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

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

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

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 Goldstein referred to the rescinded prior approval of the previously proposed playground improvements and described the interior layout of the addition currently under construction, which would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

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

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

Chairman Bradley referred to impermeable lot coverage and questioned how the decision was made in terms of the amount of impermeable lot area and the existing asphalt area to remain. Mr. Goldstein and Ms. Talty explained in detail how the decision was reached in terms of determining the space's best use and layout. Ms. Hanley asked if there are areas around the play areas where lawn could be added, specifically in proximity to a shed along Hamptondale Avenue. She indicated there is room for mitigation. ADA compliance was determined to be the issue in that regard. Mr. Goldstein added that vehicles access the site for snow removal close to shed referred to. Ms. Talty stated there is also an ADA accessible ramp from the asphalt to the proposed west play area.

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

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

Chairman Bradley then asked for a motion to recommend approval as indicated on page 10. A motion to recommend approval was made by Ms. Casale MacNally. Mr. Nielsen seconded the motion. A vote was taken and the motion unanimously passed, 6 to 0:
AYES: Bradley, Casale MacNally, Hanley, Leister, Nielsen, Vender
NAYS: None

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

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

Chairman Bradley asked how often similar variations are requested. Ms. Klaassen responded that this would have been a Minor Variation, which would have been within the final jurisdiction of the Zoning Administrator, if not for the requested GFA variation. The applicant confirmed the mudroom door would be changed to a window. Ms. Hanley asked if the porch, without the entry, was only 60 square feet if a variation would not be needed. Ms. Klaassen explained that only the roofed lot coverage porch allowance applied and that the expansion of the entry as well as the porch increased the GFA. She further explained the additional square feet specific to the porch and the entry and referred to illustrations to provide clarification. No additional questions were raised at this time.

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

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

Chairman Bradley then asked for a motion to approve the request as indicated on page 96. A motion to approve the request was made by Ms. Casale MacNally. Mr. Nielsen seconded the motion. A vote was taken and the motion unanimously passed, 6 to 0:
AYES: Bradley, Casale MacNally, Hanley, Leister, Nielsen, Vender
NAYS: None

New Business:

a. April 8, 2024 Meeting - Quorum Check.

The Board Members discussed their availability.

Adjournment:
Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made and seconded. A vote was taken and the motion unanimously passed, 6 to 0:
AYES: Bradley, Casale MacNally, Hanley, Leister, Nielsen, Vender
NAYS: None
The meeting adjourned at 8:07 p.m.

Respectfully submitted,

Antionette Johnson
Recording Secretary