

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

Zoning Board Members Present: Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kathryn Leister

Zoning Board Members Absent: Kate Casale MacNally
Mike Nielsen
Todd Vender

Village Staff: Ann Klaassen, Assistant Director of Community
Development

Call to Order & Roll Call:

Chairman Bradley called the meeting to order at 7:04 p.m. Roll call was taken of the Board Members present.

Approval of Meeting Minutes:

Chairman Bradley asked for a motion to approve the June 11, 2024, special meeting minutes. A motion was made by Ms. Hanley and seconded by Mr. Haller. A vote was taken and the motion unanimously passed, 4 to 0:

AYES: Bradley, Haller, Hanley, Leister

NAYS: None

Community Development Report:

Ms. Klaassen provided the Board Members with the Community Development Report.

New Cases:

a. **Case No. 24-17-V2: 473 Sheridan Road:** An application seeking approval of a variation to allow construction of a new single-family residence at 473 Sheridan Road. The requested variation would permit the proposed residence to provide less than the minimum required front yard setback from the west property line. The Village Council has final jurisdiction on this request.

Ms. Klaassen identified the property's location, size and zoning classification noting it is a flag lot and through lot. She also noted the lot is legally nonconforming which she described in detail. Ms. Klaassen stated the property is subject to the steep slope regulations recently adopted and referred to property photos. She informed the Board the demolition permit application was considered by the Historic Preservation Commission and approved without delay.

Ms. Klaassen identified the existing residence, which the applicant is proposing to tear down with the exception of the existing attached garage. She then explained the variation being requested to construct the new residence that would be attached to the existing garage. She also identified the slope transition area and its limitations in terms of construction along with the proposed new home's location, and a proposed pool and boat house which do not require zoning relief. Ms. Klaassen then referred to the zoning matrix noting the boat house complied with zoning regulations. She stated the Village Engineering Department and Coastal Engineer assisting the Village on the review of lakefront development projects have confirmed the steep slope zone and slope transition area are correctly depicted and that during the

1 building permit review process the applicant should be able to demonstrate that the proposed
2 improvements can comply with the steep slope development standards. Ms. Klaassen then identified the
3 proposed north side and front building elevations. She then noted that staff received one written
4 correspondence from a neighbor which was provided to the Board via email and a hard copy is provided
5 for you this evening.

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7 Ms. Klaassen stated that given the fact that a portion of the property is governed by the steep slope
8 regulations, the Board may also take into consideration the impacts of those regulations when considering
9 the variation request for otherwise applicable zoning regulations. She then read Section 17.82.100 of the
10 steep slope regulations into the record, which states: *"Nothing in this Chapter is intended to limit the*
11 *ability of an applicant from seeking a variation from the otherwise applicable zoning regulations affecting*
12 *the owner's property. To the extent that the regulations of this Chapter materially restrict the ability of a*
13 *property to be developed or materially increase the cost of such development, the Zoning Board of Appeals*
14 *may, as part of its recommendation, conclude that the effects of this Chapter can, in appropriate*
15 *circumstances, constitute a practical difficulty or unreasonable hardship."* Ms. Klaassen stated following
16 the applicant's presentation, public comment and Board discussion, the Board may wish to make a motion
17 to recommend approval or denial as indicated on page nos. 13 and 14. She then asked if there were any
18 questions.

19
20 Chairman Bradley also asked if there were any questions. Ms. Hanley asked if the garage is preexisting
21 nonconforming and would remain while requiring zoning relief. Ms. Klaassen confirmed that is correct.
22 She confirmed the applicant planned to make exterior alterations to the garage with the walls and
23 foundation to remain. Chairman Bradley questioned why the 50 foot line is set in connection with the flag
24 lot. Ms. Klaassen explained how the determination is made and referred to the plat of survey to identify
25 the "flagpole" and "flag" portions of the lot. Mr. Haller asked if the front lot line siting is how it is always
26 done for flag lots. Ms. Klaassen confirmed that is correct. No additional questions were raised at this time.

