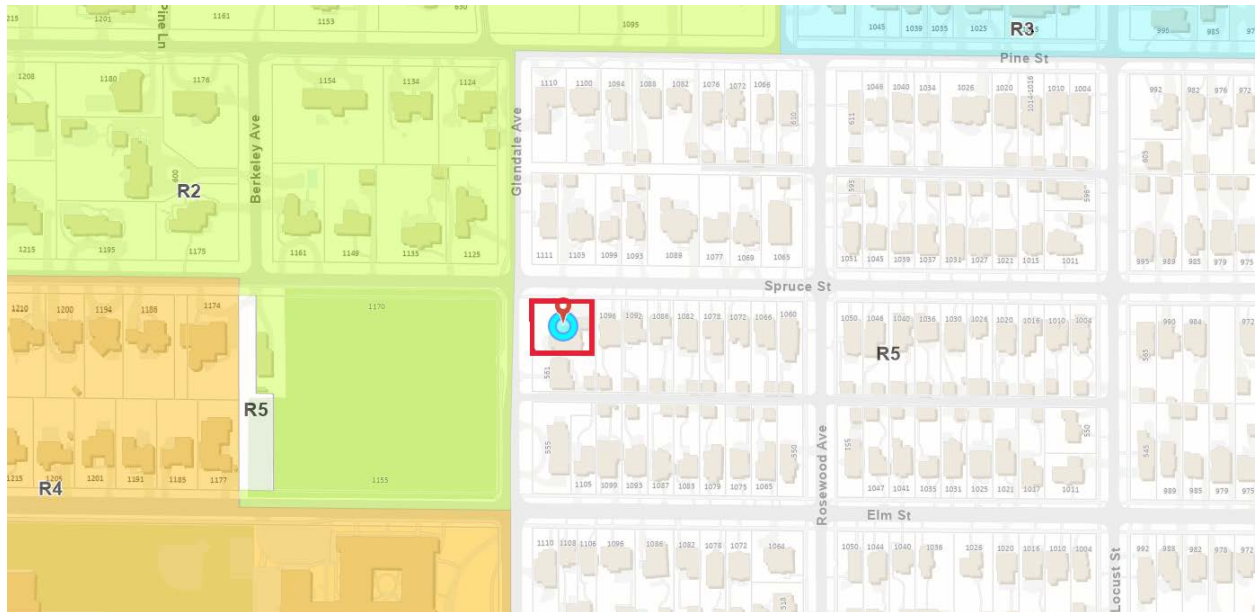


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was built in 1922. Subsequent building permits were issued in:

1. 1973 to construct a one-car attached garage; and
2. 1993 to replace the one-car garage with a two-car garage and remodel the interior of the residence.

Other minor permits have been issued over the last several years. The Applicant acquired the property in February 2020. There is one previous zoning case on file for the Subject Property. In 2010, ZBA Case No. 09-20-V was approved by the ZBA to allow construction of an addition to the existing residence. The

approved variations were for: (a) gross floor area; (b) rear yard setback; (c) side yard setback; and (d) front-facing garage width. The addition approved by this variation was never constructed.

Figures 3 and 4 below and on the following page are current photos of the site.



Figure 3 – Subject Property - Corner Elevation (Spruce Street)



Figure 4 – Subject Property – View from Glendale Avenue

PROPOSED PLAN

The variations are being requested in order to construct an addition on the second floor of the existing residence. The proposed plan also includes replacing one larger window on the second floor with two smaller windows in the legally nonconforming south side building wall. Currently, the second floor consists of a primary suite, two bedrooms (one without a closet), and one bathroom. The proposed plan includes reorienting the existing primary bathroom into a second bathroom on the second floor and creating a closet in the bedroom that currently does not have a closet. The proposed addition itself consists of a primary bathroom and closet space for the primary suite.

The proposed addition would not expand the footprint of the existing residence or increase the impermeable lot coverage. With the exception of the side yard setback, the proposed addition complies with the zoning regulations.

Excerpts of the proposed site plan, floor plan, and building elevations are provided on the following pages as Figures 5 through 8. The Applicant has also provided renderings of the proposed building elevations, two of which are provided as Figures 9 and 10. The complete set of plans is provided in the application materials (**Attachment B**).

