



Village of Winnetka

Zoning Board of Appeals Regular Meeting

September 8, 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. August 11, 2025, Regular Meeting Minutes
3. **Community Development Report**
4. **Continued Cases**
 - a. **Case No. 25-14-V2: 175 DeWindt Road:** An application seeking approval of zoning variations to allow construction of a second-floor addition to the existing residence at 175 DeWindt Road. The requested variations would permit the proposed improvements to (i) exceed the maximum permitted gross floor area; and (ii) provide less than the minimum required front yard setback from the west property line. The Village Council has final jurisdiction on this request. *At the August 11, 2025, Zoning Board of Appeals meeting, at the request of the Applicant, the Zoning Board of Appeals continued this item to the October 13, 2025, meeting.*
5. **New Cases**
 - a. **Case No. 25-17-V: 270 Birch Street:** An application seeking approval of a zoning variation to allow construction of an attached garage addition to the existing residence at 270 Birch Street. The requested variation would permit the proposed improvement to provide less than the minimum required front yard setback from the east property line along Birch Street. The Zoning Board of Appeals has final jurisdiction on this request.
6. **New Business**
 - a. October 13, 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; or by sending a letter to Community Development, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093. All agenda materials are available at www.villageofwinnetka.org/agendacenter.

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

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
AUGUST 11, 2025**

Zoning Board Members Present: Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kathryn Leister
Mike Nielsen
Michael Ritter
Todd Vender

Zoning Board Members Absent: None

Village Attorney: Courtney Trefil

Village Staff: Ann Klaassen, Assistant Director of Community Development

Call to Order & Roll Call:

Chairman Bradley called the meeting to order at 7:02 p.m. Roll call was taken of the Board Members present.

Approval of July 14, 2025, Meeting Minutes.

Chairman Bradley asked for a motion to approve the July 14, 2025, meeting minutes. A motion to approve the July 14, 2025, meeting minutes was made by Ms. Hanley and seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 7 to 0:

AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter, Vender

NAYS: None

Community Development Report.

Ms. Klaassen informed the Board Members that the 826 Humboldt case that was considered by the Board in July was approved by the Village Council on August 5.

Chairman Bradley took the agenda out of order and noted that the applicant for Case No. 25-14-V2 175 DeWindt Road has a requested a continuance.

New Cases:

a. **Case No. 25-14-V2: 175 DeWindt Road:** An application seeking approval of zoning variations to allow construction of a second-floor addition to the existing residence at 175 DeWindt Road. The requested variations would permit the proposed improvements to (i) exceed the maximum permitted gross floor area; and (ii) provide less than the minimum required front yard setback from the west property line. The Village Council has final jurisdiction on this request. *On August 7, 2025, the Applicant submitted a request that the Zoning Board of Appeals continue this item to the September 8, 2025 Zoning Board of Appeals meeting.*

Emily Thomas, the applicant, explained that they recently received comments from their neighbors and would like time to address their concerns. She noted that their architect and general contractor are not available for the September 8 ZBA meeting, so they would like to request a continuance to the October 13 ZBA meeting. The Board members discussed their availability for the October meeting.

1 Chairman Bradley then asked for a motion to continue the matter to the October 13, 2025, meeting. A
2 motion was made by Mr. Nielsen and seconded by Ms. Hanley. A vote was taken and the motion
3 unanimously passed:

4 AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter, Vender

5 NAYS: None

6
7 **Recommendations and Determinations:**

8 a. **Case No. 25-09-APL: 314 Walnut Street: Consideration of approval of written findings and**
9 **determination to affirm the Zoning Administrator's determination that 314 Walnut Street has a front**
10 **yard along Wilson Street. This item was continued from the July 14, 2025, Zoning Board of Appeals**
11 **meeting.**

12 Chairman Bradley asked for either public comment to be taken or the Board to call the matter in for
13 discussion. Nicole Steel, the appellant, provided public comment noting that the Board needs to consider
14 the facts and zoning analysis provided in the appeal. Village Attorney Courtney Trefil stated for the record
15 the ZBA received the document entitled "Public Comment 314 Walnut Street August 11, 2025 ZBA
16 Meeting" which will also be entered into the record.

17
18 Chairman Bradley called the matter in for discussion and advised the Board of their role in this matter. He
19 referred to Attachment A2, which consists of the written findings and determination, and asked if there
20 were any questions. Mr. Nielsen asked if the question is do we disagree with the facts. Chairman Bradley
21 explained the question is whether or not you are submitting a vote in favor of the findings and
22 determination, namely the facts that are included starting on page 9 of 107, which mainly concludes that
23 based on the evidence at the hearing and the entirety of the record, the ZBA finds that the Zoning
24 Administrator correctly determined that the property contains a front lot line on Wilson Street. He asked
25 if anyone had any questions or concerns about any of the facts or findings that are included in that
26 document.

27
28 Chairman Bradley stated the purpose of tonight is not to re-litigate whether or not this Board at the time
29 voted 5 to 0 to affirm that the Board did not believe the Zoning Administrator at the time had committed
30 an error in his interpretation of the zoning ordinance as applied to 314 Walnut Street. He stated the
31 document is meant to be a summarization, as the Board directed staff and the Village Attorney to prepare,
32 of that finding based on all of the evidence that was provided over the course of the hearing on June 9,
33 posed by the Village staff, as well as the appellant, as a document the Board can review and approve as
34 the final findings. He noted that at the June meeting the Board directed staff and the Village Attorney to
35 prepare the document that is being considered by the Board this evening, so if anyone has any questions
36 or concerns the Board can discuss as a group. Chairman Bradley reiterated that they are not to re-litigate
37 all of the evidence that has been provided but if anyone has any questions about the written findings and
38 determination it's time to discuss it. He stated it's a clear review of the relevant code sections, steps that
39 were taken, historical evidence provided as to what the Zoning Administrator has in the past found this
40 property to have a front yard on Wilson Street, and then the decision to ultimately determine that he did
41 not act in error when he made that determination.

42
43 Mr. Haller stated he is comfortable with the document and the decision reached by the Zoning
44 Administrator and summarized his position in detail and referenced the use of Section 17.30.050.C.3. He
45 referred to the other lots to the south of this property with frontage on Walnut and Wilson and stated
46 this makes a consistent front line for the others on the block all the way down the street where everybody
47 on the front and the back has to have a front yard setback, and a number of those properties have sought
48 relief through a variance and that would be what in his view the appellant was first pursuing is what others

1 have done. Mr. Haller also stated the history of this interpretation on this particular property is on file.
2 Mr. Vender noted properties have front yards along Wilson and that he didn't have a problem with the
3 original request. He stated that he would be in favor of approving the findings of fact. Ms. Hanley stated
4 although she was not in attendance at the June 9, 2025, meeting, her questions were addressed and she
5 would vote in favor. Ms. Leister stated she is also comfortable with the facts and findings. Mr. Ritter stated
6 the code supported the Zoning Administrator's determination and although he sympathized with the
7 homeowners, it would have to be something that the Village Council would have to change. He also
8 referred to the appellant's attorney's code interpretation and stated he would support the findings of the
9 Zoning Administrator. Mr. Nielsen stated he would also be in support of the Zoning Administrator's
10 decision. Chairman Bradley also agreed with the facts and findings prepared for the Board. He
11 commented that he agrees and understands the frustration with homeowners who don't appreciate how
12 the Village has zoned their properties perhaps at the time that they purchased those properties the record
13 was complete with information that would have let the appellant know that there are and have been since
14 at least 1998 as far as the record shows two front lot lines identified on this property, as well as all the
15 through lots in the neighborhood to the north and to the south. Chairman Bradley also referred to 2005
16 when the Village adopted the ordinance granting the variation for the existing garage on the property,
17 which was an intrusion into the front yard setback required at the time. He noted that wasn't the current
18 homeowner but that has been part of the record for over two decades. Chairman Bradley also referred
19 to the language in Section 17.30.050.C.3. and that the entirety of that clause is to determine buildable
20 area not to define what the lot is. He noted that it is not a definition it is used when trying to work through
21 an unusual set of properties that have three street frontages to determine the buildable area. Chairman
22 Bradley then referred to the previous discussion relating to having a study session in order to tighten up
23 the code language to erase any ambiguity that might be there, either in the general public's better interest
24 or to help the Zoning Administrator going forward.
25

26 Mr. Haller stated the Board is discussing the appeal that was brought before us. He referred to the
27 variation the applicant previously brought before the Board and noted that there are other properties on
28 the street that have gotten variances given the nature of the street. Mr. Haller noted that doesn't mean
29 the Board isn't sympathetic to that as they were when they were before the Board for a variance, as it
30 appears prior ZBA Boards have been for others with through lots on Wilson. He said the Board is here to
31 make a decision on whether or not the zoning regulations by the Zoning Administrator were properly
32 formed.
33

34 Chairman Bradley asked for a motion to approve the findings and determination included in the agenda
35 packet beginning on page 9. A motion as stated by Chairman Bradley was made by Ms. Hanley and
36 seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 7 to 0:

37 AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter, Vender

38 NAYS: None
39

40 **New Business:**

- 41 a. September 8, 2025, Meeting - Quorum Check.

42 The Board Members discussed their availability.
43

44 **Public Comment:**

45 No comments were made at this time.
46

47 **Adjournment:**

1 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley and
2 seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 7 to 0:

3 AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter, Vender

4 NAYS: None

5

6 The meeting adjourned at 7:25 p.m.

7

8 Respectfully submitted,

9

10 Antionette Johnson

11 Recording Secretary

DRAFT



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, ASSISTANT DIRECTOR
DATE: SEPTEMBER 3, 2025
SUBJECT: 270 BIRCH STREET - VARIATION (CASE NO. 25-17-V)

INTRODUCTION

On September 8, 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 variation to allow construction of an attached garage addition to the existing residence on the Subject Property:

1. **Front Yard Setback** of 26.38 feet from the east property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 23.62 feet (47.24%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a front yard setback of 49.55 feet].

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 August 21, 2025. As of the date of this memo, staff has not received any written comment from the public regarding this application.

The ZBA has final jurisdiction on this request as the Board has the authority to grant a variation to reduce a front yard setback for a principal building by more no more than 50% of the required setback.

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.

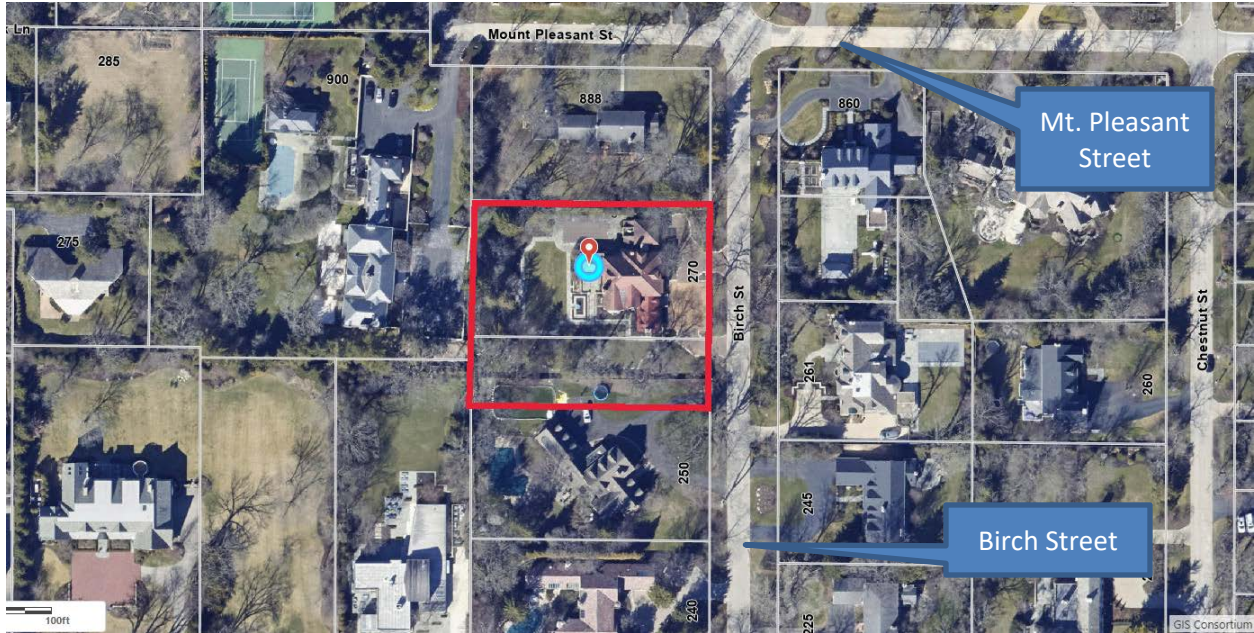


Figure 1 – Aerial Map



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 three 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;
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; and
3. On July 14, 2025, the ZBA considered Case No. 25-10-V2 to allow construction of an attached garage addition to the existing residence and a detached garage that required approval of the following variations: (a) front yard setback; (b) total side yard setback; and (c) front-facing garage door width. After hearing from the Applicant's representative, receiving written comments from two neighbors in opposition to the request, the Board heard from one member of the public who was also a neighbor and opposed to the request. The Board then discussed the project. Some Board members expressed support of the request to exceed the maximum permitted width for front-facing garage doors, but thought the existing attached garage could be expanded without encroaching into the required front yard setback, or at least not to the extent as proposed. Additionally, there was not ZBA support for the proposed detached garage that was driving the need for the total side yard setback variation. Ultimately, by a vote of 6-0, the ZBA recommended denial of the request. Prior to consideration of the request by the Village Council, the Applicant withdrew the application and has submitted the variation application that is currently before the Board.

Minutes of the November 2024 and July 2025 ZBA meetings are included in this report as **Attachment D**.

Figures 3 and 4 on the following page are photos of the site taken in July.



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



Figure 4 – Subject Property (Front Elevation Looking Northwest)

PROPOSED PLAN

The variation is being requested in order to construct a one-story attached garage addition on the front elevation of the existing residence. The existing front-facing attached garage would be converted into storage space. The proposed garage would accommodate two vehicles; and would be side-loaded, meaning the garage doors would not face the street. The addition would measure 21.96 feet by 27.33 feet (600 square feet). With the exception of the front yard setback, the proposed addition complies with the zoning regulations.

Excerpts of the proposed site plan, floor plan, and proposed 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**).

