



# Village of Winnetka

## Zoning Board of Appeals Regular Meeting

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July 14, 2025 at 7:00 PM  
Village Hall Council Chambers  
510 Green Bay Road

### AGENDA

1. **Call to Order & Roll Call**
2. **Approval of Minutes**
  - a. June 9, 2025, Regular Meeting Minutes
3. **Community Development Report**
4. **Recommendations and Determinations**
  - a. **Case No. 25-09-APL: 314 Walnut Street:** Consideration of approval of written findings and determination to affirm the Zoning Administrator's determination that 314 Walnut Street has a front yard along Wilson Street.
5. **New Cases**
  - a. **Case No. 25-10-V2: 270 Birch Street:** An application seeking approval of zoning variations to allow construction of an addition to the existing residence and a new detached garage at 270 Birch Street. The requested variations would permit the proposed improvements to (i) provide less than the minimum required front yard setback from the east property line along Birch Street; (ii) provide less than the minimum required total side yard setback; and (iii) exceed the maximum permitted width for front-facing garage doors. The Village Council has final jurisdiction on this request.
  - b. **Case No. 25-13-V2: 826 Humboldt Avenue:** An application seeking approval of zoning variations to allow construction of an addition and work beyond ordinary repair and maintenance of the existing residence at 826 Humboldt Avenue. The requested variations would permit the proposed improvements to (i) provide less than the minimum required front yard setback from the northerly property line along Humboldt Avenue; (ii) allow structural changes necessary to provide a new window opening in the legally nonconforming east side building wall; and (iii) provide an unarticulated east side building wall. The Village Council has final jurisdiction on this request.
6. **New Business**
  - a. August 11, 2025, Regular Meeting - Quorum Check
7. **Public Comments**
8. **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](mailto: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](http://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  
JUNE 9, 2025**

**Zoning Board Members Present:** Matt Bradley, Chairman  
Mark Haller  
Kathryn Leister  
Kate Casale MacNally  
Todd Vender

**Zoning Board Members Absent:** Lynn Hanley  
Mike Nielsen

**Village Attorney:** Courtney Willits

**Village Staff:** Scott Mangum, Director of Community Development  
Ann Klaassen, Assistant Director of Community Development

**Call to Order & Roll Call:**

Chairman Bradley called the meeting to order at 7:00 p.m. Roll call was taken of the Board Members present.

**Approval of Meeting Minutes.**

Chairman Bradley asked for a motion to approve the May 12, 2025, meeting minutes. A motion to approve the May 12, 2025, meeting minutes was made by Ms. Casale MacNally and seconded by Mr. Vender. A vote was taken and the motion unanimously passed, 5 to 0:

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

NAYS: None

**Community Development Report.**

Mr. Mangum stated there is no Community Development Report.

Chairman Bradley then asked for a motion to take the agenda out of order and first ask for public comment. A motion as stated by Chairman Bradley was made by Ms. Casale MacNally and seconded by Mr. Haller. A vote was taken and the motion unanimously passed, 5 to 0:

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

NAYS: None

**Public Comment:**

Bob Dearborn, resident on Arbor Vitae and Village President, expressed his and the Village Council members' appreciation to the Board for the work they do for the Village and thanked Ms. Casale MacNally for serving on the Board and wished her luck on the New Trier Township Board of Trustees.

**New Cases:**

a. **Case No. 25-07-V: 620 Ash Street:** An application seeking approval of a zoning variation to allow construction of a one-story addition to the existing detached garage at 620 Ash Street. The requested variation would permit the proposed addition to exceed the maximum permitted height for a detached garage. The Zoning Board of Appeals has final jurisdiction on this request.

1 Ms. Klaassen identified the property's location, size and zoning classification and noted the applicant  
2 owned the vacant lot to the south. She referred to the current photos of the site and the existing detached  
3 garage. Ms. Klaassen described the proposed addition to the two-car garage and the variation being  
4 requested. She explained how the garage height was calculated and that the ordinance allowed detached  
5 garages to be 18 feet in height if the additional height above 15 feet is necessary to match the roof pitch  
6 of the existing residence.

7  
8 Ms. Klaassen stated following the applicant's presentation, public comment, and Board discussion, a  
9 Board Member may wish to make a motion to continue the matter to a date certain or consider a motion  
10 to adopt the resolution to approve or deny the variation. She then asked if there were any questions. Ms.  
11 Leister asked why the grade changed. Ms. Klaassen responded she did not have a plat of topography  
12 representing the grade elevations prior to construction of the existing garage to see where the difference  
13 was, and noted that the garage complied when it was permitted and the change in grade occurred after  
14 construction. No additional questions were raised at this time.

15  
16 Chairman Bradley swore in those speaking to this matter. Nick Standiford, 70 W. Madison, Chicago,  
17 attorney with Shain Banks, Steven Schultz, the property owner, and Ron Cowgill of DSR Services  
18 introduced themselves to the Board.

19  
20 Nick Standiford stated the request is to expand the garage 7 feet to allow for a third garage space to  
21 accommodate the applicants' vehicles. He stated property values would be improved by having the  
22 vehicle in the garage as opposed to on the driveway or on the street. Mr. Standiford stated if the garage  
23 was built new, it would have been allowed to be built at 18 feet to match the home's roof height and  
24 noted the garage roof pitch would not change. He stated the second lot is used by the applicants as  
25 backyard space. Mr. Standiford also stated the current garage height is legally nonconforming and they  
26 would be legalizing the nonconformity. He referred to site plan illustrations and the addition which would  
27 not infringe on the neighbors or be visible from the street.

28  
29 Steven Schultz informed the Board they purchased the property in 2014 and provided additional  
30 information to the Board with regard to grading and drainage systems on the property. He asked if there  
31 were any questions.

32  
33 Chairman Bradley asked when they planned to begin the project. Mr. Standiford responded they would  
34 be ready to begin once they receive Village permit approval which would be completed in 4-6 weeks. Mr.  
35 Schultz confirmed they spoke to the east neighbors who were fine with the request. No additional  
36 questions were raised at this time.

37  
38 Chairman Bradley asked if there was public comment. No comments were made at this time.

39  
40 Chairman Bradley called the matter in for discussion. Ms. Casale MacNally described the request as easy  
41 and that it would be a simple addition to an existing structure. She also described the height differential  
42 as minimal and found that while the request did not meet the first two standards, the remaining standards  
43 were met. Ms. Casale MacNally stated that while they cannot determine where the 6.5 inch height  
44 difference arose, it would be more disruptive to the neighborhood to remove the rest of what is there  
45 with the Board being asked only to address the height. She concluded she would be in favor of the request.

46  
47 Mr. Haller agreed with Ms. Casale MacNally's comments and stated the request would maintain  
48 consistency with the building. He also stated it would not be visible from the street and commented it

1 would look nice and it would not make sense to alter it by removing a portion from the side. Ms. Leister  
2 agreed the variance is small and would be consistent with what was fine when it was built in 2003. She  
3 concluded she would be in favor of the request.  
4

5 Chairman Bradley agreed with the comments made and commented the Board should approve a project  
6 of this nature. He noted approvals are not based on the home's occupants although it would be difficult  
7 for the request to meet the first standard with regard to height and reasonable return. He stated although  
8 the property was conforming at the time it was built, he referred to the property settling. Chairman  
9 Bradley noted for the record there is not a minimum requirement for a three-car garage in the Village and  
10 asked for a motion to approve the request as indicated on page no. 27.  
11

12 A motion to approve the request as presented was made by Ms. Casale MacNally and seconded by Mr.  
13 Haller. A vote was taken and the motion unanimously passed, 5 to 0:

14 AYES: Bradley, Haller, Leister, Casale MacNally, Vender

15 NAYS: None  
16

17 **b. Case No. 25-09-APL: 314 Walnut Street: An appeal of the Zoning Administrator's interpretation**  
18 **that 314 Walnut Street has a front yard along Wilson Street. The Appellant requests that the Zoning**  
19 **Board of Appeals reverse this determination and designate the yard along Wilson Street as a rear yard.**

20 Chairman Bradley outlined how the matter would proceed. Ms. Klaassen summarized the procedure and  
21 the ZBA's role in the consideration of certain requests and appeals from decisions made by the Zoning  
22 Administrator. She noted the implications of a decision regarding an appeal are different than those of a  
23 variation and summarized the differences. Ms. Klaassen identified the property's location, frontages, size,  
24 shape and zoning classification as well as photos of the site and a summary of prior zoning cases.  
25

26 Ms. Klaassen informed the Board the Zoning Administrator determined that the property is a corner lot  
27 due to the intersection of Walnut and Orchard as well as the intersection of Orchard and Wilson. She  
28 summarized how the lot line lengths are calculated and how they were determined in this instance with  
29 the following determination: a front yard on Walnut, a front yard on Wilson, a corner yard on Orchard  
30 and a side yard along the south property line. Ms. Klaassen then referred to property illustrations.  
31

32 Ms. Klaassen also summarized the previous zoning cases for the site. First, in November 2005, the Village  
33 Council granted variations to allow construction of the detached garage. The approved variations were  
34 for the front yard setback along Wilson and the corner yard setback along Orchard. Then, in February of  
35 this year, the Board considered an application submitted by the appellant to allow construction of a new  
36 detached garage and an addition to the existing residence. She then noted that at the February meeting,  
37 the ZBA expressed support of the relief necessary for the proposed addition to the home, and most of the  
38 members expressed support of some sort of front yard setback and front yard lot coverage variations  
39 necessary for the proposed garage. However, most members expressed concern regarding the size of the  
40 proposed three-car garage in the R-5 district. Ms. Klaassen then noted the application was continued  
41 three times to allow the appellant time to consider amendments. She then stated the variation application  
42 was withdrawn on May 2, 2025, and subsequently the appeal that is currently before the Board was  
43 submitted.  
44

45 Ms. Klaassen summarized the Zoning Administrator's interpretation that the subject property is a corner  
46 lot with the interpretation being based on certain definitions in the Zoning Ordinance and front yard  
47 setback regulations for lots with three street frontages. She informed the Board that based on historical  
48 zoning analyses in Village files, the Zoning Administrator had interpreted the subject property to have

1 these yard designations since at least 1998 noting zoning relief was granted in 2005 to allow the detached  
2 garage. Ms. Klaassen referred to other properties with similar lot designations.

3  
4 Ms. Klaassen stated following the appellant's presentation and Board discussion, a Board Member may  
5 wish to make a motion to continue the matter to a date certain or consider a motion reversing, affirming  
6 or modifying the Zoning Administrator's interpretation pursuant to draft language and findings in the  
7 packet. She then asked if there were any questions.

8  
9 Mr. Vender asked for additional clarification on the application. Chairman Bradley explained that the  
10 Board's consideration of the appeal would not result in precedent setting to have bearing on any similarly  
11 sited homes. Ms. Casale MacNally referred to page 44 and asked if the four zoning definition bullet points  
12 are verbatim. Ms. Klaassen confirmed they are correct except for a typo in the definition of "corner lot  
13 line" where "or" should be "of" on page 44. No additional questions were raised at this time.

14  
15 Chairman Bradley swore in those speaking to this matter.

16  
17 Danielle Cassel, Vedder Price, introduced herself as the appellants' attorney along with Nicole Steel, the  
18 property owner. She stated she was contacted by the appellant to assist with their concern relating to  
19 their disagreements with the Village staff in connection with the code's interpretation. Ms. Cassel  
20 instructed the appellant to withdraw their application until the disagreements relating to the front yard  
21 issues were resolved. She confirmed the longest property line as Orchard Lane which is the corner lot line  
22 and stated the disagreement related to the front lot line definition which she stated has five component  
23 sentences. Ms. Cassel summarized their interpretation in detail for the Board and referred to several code  
24 provisions. She also referred to the amount of time the appellants spent trying to clear up the code issue  
25 with the Village staff and described the timeline relating to their discussions. Ms. Cassel then asked the  
26 Board to review Exhibit 6, which concluded in their request that Wilson be determined as the property's  
27 rear lot line.

28  
29 Chairman Bradley asked for confirmation that the appeal did not relate to the planned project for the  
30 property. Ms. Cassel confirmed that is correct. Ms. Steel provided additional information to the Board.  
31 Ms. Cassel asked for clarification with regard to the length of the front lot line. Ms. Klaassen provided  
32 additional information to the appellant and explained how the figure was reached.

33  
34 The Board Members and the appellant discussed the definitions and lot line determinations at length.

35  
36 Chairman Bradley stated there is no one in the audience to comment and called the matter in for  
37 discussion. He explained in detail the Board's role in considering whether the appellant has shown that  
38 the Zoning Administrator erred in their determination that the lot had two front yards as established by  
39 the code on Walnut and Wilson, a corner yard on Orchard and a side yard on the south property line.

40  
41 Mr. Haller stated the issue rested on the definition of the error in terms of ambiguities and agreed it would  
42 be a good idea for the Board to recommend to the Village Council that they review similar instances. He  
43 commented on the difficulty of a resident to raise these sorts of issues and indicated he is struggling with  
44 having never faced this issue before and the definition of what qualified as an error although the burden  
45 of proof is on the appellant. Mr. Haller stated he understood the manner in which the Village interpreted  
46 the issue although there is some ambiguity but that it did not rise to the level of saying one definition is  
47 correct versus the other. He then stated in the strict interpretation of whether the Zoning Administrator  
48 made a mistake with regard to the definition, he would agree that the definition as was interpreted was

1 reasonable. He then referred to instances where the Board considered variation requests and made  
2 decisions on a case by case basis. Chairman Bradley added the notion that the zoning code is not always  
3 logical.

4  
5 Ms. Casale MacNally asked the Village Attorney for an additional interpretation of what the Board's charge  
6 is. Courtney Willits, Village Attorney, provided further explanation of the Board's charge. Ms. Casale  
7 MacNally then stated she agreed with the comments made and she did not feel the appellant met the  
8 burden of demonstrating that the Zoning Administrator was in error or that the interpretation was not  
9 based on his authority.

10  
11 Mr. Vender stated in the absence of a traditional court style proceeding, there is no one here to defend  
12 what was presented as an incomplete ruling. He agreed that the appellant needed to get clarity in terms  
13 of the lot and added that it is not a precedent setting issue. Mr. Vender stated a thorough investigation  
14 was done based on the language's syntax and conjugation. He stated based on what an appellant needed  
15 to go through to get clarity as well as approval, he would not overlook bad wording which he described  
16 as unacceptable. Mr. Vender concluded it would be difficult to determine whether the Zoning  
17 Administrator's findings were erroneous in the absence of a compelling counterargument being made.

18  
19 Mr. Mangum informed the Board he concurred with the decision the Zoning Administrator made and  
20 although the code is not perfect, it was not written with every lot or circumstance in mind.

21  
22 Mr. Haller asked if similar instances occur where residents have difficulty understanding the Zoning  
23 Administrator's interpretation and if there is a means of elevating those issues to the Village Council in  
24 the absence of rewriting the zoning code. Mr. Mangum explained how the zoning code allowed for zoning  
25 or text amendments and agreed there are areas of the code which could be improved. He referred to the  
26 process to amend the code which included it being requested by the appellant.

27  
28 Ms. Leister commented it is helpful for these issues to have been raised in an effort to make the code  
29 clear. She then stated in looking at the language, she understood the Zoning Administrator's  
30 interpretation which did not rise to the level of being erroneous. Ms. Leister agreed with the other Board  
31 Members' conclusion that a finding was not made in error.

32  
33 Chairman Bradley stated three street frontages meant there is a potential for one to be a corner yard in  
34 terms of its calculation. He stated these definitions have served the Board well for a number of years for  
35 the small number of homes it would apply to. Chairman Bradley stated it appeared the Board felt the  
36 Zoning Administrator's interpretation was deemed to be reasonable.

37  
38 Ms. Steel asked for further clarification with regard to the rear yard and side yard definitions, which she  
39 described as mutually exclusive. Chairman Bradley provided further clarification in terms of the code  
40 language. He referred to the Board's agreement in that the code's language needed to be amended and  
41 that it appeared that the Board intended to vote to affirm the Zoning Administrator's decision.

42  
43 Chairman Bradley then asked for a motion to affirm the Zoning Administrator's determination and direct  
44 the Village staff and Village Attorney to prepare written findings for the Board's consideration with a final  
45 vote at the Board's July meeting. A motion as stated by Chairman Bradley was made by Ms. Casale  
46 MacNally and seconded by Ms. Leister. A vote was taken and the motion unanimously passed, 5 to 0:

47 AYES: Bradley, Haller, Leister, Casale MacNally, Vender

48 NAYS: None

1 Chairman Bradley asked for a motion to recommend Village staff and Village Attorney prepare a text  
2 amendment modification study session to be presented to the Village Council at their earliest possible  
3 meeting specifically as it related to Sections 17.30.050.C3 and 17.04.030 Definitions, including the  
4 definitions of front lot line, rear lot line, and rear yard. A motion as stated by Chairman Bradley was made  
5 by Ms. Casale MacNally. Mr. Haller seconded the motion. A vote was taken and the motion unanimously  
6 passed, 5 to 0:

7 AYES: Bradley, Haller, Leister, Casale MacNally, Vender

8 NAYS: None

9

10 **New Business:**

11 a. July 14, 2025, Meeting - Quorum Check.

12 The Board Members discussed their availability.

13

14 **Adjournment:**

15 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Casale MacNally  
16 and seconded by Mr. Haller. A vote was taken and the motion unanimously passed, 5 to 0:

17 AYES: Bradley, Haller, Leister, Casale MacNally, Vender

18 NAYS: None

19 The meeting adjourned at 9:03 p.m.

20

21 Respectfully submitted,

22

23 Antionette Johnson

24 Recording Secretary

25

DRAFT



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# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** SCOTT MANGUM, DIRECTOR  
ANN KLAASSEN, ASSISTANT DIRECTOR  
**DATE:** JULY 10, 2025  
**SUBJECT:** 314 WALNUT STREET - APPEAL OF ZONING DETERMINATION  
(CASE NO. 25-09-APL)

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### INTRODUCTION

On July 14, 2025, the Zoning Board of Appeals (ZBA) is scheduled to consider the attached findings and determination of the ZBA in response to the administrative appeal submitted by Nicole and Tyler Steel (collectively, the “Appellant”) as the owners of the property located at 314 Walnut Street (the “Subject Property”) and considered by the ZBA on June 9, 2025 (**Attachment A2**). The Appellant is appealing the Zoning Administrator’s interpretation that the Subject Property has a front yard along Wilson Street and requests that the ZBA reverse this determination and designate the yard along Wilson Street as a rear yard.

Details of the requested appeal can be found in the staff report presented to the ZBA at its June 9, 2025, meeting at which it considered the appeal (**Attachment B2**). A copy of the June 9 draft meeting minutes is included in the July 14 agenda packet for the ZBA’s approval.

### JUNE 9, 2025, ZBA HEARING ON APPEAL

On June 9, 2025, the ZBA considered the Appellant’s administrative appeal of the Zoning Administrator’s determination that the Subject Property has a front yard along Wilson Street. After hearing from staff and the Appellant, the ZBA discussed the request to reverse the determination of the Zoning Administrator and designate the yard along Wilson Street as a rear yard. The ZBA unanimously affirmed the Zoning Administrator’s determination by a vote of 5-0 and directed staff and the Village Attorney to prepare written findings for the ZBA’s consideration at the July meeting.

### ZBA FINDINGS/DETERMINATION

As noted in the June staff report, Section 17.72.010 of the Zoning Ordinance provides that the ZBA, in its discretion and based on the record made before it, may reverse or affirm in whole or in part, or may modify the Zoning Administrator’s determination. The ZBA’s final decision must be in writing and set forth the reasoning and factual basis for its decision. The concurring vote of four (4) members of the ZBA is necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator.

**Attachment A2** contains the findings and determination with regard to the Appellant’s administrative appeal that were prepared at the ZBA’s direction during the June 9 meeting. At the July 14, 2025, meeting, the ZBA is scheduled to consider the findings and determination and take a final vote on the appeal.

If the ZBA is prepared to make a final decision regarding the appeal, a board member must make a motion approving the written findings and determination to affirm the Zoning Administrator's determination that the Subject Property has a front yard along Wilson Street.

**ATTACHMENTS**

Attachment A2: Findings and Determination of ZBA on Administrative Appeal for Case No. 25-09-APL  
314 Walnut Street

Attachment B2: June 9, 2025, ZBA Meeting Staff Report

**ATTACHMENT A2**

Winnetka Zoning Board of Appeals  
Findings and Determination – Case No. 25-09-APL  
Appeal of Zoning Determination  
314 Walnut Street  
1 of 4

**FINDINGS AND DETERMINATION FOR THE VILLAGE OF WINNETKA  
ZONING BOARD OF APPEALS  
CASE NO. 25-09-APL  
APPEAL OF ZONING DETERMINATION**

- Appellants:** Nicole and Tyler Steel, 314 Walnut Street
- Property Owners:** Nicole and Tyler Steel, 314 Walnut Street
- Hearing Held:** The Village of Winnetka Zoning Board of Appeals ("**ZBA**") held a hearing on the appeal filed by the Appellant ("**Appeal**") on June 9, 2025, at Winnetka Village Hall, 510 Green Bay Road, Winnetka, Illinois.
- Subject Property:** The Property is commonly known as 314 Walnut Street, Winnetka, Illinois ("**Property**").
- Subject:** This Appeal concerns whether the Winnetka Zoning Administrator ("**Zoning Administrator**") correctly determined that the property line along Wilson Street is a Front lot line (as Front lot line, Corner lot line, Corner lot, Front yard, and other related definitions are defined in Chapter 17.04 of the "Winnetka Zoning Ordinance," as amended ("**Zoning Ordinance**").

**FACTS AND FINDINGS:**

1. The Property is located in the Village’s R-5 Single-Family Residential District ("**R-5 District**") and is currently used by the Property Owners as a single-family residence with related improvements.
2. The Property is located on the south side of Orchard Lane, between Walnut Street and Wilson Street.
3. The Property has three street frontages, along Walnut Street to the east, along Orchard Lane to the north, and along Wilson Street to the west.
4. The Property is not a rectangular lot, but is instead a trapezoid shape with Front lot lines along Walnut and Wilson Streets that are not parallel. Additionally, the Corner lot line, along Orchard Lane, is not perpendicular to the Front lone line along Wilson Street.
5. The Property is a Corner lot due to the intersection of Walnut Street and Orchard Lane as well as the intersection of Wilson Street and Orchard Lane.

6. Based on historical zoning analyses in Village files, staff has consistently interpreted the Subject Property to have a Front yard along both Walnut Street and Wilson Street, a Corner yard along Orchard Lane, and a Side yard along the south property line since at least 1998.
7. On November 15, 2005, the Village adopted Ordinance M-20-2005 granting a variation for the Property to allow a detached garage within the required Front yard setback from Wilson Street, as well as the required Corner yard setback from Orchard Lane.
8. On March 5, 2025, the Property Owners sent an email to the Village requesting an official zoning interpretation confirming the yard designations for the Property.
9. On March 24, 2025 the Zoning Administrator issued a determination that the Property contains (1) a Front yard on Wilson Street; (2) a Front yard on Walnut Street; (3) a Corner yard on Orchard Lane; and (4) a Side yard along the south line of the Property based on the definitions of “Corner lot,” “Corner lot line,” “Front lot line,” as set forth in Chapter 17.04 and Section 17.30.050.C3 of the Zoning Ordinance regarding Front and Corner yard setbacks for properties in the R-5 District (“**Zoning Administrator Determination**”).
10. On May 8, 2025, the Appellants filed this Appeal challenging the Zoning Administrator Determination with regard to the determination that Wilson Street is a Front lot line.
11. Section 17.72.010 of the Zoning Ordinance allows any person aggrieved by a determination made by the Zoning Administrator to appeal that determination.
12. Appellants reside at the Property and are the Property Owners.
13. The ZBA finds that the Appeal is properly brought by the Appellants, who are considered “aggrieved” for the purposes of this Appeal.
14. Section 17.72.010(A) allows appeals to be taken within 45 days of the determination made by the Zoning Administrator.
15. The ZBA finds that the Appeal was timely filed on May 8, 2025.
16. Section 17.72.010(A)(3) authorizes the ZBA, in hearing the Appeal, to reverse or affirm in whole or in part, or modify the Zoning Administrator Determination.
17. During the hearing on the Appeal on June 9, 2025, the ZBA received evidence including two zoning analyses, a plat of survey, photographs of the Property, and correspondence with Village staff, and heard extensive arguments from the Appellants. The ZBA also received evidence from Assistant Director of Community Development Ann Klaassen and the Director of Community Development Scott Mangum.
18. The evidence received at the hearing before the ZBA also includes the following information concerning the relevant provisions of the Zoning Ordinance:

- a. Section 17.04.030.C(10) defines “Corner lot” as “a lot situated at the junction of two or more streets.”
- b. Section 17.04.030.C(11) defines “Corner lot line” as “the longest street line of a corner lot.”
- c. Section 17.04.030.C(12) defines “Corner yard” as “a yard extending along the full length of a corner lot line and back to a line drawn parallel to the corner lot line, at a distance equal to the distance between the corner lot line and the nearest point of the building including, where applicable, the average front setback, but excluding any area included within a front yard.”
- d. Section 17.04.030.F(8) defines “Front lot line” as “the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the ‘front lot line.’ On through lots, both street lines shall be deemed ‘front lot lines,’ except where no setback requirement is applicable. For lots abutting Lake Michigan, the ordinary high water mark of the lake shall be deemed a ‘front lot line.’”
- e. Section 17.04.030.F(9) defines “Front yard” as “a yard, other than a corner yard, extending along the full length of a front lot line, or other street line, and back to a line drawn parallel to that front lot line, or other street line, at a distance equal to the distance between the front lot line, or other street line, and the nearest point of the building.”
- f. Section 17.04.030.R(1) defines “Rear lot line” as “the lot line that is most distant from and that is, or is most nearly, parallel to the front lot line; provided that, there shall be no rear lot line on a through lot.”
- g. Section 17.04.030.R(2) defines “Rear yard” as “a yard extending along the full length of the rear lot line between that line and a line drawn parallel to the rear lot line at a distance equal to the distance between the rear lot line and the nearest point of the building. For purposes of this title, there shall be no rear yard on any through lot.”
- h. Section 17.04.030.S(3) defines “Side lot lines” as “the two lot lines that extend from the front line to the opposite end of the lot.”
- i. Section 17.04.030.S(4) defines “Side yard” as “a yard extending along a side lot line between that line and a line drawn parallel to the side lot line at a distance equal

to the distance between the side lot line and the nearest point of the building, but excluding any area lying within a front setback or rear yard.”

- j. Section 17.04.030.S(8) defines “Street line” as “the outermost limits of a public or private street. The ordinary high water mark of Lake Michigan shall be deemed the outermost limits of that public street.”
  - k. Section 17.04.030.T(4) defines “Through lot” as “a lot having two opposite lot lines along two more or less parallel streets, or along one street and the ordinary high water mark of Lake Michigan or some other both of water, and which is not a corner lot.”
  - l. Section 17.30.050.C(3) sets forth regulations for front and corner yard setbacks for properties in the R-5 District and provides, “Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.”
19. At the hearing before the ZBA, the evidence demonstrated that the Property contains a Front lot line on Wilson Street and it was therefore reasonable for the Zoning Administrator to reach that conclusion based on the evidence, including, without limitation, the history of how the Village has historically interpreted the setbacks and particularly for lots with three street frontages.
20. Based on the evidence at the hearing and the entire record, the ZBA finds that the Zoning Administrator correctly determined in the Zoning Administrator Determination that the Property contains a Front lot line on Wilson Street.

## **DETERMINATION**

The ZBA, having reviewed and discussed the Appeal as requested, confirms the Zoning Administrator Determination in its entirety. Accordingly, the Appeal is denied.

This report is adopted by a \_\_\_ to \_\_\_ vote of the Zoning Board of Appeals, this 14th day of July, 2025.

AYES:  
NAYS:  
ABSENT:

VILLAGE OF WINNETKA ZONING BOARD OF APPEALS

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Matthew Bradley, Chairman

Any appeal of this final administrative Determination of the Village of Winnetka Zoning Board of Appeals must comply with the Administrative Review Law, 735 ILCS 5/3-101 *et seq.*



**MEMORANDUM  
VILLAGE OF WINNETKA**

**COMMUNITY DEVELOPMENT DEPARTMENT**

**TO: ZONING BOARD OF APPEALS**  
**FROM: SCOTT MANGUM, DIRECTOR**  
**ANN KLAASSEN, ASSISTANT DIRECTOR**  
**DATE: JUNE 5, 2025**  
**SUBJECT: 314 WALNUT STREET - APPEAL OF ZONING DETERMINATION**  
**(CASE NO. 25-09-APL)**

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**INTRODUCTION**

On June 9, 2025, the Zoning Board of Appeals (ZBA) is scheduled to hear an administrative appeal submitted by Nicole and Tyler Steel (collectively, the “Appellant”) as the owners of the property located at 314 Walnut Street (the “Subject Property”). The Appellant is appealing the Zoning Administrator’s interpretation that the Subject Property has a front yard along Wilson Street and requests that the ZBA reverse this determination and designate the yard along Wilson Street as a rear yard.

Section 17.72.010 of the Zoning Ordinance establishes the ability to appeal the determination of the Zoning Administrator, and the process by which an appeal is to be heard by the Zoning Board of Appeals. This report, drafted and submitted by Village staff, provides general information about the Subject Property, information regarding the appeals process and the nature of the determination the ZBA is being asked to make, as well as information regarding the proposed improvement and Zoning Administrator’s determination that led to the Appellant’s filing of an appeal.

**ZONING APPEALS PROCESS**

The ZBA regularly hears requests related to zoning relief such as variation and special uses, but less frequently hears requests related to zoning appeals. This section is intended to provide context regarding the ZBA’s consideration of this appeal and how it differs from other requests the ZBA more regularly hears.

A summary of relevant provisions of Section 17.72.010 (Appeal and Review) of the Zoning Ordinance is as follows:

- An appeal can be initiated by any party aggrieved by any decision or action made by the Zoning Administrator with respect to the provisions of the Zoning Ordinance.
- An Appellant is required to file an appeal within 45 days of the Zoning Administrator’s decision or action. The Appellant met all requirements for the filing of an appeal in this case.
- The ZBA holds a hearing regarding the facts of the appeal and testimony from the Appellant and Zoning Administrator.
- The ZBA, in its discretion and based on the record made before it, may reverse or affirm in whole or in part, or may modify the Zoning Administrator's order, requirement, decision or

determination, and the ZBA shall have and may exercise all of the powers of the Zoning Administrator as to the subject matter of the appeal.

- The ZBA's final decision shall be in writing and shall set forth the reasoning and factual basis for its decision. The concurring vote of four members of the Board is required to reverse any order, requirement, decision or determination of the Zoning Administrator.

### **ZONING VARIATIONS VERSUS APPEALS OF A DETERMINATION BY THE ZONING ADMINISTRATOR**

It is important for all parties involved in this matter to understand the difference between a request for a Zoning Variation and an appeal of determination by the Zoning Administrator. At its most fundamental level, a request for a Zoning Variation is an effort to seek relief from a certain provision or provisions of the Zoning Ordinance. Such a request is typically based upon the unique circumstances of a property or its surroundings. An appeal of determination by the Zoning Administrator is an effort to demonstrate that certain provisions of the Zoning Ordinance were wrongly interpreted or applied to a use, building, or other improvement on a property that is regulated by the Zoning Ordinance.

### **RELEVANCE OF HARDSHIP AND ZONING VARIATION STANDARDS**

Because a zoning appeal is not a request for relief from a zoning provision, the determination of a hardship based on the characteristics of the property is not relevant. Nor are the Zoning Variation standards that are found in Section 17.60.050 of the Zoning Ordinance and referenced when making findings of fact related to a Zoning Variation request. Instead, the ZBA is asked to consider arguments presented by the Appellant and Zoning Administrator to determine whether certain provisions of the Zoning Ordinance were wrongly interpreted or applied. Those arguments from the Appellant and Zoning Administrator are provided as separate attachments to this report. Both the Appellant and Zoning Administrator will be provided an opportunity to address the ZBA as part of the hearing and will be available for additional questions or clarifications during ZBA deliberations.

### **IMPLICATIONS OF A DECISION RELATED TO AN APPEAL REQUEST**

The implications of a decision regarding a zoning appeal are different than those of a Zoning Variation. A Zoning Variation is granted to a specific petitioner based on the facts of their proposed improvement, property characteristics, and practical ability to meet relevant zoning regulations. While such approval is applicable to a single property, there may be some consideration for other properties with similar claims of hardship. When a zoning appeal is upheld, Village officials are essentially directing staff to interpret certain zoning provisions in a manner that is different than their initial determination. As such, it could be presumed that the interpretation will be applied to all applications for similar property improvements going forward, however the facts may vary and each application will be decided on a case by case basis.

### **PROPERTY DESCRIPTION**

The Subject Property, which is approximately 0.24 acres in size, is located on the south side of Orchard Lane, between Walnut and Wilson Streets, and contains an existing two-story residence and a detached garage (see Figure 1). The Subject Property has three street frontages, with frontage along Walnut Street to the east, Orchard Lane to the north, and Wilson Street to the west. Additionally, the Subject Property is not a rectangular lot. It is a trapezoid shape with front lot lines along Walnut and Wilson Streets that are not parallel. Also, the corner lot line, along Orchard Lane, is not perpendicular to the front lot line along Wilson Street (see Figure 2).

The existing lot is a legally nonconforming lot with an average lot width of 46.53 feet, while the minimum required average lot width for a corner lot in the R-5 District is 70 feet.



Figure 1 – Aerial Map

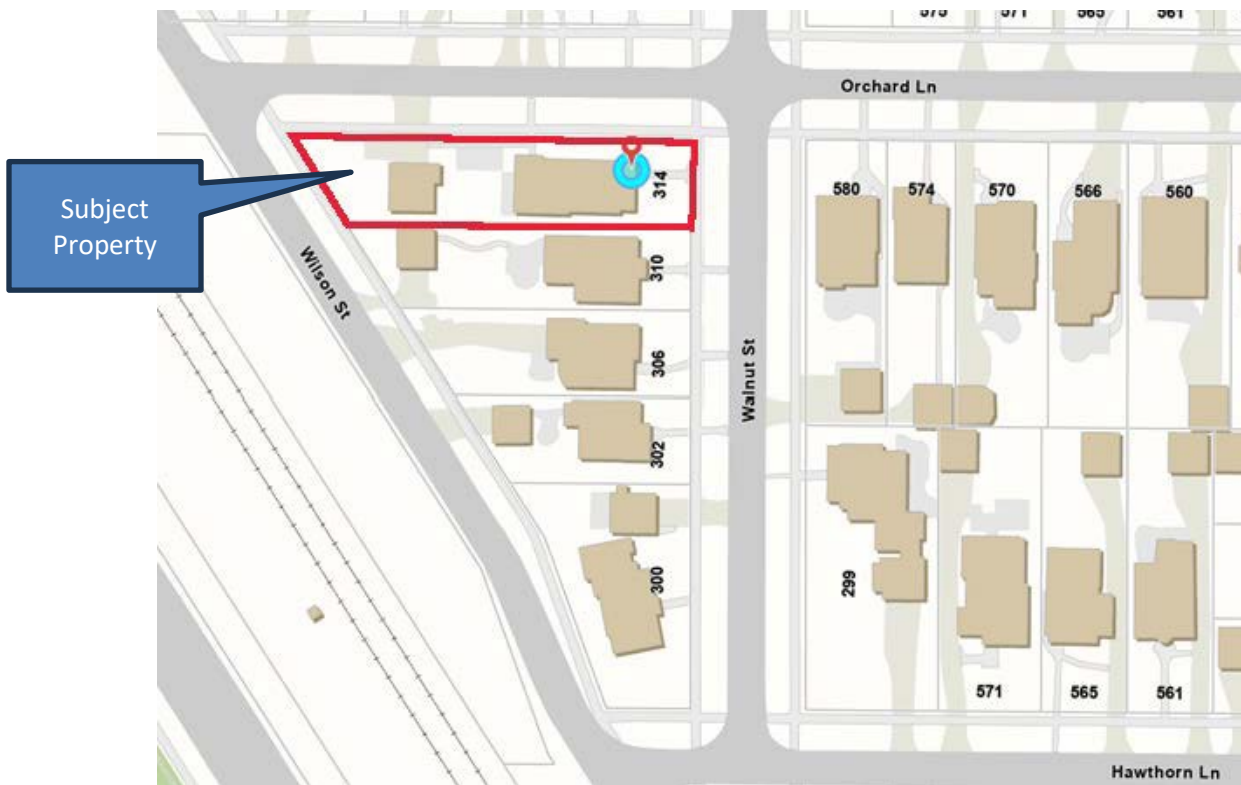


Figure 2 – GIS Map View

**PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS**

Construction of the residence and detached garage was completed in 2007. Minor permits have also been issued over the last several years. The Appellant acquired the property in 2015. There are two previous zoning cases on file for the Subject Property:

1. Ordinance M-20-2005 was adopted in November 2005 by the Village Council, granting variations to allow construction of a new single-family residence and detached garage. The approved variations were for the front yard setback along Wilson Street and the corner yard setback along Orchard Lane for the detached garage (**Attachment C**); and
2. On February 10, 2025, the ZBA considered ZBA Case No. 25-01-V2 to allow construction of a new detached garage and a two-story addition to the existing residence that required approval of the following variations: (a) front yard lot coverage; (b) gross floor area; (c) front yard setback along Wilson Street; and (d) corner yard setback along Orchard Lane.

After hearing from the Appellant and receiving two emails from neighbors in support of the addition but opposition to the garage, the ZBA discussed the application. The Board expressed support for the relief necessary for the proposed addition to the residence. Additionally, most of the members expressed support for some sort of front yard setback and front yard lot coverage variations necessary for the proposed detached garage. However, most of the members expressed concern regarding the size of the proposed 3-car detached garage in the R-5 District. The Appellant heard the concerns expressed by ZBA members and requested that the application be continued to the next meeting to allow them time to amend their plans in response to the comments of the Board. By a vote of 7-0, the ZBA continued the item to the next regularly scheduled ZBA meeting on March 10. At the request of the Appellant, the item was continued two additional times; first to the April 14 ZBA meeting, and then to the May 12 ZBA meeting. On May 2, the Appellant withdrew the variation application and subsequently submitted the administrative appeal that is currently before the ZBA.

Figures 3 through 7 below and on the following pages are photos of the site taken in February.



**Figure 3 – Subject Property (Front Elevation – Walnut Street)**



**Figure 4 - Subject Property (Corner Elevation – Orchard Lane)**



**Figure 5 - Subject Property (Corner Elevation with Garage)**



**Figure 6 - Subject Property – Garage (Front Elevation – Wilson Street)**



**Figure 7 - Subject Property – Garage (Corner Elevation – Orchard Lane)**

## ZONING ADMINISTRATOR'S INTERPRETATION

The Subject Property is a corner lot due to the intersection of Walnut Street and Orchard Lane as well as the intersection of Wilson Street and Orchard Lane. The yard designations are determined based on the length of the lot lines. When reviewing the lot line lengths that constitute the corner at Walnut Street (50 feet) and Orchard Lane (230.18 feet), the shortest of the two lot lines that intersect is Walnut Street, therefore Walnut Street is a front lot line and Orchard Lane is a corner lot line. Then, when reviewing the lot line lengths that constitute the corner at Wilson Street (59.45 feet) and Orchard Lane (230.18 feet), the shortest of the two lot lines that intersect is Wilson Street, thus Wilson Street is a front lot line and Orchard Lane is a corner lot line.

This interpretation is based on the following definitions in the Zoning Ordinance (Section 17.04.030 Definitions and Section 17.30.050 Front and Corner Yard Setbacks):

- "Corner lot" means a lot situated at the junction of two or more streets.
- "Corner lot line" means the longest street line of a corner lot.
- "Front lot line" means the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the "front lot line." On Through Lots, both street lines shall be deemed "front lot lines," except where no setback requirement is applicable.
- Lots with Three Street Frontages (Section 17.30.050.C3). Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.

Taking this all into consideration, the Subject Property has the following:

- a front yard on Walnut Street;
- a front yard on Wilson Street;
- a corner yard on Orchard Lane; and
- a side yard along the south property line.

Based on historical zoning analyses in Village files, staff has interpreted the Subject Property to have a front yard along both Walnut Street and Wilson Street, a corner yard along Orchard Lane, and a side yard along the south property line since at least 1998. Also, as noted earlier in this report, in 2005 a variation was granted to allow a detached garage within the required front yard setback from Wilson Street as well as the required corner yard setback from Orchard Lane.