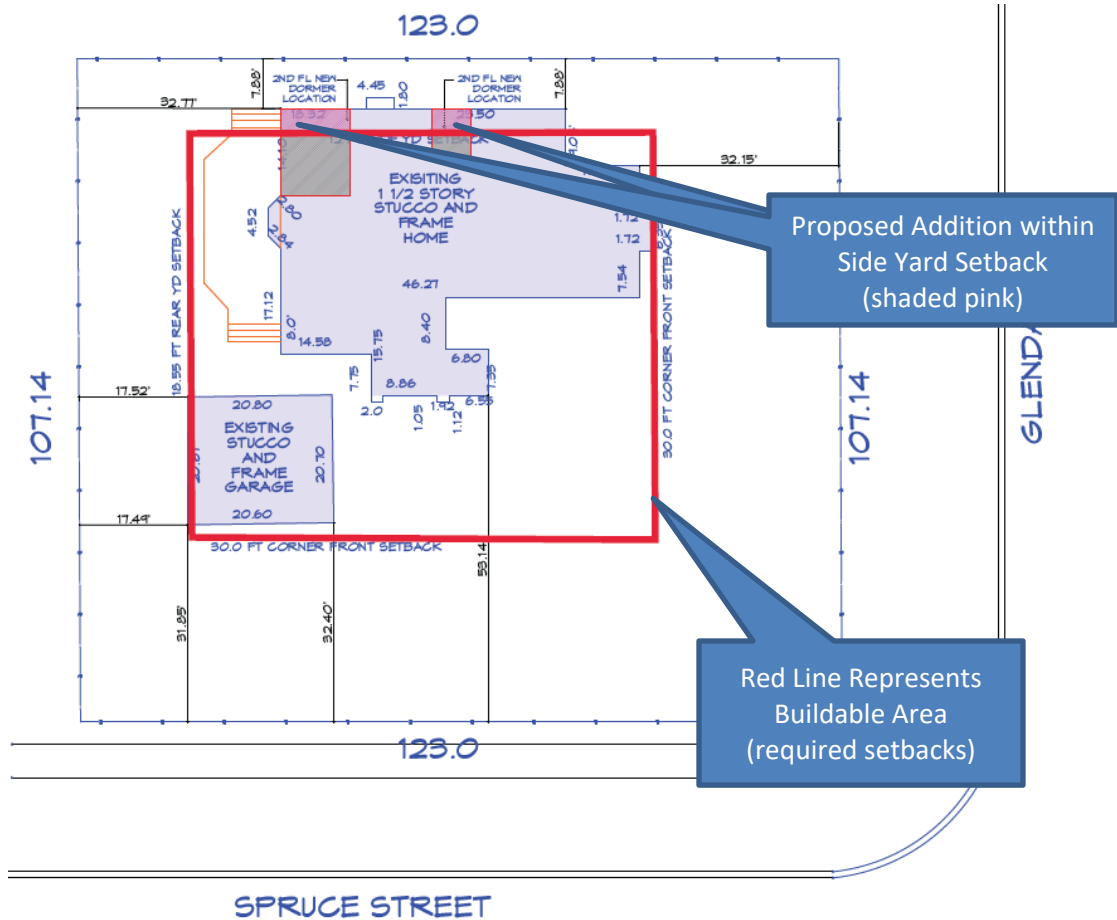


Figure 5 – Excerpt of Site Plan

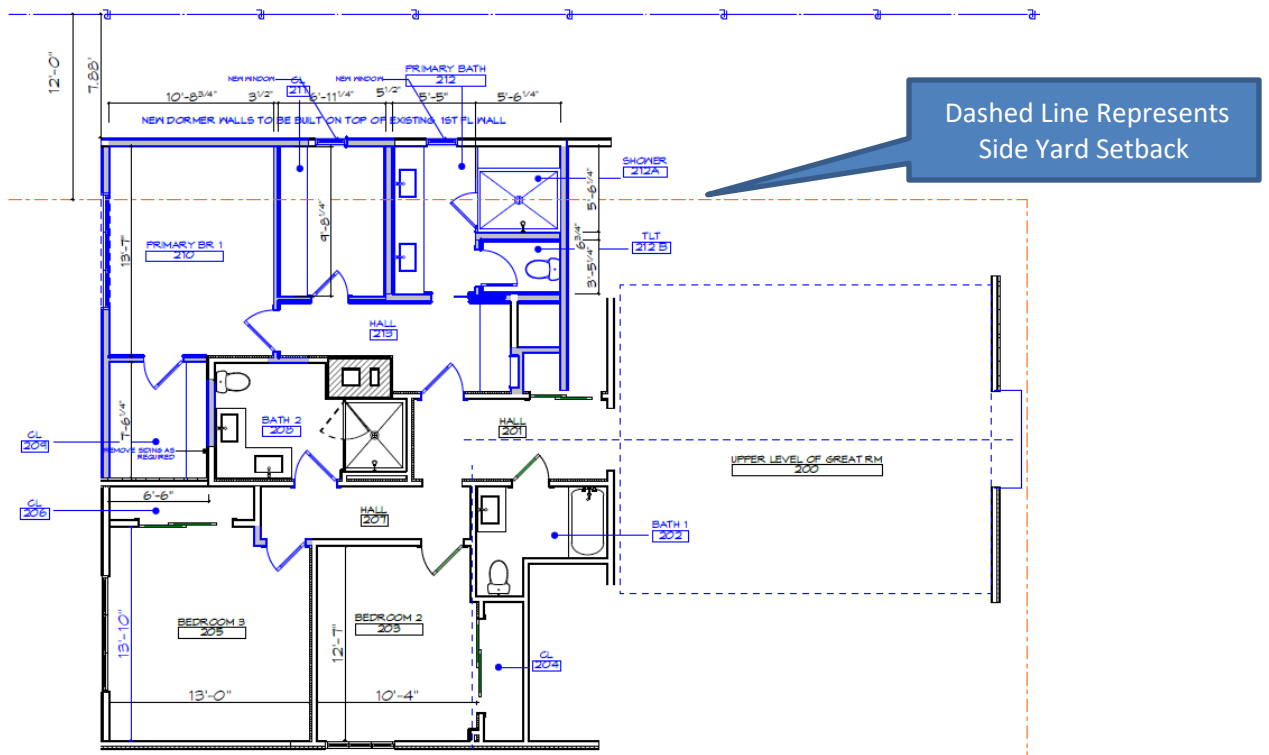


Figure 6 – Proposed Second Floor Plan

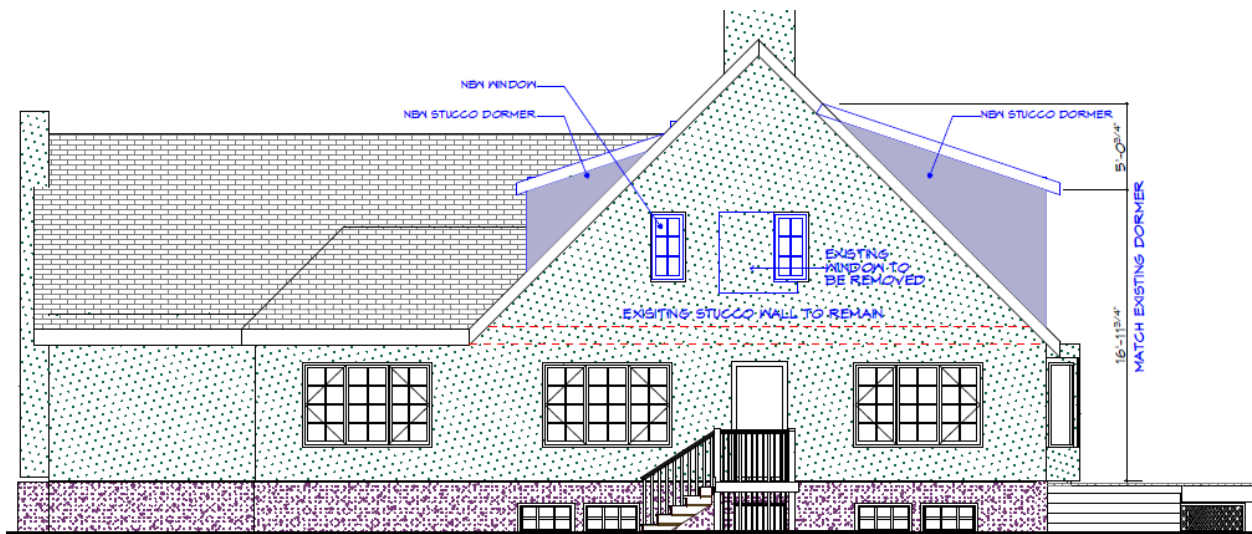


Figure 7 – Proposed South Side Elevation

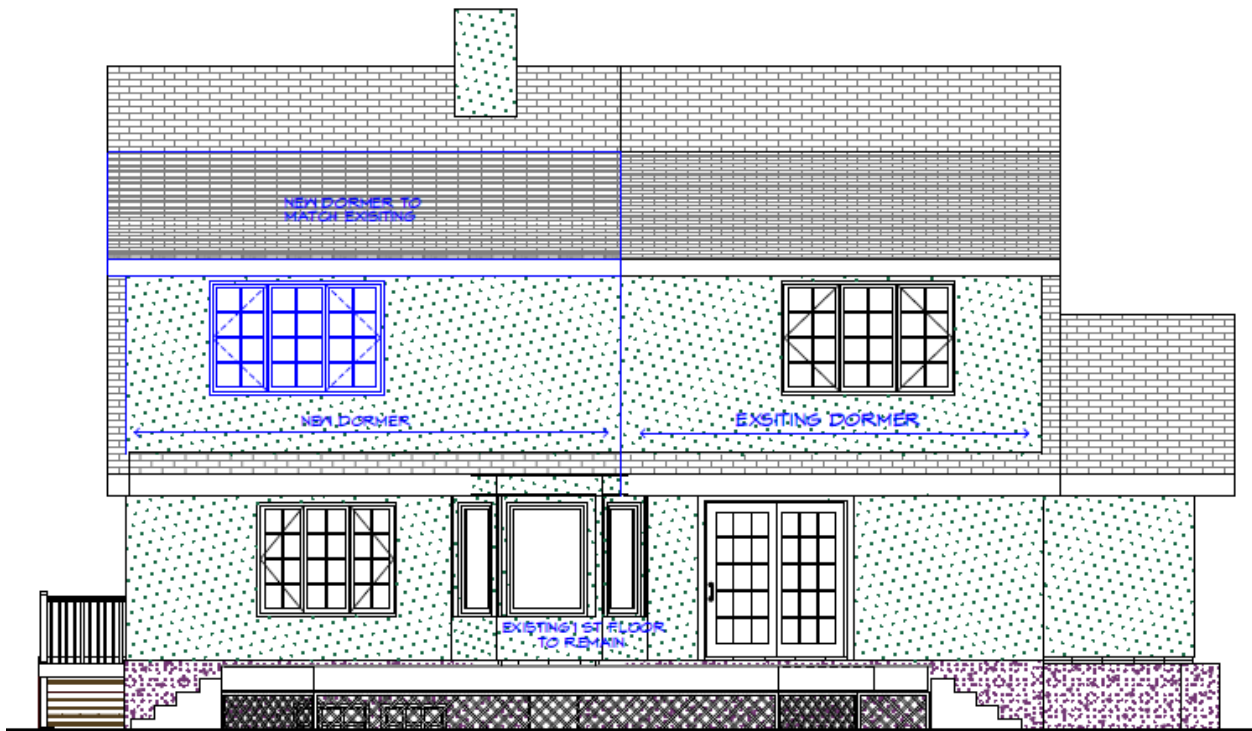


Figure 8 – Proposed Rear (East) Elevation

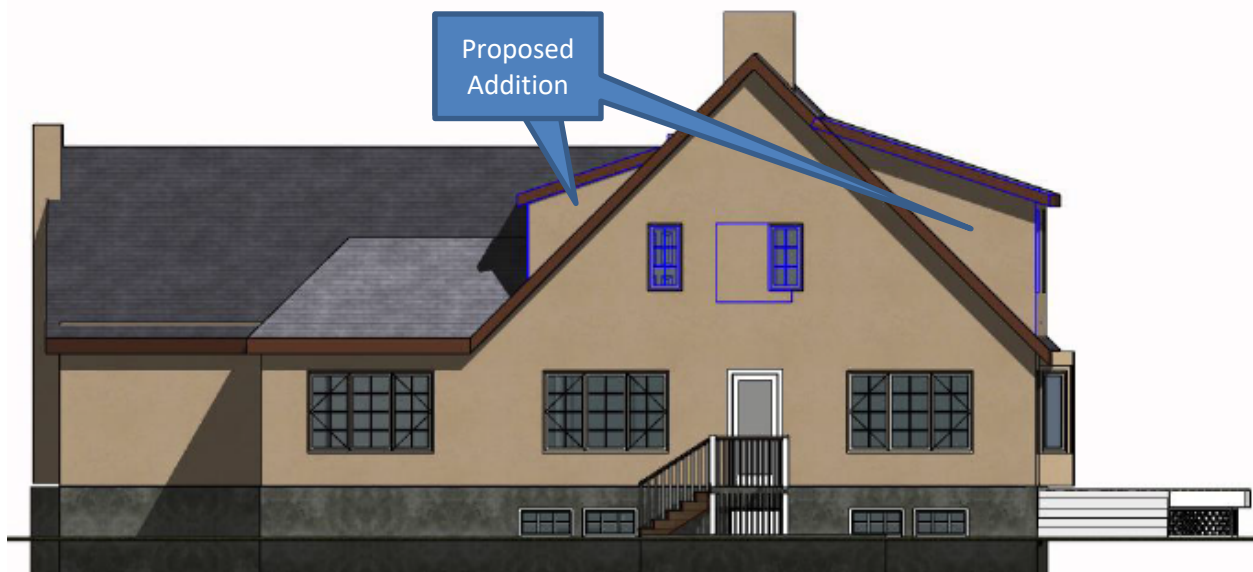


Figure 9 – Rendering of South Side Elevation



Figure 10 – Rendering of Rear (East) Elevation

As noted previously, the proposed improvements do not include any additional roofed lot coverage or impermeable lot coverage, so additional stormwater detention will not be required. However, upon submittal of the building permit for the proposed improvements, Village Engineering staff will review the permit for compliance with Village stormwater regulations to verify the stormwater is being managed on-site.

Figure 11 on the following page represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain.



Figure 11 - GIS Floodplain Map

REQUESTED ZONING RELIEF

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

Side Yard Setback (South Property Line). The existing residence is currently legally nonconforming with respect to the minimum required side yard setback as it currently provides a side yard setback of 5.9 feet from the south property line, encroaching the minimum required setback of 12 feet by 6.1 feet. The proposed second floor addition would provide a south side yard setback of 7.74 feet, requiring a variation of 4.26 feet (35.5%).

Structural Changes for New Window Openings. Zoning relief is necessary to allow the proposed window openings in the legally nonconforming south side building wall of the existing residence that provides a side yard setback of 7.74 feet, whereas a minimum of 12 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: 1108 Spruce Street

CASE NO: 24-12-V

ZONING: R-5

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	8,900 SF	13,161 SF	N/A	N/A	OK
Min. Average Lot Width	70 FT	107 FT	N/A	N/A	OK
Min. Lot Depth	120 FT	123 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	3,553.47 SF (1)	2,620.3 SF	2,620.3 SF	0 SF	OK
Max. Gross Floor Area	4,447.2 SF (1)	3,422.85 SF	3,701.12 SF	278.27 SF	OK
Max. Impermeable Lot Coverage	6,580.5 SF (1)	5,157.99 SF	5,157.99 SF	0 SF	OK
Min. Front Yard (Glendale/West)	30 FT	31.93 FT	31.93 FT	0 FT	OK
Min. Corner Yard (Spruce/North)	30 FT	31.95 FT (3)	31.95 FT (3)	0 FT	OK
Min. Side Yard (South)	12 FT	5.9 FT	7.74 FT (4)	0 FT	4.26 FT (35.5%) VARIATION
Min. Rear Yard (East)	18.45 FT	30.61 FT (5)	30.61 FT (5)	0 FT	OK

NOTES:

(1) Based on lot area of 13,161 s.f.

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

(3) Setback to existing detached garage. Residence is setback 51.95 feet.

(4) Setback to proposed addition. Existing nonconforming setback of 5.9 feet will remain.

(5) Setback to existing bay window. Existing deck is setback approximately 20 feet.

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

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 24-12-VProperty InformationSite Address: 1108 Spruce StOwner InformationName: CHARLIE LANGAddress: 1108 Spruce StCity, State, ZIP: WINNETKA, IL 60093Email: [REDACTED]Primary Contact: GARY FRANKPhone No. 847-421-4212Date property acquired by owner: 2020Architect InformationName: H. GARY FRANK ARCHITECTSPrimary Contact: GARY FRANKAddress: 523 ChestnutCity, State, ZIP: WINNETKA, IL 60093Phone No. 847-421-4212Email: GARY@H.GARYFRANKARCHITECTS.COMAttorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: SEE ATTACHED

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

Property Owner Signature: [REDACTED]Date: April 9, 2024

April 19, 2024

Zoning Board of Appeals
Village of Winnetka

Variation request 1108 Spruce St.

Overview

The existing home sits at the corner of Spruce and Glendale. It's a one and one half story, stucco home, built in the very early 1900's.

On the south, the existing home sits 7.88' south of the south property line. The requirement is 12ft. It is along this legal non-conforming wall that we are seeking a variation to add two 2nd Floor dormers and two windows on the south elevation.

- The new dormer walls will sit exactly above the existing wall and will maintain the 7.88' existing setback.
- The current floor plan has three bedrooms of varying sizes and two very small bathrooms. One bedroom has a closet the other does not.

The new dormers allow us to design a Primary Suite that includes a Bedroom, Bath and Closet.

- The bedroom without a closet gains one, and the two existing baths remain.
- The footprint of the 2nd floor is very small, 987 sq/ft. This is attributed to the Great Room's one-and-a-half-story height. Half of the second floor is the Great Room, and the other half is the livable area.
- It should also be noted that one of the dormers that faces east and south will be an extension of the existing dormer and will match.
- The south wall has an existing 3 wide window that will be removed. In its place a new window will be added to the new Closet and one to the new Bathroom.

523 Chestnut Street

Winnetka, IL 60093

O 847 501 4212

www.hgaryfrankarchitects.com

gary@hgaryfrankarchitects.com

H. Gary Frank | Architects

New Homes

Renovations

Additions

Historic Preservation

The floor area increase to the home is 277.90ft.

This increase in area leaves 733.99 below the maximum permitted GFA.