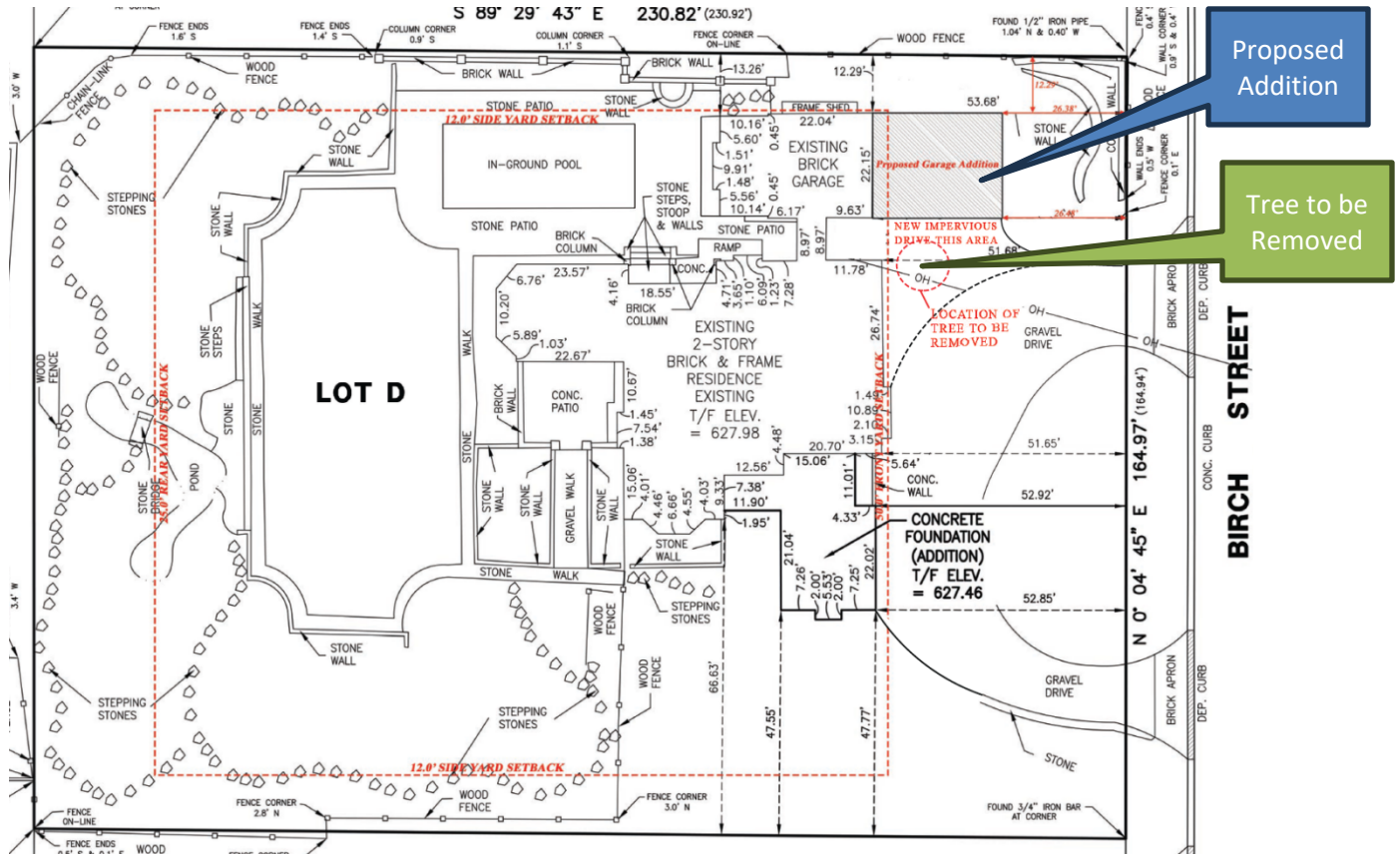


Figure 5 – Proposed Site Plan

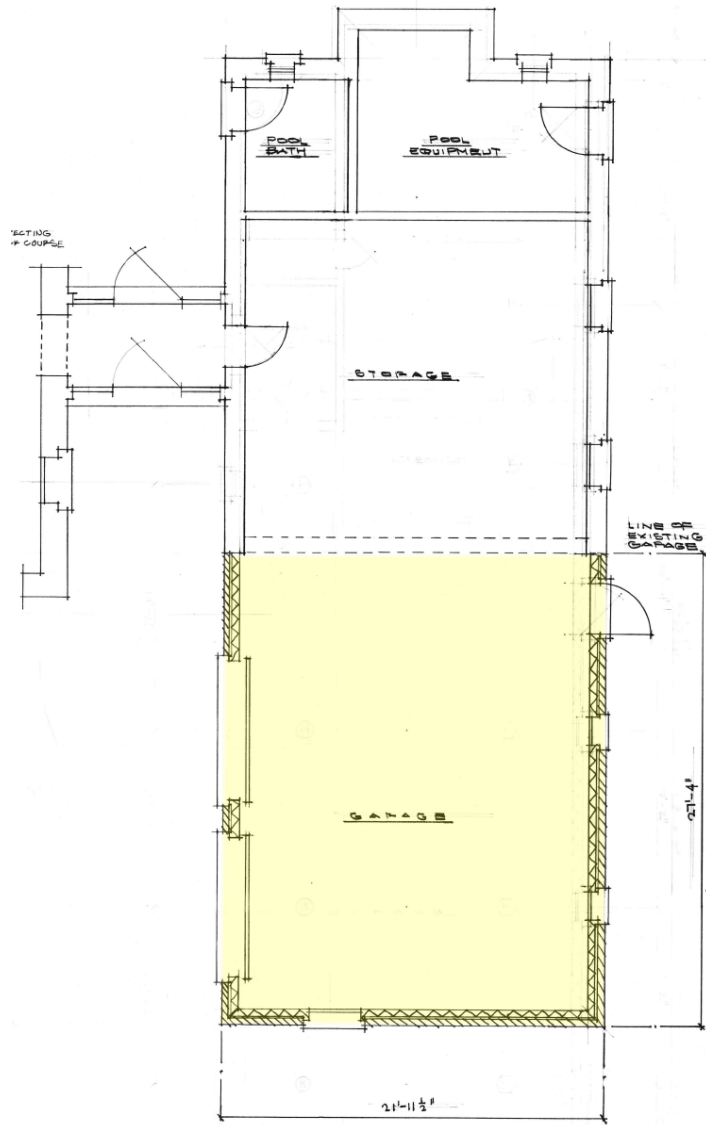


Figure 6 – Proposed First Floor Plan – Attached Garage Addition (North is to the right)

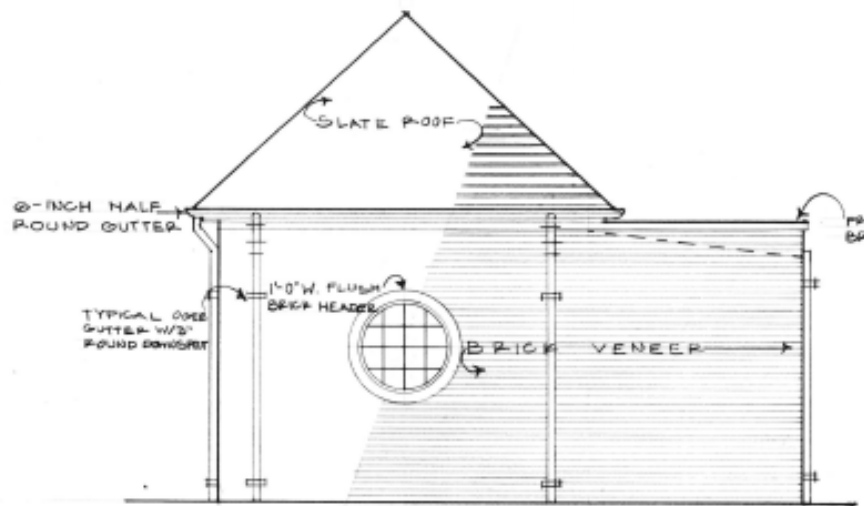


Figure 7 – Proposed Front Elevation (East) of Attached Garage Addition

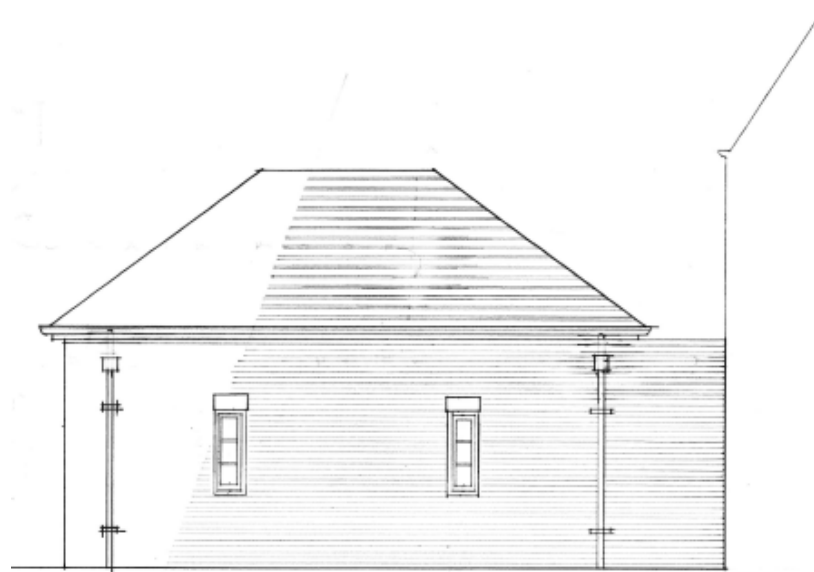


Figure 8 – Proposed North Elevation of Attached Garage Addition

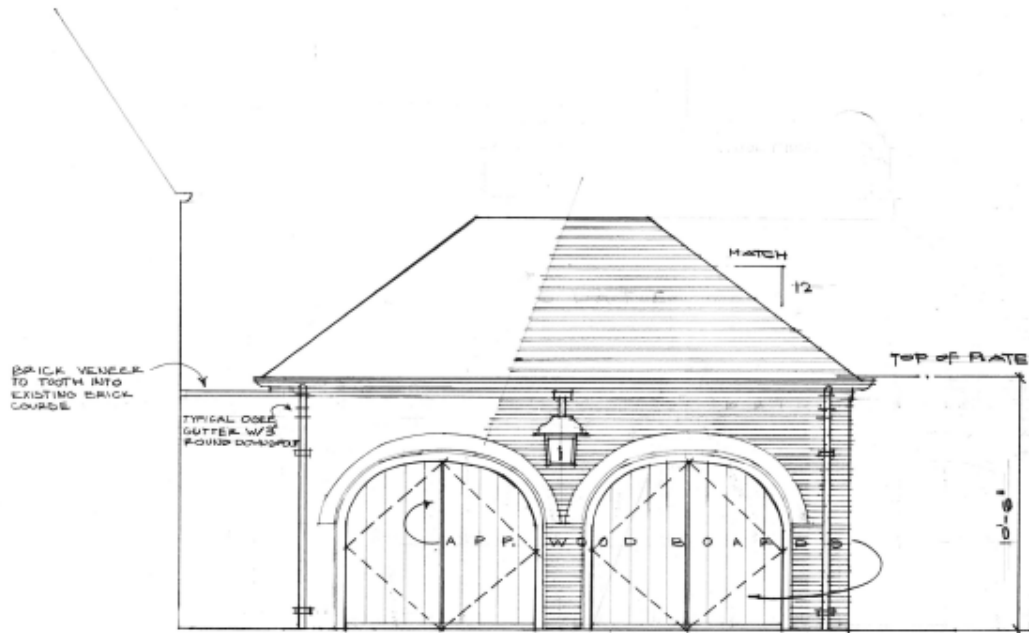


Figure 9 – Proposed South Elevation of Attached Garage Addition

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 10 on the following page represents the Subject Property’s proximity to the floodplain; the cyan represents the 100-year floodplain, the orange represents the 500-year floodplain. A portion of the Subject Property along the north property line, west of the existing residence, is 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

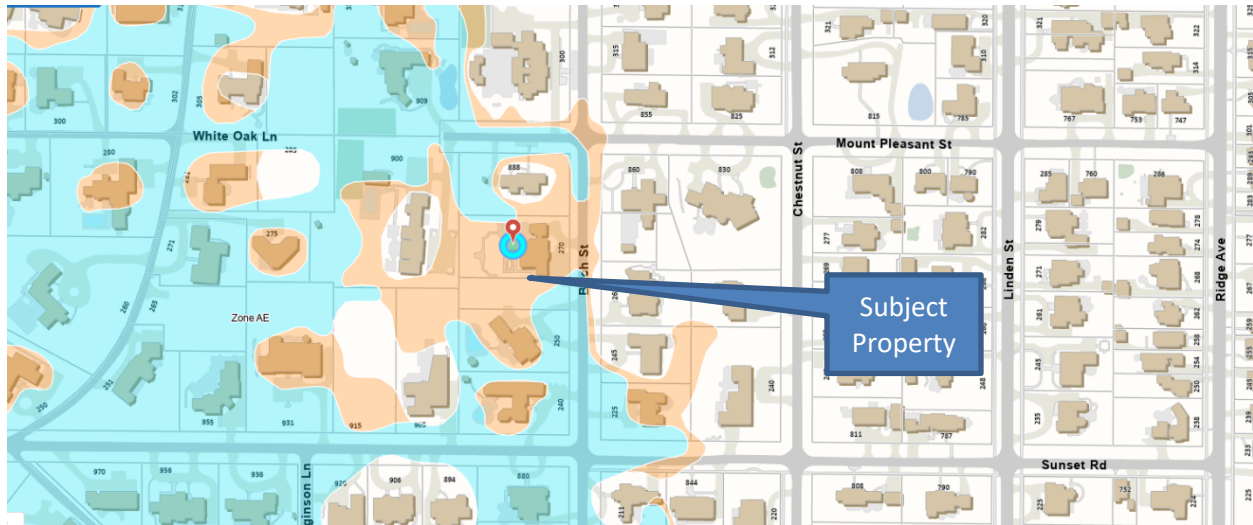


Figure 10 – GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached Zoning Matrix highlights the existing lot and the proposed improvement's compliance with the R-2 zoning district (**Attachment A**). One variation is being requested to allow the proposed attached garage addition to provide a front yard setback of 26.38 feet from the east property line along Birch Street, whereas a minimum of 50 feet is required, a variation of 23.62 feet (47.24%). 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.

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

FINDINGS

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

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

ATTACHMENTS

- Attachment A: Zoning Matrix
- Attachment B: Stormwater Matrix
- Attachment C: Application Materials
- Attachment D: November 18, 2024, and July 14, 2025, ZBA Meeting Minutes Excerpts
- Attachment E: Draft Resolutions

ATTACHMENT A

ZONING MATRIX

ADDRESS: 270 Birch Street

CASE NO: 25-17-V

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	5,644.53 SF	600.17 SF	OK
Max. Gross Floor Area	10,566.04 SF (1)	7,837.69 SF	8,437.86 SF	600.17 SF	OK
Max. Impermeable Lot Coverage	19,024 SF (1)	13,489 SF	14,148.22 SF	659.22 SF	OK
Min. Front Yard (Birch/East)	50 FT	49.55 FT	26.38 FT	-23.17 FT	23.62 FEET (47.24%) VARIATION
Min. Side Yard (North)	12 FT	10.39 FT	10.39 FT (3)	0 FT	EXISTING NONCONFORMING
Min. Total Side Yards	49.43 FT	57.44 FT	57.44 FT	0 FT	OK
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 12.29 feet.

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

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

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 270 Birch Street</i> <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. However, a final determination will not occur until engineering plans are submitted with a building permit application.</i>
E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)	The amount of additional required storm water detention volume is based upon: <ul style="list-style-type: none"> 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 b) The amount of ILC in addition to what currently exists on the lot. 	

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.25-17-V

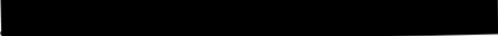
Property Information

Site Address: 270 BIRCH STREET, WINNETKA, IL 60093

Owner Information

Name: SPENCER; ALEX KAEHLER

Primary Contact: ALEX KAEHLER

Address: 

Phone No. 

City, State, ZIP: WINNETKA, IL 60093

Email: ALEX@ALEXANDRAKAEHLER.COM

Date property acquired by owner: _____

Architect Information

Attorney Information

Name: JAMES LAUGHLIN

Name: N/A

Primary Contact: JAMES LAUGHLIN

Primary Contact: _____

Address: 2829 2nd AVENUE S.

Address: _____

City, State, ZIP: BIRMINGHAM, AL 35233

City, State, Zip: _____

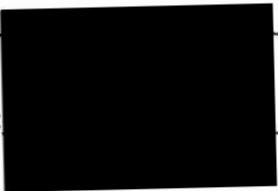
Phone No. (205) 807-7814

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: 

AUGUST 13, 2025

Date:

**REVISED
AUGUST 25, 2025**



James B. Laughlin

- 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 proposal herein would yield a reasonable return as its intents and purposes are in line with those set forth by the zoning regulations.

- 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 of the parcel. Such conditions present a hardship due to the geometry of the house and parcel. Impervious area is a nonissue due to the large parcel size.

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

The existing Pre-War building greatly contributes to the neighborhood fabric. The owner elected to restore and renovate in lieu of demolishing which would be more probable with most owners. This condition is contributing in its character.

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

The supply of light and air will not be impaired.

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

It will not be. If anything, the proposal herein decreases the likelihood of fire and other damages.

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

It will not be. The taxable value will only be improved.