Other Lots with Three Street Frontages. There are examples of other lots with similar yard designations in the immediate area, and elsewhere in the Village. On the same block as the Subject Property is 300 Walnut Street, with a front yard along Hawthorn Lane, corner yards along Walnut and Wilson Streets, and a rear yard along its north lot line. Two blocks south of the Subject Property is 238 Poplar Street, which has front yards on both Poplar and Wilson Streets, a corner yard along Elder Lane, and a side yard along its south lot line. These lots are depicted in Figure 8 on the following page.

Other examples of lots with three street frontages and no rear yard include: 895 Gordon Terrace, 888 Forest Glen Drive East, 1292 Forest Glen Drive South, and 1298 Forest Glen Drive South (Figures 9 and 10). Please note, this is not an exhaustive list. Staff has not reviewed the Village in its entirety to compile a complete list of lots with three street frontages.

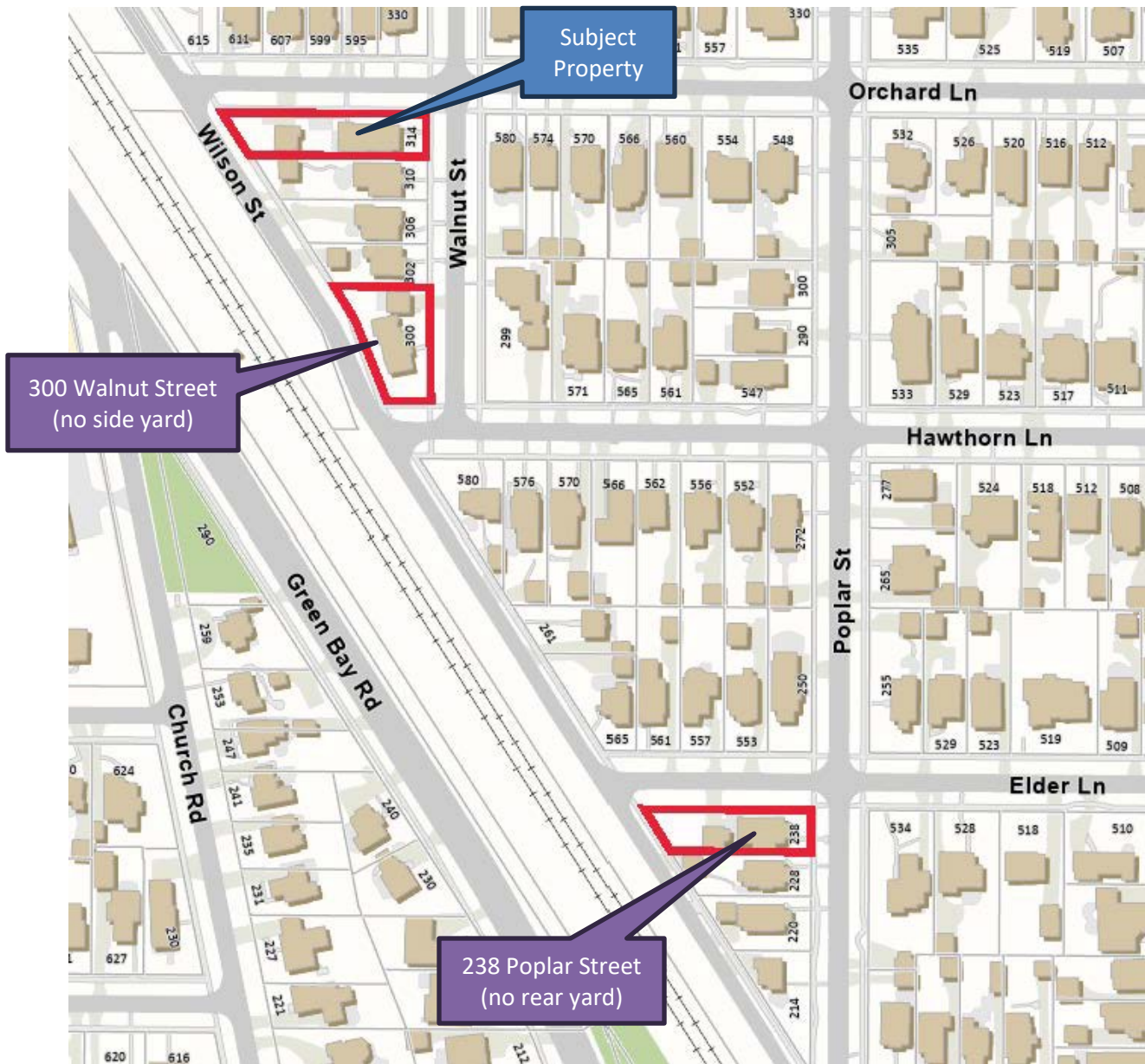


Figure 8 – GIS Map View – Other Lots with Three Street Frontages

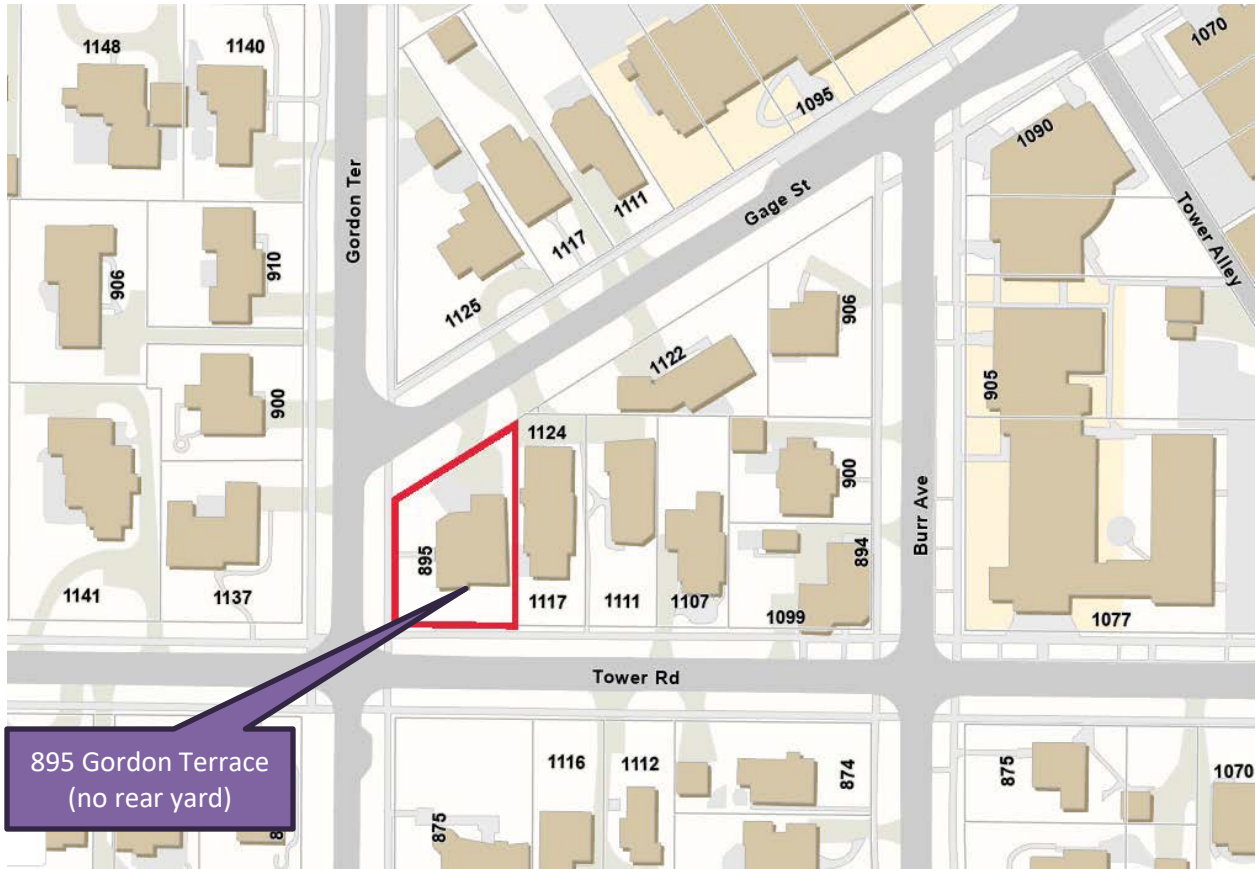


Figure 9 – GIS Map View – 895 Gordon Terrace



Figure 10 – GIS Map View – Forest Glen Drive – Lots with Three Street Frontages and No Rear Yard

## **ZBA DETERMINATION**

As noted earlier, Section 17.72.010 of the Zoning Ordinance provides that the ZBA, in its discretion and based on the record made before it, may reverse or affirm in whole or in part, or may modify the Zoning Administrator's order, requirement, decision or determination. The ZBA's final decision shall be in writing and shall set forth the reasoning and factual basis for its decision. The concurring vote of four (4) members of the Board is necessary to reverse any order, requirement, decision, or determination of the Zoning Administrator. The Appellant has supplied as part of its application materials a narrative that describes its appeal of the Zoning Administrator's determination that the Subject Property has a front yard along Wilson Street and requests that the ZBA reverse this determination and designate the yard along Wilson Street as a rear yard.

After hearing from the Appellant and the public, the Board may:

- 1) Continue its consideration of the appeal to a specific date to provide the Appellant and/or staff with additional time to address questions and comments from the Board or the public; or
- 2) Consider a motion reversing, affirming, or modifying the Zoning Administrator's determination. If the Board is prepared to make a decision regarding the appeal, a Board member may wish to make a motion reversing, affirming, or modifying the Zoning Administrator's determination and direct staff and the Village Attorney to prepare written findings and determination for the Board's consideration and final vote at a subsequent meeting.

## **ATTACHMENTS**

Attachment A: March 24, 2025, Zoning Administrator Interpretation

Attachment B: Application Materials

Attachment C: Ordinance M-20-2005, adopted by the Village Council on November 15, 2005

# ATTACHMENT A

**From:** [David Schoon](#)  
**To:** [REDACTED]  
**Cc:** [Ann Klaassen](#); [REDACTED]; [Christopher Marx](#)  
**Subject:** RE: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street  
**Date:** Monday, March 24, 2025 7:29:42 AM

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Tyler –

Thank you for sharing the information on which you reached your conclusion.

A lot can be a corner lot from the intersection of two different streets at two separate points along a lot. In your instance, your lot is a corner lot due to the intersection of Walnut Street and Orchard Lane as well as due to the intersection of Wilson Street and Orchard Lane.

- **"Corner lot" means a lot situated at the junction of two or more streets.** This standard is met at the corner of Walnut Street and Orchard Lane for your property; the standard is also met at the corner of Wilson Street and Orchard Lane.
- **"Corner lot line" means the longest street line of a corner lot.** This would be the lot line along Orchard Lane for your property.
- **"Front lot line" means the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the "front lot line." On through lots, both street lines shall be deemed "front lot lines," except where no setback requirement is applicable.** When looking at the lot line lengths that make the corner of your lot at Walnut Street (50.0 feet) and Orchard Lane (230.18), the shortest of the two lot lines that intersect is Walnut Street, thus Walnut Street is a front lot line and Orchard Lane is a corner lot line.  
When looking at the lot line lengths that make the corner of your lot at Wilson Street (59.45 feet) and Orchard Lane (230.18 feet), the shortest of the two lot lines that intersect is Wilson Street, thus Wilson Street is a front lot line and Orchard Lane is a corner lot line.
- **Section 17.30.050.C3 states: Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.** This provision of the code does acknowledge that lots exist that have three street front frontages, such as yours, and therefore may not have either a side or rear yard.

Given the information you have shared, I still find that any opinion I would formally write would state that your property has the following:

- a front yard on Wilson Street,
- a front yard on Walnut Street,
- a corner yard on Orchard Lane, and

- a side yard along your south property line.

As Ann previously informed, you will need to submit your response/revised plans by March 31 for consideration at the April 14 Zoning Board of Appeals meeting in order to provide staff time to review your plans and prepare a staff report for the ZBA meeting. .

**David Schoon, Director**

Village of Winnetka Community Development  
847-716-3526

---

**From:** tyler steel [REDACTED] >  
**Sent:** Thursday, March 20, 2025 7:53 AM  
**To:** David Schoon <DSchoon@winnetka.org>  
**Cc:** Ann Klaassen <AKlaassen@winnetka.org>; [REDACTED]; Christopher Marx <CMarx@winnetka.org>  
**Subject:** Re: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi David,

Our main question is why the Village believes that our property line facing Wilson Street is a front yard.

Our understanding based on the definitions outlined in Section 17.04.030 of the zoning ordinance is that we have a corner lot with the front lot line facing Walnut Street, the corner lot line facing Orchard Lane, and a rear lot line facing Wilson Street based on the Village of Winnetka's ordinances. Below are the relevant definitions and ordinances:

- 1) We have a corner lot with the corner lot line facing Orchard Lane.
  - Definition of a corner lot is: **"Corner lot" means a lot situated at the junction of two or more streets.** This standard is met at the corner of Walnut Street and Orchard Lane for our property.
  - Definition of a corner lot line is: **"Corner lot line" means the longest street line of a corner lot.** This would be the lot line along Orchard Lane for our property.
- 2) We do not have a through lot.
  - Definition of a through lot is: **"Through lot" means a lot having two opposite lot lines along two more or less parallel streets, or along one street and the ordinary high water mark of Lake Michigan or some other body of water, and which is not a corner lot.** The definition ends by specifically saying that a corner lot cannot be a through lot, and since we are a corner lot, we can't be a through lot.
- 3) Our front lot line faces Walnut Street.
  - Definition of a front lot line is: **"Front lot line" means the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the "front lot line." On through lots, both street lines shall be deemed "front lot lines," except where no setback requirement is applicable. For lots abutting Lake Michigan, the ordinary high water mark of the lake shall be deemed a "front lot line."** The shortest street line for our property (a corner lot) is the one facing Walnut Street, which is 50 feet long. As discussed above, we are not a through lot, so the concept of two front lot lines does not apply.
- 4) Our rear lot line faces Wilson Street.

- Definition of a rear lot line is: ***"Rear lot line" means the lot line that is most distant from and that is, or is most nearly, parallel to the front lot line; provided that, there shall be no rear lot line on a through lot.*** Since we do not have a through lot (as discussed above), the lot line facing Wilson Street is the one that is most distant from our front lot line facing Walnut Street.

5) Section 17.30.050.C3 does not apply to our property.

- The provision states: ***Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.*** We have both a rear yard line (facing Wilson Street) and a side yard line (facing our neighbor to the South) from which we can measure the width and depth of the buildable area, therefore this provision does not apply.

Please let us know if there is a different definition or section that we are missing, and if not, then how best to expeditiously correct this issue. We plan to rescind our previous application for variance and submit a new one. We would be happy to meet in person, if helpful.

Thank you for your help with this matter.

Best Regards,  
Tyler & Nicole

Tyler Steel

Mobile: [REDACTED]  
Email: [REDACTED]

On Monday, March 10, 2025 at 07:38:49 PM CDT, David Schoon <[dschoon@winnetka.org](mailto:dschoon@winnetka.org)> wrote:

Nicole –

Chris Marx forwarded your request to me given that I am the Zoning Administrator. There is no provision of the Zoning Ordinance that would allow the Zoning Administrator to find that your westerly property line is a rear yard. Your letter seems to imply there is such a provision, but you do not cite the section of the Zoning Ordinance that provides the Zoning Administrator with such authority.

If you would please provide me with the Zoning Ordinance section that you believe grants the Zoning Administrator that authority I can opine on its applicability to your situation. Otherwise, any opinion I would draft would state that your property has a front yard on Wilson Street, a front yard on Walnut Street, a corner yard on Orchard Lane, and a side yard along your south property line.

**David Schoon, Director**

Village of Winnetka Community Development

847-716-3526

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**From:** Christopher Marx <[CMarx@winnetka.org](mailto:CMarx@winnetka.org)>  
**Sent:** Thursday, March 6, 2025 1:28 PM  
**To:** David Schoon <[DSchoon@winnetka.org](mailto:DSchoon@winnetka.org)>  
**Cc:** Ann Klaassen <[AKlaassen@winnetka.org](mailto:AKlaassen@winnetka.org)>  
**Subject:** FW: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street

Christopher Marx, AICP  
Associate Planner

Village of Winnetka – Department of Community Development

510 Green Bay Road

Winnetka, Illinois 60093  
(847) 716-3587  
[cmarx@winnetka.org](mailto:cmarx@winnetka.org)

---

**From:** Nicole Steel [REDACTED]  
**Sent:** Wednesday, March 5, 2025 4:47 PM  
**To:** Christopher Marx <[CMarx@winnetka.org](mailto:CMarx@winnetka.org)>; Tyler Douglas Steel [REDACTED] >  
**Subject:** Re: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Apologies, I forgot the attachment. Please find it below.

Thank you!

Nicole Steel

Mobile: [REDACTED]

On Wed, Mar 5, 2025 at 4:14 PM Nicole Steel [REDACTED] > wrote:

Hi Chris,

It was good to see you today. Thanks for taking the time to speak with me.

As we discussed, we are reaching out with the hope of reasonably clarifying our yard designation at our property located at 314 Walnut Street.

We have recently learned that because our lot has three street frontages, it is classified as having three front yards, effectively eliminating a designated rear yard. Based on our review of Winnetka's zoning ordinance and standard zoning principles, it seems reasonable that our lot be treated like the vast majority of other single-family residential lots in Winnetka, which have a designated front, side, and rear yard.

- Our primary entrance is on Walnut Street, which is the logical front yard.
- Orchard Lane functions as a side yard.
- Wilson Street is the only logical placement for a rear yard.

To our knowledge our property is one of few out of 4,000 single-family homes in Winnetka with three street frontages. Given that we are in an extremely rare situation, we want to ensure that the yard designation is applied reasonably and consistently with the rest of the homes in the village.

Therefore, we would like to formally request an official zoning interpretation confirming the following yard designations for our property:

1. Walnut Street as the front yard (consistent with the primary entrance).
2. Orchard Lane as the side yard.
3. Wilson Street as the designated rear yard.

We have attached the attached formal request. We would appreciate a written response within 30 days confirming the yard designation. Please let us know if there are any next steps we should take to finalize this determination.

Thank you for your time, and we appreciate your guidance in resolving this matter.

Best regards,  
Nicole & Tyler Steel

--

Nicole Steel

Mobile: [REDACTED]



# ATTACHMENT B

Village of Winnetka  
Community Development Department  
510 Green Bay Road  
Winnetka, IL 60093  
(P) 847-716-3527 (F) 847-716-3588  
www.villageofwinnetka.org

## ADMINISTRATIVE APPEAL - ZONING ORDINANCE

Pursuant to [Section 17.72.010](#) of the Winnetka Village Code, a person aggrieved by a requirement, decision or determination made by the Zoning Administrator may appeal such determination or decision to the Zoning Board of Appeals. Such appeal must be submitted within forty-five (45) days of the decision or action, and shall specify the grounds of the appeal.

Legal Name of Applicant: Nicole Steel and Tyler Steel

Contact Name for Applicant: Vedder Price, Danielle Cassel (Attorney)  
(If applicant is a corporation or partnership, provide name of registered agent or other responsible individual)

Applicant Address: 314 Walnut Street

Applicant Phone #: 312-609-7962 (for Contact Person)

Applicant E-mail Address: dcassel@vedderprice.com (for Contact Person)

Consultant (or Legal Counsel Name): Vedder Price, Danielle Cassel

Consultant Address: 222 North LaSalle Street, Chicago, IL 60601

Consultant Phone #: 312-609-7962

Consultant E-mail Address: dcassel@vedderprice.com

Address of Subject Property: 314 Walnut Street

Parcel Identification Number (PIN) for Subject Property: 05-21-306-009-0000

Zoning District of the Subject Property: R-5

Please provide the following additional information:

- 1) A narrative that provides a detailed description of your appeal of an order, requirement, decision or determination made by the Village Zoning Administrator.
- 2) A narrative that describes how you are aggrieved by the order, requirement decision or determination made by the Village Zoning Ordinance (e.g. an affected property owner, an affected tenant).
- 3) Documentation regarding your legal interest as an affected property owner or tenant (e.g. deed, title policy, certified copy of trustee agreement, lease, etc.).
- 4) Zoning Ordinance Appeal Application Fee: \$575.00

DocuSigned by:  
  
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DocuSigned by:  
  
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Signature of Applicant: \_\_\_\_\_ Date: May 8, 2025

Print Name: Nicole Steel and Tyler Steel

May 8, 2025

BY ELECTRONIC MAIL

Village of Winnetka

Attn: Director of Community Development/Zoning Administrator ([smangum@winnetka.org](mailto:smangum@winnetka.org)) and Zoning

Board of Appeals (c/o [smangum@winnetka.org](mailto:smangum@winnetka.org) and [Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com))

510 Green Bay Road

Winnetka, Illinois 60093

***Re: 314 Walnut Street, Winnetka, Illinois***

***Notice of Appeal of Administrative Determinations, pursuant to Section 17.72.010(A)(3) of the Village of Winnetka Zoning Ordinance***

Dear Mr. Mangum and Members of the Zoning Board of Appeals:

This letter and the attached materials constitute the application by Nicole Steel and Tyler Steel, as the owners of the home located at 314 Walnut Street, in the Village of Winnetka, appealing final determinations made by the Village on March 24, 2025 and May 6, 2025 that the Wilson Street side of their home is a front yard, rather than a rear yard under the Winnetka Village Code (and related mis-statements concerning the Property's lot lines and lot type). Please note the owners will be submitting the Zoning Ordinance Appeal Application Fee (\$575.00) under separate cover.

The attached materials include:

1. a completed and executed Application Form;
2. a copy of the deed by which the owners purchased their home;
3. photographs of 314 Walnut Street and the surrounding area attached as **Exhibit 1**;
4. the survey of 314 Walnut Street attached as **Exhibit 2**; and
5. the remaining four (4) Exhibits referenced in the following narrative.

**Appeal Narrative and Request**

The Village's Application Form for Appeals requires that the Applicant submit one or more narratives that provide a detailed description of the Applicant's appeal and describe how the Applicant is aggrieved by the subject order, requirement decision or determination made by the Village.

The owners have authorized that the following statements be submitted to your attention as the narrative for their appeal and as their request for relief under Section 17.72.010(A)(3) of the Village of Winnetka Zoning Ordinance.

1. This is a formal appeal pursuant to Section 17.72.010(A)(3) of the Village of Winnetka Zoning Ordinance challenging two administrative determinations by the Village asserting

that the Wilson side of the property located at 314 Walnut Street (the “Property”) is a front yard (and related mis-statements concerning the Property’s lot lines and lot type).

(a) Count 1 of this appeal pertains to the March 24, 2025 email issued by former Zoning Administrator David Schoon, which designated the Wilson side of our property as a front yard. (**Exhibit 3**)

(b) Count 2 of this appeal pertains to the attached May 6, 2025 correspondence from the Village Attorney, which reaffirmed that interpretation. (**Exhibit 4**)

2. Please see the photographs attached as **Exhibit 1** and survey attached as **Exhibit 2** for their accurate depictions of the existing conditions at the Property, for the lots immediately to the South that comprise most of its block, and for the areas of the Village that face this block on the Wilson side. Front doors and entrances on this block are exclusively on the Walnut side, while the Wilson side is in every way functioning for this block as its rear, with garages and back yards that face only train tracks and pathways to the immediate West. There are *no* homes or other occupied structures facing the West side of this block that would be incrementally harmed if the Wilson side was subject to the setback requirements for rear yards or would be incrementally benefitted if the Wilson side was subject to the setback requirements for front yards.
3. We first learned in February of this year that the Village Zoning Administrator deemed the Property as having either three (3) front yards (on Walnut, Wilson and Orchard) or two (2) front yards (on Walnut and Wilson). We have been aggrieved by these determinations because they are not consistent with the Village Code, which should be fairly applied to our Property and because they decrease the buildable area and usability of the Property.
4. Following receipt of the March 24, 2025 email issued by former Zoning Administrator David Schoon, which designated the Wilson side of our property as a front yard (**Exhibit 3**) and is the basis of Count 1 of this appeal, we retained qualified legal counsel to provide an additional review of the Village Code. (We had previously spent hours reviewing the Code ourselves and trying to resolve these issues directly with Village staff.) Her analysis (**Exhibit 5**), which was consistent with ours, was submitted to the Village for review on April 11, 2025. **Exhibit 5** also includes a copy of her credentials. We are hereby re-submitting this analysis, as part of this narrative and specifically for review by the Zoning Board of Appeals, as it explains in a point-by-point manner how and why the Property’s Wilson side is a rear yard, and not a front yard, under the Village Code.
5. On May 6<sup>th</sup>, we received the correspondence from the Village Attorney attached as **Exhibit 4** that reaffirms Mr. Schoon’s interpretation and is the basis for Count 2 of this appeal.
6. At our request, our zoning counsel then prepared the attached Village Code analysis of both the March 24<sup>th</sup> and May 6<sup>th</sup> determinations. (**Exhibit 6**) We agree with this analysis and believe it explains the Code-based grounds for this appeal and for the determinations we are asking the Zoning Board of Appeals to make. We are submitting the **Exhibit 6** analysis as part of this narrative and specifically requesting that the Zoning Board of Appeals review and consider this analysis in processing this appeal.
7. Section 17.72.010 of the Village Code, Subsection A(3), states “The [Zoning Board of Appeals], in its discretion and based on the record made before it, may reverse or affirm in

whole or in part, or may modify the Zoning Administrator's order, requirement, decision or determination, and, for purposes of this paragraph, the Board shall have and may exercise all of the powers of the Zoning Administrator as to the subject matter of the appeal.”

8. The March 24<sup>th</sup> and May 6<sup>th</sup> determinations that the Property has three (or two) front yards are erroneous under the explicit language of the Village Code, have no practical benefit, and damage the value of the Property. We also can attest that these determinations have caused our family a tremendous amount of stress and unfortunate expense. We are respectfully requesting that the Board of Appeals reverse the March 24<sup>th</sup> and May 6<sup>th</sup> determinations and affirmatively find that, for zoning purposes: (i) the Walnut side of the Property’s is its front yard, (ii) the Orchard side is the Property’s corner side yard, and (iii) the Wilson side is the Property’s rear yard. These designations will reflect functional, existing conditions, be consistent with the plain language of the Village Code, will alleviate the harms done to the Property, and will be in the public interest.

[Narrative Concludes]

Thank you very much for your consideration, and we look forward to appearing before you at the public hearing on this matter.

Very truly yours,

**VEDDER PRICE P.C.**

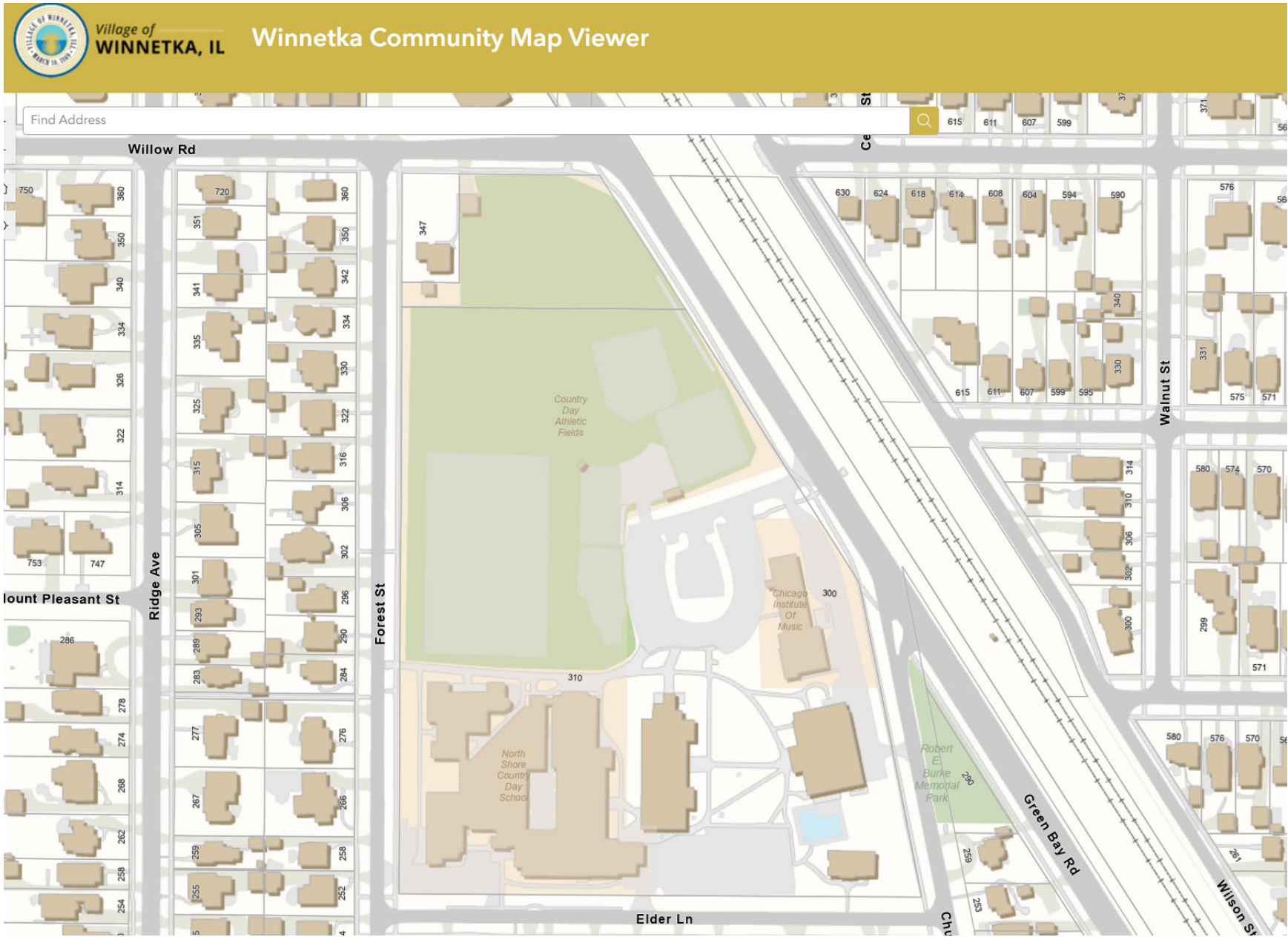


Danielle Meltzer Cassel

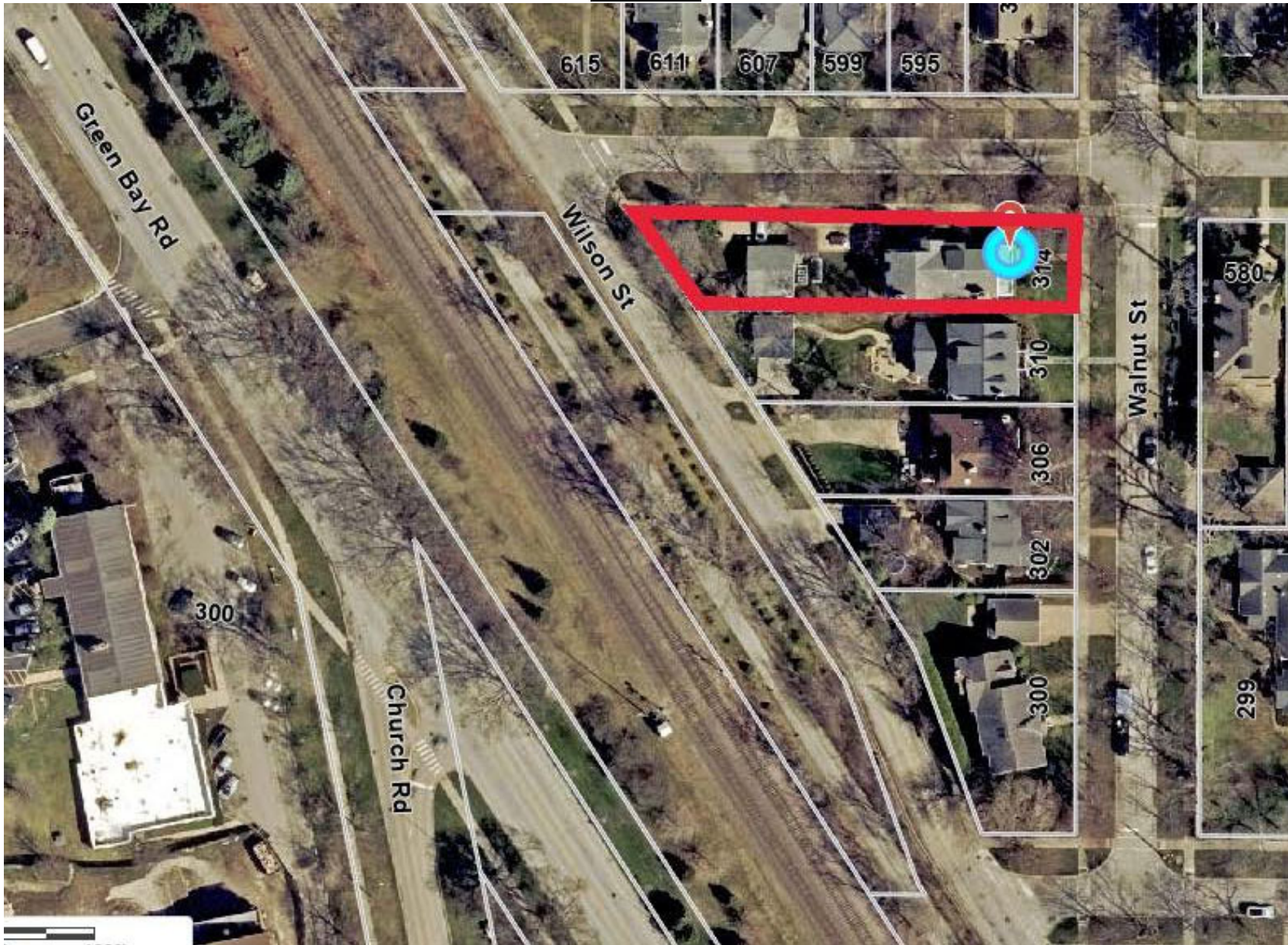
# Exhibit 1



**Exhibit 1**



**Exhibit 1**



**Exhibit 1**



Walnut Side (Looking West)

**Exhibit 1**



Orchard Lane Side (Looking South)

**Exhibit 1**



Wilson Side (Looking East and Southeast)

# Exhibit 2

PROFESSIONALS ASSOCIATED - MM SURVEY CO.  
 BOUNDARY \* ALTA \* TOPOGRAPHIC \* CONDOMINIUM SURVEYS  
 7160 NORTH TRIPP AVENUE, LINCOLNWOOD, ILLINOIS 60712  
 PROFESSIONAL DESIGN FIRM NO. 184-003623

## PLAT OF SURVEY

OF

MM SURVEY  
 PHONE: (773) 282-5900  
 FAX: (773) 282-9424  
 EMAIL: info@mmssurveyingchicago.com  
 www.mmssurveyingchicago.com

PROFESSIONALS ASSOCIATED  
 PHONE: (847) 675-3000  
 FAX: (847) 675-2167  
 E-MAIL: pa@professionalsassociated.com  
 www.professionalsassociated.com

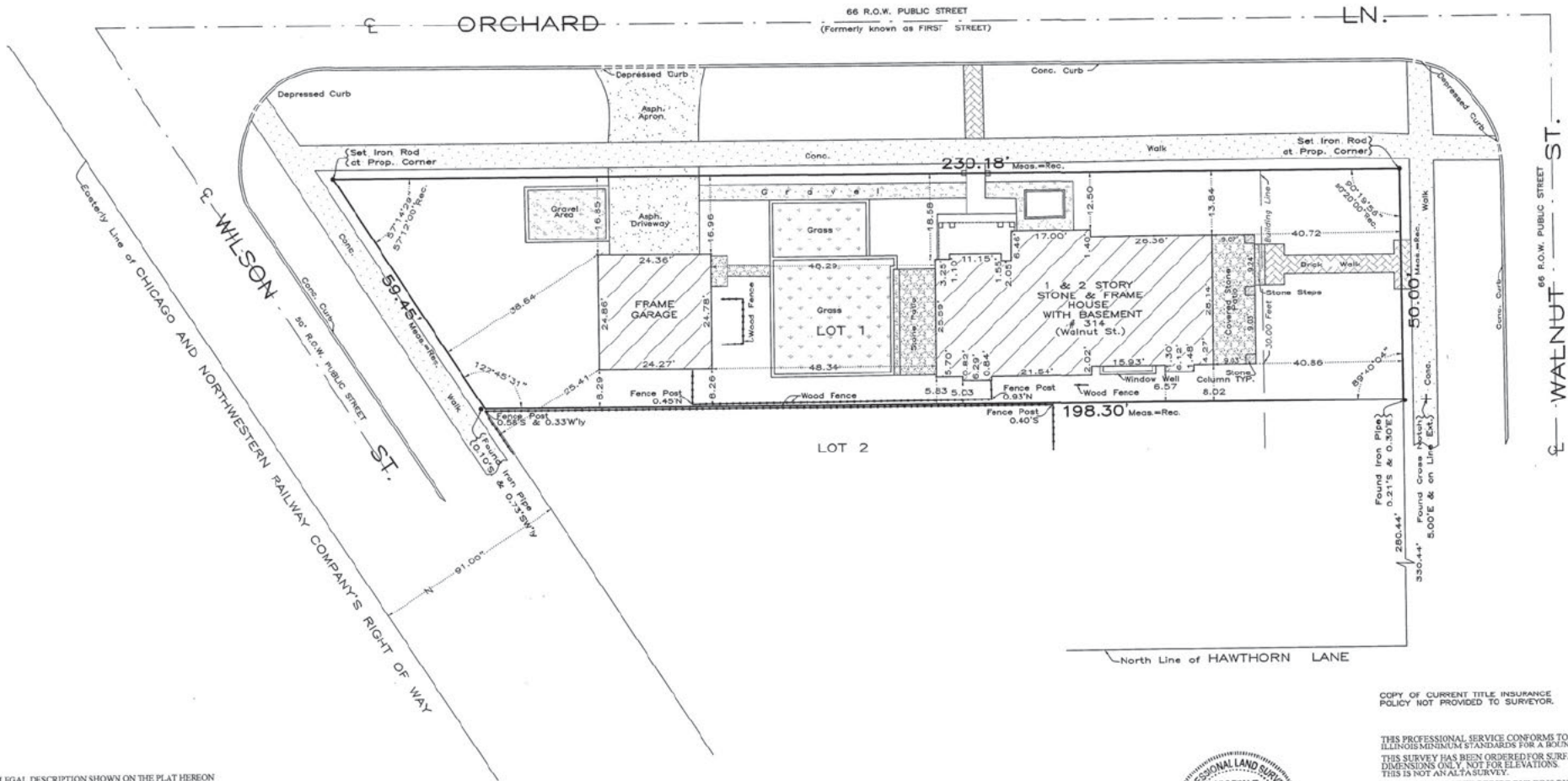


GRAPHIC SCALE

0 16

( IN FEET )  
 1 inch = 16 ft.

LOT 1 IN MEASURE AND ORR'S SUBDIVISION OF PART OF BLOCK 16 IN JOHN C. GARLAND'S ADDITION TO WINNETKA IN THE SOUTHWEST 1/4 OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED FEBRUARY 11, 1916 AS DOCUMENT 58028531, IN COOK COUNTY, ILLINOIS.  
 LAND TOTAL AREA: 10,711.76 = 0.245 ACRES.  
 COMMONLY KNOWN AS: 314 WALNUT STREET, WINNETKA, ILLINOIS.



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREOF DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY SHOULD BE COMPARED WITH THE TITLE OR DEED. DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING. BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

Order No. 02-62362  
 Scale: 1 inch = 16 feet  
 Date of Field Work: December 19, 2024  
 Ordered by: Healy Rice



COPY OF CURRENT TITLE INSURANCE POLICY NOT PROVIDED TO SURVEYOR.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY, NOT FOR ELEVATIONS. THIS IS NOT AN ALTA SURVEY. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois  
 County of Cook  
 We, PROFESSIONALS ASSOCIATED - MM SURVEY CO., do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat herein drawn is an accurate representation of said survey.  
 Date: December 23, 2024  
Hylton E. Donaldson  
 IL PROF. LAND SURVEYOR - LICENSE EXP. DATE NOV. 30, 2024  
 Drawn by: mlj

### Exhibit 3

**From:** David Schoon <[DSchoon@winnetka.org](mailto:DSchoon@winnetka.org)>

**Date:** March 24, 2025 at 8:29:42 AM EDT

**To:** tyler steel <[REDACTED]>

**Cc:** Ann Klaassen <[AKlaassen@winnetka.org](mailto:AKlaassen@winnetka.org)>, [REDACTED], Christopher Marx <[CMarx@winnetka.org](mailto:CMarx@winnetka.org)>

**Subject: RE: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street**

Tyler –

Thank you for sharing the information on which you reached your conclusion.