Final proposed GFA: 3670.77

Max permitted GFA: 4449.14

In response to the specific eight (8) Standards for Granting Zoning Variations, the applicants respectively submit the following:

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

Without relief, the home could not be renovated to include any practicable amenities of a minimally sized Bedroom, Bathroom, and Closet.

- 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 home was built before the building codes were in place. The codes placed it into non-conformity.

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

This proposal would not alter the essential character of the locality.
The dormers on the south side would rarely be seen.

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

The addition and the location of the addition will not impair the adjacent neighbors' light or air.

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Additions

Historic Preservation

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

The addition and the location of the addition will not increase any hazards from fire.

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

The addition is an improvement to the property and will not diminish the taxable value of the land or buildings throughout the Village.

7. The congestion in the public street will not increase, and

There will not be any increase in traffic as a result of the addition.

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

This is an improvement to the property and the neighborhood and will not impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not be otherwise impaired.

Respectfully submitted,



H. Gary Frank

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Winnetka, IL 60093

O 847 501 4212

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gary@hgaryfrankarchitects.com



Scale - 1 inch = 20 feet

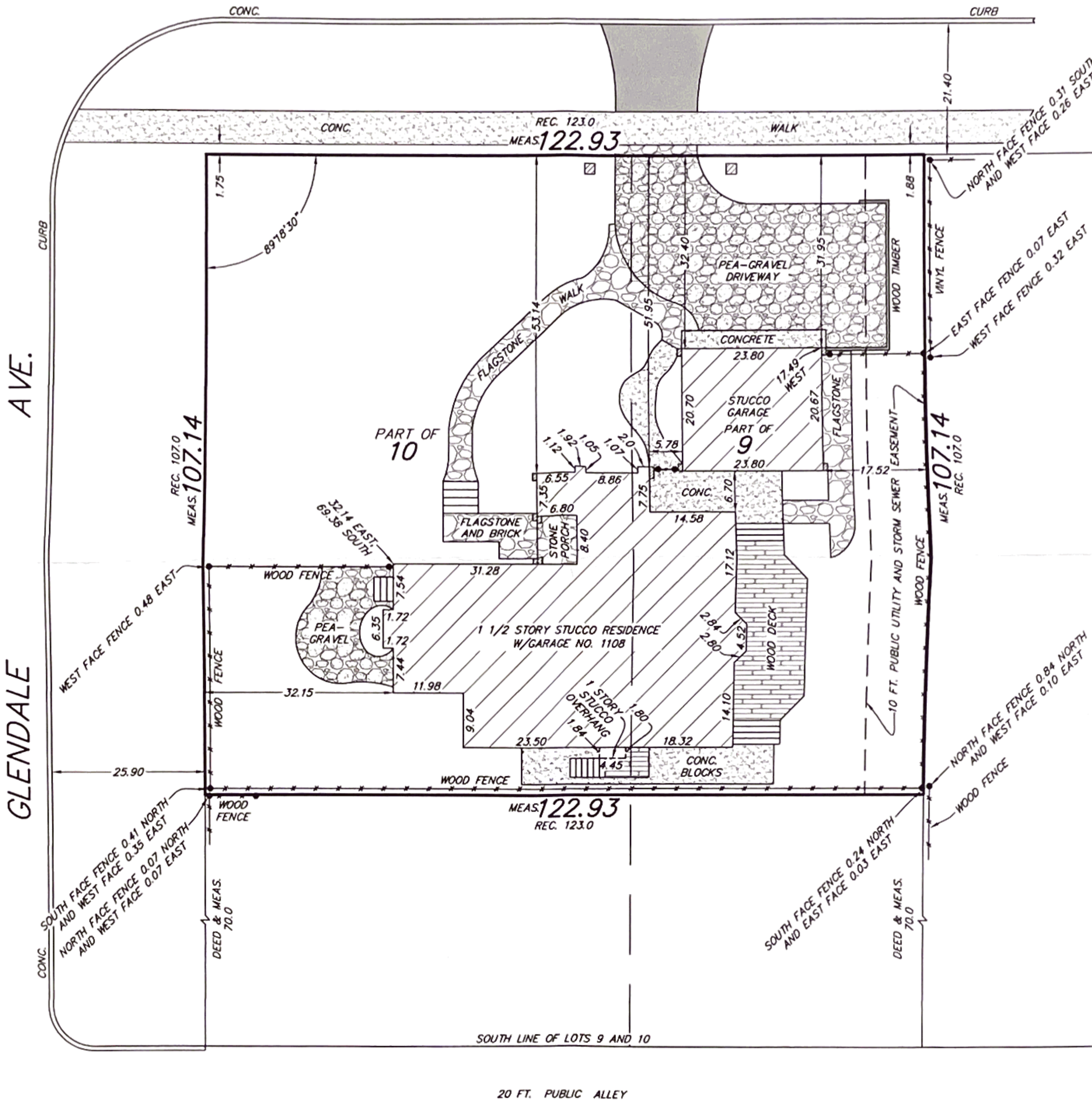
Jens K. Doe
Professional Land Surveyors, P.C.
PLAT OF SURVEY
of

ORDER NO.
20-0703

LOTS 9 AND 10 (EXCEPT THE SOUTH 70 FEET THEREOF) IN BLOCK 3 IN GROVELAND ADDITION TO WINNETKA, SAID ADDITION BEING A SUBDIVISION OF THE EAST 70 ACRES OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1108 SPRUCE ST., WINNETKA, ILLINOIS.

SPRUCE ST.



NOTE :

The legal description noted on this plat is a copy of the land survey order placed by the client and for accuracy **MUST** Be compared with the Deed. For building restrictions refer to your Abstract, Deed or Contract.

Compare distances between points before building and report any discrepancy to this office immediately.

Dimensions shown hereon are not to be assumed or scaled.

Dimensions shown hereon are in feet and decimal parts thereof.

Property corners have been established to complete the plat of survey shown hereon but have not been staked or flagged per the land survey order in which it was placed by the client.

Field work completion date : October 23, 2020.

ORDERED BY:

OLSON, GRABILL & FLITCRAFT

State of Illinois)
County of Cook)

JENS K. DOE PROFESSIONAL LAND SURVEYORS, P.C., does hereby certify that a survey has been made under its direction, by an Illinois Professional Land Surveyor of the property described hereon and that the plat hereon drawn is a correct representation of said survey.

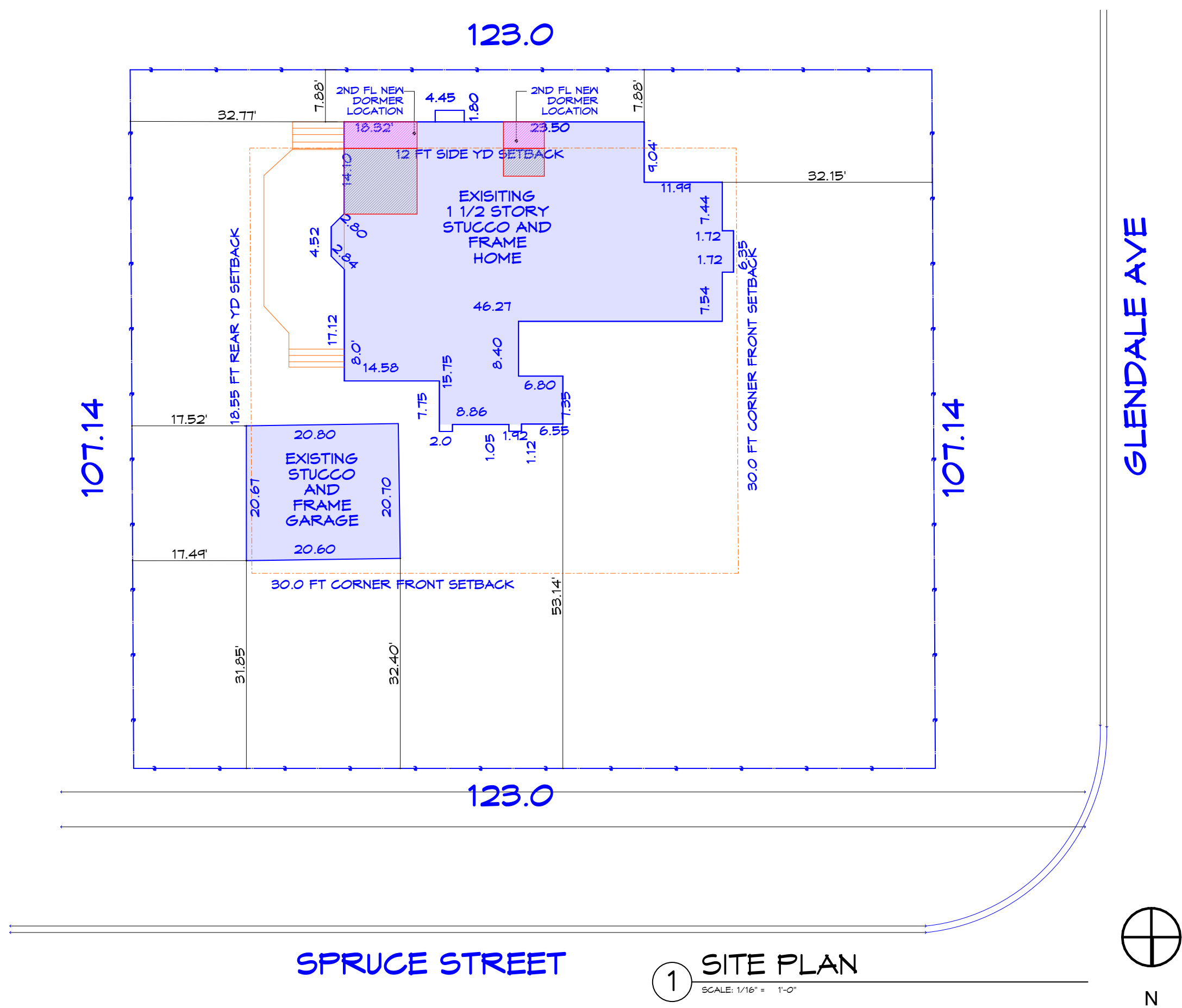
Chicago, Illinois, Dated this 24th Day of October, 2020.

This professional service conforms to the current Illinois minimum standards for a boundary survey.