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

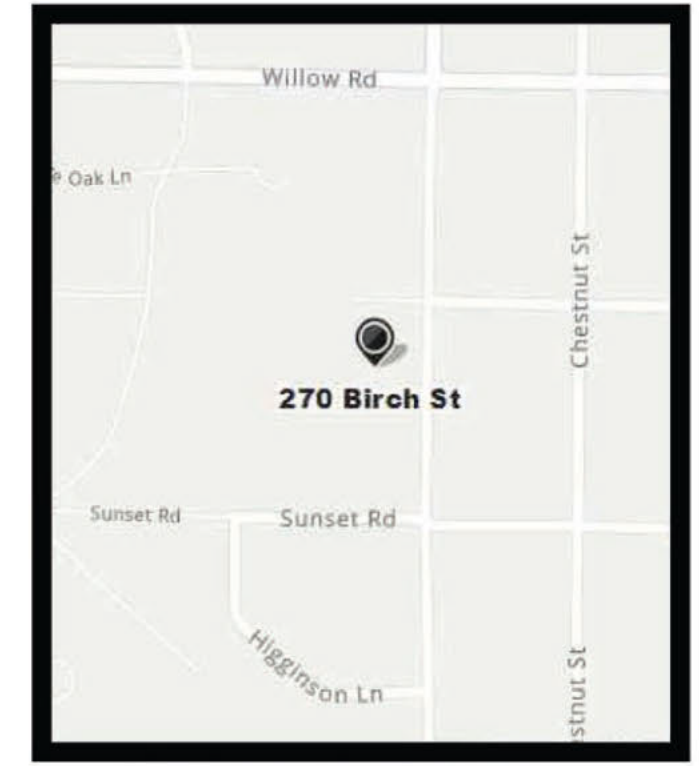
The congestion in the public street will be decreased per the proposal herein.

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

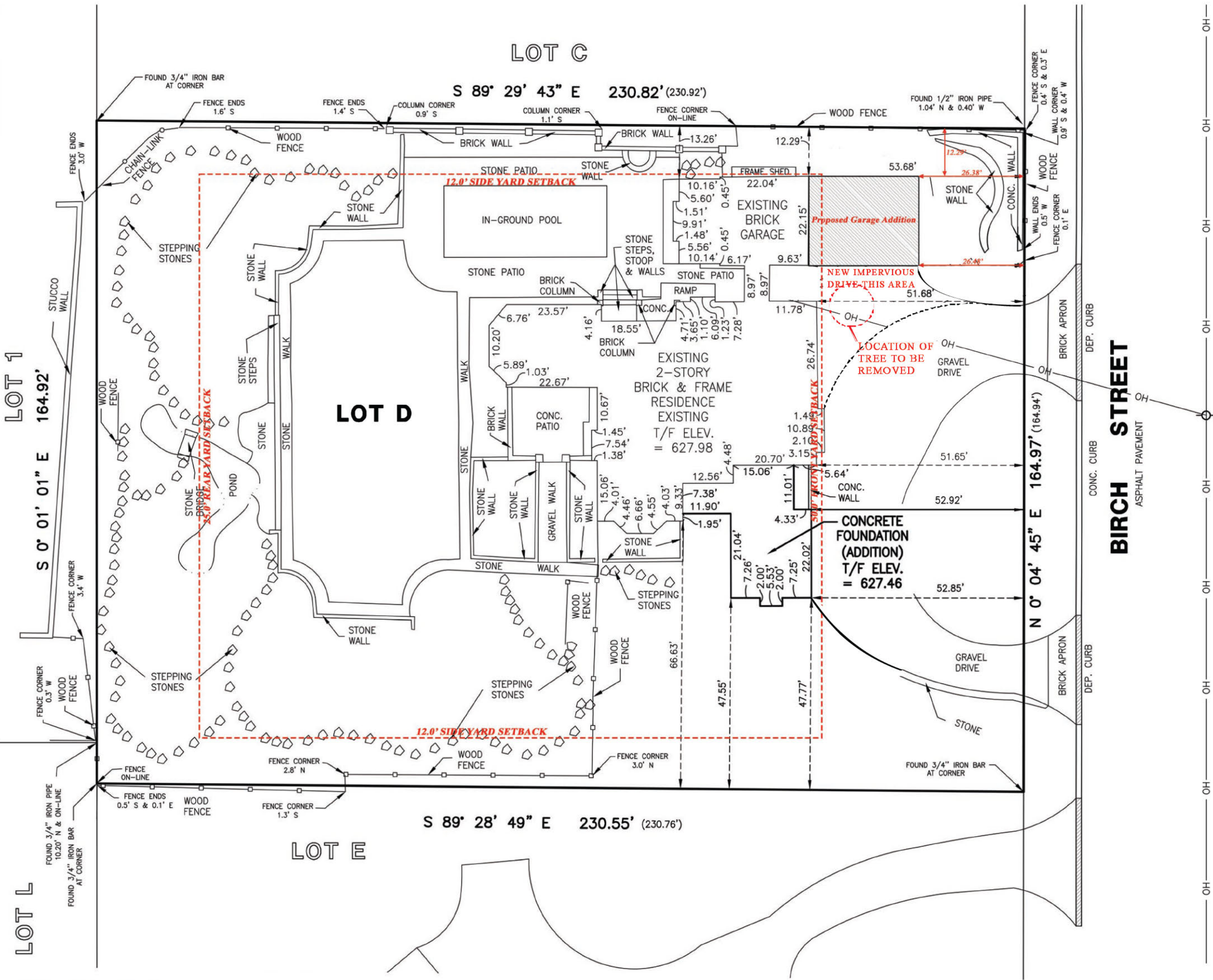
They will not be impaired, but rather improved. The proposal is more contributing and consistent with the village fabric.

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:

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

GENERAL NOTES:

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
- NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
- 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.
- 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.

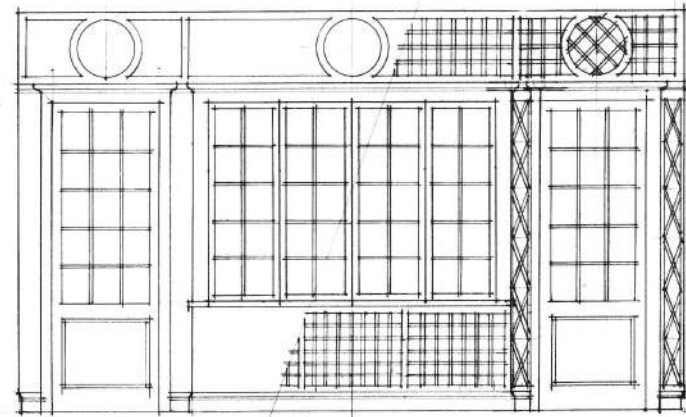
DATED THIS 18TH DAY OF FEBRUARY, A.D., 2021

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

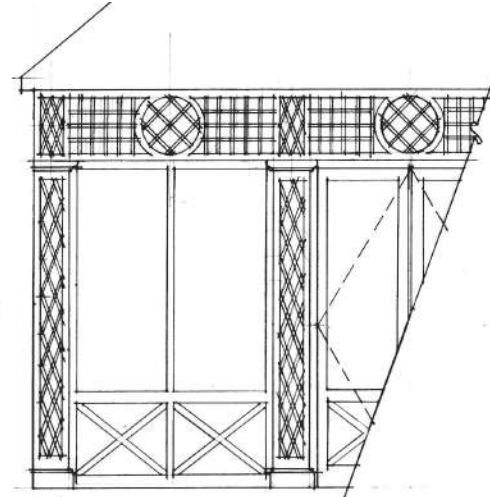
JOSEPH R. SADOSKI
ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11-30-22.



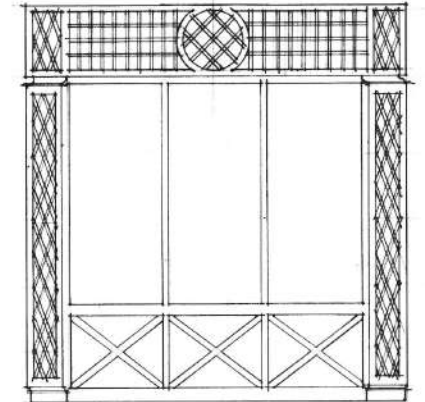
DESIGNED BY: AN	DATE: 08-17-20	<p>GREENGARD, INC. Engineers • Surveyors • Planners 111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615 PHONE: 847-634-3883 FAX: 847-634-0687 E-MAIL: 231@GREENGARDINC.COM ILL. REGISTRATION NO. 184-000995</p>	SCALE: 1"=20'	270 BIRCH STREET - WINNETKA, ILLINOIS PLAT OF SURVEY
CHECKED BY: JRS	DATE: 08-19-20		DRAWING No. 66161	
APPROVED BY:	DATE:		SHEET 1 OF 1	
JS DRAWN BY:	02-17-21 DATE:	FOUNDATION LOCATION ADDITION REVISIONS		