A lot can be a corner lot from the intersection of two different streets at two separate points along a lot. In your instance, your lot is a corner lot due to the intersection of Walnut Street and Orchard Lane as well as due to the intersection of Wilson Street and Orchard Lane.

1. **"Corner lot" means a lot situated at the junction of two or more streets.** This standard is met at the corner of Walnut Street and Orchard Lane for your property; the standard is also met at the corner of Wilson Street and Orchard Lane.
2. **"Corner lot line" means the longest street line of a corner lot.** This would be the lot line along Orchard Lane for your property.
3. **"Front lot line" means the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the "front lot line." On through lots, both street lines shall be deemed "front lot lines," except where no setback requirement is applicable.** When looking at the lot line lengths that make the corner of your lot at Walnut Street (50.0 feet) and Orchard Lane (230.18), the shortest of the two lot lines that intersect is Walnut Street, thus Walnut Street is a front lot line and Orchard Lane is a corner lot line. When looking at the lot line lengths that make the corner of your lot at Wilson Street (59.45 feet) and Orchard Lane (230.18 feet), the shortest of the two lot lines that intersect is Wilson Street, thus Wilson Street is a front lot line and Orchard Lane is a corner lot line.
4. **Section 17.30.050.C3 states: Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.** This provision of the code does acknowledge that lots exist that have three street front frontages, such as yours, and therefore may not have either a side or rear yard.

Given the information you have shared, I still find that any opinion I would formally write would state that your property has the following:

1. a front yard on Wilson Street,
2. a front yard on Walnut Street,
3. a corner yard on Orchard Lane, and
4. a side yard along your south property line.

**Exhibit 3**

As Ann previously informed, you will need to submit your response/revised plans by March 31 for consideration at the April 14 Zoning Board of Appeals meeting in order to provide staff time to review your plans and prepare a staff report for the ZBA meeting. .

**David Schoon, Director**

Village of Winnetka Community Development  
847-716-3526

\*\*\*\*\*

**From:** tyler steel [REDACTED] >

**Sent:** Thursday, March 20, 2025 7:53 AM

**To:** David Schoon <[DSchoon@winnetka.org](mailto:DSchoon@winnetka.org)>

**Cc:** Ann Klaassen <[AKlaassen@winnetka.org](mailto:AKlaassen@winnetka.org)>; [REDACTED]; Christopher Marx <[CMarx@winnetka.org](mailto:CMarx@winnetka.org)>

**Subject:** Re: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street

Hi David,

Our main question is why the Village believes that our property line facing Wilson Street is a front yard.

Our understanding based on the definitions outlined in Section 17.04.030 of the zoning ordinance is that we have a corner lot with the front lot line facing Walnut Street, the corner lot line facing Orchard Lane, and a rear lot line facing Wilson Street based on the Village of Winnetka's ordinances. Below are the relevant definitions and ordinances:

- 1) We have a corner lot with the corner lot line facing Orchard Lane.
  - Definition of a corner lot is: **"Corner lot" means a lot situated at the junction of two or more streets.** This standard is met at the corner of Walnut Street and Orchard Lane for our property.
  - Definition of a corner lot line is: **"Corner lot line" means the longest street line of a corner lot.** This would be the lot line along Orchard Lane for our property.
  
- 2) We do not have a through lot.
  - Definition of a through lot is: **"Through lot" means a lot having two opposite lot lines along two more or less parallel streets, or along one street and the ordinary high water mark of Lake Michigan or some other body of water, and which is not a corner lot.** The definition ends by specifically saying that a corner lot cannot be a through lot, and since we are a corner lot, we can't be a through lot.
  
- 3) Our front lot line faces Walnut Street.
  - Definition of a front lot line is: **"Front lot line" means the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the "front lot line." On through lots, both street lines shall be deemed "front lot lines," except where no setback requirement is applicable. For lots abutting Lake Michigan, the ordinary high water mark of the lake shall be deemed a "front lot line."** The shortest street line for our property (a corner lot) is the one facing Walnut Street,

**Exhibit 3**

which is 50 feet long. As discussed above, we are not a through lot, so the concept of two front lot lines does not apply.

4) Our rear lot line faces Wilson Street.

- Definition of a rear lot line is: **"Rear lot line" means the lot line that is most distant from and that is, or is most nearly, parallel to the front lot line; provided that, there shall be no rear lot line on a through lot.** Since we do not have a through lot (as discussed above), the lot line facing Wilson Street is the one that is most distant from our front lot line facing Walnut Street.

5) Section 17.30.050.C3 does not apply to our property.

- The provision states: **Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.** We have both a rear yard line (facing Wilson Street) and a side yard line (facing our neighbor to the South) from which we can measure the width and depth of the buildable area, therefore this provision does not apply.

Please let us know if there is a different definition or section that we are missing, and if not, then how best to expeditiously correct this issue. We plan to rescind our previous application for variance and submit a new one. We would be happy to meet in person, if helpful.

Thank you for your help with this matter.

Best Regards,  
Tyler & Nicole

Tyler Steel

Mobile: [REDACTED]  
Email: [REDACTED]

\*\*\*\*\*

On Monday, March 10, 2025 at 07:38:49 PM CDT, David Schoon <[dschoon@winnetka.org](mailto:dschoon@winnetka.org)> wrote:

Nicole –

Chris Marx forwarded your request to me given that I am the Zoning Administrator. There is no provision of the Zoning Ordinance that would allow the Zoning Administrator to find that your westerly property line is a rear yard. Your letter seems to imply there is such a provision, but you do not cite the section of the Zoning Ordinance that provides the Zoning Administrator with such authority.

If you would please provide me with the Zoning Ordinance section that you believe grants the Zoning Administrator that authority I can opine on its applicability to your situation. Otherwise, any opinion I would draft would state that your property has a front yard on Wilson Street, a front yard on Walnut Street, a corner yard on Orchard Lane, and a side yard along your south property line.

**Exhibit 3**

**David Schoon, Director**  
Village of Winnetka Community Development  
847-716-3526

\*\*\*\*\*

**From:** Christopher Marx <[CMarx@winnetka.org](mailto:CMarx@winnetka.org)>  
**Sent:** Thursday, March 6, 2025 1:28 PM  
**To:** David Schoon <[DSchoon@winnetka.org](mailto:DSchoon@winnetka.org)>  
**Cc:** Ann Klaassen <[AKlaassen@winnetka.org](mailto:AKlaassen@winnetka.org)>  
**Subject:** FW: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street

Christopher Marx, AICP  
Associate Planner  
Village of Winnetka – Department of Community Development  
510 Green Bay Road  
Winnetka, Illinois 60093  
(847) 716-3587  
[cmarx@winnetka.org](mailto:cmarx@winnetka.org)

\*\*\*\*\*

**From:** Nicole Steel <[REDACTED]>  
**Sent:** Wednesday, March 5, 2025 4:47 PM  
**To:** Christopher Marx <[CMarx@winnetka.org](mailto:CMarx@winnetka.org)>; Tyler Douglas Steel <[REDACTED]>  
**Subject:** Re: Request for Zoning Interpretation – Rear Yard Designation for 314 Walnut Street

Apologies, I forgot the attachment. Please find it below.

Thank you!

Nicole Steel

\*\*\*\*\*

On Wed, Mar 5, 2025 at 4:14 PM Nicole Steel <[REDACTED]> wrote:

Hi Chris,

It was good to see you today. Thanks for taking the time to speak with me.

As we discussed, we are reaching out with the hope of reasonably clarifying our yard designation at our property located at at 314 Walnut Street.

We have recently learned that because our lot has three street frontages, it is classified as having three front yards, effectively eliminating a designated rear yard. Based on our review of Winnetka’s zoning ordinance and standard zoning principles, it seems reasonable that our lot be

### **Exhibit 3**

treated like the vast majority of other single-family residential lots in Winnetka, which have a designated front, side, and rear yard.

1. Our primary entrance is on Walnut Street, which is the logical front yard.
2. Orchard Lane functions as a side yard.
3. Wilson Street is the only logical placement for a rear yard.

To our knowledge our property is one of few out of 4,000 single-family homes in Winnetka with three street frontages. Given that we are in an extremely rare situation, we want to ensure that the yard designation is applied reasonably and consistently with the rest of the homes in the village.

Therefore, we would like to formally request an official zoning interpretation confirming the following yard designations for our property:

1. Walnut Street as the front yard (consistent with the primary entrance).
2. Orchard Lane as the side yard.
3. Wilson Street as the designated rear yard.

We have attached the attached formal request. We would appreciate a written response within 30 days confirming the yard designation. Please let us know if there are any next steps we should take to finalize this determination.

Thank you for your time, and we appreciate your guidance in resolving this matter.

Best regards,  
Nicole & Tyler Steel

## **Exhibit 4**

**From:** Courtney P. Willits <Courtney.Willits@ElrodFriedman.com>

**Sent:** Tuesday, May 6, 2025 1:44 PM

**To:** Cassel, Danielle M. <dcassel@vedderprice.com>

**Cc:** Peter M. Friedman <Peter.Friedman@ElrodFriedman.com>

**Subject:** RE: [EXT] RE: 314 Walnut

Hi Danielle,

The Village has received and reviewed your zoning analysis regarding the property located at 314 Walnut Street. The Village has considered your analysis and determined there has been no change in the Village's position. The Village reaffirms the analysis and determination provided by David Schoon on March 24, 2025. However, there were several points the Village wanted to address for clarity purposes.

1. The Village agrees with your statement that a through lot is not a corner lot.
2. Your analysis provides that Wilson Street and Walnut Street are not parallel streets. However, the Code provides that the streets may be "more or less parallel." The Village's interpretation is that Wilson Street and Walnut Street are "more or less parallel."
3. Your analysis suggests that the property is only a corner lot at either Orchard Lane and Walnut Street or Orchard Lane and Wilson Street. However, "Corner lot" means a lot situated at the junction of two or more streets. This standard is met at the corner of Walnut Street and Orchard Lane for your property AND at the corner of Wilson Street and Orchard Lane.
4. Your analysis did not mention Section 17.30.050.C3, which states: Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines. This Code provision acknowledges that lots exist that have three street frontages, and therefore may not have either a side or rear yard.
5. Your analysis is correct that the Code does not define "front street line." However, the Code defines "street line" and there is no limitation in the Code that provides there can be only one front street line for a property.

Additionally, the zoning interpretation provided by David Schoon on March 24, 2025 was a final zoning determination made by the Zoning Administrator.

Thank you,

**Courtney P. Willits**

**Office:** 312.754.0616 **Cell:** 515.229.8407

**Elrod  
Friedman** LLP

350 North Clark Street, Second Floor, Chicago, IL 60654

[www.elrodfriedman.com](http://www.elrodfriedman.com) | [News & Insights](#)

**Exhibit 4**

\*\*\*\*\*

**From:** Cassel, Danielle M. <[dcassel@vedderprice.com](mailto:dcassel@vedderprice.com)>  
**Sent:** Tuesday, May 6, 2025 11:39 AM  
**To:** Courtney P. Willits <[Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com)>  
**Cc:** Peter M. Friedman <[Peter.Friedman@ElrodFriedman.com](mailto:Peter.Friedman@ElrodFriedman.com)>  
**Subject:** Re: [EXT] RE: 314 Walnut

Hi Courtney.

When we spoke yesterday, I think you said you'd confirm 2 items before the end of the day?

(1) David's email is the final determination of the Village, despite saying "if"... and despite it having been written without review of the owner's analysis from my letter.

The owners thought that email was informal and that they should therefore engage an attorney (Vedder), have a legal review of the Code, and send the letter to elicit a formal, final response.

(2) will the Village staff confirm they have reviewed the letter and advise if they would reconsider their position based on the letter or tell us what is specifically incorrect about our letter?

Please reply asap?

\*\*\*\*\*

**From:** "Courtney P. Willits" <[Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com)>  
**Sent:** Wednesday, April 23, 2025 3:49 PM  
**To:** Cassel, Danielle M.  
**Cc:** Peter M. Friedman  
**Subject:** [EXT] RE: 314 Walnut

Hi Danielle,

The owners of 314 Walnut previously requested a formal zoning interpretation from the Village on March 5, 2025 regarding the yard designations for the property. The Village's former Zoning Administrator, David Schoon, provided his zoning interpretation and determination on March 24, 2025.

Below is the Village's Code provision regarding the appeal process for the determination.

Section 17.72.010 Appeal and review.

A. The Board shall hear and decide appeals from and may review any order, requirement, decision or determination made by the Zoning Administrator. An appeal to the Board may be taken from any decision or action of the Zoning Administrator by any person aggrieved by such decision or action. Such appeal shall be taken within forty-five (45) days of the decision or action complained of by filing, with the Zoning Administrator and with the Board, a notice of appeal specifying the grounds of appeal. The Zoning

**Exhibit 4**

Administrator shall transmit to the Board all the papers constituting the record upon which was based the decision or action appealed from.

1. An appeal shall stay all proceedings in furtherance of the decision or action appealed from, unless the Zoning Administrator certifies to the Board, after the notice of appeal has been filed, that by reason of the facts stated a stay would, in the Zoning Administrator's opinion, cause imminent peril to life or property. In such event the proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or by a circuit court on application and on notice to the Zoning Administrator, and on due cause shown.

2. The Board shall fix a reasonable time for the hearing of the appeal and give due notice to the person taking the appeal and decide the appeal within a reasonable time. Any party may appear at the hearing in person, by agent or by attorney.

3. The Board, in its discretion and based on the record made before it, may reverse or affirm in whole or in part, or may modify the Zoning Administrator's order, requirement, decision or determination, and, for purposes of this paragraph, the Board shall have and may exercise all of the powers of the Zoning Administrator as to the subject matter of the appeal.

4. The Board's final decision shall be in writing and shall set forth the reasoning and factual basis for its decision. The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision or determination of the Zoning Administrator.

B. Review Under Administrative Review Act. All final administrative decisions of the Board under this section shall be subject to judicial review pursuant to the provisions of the state "Administrative Review Act" approved May 8, 1945, and all amendments pursuant to such Act.

(Prior code § 22.16 (part))  
(MC-6-2005, Amended, 09/20/2005)

Thank you,

**Courtney P. Willits**

Office: 312.754.0616 Cell: 515.229.8407



350 North Clark Street, Second Floor, Chicago, IL 60654

[https://link.edgepilot.com/s/3fc6ab34/QwEcRwuilUqtSFjEZZm\\_wA?u=http://www.elrodfriedman.com/](https://link.edgepilot.com/s/3fc6ab34/QwEcRwuilUqtSFjEZZm_wA?u=http://www.elrodfriedman.com/)

| [News & Insights](#)

\*\*\*\*\*

**From:** Cassel, Danielle M. <[dcassel@vedderprice.com](mailto:dcassel@vedderprice.com)>

**Sent:** Wednesday, April 23, 2025 1:23 PM

**To:** Courtney P. Willits <[Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com)>; Peter M. Friedman

**Exhibit 4**

<[Peter.Friedman@ElrodFriedman.com](mailto:Peter.Friedman@ElrodFriedman.com)>

**Subject:** RE: 314 Walnut

Hi guys.

Just following up from Monday's email.

Please reply and/or advise on timing for feedback?

Thanks so much!

d

*PS I'm traveling but reachable by email and cell for the next few days.*

**Danielle Meltzer Cassel**, Shareholder

VedderPrice

O +1 312 609 7962

C: +1 312 385 0385

[web](#) | [email](#) | [offices](#) | [biography](#)

\*\*\*\*\*

**From:** Cassel, Danielle M.

**Sent:** Monday, April 21, 2025 2:08 PM

**To:** Courtney P. Willits <[Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com)>

**Cc:** Peter M. Friedman <[Peter.Friedman@ElrodFriedman.com](mailto:Peter.Friedman@ElrodFriedman.com)>

**Subject:** 314 Walnut

Hi Courtney.

Just left you a voicemail. Do you have a few minutes today to talk about next steps? I know you were out of the office when we spoke on Friday.

Nicole and Tyler would like to clarify and memorialize their yard designations, particularly in light of the Code analysis we provided.

We understand historic interpretations by the Village have designated the property as having three front yards – we just don't see how that interpretation can be reconciled with the Code.

At this point, clarification of the yards is a higher priority for them than proceeding with the pending Variation application or associated improvements to their home and garage.

Procedurally, should we submit a formal written request for that determination? Is there a different mechanism?

Thanks so much. d

**Danielle Meltzer Cassel**, Shareholder

VedderPrice

O +1 312 609 7962

C: +1 312 385 0385

[web](#) | [email](#) | [offices](#) | [biography](#)

\*\*\*\*\*

**From:** Courtney P. Willits <[Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com)>

**Sent:** Monday, April 14, 2025 3:15 PM

**To:** Cassel, Danielle M. <[dcassel@vedderprice.com](mailto:dcassel@vedderprice.com)>

**Cc:** Peter M. Friedman <[Peter.Friedman@ElrodFriedman.com](mailto:Peter.Friedman@ElrodFriedman.com)>

Hi Danielle,

We are still reviewing the analysis you provided. Additionally, I am waiting for confirmation from Ann Klaassen, but at least according to the agenda posted online, it appears this matter has been continued to the May 12, ZBA meeting. Please see link below.

**Exhibit 4**

[https://link.edgepilot.com/s/3744ab42/bsVOsoY4JkeHt0\\_8GYgZQ?u=https://winnetkail.portal.civicclerk.com/event/1067/overview](https://link.edgepilot.com/s/3744ab42/bsVOsoY4JkeHt0_8GYgZQ?u=https://winnetkail.portal.civicclerk.com/event/1067/overview)

Thank you,

**Courtney P. Willits**

Office: 312.754.0616 Cell: 515.229.8407



350 North Clark Street, Second Floor, Chicago, IL 60654

<https://link.edgepilot.com/s/085f9803/9lkdZlo0ZkWnTvsx8ao7pg?u=http://www.elrodfriedman.com/>

| [News & Insights](#)

\*\*\*\*\*

**From:** Cassel, Danielle M. <[dcassel@vedderprice.com](mailto:dcassel@vedderprice.com)>

**Sent:** Monday, April 14, 2025 1:28 PM

**To:** Peter M. Friedman <[Peter.Friedman@ElrodFriedman.com](mailto:Peter.Friedman@ElrodFriedman.com)>; Courtney P.

Willits <[Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com)>

Hi guys. Mindful this was dumped on you just this morning (!), but thought I should check in. Any updates or thoughts about tonight?

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**From:** Cassel, Danielle M.

**Sent:** Monday, April 14, 2025 10:05 AM

**To:** Peter M. Friedman ([Peter.Friedman@ElrodFriedman.com](mailto:Peter.Friedman@ElrodFriedman.com));

Courtney P. Willits ([Courtney.Willits@ElrodFriedman.com](mailto:Courtney.Willits@ElrodFriedman.com))

**Subject:** DRAFT Steel Letter (314 Walnut) & Survey

Hi, Peter & Courtney!

Huge thanks to you both for jumping on the call with me, this morning!

Draft analysis is attached, plus a copy of the referenced survey.

Please let me know if there's anything else I might be able to forward that would be helpful?

Looking forward to connecting about next steps – especially in terms of tonight's ZBA?!

Thank you again!!

d



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April 11, 2025

BY ELECTRONIC MAIL

Nicole Steel and Tyler Steel  
 314 Walnut Street  
 Winnetka, Illinois 60093

**Re: 314 Walnut Street, Winnetka, Illinois**

Dear Nicole and Tyler:

You asked that I review the survey (attached as Exhibit A) of your home located at 314 Walnut Street, Winnetka, Illinois and the Village of Winnetka Zoning Ordinance (the “Code”) and to provide my analysis of what types of Yards, under the provisions of the Code, appear to be located on each of the property’s four sides.

For reference, you also provided me with a copy of the October 31, 2024 Variation application that you previously submitted to the Village (prior to this request).

For the reasons described below, I read the Code as designating the North side of the property (along Orchard) as a Corner Yard (except in areas where the North side of the property is within a defined Front Yard); the South side as a Side Yard (except in areas where the South side of the property is within a defined Front Yard or Rear Yard); the East side (along Walnut) as a Front Yard; and the West side of the property (along Wilson) as a Rear Yard.

Please note my current impression is that the Variation application you submitted incorrectly states that the property has three Front Yards and unnecessarily seeks relief relating to the proposed garage as described in the application. From our discussions, I understand that the application, unfortunately, was prepared by a third party and not reviewed by you or legal counsel in terms of the Yard designations, I am suggesting that you continue to discuss this with Village staff, hopefully to clarify the unintentional error, prior to completing your Variation requests. That said, this analysis has been limited to the specific scope of your request, and I have not reviewed whether or to what extent the Code will regulate the property, or require relief, if the Village concurs with the Yard analysis here, *i.e.*, any proposed construction projects may require *different* relief that the Village Staff, Village Zoning Board of Appeals, or Village Council may or may not grant.

**(1) Threshold Matters: Related Definitions**

As outlined below, the definitions of Yards in the Code as applicable to the property are structured around certain other definitions in the Code, specifically definitions in the Code for Lot types and definitions in the Code for Lot Lines in relation to each of the property’s boundaries.

**Threshold Matter: Lot Type**

The definitions of Yards in the Code as applicable to the property are determined under the Code, in part, by a determination under the Code as to whether your property meets the definition of a “Corner Lot” or the definition of a “Through Lot.” As noted below, these definitions, under the express provisions of the Code, are mutually exclusive.

From a plain reading of the Code and review of the survey, your home is situated on a Corner Lot.

The Table that immediately follows juxtaposes the Code definitions of these Lot types and my analysis of each definition.

<b>Type of Lot</b>	<b>Code Definition</b>	<b>Analysis</b>
<b>Corner</b> (Section 17.04.030C.10)	"Corner lot" means a lot situated at the junction of two or more streets.	Your property is a lot situated at the junction of two or more streets. Specifically, the junction of Wilson and Orchard, or Walnut and Orchard.
<b>Through</b> (Section 17.04.030T.4)	“Through lot” means a lot having two opposite lot lines along two more or less parallel streets, or along one street and the ordinary high water mark of Lake Michigan or some other body of water, and which is not a corner lot.	There are two reasons your property is not a Through Lot. First, your property fails to have two opposite lot lines along two more or less parallel streets. Wilson and Walnut are not parallel streets. Second, your property fails to have two opposite lot lines along one street and the ordinary high water mark of Lake Michigan or some other body of water. Third, your property is a Corner Lot. By definition, a through lot cannot be a corner lot.

**Threshold Matter: Length of Property Lines**

The required second step of analysis had to be a determination of property boundary lengths, since the Code’s Yard and Lot Line definitions vary in certain respects, depending on which boundary is the longest or shortest. Based exclusively on the attached survey, the lengths of each property boundary are the following:

<b>Property Boundary</b>	<b>Surveyed Length</b>	<b>Longest or Shortest?</b>
North (Orchard)	230.18’	Longest
South	198.30’	Neither
East (Walnut)	50’	Shortest
West (Wilson)	59.45’	Neither

**Threshold Matter: Lot Lines**

The next required step of this analysis had to be a determination of the property’s various “Lot Lines,” under the Code.

**Corner Lot Line**

The Code (Section 17.04.030C.11) defines “**Corner lot line**” as “the longest street line of a corner lot” (emphasis added). As surveyed, the North boundary of the property, along Orchard, is the longest street line and, therefore, the Corner Lot Line.

**Front Lot Line**

The definition of a “**Front Lot Line**” in the Code (Section 17.04.030F.8) has five component sentences, and the following Table addresses each of the five, in turn.

Sentences in Code Definition of “Front Lot Line”	Analysis
<p>"Front lot line" means the <b>front street line</b>.</p>	<p>Front Street Line is not a defined term in the Code, but note this aspect of the definition certainly <i>suggests</i> there will be a singular front street line (absent a contradictory and controlling provision in the Code). It is also clear, to me, from a review of the survey, site photos, and surrounding context (including neighboring properties along Walnut and the general pattern of garages and lack of facing structures along Wilson) that the property has only one front street line in terms of appearance, use, and community impact.</p>
<p>If the front street line is less than fifty (50) feet long</p> <p><b>and</b> if the lot is at least seventy-five (75) feet wide at its widest point,</p> <p>then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator.</p>	<p>This opening clause of the second sentence already renders the sentence inapplicable to the property, as <u>no</u> boundary of the property is less than 50 feet long.</p> <p>While unnecessary to address (given the foregoing point), this second clause would also, independently, render the second sentence inapplicable to the property, as the property is not 75 wide.</p> <p>Again, this second definitional sentence is mathematically inapplicable to the property. It is interesting to note, however, that the Zoning Administrator is granted authority to make a determination in <i>this</i> situation (but not others).</p>
<p>The shortest street line of a corner lot shall be the "front lot line."</p>	<p>This is the simplest and clearly most applicable sentence within the five sentences of the definition.</p> <p>Again, note the singularity. Only one street line can be the shortest.</p>

Sentences in Code Definition of “Front Lot Line”	Analysis
	As surveyed, the shortest street line of the property is Walnut, at 50’.
<u>On through lots</u> , both street lines shall be deemed "front lot lines," except where no setback requirement is applicable.	This fourth sentence is also irrelevant for the property, as the property cannot and does not meet the definition of a “Through Lot” in the Code.
For lots abutting Lake Michigan, the ordinary high water mark of the lake shall be deemed a "front lot line."	This fifth sentence is also irrelevant for the property, as the property does not abut Lake Michigan.

**Real Lot Line**

The definition of Rear Lot Line under the Code (Section 17.04.030R.1) has a single sentence with two components, each of which is analyzed below:

Components of “Rear Lot Line” in the Code	Analysis
<p><u>“the lot line that is most distant from and that is, or is most nearly, parallel to the front lot line;</u></p>	<p>As noted above, my reading of the Code indicates that the property’s Front Lot Line is the Walnut boundary.</p> <p>It is also geometrically clear, from the survey, that the Wilson boundary is the lot line most distant from the Walnut boundary and is most nearly parallel to Walnut. Both the Orchard and southern boundaries are perpendicular to the Walnut boundary.</p> <p>I also note that this clause, as worded, reinforces the idea that properties (<i>other than Through Lots</i>) <u>must</u> have a <u>singular</u> Front Lot Line and a <u>singular</u> Rear Lot Line. Otherwise, the definitions of both Rear Lot Line and Front Lot Line in the Code would be circular and unworkable, because parallel (or nearly parallel) boundary lines that were not Side Lot Lines would have to be defined, simultaneously, as both Front Lot Lines and Rear Lot Lines, while the Code has clearly established elaborately <u>different</u> and distinguishable sets of rules for Front Yards and Rear Yards.</p>
<p>provided that, there shall be no rear lot line on a through lot.”</p>	<p>This clause provides the one clear exception to the foregoing, first part of the definition, and this exception, for “Through Lots,” does not apply to the property.</p>

In sum, the property does not qualify as a Through Lot, therefore the latter part of this definition is irrelevant, while the definition, in its entirety, reinforces the principle that all Lots *other than* Through Lots *must* have a Rear Lot Line. It would be erroneous to simply ignore this language and concept. Every Lot, other than a Through Lot, has a lot line that is most distant from and that is, or is most nearly parallel to that Lot's Front Lot Line. And, this particular Lot Line of a property is expressly defined in the Code as the Rear Lot Line. In the case of the property, among its four Lot Lines, it is functionally and definitionally obvious that the boundary along Walnut is the Front Lot Line, and not any of the other three boundaries. Therefore, Wilson is the Rear Lot Line.

### **Corner Lot Line**

The Code (Section 17.04.030C.11) clearly and simply defines "Corner lot line" as "the longest street line of a corner lot" (emphasis added). As surveyed, the North boundary of the property, along Orchard, is the longest street line and, therefore, the Corner Lot Line.

### **Side Lot Lines.**

The Code (Section 17.04.030S.4) defines Side Lot Lines as "the two lot lines that extend from the front line to the opposite end of the lot." (Again, note the definition's implicit statement that Lots will have a singular front line.) In the case of the property, these two Side Lot Lines will be Orchard (which also meets the definition of a Corner Lot Line), and the property's South boundary.

## **(2) Yard Definitions**

Having addressed the threshold definitional questions above, this section addresses whether the Orchard or Wilson sides of the property meet the definitions in the Code for a Front Yard. They do not.

### **North Side (along Orchard)**

The Code (Section 17.04.030C.12) defines "**Corner Yard**" as "a yard extending along the full length of a corner lot line and back to a line drawn parallel to the corner lot line, at a distance equal to the distance between the corner lot line and the nearest point of the building including, where applicable, the average front setback, but excluding any area included within a front yard."

The Northerly side of the property, along Orchard (except to the extent included within a Front Yard), satisfies this definition, as it is the portion of the property that extends along the full length of the property's Corner Lot Line (*i.e.*, Orchard).

The Northerly side of the property also fails to satisfy the definition in the Code for a Front Yard, as summarized in the following Table.

Type of Yard and Code Definition	Analysis
<p>"<b>Front yard</b>" means a yard, <u>other than a corner yard</u>, extending along the full length of a <u>front lot line</u>, or other street line, and back to a line drawn parallel to that front lot line, or other street line, at a distance equal to the distance between the front lot line, or other street line, and the nearest point of the building. (Section 17.04.030F.9)</p>	<p>This component of the definition provides that Front Yards and Corner Yards are mutually exclusive. As noted above, the Orchard side already meets the Code’s definition of a Corner Yard.</p> <p>As noted above, the Orchard boundary does not meet the definition of a front lot line, because the property is a Corner Lot, and the shortest boundary is along Walnut, not Orchard.</p>

**West Side (along Wilson)**

The Code (Section 17.04.030R.2) defines “**Rear Yard**” as follows:

“a yard **extending along the full length of the rear lot line** between that line and a line drawn parallel to the rear lot line at a distance equal to the distance between the rear lot line and the nearest point of the building. For purposes of this title, there shall be no rear yard on any through lot.”

Given that the Code appears to clearly define the Wilson boundary as the property’s Rear Lot Line, my conclusion is that the Code also clearly defines the Wilson side of the property (for its full length) as the property’s Rear Yard. Again, the Code makes an exception for Through Lots, but the property does not appear to meet the express definition in the Code of a Through Lot.

I hope this analysis has been helpful, and please do not hesitate to contact me with any questions about my reasoning or interpretations.

Very truly yours,  
**VEDDER PRICE P.C.**  
 [DRAFT]  
 Danielle Meltzer Cassel



**Danielle Meltzer Cassel**, Shareholder  
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Danielle Meltzer Cassel is a practicing attorney with more than 25 years of experience dedicated to transactional real estate, land use law, public incentives, regulatory compliance, and business licensing. Since 1996, her work has covered a broad spectrum of property types in both urban and suburban contexts, including mixed-use developments, retail and office developments, hotels, restaurants and bars, cannabis dispensaries, performing arts venues, fitness and recreation facilities, hospitals and health care centers, cemeteries, daycare centers, schools and universities, religious institutions, industrial parks, manufacturing and waste management facilities, and billboard signage.

**Transactional:** Ms. Cassel has represented purchasers and sellers, lessors and lessees, debt and equity providers and borrowers, developers, project operators, and end-users in transactions ranging from beginning phases of due diligence, joint venture formation, acquisition, design, construction, and DBE engagement, to ongoing operations, leasing, licensing, dispositions, refinancing, and work-outs.

**Land Use/Zoning/Permitting:** Ms. Cassel has obtained governmental approvals for several hundred land use, development and licensing projects, including numerous planned developments; vertical and horizontal subdivisions; annexations; disconnections; map amendments; text amendments; special uses; variations; building permits; liquor, restaurant, hotel, recycling, and other business licenses; landmark designations; establishment and modification of legal-nonconformities; public/private land transfers, including purchases, dedications, vacations, easements and privileges; rail access; and approvals for billboard, high-rise and street-front signage.

**Public Financing/Incentives:** Ms. Cassel has negotiated and closed economic incentive components for several hundred projects, nationwide, particularly for headquarter relocations; expansions and relocations of manufacturing facilities and distribution centers; large-scale retail and mixed-use developments; and affordable housing developments. Her incentives work has involved tax increment financing; governmental grants and loans; sales and property tax rebates and abatements; bond financing; various state and federal tax credits, including the Low Income Housing Tax Credit (LIHTC) and New Markets Tax Credit; impact fee and utility cost reductions; recapture agreements; CPACE; and Opportunity Zones.

**Honors:** The elite Legal 500 United States has recognized Ms. Cassel as a Legal 500 Leading Lawyer (Real Estate and Construction-Land Use/Zoning), every year since 2011, and has included her in their Hall of Fame, every year since its inception in 2017. Ms. Cassel has been honored by Best Lawyers in America, Leading Lawyers Network, and Chambers USA, which noted her “phenomenal brain and terrific client skills.” Ms. Cassel was a member of Leadership Greater Chicago’s Class of 2006 and has received a “Tomorrow’s Leaders Today” award from Public Allies Chicago and a Special Recognition Award from the Partnership to End Homelessness.

**Teaching/Speaking:** Ms. Cassel currently co-teaches Real Property Law at Roosevelt University and co-taught land use law seminars at Northwestern University Law School and University of Chicago Law School (1999-2008). She has been an invited speaker for the International Council of Shopping Centers, Urban Land Institute, American Bar Association, Illinois Institute of Continuing Legal Education, and South Side Builders Association, among others.

**History:** Prior to joining Vedder Price, Ms. Cassel spent 13 years as an Associate and Partner with DLA and its legacy firms. Prior to her legal career, she worked, studied, and volunteered extensively in several fields related to urban economic development and service delivery by public and non-profit agents. Her most significant research efforts included multi-year studies of the 1990 National Affordable Housing Act; bridge loans for non-syndicated LIHTC projects; and Community Reinvestment Act collaborations among mortgage lenders and community-based institutions.

## EDUCATION

- **Harvard Law School**, J.D., 1996  
*Cum Laude*
- **Harvard University, John F. Kennedy School of Government**, Masters in Public Policy, 1996  
*Kennedy Scholar*
- **Yale University**, B.A., Urban Studies and Public Policy (Special Divisional Major), 1992,  
*Summa Cum Laude*,  
*Phi Beta Kappa*

## CURRENT CIVIC AND INDUSTRY AFFILIATIONS

- **Illinois International Port District** (Board Member appointed by Mayor Lori Lightfoot and confirmed by Chicago City Council and Governor Pritzker)
- **Primo Center for Women and Children** (Member of Executive Committee and Board of Directors)
- **ICSC – Innovating Commerce Serving Communities** (Member)
- **Lambda Alpha International, Honorary Society for the Advancement of Land Economics, Chicago Region** (Member)
- **Vedder Price Diversity Committee** (Member)
- **Vedder Price Pro Bono Committee** (Member)



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May 8, 2025

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BY ELECTRONIC MAIL

Nicole Steel and Tyler Steel  
 314 Walnut Street  
 Winnetka, Illinois 60093

**Re: 314 Walnut Street, Winnetka, Illinois**

Dear Nicole and Tyler:

You asked that I provide you with a point-by point review of David Schoon’s March 24<sup>th</sup> correspondence and the May 6<sup>th</sup> correspondence we received yesterday from the Village Attorney.

Based on the review of the Village of Winnetka Zoning Ordinance (the “Code”) and the survey of your home that you asked me to undertake for the April 11, 2025 analysis I previously provided, I do not see how the statements in David’s correspondence or the statements in the May 6<sup>th</sup> correspondence can be reconciled with the Code or deemed to justify a finding by the Village that the Wilson side of your Lot is a front yard rather than a rear yard.

My understanding is that you will be filing an appeal with the Zoning Board of Appeals seeking (1) confirmation that the Wilson side of your Lot is a rear yard, and (2) a determination that statements by the Village to the contrary are erroneous and should be reversed.

As I did with the April 11, 2025 Code review, I will go line-by-line through both of the subject communications.

<u>Comment in David Schoon March 24 correspondence</u>	<u>Response</u>
A lot can be a corner lot from the intersection of two different streets at two separates points along a lot. In your instance, your lot is a corner lot due to the intersection of Walnut Street and Orchard Lane as well as due to the intersection of Wilson Street and Orchard Lane.	We are in agreement that your home is situated on a Corner Lot. We are not appealing this point. In fact, this determination is part of and in support of our April 11 <sup>th</sup> analysis and Appeal.
1. <b><i>"Corner lot" means a lot situated at the junction of two or more streets.</i></b> This standard is met at the corner of Walnut Street and Orchard Lane for your property; the standard is also met at the corner of Wilson Street and Orchard Lane.	Again, we are in agreement. However, this framing seems misleading, as we find no provision in the Code saying that a Corner Lot with multiple corners precludes such a Corner Lot from having a rear yard or dictates that such a Corner Lot must be treated as having multiple front yards. And, critically, a Corner Lot is defined as a <b>(singular)</b> lot situated at the junction of <b>two or more</b> streets, <i>i.e.</i> , the Code does NOT say that your home is somehow two <b>different</b> Corner Lots, but that it is a singular Corner Lot situated at the junction

<u>Comment in David Schoon March 24 correspondence</u>	<u>Response</u>
<p>2. <b><i>"Corner lot line" means the longest street line of a corner lot.</i></b> This would be the lot line along Orchard Lane for your property.</p>	<p>of three streets. We are in agreement that your home is situated on a Corner Lot. We are not appealing this point. In fact, this determination is part of and in support of our April 11<sup>th</sup> analysis and Appeal.</p>
<p>3. <b><i>"Front lot line" means the front street line.</i></b></p>	<p>As noted in our April 11<sup>th</sup> analysis, "Front Street Line" is not a defined term in the Code, but this aspect of the definition certainly <i>suggests</i> there will be a singular ("THE") front street line. It is also clear from a review of the survey, site photos, and surrounding context (including neighboring properties along Walnut and the general pattern of garages and lack of facing structures along Wilson) that the property has only one front street line in terms of appearance, use, and community impact.</p>
<p><b><i>If the front street line is less than fifty (50) feet long</i></b></p> <p><b><i>and if the lot is at least seventy-five (75) feet wide at its widest point,</i></b></p> <p><b><i>then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator.</i></b></p>	<p>This opening clause of the second sentence already renders the sentence inapplicable to the property, as <u>no</u> boundary of the property is less than 50 feet long.</p> <p>While unnecessary to address (given the foregoing point), this second clause would also, independently, render the second sentence inapplicable to the property, as the property is not 75 wide.</p> <p>Again, this second definitional sentence is mathematically inapplicable to the property. It is interesting to note, however, that the Zoning Administrator is granted authority to make a determination in <i>this</i> situation (but not others).</p>
<p><b><i>The shortest street line of a corner lot shall be the "front lot line."</i></b></p>	<p>This is the simplest and clearly most applicable sentence within the five sentences of the definition. Again, note the singularity. Only one street line can be the shortest. As surveyed, the shortest street line of the property is Walnut, at 50'.</p>
<p><b><i>On through lots, both street lines shall be deemed "front lot lines," except where no setback requirement is applicable.</i></b></p>	<p>This fourth sentence is also irrelevant for the property, as the property cannot and does not meet the definition of a "Through Lot" in the Code.</p>

<u>Comment in David Schoon March 24 correspondence</u>	<u>Response</u>
	That your home is not situated on a Through Lot was subsequently acknowledged (May 6, 2025) in correspondence from the Village Attorney. It also was noted in the attached 2005 Village Zoning Analysis and Permit Review Checklist.
When looking at the lot line lengths that make the corner of your lot at Walnut Street (50.0 feet) and Orchard Lane (230.18), the shortest of the two lot lines that intersect is Walnut Street, thus Walnut Street is a front lot line and Orchard Lane is a corner lot line.	We agree with these Statements, as noted in the April 11 <sup>th</sup> analysis.
When looking at the lot line lengths that make the corner of your lot at Wilson Street (59.45 feet) and Orchard Lane (230.18 feet), the shortest of the two lot lines that intersect is Wilson Street, thus Wilson Street is a front lot line and Orchard Lane is a corner lot line.	This appears to be an erroneous inquiry or statement for three reasons. First, there is the Code provision noted above (emphasis added): “ <b>The</b> shortest street line of a corner lot shall be <b>the</b> "front lot line". <b>Note the singularities.</b> Second, as noted above, Corner Lot is defined as a ( <b>singular</b> ) lot situated at the junction of <b>two or more</b> streets, <i>i.e.</i> , the Code does NOT say that your home is somehow two <b>different</b> Corner Lots, but that it is a singular Corner Lot situated at the junction of three streets. Third, there is <u>no</u> Code provision contradicting the previous two Code provisions or affirmatively supporting this inquiry or statement.
4. <i>Section 17.30.050.C3 states:</i>	
<i>Where a lot has three street frontages</i>	Clearly this first clause applies to your lot, as there are the Walnut, Orchard, and Wilson frontages.
<i>and</i>	Note the conjunction <b>AND</b> , meaning that if the second condition fails, the situation and rule does <b>NOT</b> apply.
<i>where a side or rear yard line does not exist from which to measure the width or depth of the buildable area,</i>	This second condition fails, as there is a side yard line (your South line). In fact, this is stated in Dave’s final sentence. (See below.) Also, the Village has clearly been able to measure buildable area. If it had been unable to do so, there would not have been able to approve the buildings that are currently located on your Lot.
<i>the buildable area shall be situated on the</i>	This portion of the Code provision is

<u>Comment in David Schoon March 24 correspondence</u>	<u>Response</u>
<i>lot so that equal setbacks shall be required from the opposite street lines.</i>	irrelevant, as the conditions precedent for its application are not met.
This provision of the code does acknowledge that lots exist that have three street front frontages, such as yours, and therefore may not have either a side or rear yard.	It is not in dispute that your Lot has three frontages. That said, and as noted above, this provision does not apply to your Lot, because the second condition fails. If anything, the inapplicability of this provision to your Lot (because of the failed second condition) strengthens the argument that the impacts of applying this provision ( <i>i.e.</i> , requiring equal setbacks on opposing sides) should be inapplicable to Lots such as yours.
Given the information you have shared, I still find that any opinion I would formally write would state that your property has the following:	Our appeal is premised on the March 24 <sup>th</sup> correspondence being a final determination, notwithstanding Dave’s statement “any opinion I <u>would</u> formally write <u>would</u> state....” The Village attorney has provided correspondence on April 23 <sup>rd</sup> and on May 6 <sup>th</sup> stating that this was a final determination. (See below.)
1. a front yard on Wilson Street,	We disagree and are appealing this point, for the Code-based and fact-based reasons noted above.
2. a front yard on Walnut Street,	Agreed, not in dispute.
3. a corner yard on Orchard Lane, and	Agreed, not in dispute.
4. a side yard along your south property line.	Agreed, not in dispute.