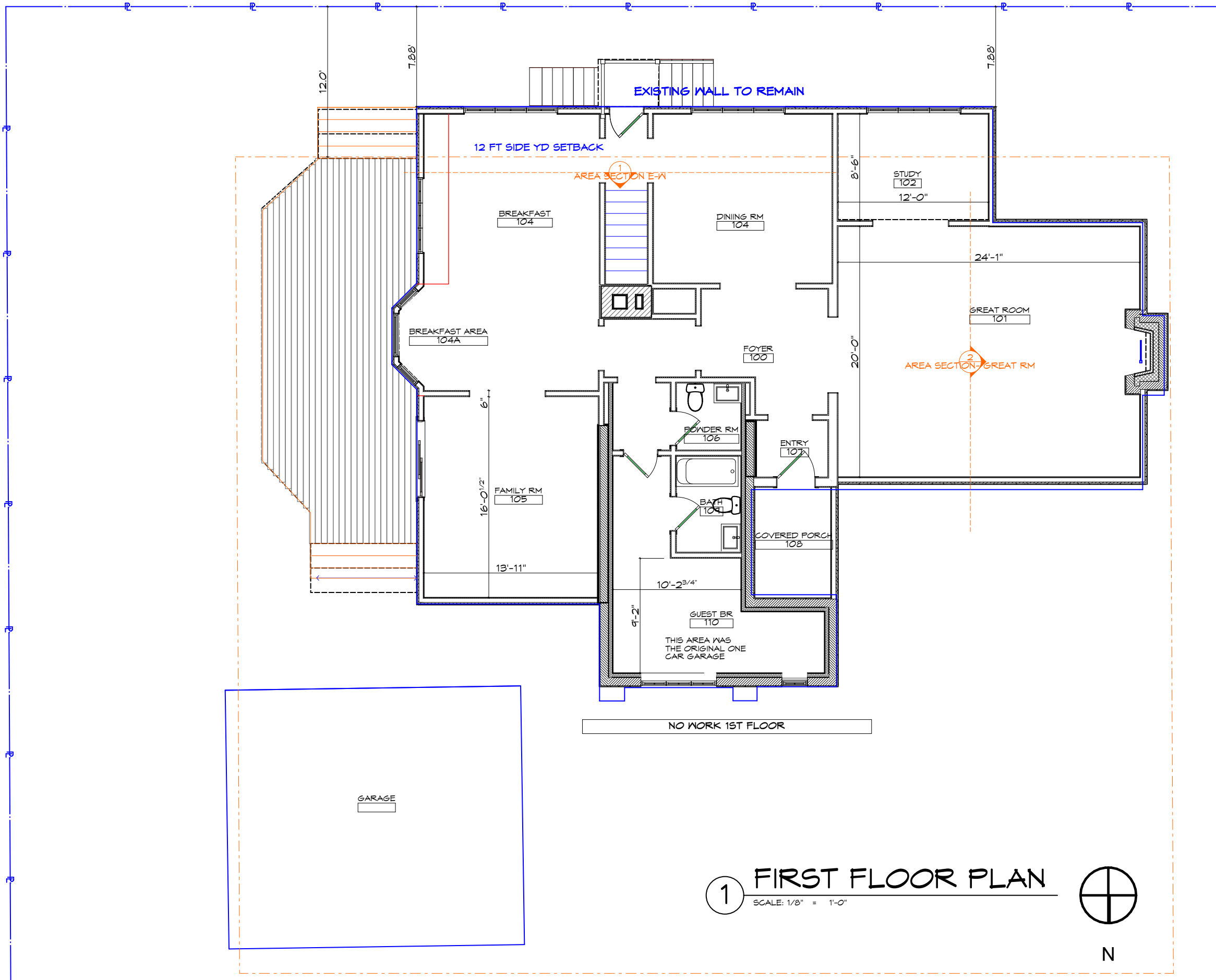
JENS K. DOE PROFESSIONAL
LAND SURVEYORS, P.C.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3228
LICENSE EXPIRATION : 11 - 30 - 20

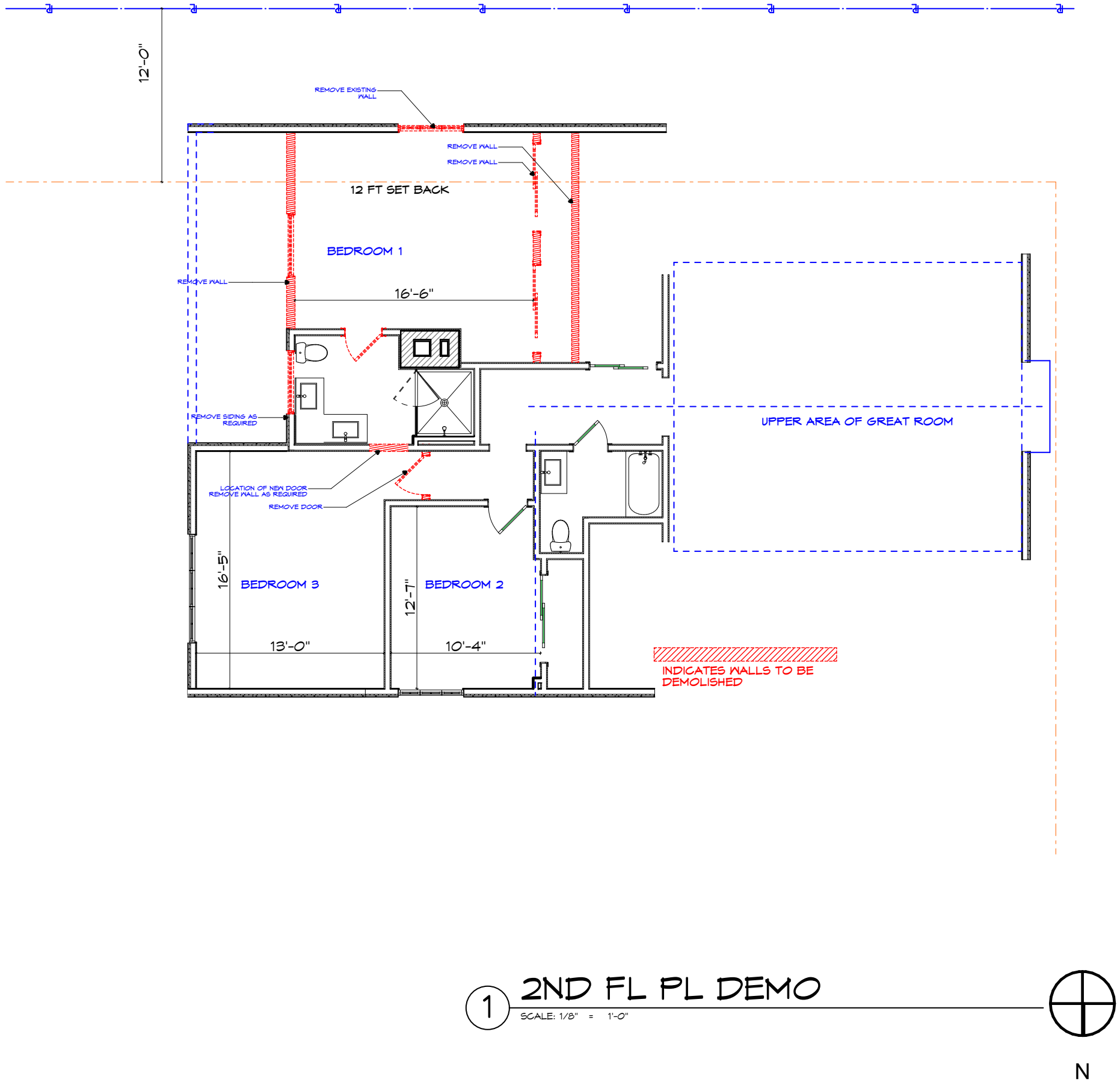




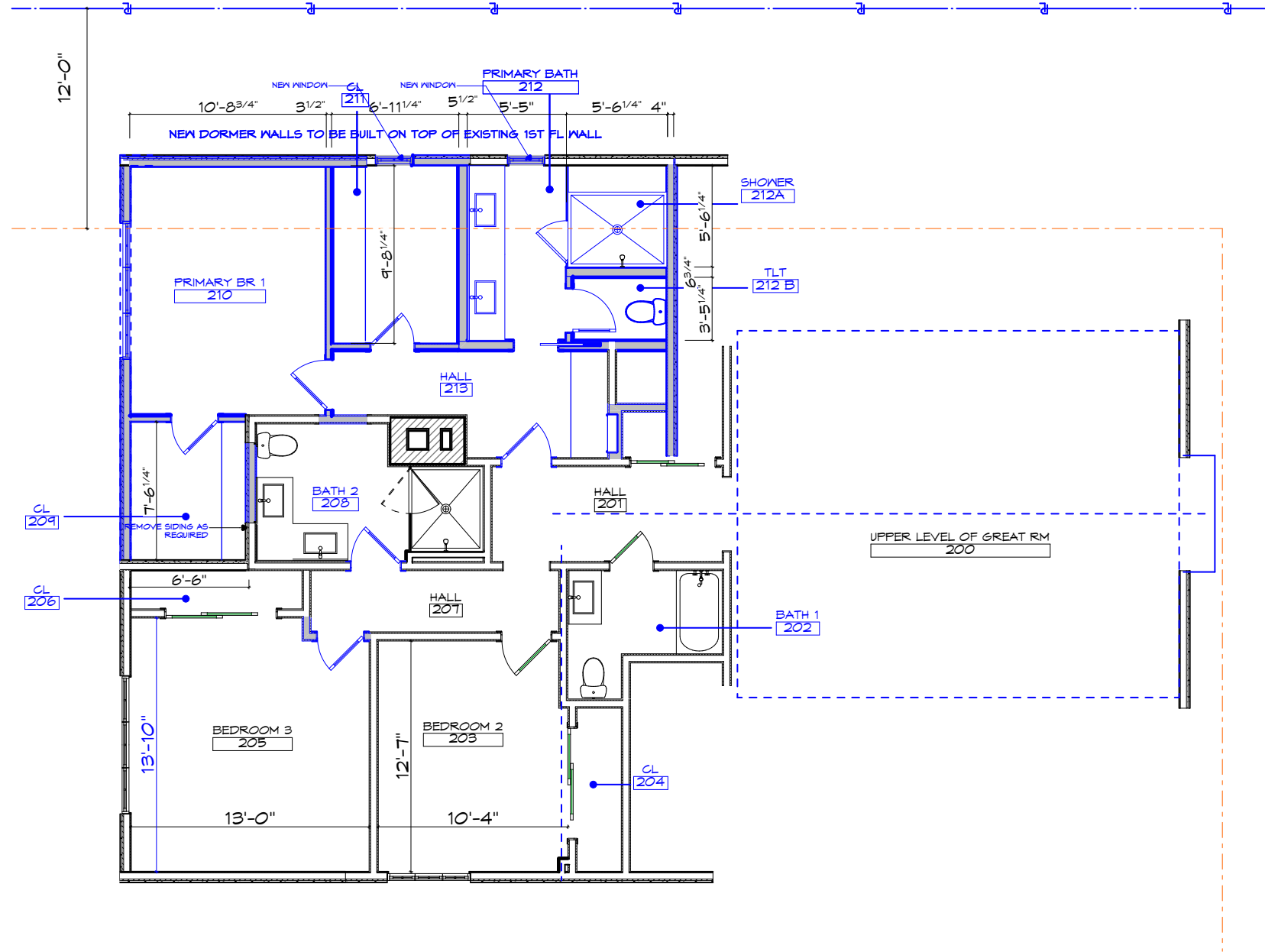
Z1.1	H. GARY FRANK ARCHITECTS AIA. LTD 525 Chestnut Street Winnetka, IL 60093 Office: 847.501.4212 contact@hgaryfrankarchitects.com All Copyrights 2014 H. Gary Frank Architects AIA. LTD All Rights Reserved	1108 SPRUCE ST		DATE	NAME
		WINNETKA ILLINOIS 60093		5/8/24	Issued for Variation



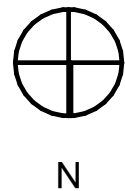
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				5/8/24	Issued for Variation