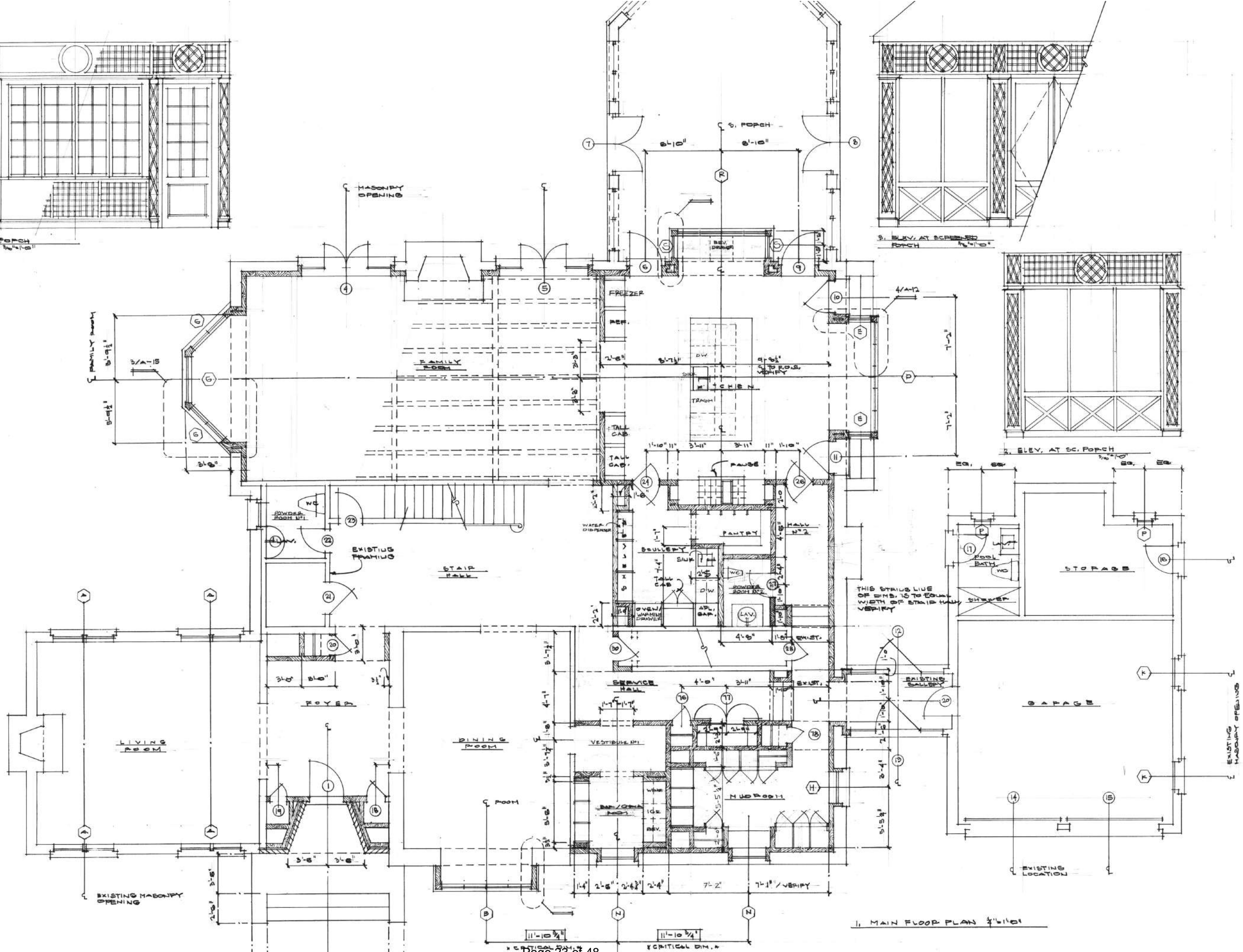
1. ELEV. AT SC. PORCH



2. ELEV. AT SCREENED PORCH



3. ELEV. AT SC. PORCH



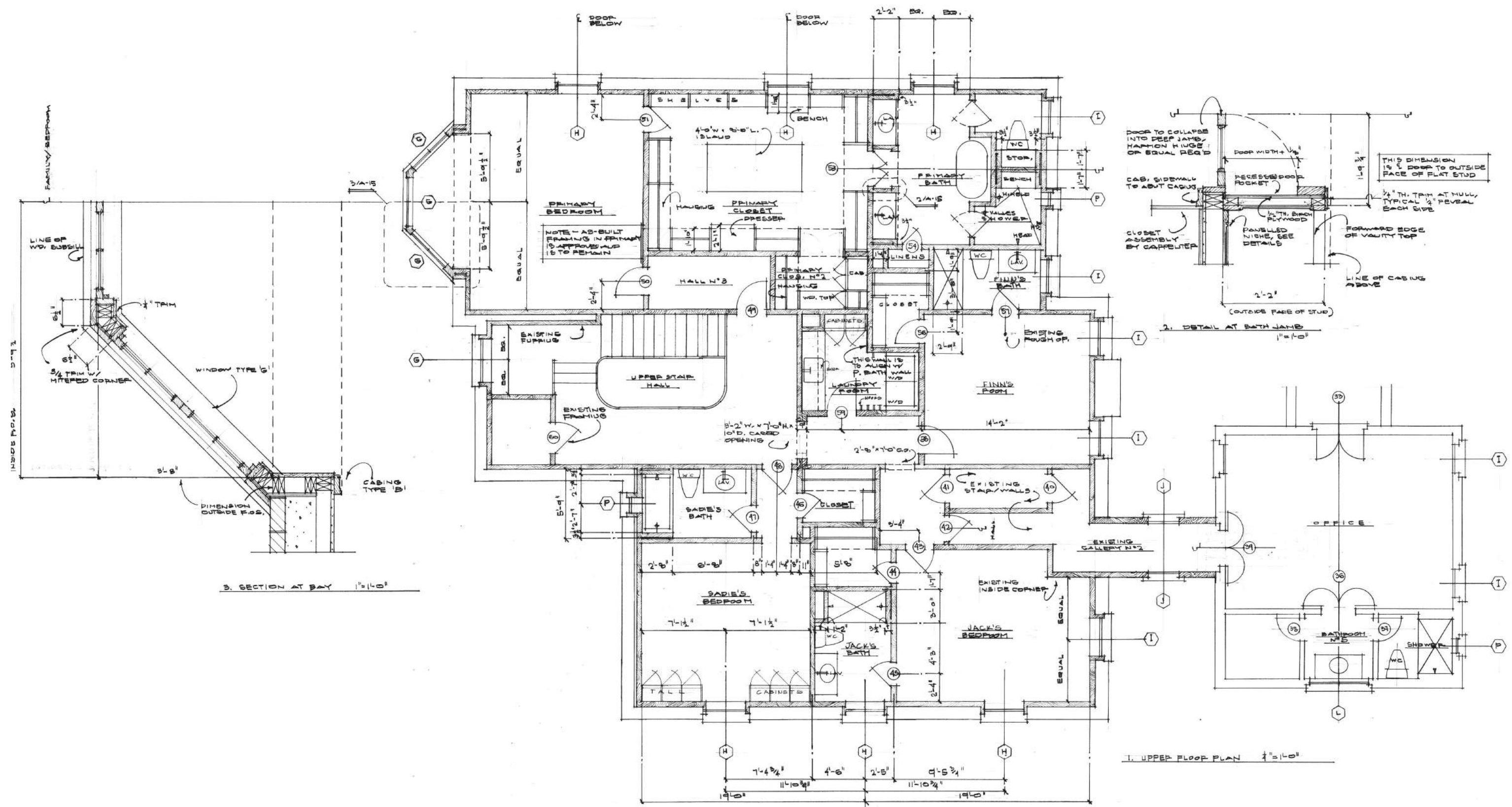
1. MAIN FLOOR PLAN 3/11/01

James B. Laughlin

RENOVATION
ALEX AND S
KAEHLER
270 BIRCH
WINNETKA
60093

MAIN FL.
PLAN

MARCH 11,

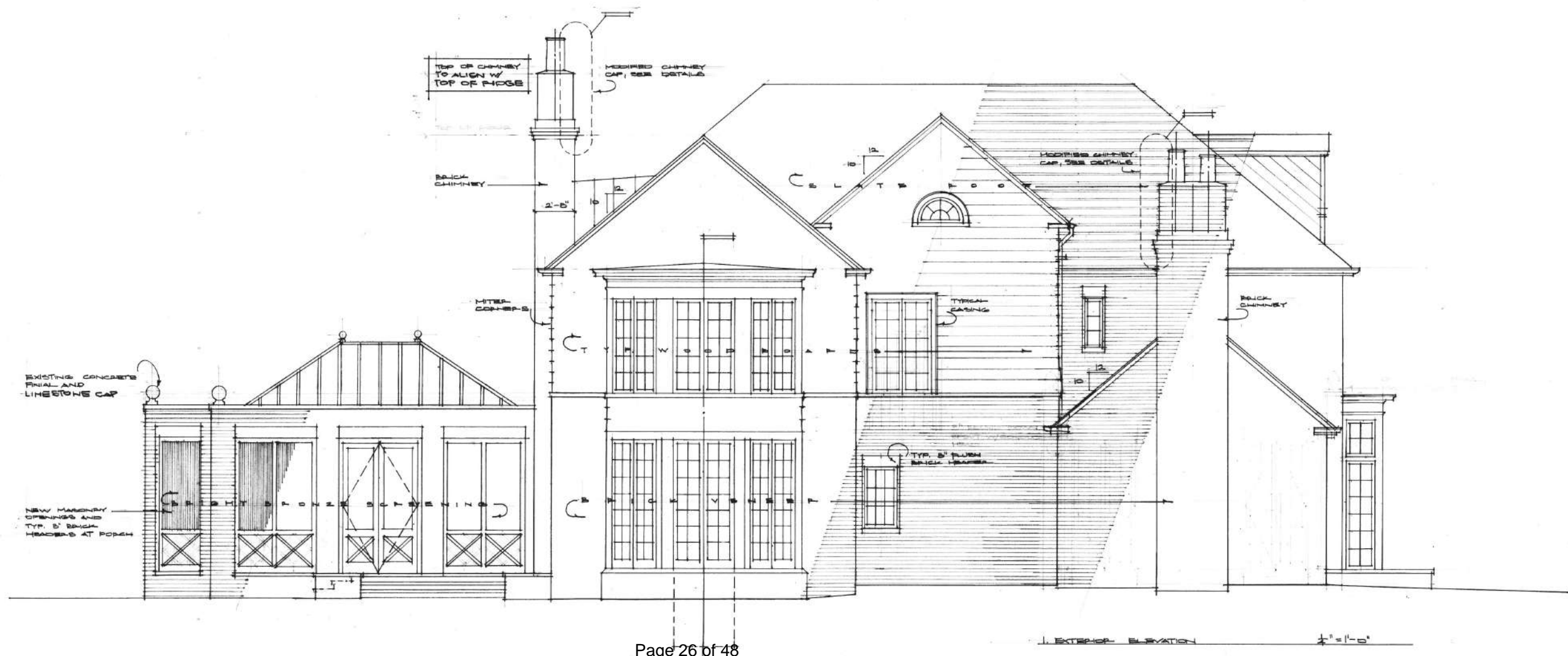
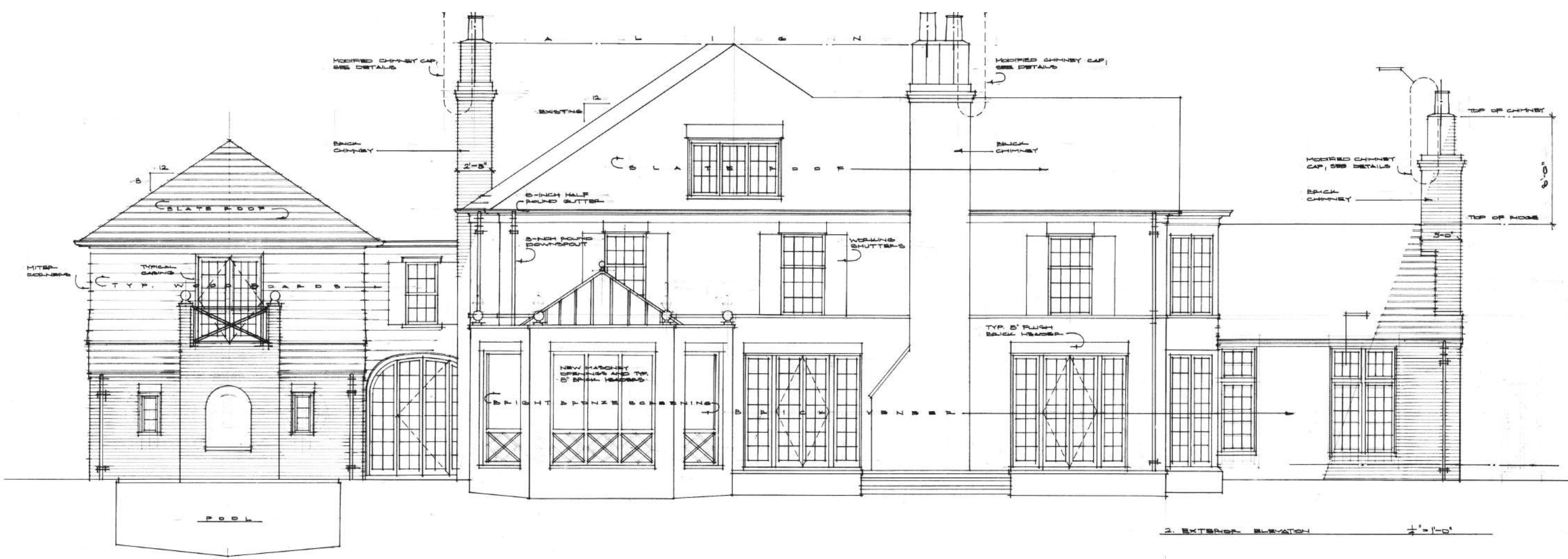