<u>Comment in May 6, 2025 correspondence from the Village Attorney</u>	<u>Response</u>
The Village has received and reviewed your zoning analysis regarding the property located at 314 Walnut Street.	As you know, we made several attempts by phone and email between April 14 <sup>th</sup> and May 6 <sup>th</sup> to discuss the substance of our April 11 <sup>th</sup> analysis with the Village, through the Village Attorney. As you also know, we did not receive a written acknowledgement that the April 11 <sup>th</sup> analysis had been reviewed by the Village, nor any other substantive response, until this May 6 <sup>th</sup> communication. And, as you know, this communication responds only to a selective subset of the points in the April 11 <sup>th</sup> analysis.
The Village has considered your analysis and determined there has been no change in the Village’s position. The Village reaffirms the analysis and	As shown in the correspondence chain leading up to the May 6 <sup>th</sup> communication, we asked the Village to please revisit the March 24 <sup>th</sup>

<u>Comment in May 6, 2025 correspondence from the Village Attorney</u>	<u>Response</u>
determination provided by David Schoon on March 24, 2025.	communication from David on the basis of our April 11 <sup>th</sup> analysis, or, to confirm that the March 24 <sup>th</sup> communication from David was to be deemed final (and appealable), notwithstanding the April 11 <sup>th</sup> analysis. Here, the Village Attorney confirms that the March 24 <sup>th</sup> communication from David is to be deemed final (and appealable), notwithstanding the April 11 <sup>th</sup> analysis.
However, there were several points the Village wanted to address for clarity purposes.	
1. The Village agrees with your statement that a through lot is not a corner lot.	This is not in dispute. Related discussion is above, and in the April 11 <sup>th</sup> analysis
2. Your analysis provides that Wilson Street and Walnut Street are not parallel streets. However, the Code provides that the streets may be “more or less parallel.” The Village’s interpretation is that Wilson Street and Walnut Street are “more or less parallel.”	This disagreement is inapplicable to the overall dispute, as it only related to whether or not your Lot is a Through Lot. We and the Village are in agreement that your Lot is not a Through Lot.
3. Your analysis suggests that the property is only a corner lot at either Orchard Lane and Walnut Street or Orchard Lane and Wilson Street. However, "Corner lot" means a lot situated at the junction of two or more streets. This standard is met at the corner of Walnut Street and Orchard Lane for your property AND at the corner of Wilson Street and Orchard Lane.	See detailed discussion above showing that this analysis is not supported by the Code.
4. Your analysis did not mention Section 17.30.050.C3, which states: Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.	The Village Attorney is correct that the April 11 <sup>th</sup> analysis did not mention Section 17.30.050.C3. This section was excluded from the analysis because it is irrelevant to your Lot, as explained above.
This Code provision acknowledges that lots exist that have three street front frontages, and therefore may not have either a side or rear yard.	As explained above, this Code provision does not apply to your Lot. Whether or not it applies to other Lots in the Village is irrelevant.
5. Your analysis is correct that the Code does not define “front street line.”	No comment, other than to note this point of confirmation.
However, the Code defines “street line” and there is no limitation in the Code that provides there can be only one front street line for a property.	We disagree with this assertion, for the Code-based reasons detailed in the April 11 <sup>th</sup> analysis (pages 3-5) and also detailed above. Without limiting that full analysis, we’ll simply highlight and reiterate that the Code expressly states that a <u>Through</u> Lot can have multiple street lines regulated as being its fronts, while the Code, in discussing any Lot that is

<u>Comment in May 6, 2025 correspondence from the Village Attorney</u>	<u>Response</u>
	not a Through Lot, has numerous provisions using the singular term “the” to describe the singular street line to be deemed its front.
Additionally, the zoning interpretation provided by David Schoon on March 24, 2025 was a final zoning determination made by the Zoning Administrator.	We were seeking this confirmation.

Very truly yours,  
**VEDDER PRICE P.C.**  
Danielle Meltzer Cassel

**VILLAGE OF WINNETKA – DEPARTMENT OF COMMUNITY DEVELOPMENT  
ZONING ANALYSIS AND PERMIT REVIEW CHECKLIST**

ADDRESS: 314 Walnut SURVEY DATE: \_\_\_\_\_ ZONING DISTRICT: R-5  
 WORK DESCRIPTION: New SFR w/ detached LOT OF RECORD? YES NO  
 REVIEW BY: [REDACTED] DATE: 9-13-05 RECHECK BY: [REDACTED] 111-0001 DATE: 07.12.11  
112-0001 08.23.12  
 GROSS LOT AREA: 10,711.83 SQ. FT. EASEMENT/PRIVATE STREET AREA: \_\_\_\_\_ SQ. FT.  
 FLAG LOT DEDUCTION: \_\_\_\_\_ SQ. FT. LOT AREA (FOR ZONING PURPOSES): 10,711.83 SQ. FT.  
 MAX. PERMITTED F.A.R.: \_\_\_\_\_ MAX. LOT DEPTH: 230.18 AVERAGE LOT WIDTH: 46.53

ZONING REQUIREMENTS	PERMITTED/ REQUIRED	PROPOSED/TOTAL	OK?
GFA: "Pre FAR Building" (built prior to 2/7/89)	-	-	-
GFA: "Post FAR Building" (built after 2/7/89)	<u>3743.13</u>	<u>3740.94</u>	✓
ROOFED LOT COVERAGE (25% of lot area)	<u>2677.96</u>	<u>2313.36</u>	✓
IMPERMEABLE LOT COVERAGE (50% of lot area)	<u>5355.91</u> <small>Wilson F.Y.C.: 879.11</small>	<u>3511.02</u> <small>Wilson = 716.41 3748.7</small> <del>3517.45</del>	✓
MINIMUM FRONT YARD SETBACK <u>Walnut - East</u> Average Used?	Existing Principal Bldg.: _____	Existing: _____ Proposed: _____	✓
	New Principal Bldg.: <u>30.0</u>	Existing: _____ Proposed: <u>31.67</u> <small>+0 porch</small>	
MINIMUM CORNER (FRONT) <u>North/Orchard</u>	Principal building: <u>12.61</u>	Existing: _____ Proposed: <u>12.58</u>	✓
	Garage: same as principal building, but not less than 20 feet.	Existing: _____ Proposed: <u>19.5</u>	
MINIMUM THROUGH LOT	-	-	-
MINIMUM 3 <sup>RD</sup> STREET <u>Wilson</u>	<u>49.42</u>	<u>10.0</u>	<u>31.47</u> <u>71.76%</u>
MINIMUM REAR	Principal building: _____	Existing: _____ Proposed: _____	-
	Accessory building: 2 feet or 6 feet	Existing: _____ Proposed: _____	-
TOTAL SIDE YARDS ( _____ % Used)	-	Exist: _____ Prop: _____	-
MINIMUM SIDE <u>South</u>	Declared? <u>6.0</u>	Existing: _____ Proposed: <u>6.08</u>	✓
REMAINING SIDE	-	Existing: _____ Proposed: _____	-
ARTICULATION ON MINIMUM SIDE YARD	Within 35ft of Front Building Line (if side building line is greater than 40ft long)	<u>provided</u>	✓
LIMITATIONS ON FRONT FACING GARAGES	Must comply with Section 17.30.110 of zoning ordinance.	<u>Detached</u>	✓

## ATTACHMENT C

### ORDINANCE NO. M-20-2005

#### AN ORDINANCE GRANTING A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA COOK COUNTY, ILLINOIS (314 Walnut)

**WHEREAS**, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970; and

**WHEREAS**, pursuant to Article VII, Section 6 of the Constitution of the State of Illinois of 1970, the Village of Winnetka has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers (i) to regulate for the protection of the public health, safety, morals and welfare, (ii) to license, (iii) to tax, and (iv) to incur debt; and

**WHEREAS**, the Village Council find that establishing standards for the use and development of lands and buildings within the Village and establishing and applying criteria for variations from those standards are matters pertaining to the affairs of the Village; and

**WHEREAS**, there has been presented to the Council of the Village of Winnetka, Cook County, Illinois, the request of the owner of the following described real estate (the "Subject Property"):

Lot 1 in McGuire and Orrs Subdivision of that part of Block 16 in John C. Garland's Addition to Winnetka described as follows:

Commencing at the intersection of the west line of Walnut Street with the south line of first Street; thence west along said south line of First Street 230.18 feet more or less to a point 91.00 feet from the easterly line of the Chicago and Northwestern Railway Company's right of way, 270 feet; thence southerly 109.90 feet more or less to the intersection of the east line of Wilson Street with the north line of Hawthorne Lane; thence east along said north line of Hawthorne Lane 48.90 feet to the west line of Walnut Street, 330.44 feet to the place of beginning, in the Southwest ¼ of Section 21, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois,

commonly known as 314 Walnut Street, Winnetka, Illinois, and located in the R-5 Single-Family Residential Zoning District provided in Chapter 17.12 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, for the following variations from requirements of the Lot, Space, Bulk and Yard Regulations for Single-Family Residential Districts established by Section 17.30 of the Zoning Ordinance: (a) a variation of 297.21 square feet (7.94%) from the building size restrictions of Section 17.30.040, to allow a gross floor area of 4,040.34 square feet, whereas a maximum of 3,743.13 square feet is permitted; (b) a variation of 2.67 feet (13.35%) from the corner yard setback requirements of Section 17.30.050, to permit the north, corner setback along Orchard Lane to be 17.33 feet, whereas a minimum of 20 feet is required; and (c) a variation of 24.18 feet (48.93%) from the front yard setback requirements of Section 17.30.050 to allow the front setback along Wilson Street to be 25.24 feet, whereas a minimum of 49.42 feet is required, all to allow a newly constructed single-family residence and detached garage to exceed the gross floor area allowance and to allow the garage to be located on the west side of the Subject Property; and

**WHEREAS**, on June 13, 2005, on due notice thereof, the Zoning Board of Appeals conducted a public hearing on the requested variations and, by the unanimous vote of all 7 of its members, has reported to the Council recommending that the requested maximum building size variation be denied and that the requested front and corner setback variations be granted; and

**WHEREAS**, following initial discussion of the variation requests by the Village Council at its July 5, 2005, meeting, the matter was tabled to allow the petitioner to consider revisions that would eliminate the need for the maximum building size variation; and

**WHEREAS**, the applicant has submitted revised plans that reduce the gross floor area of the proposed redevelopment of the property to a conforming 3,740.94 square feet; and

**WHEREAS**, the reduction in gross floor area was achieved by reducing the length of the house from 62 feet to 59 feet, and by reducing the width of the proposed garage by 3.3 feet; and

**WHEREAS**, there are practical difficulties and particular hardships associated with carrying out the strict application of the Zoning Ordinance with respect to the Subject Property in that: (a) the Subject Property is located along the south side of Orchard Lane, with its west lot line being formed by Wilson Street and its east lot line being formed by Walnut Street; (b) because of the three street frontages, the Subject Property is both a through lot and a corner lot, with no rear yard, but with front yard setbacks being required along both the Wilson and Walnut street frontages and a corner yard setback being required along the Orchard Lane street frontage; (c) the Subject Property has an irregular, trapezoidal shape, because Wilson Street and Walnut Street are not parallel; (d) the Wilson Street frontage of the Subject Property functions as the rear of the Subject Property, due to the presence of the Union Pacific Railway embankment that runs along the west side of Wilson Street; and (e) because of the increased setback requirements along the three street frontages and because of the angle of the west lot line, there is no conforming location for the detached garage that the owners propose to construct behind the new home at the west end of the Subject Property; and

**WHEREAS**, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Ordinance, in that: (a) the proposed redevelopment of the Subject Property with a single-family residence and a two-car garage is the typical single-family use within the Village; (b) two-car garages are a typical feature of single-family residential properties in the immediate vicinity; (c) the proposed garage is consistent with other two-car garages on similar through lots abutting Wilson Street; and (d) due to the three street frontages and angled west lot line, it is not possible to construct a functional garage in a conforming location if the Zoning Ordinance's setback requirements are strictly applied to the Subject Property; and

**WHEREAS**, the requested variations will not alter the essential character of the neighborhood because the proposed new house and detached garage will be in the same relative locations on the Subject Property as the buildings that they will replace, thereby maintaining the configuration of the Subject Property as it has existed on the block face since the original house was constructed in approximately 1921; and

**WHEREAS**, the requested variations will not impair an adequate supply of light and air because: (a) the proposed new house and garage both conform with applicable building height limitations; (b) the development of the Subject Property conforms with roofed lot coverage and maximum building size limitations; and (c) both the house garage will observe conforming side yard setbacks from the south lot line, thus providing the required minimum distances from the only adjoining property; and

**WHEREAS**, the requested variations will not increase the hazard from fire and other dangers to the Subject Property, as the proposed construction will comply with all applicable building and fire protection codes; and

**WHEREAS**, the requested variations will not diminish the taxable value of land and buildings throughout the Village, and the taxable value of the Subject Property may be increased because of the proposed new house and garage; and

**WHEREAS**, the proposed construction will not contribute to congestion on the public streets, as the Subject Property will continue to be used for single family residential purposes; and

**WHEREAS**, there is no evidence that the requested variations will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; and

**WHEREAS**, the requested variations are in harmony with the general purpose and intent of the Winnetka Zoning Ordinance, in that they allow

the redevelopment of the Subject Property while maintaining the existing scale and appearance of the community.

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

**SECTION 1:** The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

**SECTION 2:** The following variations from the Lot, Space, Bulk and Yard Regulations for Single-Family Residential Districts established by Section 17.30 of the Winnetka Zoning Ordinance are hereby granted to the Subject Property, commonly known as 314 Walnut Street, Winnetka, Illinois, and located in the R-5 Single-Family Residential Zoning District provided in Chapter 17.12 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code: (a) a variation of 2.67 feet (13.35%) from the corner yard setback requirements of Section 17.30.050, to permit the north, corner setback along Orchard Lane to be 17.33 feet, whereas a minimum of 20 feet is required; and (b) a variation of 24.18 feet (48.93%) from the front yard setback requirements of Section 17.30.050 to allow the front setback along Wilson Street to be 25.24 feet, whereas a minimum of 49.42 feet is required; all to permit construction of a new single-family residence and detached garage on the Subject Property, in accordance with the plans and elevations submitted with the application for variations, as amended in the plans dated September 22, 2005, and presented to the Village Council on October 18, 2005.

**SECTION 3:** The variations hereby granted are conditioned upon the commencement of the proposed construction within 12 months after the effective date of this Ordinance.

**SECTION 4:** This Ordinance is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

**SECTION 5:** This Ordinance shall take effect immediately upon passage, approval and posting.

**ADOPTED** this 15th day of November, 2005, pursuant to the following roll call vote:

AYES: Trustees Abell, Behles, Berger, Eilers, Ritchell, Tucker

NAYS: None

ABSENT: President Woodbury

APPROVED this 15th day of November, 2005.

Signed:

//s//Edmund C. Woodbury

Village President

Countersigned:

//s//Douglas G. Williams

Village Clerk

Introduced: November 1, 2005

Posted: November 2, 2005

Passed and Approved: November 15, 2005

Posted: November 17, 2005



# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** ANN KLAASSEN, ASSISTANT DIRECTOR  
**DATE:** JULY 9, 2025  
**SUBJECT:** 270 BIRCH STREET - VARIATIONS (CASE NO. 25-10-V2)

### INTRODUCTION

On July 14, 2025, the Zoning Board of Appeals (ZBA) is scheduled to commence a public hearing on an application submitted by Spencer and Alexandra Kaehler (collectively, the “Applicant”) as the owners of the property located at 270 Birch Street (the “Subject Property”). The Applicant requests approval of the following zoning variations to allow construction of an addition to the existing residence and a detached garage on the Subject Property:

1. **Front Yard Setback** of 45.68 feet from the east property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 4.32 feet (8.64%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a front yard setback of 49.55 feet];
2. **Total Side Yard Setback** of 22.89 feet, whereas a minimum sum of setbacks for both side yards of 49.43 feet is required, a variation of 26.54 feet (53.69%) [Section 17.30.060 – Side Yard Setback]; and
3. **Front-Facing Garage Door Width** measuring a total of 25 feet, whereas a maximum width of 18 feet is permitted, provided that no individual door exceeds 9 feet in width. [Section 17.30.110 Garages] [Note: The residence currently has one front-facing garage door that is more than 9 feet in width].

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 June 27, 2025. As of the date of this memo, staff has not received any written comment from the public regarding this application.

***The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to reduce a side yard setback for a principal building, as well as a detached residential garage, by more than 50% of the required setback. Typically, the Zoning Administrator has final jurisdiction on requests to (i) reduce a front yard setback for a principal building by no more than 25% of the required setback; and (ii) vary the width limitations for front-facing garage doors; however, since this request includes additional zoning relief for which the Zoning Administrator does not have jurisdiction, the Village Council also has final jurisdiction on the request to reduce the total side yard setback and exceed the permitted width of front-facing garage doors.***

## PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.87 acres in size, is located on the west side of Birch Street, between Mt. Pleasant Street and Sunset Road, and contains an existing two-story residence with an attached garage (see Figure 1). The property is zoned R-2 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.

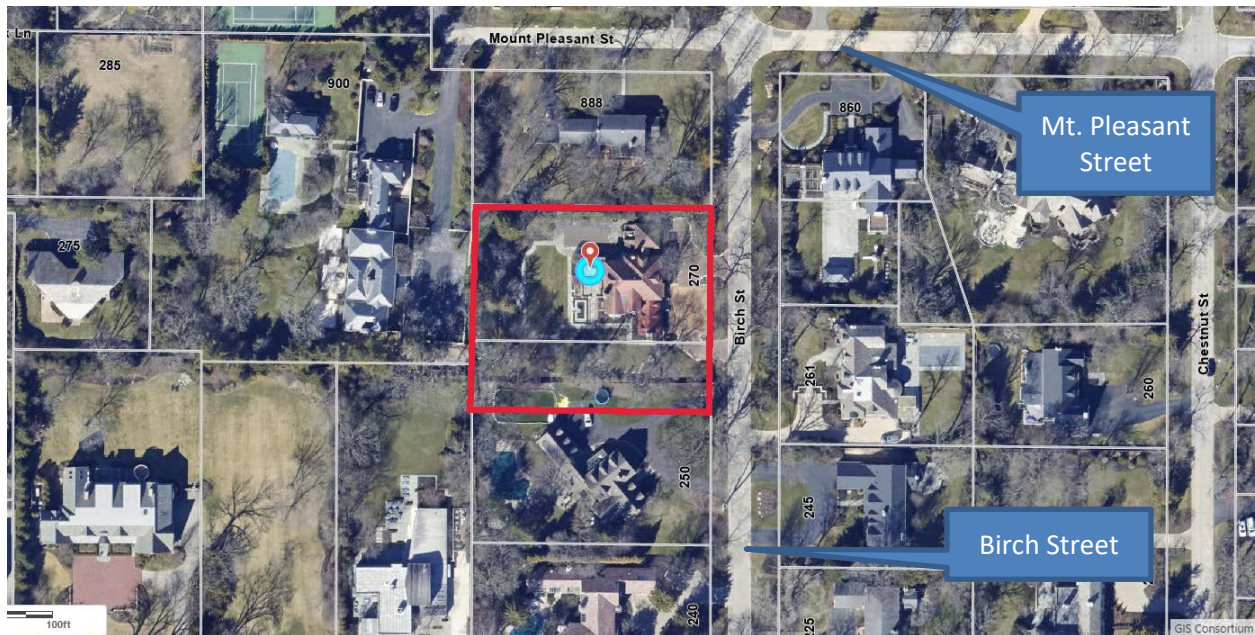


Figure 1 – Aerial Map



Figure 2 – Zoning Map

## PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in 1929 with the following subsequent building permits issued in:

1. 1972 to remodel the kitchen and install a new bathroom;
2. 1984 to remodel a bedroom and bathroom;
3. 1997 to remodel four bathrooms;
4. 2004 to construct a one-story addition consisting of a conservatory and pool changing room;
5. 2005 to construct an in-ground pool and spa;
6. 2019 to convert a living room into a first floor bedroom suite;
7. 2020 to construct a living room and foyer addition;
8. 2021 to install an elevator;
9. January 2024 for interior remodeling; and
10. October 2024 to construct a pergola and terrace (currently under construction).

Other minor permits have also been issued over the last several years. The Applicant acquired the property in July 2023. There are two previous zoning cases on file for the Subject Property:

1. In 1979, ZBA Case No. 1226 was denied by the ZBA to allow conversion of a dog run into a tool shed that was located within the minimum required front yard setback of 50 feet; and
2. In November 2024, ZBA Case No. 24-16-V2 received a recommendation of approval from the ZBA, by a vote of 4-1, to allow construction of a one-story three-car attached garage addition on the front elevation of the existing residence within the minimum required front yard. On December 3, 2024, the Village Council introduced Ordinance M-18-2024 with a condition that the garage be reduced to a two-car garage. Then, on December 17, 2024, the Village Council considered adoption of Ordinance M-18-2024, which included revised plans reflecting a two-car garage. At the meeting the Applicant explained that there is large Heritage Beech tree that was not previously accounted for in the proposed plans that would impede vehicular access to the proposed garage. After Council discussion regarding various alternatives with placement and sizing of the proposed garage, the item was continued to the January 7, 2025, meeting to allow the Applicant time to continue to revise the proposed plans. The Applicant then withdrew the application on December 30, 2024.

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



**Figure 3 - Subject Property (Front Elevation – Birch Street)**



**Figure 4 – Subject Property – South Side Yard**



**Figure 5 – Subject Property (Front Elevation Looking Northwest)**

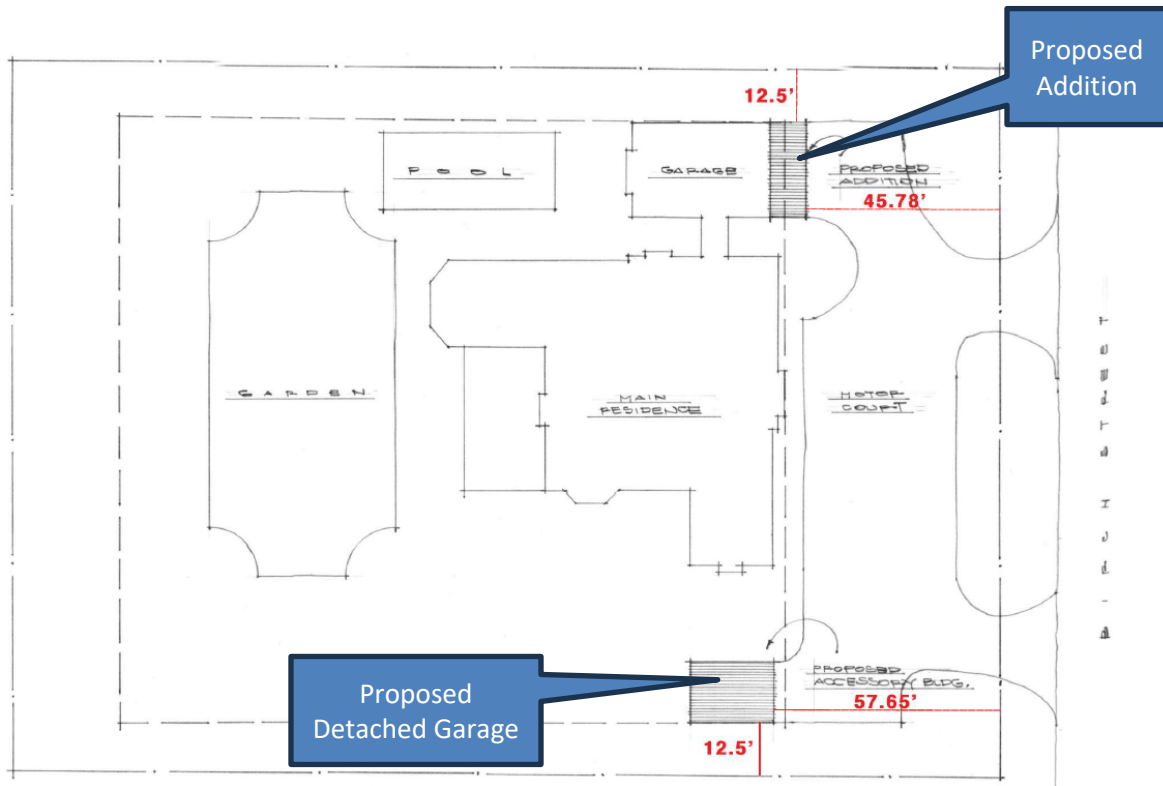
#### **PROPOSED PLAN**

The variations are being requested in order to construct an addition to the existing front-facing attached garage of the residence and a detached garage. The proposed addition would measure 20 feet by 8 feet (160 square feet), with a single front-facing garage door 16 feet in width. This addition would extend the existing attached garage, which is located on the northerly portion of the Subject Property, towards Birch Street.

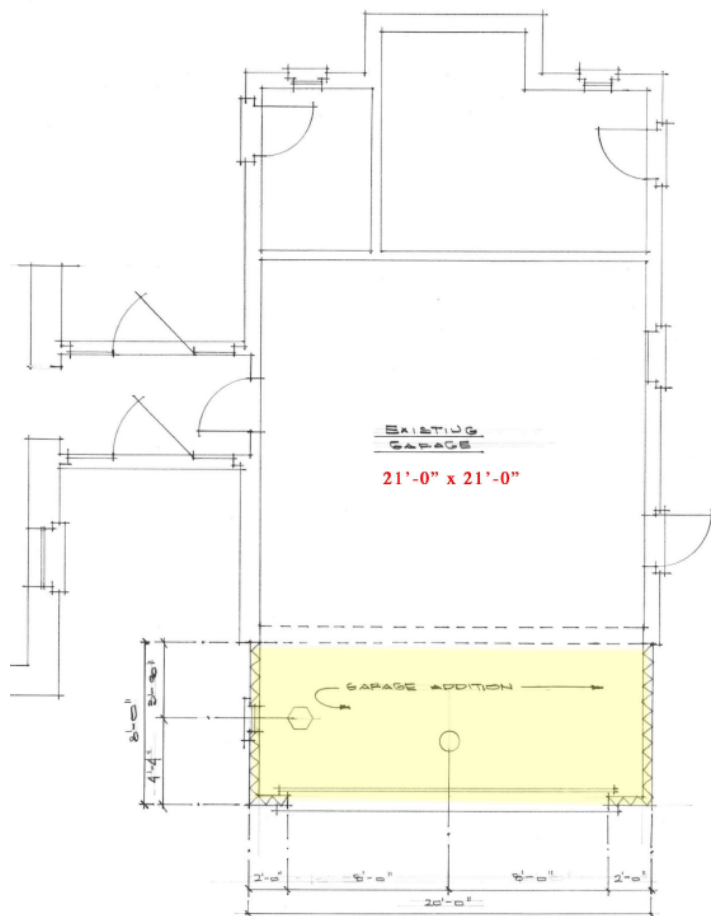
The proposed detached garage would accommodate one vehicle and be 290 square feet, with a single front-facing garage door measuring 9 feet in width. The detached garage would be located on the side of the existing residence, and face Birch Street.

In total, with the two-car attached garage and the proposed one-car detached garage, the Subject Property would provide garage space for three vehicles.

Excerpts of the proposed site plan, floor plans, and proposed building elevations are provided on the following pages as Figures 6 through 13. The complete set of plans is provided in the application materials (**Attachment C**).



**Figure 6 –Proposed Site Plan**



**Figure 7 – Proposed First Floor Plan – Attached Garage**

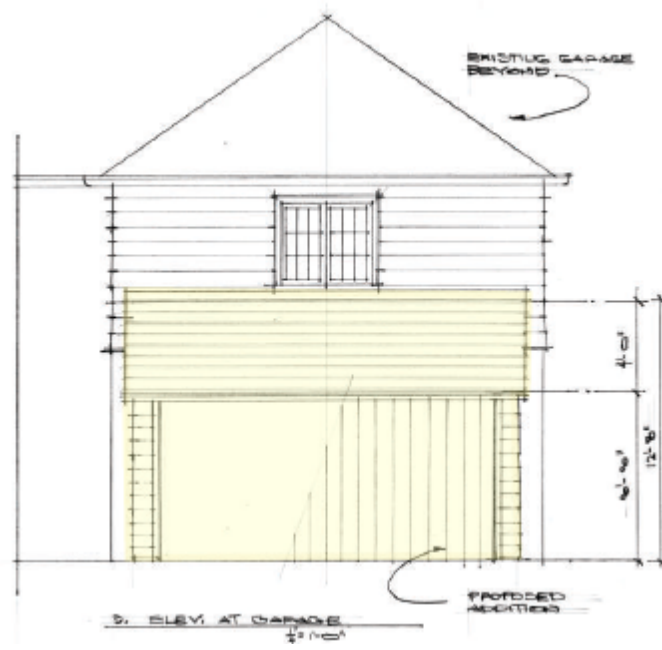


Figure 8 – Proposed Front Elevation (East) of Attached Garage Addition

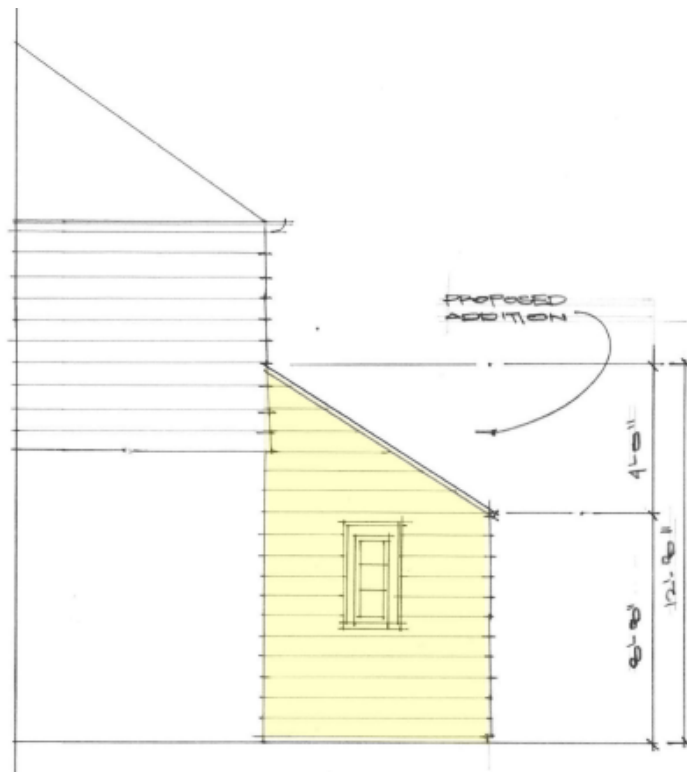
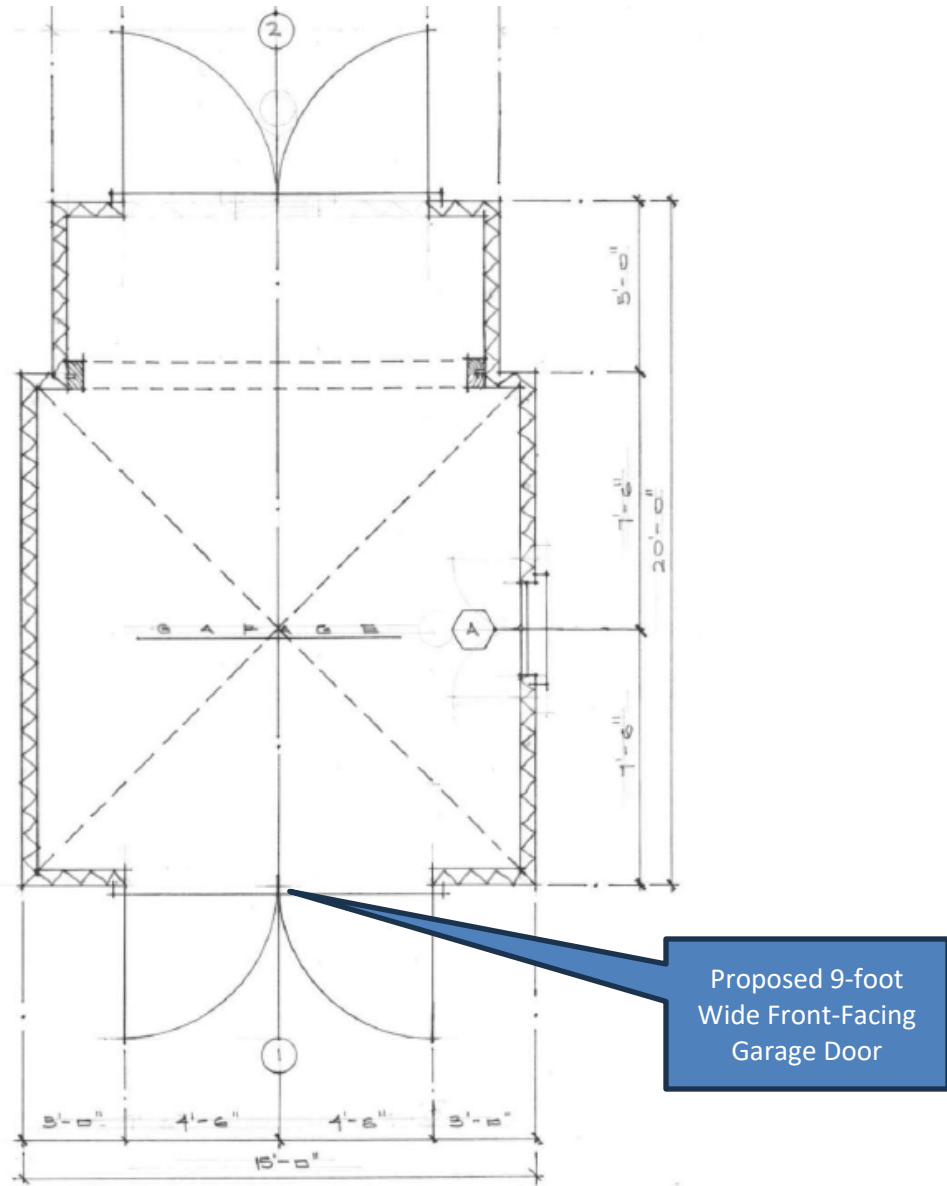


Figure 9 – Proposed South Elevation of Attached Garage Addition



**Figure 10 – Proposed Detached Garage Floor Plan**

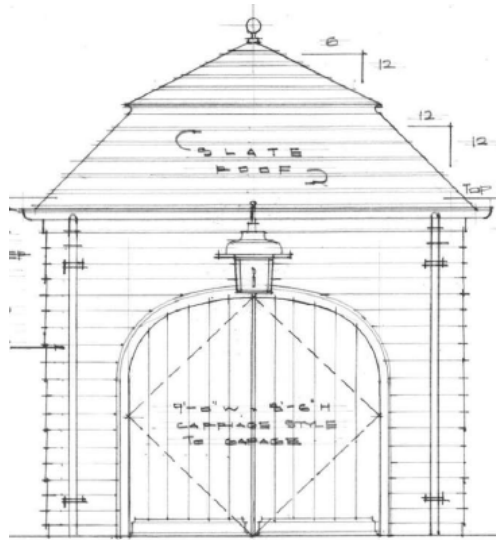


Figure 11 – Proposed Front Elevation of Detached Garage

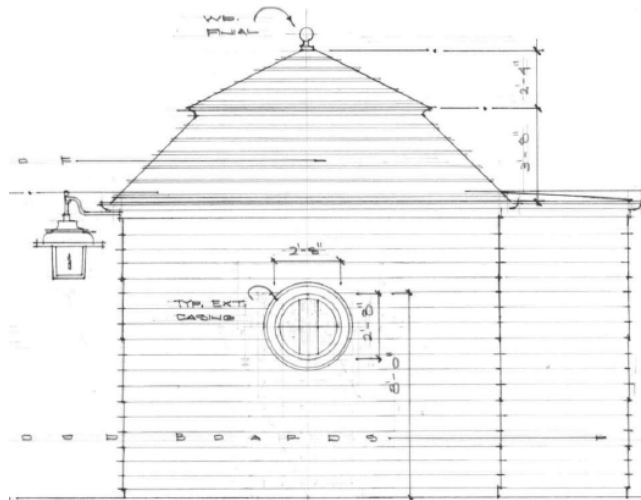


Figure 12 – Proposed North Side Elevation of Detached Garage



Figure 13 – Proposed Rear Elevation of Detached Garage

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 improvements, which are required to comply with the Village stormwater regulations. Figure 14 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain, the orange represents the 500-year floodplain. Portions of the Subject are located within the 100-year floodplain; however, the residence itself is not. Any improvements within the 100-year floodplain are subject to the Village's Flood Hazard Protection Ordinance and the Metropolitan Water Reclamation District (MWRD) Water Management Ordinance (WMO). The proposed addition is located east of the existing residence, away from the 100-year floodplain. The location of the proposed detached garage in relation to the floodplain will need to be verified by Village Engineering staff upon submittal of the necessary engineering plans required for the permits necessary to construct the proposed improvements.

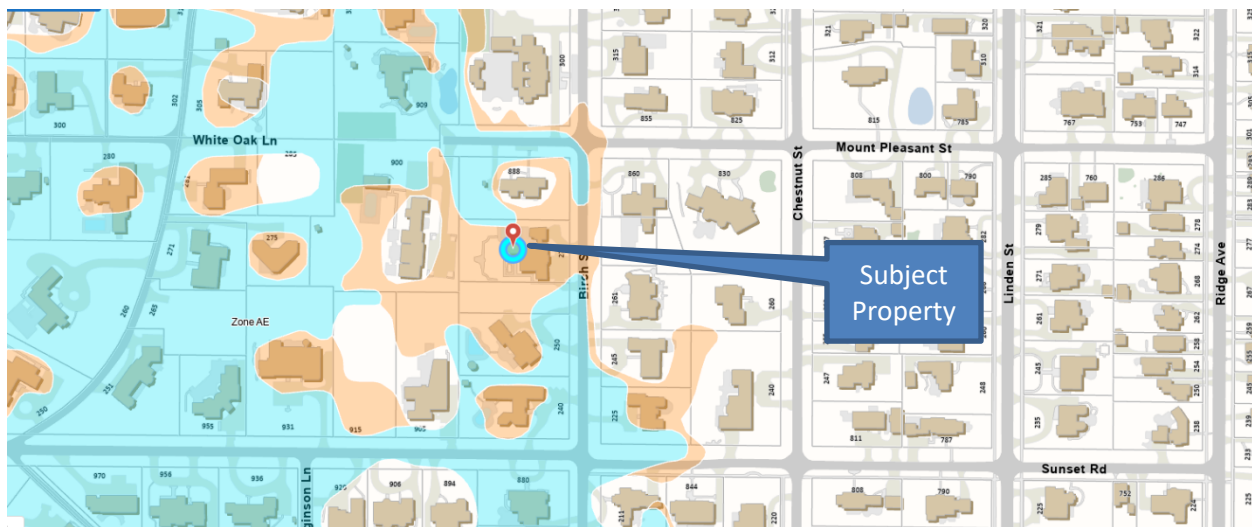


Figure 14 – GIS Floodplain Map

### REQUESTED ZONING RELIEF

The attached Zoning Matrix highlights the existing lot and the proposed improvements' compliance with the R-2 zoning district (**Attachment A**). The Applicant requests three variations: (1) front yard setback; (2) total side yard setback; and (3) front-facing garage door width.