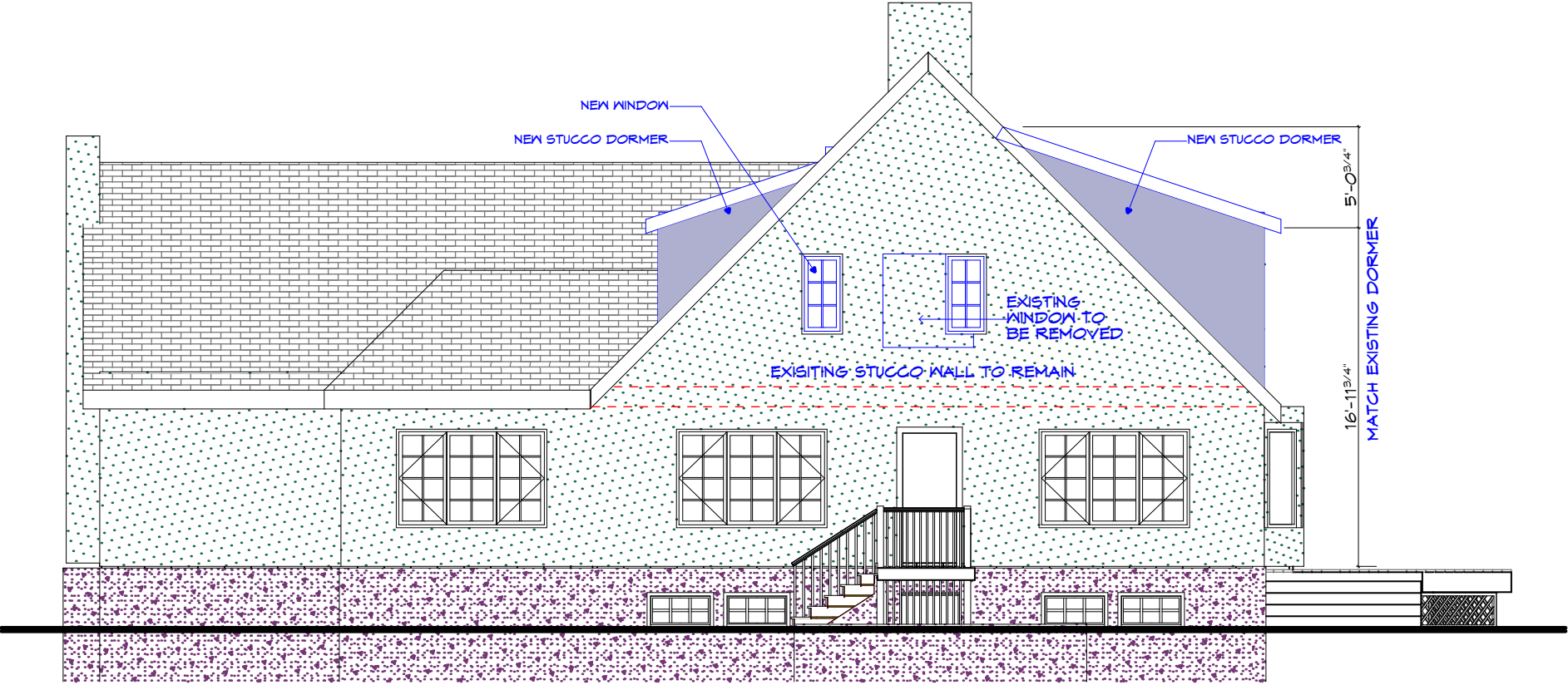
1 2nd FL PLAN - NEW
SCALE: 1/8" = 1'-0"



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		DATE	NAME
		5/8/24	Issued for Variation

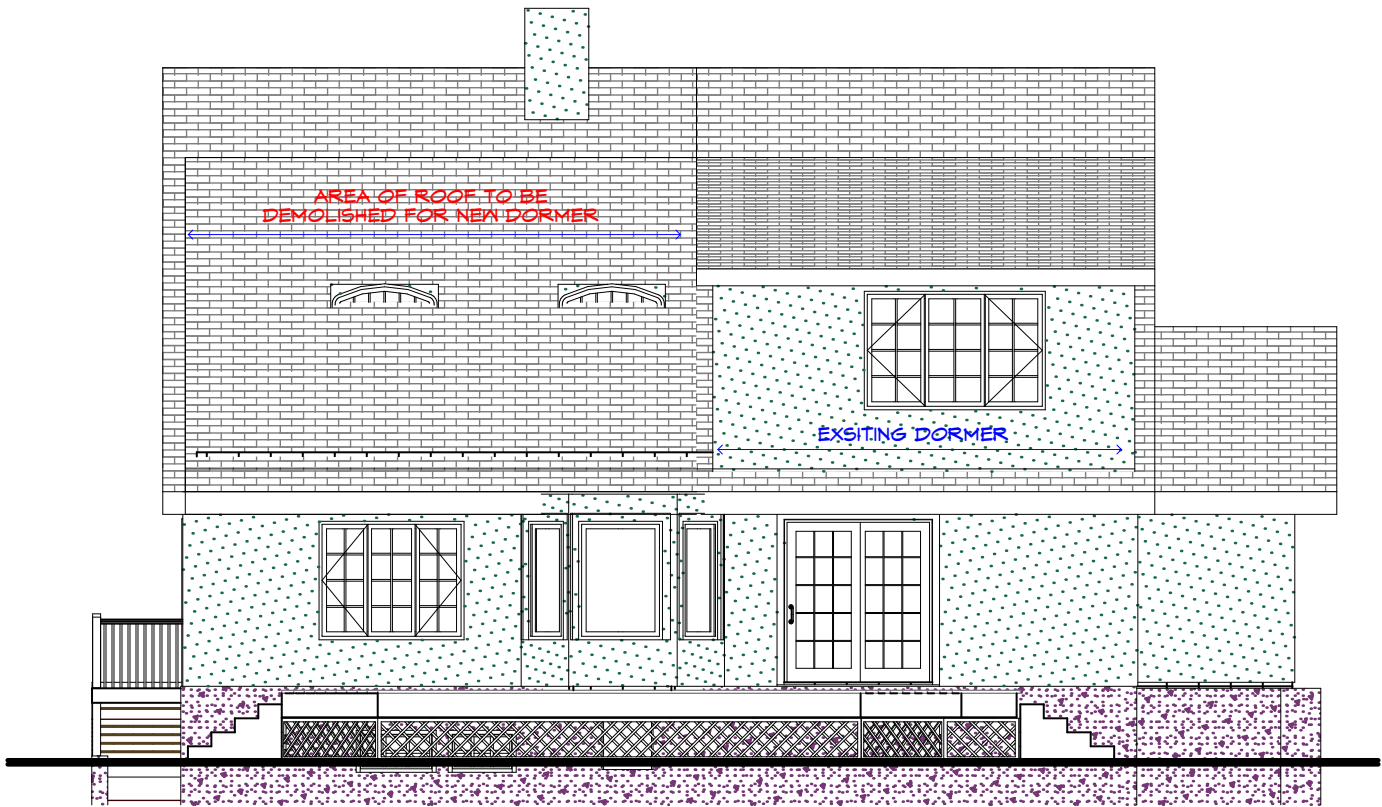


2 SOUTH ELEV - EXISTING
SCALE: 1/8" = 1'-0"

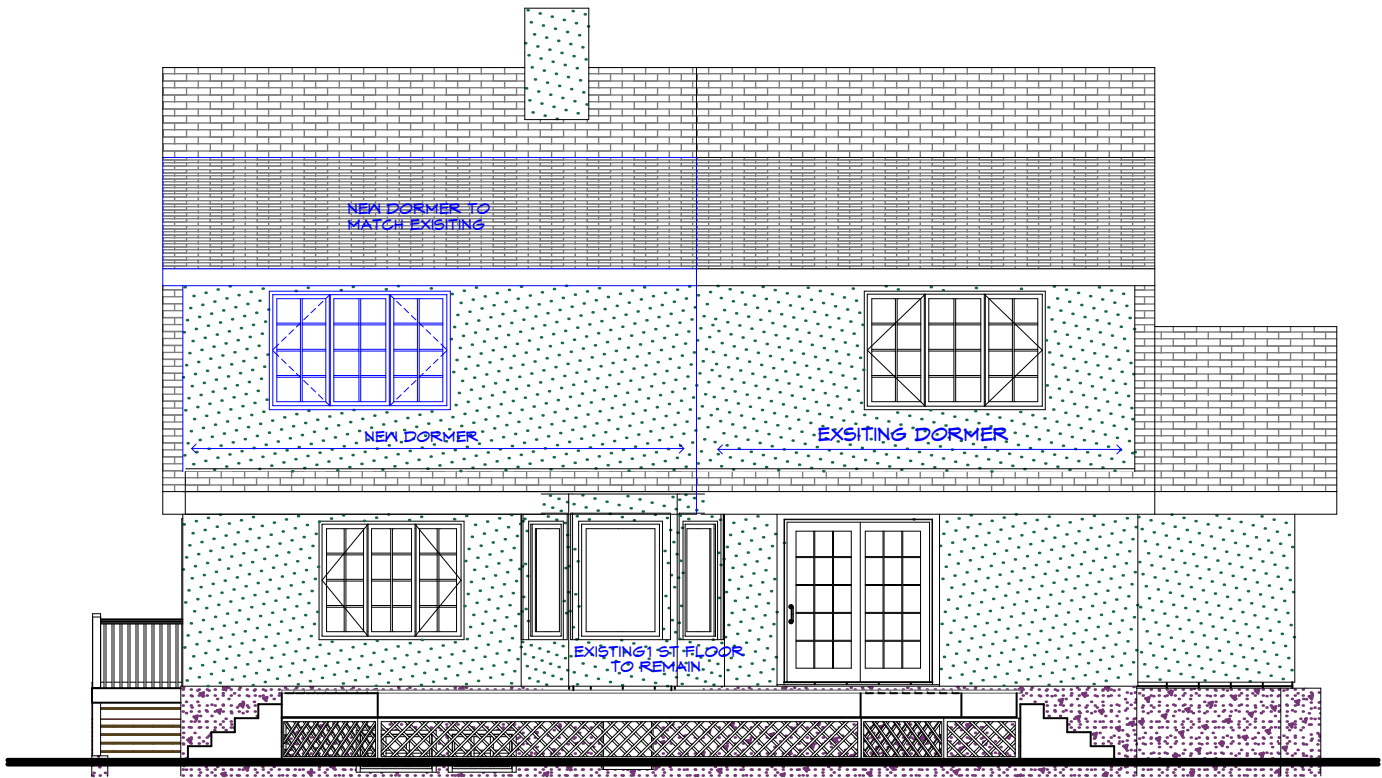


1 SOUTH ELEV NEW
SCALE: 1/8" = 1'-0"

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5/8/24	
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Z1.5	



2 EAST ELEV EXISTING
SCALE: 1/8" = 1'-0"



1 EAST ELEV NEW
SCALE: 1/8" = 1'-0"

DATE	NAME
5/8/24	Issued for Variation

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3 SOUTH ELEV - EXISTING
SCALE: 1/8" = 1'-0"



4 SOUTH ELEV-NEW
SCALE: 1/8" = 1'-0"



2 EAST ELEV-EXISTING
SCALE: 1/8" = 1'-0"



1 EAST ELEV-NEW
SCALE: 1/8" = 1'-0"

DATE	NAME
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1 S & E ELEV - NEW
SCALE: 1/8" = 1'-0"



2 S & E ELEV - EXISTING
SCALE: 1/8" = 1'-0"

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Z1.8



2 VIEW LOOKING SOUTH AT EXISTING HOME AND EAST NEIGHBOR



1 FRONT OF HOME FACING NORTH

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	5/8/24	Issued for Variation
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Z1.9		