James B. Laughlin

RENOVATION FOR ALEX / SPENCER
270 BIRCH
WINNETKA, 60095

UPPER FLOOR PLAN

MARCH 8, 2012

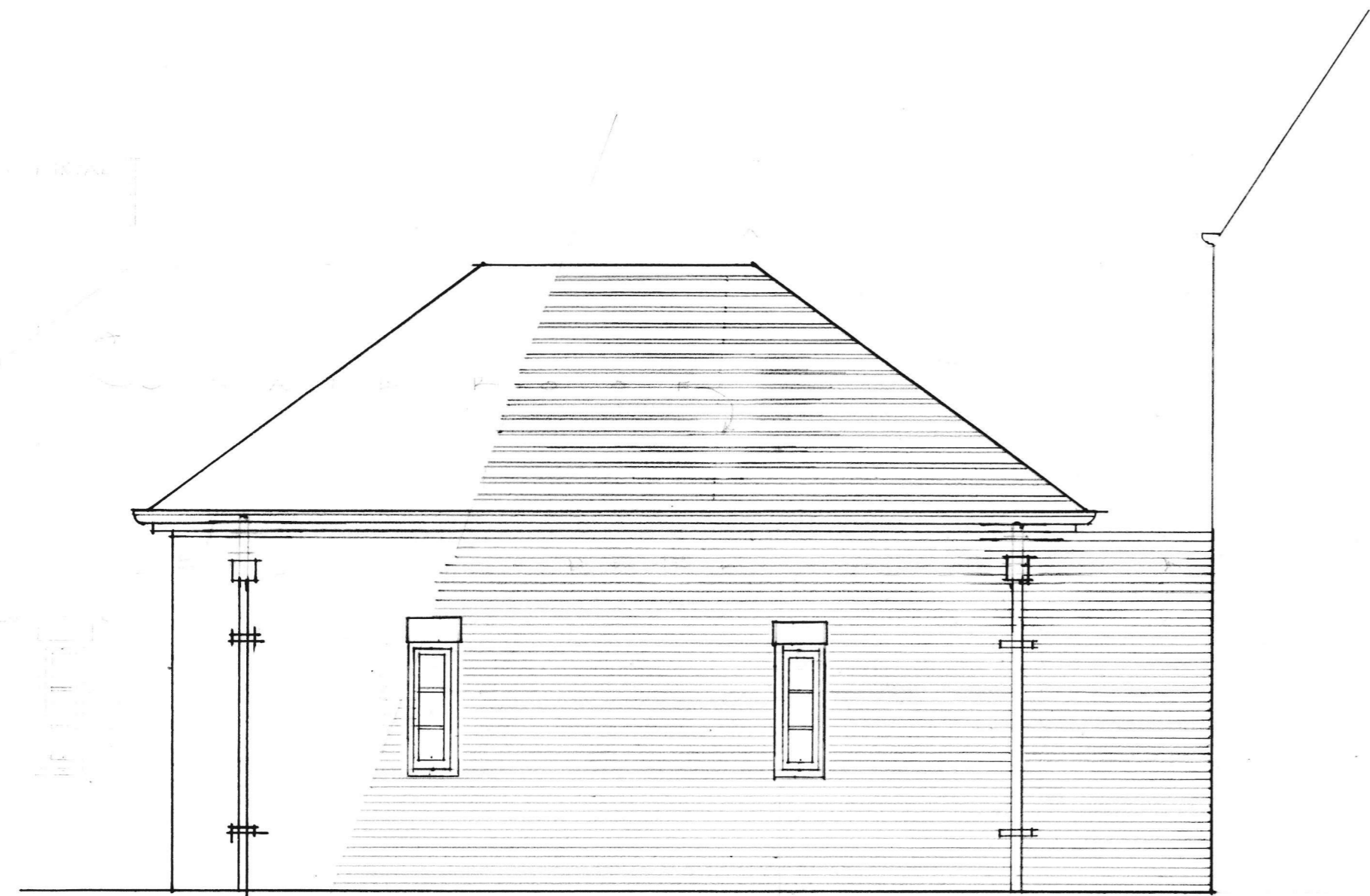


James B. Laughlin

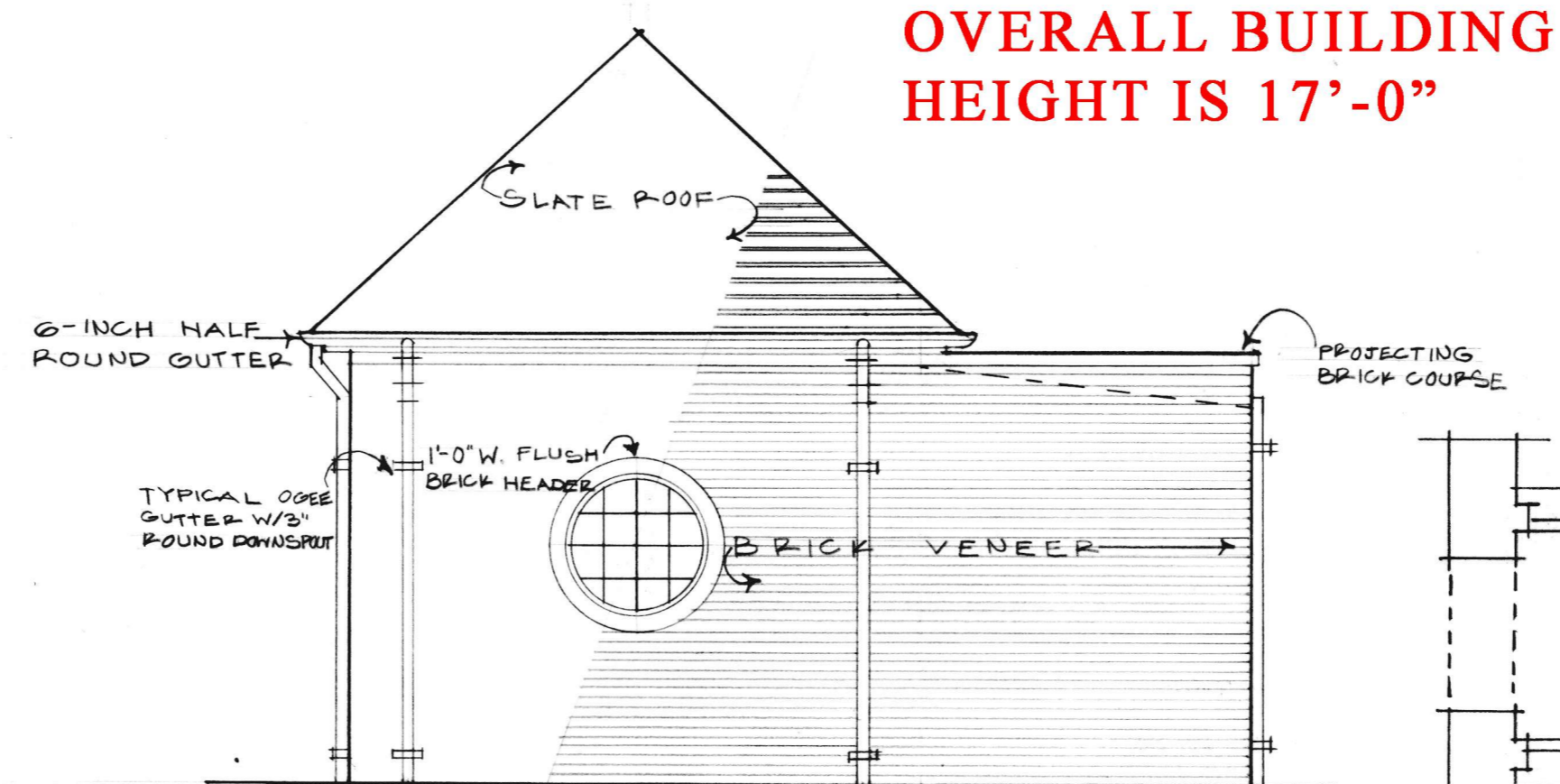
DATE
BY
CHECKED
SCALE

DATE
BY
CHECKED
SCALE

MARCH 8,

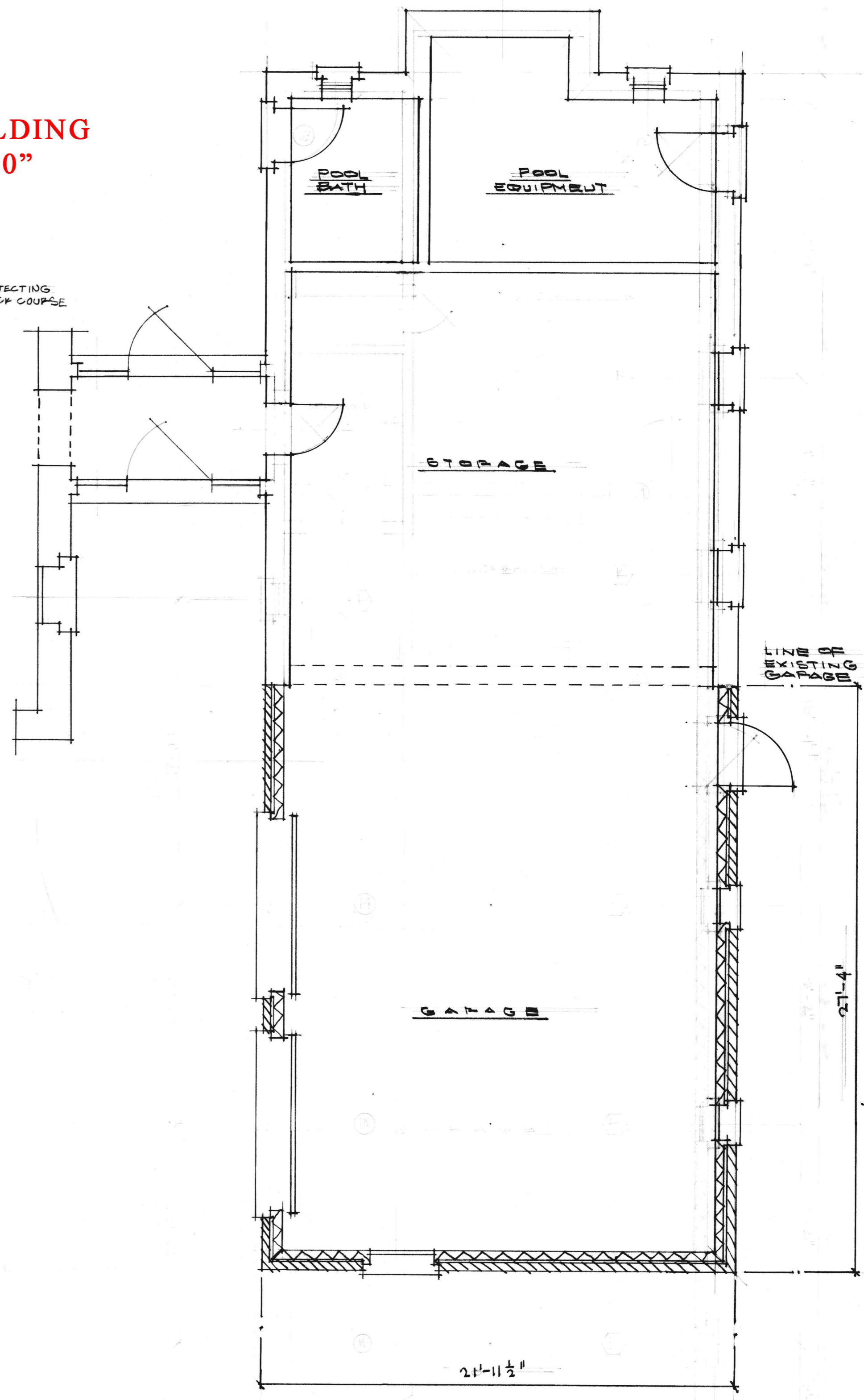


5. NORTH ELEVATION 1/4" = 1'-0"

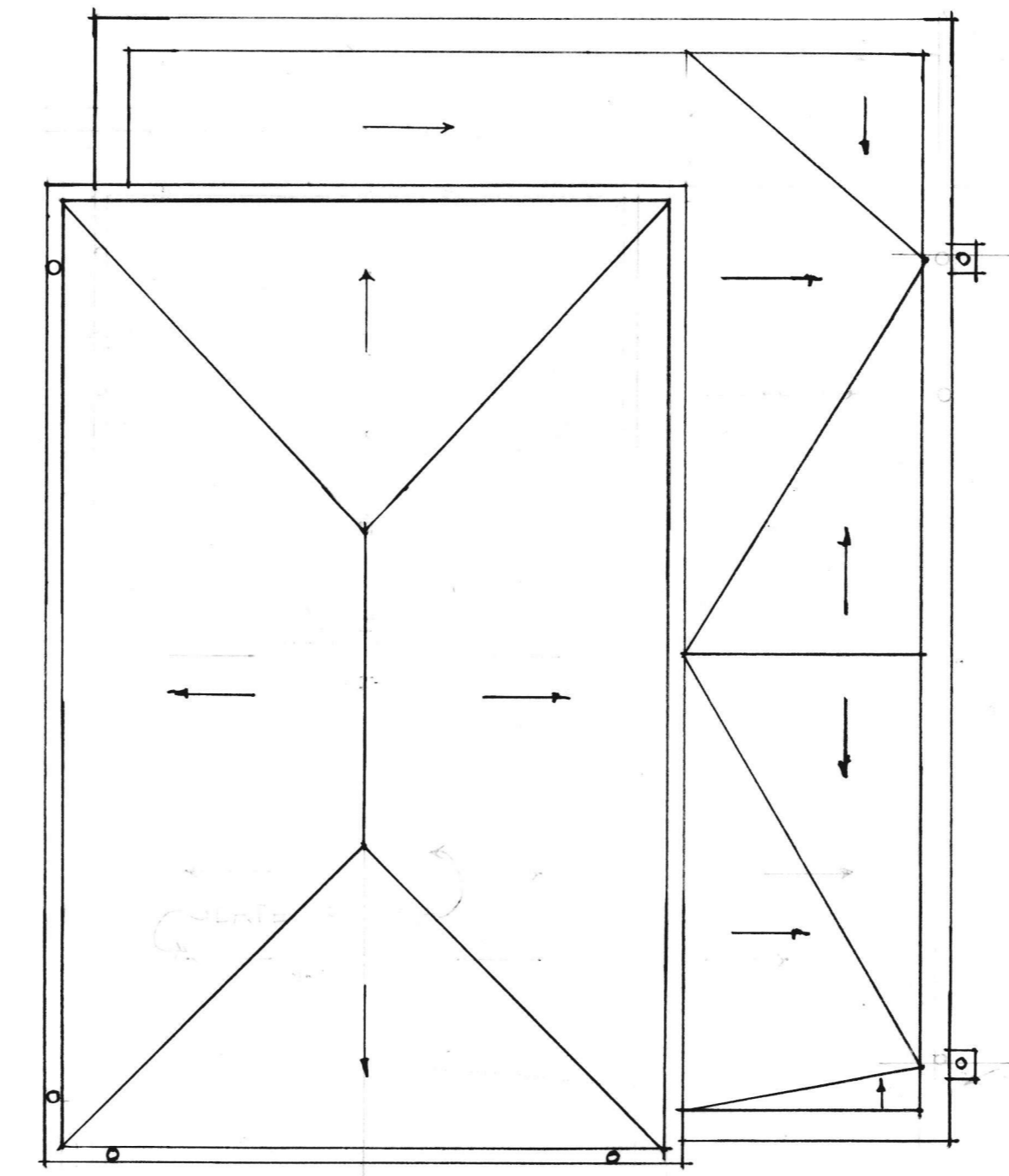


4. EAST ELEVATION 1/4" = 1'-0"

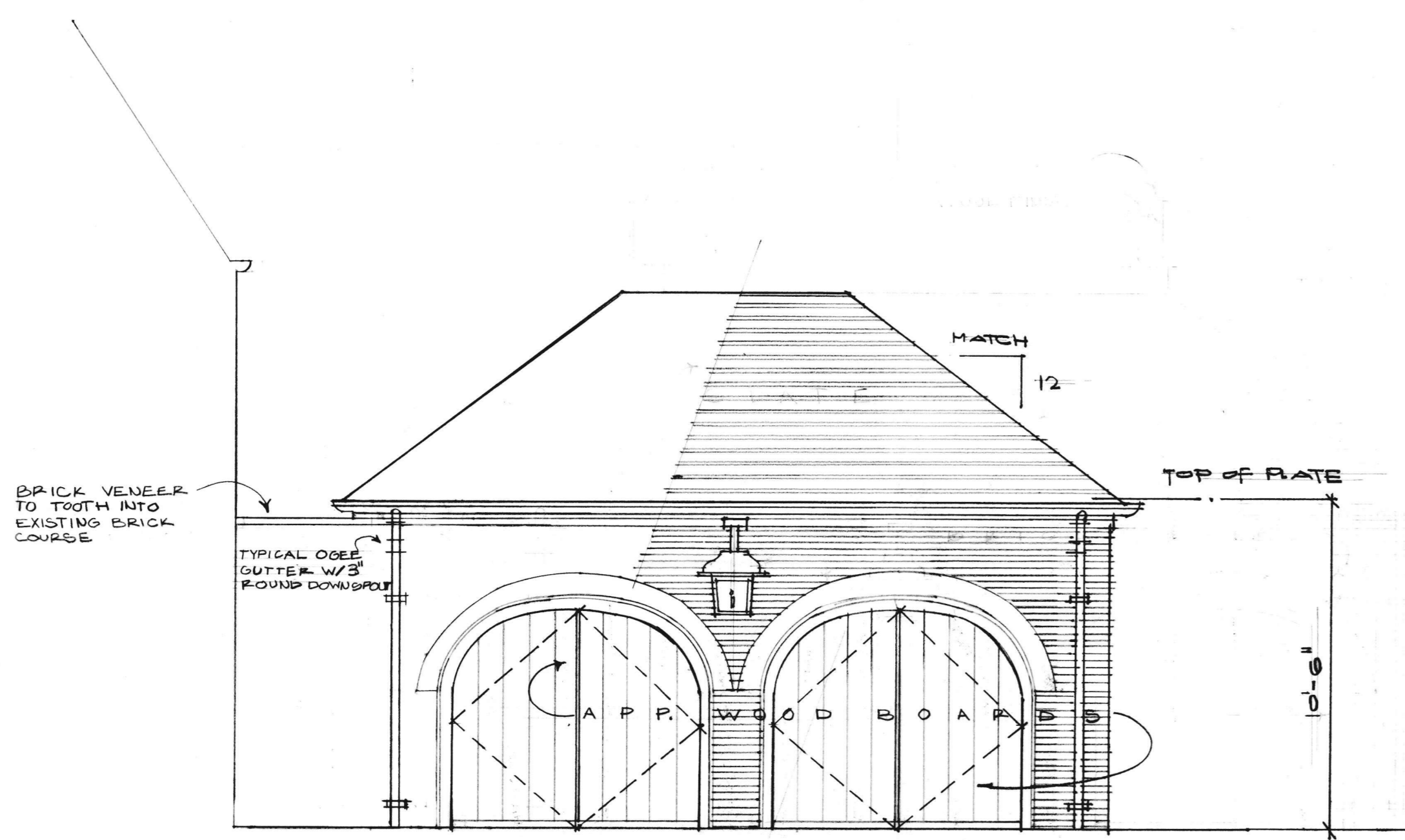
OVERALL BUILDING HEIGHT IS 17'-0"



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



2. ROOF PLAN 1/4" = 1'-0"



3. SOUTH ELEVATION 1/4" = 1'-0"

James B. Laughlin
 jamesbloughlin.com (603) 771-6035

A GARAGE ADDITION FOR ALEX AND SPENCER FABLEY
 270 BIRCH ST. WINNETKA, IL 60093

FLOOR PLAN AND ELEVATIONS

DEC. 3, 2024

ATTACHMENT D

Minutes adopted 04.14.2025

WINNETKA ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES EXCERPT NOVEMBER 18, 2024

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

Zoning Board Members Absent: Kate Casale MacNally
Mike Nielsen

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Assistant Director of Community
Development
Christopher Marx, Associate Planner

a. Case No. 24-16-V2: 270 Birch Street: An application seeking approval of a variation to allow construction of an addition to the existing residence at 270 Birch Street. The requested variation would permit the proposed addition to provide less than the minimum required front yard setback from the east property line along Birch Street. The Village Council has final jurisdiction on this request.

Ms. Klaassen identified the property's location, size and zoning classification as well as site photographs. She explained the variation being requested and referred to the proposed addition's illustrations. Ms. Klaassen then described the rooms contained in the area of the existing garage that will no longer be garage space and the proposed garage addition, and referred to various elevation views. She stated one written comment was received and was included in the agenda packet. Ms. Klaassen stated following the applicant's presentation and public comment, the Board may consider a motion to recommend approval or denial of the request, or continue the matter to a date certain with draft language included on page 89 of the agenda packet. She then asked if there were any questions. No questions were raised at this time.

Chairman Bradley asked for the applicant's presentation and swore in those speaking to this matter. James Laughlin, project architect, and Alex Kaehler, the applicant, introduced themselves to the Board. Ms. Kaehler informed the Board the older home was extensively renovated and in their attempts to make the garage more modern, they considered historically consistent options. She stated the proposal is aesthetically pleasing and would not block sight lines.

Mr. Laughlin stated his company did historic preservation type projects and they realized they would have to consider hardships relating to older homes. He stated the home is located right on the 50 foot front yard setback which represented limited options in terms of the garage. Mr. Laughlin stated the proposal represented the most architecturally appropriate approach without tearing down the home and would contribute to the neighborhood by not having front facing garage doors.

Mr. Haller questioned an area in an illustration. Ms. Klaassen responded it represented a vacated right-of-way. Ms. Kaehler informed the Board that neighbor provided a letter in support of the application. Ms. Hanley asked if other locations were considered. Ms. Kaehler informed the Board of the alternative locations which included a detached garage installation that would not require a variance. Mr. Laughlin

1 noted that alternative would make the garage closer to two adjacent properties. Ms. Kaehler noted they
2 are not yet living in the home and have been renovating it for a year. She added they have photos of the
3 home prior to the renovation.

4
5 Chairman Bradley asked how much of the interior layout matched what would have been common in
6 homes of this time period. Mr. Laughlin and Ms. Kaehler explained the prior parlor type spaces and how
7 the home's interior was divided up. Mr. Laughlin added they planned to match the existing materials. The
8 applicant also provided additional information relating to the size of the three car garage and accessing
9 the westernmost bay of the garage and the necessary clearance from the existing residence. Mr. Laughlin
10 confirmed the proposal represented the most minimally invasive version of the garage. Ms. Kaehler stated
11 they could consider using a double door garage to minimize the garage size by 2 feet.

12
13 Chairman Bradley asked for public comment and swore in those speaking to this matter. Alexandra
14 Nichols, 900 Mt. Pleasant, read her comments into the record relating to the length of time and amount
15 of construction at the applicant's property and asked for the Board not to approve the variation.

16
17 Ms. Kaehler responded the garage was considered as part of the initial project and that it was determined
18 the property was in the flood plain which meant they could not expand the home's footprint. She stated
19 the home was later determined to not be in the flood plain and explained how construction traffic is being
20 staged. Mr. Vender asked if a garage could be built as of right to the south to alleviate the neighbors'
21 concerns. Ms. Klaassen confirmed that is correct provided the applicant complied with impermeable lot
22 coverage limitations which would result in a driveway extending the length of the south property line.

23
24 Chairman Bradley called the matter in for discussion. Mr. Haller stated he is sympathetic to the neighbors'
25 concerns relating to the amount of construction. He stated with regard to the garage as positioned and
26 how it related to the rest of the construction, it seemed logical. Mr. Haller also indicated the garage could
27 be a two car garage instead and the garage being installed in the rear would be more intrusive. He then
28 stated he is also concerned with setting a precedent. Ms. Hanley stated while she loved the design and
29 the attempt to keep it historically appropriate, the request did not fit within zoning and the encroachment
30 would be very significant. She also referred to standard nos. 1 and 3 not being met and referred to the
31 existing home's setback on the street in the R-2 zoning district. Ms. Hanley then stated while the
32 alternatives are not desirable, she is not in favor of the significant encroachment.

33
34 Ms. Leister stated she is in favor of the request and referred to standard no. 1 as being reasonable with
35 the garage's alternate southwest location being inferior. She then stated the preservation of the older
36 home warranted the variation. Mr. Vender stated he is not as bothered by the encroachment and agreed
37 there is a lot of construction traffic. He stated the resulting garage would be befitting to the amount of
38 work done on the home. Mr. Vender stated a garage will ultimately be built on the property. Chairman
39 Bradley agreed with Ms. Hanley's comments relating to standard nos. 1 and 3 and made several points
40 relating to reasonable return. He then stated for this project, he questioned the reasonable return for this
41 home without some relief being granted to quantify having a garage of a size in keeping with the home's
42 size. Chairman Bradley stated it is expected to have a garage to accommodate two vehicles for a home
43 this size and alternative locations would create issues. He then stated he would be less troubled by
44 encroachment in the front yard setback in this instance and would be in favor of recommending approval.
45 Mr. Haller referred to the alternative of tearing down the home and having a newly constructed home
46 and concluded he would be in favor of recommending approval.

47

1 Chairman Bradley then asked for a motion to recommend approval. A motion to recommend approval
2 was made by Mr. Haller and seconded by Ms. Leister. A vote was taken and the motion passed, 4 to 1:

3 AYES: Bradley, Haller, Leister, Vender

4 NAYS: Hanley

5

6

7

8 Respectfully submitted,

9

10 Antionette Johnson

11 Recording Secretary

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES EXCERPT
JULY 14, 2025**

- Zoning Board Members Present:** Matt Bradley, Chairman
Mark Haller
Lynn Hanley
Kathryn Leister
Mike Nielsen
Michael Ritter
- Zoning Board Members Absent:** Todd Vender
- Village Attorney:** Courtney Trefil
- Village Staff:** Scott Mangum, Director of Community Development
Ann Klaassen, Assistant Director of Community Development
Christopher Marx, Associate Planner

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.

Ms. Klaassen identified the property’s location, zoning classification, photos and location of the proposed detached garage. She summarized the Board’s consideration of the previous variation application at a prior ZBA meeting, as well as the Village Council’s consideration of the previous proposal. The Board Members discussed the tree in question which caused access issues. Ms. Klaassen summarized the proposed variations related to constructing an addition to the existing attached front facing garage and a new detached garage she identified for the Board. She noted the total garage space on the site would accommodate three vehicles and explained the rear quarter setback requirements. Ms. Klaassen described the proposed and existing garages’ position and dimensions and explained the zoning relief required. She informed the Board two emails were received from neighbors and stated following hearing from the applicant and the public, and Board deliberation, a Board Member may make a motion to recommend approval or denial with draft language provided on page 78. Ms. Klaassen asked if there were any questions. No questions were raised at this time.