Front Yard Setback (Birch Street). The existing residence is legally nonconforming with respect to the front yard setback as it currently provides a front yard setback of 49.55 feet, encroaching the minimum required setback of 50 feet by 0.45 feet. The proposed attached garage addition would provide a front yard setback of 45.68 feet, requiring a variation of 4.32 feet (8.64%). The proposed detached garage would provide conforming front yard setback of 57.65 feet.

For reference, the variation application that was considered by the ZBA in November of last year, and subsequently withdrawn, proposed a front yard setback of 16.25 feet to a side-loaded three-car attached garage.

Total Side Yard Setback. The existing improvements on the Subject Property currently provide a north side yard setback of 10.39 feet and the proposed detached garage would provide a south side yard setback of 12.5 feet. Therefore, the proposed sum of the side yard setbacks is 22.89 feet, whereas the

minimum required sum of the side yard setbacks is 49.43 feet, requiring a variation of 26.54 feet (53.69%).

The Zoning Ordinance requires a minimum side yard setback of 12 feet for the Subject Property. The existing improvements on the site are nonconforming with respect to the minimum side yard setback. Though, the proposed addition and detached garage both comply with the minimum 12-foot side yard setback, the total side yard setback of 49.43 feet is not provided and thus relief is requested to allow a total side yard setback of 22.89 feet (10.39 feet to improvements on north side of Subject Property, a shed attached to the north side of the garage, + 12.5 feet to proposed detached garage).

In the R-2 District, detached garages are allowed reduced side yard and rear yard setbacks of 3 feet when located within the rear 25% of the lot depth and adjoining the rear yard or rear 25% of the adjoining property. The rear 25% of the Subject Property is the west 57.73 feet of the lot. In this instance, the proposed detached garage is not located in the rear 25% of the lot and is therefore required to adhere to the same side yard setback requirements as the principal building.

Front-Facing Garage Door Width. Both of the proposed garages would have front-facing garage doors. The proposed garage door on the attached garage would measure 16 feet in width and the proposed garage door on the detached garage would be 9 feet in width. Therefore, the aggregate width of the front-facing garage doors would be 25 feet. The Zoning Ordinance allows a maximum of two individual 9-foot wide garage doors on front-facing garages. As noted at the beginning of this report, the existing front-facing garage door is more than 9 feet in width.

## FINDINGS

Section 17.60.040 of the Zoning Ordinance lists eight variation standards that the Board must find a variation application meets. The Applicant has supplied as part of their application materials a narrative addressing how this proposal meets these standards.

After hearing from the Applicant, and the public, the Board may decide to act on one of two options:

1. Continue the public hearing to a specific date to provide the Applicant and/or staff with additional time to address questions and comments from the Board; or
2. Consider a motion recommending approval or denial of the variations. If the ZBA is prepared to make a recommendation to the Village Council regarding the requested relief, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variations granting:

1. **Front Yard Setback** of 45.68 feet from the easterly property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 4.32 feet (8.64%) [Section 17.30.050 – Front and Corner Yard Setbacks];
2. **Total Side Yard Setback** of 22.89 feet, whereas a minimum sum of setbacks for both side yards of 49.43 feet is required, a variation of 26.54 feet (53.69%) [Section 17.30.060 – Side Yard Setback]; and
3. **Front-Facing Garage Door Width** measuring a total of 25 feet, whereas a maximum width of 18 feet is permitted, provided that no individual door exceeds 9 feet in width. [Section 17.30.110 Garages].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variations requested are **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **have been met [have not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

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

#### **ATTACHMENTS**

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

## ATTACHMENT A

### ZONING MATRIX

**ADDRESS: 270 Birch Street**

**CASE NO: 25-10-V2**

**ZONING: R-2**

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	24,000 SF	38,048 SF	N/A	N/A	OK
Min. Average Lot Width	100 FT	164.77 FT	N/A	N/A	OK
Min. Lot Depth	200 FT	230.92 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	9,512 SF (1)	5,044.36 SF	5,494.36 SF	450 SF	OK
Max. Gross Floor Area	10,566.04 SF (1)	7,837.69 SF	8,287.69 SF	450 SF	OK
Max. Impermeable Lot Coverage	19,024 SF (1)	13,489 SF	14,739 SF	1,250 SF	OK
Min. Front Yard (Birch/East)	50 FT	49.55 FT	45.68 FT	-3.87 FT	<b>4.32 FEET (8.64%) VARIATION</b>
Min. Side Yard (North)	12 FT	10.39 FT	10.29 FT (3)	0 FT	EXISTING NONCONFORMING
Min. Total Side Yards	49.43 FT	57.44 FT	22.89 FT (4)	-34.55 FT	<b>26.54 FEET (53.69%) VARIATION</b>
Min. Rear Yard (West)	25 FT	+95 FT	+95 FT	0 FT	OK

**NOTES:**

(1) Based on lot area of 38,048 s.f.

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

(3) Proposed garage addition would provide a north side yard setback of 12.5 feet.

(4) Proposed detached garage would provide a south side yard setback of 12.5 feet.

**(5) Variation required to allow front-facing garage doors measuring a total of 25 feet, wheres a maximum of two 9-foot wide garage doors are permitted.**

## 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
<b>A. New Home Construction - Previously Developed Lot</b>	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>B. New Home Construction - Previously <u>Undeveloped</u> Site</b>	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.	
<b>C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)</b>	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.	
<b>D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.</b>	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.)	<b><i>Applies to 270 Birch Street</i></b> <i>Based upon preliminary review of information to date, it appears that 270 Birch Street <u>would not</u> have to provide additional storm water detention volume. <b>However, a final determination will not occur until engineering plans are submitted with a building permit application.</b></i>
<b>E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)</b>	The amount of additional required storm water detention volume is based upon: <ul style="list-style-type: none"> <li>a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed by zoning that will be removed and replaced, and/or</li> <li>b) The amount of ILC in addition to what currently exists on the lot.</li> </ul>	

# Stormwater Volume Requirements for Development Sites

	The amount of required detention volume is then determined using the run-off coefficient for 100-year storm event.	
--	--	--

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 25-10-V2

Property Information

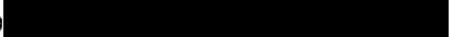
Site Address: 270 BIRCH STREET, WINNETKA, IL 60093

Owner Information

Name: SPENCER, ALEX KOEHLER

Primary Contact: ALEX KOEHLER

Address: 

Phone No. 

City, State, ZIP: WINNETKA, IL 60093

Email: ALEX@ALEXANDRAKOEHLER.COM

Date property acquired by owner: \_\_\_\_\_

Architect Information

Attorney Information

Name: JAMES LAUGHLIN

Name: N/A

Primary Contact: JAMES LAUGHLIN

Primary Contact: \_\_\_\_\_

Address: 2829 2<sup>ND</sup> AVENUE S.

Address: \_\_\_\_\_

City, State, ZIP: BIRMINGHAM, AL 35233

City, State, Zip: \_\_\_\_\_

Phone No. (205) 807-7814

Phone No. \_\_\_\_\_

Email: JIMMY@JAMESLAUGHLIN.COM

Email: \_\_\_\_\_

Nature of any restrictions on property: EXISTING NONCONFORMING  
BUILDING CODES, DEPTH OF PROPERTY, SEE ATTACHED

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

\* SEE ATTACHED SHEET FOR DETAILS \*

Property Owner Signature: 

Date: JUNE 30, 2025



James B Laughlin

JUNE 30, 2025

*[Handwritten signature]*

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

THE DETACHED GARAGE SATISFIES N<sup>o</sup> 3-20, IF LOCATED IN REAR 25%. IT WOULD BE CLOSER IN PROXIMITY TO ADJACENT HOMES THAN THE SUBJECT RESIDENCE.

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

THE EXISTING HOUSE ENGAGES THE FRONT SETBACK AND SPANS NEARLY THE ENTIRE WIDTH. THIS PRESENTS A HARDSHIP DUE TO EXISTING CONDITIONS; THE GEOMETRY OF HOUSE; PARCEL LIMITS OPPORTUNITY OF EXPANSION.

INTERVIOUS AREA IS A NON-ISSUE PER OUR PROPOSAL DUE TO THE SIZE OF THE LOT.

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

THE EXISTING PREAMAR BUILDING GREATLY CONTRIBUTES TO THE NEIGHBORHOOD FABRIC.

OWNER ELECTED TO RESTORE & RENOVATE IN LIEU OF DEMOLISHING. ADDITIONS ARE EQUAL OR MORE CONTRIBUTING IN CHARACTER.

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

THE 8-FOOT ADDITION AND NEW DETACHED GARAGE WILL NOT IMPAIR THIS.

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

IT WILL NOT - IF ANYTHING, THE DETACHED GARAGE FURTHER ENSURES THIS.

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

IT WILL NOT BE DIMINISHED - IT WILL CERTAINLY BE IMPROVED.

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

THE PROPOSAL WILL DECREASE CONGESTION PER THE DESIGN.

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

THEY WILL NOT BE IMPAIRED BUT IMPROVED AND MORE CONSISTANT W/ THE NEIGHBORHOOD FABRIC.

THREE VARIATIONS REQUESTED:

1. FRONT YARD - BUILDING = 45.78'  
GARAGE = 57.65'

2. SIDE YARD (DETACHED GARAGE) = 12'-6"

3. FRONT-FACING GARAGE DOOR WIDTHS  
- BUILDING - 16'-0" DOUBLE  
- GARAGE - 9'-0" SINGLE

**From:** [Alexandra Kaehler](#)  
**To:** [Ann Klaassen](#)  
**Subject:** Re: 270 Birch - ZBA Meeting  
**Date:** Tuesday, July 1, 2025 10:09:05 PM

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

This is my formal approval for Scott Lyon and company to speak on our behalf at the ZBA meeting on July 14th.

Thank you

Alex Kaehler  
Principal  
Alexandra Kaehler Design  
907A Green Bay Road Winnetka, IL 60093  
Office: 847.386.9066 / [REDACTED]  
[www.alexandrakaehler.com](http://www.alexandrakaehler.com)

On Jun 30, 2025, at 5:00 PM, Ann Klaassen <[aklaassen@winnetka.org](mailto:aklaassen@winnetka.org)> wrote:

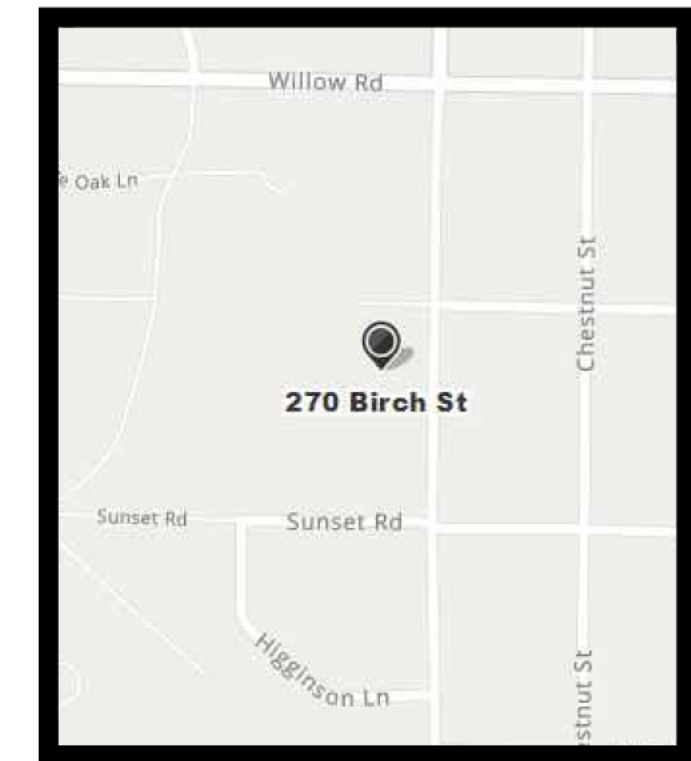
Hi Alex – I'm sorry I haven't gotten back to you about Scott Rosett representing you at the ZBA meeting. You may certainly have him represent you. I would suggest granting him permission to do so in writing, an email would suffice. If you can send an email to me by this Thursday, July 3, then I will include it in your application materials provided to the ZBA prior to the meeting. Will Jimmy be attending?

Best,

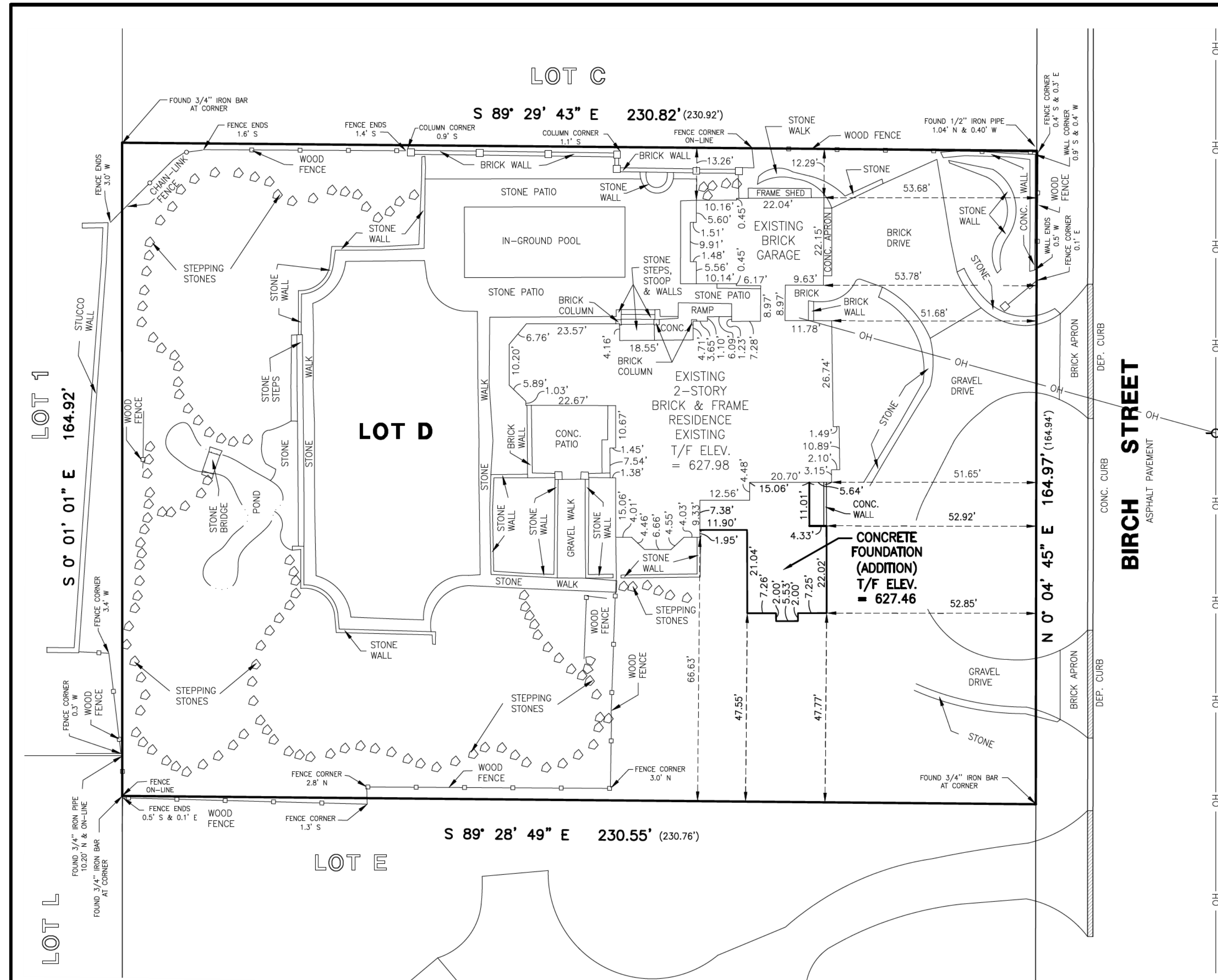
[Ann Klaassen](#)  
Assistant Director | Village of Winnetka Community Development  
510 Green Bay Road - Winnetka, IL 60093  
847.716.3525

# PLAT OF SURVEY

LOT D IN OWNER'S CONSOLIDATION OF LOTS 10 THROUGH 72 IN OAK GROVE ADDITION TO WINNETKA INCLUDED WITH VACATED WINDES AND OSGOOD STREETS, A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



**LOCATION MAP**  
NOT TO SCALE



**SURVEYORS NOTES:**

1. THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
2. SURVEY FOR THE PURPOSE OF DEPICTING ADDITION.
3. BUILDING TIES SHOWN HEREON ARE MEASURED TO THE OUTSIDE FACE OF FINISHED CONCRETE FOUNDATION.
4. ( ) DENOTES RECORD DIMENSION.
5. BEARINGS HEREON SHOWN ARE ON AN ASSUMED BASIS.
6. ORIGINAL CLIENT- DONALD ASHER
7. ORIGINAL FIELD WORK COMPLETED- 08-14-20

**GENERAL NOTES:**

1. DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
2. NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
3. ONLY THOSE BUILDING LINE SETBACKS AND EASEMENTS WHICH ARE SHOWN ON THE RECORDED PLAT OF SUBDIVISION ARE SHOWN HEREON. THERE MAY BE ADDITIONAL TERMS, POWERS, PROVISIONS AND LIMITATIONS CONTAINED IN AN ABSTRACT DEED, LOCAL ORDINANCES, DEEDS, TRUSTS, COVENANTS OR OTHER INSTRUMENTS OF RECORD.
4. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT AND IMMEDIATELY REPORT ANY DISCREPANCIES TO THE SURVEYOR.

**LEGEND**

- POWER POLE
- OH — OVERHEAD LINES

**AREA**

38,048 Sq. Ft. OR 0.87 ACRES (MORE OR LESS)

STATE OF ILLINOIS }  
COUNTY OF LAKE } SS

WE, GREENGARD INC., DO HEREBY STATE THAT WE HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

DATED THIS 18TH DAY OF FEBRUARY, A.D., 2021



*Joseph R. Sadoski*  
JOSEPH R. SADOSKI  
ILLINOIS

GREENGARD, INC.  
111 BARCLAY BOULEVARD, SUITE 310  
LINCOLNSHIRE, ILLINOIS 60069

PROFESSIONAL LAND SURVEYOR NO. 3316  
MY RENEWABLE LICENSE EXPIRES 11-30-22.

Drawing File: C:\HOME 66161\66161-SS.dwg Feb 18, 2021-9:16am

DESIGNED BY: AN	DATE: 08-17-20
CHECKED BY: JRS	DATE: 08-19-20
APPROVED BY:	DATE:
JS	02-17-21
DRAWN BY:	DATE:
FOUNDATION LOCATION ADDITION	
REVISIONS	

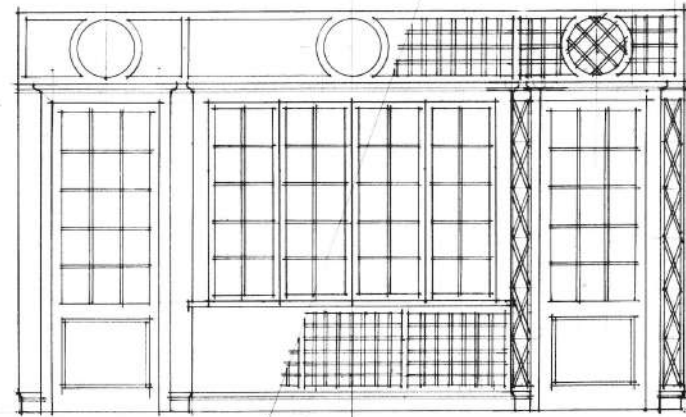


**GREENGARD, INC.**  
Engineers • Surveyors • Planners  
111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615  
PHONE: 847-634-3883 E-MAIL: 231@GREENGARDINC.COM  
FAX: 847-634-0687 ILL. REGISTRATION NO. 184-000995

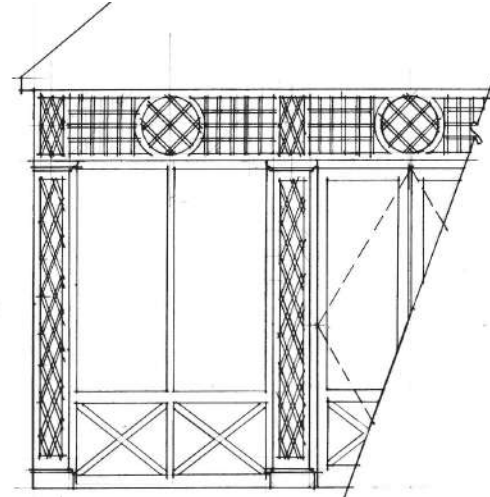
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DRAWING No.	66161
SHEET	1 OF 1

270 BIRCH STREET - WINNETKA, ILLINOIS

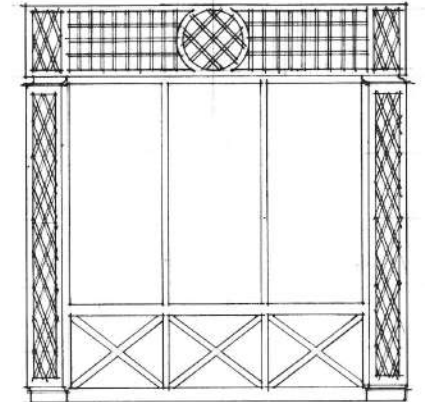
**PLAT OF SURVEY**



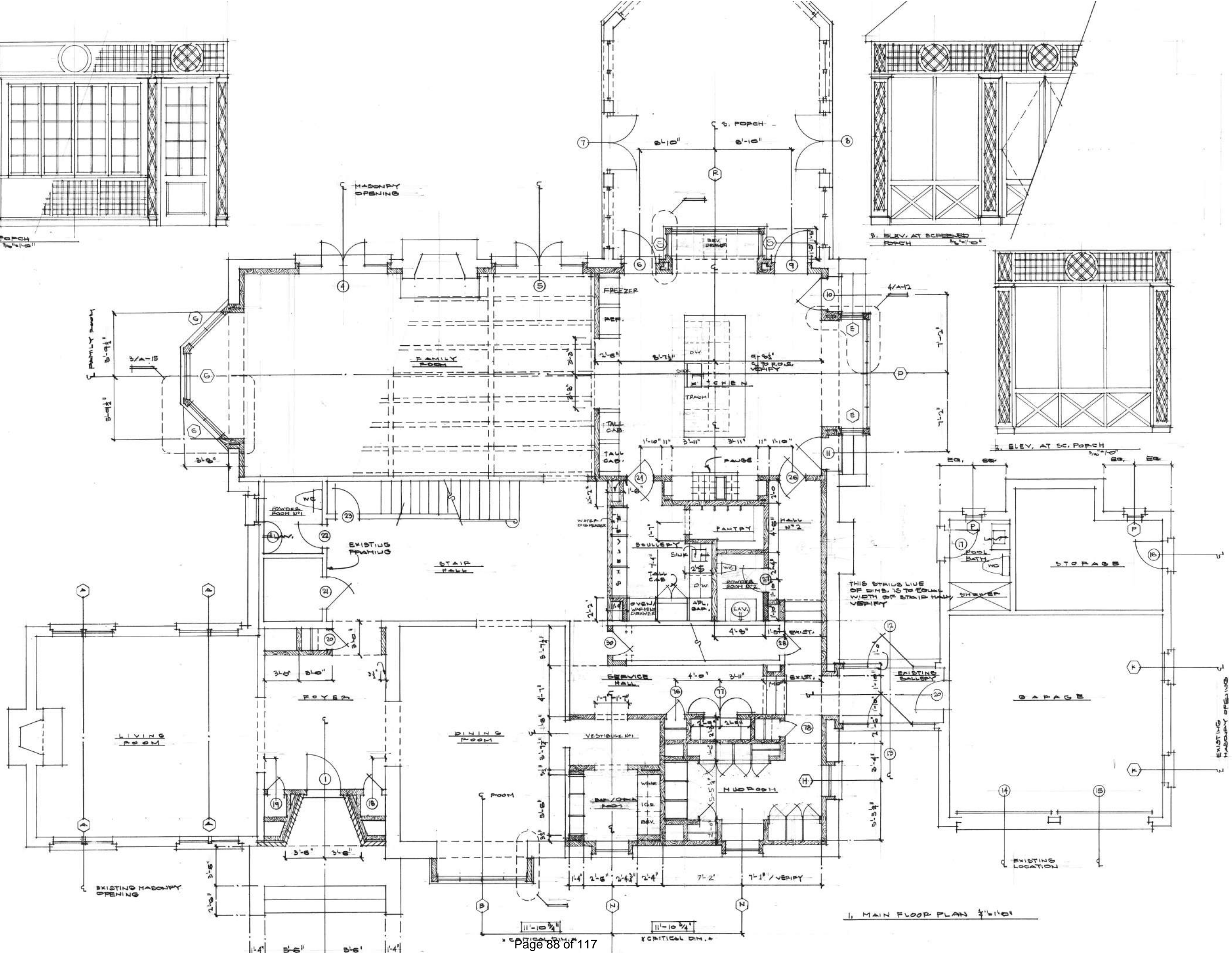
1. ELEV. AT SC. PORCH



2. ELEV. AT SCREENED PORCH



3. ELEV. AT SC. PORCH



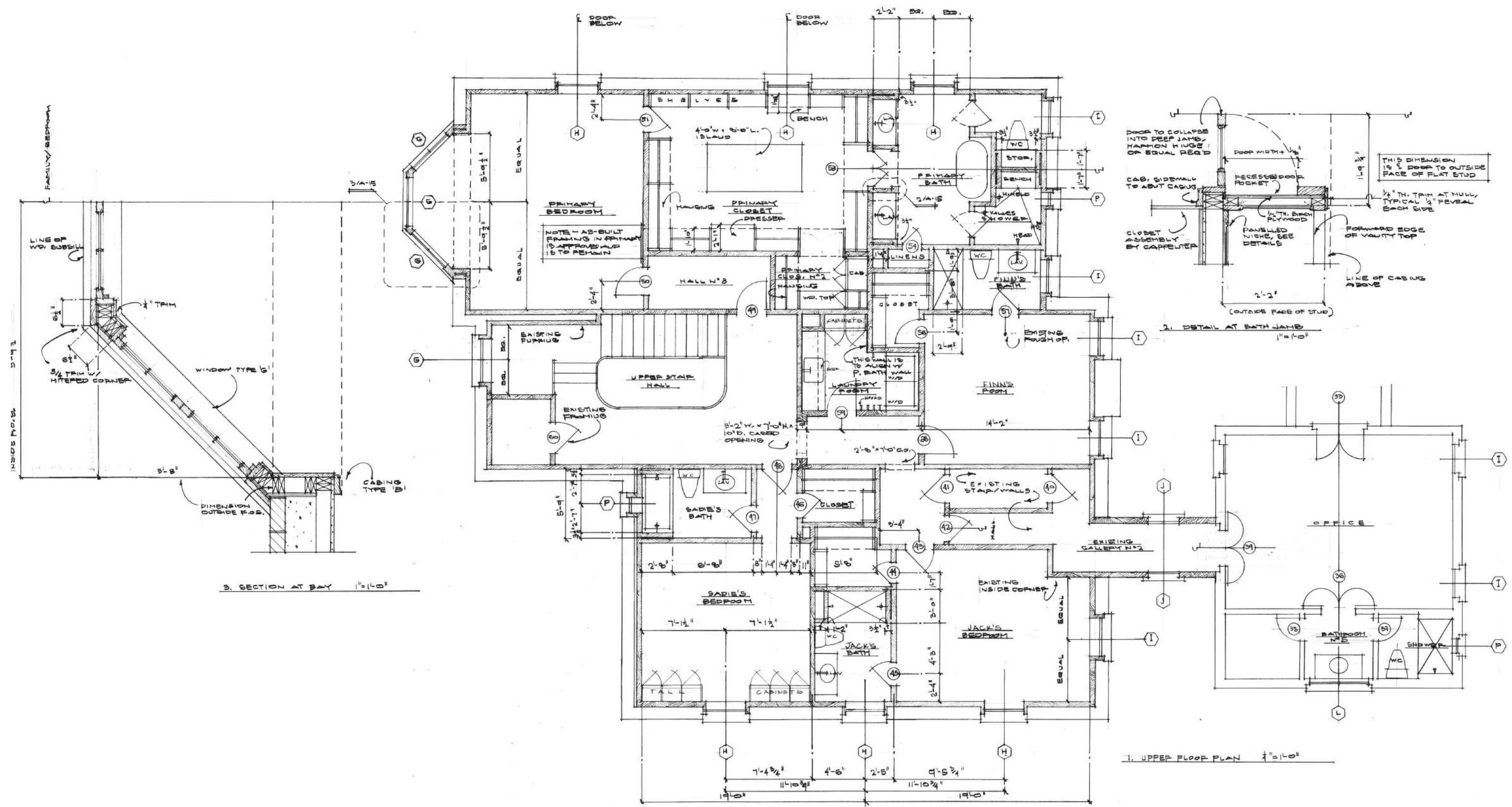
1. MAIN FLOOR PLAN 3/11/01

James B. Laughlin

RENOVATION  
ALEX AND S  
KAEHLER  
270 BIRCH  
WINNETKA  
60093

MAIN FL.  
PLAN

MARCH 11,

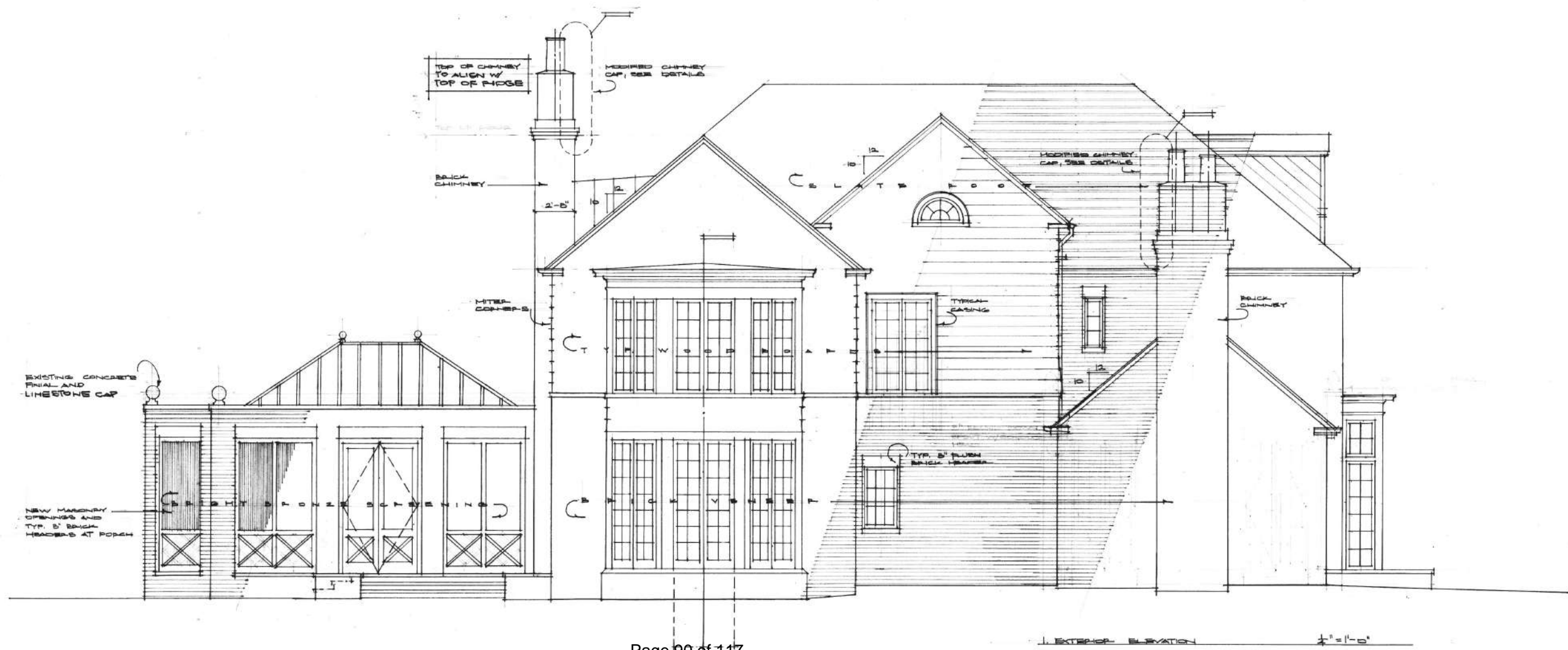
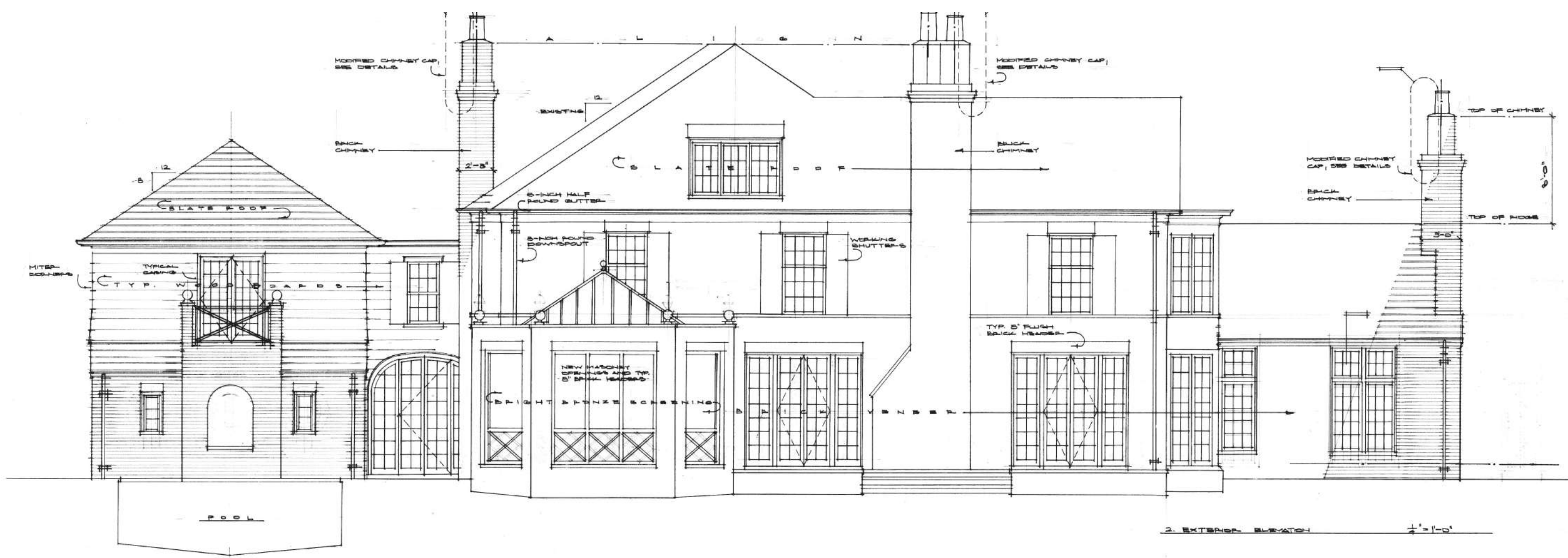


James B. Laughlin

RENOVATION FOR ALEX / SPENCER  
270 BIRCH  
WINNETKA, IL  
60095

UPPER FLOOR PLAN

MARCH 8, 2012

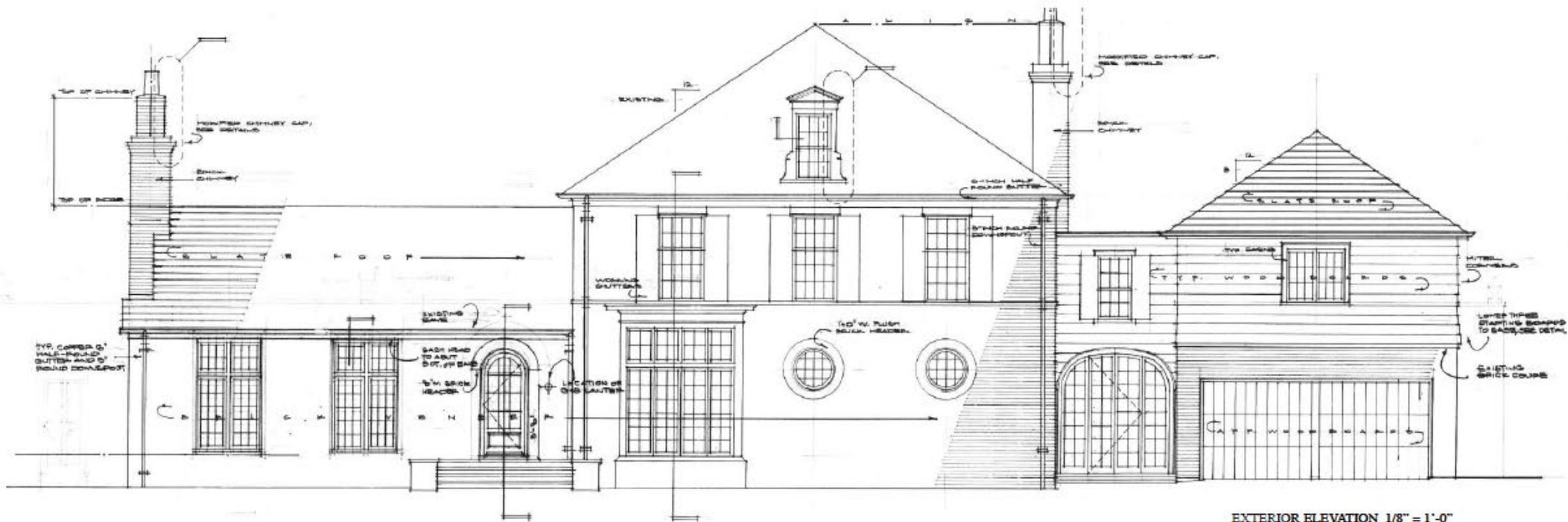


James B. Laughlin

DATE  
BY  
CHECKED  
SCALE

DATE  
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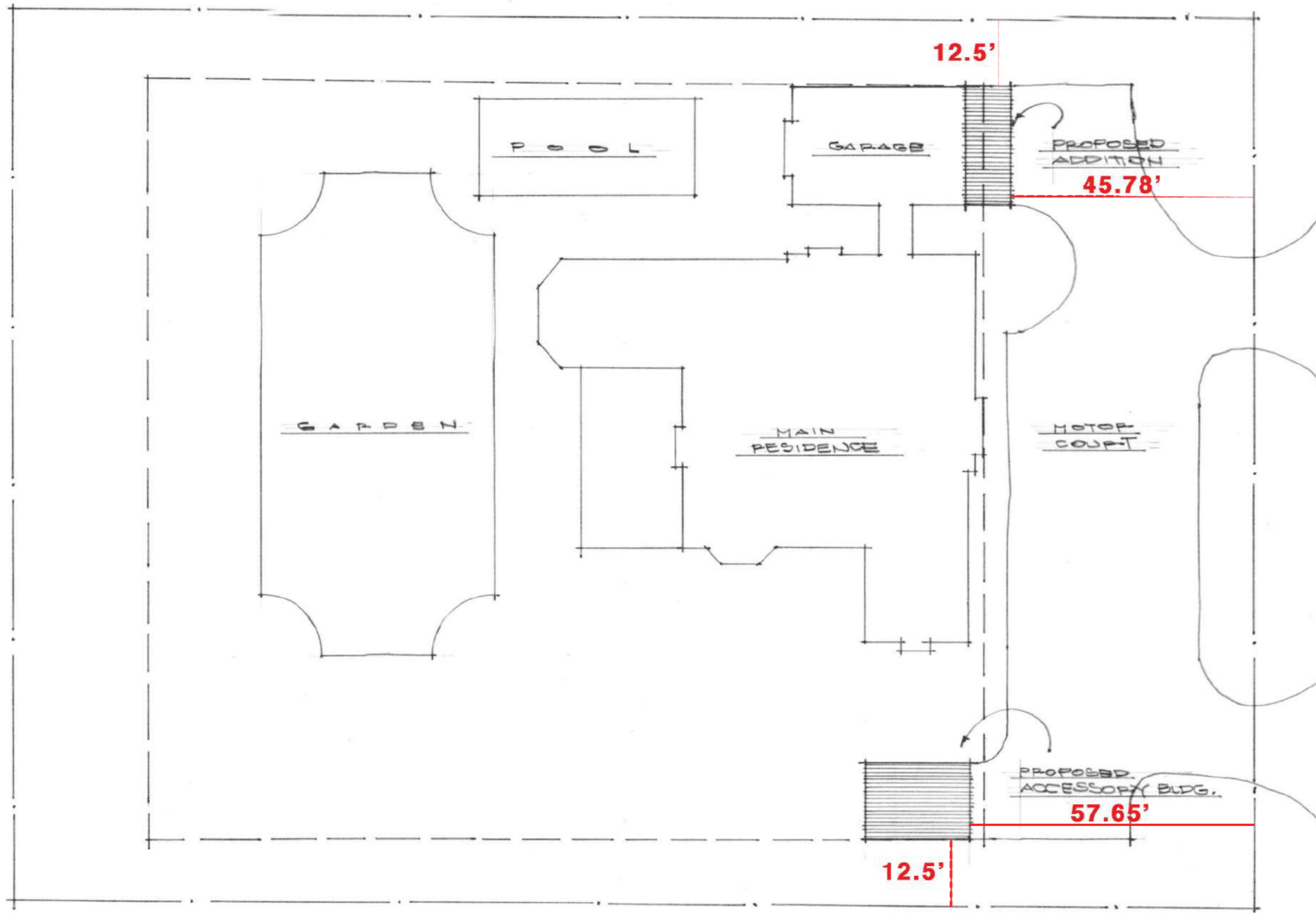
MARCH 8,