4
SIDE OF HOME LOOKING EAST W/ ADDITION



2
SIDE OF HOME LOOKING EAST



3
SIDE OF HOME LOOKING WEST & SOUTH NEIGHBOR PROPERTY W/SETBACKS



1
SIDE OF HOME LOOKING WEST & SOUTH NEIGHBOR PROPERTY

Z1.10	H. GARY FRANK ARCHITECTS AIA, LTD 525 Chestnut Street Winnetka, IL 60093 Office: 847.501.4212 contact@hgaryfrankarchitects.com All Copyrights 2014 H. Gary Frank Architects AIA, LTD All Rights Reserved	1108 SPRUCE ST	
		DATE	5/8/24
		NAME	Issued for Variation
		WINNETKA ILLINOIS 60093	

**ATTACHMENT C
RESOLUTION NO. ZBA-03-2024**

**VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS**

APPROVAL OF ZBA CASE NO. 24-12-V – 1108 SPRUCE STREET

WHEREAS, Charles and Molly Lang (collectively, the “Applicant”) are the owners of the property commonly known as 1108 Spruce Street, 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 the minimum required side yard setback from the south property line (**“Building”**); and

WHEREAS, the Applicant desires to construct a second floor addition to the Building and add new window openings in the legally nonconforming south side building wall of the Building on the Subject Property that would (i) provide less than the minimum required side yard setback; and (ii) require structural changes necessary to provide new window openings in the legally nonconforming south side building wall of the existing Building that provides less than the minimum required side yard setback; (**“Proposed Improvement”**); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (**“Zoning Ordinance”**), the Subject Property is required to provide a minimum side yard setback of 12 feet; and

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

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a minimum side yard setback that is less than the required 12 feet, a violation of Section 17.30.060 of the Zoning Ordinance; and (ii) construct new window openings in the legally nonconforming south side building wall that provides less than the minimum required side yard setback of 12 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Section 17.30.060 and 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) a south side yard setback of 7.74 feet; and (ii) new window openings in the existing south side building wall that provides a setback of 7.74 feet (**“Requested Variations”**); and

WHEREAS, a public notice for the Requested Variations was duly published on April 25, 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 May 13, 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 May 13, 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 April 9, 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 side yard setback variation; and (ii) the structural changes necessary to provide new window 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) side yard setback variation from Section 17.30.060 of the Zoning Ordinance; and (ii) structural changes to allow new 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 side yard setback requirement set forth in Section 17.30.060 of the Zoning Ordinance; and (ii) the structural changes to provide new window 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 13th day of May, 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

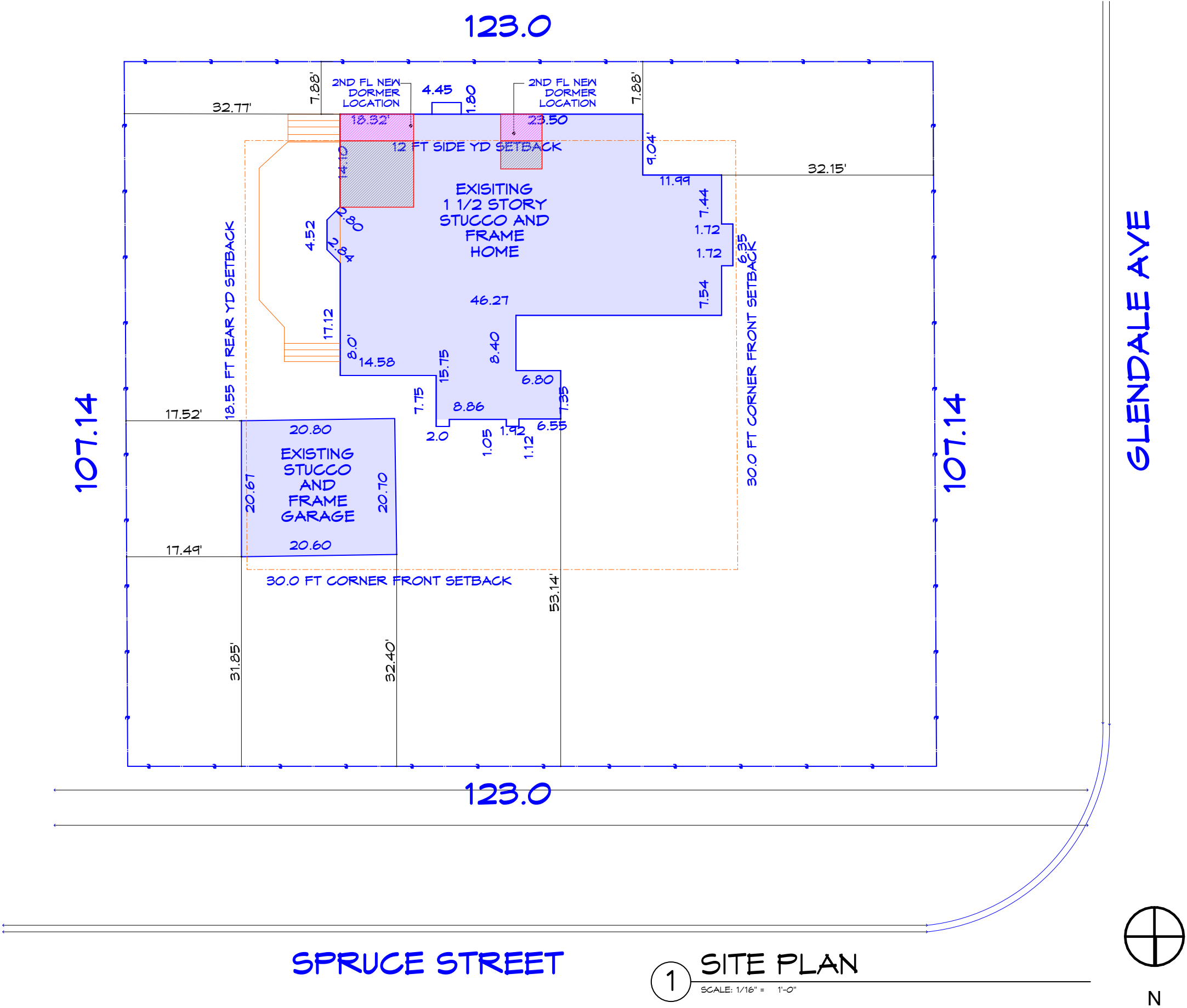
Lots 9 and 10 (except the South 70 Feet thereof) in Block 3 in Groveland Addition to Winnetka, said Addition being a subdivision of the East 70 Acres of the Northwest $\frac{1}{4}$ of Section 20, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 1108 Spruce Street, Winnetka, Illinois.

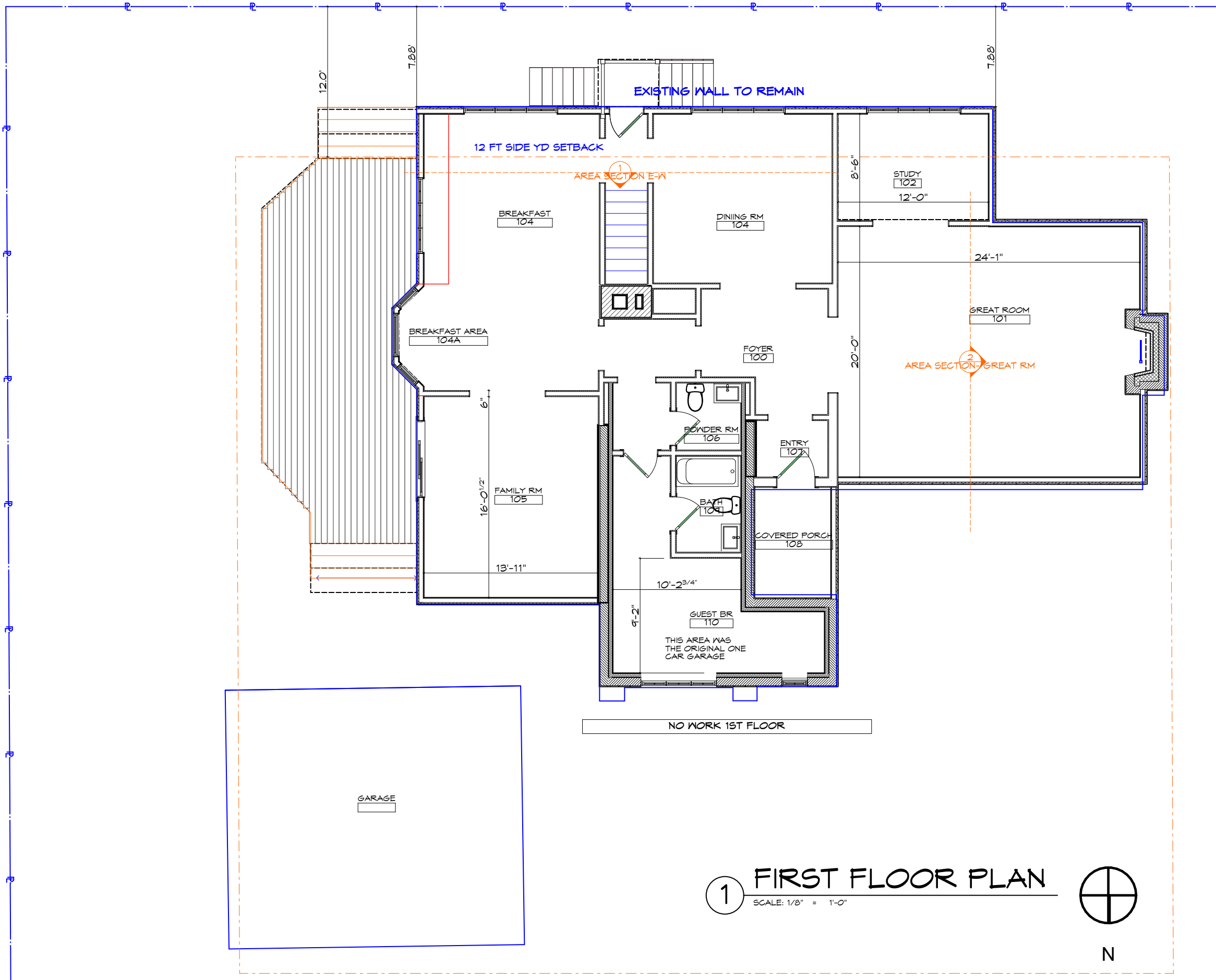
Parcel Index Number: 05-20-106-001-0000

EXHIBIT B
PLANS

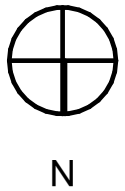
(SEE ATTACHED EXHIBIT B)