Chairman Bradley swore in those speaking to this matter. Scott Rosett, the general contractor, explained the two year process undertaken in considering the proposed plan to help maintain the integrity of the older home. He stated a two car normal sized garage would not function well for the owners and described the process the applicants underwent to solve the issues. Mr. Rosett stated although there may be a way in which to conform to the restrictions, the owners are aesthetically driven and the architect created a plan to allow for modern day living. He noted the existing two car garage would not conform to a typical

1 two car garage in terms of its width which drove the need for how an additional garage came into play.
2 Mr. Rosett also provided an explanation in response to the two letters submitted in opposition.

3
4 Chairman Bradley summarized the application's prior consideration and questioned the issues involved
5 relating to the tree and the vehicle turning radius. Mr. Rosett described the limitations of the existing two
6 car size in detail which explained the need for the additional south garage.

7
8 Ms. Hanley questioned the interior and exterior garage measurements as well as the floorplan with two
9 garage doors. Mr. Rosett explained the reasoning for the different elevations as well as the size needed
10 for the applicants' vehicles and storage. He added that the north side would be a very wide one car garage
11 and explained the need for the garage addition. The Board Members and applicant further discussed the
12 amount of interior space. Mr. Haller asked for the amount that it could be brought forward which did not
13 trigger a front yard variation. Ms. Klaassen responded it could come towards Birch Street approximately
14 3.5 feet and identified the existing front yard setback. The Board Members and applicant discussed
15 possible garage sizes to eliminate one of the variances.

16
17 Ms. Leister asked about the south neighbor's position regarding the detached garage placement in the
18 front compared to the rear of the lot. Mr. Rosett responded the neighbor supported their initial
19 submission and stated the proposed location would affect them less. Chairman Bradley noted the
20 neighbor to the south presented a letter in opposition to the free standing structure. He then asked why
21 the design was changed. Mr. Rosett stated the applicant's preferred a single detached garage in the front
22 of the property but that would not have been acceptable, which resulted in the three car garage noting
23 the tree presented a problem. He explained the applicants' preference for a detached garage on the south
24 which would result in an estate type setting which mimicked the home's original architectural style. The
25 Board Members and applicant further discussed alternatives. No additional questions from the Board
26 were raised at this time.

27
28 Chairman Bradley asked for public comment and swore in those speaking to this matter. Alexandra Nichols
29 identified herself as the rear neighbor and described how the existing garage is not used. She stated the
30 applicants are asking for special consideration to allow them to have additional space and referred to
31 several neighbors who are strongly opposed to the request. No additional comments were made at this
32 time.

33
34 Chairman Bradley called the matter in for discussion and summarized the items the Board is to consider.
35 Ms. Hanley stated she voted in opposition to the initial request and stated the property did not have any
36 unique aspects which created a hardship. She stated she would not vote in favor of the requested setbacks
37 and identified alternatives for the garage location. Ms. Hanley applauded the applicants on maintaining
38 the older home and stated she would not be in opposition to one garage door for the existing garage.

39
40 Mr. Nielsen agreed with Ms. Hanley's comments and referred to the standards. He stated the applicants
41 still have the ability to yield a reasonable return. Mr. Nielsen stated he would not vote in favor of the
42 request and would agree to the existing garage's modification. Mr. Haller agreed with the comments
43 made and stated bringing the garage forward would provide additional depth and allow for more storage.
44 He also stated he would not have an issue with a wider garage door on the existing garage.

45
46 Ms. Leister stated she would vote against the three variations requested and referred to the standards
47 which were not met. She also referred to the neighbors' concerns. Ms. Leister then stated they can
48 maximize the existing options which would not trigger the setback as well as the alternatives suggested

1 with regard to storage space. Mr. Ritter commented the project has been beautifully done and stated the
2 criteria for granting the variations have not been met. He stated he would be in favor of the garage door
3 width change and extending the front of the existing garage. Chairman Bradley stated he supported the
4 initial plans and there has been no justification for the detached garage on the south side. He identified
5 the prior concerns raised with regard to placing a detached garage on the south side. Chairman Bradley
6 stated he would otherwise support the application and described the effect on the neighbors. He then
7 stated the first three standards are not satisfied with the architect having identified other options.
8

9 Chairman Bradley asked for a motion to recommend denial of the request as noted on page 78. A motion
10 as stated by Chairman Bradley was made by Ms. Hanley and seconded by Mr. Nielsen. A vote was taken
11 and the motion unanimously passed, 6 to 0:

12 AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter

13 NAYS: None

14

15

16

17 Respectfully submitted,

18

19 Antionette Johnson

20 Recording Secretary

ATTACHMENT E
RESOLUTION NO. ZBA-02-2025
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 25-17-V – 270 BIRCH STREET

WHEREAS, Spencer and Alexandra Kaehler (collectively, the “Applicant”) are the owners of the property commonly known as 270 Birch Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-2 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence with an attached garage that is nonconforming with respect to the minimum required front yard setback from the east property line along Birch Street (“**Building**”); and

WHEREAS, the Applicant desires to construct a one-story addition to the Building in order to expand the existing attached garage on the Subject Property that would provide less than the minimum required front yard setback (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is required provide a minimum front yard setback of 50 feet; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with a minimum front yard setback that is less than 50 feet, a violation of Section 17.30.050 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with a front yard setback of 26.38 feet (“**Requested Variation**”); and

WHEREAS, a public notice for the Requested Variation was duly published on August 21, 2025, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on September 8, 2025, for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on September 8, 2025; and

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

1. Application for the Requested Variation submitted by the Applicant, dated August 15, 2025, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variation.

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

WHEREAS, the Zoning Board of Appeals has determined that it will serve and be in the best interest of the Village and its residents to grant the application for the front yard setback variation, subject to, the conditions, restrictions, and provisions of this Resolution.

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

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

SECTION 2. APPROVAL OF VARIATION. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested front yard setback variation from Section 17.30.050 of the Zoning Ordinance, to permit the Proposed Improvement on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

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

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

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Resolution, the approval granted in Section Two of this Resolution will, at the sole discretion of the Zoning Board of Appeals, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Zoning Board of Appeals may not so revoke the approval granted in Section Two of this Resolution unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, the front yard setback requirement set forth in Section 17.30.050 of the Zoning Ordinance. Further, in the event of

such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

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

SECTION 7. EFFECTIVE DATE.

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

ADOPTED this 8th day of September, 2025, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1:

LOTS 46 TO 54 INCLUSIVE IN OAK GROVE ADDITION TO WINNETKA. A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN.

ALSO,

THE NORTH 33 FEET OF OSGOOD STREET IN THE VILLAGE OF WINNETKA. ABUTTING ON THE SAID LOTS 46 TO 54 INCLUSIVE AFORESAID ALL IN COOK COUNTY, ILLINOIS.

ALSO KNOWN AS:

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. ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 29, 1947 AS DOCUMENT NO. 14155054.

Commonly known as 270 Birch Street, Winnetka, Illinois.

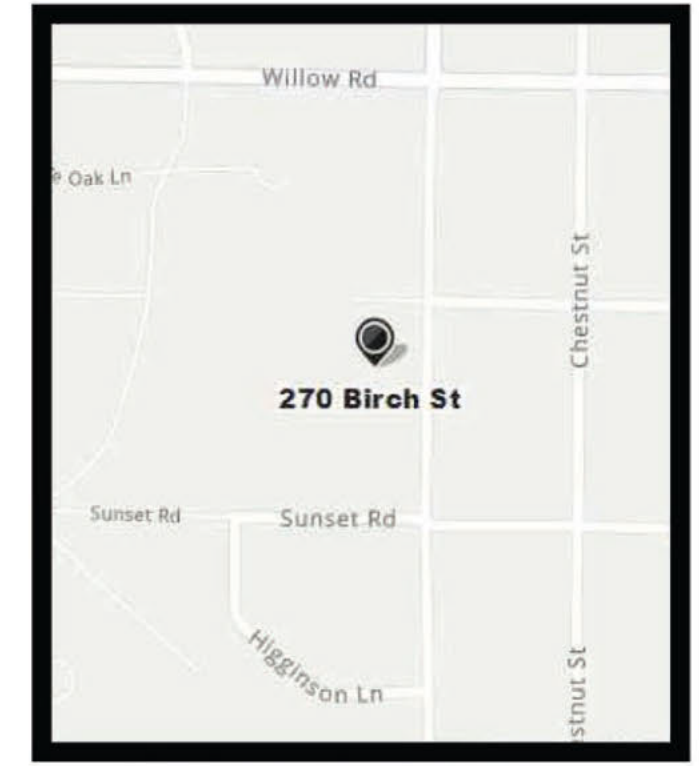
Parcel Index Number: 05-20-400-065-0000

EXHIBIT B
PLANS

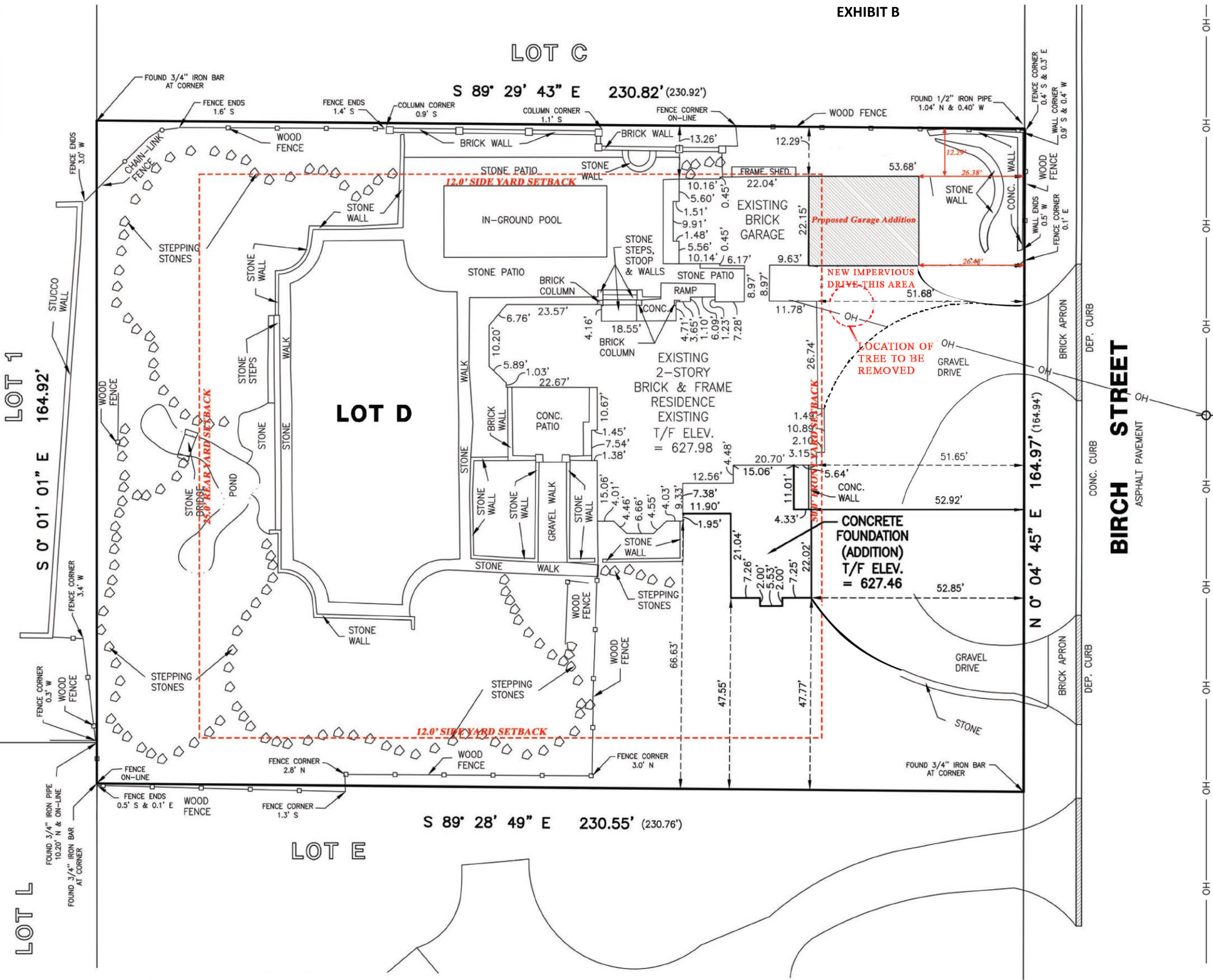
(SEE ATTACHED EXHIBIT B)

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:

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

GENERAL NOTES:

- DISTANCES ARE MARKED IN FEET AND DECIMAL PLACES THEREOF.
- NO DIMENSION SHALL BE ASSUMED BY SCALE MEASUREMENT HEREON.
- 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.
- 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.

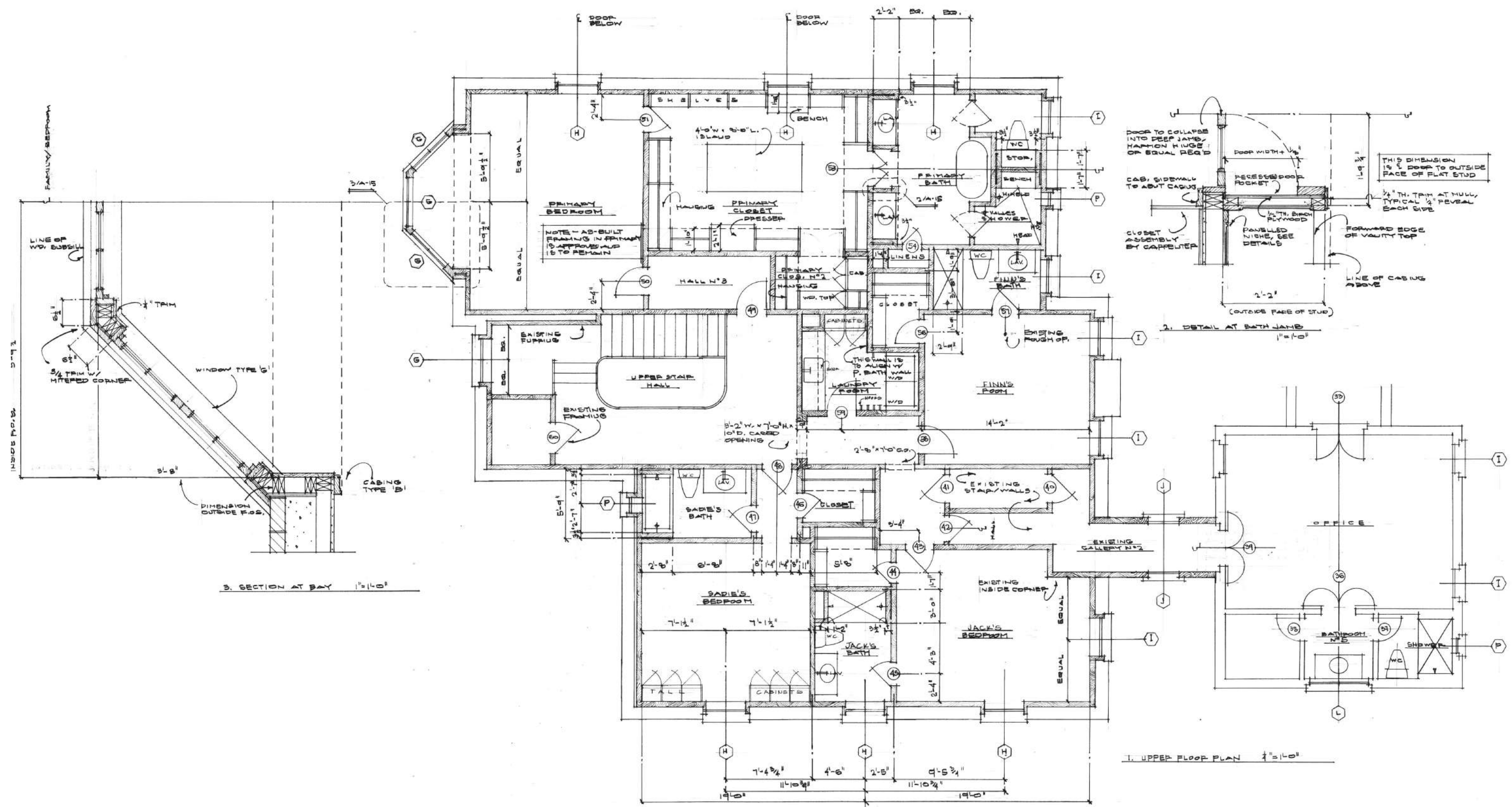
DATED THIS 18TH DAY OF FEBRUARY, A.D., 2021

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

Joseph R Sadosh
JOSEPH R. SADOSKI
ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11-30-22.