27
28 Chairman Bradley swore in those speaking to this matter. Bill Murphy, the architect, introduced himself
29 to the Board and stated the existing garage would remain and if it was removed, it would not have been
30 built in the same location. He confirmed the garage's foundation and walls would remain with the roof
31 line lifted to match the taller home's construction. Mr. Murphy informed the Board they initially
32 considered keeping the original home and explained the decision to demolish the home instead. He stated
33 the square footage of the new home would be similar to the square footage of the existing home.

34
35 Chairman Bradley asked if there were any questions. Mr. Haller asked if there would be a deck on top of
36 the garage. Mr. Murphy confirmed there would be an open deck on top of the new garage which would
37 be reinforced if necessary. Chairman Bradley asked Mr. Murphy to address the first standard. Mr. Murphy
38 explained the depth of the buildable area from the 50-foot front yard setback to the slope transition area.
39 He said that's where the bluff falls off and there is nothing left for a backyard. Mr. Murphy explained that
40 the physical dimensions of this area drive the location of the home. He said the site is limited with he
41 steep slope zone and they are trying to maintain yard space for the applicant's family. Mr. Haller asked
42 how the home's design with the garage in the front would affect the neighbors' enjoyment. Mr. Murphy
43 explained how the existing screen of Arbor Vitae would provide a visual buffer with the new home
44 otherwise having no impact on neighboring properties. He also described the home's height with regard
45 to the cupola on the one-story garage. No additional questions were raised at this time.

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47 Chairman Bradley then asked for public comment. He swore in those speaking to this matter.
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1 Jeff Barton, 480 Oak Street, stated they have no problem with the setback. He also stated their privacy
2 would only be minimally impacted with the proposed roof deck. Mr. Barton asked if there are other
3 variances being required for the new construction. Ms. Klaassen explained the process to Mr. Barton and
4 clarified that the only variation being requested and considered by the Board is the front yard setback
5 from the west property line. Mr. Haller thanked Mr. Barton for commenting. No additional public
6 comments were made at this time.

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8 Chairman Bradley called the matter in for discussion and asked if approval should be conditioned with
9 regard to the front yard setback demarcation line. He noted a new front yard variance is being established.
10 Ms. Klaassen provided clarification to the Board and explained that if the Board recommends approval, it
11 would be specific to the plans presented to the Board. She explained that approval does not establish a
12 reduced setback for future development or improvements on the lot. Ms. Hanley stated she would be in
13 favor of the request noting the steep slope ordinance and front yard setback limited the buildable area
14 on the otherwise large lot. She also stated for the garage to remain represented a reasonable request.
15 Ms. Leister agreed with Ms. Hanley's comments and commended the applicants for remaining within the
16 existing footprint and for them working with the neighbors. Mr. Haller agreed with the comments made
17 and referred to his comment relating to the garage deck. He stated it would also not be higher than the
18 current condition and he would be in favor of the request. Chairman Bradley stated he is also in favor of
19 the request with the standards otherwise being met and no precedent being set.

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21 Chairman Bradley asked for a motion to recommend approval. A motion to recommend approval was
22 made by Ms. Hanley and seconded by Ms. Leister. A vote was taken and the motion unanimously passed,
23 4 to 0:

24 AYES: Bradley, Haller, Hanley, Leister

25 NAYS: None

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27 **New Business:**

28 a. September 9, 2024 Meeting, - Quorum Check.

29 The Board Members discussed their availability.

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31 **Public Comment:**

32 No comments were made at this time.

33
34 **Adjournment:**

35 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley. The
36 motion was seconded. A vote was taken and the motion unanimously passed, 4 to 0:

37 AYES: Bradley, Haller, Hanley, Leister

38 NAYS: None

39 The meeting adjourned at 7:38 p.m.

40
41 Respectfully submitted,

42
43 Antionette Johnson

44 Recording Secretary