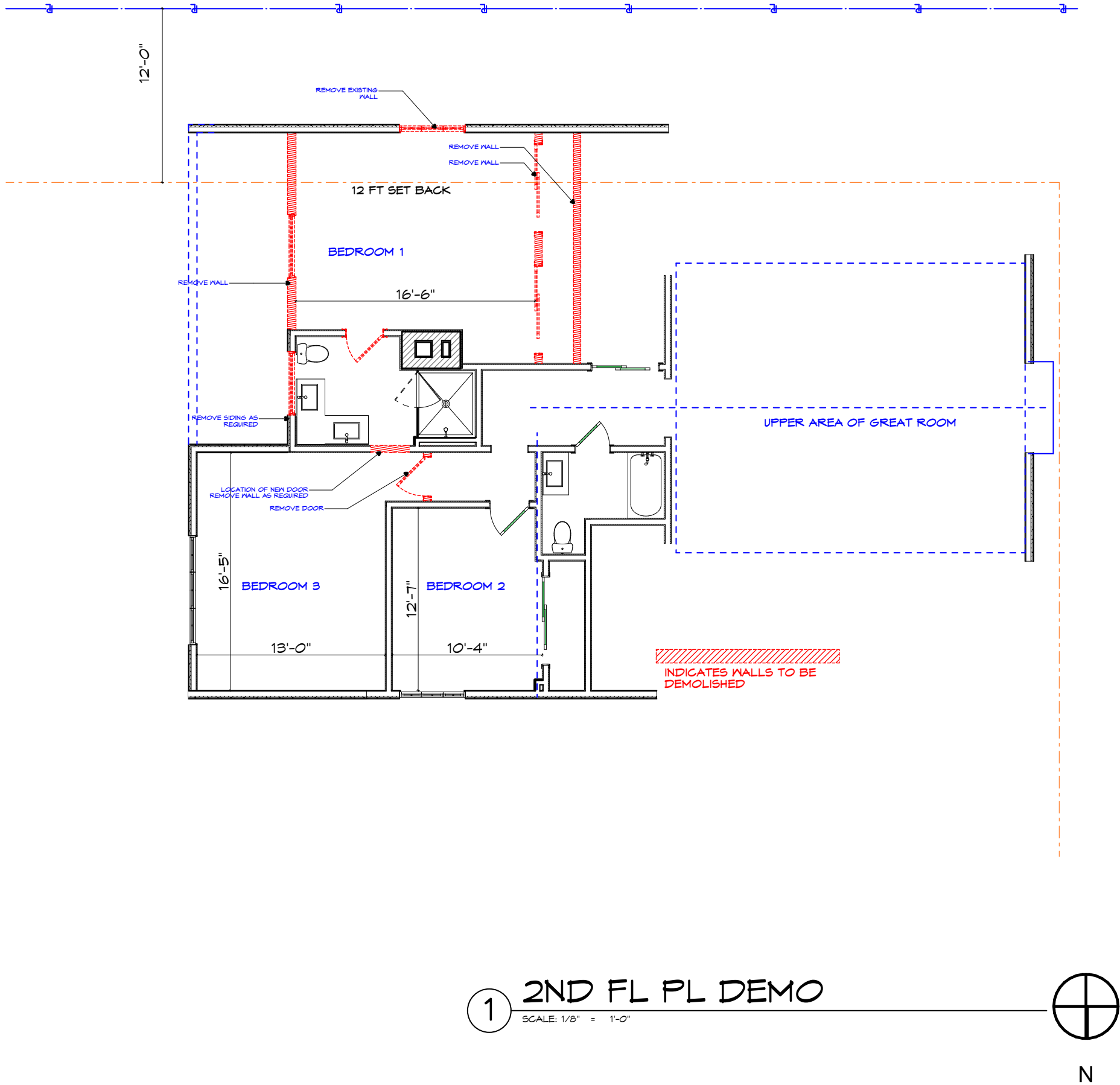
Z1.1	H. GARY FRANK ARCHITECTS AIA. LTD		1108 SPRUCE ST	
	525 Chestnut Street Winnetka, IL 60093 Office: 847.501.4212 contact@hgaryfrankarchitects.com All Copyrights 2014 H. Gary Frank Architects AIA. LTD All Rights Reserved		WINNETKA ILLINOIS 60093	
		DATE	NAME	Issued for Variation
		5/8/24		



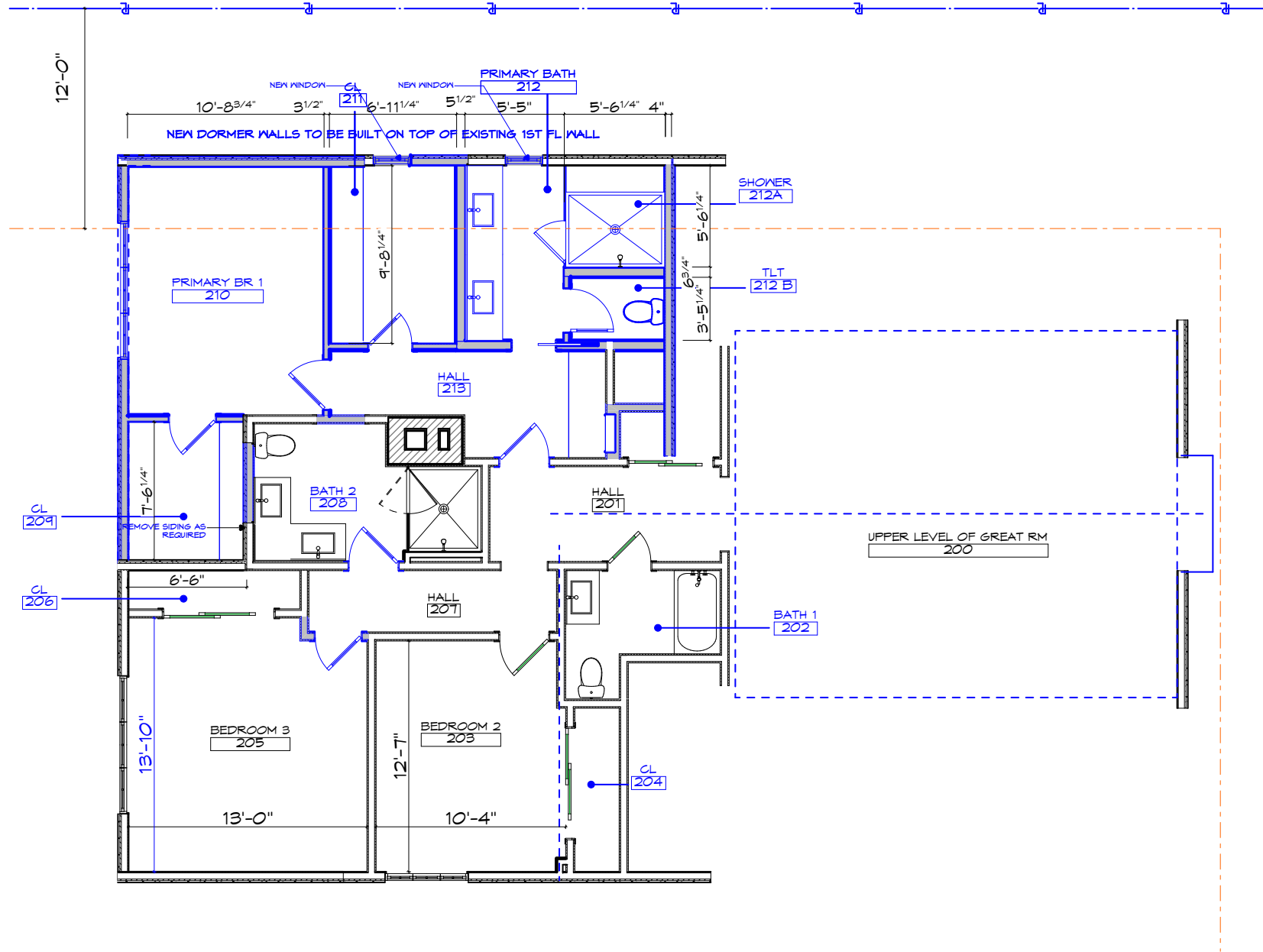
1 FIRST FLOOR PLAN
SCALE: 1/8" = 1'-0"



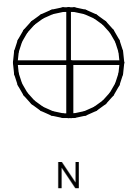
Z1.2	H. GARY FRANK ARCHITECTS AIA, LTD 525 Chestnut Street Winnetka, IL 60093 Office: 847.501.4212 contact@hgaryfrankarchitects.com All Copyrights 2014 H. Gary Frank Architects AIA, LTD All Rights Reserved	1108 SPRUCE ST WINNETKA ILLINOIS 60093		DATE 5/8/24	NAME Issued for Variation



Z1.3	H. GARY FRANK ARCHITECTS AIA. LTD 525 Chestnut Street Winnetka, IL 60093 Office: 847.501.4212 contact@hgaryfrankarchitects.com All Copyrights 2014 H. Gary Frank Architects AIA. LTD All Rights Reserved	1108 SPRUCE ST WINNETKA ILLINOIS 60093	DATE	NAME
			5/8/24	Issued for Variation



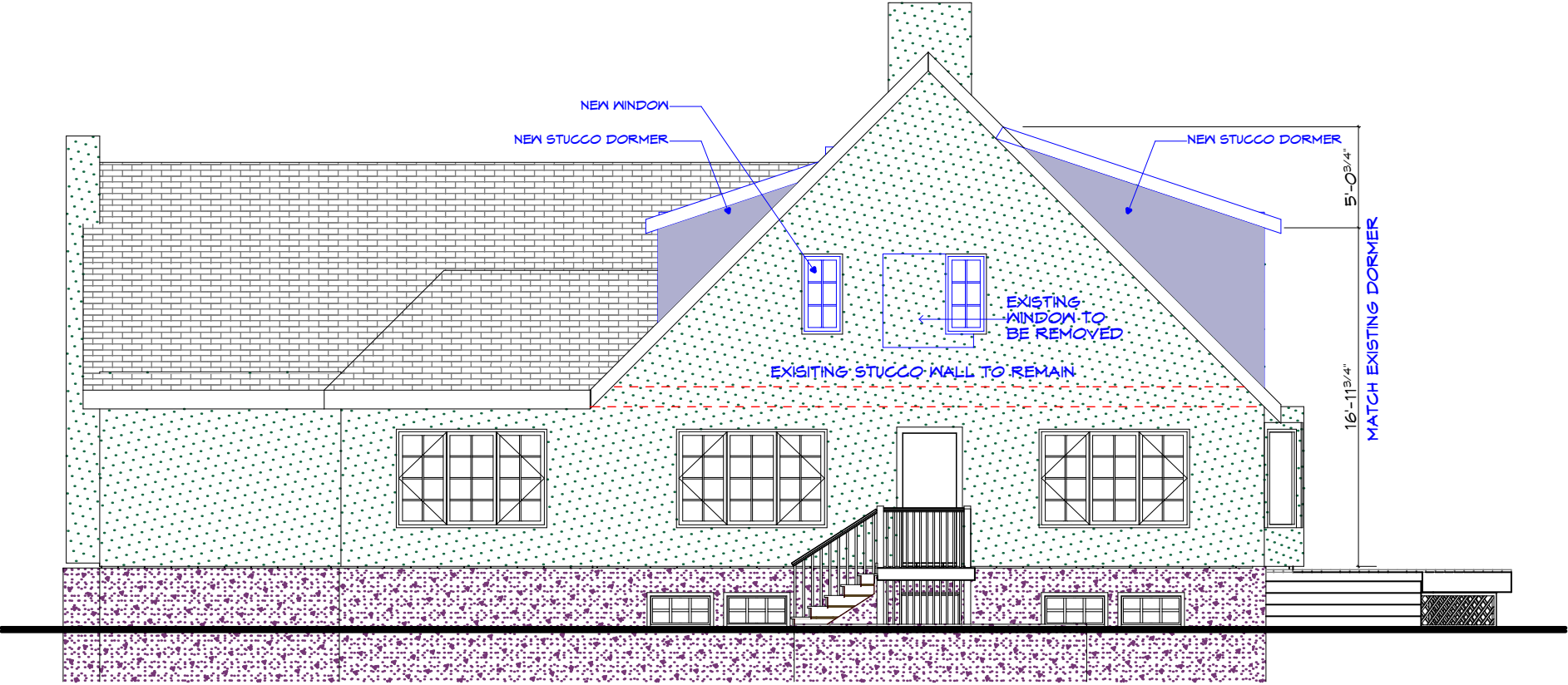
1 2nd FL PLAN - NEW
SCALE: 1/8" = 1'-0"



