



# Village of Winnetka

## Zoning Board of Appeals Regular Meeting

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October 13, 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. September 8, 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. 25-12-SD: 881 Private Road and 883 Private Road:** Applications seeking approval of a Final Plat of Subdivision to relocate the lot line dividing the two properties, which requires variations to allow: (i) Proposed Lot 1 (883 Private Road) to provide less than the minimum required front street line for an interior lot; (ii) Proposed Lot 2 (881 Private Road) to provide less than the minimum required lot depth; and (iii) the existing residence at 881 Private Road to observe less than the minimum required total side yard setback, which is due to an increase in the minimum required total side yard setback as a result of the proposed increase in total lot area and increase in average lot width. The Village Council has final jurisdiction on this request.
  - b. **Case No. 25-16-SD: 936 Sunset Road:** Applications seeking approval of a Final Plat of Subdivision to allow a two-lot subdivision of 936 Sunset Road, which requires variations to allow Proposed Lot 2 to (i) provide less than the minimum required lot area for an interior lot; and (ii) provide less than the minimum required rectangular buildable area. The Village Council has final jurisdiction on this request.
6. **New Business**
  - a. November 10, 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).

1 WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES  
2 SEPTEMBER 8, 2025  
3

4 **Zoning Board Members Present:** Matt Bradley, Chairman  
5 Mark Haller  
6 Lynn Hanley  
7 Kathryn Leister  
8 Mike Nielsen  
9 Michael Ritter  
10 Todd Vender  
11

12 **Zoning Board Members Absent:** None

13  
14 **Village Staff:** Steve Mangum, Director of Community Development  
15 Ann Klaassen, Assistant Director of Community  
16 Development  
17

18 **Call to Order & Roll Call:**

19 Chairman Bradley called the meeting to order at 7:01 p.m. Roll call was taken of the Board Members  
20 present.  
21

22 **Approval of Meeting Minutes.**

23 Chairman Bradley asked for a motion to approve the August 11, 2025, meeting minutes. A motion to  
24 approve the August 11, 2025, meeting minutes was made by Mr. Nielsen and seconded by Ms. Hanley. A  
25 vote was taken and the motion unanimously passed, 7 to 0:

26 AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter, Vender  
27 NAYS: None  
28

29 **Community Development Report.**

30 Mr. Mangum stated there is no Community Development Report.  
31

32 **Continued Cases:**

33 a. **Case No. 25-14-V2: 175 DeWindt Road:** An application seeking approval of zoning variations to  
34 allow construction of a second-floor addition to the existing residence at 175 DeWindt Road. The  
35 requested variations would permit the proposed improvements to (i) exceed the maximum permitted  
36 gross floor area; and (ii) provide less than the minimum required front yard setback from the west  
37 property line. The Village Council has final jurisdiction on this request. **At the August 11, 2025, Zoning**  
38 **Board of Appeals meeting, at the request of the Applicant, the Zoning Board of Appeals continued this**  
39 **item to the October 13, 2025, meeting.**

40 Chairman Bradley stated the applicant asked for the case to be continued to the October 13, 2025,  
41 meeting.  
42

43 **New Cases:**

44 a. **Case No. 25-17-V: 270 Birch Street:** An application seeking approval of a zoning variation to  
45 allow construction of an attached garage addition to the existing residence at 270 Birch Street. The  
46 requested variation would permit the proposed improvement to provide less than the minimum  
47 required front yard setback from the east property line along Birch Street. The Zoning Board of Appeals  
48 has final jurisdiction on this request.

1 Ms. Klaassen provided a summary of the July ZBA meeting when the Board considered three variations  
2 requested by the applicant and noted that application was subsequently withdrawn. She identified the  
3 property's location, zoning classification and current site photographs. Ms. Klaassen then referred to a  
4 prior variation presented in November 2024 for a three-car garage and summarized the consideration of  
5 that request by the ZBA and the Village Council. She stated the Board would now consider a two-car, side  
6 loaded attached garage with the shaded area on the site plan representing the proposed addition. Ms.  
7 Klaassen informed the Board the beech tree would be removed and that the Village Forester has reviewed  
8 the tree, and he would allow the removal, due to the tree's location close to the house and slight decline.  
9