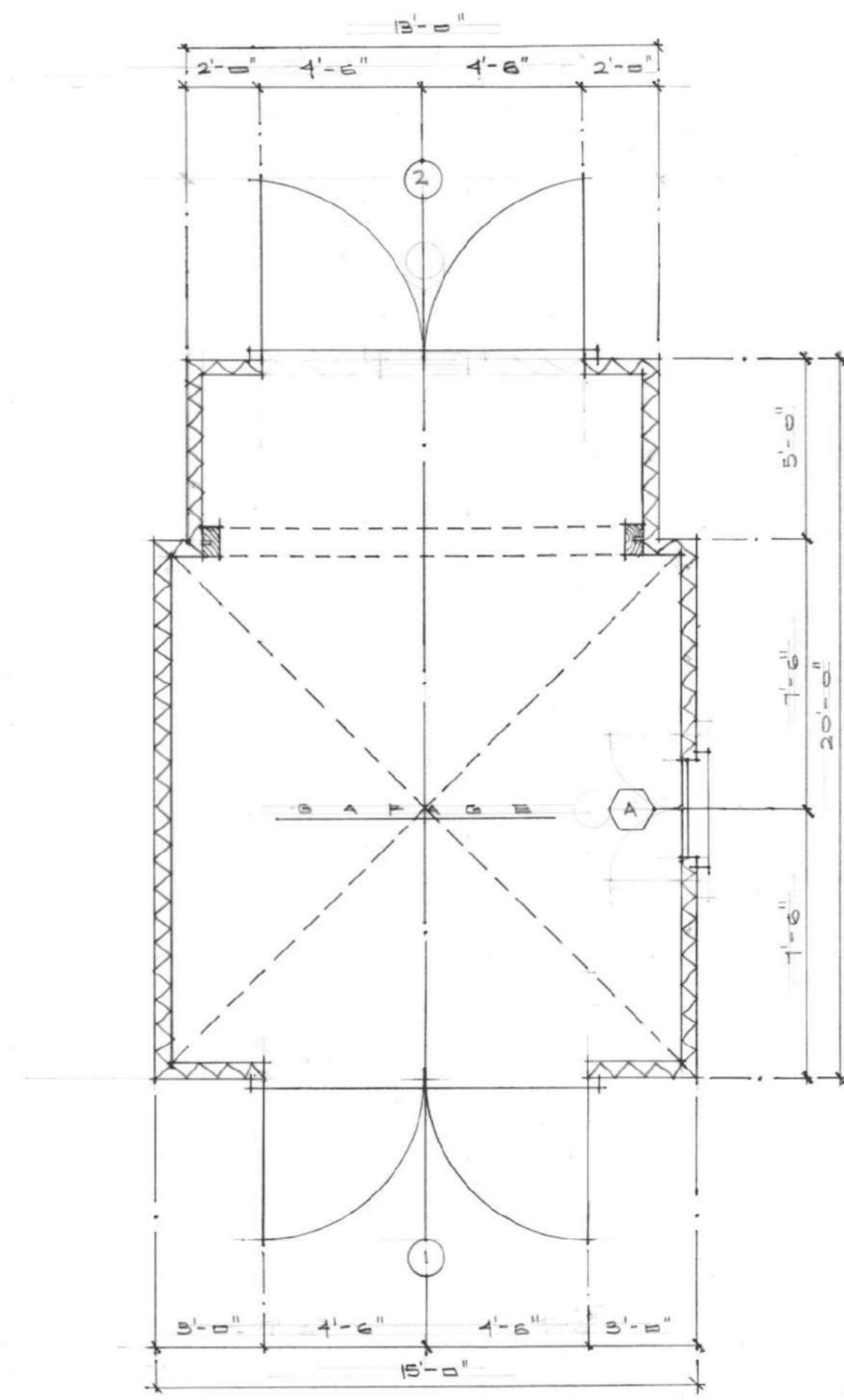
EXTERIOR ELEVATION 1/8" = 1'-0"



EXTERIOR ELEVATION 1/8" = 1'-0"

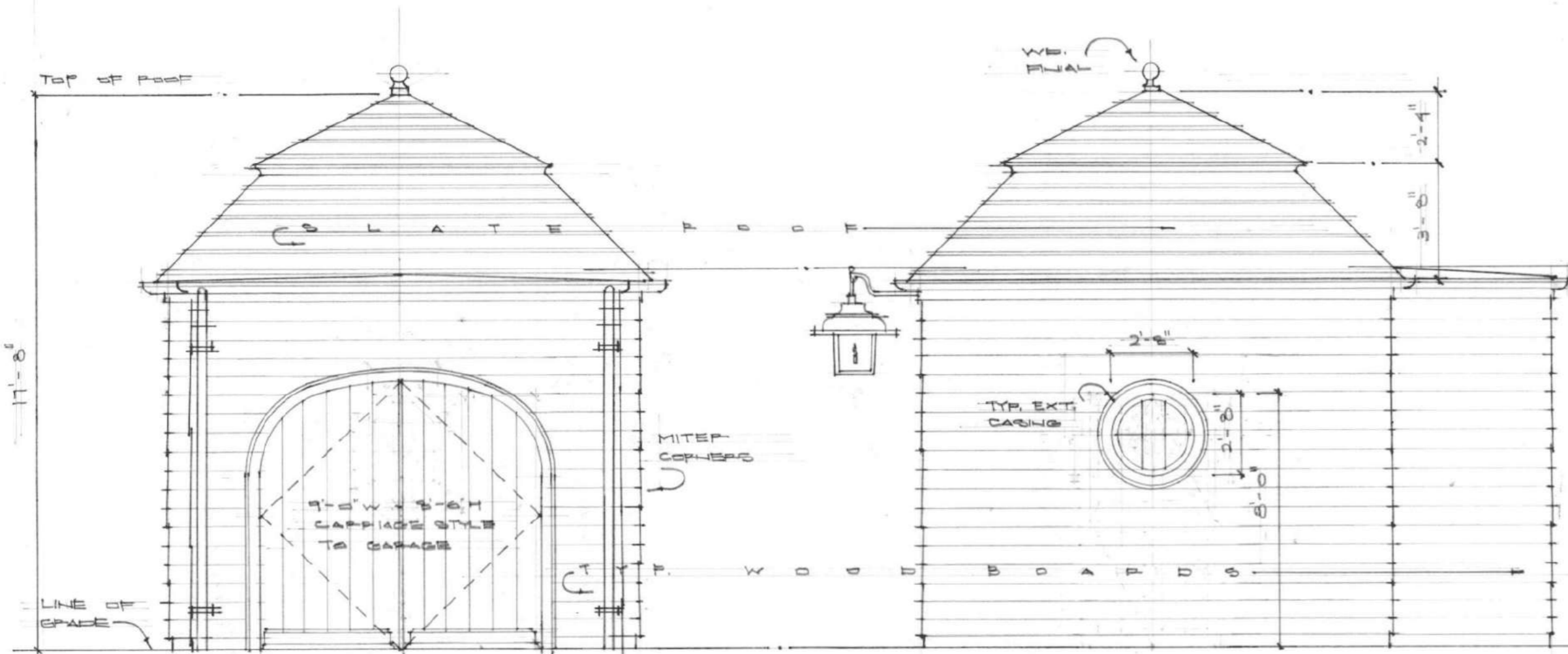


3. SITE PLAN 1:20



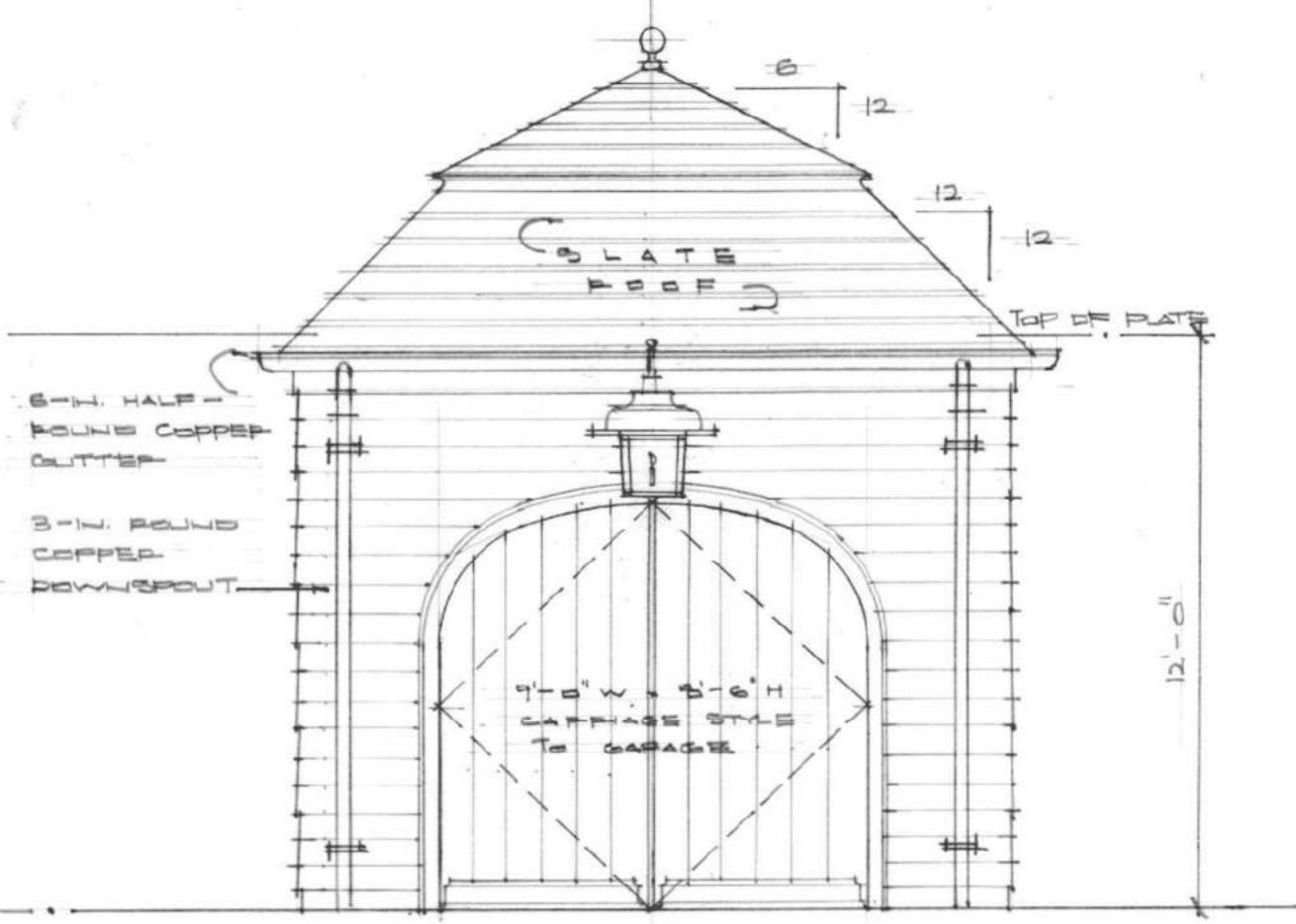
4. GARAGE PLAN 1/4" = 1'-0"

T O W N S H I P



2. PEAK ELEVATION 1/4" = 1'-0"

2. SIDE ELEVATION 1/4" = 1'-0"



1. FRONT ELEVATION 1/4" = 1'-0"

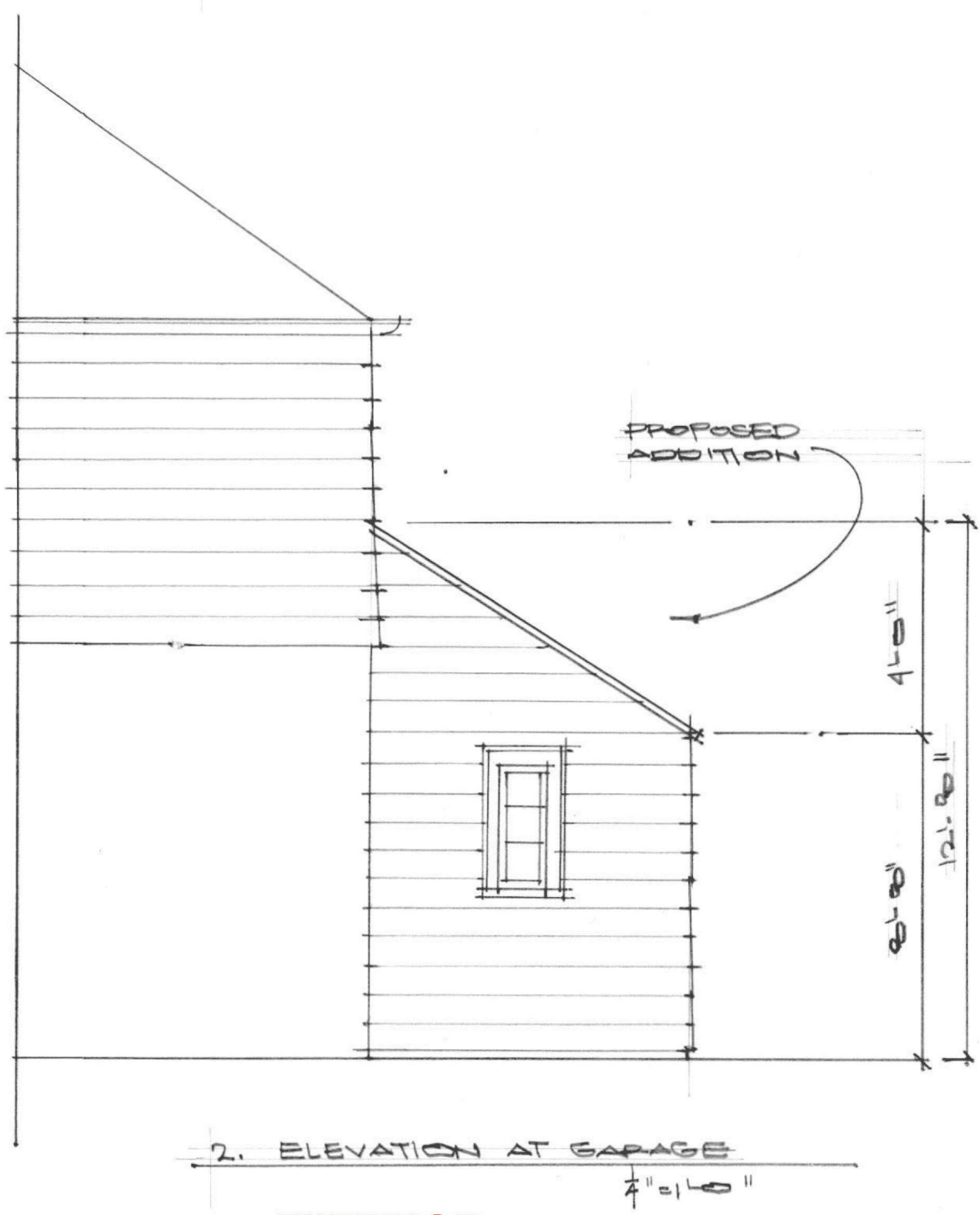
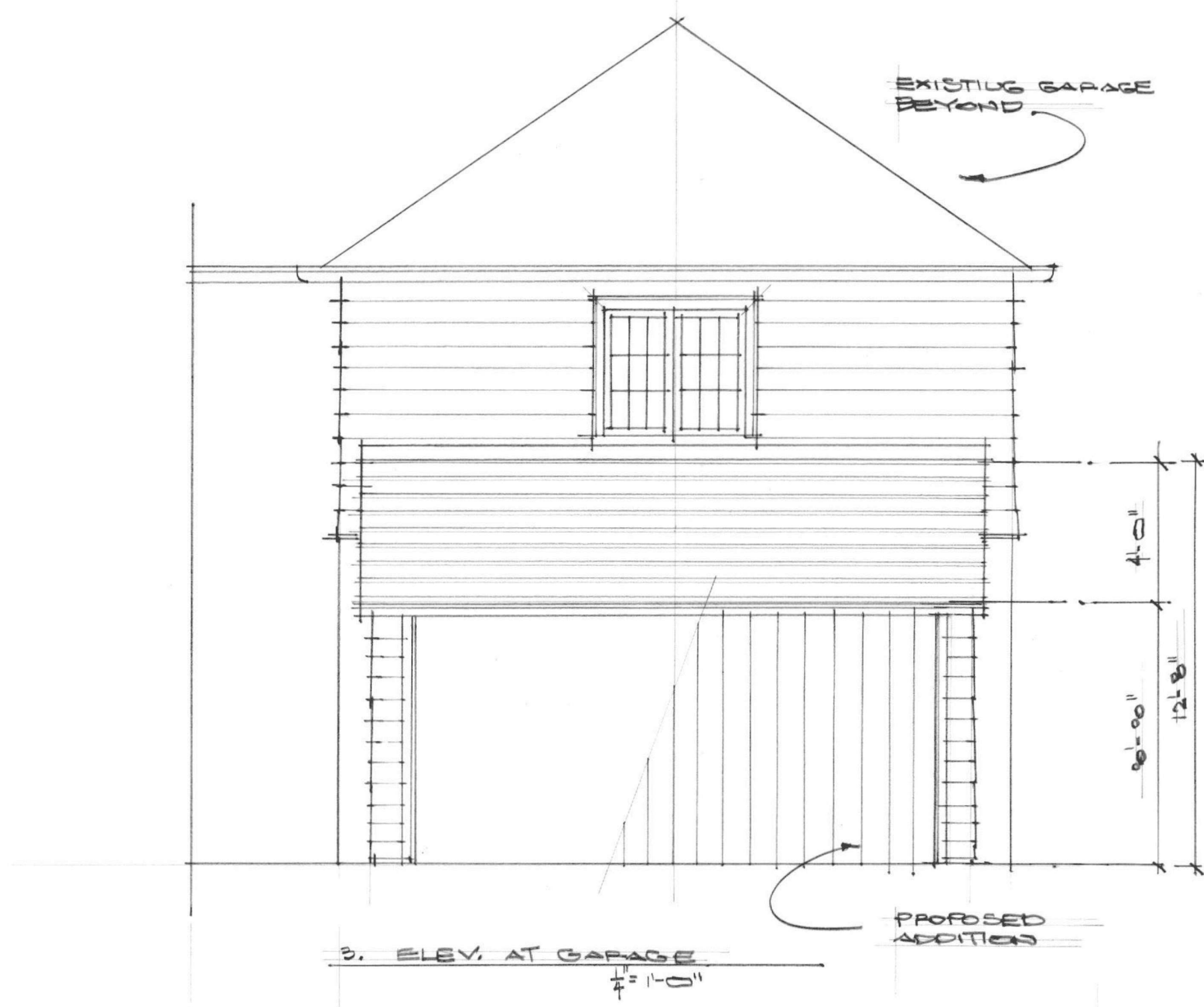
**EXTERIOR ELEVATIONS**

**James B. Laughlin**  
 (309) 779-6055  
 jamesb@jbl.com

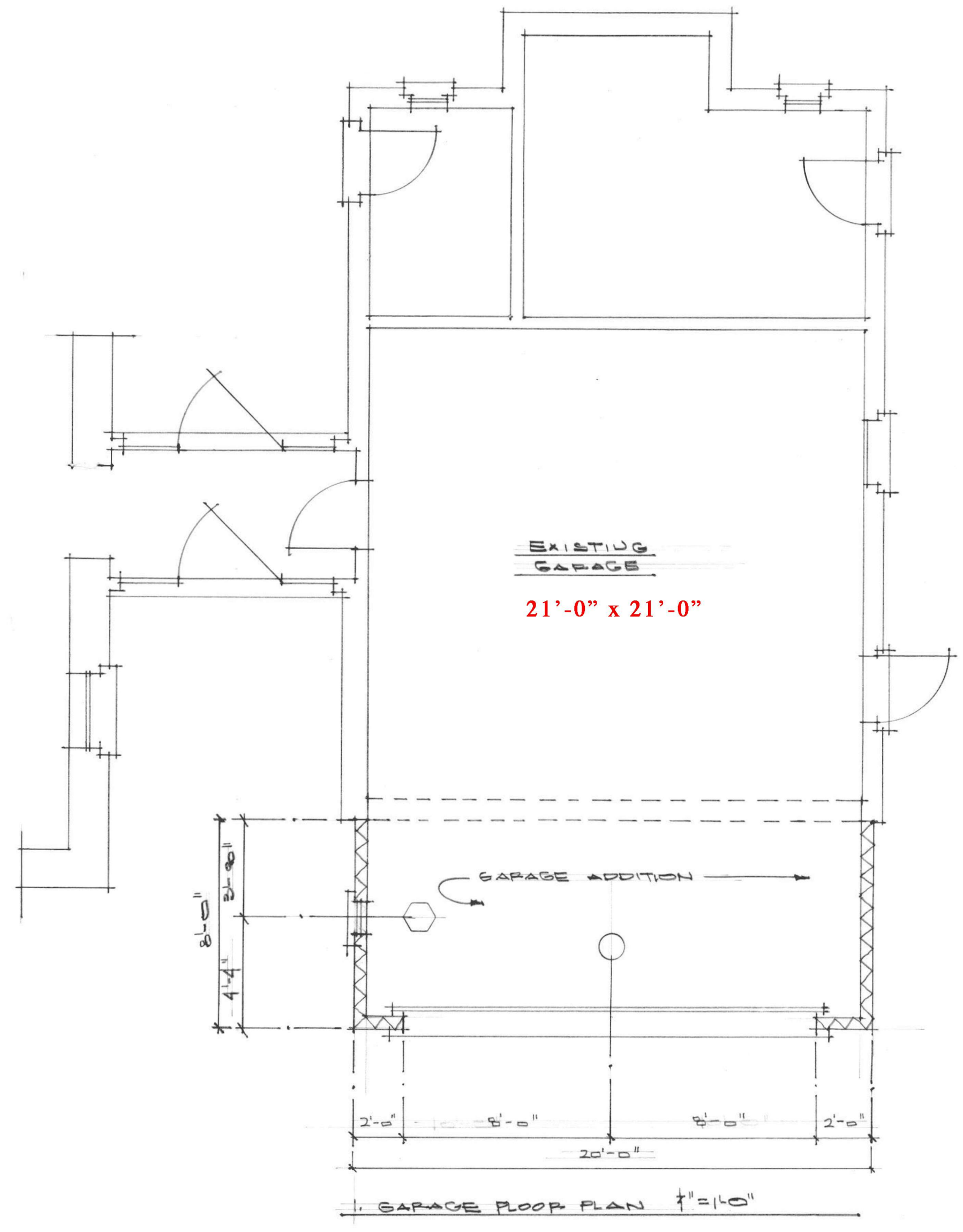
A NEW GARAGE FOR ALEX AND SPENCER KASLER 270 BIRCH STREET WILMETTE, IL 60093

PLANS AND EXTERIOR ELEVATIONS

JUNE 2, 2025  
 REVISED  
 JUNE 18, 2025



**EXTERIOR ELEVATIONS**



**James B. Laughlin**

(309) 775-6055



jamesbloughlin.com

A NEW GARAGE FOR ALEX AND SPENCER KAHLER 210 BIRCH STREET WINNETKA, IL 60093

GARAGE ADDITION PLANS AND EXTERIOR ELEVATIONS

JUNE 2, 2025  
REVISED  
JUNE 17, 2025



# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** CHRISTOPHER MARX, ACIP - ASSOCIATE PLANNER  
**DATE:** JULY 10, 2025  
**SUBJECT:** 826 HUMBOLDT AVENUE - VARIATIONS (CASE NO. 25-13-V2)

### INTRODUCTION

On July 14, 2025, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by ABI Developers 2, Inc. (the "Applicant"), as the owner of the property located at 826 Humboldt Avenue (the "Subject Property"). The Applicant requests approval of the following zoning variations to allow work beyond ordinary repair and maintenance to the existing legally nonconforming residence and construction of an addition, and an attached garage on the Subject Property:

1. **Front yard setback** of 4.54 feet from the north property line along Humboldt Avenue, whereas a minimum of 30 feet is required, a variation of 25.46 feet (84.87%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a front yard setback of 4.54 feet];
2. **Structural changes necessary to provide a new window opening** in the legally nonconforming east side building wall of the existing residence that provides a side yard setback of 1.39 feet, whereas a minimum of 6 feet is required [Section 17.64.060 – Nonconformities]; and
3. **Building Line Articulation.** An unarticulated east building wall 53.69 feet in length, whereas articulation of 18 inches is required for any building additions if any of the side buildings walls is at least 40 feet long, a variation of 13.69 feet (34.22%) [Section 17.30.090 – Building Line Articulation].

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 June 26, 2025. As of the date of this memo, staff have not received any written comments from the public regarding this application.

***The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to reduce a front yard setback by more than 50% of the required setback. Typically, the ZBA has final jurisdiction on requests to allow unarticulated building walls more than 50 feet in length. Also, the Zoning Administrator typically 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 ZBA and Zoning Administrator do not have jurisdiction, the Village Council also has final jurisdiction on the requests to (i) allow an unarticulated building wall more than 50 feet in length; and (ii) allow structural changes necessary to provide a new window opening in the legally nonconforming east side building wall.***

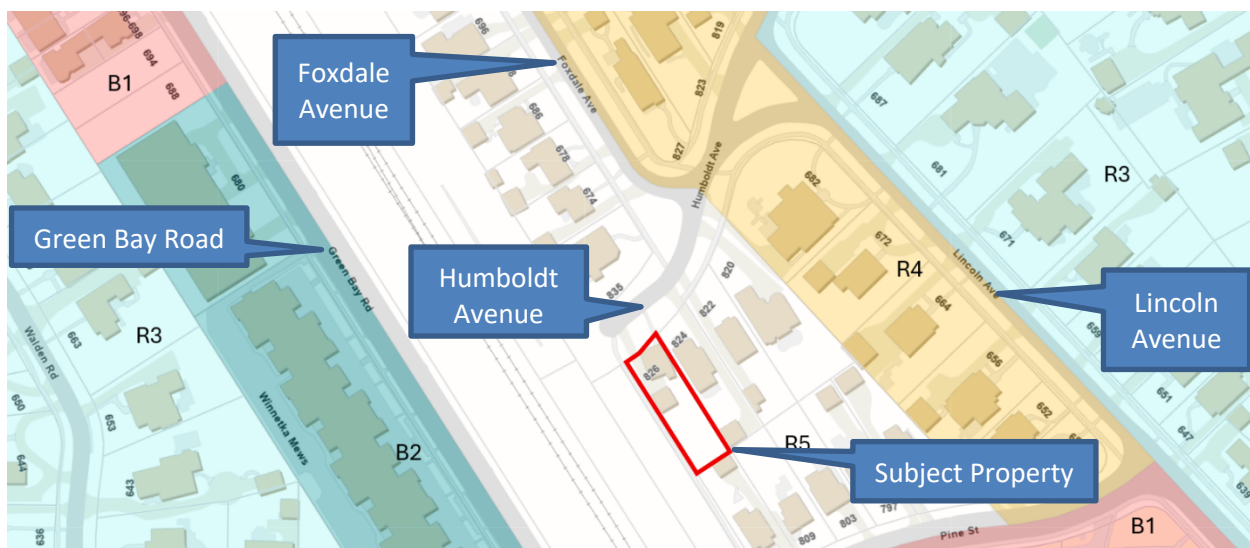
## PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.19 acres in size, is located on the south side of Humboldt Avenue between Foxdale Avenue and the Union Pacific Railroad, is zoned R-5 Single Family Residential, and contains an existing two-story residence and a detached garage (see **Figure 1**). The Subject Property is zoned R-5 Single Family Residential, and it is surrounded by the same (see **Figure 2**). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

The existing lot is a legally nonconforming interior lot that is 8,210 square feet in lot area, while the minimum required lot area for an interior lot in the R-5 District is 8,400 square feet. Additionally, the lot has an average lot width of 49.46 feet, while the minimum required average lot width for an interior lot is 60 feet in the R-5 District. The existing residence is legally nonconforming in two aspects of required setbacks: (i) it encroaches into the required front yard setback of 30 feet with a setback of 4.54 feet; and (ii) it encroaches into the required side yard setback of 6 feet with a setback of 1.39 feet from the east property line.



**Figure 1 – Aerial Map**



**Figure 2 – Zoning Map**

## PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in approximately 1921 with a front porch addition in 1949. There is one (1) previous zoning case on file, which occurred prior to the Applicant acquiring the Subject Property. In 2002, ZBA Case No. 02-02-V2 was an application requesting zoning relief to allow construction of a new front porch within the required front and side yard setbacks. The application was later withdrawn before the ZBA could reach a decision on the case.

The Applicant acquired the property in May of this year.

Figures 3 and 4 below are current photos of the Subject Property.



**Figure 3 – Subject Property – Front (North) and West Side Elevations**



**Figure 4 – Subject Property – West Side and Rear (South) Elevations**

**PROPOSED PLAN**

The variations are being requested in order to do an extensive interior renovation of the existing residence while constructing an addition that includes an attached garage. The existing detached garage would be removed. The interior renovation of the residence would consist of improvements to the foundation as well as a deepening of portions of the existing basement. The residence currently encroaches into the required front and east side yard setbacks and would be maintaining its current footprint while vertically extending the existing basement which is considered as work beyond ordinary repair and maintenance as defined in the Zoning Ordinance.

The enclosed front entrance vestibule and existing covered front deck would be maintained in their current form with structural changes that are deemed beyond ordinary repair and maintenance. Improvements to the vestibule’s wall and a new roof covering for both structures would be installed. An existing window opening in the nonconforming east side building wall would be slightly enlarged. A new window well within the front yard setback would also be installed for compliance with ingress-egress requirements for the basement.

The Applicant’s plans also include an addition on the rear of the existing residence. The proposed addition would consist of an attached garage and expanded areas for the kitchen and dining room on the first floor while providing a new primary bedroom and bathroom on the second floor. There would also be two outdoor decks on the addition.

Excerpts of the proposed site plan, floor plan, and building elevations are provided below and on the following pages as Figures 5 through 9. The complete set of plans is provided in the application materials (**Attachment C**).

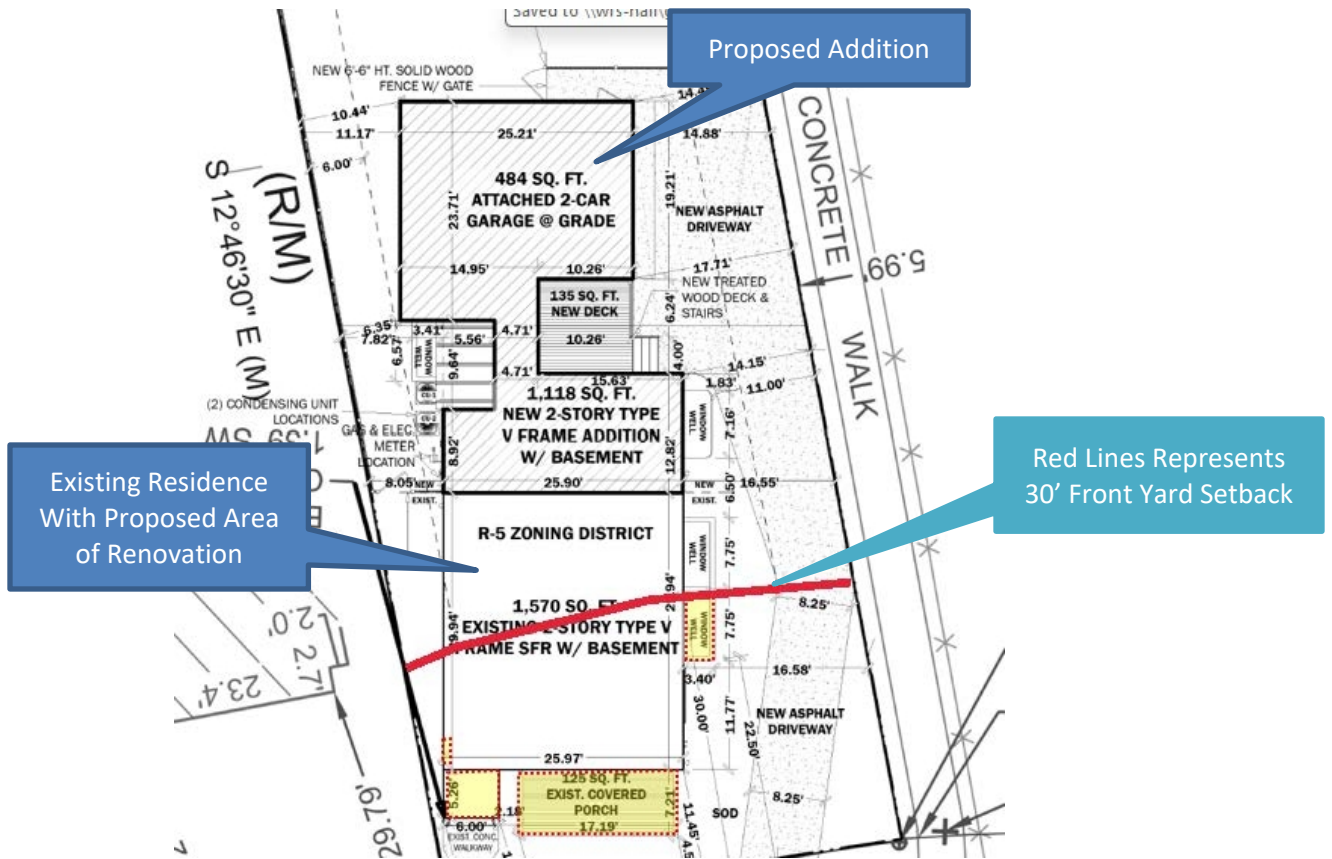
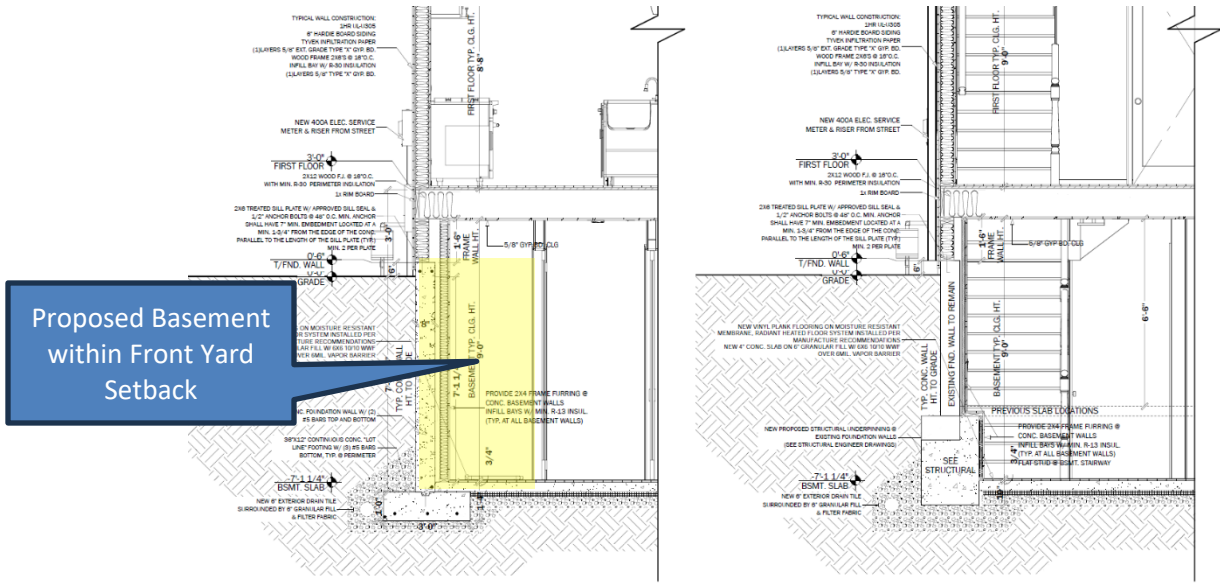


Figure 5 – Site Plan

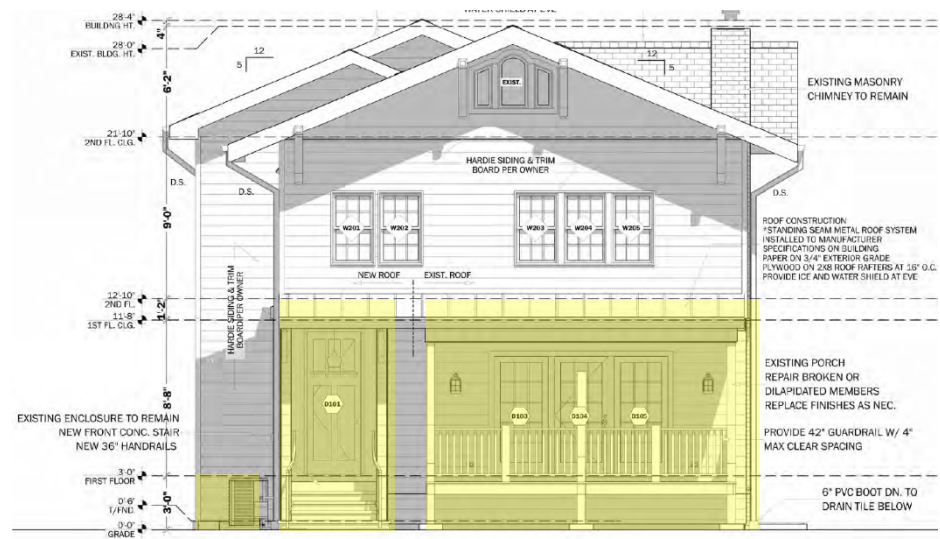




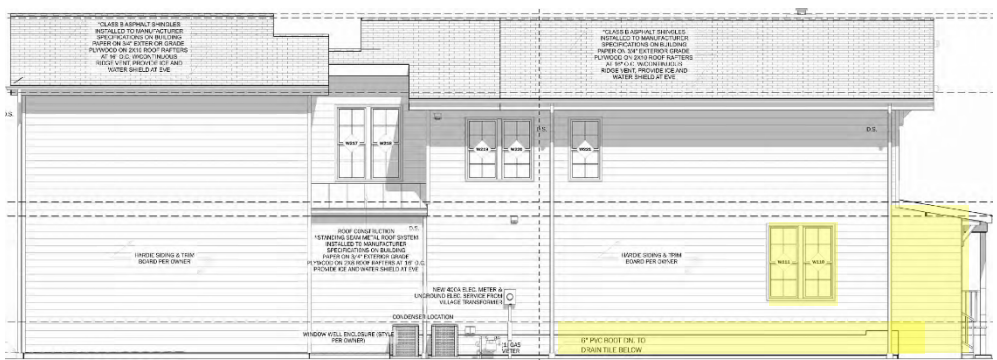
Proposed Basement within Front Yard Setback

**S1** PROPOSED BUILDING SECTION  
1/2" = 1'-0"  
**S2** EXISTING BUILDING SECTION  
1/2" = 1'-0"

**Figure 7 – Existing and Proposed Basement Cross Section**



**Figure 8 – Proposed Front Elevation**



**Figure 9 – Proposed East Side Elevation**

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 will be required, as the increase in Impermeable Lot Coverage would be approximately 44% in area. However, a final determination will be made by Village Engineering staff upon submission of the necessary permits for the proposed improvements, 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 floodplain.