DESIGNED BY: AN	DATE: 08-17-20	<p>GREENGARD, INC. Engineers • Surveyors • Planners 111 Barclay Blvd., Suite 310, Lincolnshire, Illinois 60069-3615 PHONE: 847-634-3883 FAX: 847-634-0687 E-MAIL: 231@GREENGARDINC.COM ILL. REGISTRATION NO. 184-000995</p>	SCALE: 1"=20'	270 BIRCH STREET - WINNETKA, ILLINOIS PLAT OF SURVEY
CHECKED BY: JRS	DATE: 08-19-20		DRAWING No. 66161	
APPROVED BY:	DATE:		SHEET 1 OF 1	
JS DRAWN BY:	02-17-21 DATE:	FOUNDATION LOCATION ADDITION REVISIONS		

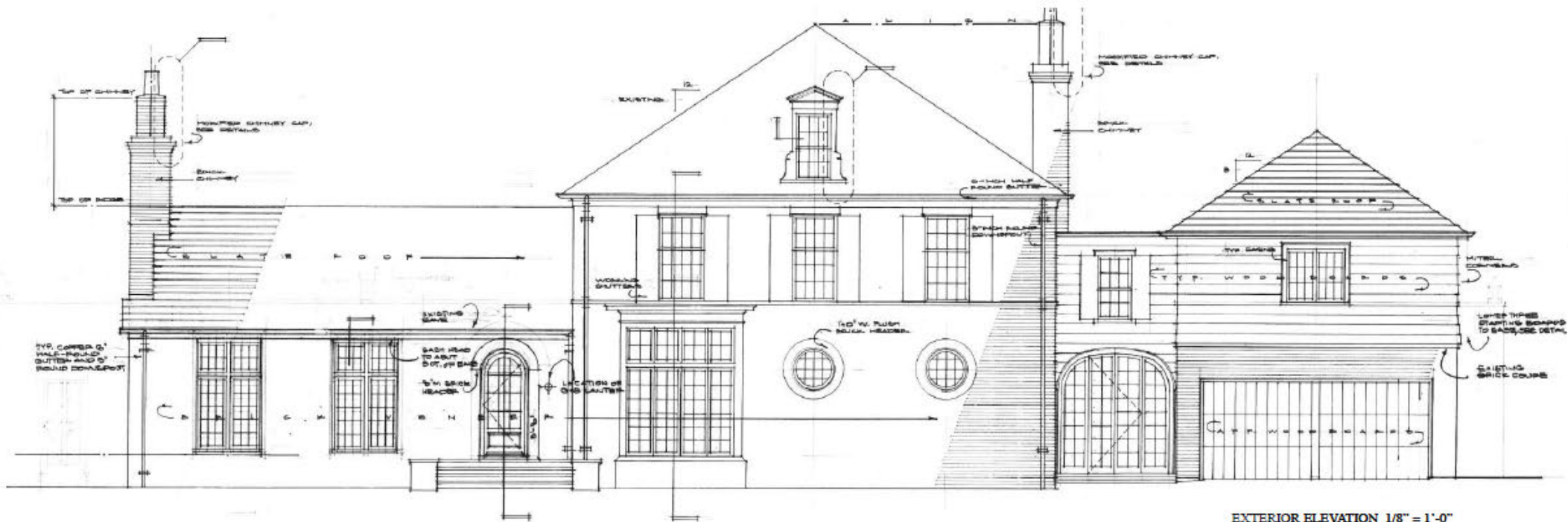


James B. Laughlin

RENOVATION FOR ALEX / SPENCER
270 BIRCH
WINNETKA, CA 94095

UPPER FLOOR PLAN

MARCH 8, 2012



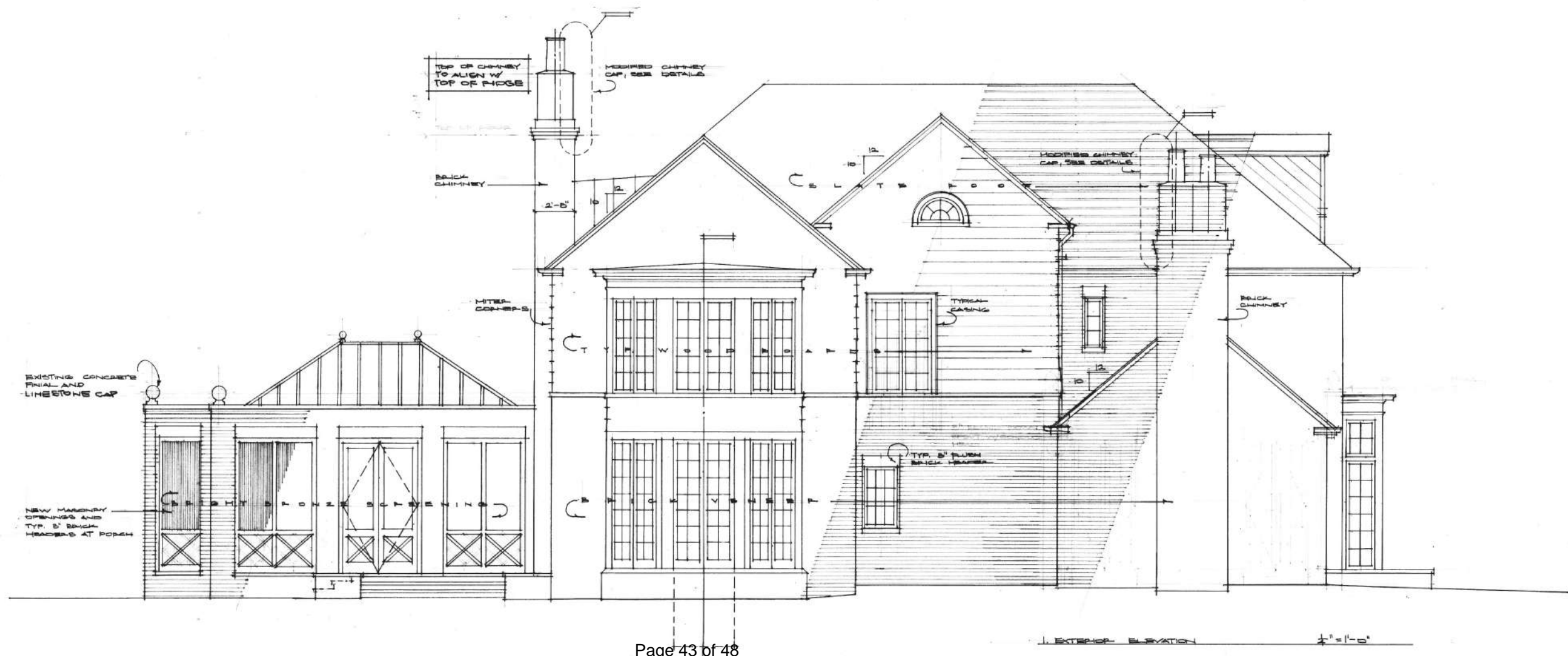
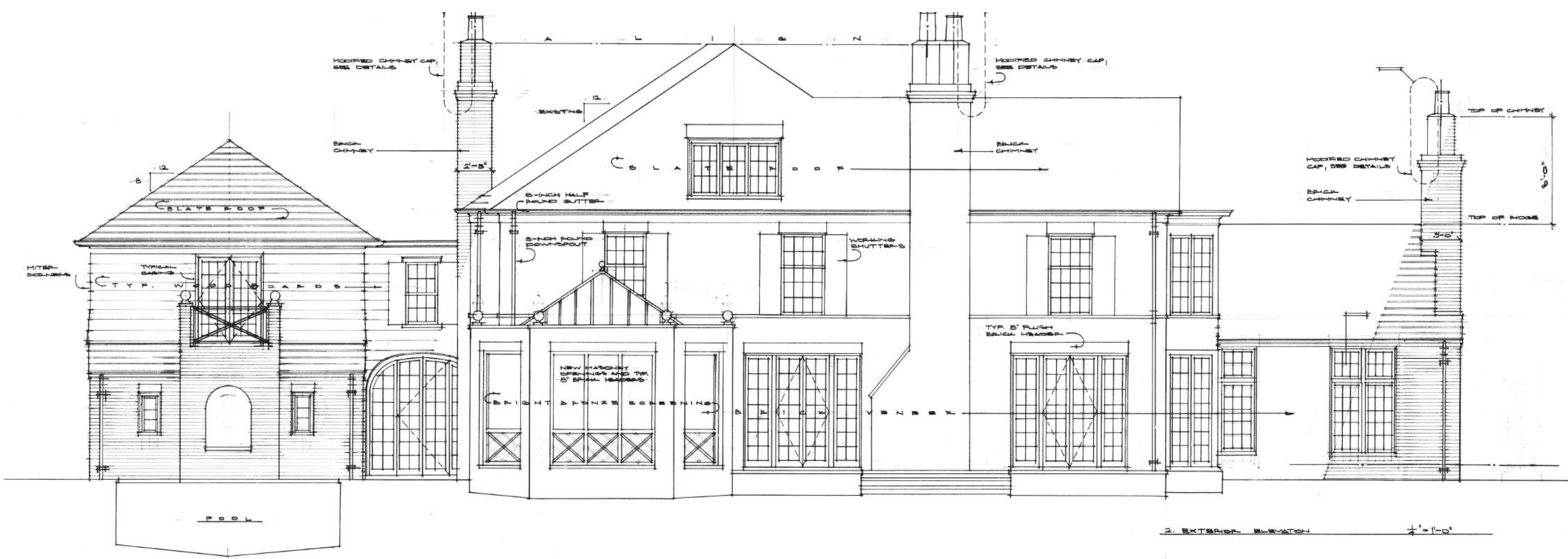
EXTERIOR ELEVATION 1/8" = 1'-0"