Z1.4	H. GARY FRANK ARCHITECTS AIA, LTD 525 Chestnut Street Winnetka, IL 60093 Office: 847.501.4212 contact@hgaryfrankarchitects.com All Copyrights 2014 H. Gary Frank Architects AIA, LTD All Rights Reserved	1108 SPRUCE ST WINNETKA ILLINOIS 60093	DATE	NAME
			5/8/24	Issued for Variation

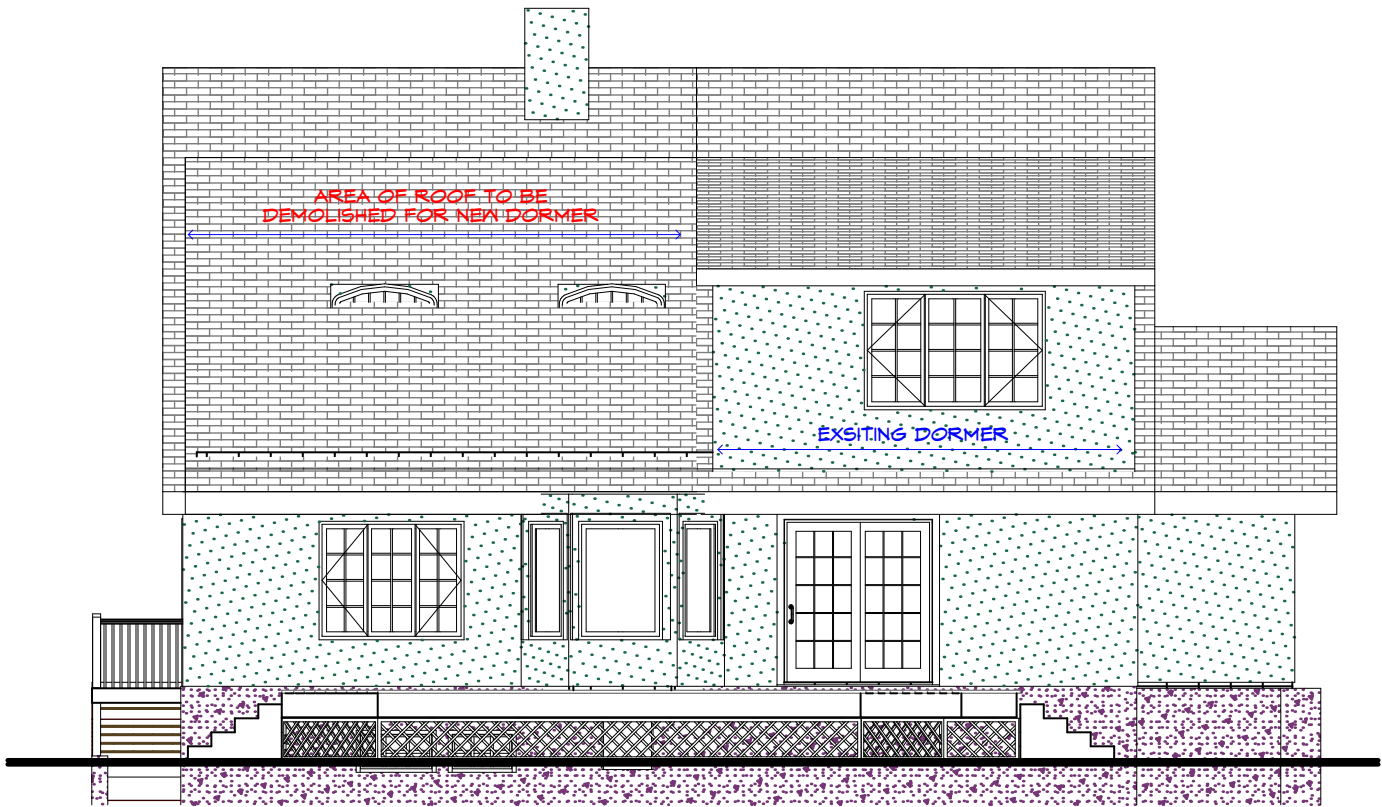


2 SOUTH ELEV - EXISTING
SCALE: 1/8" = 1'-0"

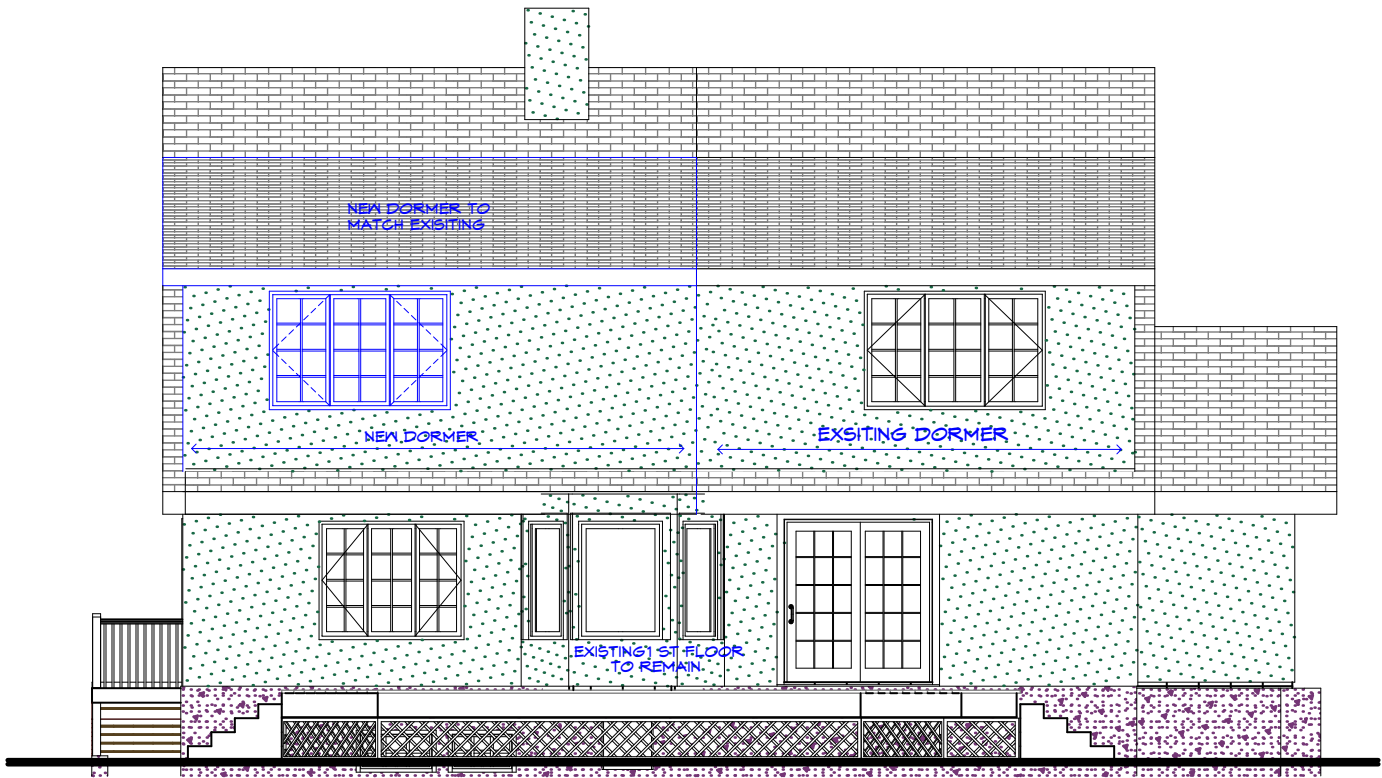


1 SOUTH ELEV NEW
SCALE: 1/8" = 1'-0"

DATE	NAME
	Issued for Variation
5/8/24	
1108 SPRUCE ST WINNETKA ILLINOIS 60093	
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Z1.5	



2 EAST ELEV EXISTING
SCALE: 1/8" = 1'-0"



1 EAST ELEV NEW
SCALE: 1/8" = 1'-0"

DATE	NAME
5/8/24	Issued for Variation

1108 SPRUCE ST
WINNETKA ILLINOIS 60093

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Z1.6



3 SOUTH ELEV - EXISTING
SCALE: 1/8" = 1'-0"



4 SOUTH ELEV-NEW
SCALE: 1/8" = 1'-0"



2 EAST ELEV-EXISTING
SCALE: 1/8" = 1'-0"



1 EAST ELEV-NEW
SCALE: 1/8" = 1'-0"

DATE	NAME
5/8/24	Issued for Variation

1108 SPRUCE ST
WINNETKA ILLINOIS 60093

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Z1.7



1 S & E ELEV - NEW

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



2 S & E ELEV - EXISTING

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

DATE	NAME
5/8/24	Issued for Variation

1108 SPRUCE ST
WINNETKA ILLINOIS 60093

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Z1.8



2 VIEW LOOKING SOUTH AT EXISTING HOME AND EAST NEIGHBOR



1 FRONT OF HOME FACING NORTH

1108 SPRUCE ST WINNETKA ILLINOIS 60093	DATE	NAME
	5/8/24	Issued for Variation
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Z1.9		



4
SIDE OF HOME LOOKING EAST W/ ADDITION



2
SIDE OF HOME LOOKING EAST



3
SIDE OF HOME LOOKING WEST & SOUTH NEIGHBOR PROPERTY W/SETBACKS



1
SIDE OF HOME LOOKING WEST & SOUTH NEIGHBOR PROPERTY

DATE	NAME
5/8/24	Issued for Variation
1108 SPRUCE ST WINNETKA ILLINOIS 60093	
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Z1.10	

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Charles and Molly Lang (collectively, the "**Owner**") are the owner of record of that certain real property located at 1108 Spruce Street, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-03-2024, adopted by the Winnetka Zoning Board of Appeals on May 13, 2024 ("**Resolution**"), grants variations to construct a second floor addition and add new windows in the existing legally nonconforming 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: _____

Charles Lang

Name: _____

By: _____

Molly Lang

RESOLUTION NO. ZBA-03-2024
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 24-12-V – 1108 SPRUCE STREET

WHEREAS, Charles and Molly Lang (collectively, the “Applicant”) are the owners of the property commonly known as 1108 Spruce Street, 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 the minimum required side yard setback from the south property line (**“Building”**); and

WHEREAS, the Applicant desires to construct a second floor addition to the Building and add new window openings in the legally nonconforming south side building wall of the Building on the Subject Property that would (i) provide less than the minimum required side yard setback; and (ii) require structural changes necessary to provide new window openings in the legally nonconforming south side building wall of the existing Building that provides less than the minimum required side yard setback; (**“Proposed Improvement”**); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (**“Zoning Ordinance”**), the Subject Property is required to provide a minimum side yard setback of 12 feet; and

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

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a minimum side yard setback that is less than the required 12 feet, a violation of Section 17.30.060 of the Zoning Ordinance; and (ii) construct new window openings in the legally nonconforming south side building wall that provides less than the minimum required side yard setback of 12 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Section 17.30.060 and 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) a south side yard setback of 7.74 feet; and (ii) new window openings in the existing south side building wall that provides a setback of 7.74 feet (**“Requested Variations”**); and

WHEREAS, a public notice for the Requested Variations was duly published on April 25, 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 May 13, 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 May 13, 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 April 9, 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 13th day of May, 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

Lots 9 and 10 (except the South 70 Feet thereof) in Block 3 in Groveland Addition to Winnetka, said Addition being a subdivision of the East 70 Acres of the Northwest $\frac{1}{4}$ of Section 20, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 1108 Spruce Street, Winnetka, Illinois.

Parcel Index Number: 05-20-106-001-0000