**Figure 10 - GIS Floodplain Map**

### **REQUESTED ZONING RELIEF**

The attached Zoning Matrix highlights the existing lot and the proposed improvements' compliance with the R-5 zoning district (**Attachment A**). The Applicant requests three variations: (1) front yard setback; (2) structural changes necessary to provide a new window opening; and (3) building line articulation.

Front Yard Setback (Humboldt Avenue). The existing residence is legally nonconforming with respect to the front yard setback as it currently provides a front yard setback of 4.54 feet, encroaching the minimum required setback of 30 feet by 25.46 feet. The proposed improvements include (i) installation of a window well that would provide a front yard setback of 22.5 feet; (ii) deepening of the existing basement that currently provides a front yard setback of 11.45 feet; and (iv) work beyond ordinary repair and maintenance to the existing front entrance vestibule and covered front deck that provides a setback of 4.54 feet, requiring a variation of 25.46 feet (84.87%).

Structural Changes for New Window Opening. Zoning relief is necessary to allow the proposed window opening in the legally nonconforming east side building wall of the existing residence that provides a side yard setback of 1.39 feet, whereas a minimum of 6 feet is required. Existing windows may be replaced in the same location and size; however, enlarged or relocated windows in a nonconforming side building wall require approval of a zoning variation.

Building Line Articulation. The proposed east side building walls would measure 53.69 feet in length without providing the minimum required building line articulation of 18 inches. The Zoning Ordinance requires all exterior building walls on any principal building constructed before April 1999, that face the

smaller side yard in the R-5 or R-4 zoning district be articulated at least 18 inches, if the side walls are at least 40 feet long.

## FINDINGS

Section 17.60.040 of the Zoning Ordinance lists eight variation standards that the Board must find a variation application meets. The Applicant has supplied as part of their application materials a narrative addressing how this proposal meets these standards.

After hearing from the Applicant, and the public, the Board may decide to act on one of two options:

1. Continue the public hearing to a specific date to provide the Applicant and/or staff with additional time to address questions and comments from the Board; or
2. Consider a motion recommending approval or denial of the variations. If the ZBA is prepared to make a recommendation to the Village Council regarding the requested relief, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variations granting:

- A. **Front Yard Setback** of 4.54 feet from the north property line along Humboldt Avenue, a variation of 84.87%. [Section 17.30.050 – Front and Corner Yard Setbacks];
- B. **Structural changes necessary to provide a new window opening** in the legally nonconforming east side building wall of the existing residence that provides a side yard setback of 1.39 feet, whereas a minimum of 6 feet is required [Section 17.64.060 – Nonconformities]; and
- C. **Building Line Articulation.** An unarticulated east building wall 53.69 feet in length, whereas articulation of 18 inches is required for any building additions if any of the side buildings walls is at least 40 feet long, a variation of 13.69 feet (34.22%) [Section 17.30.090 – Building Line Articulation].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variations requested are **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **have been met [have not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

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

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

**ATTACHMENTS**

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

## ATTACHMENT A

### ZONING MATRIX

**ADDRESS: 826 Humboldt Avenue**

**CASE NO: 25-13-V2**

**ZONING: R-5**

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	8,400 SF	8,210 SF	N/A	N/A	<b>EXISTING NONCONFORMING</b>
Min. Average Lot Width	60 FT	49.46 FT	N/A	N/A	<b>EXISTING NONCONFORMING</b>
Min. Lot Depth	120 FT	166 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	2,216.7 SF (1)	1,377.44 SF	2,141.83 SF	764.39 SF	OK
Max. Gross Floor Area	3,284 SF (1)	2,037.24 SF	3,276.81 SF	1,239.57 SF	OK
Max. Impermeable Lot Coverage	4,105 SF (1)	2,288 SF	3,293.0 SF	1,005 SF	OK
Max. Front Yard Lot Coverage	450 SF	889.12 SF	886.79 SF	-2.36 FT	<b>EXISTING NONCONFORMING</b>
Min. Front Yard (Humboldt/North)	30 FT	4.54 FT	4.54 FT	0 FT	<b>EXISTING NONCONFORMING</b>
Min.Side Yard (East)	6 FT	1.39 FT	1.39 FT	0 FT	<b>EXISTING NONCONFORMING</b>
Min. Side Yard (West)	8 FT	16.31 FT	14.15 FT	-2.16 FT	OK
Min. Rear Yard (South)	24.9 FT	118.37 FT	75.25 FT	-43.12 FT	OK

**NOTES:**

(1) Based on lot area of 8,210 square feet

(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.*

	<b>Storm Water Detention Volume Requirements</b>	<b>Applicable Requirement</b>
<b>A. New Home Construction - Previously Developed Lot</b>	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>B. New Home Construction - Previously <u>Undeveloped</u> Site</b>	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.	
<b>C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)</b>	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.	
<b>D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.</b>	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.)	<b><i>Applies to 826 Humboldt Avenue. Based upon preliminary review of information to date, it appears that the house <u>would be required</u> 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></b>
<b>E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)</b>	The amount of additional required storm water detention volume is based upon: <ul style="list-style-type: none"> <li>a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed by zoning that will be removed and replaced, and/or</li> <li>b) The amount of ILC in addition to what currently exists on the lot.</li> </ul>	

**ATTACHMENT B**  
**Stormwater Volume Requirements for Development Sites**

	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. 25-13-V2

**Property Information**

Site Address: 826 Humboldt Avenue, Winnetka, Illinois 60091

**Owner Information**

Name: ABI Developers 2, Inc.

Primary Contact: Nadav Doron

Address: 

Phone No. 

City, State, ZIP: \_\_\_\_\_

Email: 

Date property acquired by owner: 05/01/2025

**Architect Information**

Name: Pavlovcik Architecture Inc.

**Attorney Information**

Name: \_\_\_\_\_

Primary Contact: Samuel Pavlovcik

Primary Contact: \_\_\_\_\_

Address: 213 W. Institute Pl. Ste. 401

Address: \_\_\_\_\_

City, State, ZIP: Chicago, IL 60610

City, State, Zip: \_\_\_\_\_

Phone No. 312-900-5757

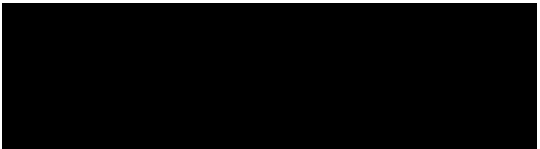
Phone No. \_\_\_\_\_

Email: permits@pav-arch.com

Email: \_\_\_\_\_

Nature of any restrictions on property: Existing Pre-FAR, non-conforming structures built within required setbacks. Seeking relief for proposed remodel and addition to existing structure.

Brief explanation of variation(s) requested (attach separate sheet providing additional details): Seeking zoning relief to 1) reduce the front yard setback to allow for new window well locations, 2) allow structural changes to add new doors and windows to existing, non-conforming building walls, and 3) allow for the replacement of an existing non-conforming wood deck with roof covering; footprint to remain the same.

Property Owner Signature: 

Date: 05/09/2025

May 30, 2025

Pavlovcik Architecture Inc.  
213 W. Institute Pl. Suite 401  
Chicago, IL 60610

Village of Winnetka  
Department of Community Development  
510 Green Bay Road  
First Floor  
Winnetka, IL 60093

Dear Zoning Administrator and Members of the Zoning Board of Appeals,

On behalf of our client and the current property owner, ABI Developers 2, Inc., we would like to submit this application for the zoning variations mentioned below for the property located at 826 Humboldt Avenue, Winnetka, IL 60093. Below, we have provided an explanation for each zoning variation requested along with a response to each of the eight conditions specified in Section 17.60.040(C) to demonstrate that the requested variations are justified by practical difficulties and particular hardships.

## Requested Zoning Variations

### 1. Front Yard Setback Reduction

*Nature of Variation:* To reduce a required front yard setback for any principal building (No more than 25%).

**Explanation:** We seek a 25% reduction in the required front yard setback to accommodate a new window well location. Due to the existing lot conditions and the angle of the house, the proposed driveway would eliminate any other feasible window well locations. The windows located in the proposed window wells will serve as required light and ventilation for the habitable basement space.

### 2. Structural Changes to Nonconforming Building Walls

*Nature of Variation:* To allow a structural change to add, move or enlarge a door or window in a legally nonconforming building wall, subject to all of the following conditions:

- No change in the plane of the wall;
- Door or window is in a side or rear building wall; and
- Door or window faces a side or rear yard of an adjoining property.

**Explanation:** We seek relief for new proposed door and window locations on existing, non-conforming building walls located on the sides and rear building walls, facing the sides and rear yard of adjoining properties. The plane of the walls will not change. As part of a full gut interior remodel, doors and windows on all faces are being infilled and relocated. The proposed changes are necessary to enhance the functionality of the building while maintaining compliance with the specified conditions.

May 30, 2025

Pavlovcik Architecture Inc.  
213 W. Institute Pl. Suite 401  
Chicago, IL 60610

### **3. Replacement of Legally Nonconforming Open Porch**

*Nature of Variation:* To replace a legally nonconforming open porch, deck or patio attached to a pre-FAR principal building, subject to the following conditions:

- The new porch, deck or patio must occupy the same footprint as the original;
- There shall be no increase in gross floor area, roofed lot coverage or impermeable surface area if property currently meets or exceeds applicable limitations

**Explanation:** We seek relief to replace a 124 sq. ft. existing non-conforming wood deck with a roof covering. The footprint will remain the same, and there will be no increase in gross floor area, roofed lot coverage, or impermeable surface area beyond the applicable limitations. The existing deck requires significant repairs to remain functional. Replacing it with a new structure will be a more cost-effective option to improve structural integrity.

### **Responses to Standards for Granting of Zoning Variations**

In accordance with Section 17.60.050 of the Winnetka Zoning Ordinance, we provide evidence and explanation for each of the eight standards for granting zoning variations below.

#### **1. Reasonable Return**

The strict application of the zoning regulations would result in a practical difficulty in achieving a reasonable return on the property. The proposed variations are necessary to accommodate essential functional elements, such as window wells for basement light and ventilation, and structural modifications to enhance the building's usability.

#### **2. Unique Circumstances**

The property's unique characteristics, including its position on the lot and existing nonconformities, create practical difficulties in complying with the zoning regulations. These circumstances are inherent to the property and not related to the occupants.

#### **3. Essential Character of the Locality**

The proposed variations will not alter the essential character of the locality. The changes are consistent with the architectural style and scale of neighboring properties and will not introduce elements that are out of character with the surrounding area.

#### **4. Light and Air to Adjacent Property**

The variations will not impair the adequate supply of light and air to adjacent properties. The proposed modifications are designed to minimize impact on neighboring properties and maintain appropriate setbacks and open spaces.

May 30, 2025

Pavlovcik Architecture Inc.  
213 W. Institute Pl. Suite 401  
Chicago, IL 60610

**5. Hazard from Fire and Other Damages**

The variations will not increase the hazard from fire or other damages to the property. The proposed changes comply with all applicable building codes and safety standards to ensure the protection of the property and surrounding area.

**6. Taxable Value of Land and Buildings**

The variations will not diminish the taxable value of the land and buildings throughout the Village. The improvements are expected to enhance the property's value and contribute positively to the local tax base.

**7. Congestion in the Public Street**

The variations will not increase congestion in the public street. The proposed modifications do not involve changes that would impact traffic flow or parking availability in the area.

**8. Public Health, Safety, Comfort, Morals, and Welfare**

The variations will not impair the public health, safety, comfort, morals, or welfare of the inhabitants of the Village. The proposed changes are designed to improve the functionality of the property without negatively affecting the community.

We trust that the information provided demonstrates that the requested zoning variations are justified by practical difficulties and particular hardships and are in harmony with the general purpose and intent of the Zoning Ordinance. We respectfully request the Zoning Administrator or Zoning Board of Appeals to grant the requested variations.

Please do not hesitate to contact me with any additional questions or concerns.

Thank you for your time and consideration.

  
Samuel J. Pavlovcik  
Principal Architect



# PLAT OF SURVEY

OF

LOT 17 IN LEWIS D. WESBTER'S RESUB OF LOTS 4, 5, & 8 IN BLK 9, BLK 11 (EXCEPT THE N. 75 FT THEREOF), BLK 13 AND LOTS 6, 8, 9, & 10 IN BLK 12 ALL IN PARK ADDITION TO WINNETKA IN PARTS OF SECTION 1, SECTION 17, SECTION 20 AND SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

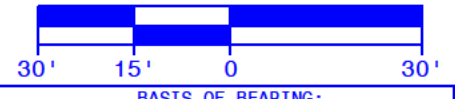
**LEGEND**

A = ASSUMED	NW = NORTHWEST
C = CALCULATED	P.O.B. = POINT OF BEGINNING
CH = CHORD	P.O.C. = POINT OF COMMENCEMENT
CL = CENTERLINE	R = RECORD
D = DEED	RAD = RADIUS
E = EAST	R.O.W. = RIGHT OF WAY
F.I.P. = FOUND IRON PIPE	S = SOUTH
F.I.R. = FOUND IRON ROD	S.I.P. = SET IRON PIPE
FT. = FEET/FOOT	S.I.R. = SET IRON ROD
L = ARC LENGTH	SE = SOUTHEAST
M = MEASURED	SW = SOUTHWEST
N = NORTH	W = WEST
NE = NORTHEAST	

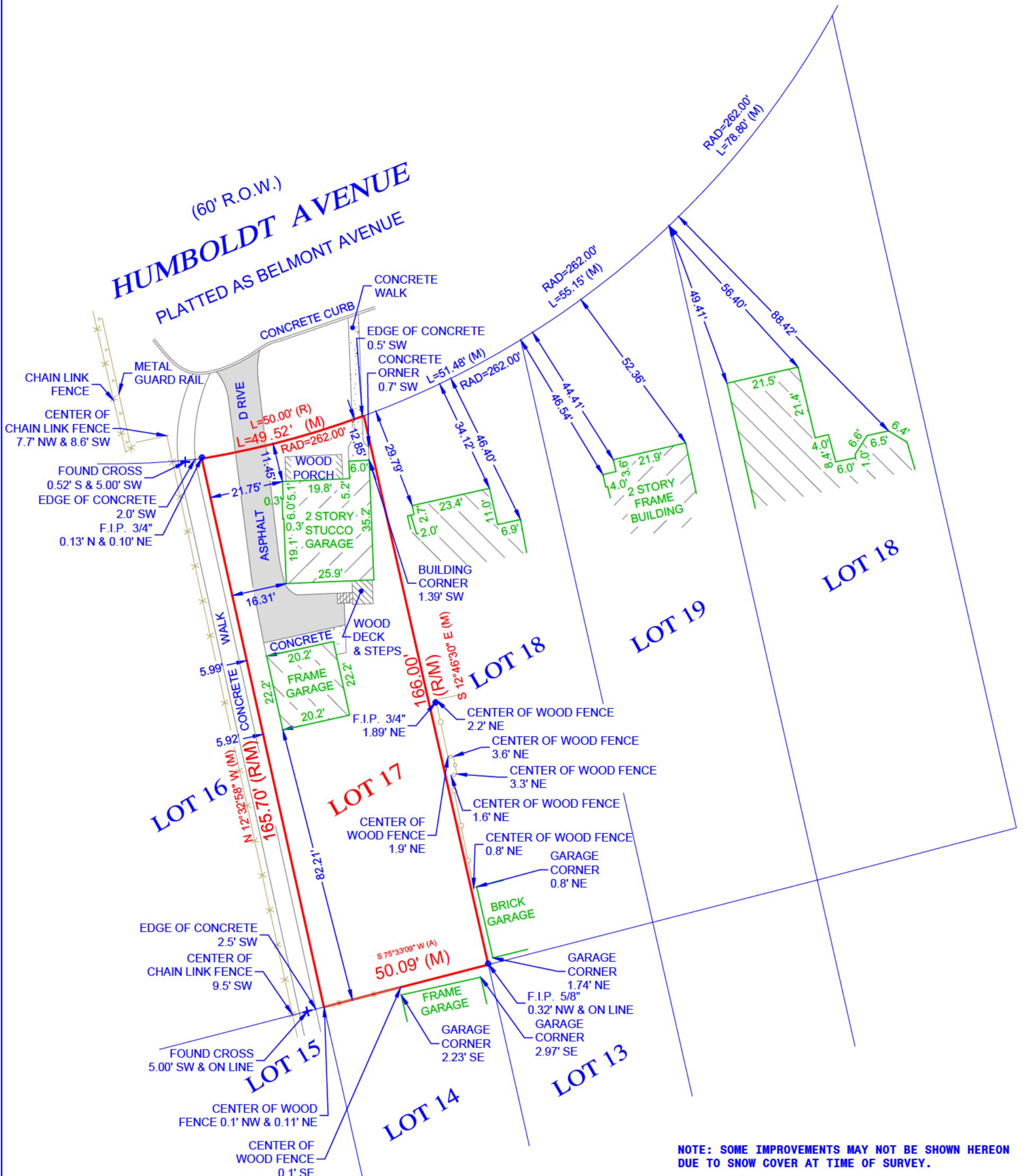
	= CHAIN LINK FENCE
	= WOOD FENCE
	= METAL FENCE
	= VINYL FENCE
	= EASEMENT LINE
	= SETBACK LINE
	= INTERIOR LOT LINE

AREA OF SURVEY:

\*CONTAINING 8,210 SQ. FT. OR 0.19 ACRES MORE OR LESS\*



**BASIS OF BEARING:**  
SOUTHERLY LINE OF LOT 17 AS FOUND MONUMENTED AND OCCUPIED.  
S 75°33'09" W (A)



**NOTE: SOME IMPROVEMENTS MAY NOT BE SHOWN HEREON DUE TO SNOW COVER AT TIME OF SURVEY.**

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



Morris Engineering, Inc.  
515 Warrenville Road, Lisle, IL 60532  
Phone: (630) 271-0770  
FAX: (630) 271-0774  
WEBSITE: WWW.ECIVIL.COM

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

DATED, THIS 21ST DAY OF MARCH, A.D., 2025, AT LISLE, ILLINOIS.

*J. Morrison*

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317  
LICENSE EXPIRATION DATE NOVEMBER 30, 2026  
ILLINOIS BUSINESS REGISTRATION NO. 184-001245



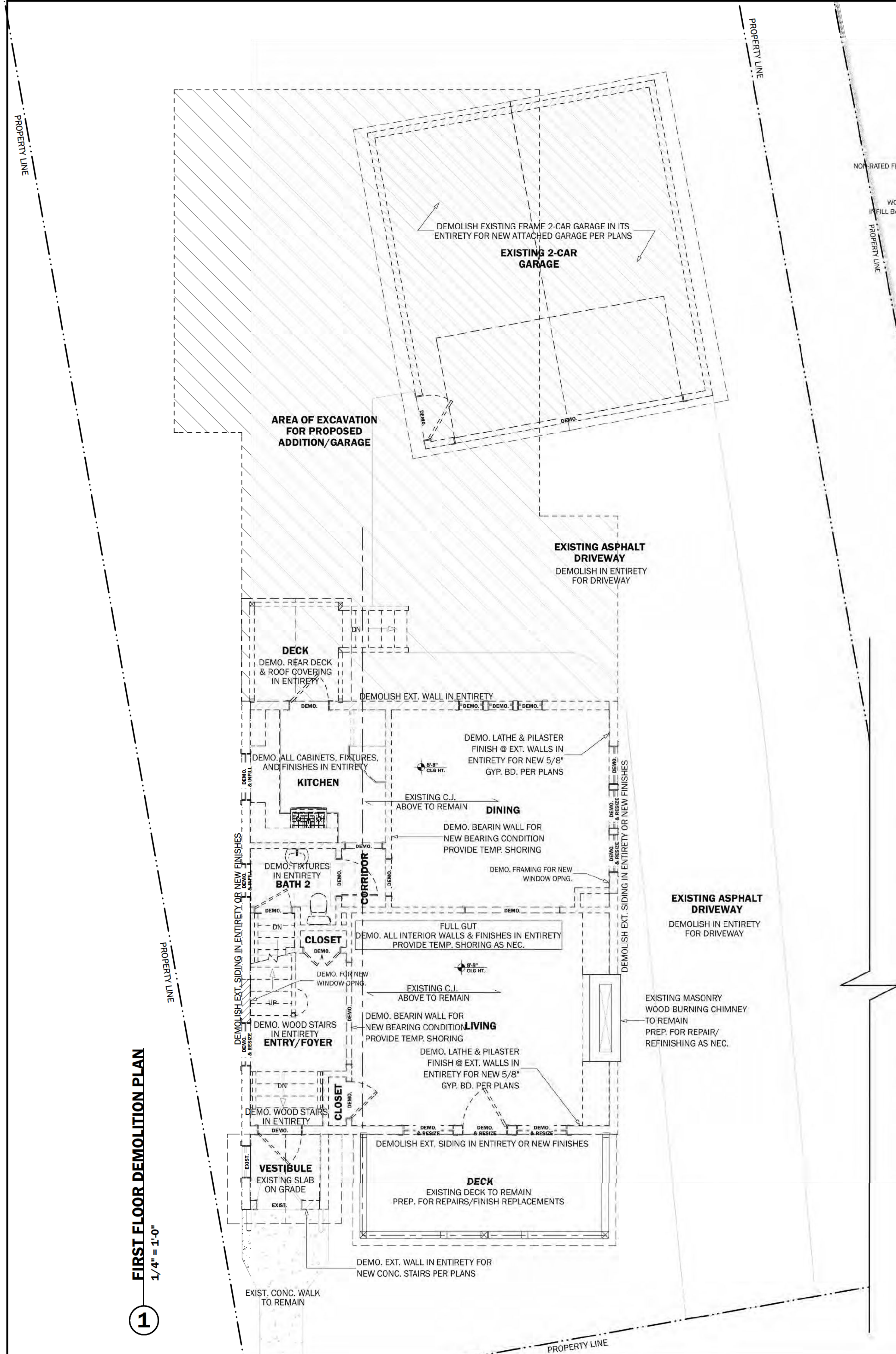
ADDRESS COMMONLY KNOWN AS 826 HUMBOLDT AVENUE  
WINNETKA, ILLINOIS

CLIENT PAVLOVCIK ARCHITECTURE INC.

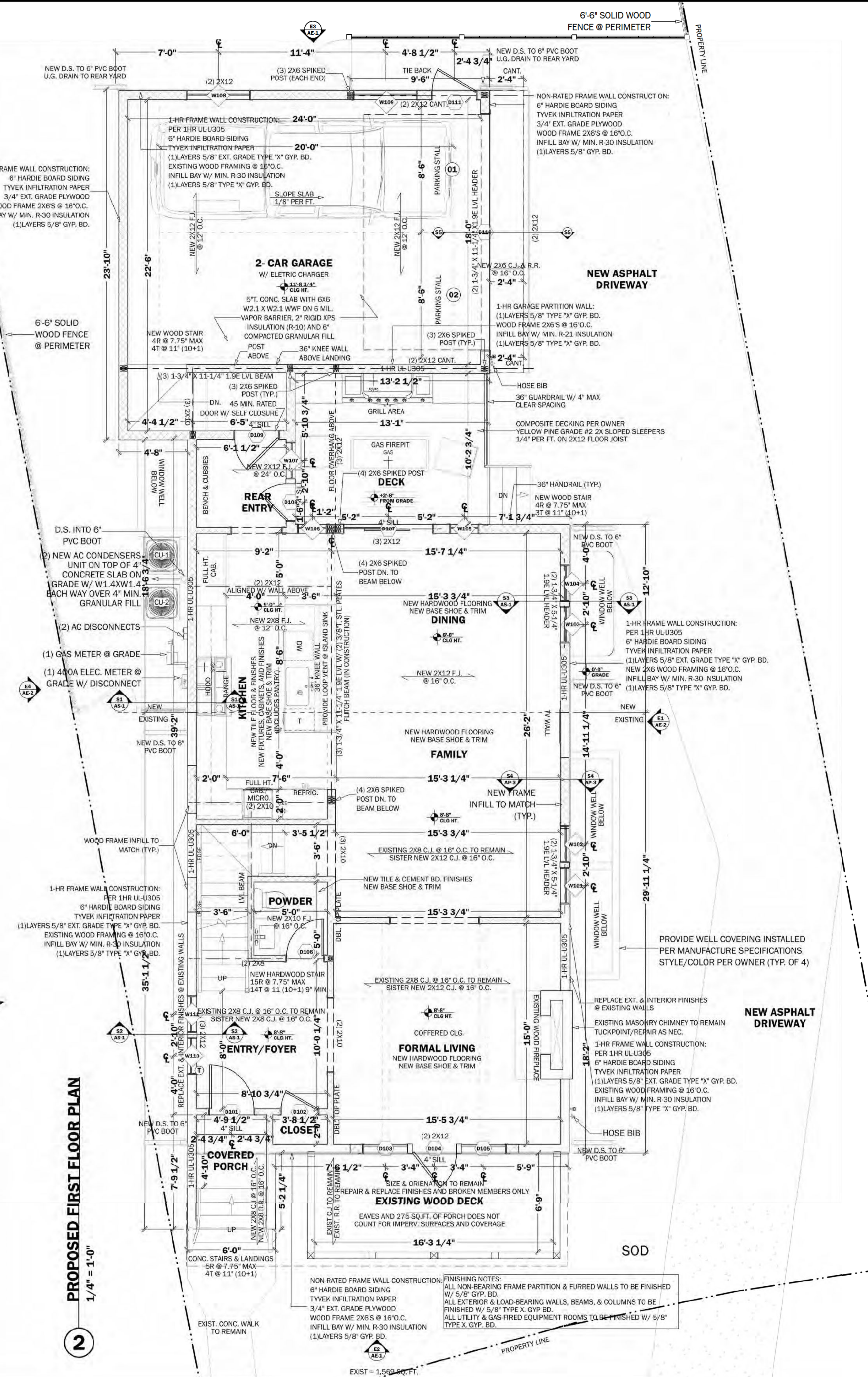
FIELDWORK DATE (CREW) 3/20/2025 (MD/BV)  
DRAWN BY: AA REVISED: 3/27/2025 JOB NO. 25-03-0191







**1** FIRST FLOOR DEMOLITION PLAN  
1/4" = 1'-0"



**2** PROPOSED FIRST FLOOR PLAN  
1/4" = 1'-0"

**PAVLOVCIK ARCHITECTURE INC.**  
T. 312-900-5757 WWW.PAV-ARCH.COM  
INFO@PAV-ARCH.COM  
213 W. INSTITUTE PL. SUITE 401  
CHICAGO, IL 60610  
DESIGN FIRM REGISTRATION # 184.007931

**PROJECT DESCRIPTION**  
INT. GUT REHAB OF EXIST. SFR & NEW 2-STORY  
REAR ADDITION W/ ATTACHED 2-CAR GARAGE

**PROJECT OWNER**  
ABI REAL ESTATE INVESTMENTS LLC

**PROJECT ADDRESS**  
826 HUMBOLDT AVE.  
WINNETKA, IL 60093

**SCALE**  
1"=1'-0"  
3/4"=1'-0"  
1/2"=1'-0"  
3/8"=1'-0"  
1/4"=1'-0"  
1"=10'-0"

**CERTIFICATION STATEMENT**  
I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THEY CONFORM TO THE CODES AND ORDINANCES OF THE LOCAL JURISDICTION.  
I CERTIFY THAT I AM A REGISTERED ENERGY PROFESSIONAL (REP). I ALSO CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT THESE PLANS FULLY COMPLY WITH THE REQUIREMENTS OF THE STATE OF ILLINOIS ENERGY CONSERVATION CODE AS REQUIRED BY STATE LEGISLATION.



**PLAN APPROVAL**

DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_  
DATE: \_\_\_\_\_

**PERMIT SET**

DESCRIPTION	DRAWING ISSUE DATES	DATE
DESIGN SET		04.01.2025
DESIGN ACCEPTANCE		04.04.2025
PERMIT SUBMITTAL		06.18.2025
PERMIT REVISIONS		
PERMIT APPROVAL		
FIELD REVISIONS		

**NOTES**

REPLACE EXT. & INTERIOR FINISHES @ EXISTING WALLS  
EXISTING MASONRY CHIMNEY TO REMAIN TUCKPOINT/REPAIR AS NEC.  
1-HR FRAME WALL CONSTRUCTION: PER 1HR UL-30S 6\"/>

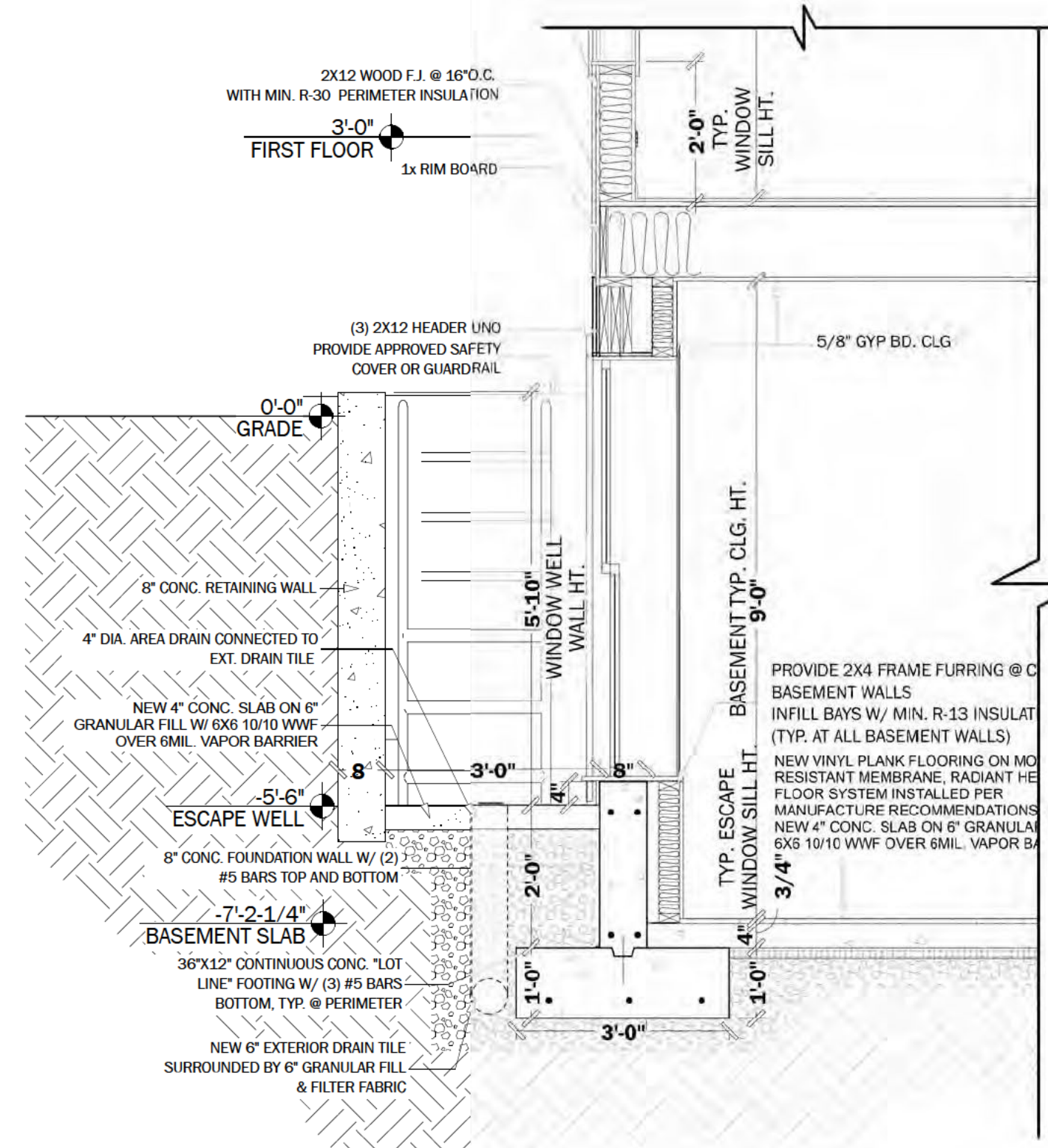
**SHEET LEGEND**

TAG #	TITLE	
G-1	1	SITE PLAN & ZONING
G-2	2	GENERAL NOTES & LEGENDS
AP-1	3	BASEMENT ARCH. PLANS & DIAGRAMS
AP-2	4	1ST FLOOR ARCH. PLANS
AP-3	5	2ND FLOOR ARCH. PLANS
AE-1	6	ROOF PLAN & EXTERIOR ELEVATIONS
AE-2	7	EXTERIOR ELEVATIONS
AE-1	8	BUILDING SECTIONS
E-1	9	BASEMENT ELECTRICAL PLAN
E-2	10	1ST & 2ND FL. ELECTRICAL PLAN
M-1	11	BSMT. & 1ST FLOOR MECH. PLAN
M-2	12	2ND FLOOR MECHANICAL PLAN
P-1	13	PLUMBING DIAGRAMS

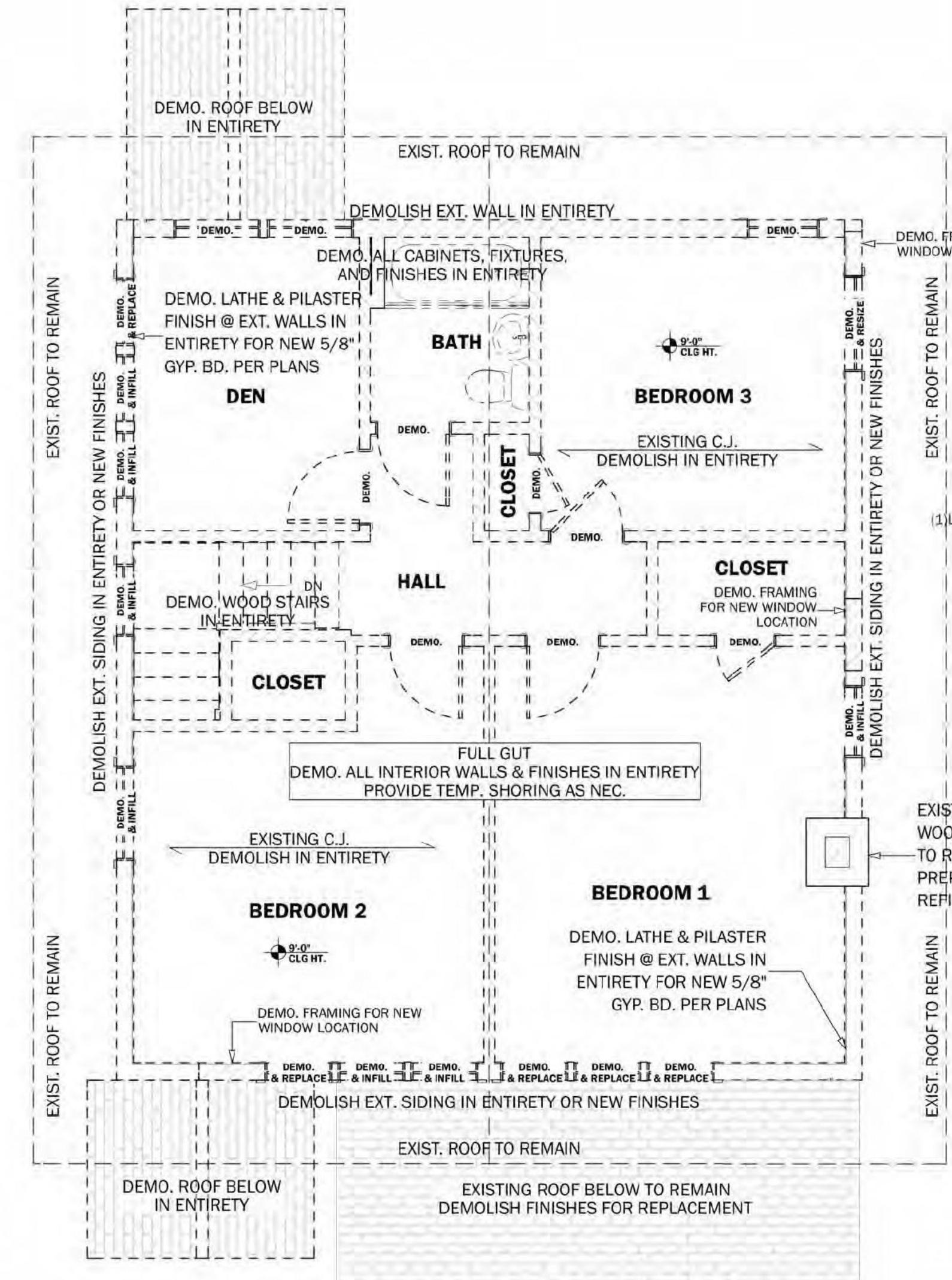
PRINT DATE: 6/19/2025 09:53:48  
TAG: AP-2  
SHEET: 4 OF 13  
SHEET TITLE: 1ST FLOOR ARCH. PLANS

SECOND FLOOR DOOR SCHEDULE															
TAG	QTY	LOCATION	EX/IN	MANUFACTURER	TYPE	DOOR STYLE	WIDTH	HEIGHT	R/O	DOOR THICKNESS	HANDLING	DOOR FINISH	LAMB SIZE	CASING SIZE	NOTES
D201	1	PRIMARY BATH/HALL	EX	TIHERMATRU	HINGED	1-PANEL	30"	96"	32"X99"	1 3/4"	L	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D202	1	BEDROOM 2/CLOSET	IN	JELD-WEN OR EQ.	DOUBLE HINGED	1-PANEL	48"	96"	32"X99"	1 3/8"	L/R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D203	1	BEDROOM 3/CLOSET	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D204	1	HALL/CORRIDOR	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	L	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D205	1	CLOSET/1/2 BEDROOM 4	IN	JELD-WEN OR EQ.	DOUBLE HINGED	1-PANEL	48"	96"	32"X99"	1 3/8"	L/R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D206	1	WALK-IN CLOSET/PRIMARY BEDROOM	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D207	1	WALK-IN CLOSET/PRIMARY BEDROOM	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D208	1	PRIMARY BATH/CLOSET	IN	JELD-WEN OR EQ.	POCKET	1-PANEL	30"	96"	32"X99"	1 3/8"	L	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D210	1	BEDROOM 2/CORRIDOR	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D211	1	BEDROOM 2/BATH 2	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D212	1	LINEN/CORRIDOR	IN	JELD-WEN OR EQ.	DOUBLE HINGED	1-PANEL	48"	96"	32"X99"	1 3/8"	L/R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D213	1	CORRIDOR/BEDROOM 4	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D214	1	CORRIDOR/BEDROOM 3	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D215	1	CORRIDOR/LAUNDRY	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	34"	96"	36"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D216	1	I & J BATH/CORRIDOR	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D217	1	UTILITY/CORRIDOR	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	34"	96"	36"X99"	1 3/8"	R	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D218	1	I & J BATH/BATH 3	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	28"	96"	30"X99"	1 3/8"	L	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	
D219	1	BEDROOM 3/CLOSET	IN	JELD-WEN OR EQ.	HINGED	1-PANEL	30"	96"	32"X99"	1 3/8"	L	COLOR - WHITE	3/4"X4 3/4"	3/4"X2 1/4"	