10 Ms. Klaassen identified the front yard setback related to the proposed addition as well as its floor plan,  
11 the conversion of existing garage space to storage space and the front elevation of the proposed addition.  
12 She summarized the proposed addition's size and referred to additional elevations from the north and  
13 south. Ms. Klaassen noted two emails were received from neighbors and provided to the Board. She  
14 stated two resolutions were drafted for the Board's consideration, one for approval and one for denial  
15 and asked if there were any questions.  
16

17 Chairman Bradley also asked if there were any questions. No questions were raised at this time.  
18

19 Chairman Bradley swore in those speaking to this matter. Alex Kaehler introduced herself to the Board  
20 and apologized for the confusion surrounding the application's presentation in July. She identified the  
21 current proposal as similar to their initial request and stated it was their hope to save the tree. Mrs.  
22 Kaehler stated the two-car garage would be as shallow as possible and they would use the existing garage  
23 space for storage.  
24

25 Chairman Bradley asked if there were any questions. Mr. Haller asked about the roof line of the proposed  
26 addition in relation to the existing residence. Mrs. Kaehler explained that the intent was to preserve a  
27 second story window and having a flat roof portion would have reduced the roof's size which would have  
28 appeared heavy with a second story addition. Ms. Hanley asked the current garage's dimensions. Mrs.  
29 Kaehler responded it is 19.5 feet deep, and the request is for it to have a depth of 21 feet. No additional  
30 questions were raised at this time.  
31

32 Chairman Bradley noted there are no members of the public present to comment and called the matter  
33 in for discussion. Mr. Nielsen stated he was not present at the November 2024 meeting and asked for the  
34 Board to identify the garage portion approved at that time versus what is being requested now. The Board  
35 Members and applicant identified and discussed the area questioned by Mr. Nielsen. Chairman Bradley  
36 summarized his position with regard to the previous request and stated he would be in support of the  
37 current request. Mr. Vender stated he would also be in support and the applicants have worked diligently  
38 on the older home to find a solution for the garage's location. He also commented a two-car garage would  
39 fit nicely with the home. Ms. Leister stated she is also in favor of the request and that an appropriately  
40 sized garage is fine given the home's modernization and added locating it on the south side would have  
41 an effect on the neighbors. Mr. Ritter agreed with the comments made and stated he is also in favor of  
42 the request. He congratulated the homeowners in modernizing the home as opposed to demolishing it.  
43 Mr. Nielsen stated he would also be in favor of the request. Ms. Hanley stated since the existing garage  
44 would be used as storage, she did not understand why the new garage would have to measure 27x22 feet  
45 and there is no justification under the standards for the setback. She stated standard nos. 1 and 3 were  
46 not met and concluded she would not be in favor of the garage variation.  
47

1 Chairman Bradley asked for a motion to approve the request as indicated on page 38. A motion was made  
2 to approve the request by Mr. Nielsen and seconded by Mr. Haller. A vote was taken and the motion  
3 passed, 6 to 1:

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

5 NAYS: Hanley

6  
7 **New Business:**

8 a. October 13, 2025, Regular Meeting - Quorum Check.

9 The Board Members discussed their availability.

10  
11 **Public Comment:**

12 No comments were made at this time.

13  
14 **Adjournment:**

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

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

18 NAYS: None

19 The meeting adjourned at 7:22 p.m.

20  
21 Respectfully submitted,

22  
23 Antionette Johnson

24 Recording Secretary

DRAFT



# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** CHRISTOPHER MARX, AICP - ASSOCIATE PLANNER  
**DATE:** OCTOBER 8, 2025  
**SUBJECT:** 175 DEWINDT ROAD - VARIATIONS (CASE NO. 25-14-V2)

### INTRODUCTION

On October 13, 2025, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Emily and John Thomas (collectively, the “Applicant”), as the owner of the property located at 175 DeWindt Road (the “Subject Property”). The Applicant requests approval of the following zoning variations to allow a second-floor addition to the existing residence on the Subject Property:

1. **Gross Floor Area (GFA)** of 6,830.49 square feet, whereas a maximum of 5,808.84 square feet is permitted, a variation of 1,021.65 square feet (17.59%) [Section 17.30.040 – Maximum Building Size][Note: The existing improvements currently consist of 6,033.09 square feet. The proposed addition would add 797.4 square feet of GFA]; and
2. **Front Yard Setback** of 25.03 feet from the west property line, whereas a minimum of 50 feet is required, a variation of 24.97 feet (49.94%) [Section 17.30.050 – Front and Corner Yard Setbacks] [Note: The residence currently provides a front yard setback of 25.03 feet].