NOTE - PORCH PARAPET TO MATCH AT EXISTING HEIGHT

NEW WOODEN OPERABLE AND TYP. ST BRICK HEADERS AT PORCH

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

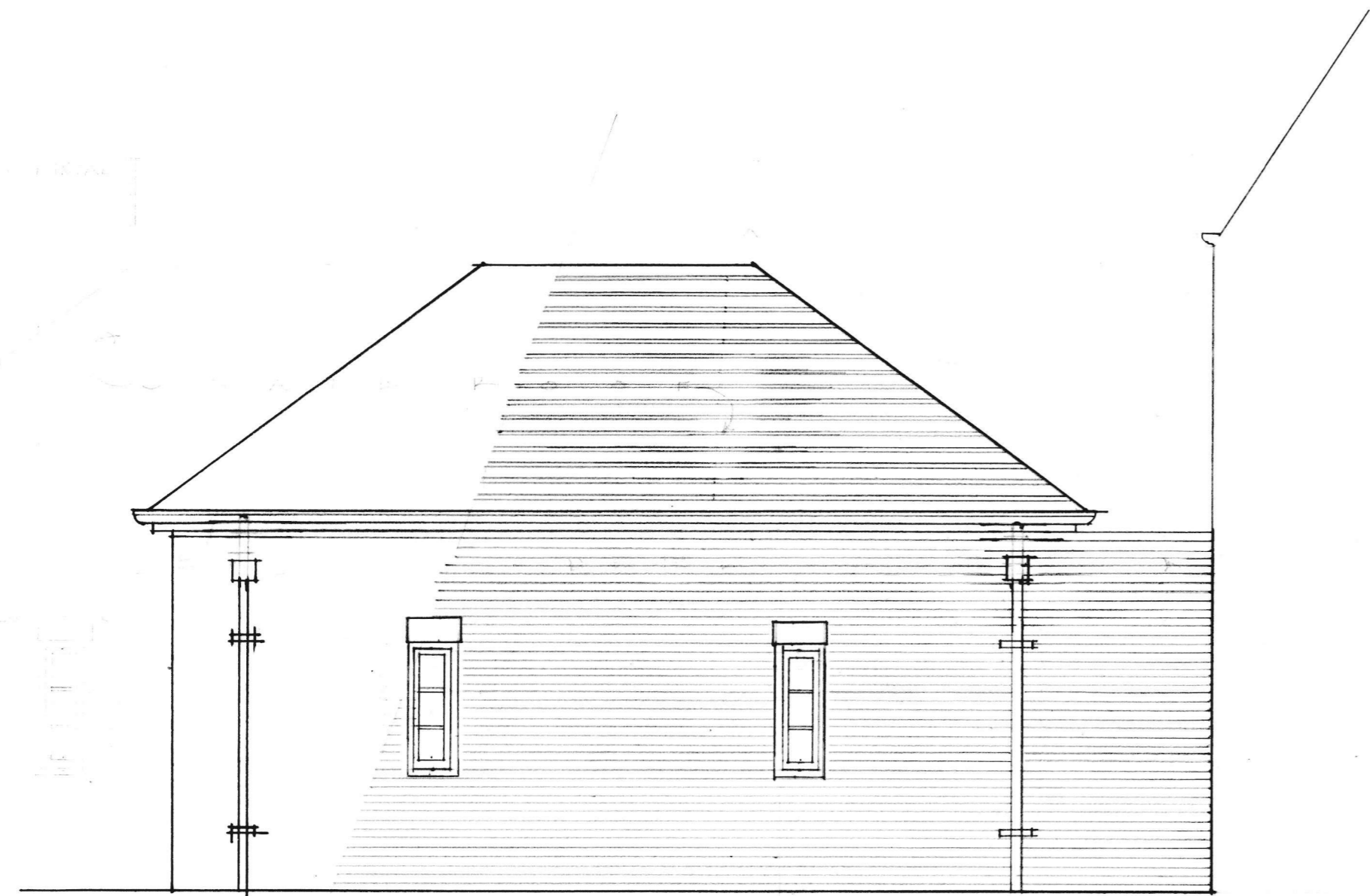


James B. Laughlin

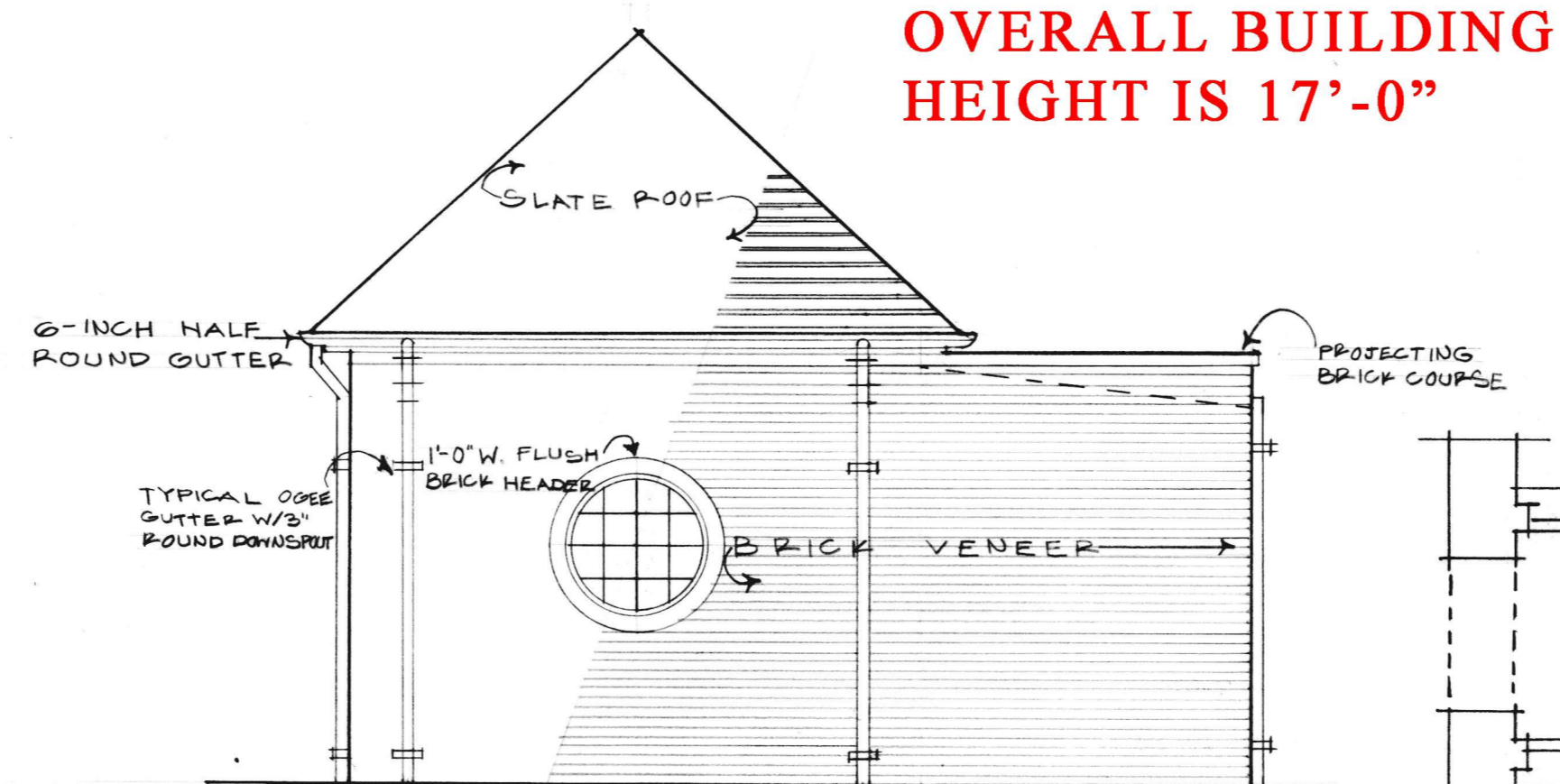
DATE
BY
CHECKED
SCALE

DATE
BY
CHECKED
SCALE

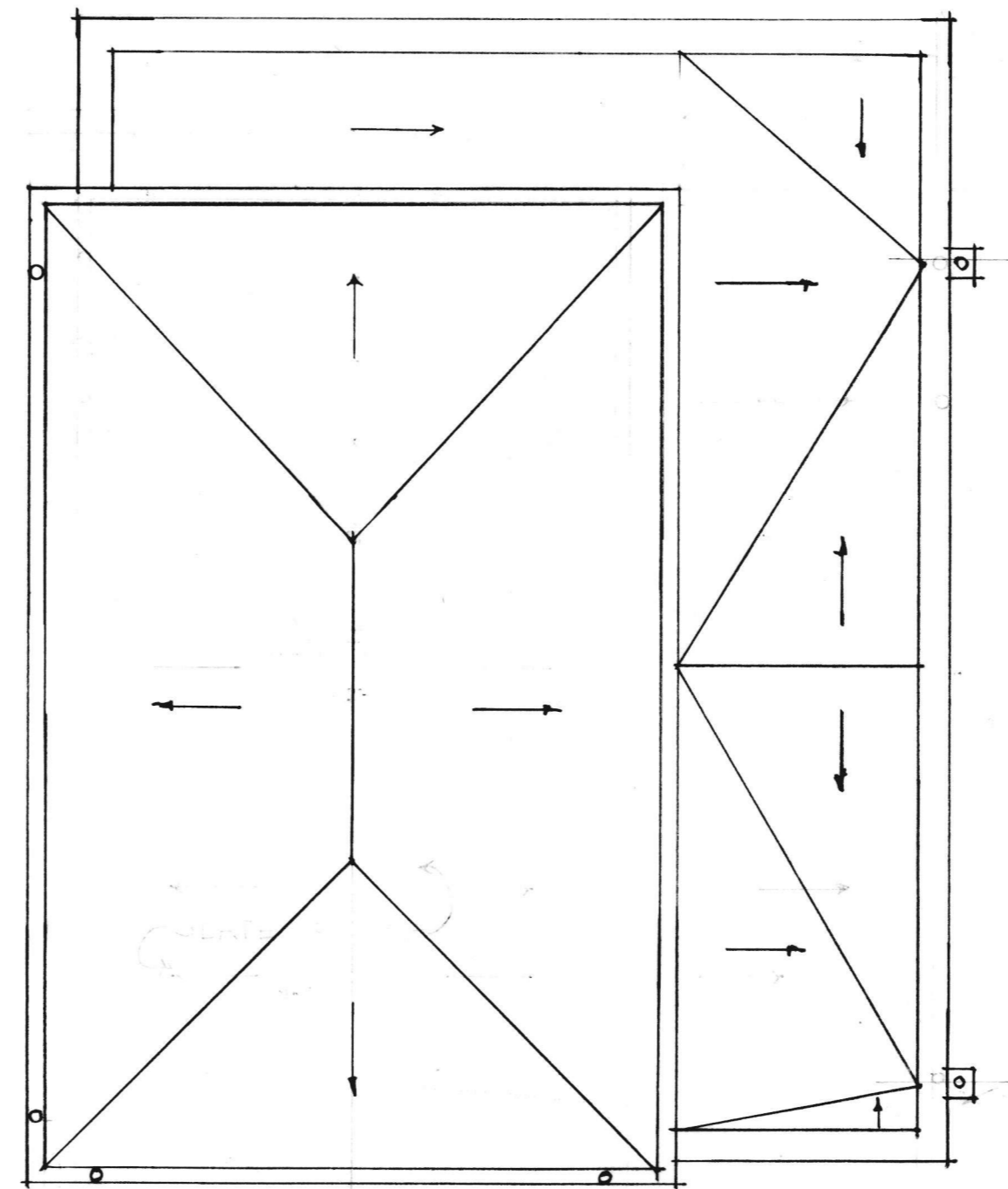
MARCH 8,



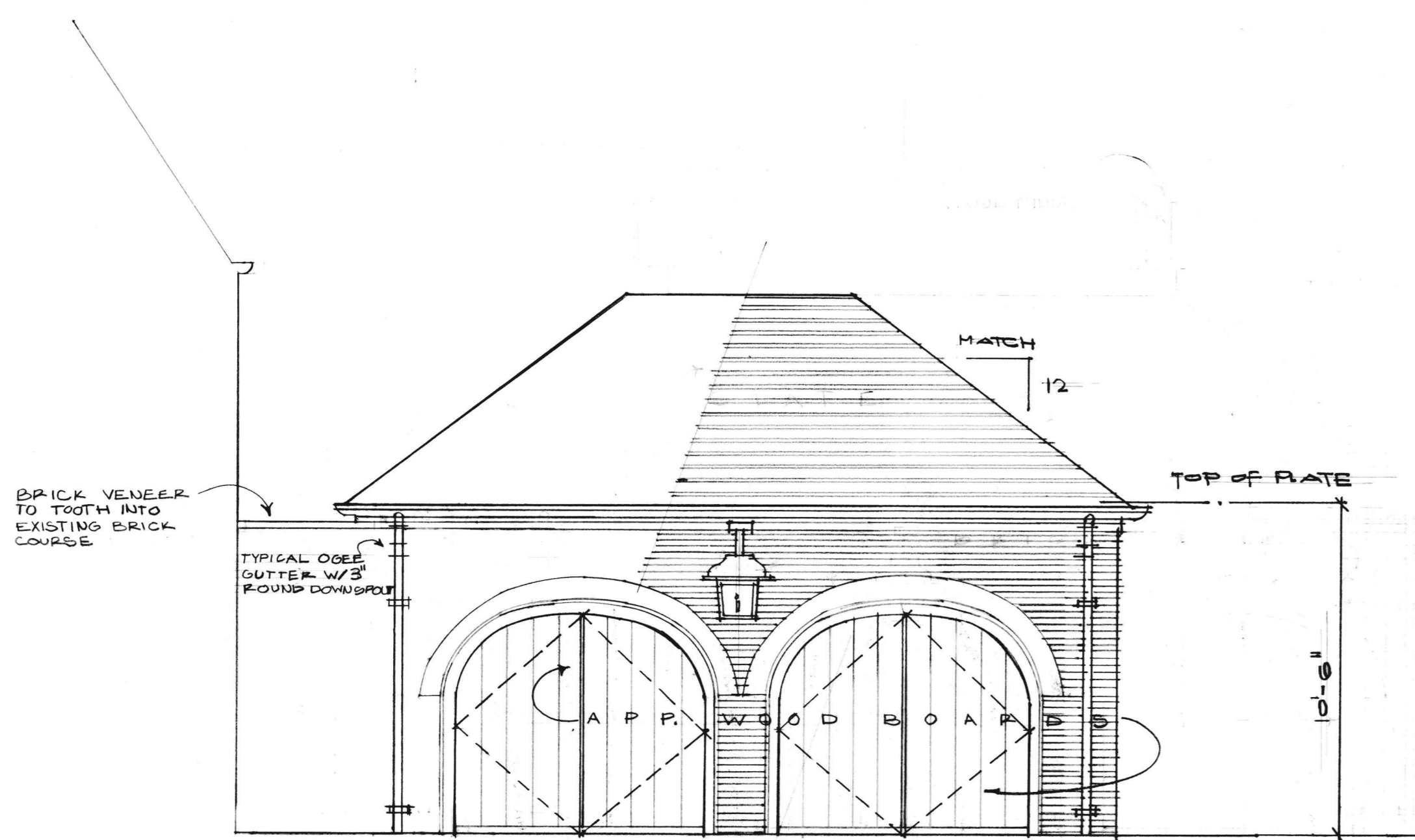
5. NORTH ELEVATION 1/4" = 1'-0"



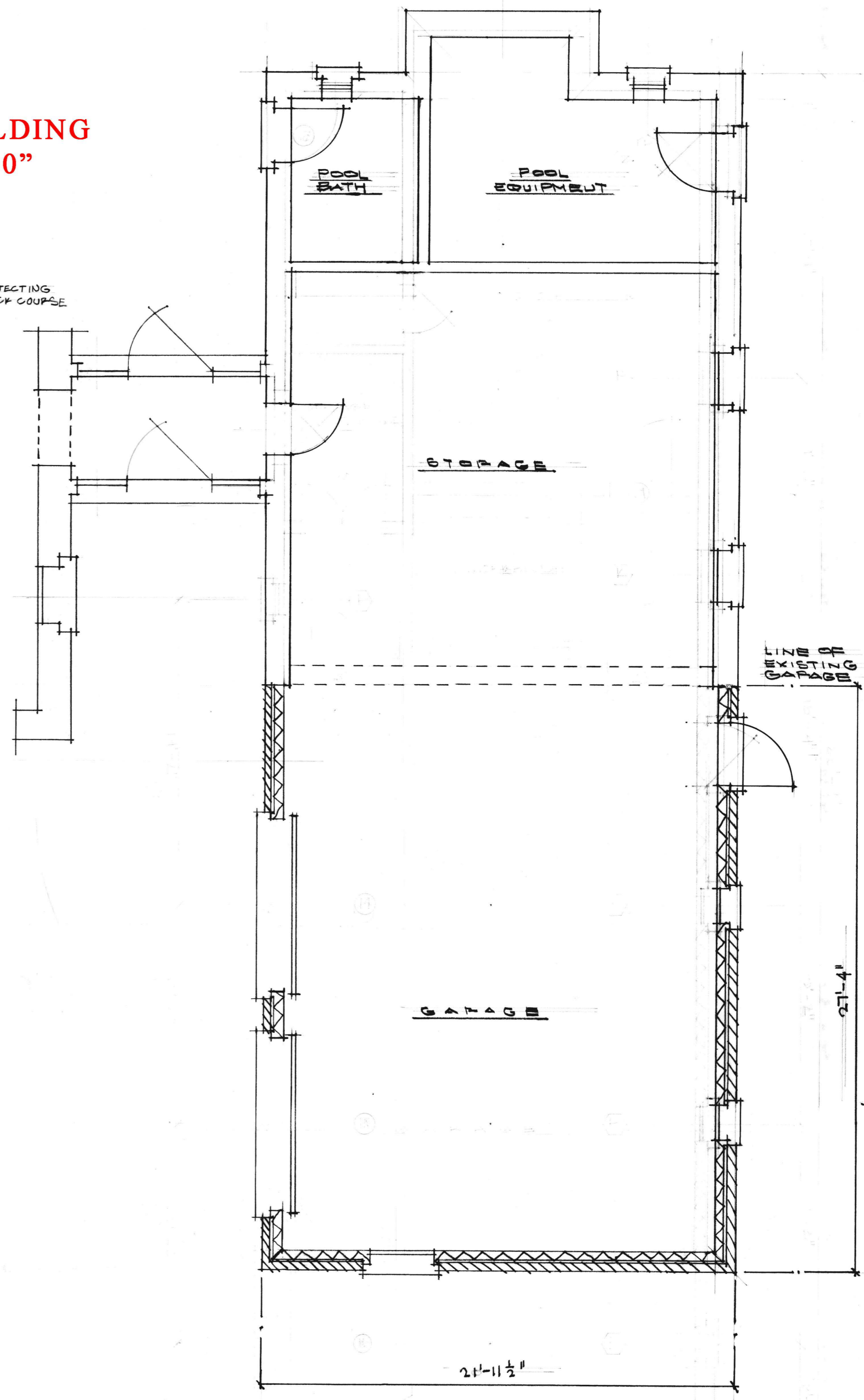
4. EAST ELEVATION 1/4" = 1'-0"



2. ROOF PLAN 1/4" = 1'-0"



3. SOUTH ELEVATION 1/4" = 1'-0"



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

James B. Laughlin
 jamesb@jbl.com
 (603) 771-6055

A GARAGE ADDITION FOR ALEX AND SPENCER FABLEY
 270 BIRCH ST.
 WINNETKA, IL
 60093

FLOOR PLAN AND ELEVATIONS

DEC. 3, 2024

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Spencer and Alexandra Kaehler (collectively, the "**Owner**") are the owner of record of that certain real property located at 270 Birch Street, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-02-2025, adopted by the Winnetka Zoning Board of Appeals on September 8, 2025 ("**Resolution**"), grants a variation to construct a one-story addition to the legally nonconforming single family residence on the Subject Property; and

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

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

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

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

3. The Owner acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of the variation, and that the Village's approval of the variation does not, and will not, in any way, be deemed to insure the Owner against damage or injury of any kind and at any time.

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

Dated: _____, 2025.

ATTEST

OWNER

By: _____

By: _____

Spencer Kaehler

Name: _____

By: _____

Alexandra Kaehler

RESOLUTION NO. ZBA-02-2025
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 25-17-V – 270 BIRCH STREET

WHEREAS, Spencer and Alexandra Kaehler (collectively, the “Applicant”) are the owners of the property commonly known as 270 Birch Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-2 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence with an attached garage that is nonconforming with respect to the minimum required front yard setback from the east property line along Birch Street (“**Building**”); and

WHEREAS, the Applicant desires to construct a one-story addition to the Building in order to expand the existing attached garage on the Subject Property that would provide less than the minimum required front yard setback (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.050 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is required provide a minimum front yard setback of 50 feet; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with a minimum front yard setback that is less than 50 feet, a violation of Section 17.30.050 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for a variation from Section 17.30.050 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with a front yard setback of 26.38 feet (“**Requested Variation**”); and

WHEREAS, a public notice for the Requested Variation was duly published on August 21, 2025, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on September 8, 2025, for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on September 8, 2025; and

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

1. Application for the Requested Variation submitted by the Applicant, dated August 15, 2025, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variation.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variation **does not** satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance because (i) the Requested Variation is not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; (ii) the Subject Property can yield a reasonable return if it is permitted to be used only under the conditions allowed for the R-2 Single Family Residential District; and (iii) the plight of the Applicant is not due to unique circumstances; and

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

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

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

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

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

ADOPTED this 8th day of September, 2025, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

PARCEL 1:

LOTS 46 TO 54 INCLUSIVE IN OAK GROVE ADDITION TO WINNETKA. A SUBDIVISION OF THE EAST 8 ACRES OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN.

ALSO,

THE NORTH 33 FEET OF OSGOOD STREET IN THE VILLAGE OF WINNETKA. ABUTTING ON THE SAID LOTS 46 TO 54 INCLUSIVE AFORESAID ALL IN COOK COUNTY, ILLINOIS.

ALSO KNOWN AS:

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. ACCORDING TO THE PLAT THEREOF RECORDED SEPTEMBER 29, 1947 AS DOCUMENT NO. 14155054.

Commonly known as 270 Birch Street, Winnetka, Illinois.

Parcel Index Number: 05-20-400-065-0000