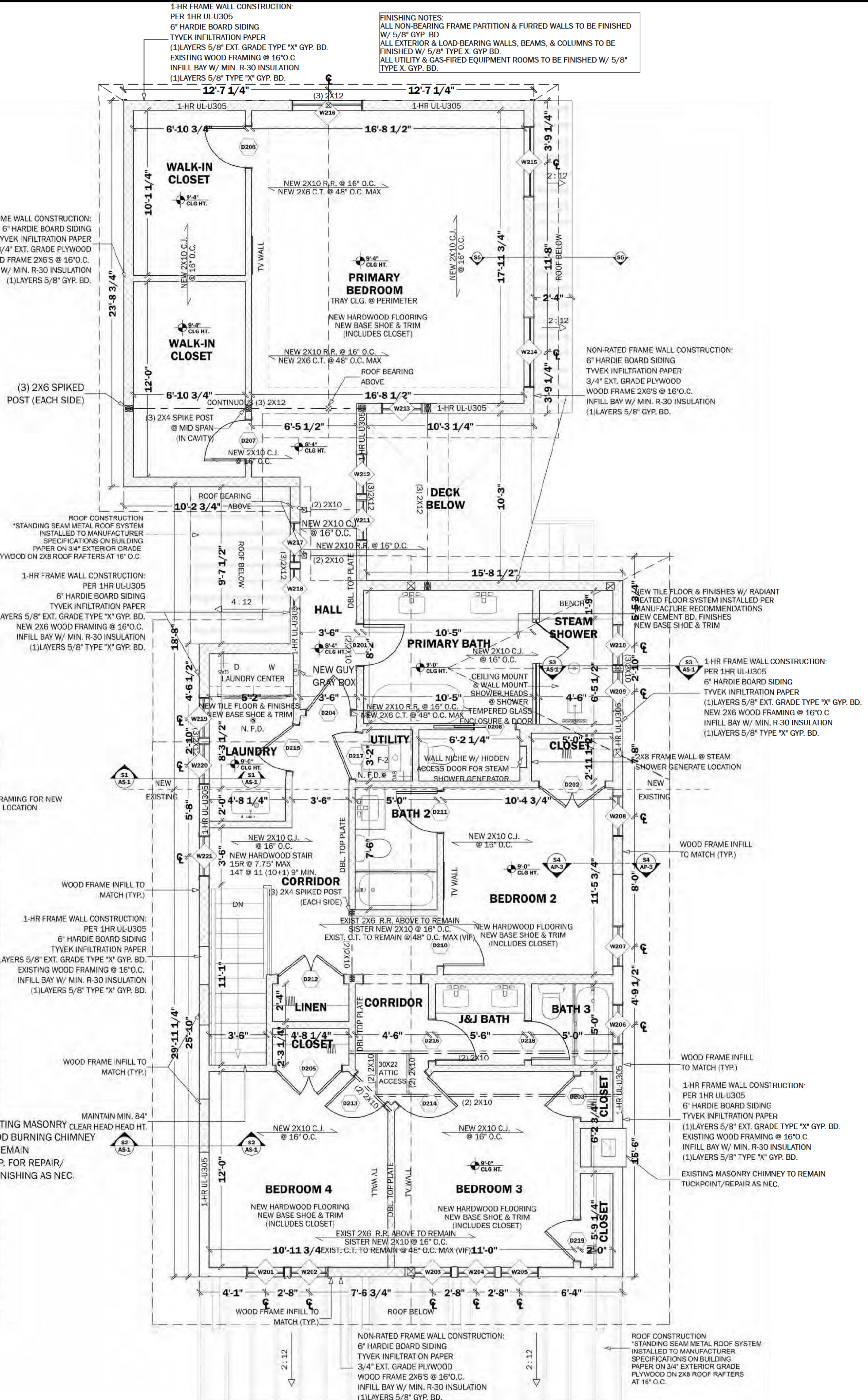
SECOND FLOOR WINDOW SCHEDULE														
TAG	QTY	LOCATION	MANUFACTURER	SERIES	TYPE	WIDTH	HEIGHT	R/O	EGRESS	TEMPERED	U-FACTOR	LAMB SIZE	CASING SIZE	NOTES
W201	1	BEDROOM 4		DOUBLE HUNG	DOUBLE HUNG	28"	48"	29"X49"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W202	1	BEDROOM 4		DOUBLE HUNG	DOUBLE HUNG	28"	48"	29"X49"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W203	1	BEDROOM 3		DOUBLE HUNG	DOUBLE HUNG	28"	48"	29"X49"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W204	1	BEDROOM 3		DOUBLE HUNG	DOUBLE HUNG	28"	48"	29"X49"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W205	1	BEDROOM 3		DOUBLE HUNG	DOUBLE HUNG	28"	48"	29"X49"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W206	1	BATH 3		DOUBLE HUNG	DOUBLE HUNG	30"	48"	31"X49"	YES	YES	0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W207	1	BEDROOM 2		DOUBLE HUNG	DOUBLE HUNG	30"	60"	31"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W208	1	BEDROOM 2		DOUBLE HUNG	DOUBLE HUNG	30"	60"	31"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W209	1	STEAM SHOWER		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES	YES	0.3	3/4"X7 1/4"	5/8"X2 1/4"	OBSCURE GLAZING
W210	1	STEAM SHOWER		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES	YES	0.3	3/4"X7 1/4"	5/8"X2 1/4"	OBSCURE GLAZING
W211	1	HALL/DECK BELOW		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W212	1	PRIMARY BEDROOM/DECK BELOW		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W213	1	PRIMARY BEDROOM/DECK BELOW		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W214	1	PRIMARY BEDROOM		DOUBLE CASEMENT-LH/L/RHR	DOUBLE CASEMENT	52"	60"	53"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W215	1	PRIMARY BEDROOM		DOUBLE CASEMENT-LH/L/RHR	DOUBLE CASEMENT	52"	60"	53"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W216	1	PRIMARY BEDROOM		DOUBLE CASEMENT-LH/L/RHR	DOUBLE CASEMENT	52"	72"	53"X73"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W217	1	HALL		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W218	1	HALL		DOUBLE HUNG	DOUBLE HUNG	30"	72"	31"X73"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W219	1	LAUNDRY		DOUBLE HUNG	DOUBLE HUNG	30"	60"	31"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W220	1	LAUNDRY		DOUBLE HUNG	DOUBLE HUNG	30"	60"	31"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	
W221	1	CORRIDOR		DOUBLE HUNG	DOUBLE HUNG	30"	60"	31"X61"	YES		0.3	3/4"X7 1/4"	5/8"X2 1/4"	



**S4** ESCAPE WELL SECTION  
1/4" = 1'-0"



**1** SECOND FLOOR DEMOLITION PLAN  
1/4" = 1'-0"



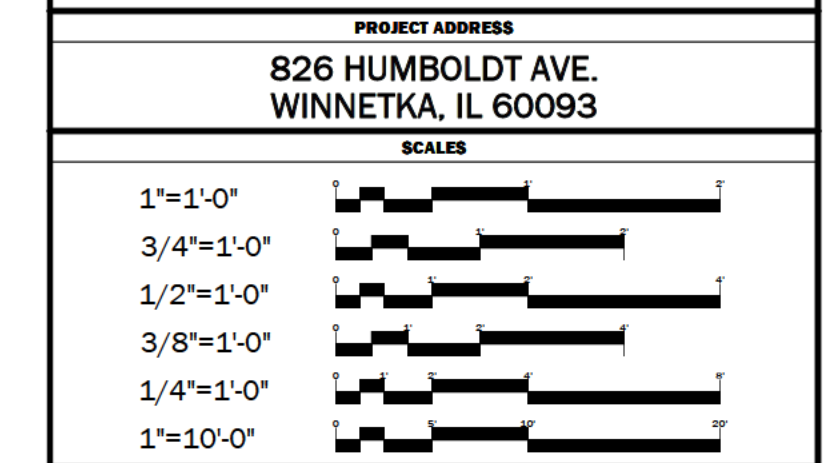
**2** PROPOSED SECOND FLOOR PLAN  
1/4" = 1'-0"

**PAVLOVCIK ARCHITECTURE INC.**  
T. 312-900-5757 WWW.PAV-ARCH.COM  
INFO@PAV-ARCH.COM  
213 W. INSTITUTE PL. SUITE 401  
CHICAGO, IL 60610  
DESIGN FIRM REGISTRATION # 184.007931

**PROJECT DESCRIPTION**  
INT. GUT REHAB OF EXIST. SFR & NEW 2-STORY REAR ADDITION W/ ATTACHED 2-CAR GARAGE

**PROJECT OWNER**  
ABI REAL ESTATE INVESTMENTS LLC

**PROJECT ADDRESS**  
826 HUMBOLDT AVE.  
WINNETKA, IL 60093



**CERTIFICATION STATEMENT**  
I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THEY CONFORM TO THE CODES AND ORDINANCES OF THE LOCAL JURISDICTION.  
I CERTIFY THAT I AM A REGISTERED ENERGY PROFESSIONAL (REP). I ALSO CERTIFY THAT TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF THAT THESE PLANS FULLY COMPLY WITH THE REQUIREMENTS OF THE STATE OF ILLINOIS ENERGY CONSERVATION CODE AS REQUIRED BY STATE LEGISLATION.

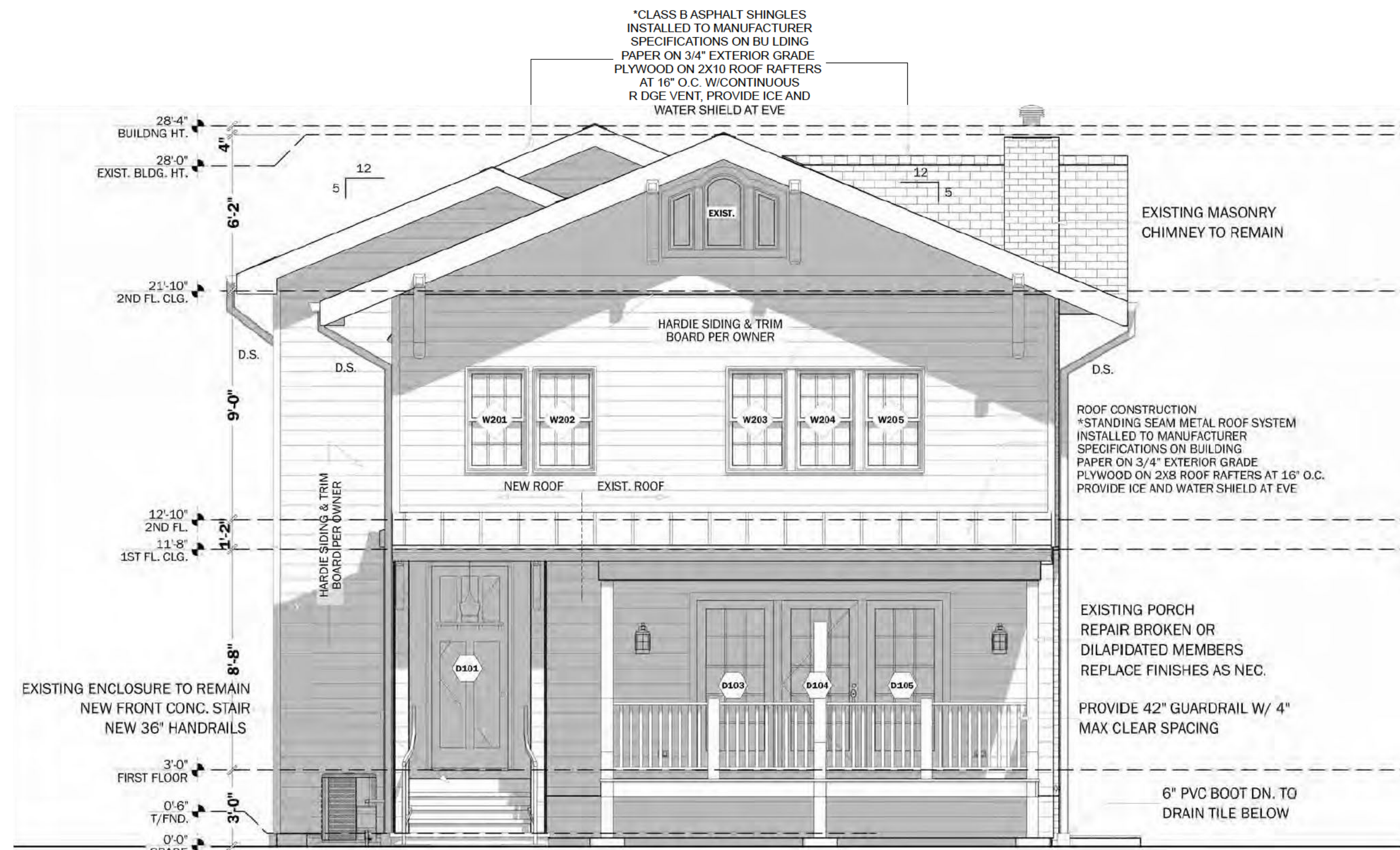
**PLAN APPROVAL**  
HOMEOWNER: [Signature]  
DATE: [Date]  
DRAWN BY: KEVIN KOURY  
DATE: [Date]  
REVIEWED BY: SAMUEL PAVLOVCIK  
DATE: [Date]  
PRINCIPAL ARCHITECT (630) 802-0897

**PERMIT SET**  
DESCRIPTION DRAWING ISSUE DATES DATE  
DESIGN SET 04.01.2025  
DESIGN ACCEPTANCE 04.04.2025  
PERMIT SUBMITTAL 06.18.2025  
PERMIT REVISIONS  
PERMIT APPROVAL  
FIELD REVISIONS

**NOTES**  
1-1R FRAME WALL CONSTRUCTION: PER 1HR UL1305 6" HARDIE BOARD SIDING TYVEK INFILTRATION PAPER (1)LAYERS 5/8" EXT. GRADE TYPE "X" GYP. BD. EXISTING WOOD FRAMING @ 16" O.C. INFILL BAY W/ MIN. R-30 INSULATION (1)LAYERS 5/8" TYPE "X" GYP. BD.  
WOOD FRAME INFILL TO MATCH (TYP.)  
EXISTING MASONRY CHIMNEY TO REMAIN TUCKPOINT/REPAIR AS NEC.

**SHEET LEGEND**  
TAG # TITLE  
G-1 1 SITE PLAN & ZONING  
G-2 2 GENERAL NOTES & LEGENDS  
AP-1 3 BASEMENT ARCH. PLANS & DIAGRAMS  
AP-2 4 1ST FLOOR ARCH. PLANS  
AP-3 5 2ND FLOOR ARCH. PLANS  
AE-1 6 ROOF PLAN & EXTERIOR ELEVATIONS  
AE-2 7 EXTERIOR ELEVATIONS  
AS-1 8 BUILDING SECTIONS  
E-1 9 BASEMENT ELECTRICAL PLAN  
E-2 10 1ST & 2ND FL. ELECTRICAL PLAN  
M-1 11 BSMT. & 1ST FLOOR MECH. PLAN  
M-2 12 2ND FLOOR MECHANICAL PLAN  
P-1 13 PLUMBING DIAGRAMS

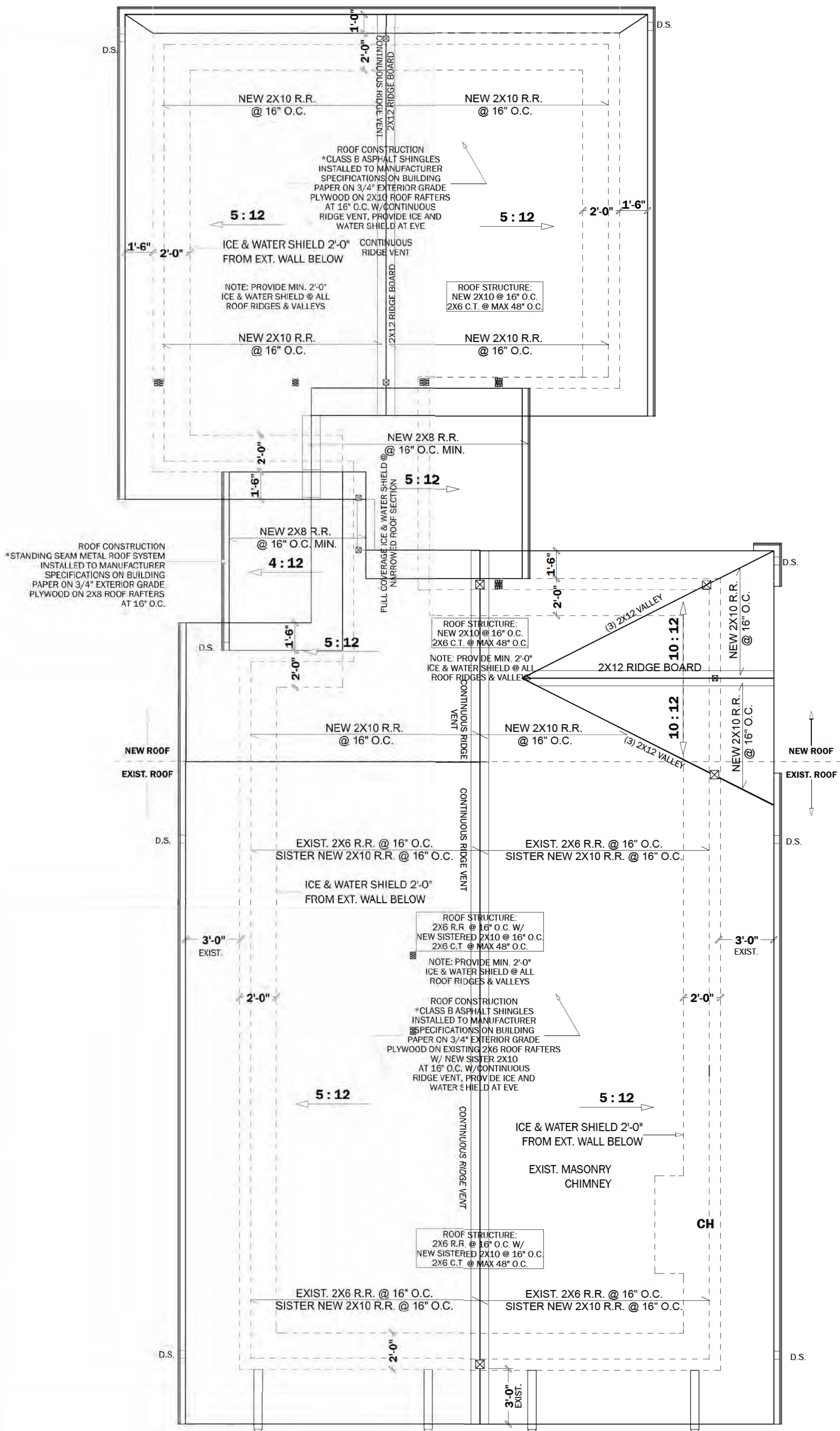
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SHEET # 5 OF 13  
2ND FLOOR ARCH. PLANS



**1 NORTH ELEVATION**  
1/4" = 1'-0"



**2 SOUTH ELEVATION**  
1/4" = 1'-0"



**3 PROPOSED ROOF PLAN**  
1/4" = 1'-0"

**PAVLOVCIK ARCHITECTURE INC.**  
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213 W. INSTITUTE PL. SUITE 401  
CHICAGO, IL 60610  
DESIGN FIRM REGISTRATION # 184.007931

PROJECT DESCRIPTION  
**INT. GUT REHAB OF EXIST. SFR & NEW 2-STORY REAR ADDITION W/ ATTACHED 2-CAR GARAGE**

PROJECT OWNER  
331.056.1389

**ABI REAL ESTATE INVESTMENTS LLC**

PROJECT ADDRESS  
**826 HUMBOLDT AVE.  
WINNETKA, IL 60093**

SCALES

1"=1'-0"
3/4"=1'-0"
1/2"=1'-0"
3/8"=1'-0"
1/4"=1'-0"
1"=10'-0"

CERTIFICATION STATEMENT  
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SAMUEL PAVLOVCIK, NCARB  
LICENSED ARCHITECT  
ILLINOIS LICENSE NUMBER: 001-023029  
LICENSE EXPIRES: 11/30/26  
PAVLOVCIK ARCHITECTURE INC.  
INFO@PAV-ARCH.COM  
213 W. INSTITUTE PL. SUITE 401  
CHICAGO, IL 60610  
T. 312-900-5757

**PLAN APPROVAL**

HOMEOWNER  
I, We, the buyer(s), Home Owner(s), have examined the PavlovciK Architecture documents and PavlovciK Architecture construction details. I, We, the buyer(s), Home Owner(s), understand and agree to the terms, conditions, and selections contained within the PavlovciK Architecture documents and approve the corrections as noted.

DRAWN BY: KEVIN KOURY  
PROJECT ARCHITECT: (812) 212-1015  
REVIEWED BY: SAMUEL PAVLOVCIK  
PRINCIPAL ARCHITECT: (630) 802-0897

**PERMIT SET**

DESCRIPTION	DRAWING ISSUE DATES	DATE
DESIGN SET		04.01.2025
DESIGN ACCEPTANCE		04.04.2025
PERMIT SUBMITTAL		06.18.2025
PERMIT REVISIONS		
PERMIT APPROVAL		
FIELD REVISIONS		

**NOTES**

**SHEET LEGEND**

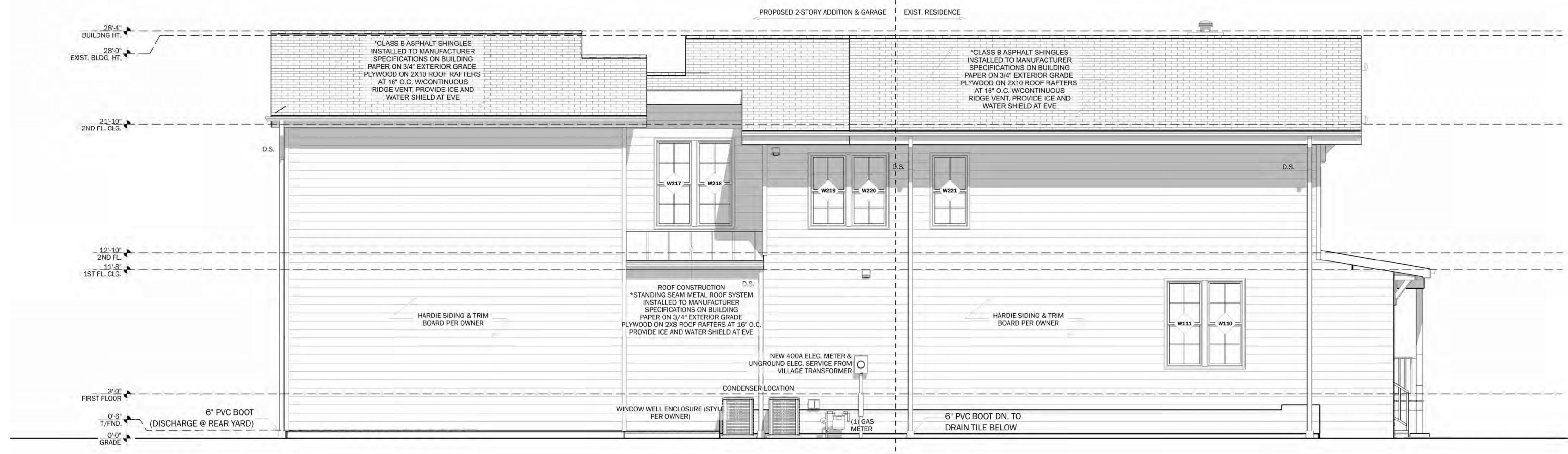
TAG #	TITLE
G-1 1	SITE PLAN & ZONING
G-2 2	GENERAL NOTES & LEGENDS
AP-1 3	BASEMENT ARCH. PLANS & DIAGRAMS
AP-2 4	1ST FLOOR ARCH. PLANS
AP-3 5	2ND FLOOR ARCH. PLANS
AE-1 6	ROOF PLAN & EXTERIOR ELEVATIONS
AE-2 7	EXTERIOR ELEVATIONS
AS-1 8	BUILDING SECTIONS
E-1 9	BASEMENT ELECTRICAL PLAN
E-2 10	1ST & 2ND FL. ELECTRICAL PLAN
M-1 11	BSMT. & 1ST FLOOR MECH. PLAN
M-2 12	2ND FLOOR MECHANICAL PLAN
P-1 13	PLUMBING DIAGRAMS

PRINT DATE: 6/19/2025 09:54:43  
TAG: AE-1  
SHEET: 6 OF 13

**ROOF PLAN & EXTERIOR ELEVATIONS**



**1 WEST ELEVATION**  
1/4" = 1'-0"



**2 EAST ELEVATION**  
1/4" = 1'-0"

**PAVLOVCIK ARCHITECTURE INC.**  
T. 312-900-5757 WWW.PAV-ARCH.COM  
INFO@PAV-ARCH.COM  
213 W. INSTITUTE PL. SUITE 401  
CHICAGO, IL 60610  
DESIGN FIRM REGISTRATION # 184.007931

PROJECT DESCRIPTION  
INT. GUT REHAB OF EXIST. SFR & NEW 2-STORY  
REAR ADDITION W/ ATTACHED 2-CAR GARAGE

PROJECT OWNER  
331.556.1388

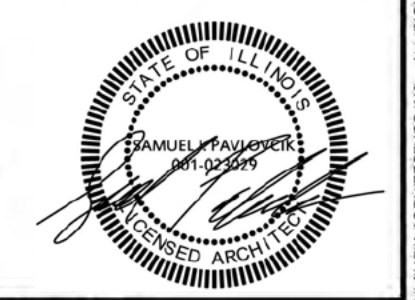
**ABI REAL ESTATE INVESTMENTS LLC**

PROJECT ADDRESS  
826 HUMBOLDT AVE.  
WINNETKA, IL 60093

SCALES

1"=1'-0"
3/4"=1'-0"
1/2"=1'-0"
3/8"=1'-0"
1/4"=1'-0"
1"=10'-0"

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**PLAN APPROVAL**

HOMEOWNER \_\_\_\_\_ DATE \_\_\_\_\_  
I/We, the Buyer(s), Home Owner(s), have examined the Pavlovciq Architecture documents and approved Architectural construction details, View, the Buyer(s), Home Owner(s), understand and agree to the terms, conditions, and sections contained within the Pavlovciq Architecture documents and approves the corrections as noted.  
DRAWN BY: KEVIN KOURY \_\_\_\_\_ DATE \_\_\_\_\_  
PROJECT ARCHITECT: (812) 212-1015  
REVIEWED BY: SAMUEL PAVLOVCIQ \_\_\_\_\_ DATE \_\_\_\_\_  
PRINCIPAL ARCHITECT (630) 892-0897

**PERMIT SET**

DESCRIPTION	DRAWING ISSUE DATES	DATE
DESIGN SET		04.01.2025
DESIGN ACCEPTANCE		04.04.2025
PERMIT SUBMITTAL		06.18.2025
PERMIT REVISIONS		
PERMIT APPROVAL		
FIELD REVISIONS		

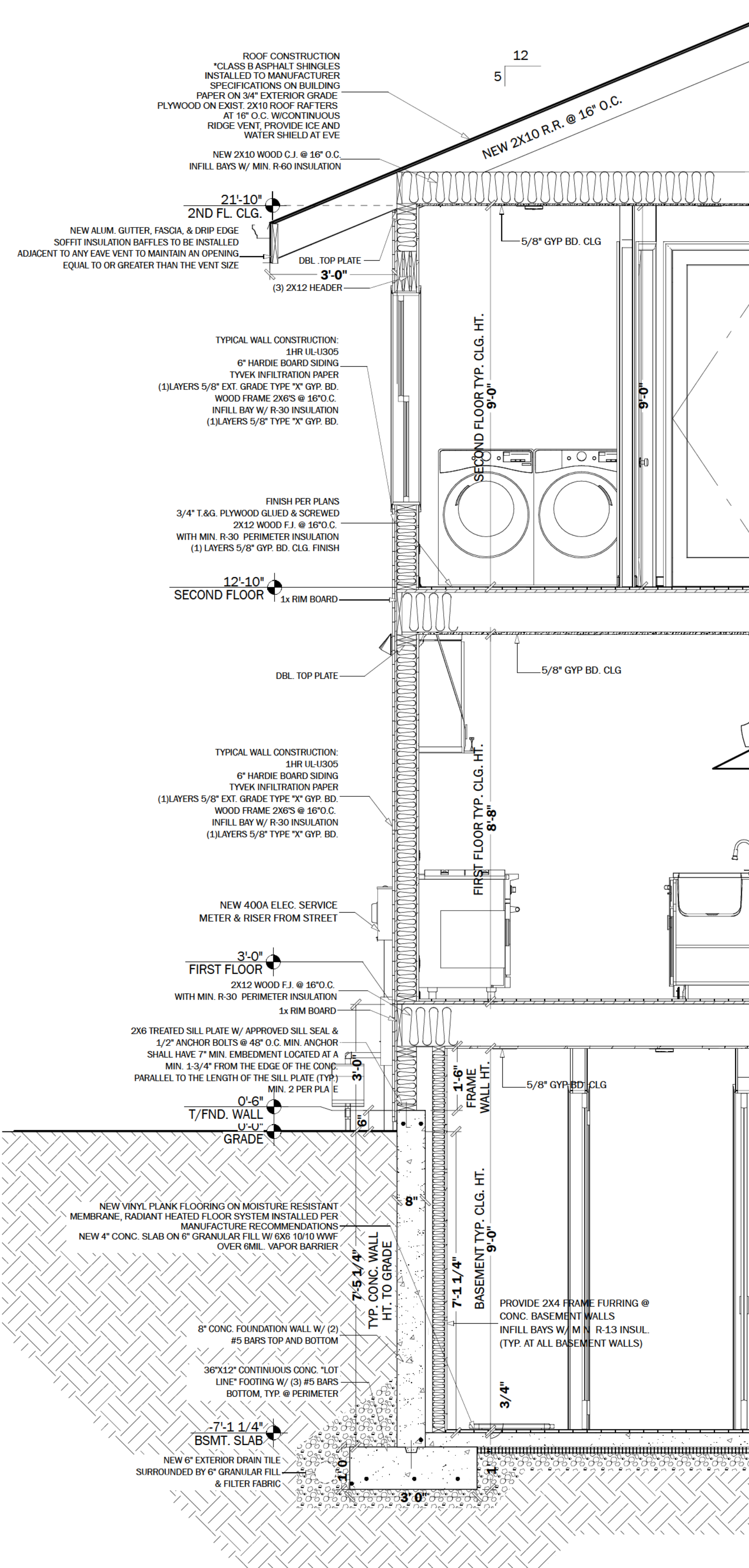
**NOTES**

**SHEET LEGEND**

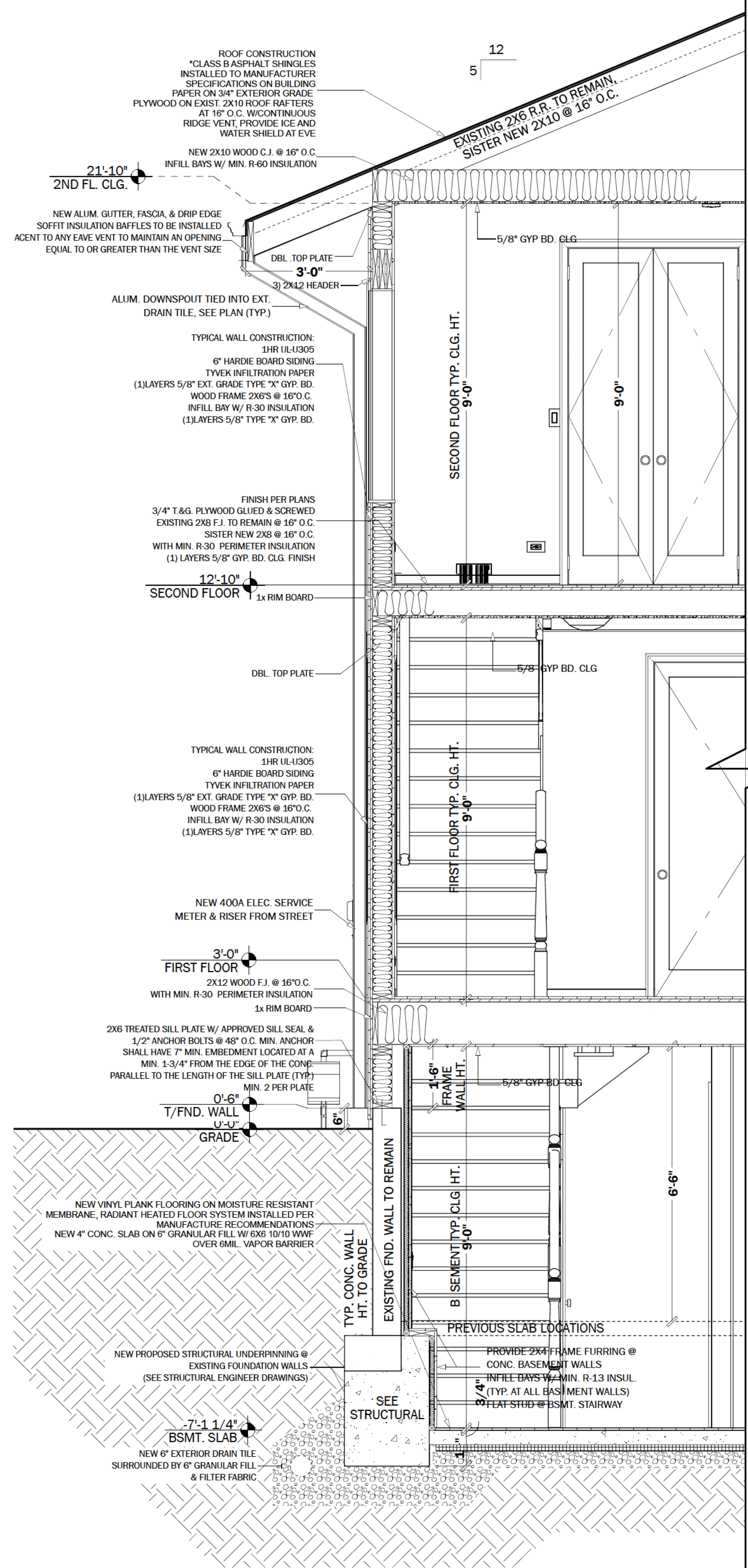
TAG #	TITLE
G-1 1	SITE PLAN & ZONING
G-2 2	GENERAL NOTES & LEGENDS
AP-1 3	BASEMENT ARCH. PLANS & DIAGRAMS
AP-2 4	1ST FLOOR ARCH. PLANS
AP-3 5	2ND FLOOR ARCH. PLANS
AE-1 6	ROOF PLAN & EXTERIOR ELEVATIONS
AE-2 7	EXTERIOR ELEVATIONS
AS-1 8	BUILDING SECTIONS
E-1 9	BASEMENT ELECTRICAL PLAN
E-2 10	1ST & 2ND FL. ELECTRICAL PLAN
M-1 11	BSMT. & 1ST FLOOR MECH. PLAN
M-2 12	2ND FLOOR MECHANICAL PLAN
P-1 13	PLUMBING DIAGRAMS

PRINT DATE: 6/19/2025 09:55:01  
TAG SHEET OF AE-2 7 13  
SHEET TITLE

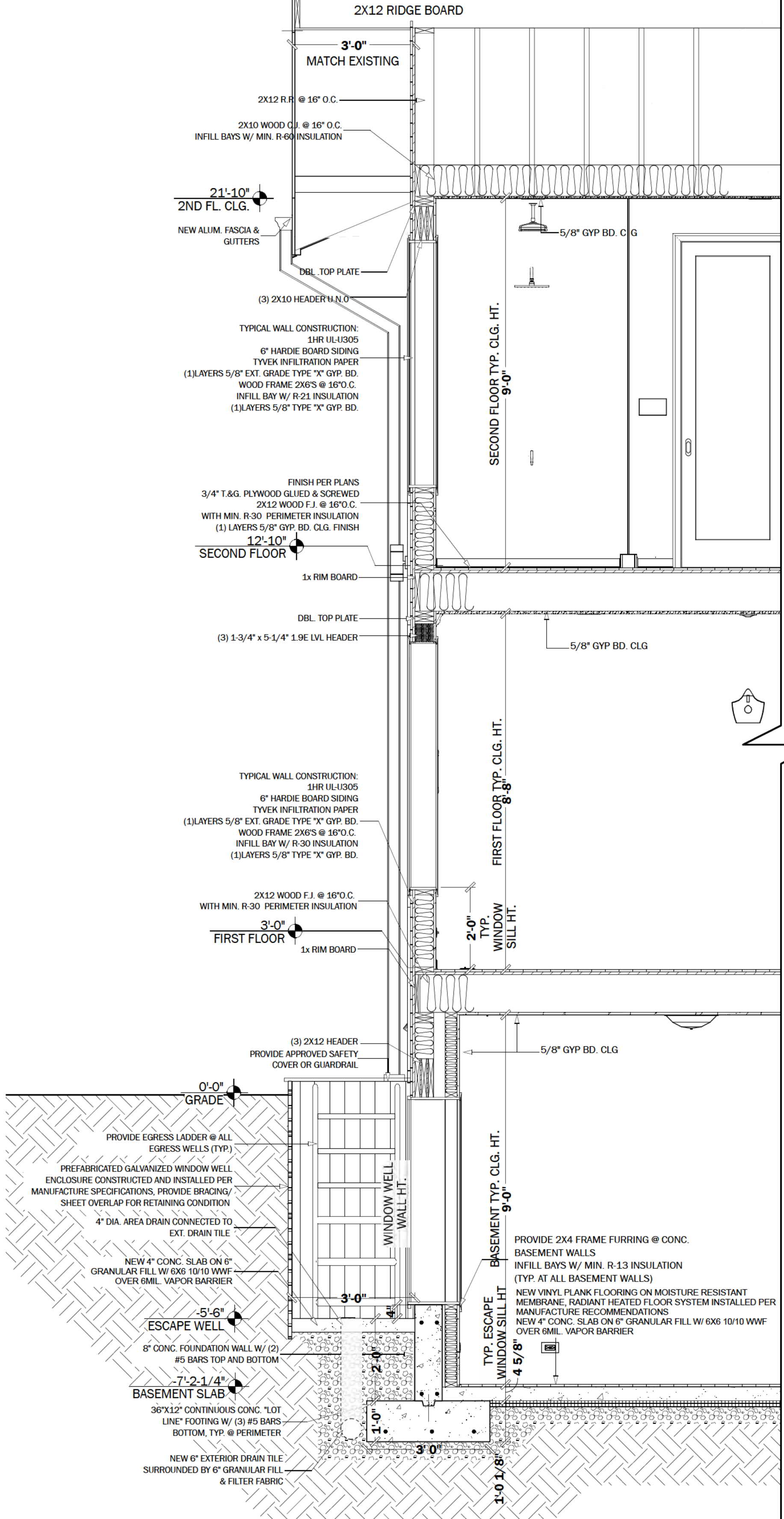
**EXTERIOR ELEVATIONS**



**S1** PROPOSED BUILDING SECTION  
1/2" = 1'-0"



**S2** EXISTING BUILDING SECTION  
1/2" = 1'-0"



**S3** ESCAPE WELL/GABLE SECTION  
1/2" = 1'-0"

**PAVLOVCIK ARCHITECTURE INC.**  
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213 W. INSTITUTE PL. SUITE 401  
CHICAGO, IL 60610  
DESIGN FIRM REGISTRATION # 184.007931

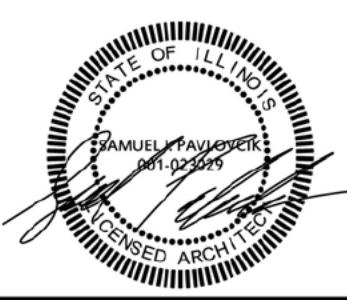
**PROJECT DESCRIPTION**  
INT. GUT REHAB OF EXIST. SFR & NEW 2-STORY  
REAR ADDITION W/ ATTACHED 2-CAR GARAGE

**PROJECT OWNER**  
ABI REAL ESTATE INVESTMENTS LLC

**PROJECT ADDRESS**  
826 HUMBOLDT AVE.  
WINNETKA, IL 60093

**SCALES**  
1"=1'-0"  
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3/8"=1'-0"  
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**PLAN APPROVAL**  
HOMEOWNER: I, the buyer(s), Home Owner(s), have examined the Pavlovcik Architecture documents and Pavlovcik Architecture construction details. I, the buyer(s), Home Owner(s), understand and agree to the terms, conditions, and selections contained within the Pavlovcik Architecture documents and approve the construction as noted.  
DRAWN BY: KEVIN KOURY  
PROJECT ARCHITECT: (812) 212-1015  
REVIEWED BY: SAMUEL PAVLOVCIK  
PRINCIPAL ARCHITECT: (630) 802-0897

PERMIT SET		
DESCRIPTION	DRAWING ISSUE DATES	DATE
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DESIGN ACCEPTANCE		04.04.2025
PERMIT SUBMITTAL		06.18.2025
PERMIT REVISIONS		
PERMIT APPROVAL		
FIELD REVISIONS		

NOTES		

SHEET LEGEND		
TAG #	TITLE	
G-1	1	SITE PLAN & ZONING
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AP-3	5	2ND FLOOR ARCH. PLANS
AE-1	6	ROOF PLAN & EXTERIOR ELEVATIONS
AE-2	7	EXTERIOR ELEVATIONS
AS-1	8	BUILDING SECTIONS
E-1	9	BASEMENT ELECTRICAL PLAN
E-2	10	1ST & 2ND FL. ELECTRICAL PLAN
M-1	11	BSMT. & 1ST FLOOR MECH. PLAN
M-2	12	2ND FLOOR MECHANICAL PLAN
P-1	13	PLUMBING DIAGRAMS

SHEET LEGEND		

PRINT DATE: 6/19/2025 10:06:15  
TAG: AS-1  
SHEET: 8  
OF: 13

**BUILDING SECTIONS**

PROJECT MANAGER TO REVIEW & VERIFY ALL ELECTRICAL OPENINGS WITH HOMEOWNER AT THE SITE