This application was previously scheduled for the August 11, 2025, ZBA meeting, but was continued to the October 13, 2025, ZBA meeting at the request of the Applicant. Mail notices were sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance, informing them of the August and October ZBA meetings. The originally scheduled hearing was properly noticed in the *Winnetka Talk* on July 24, 2025. As of the date of this memo, staff has received two written comments from the public regarding this application, which are included as **Attachment C**.

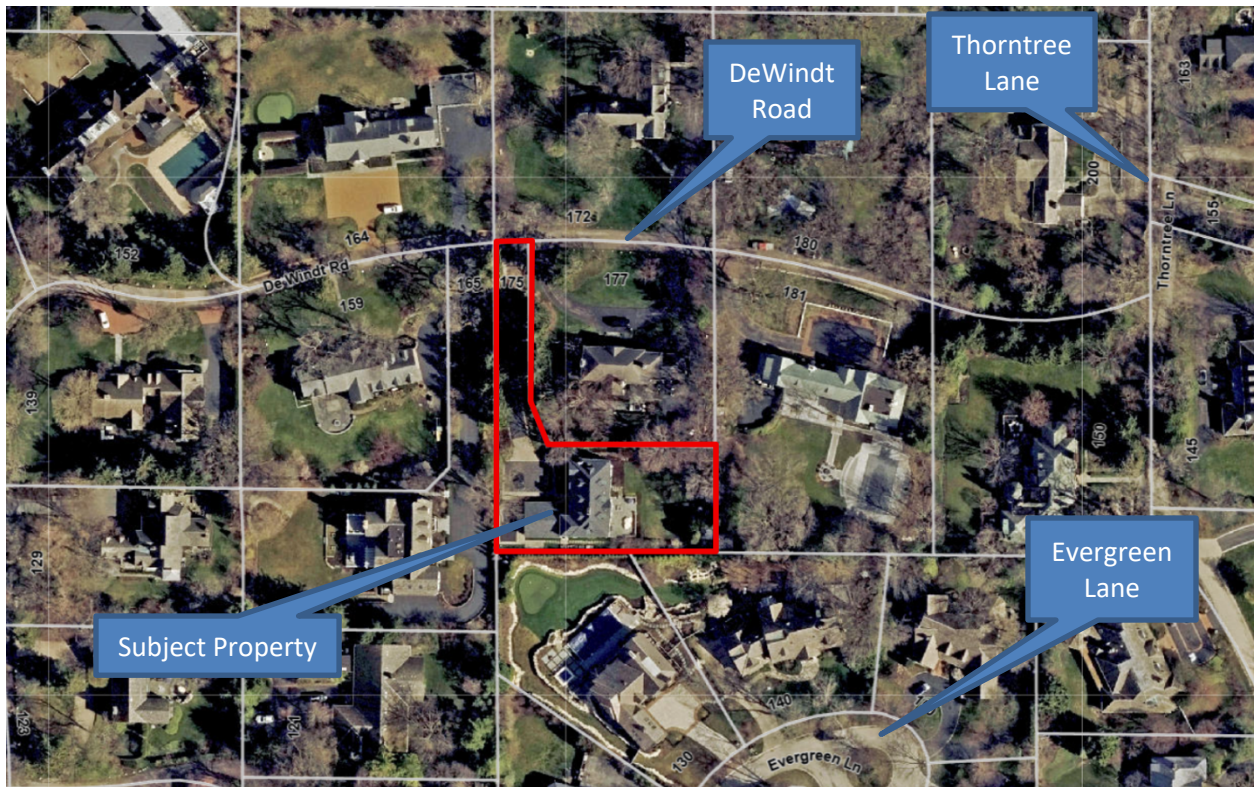
***The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to allow a zoning lot with a pre-FAR building (constructed before 1989) to exceed the maximum permitted GFA by more than 10%. Typically, the ZBA has final jurisdiction to reduce a front yard setback for a principal building by no more than 50% of the required setback; however, since this request includes additional relief for which the ZBA does not have jurisdiction, the Village Council also has final jurisdiction on the request to reduce the front yard setback.***

### PROPERTY DESCRIPTION

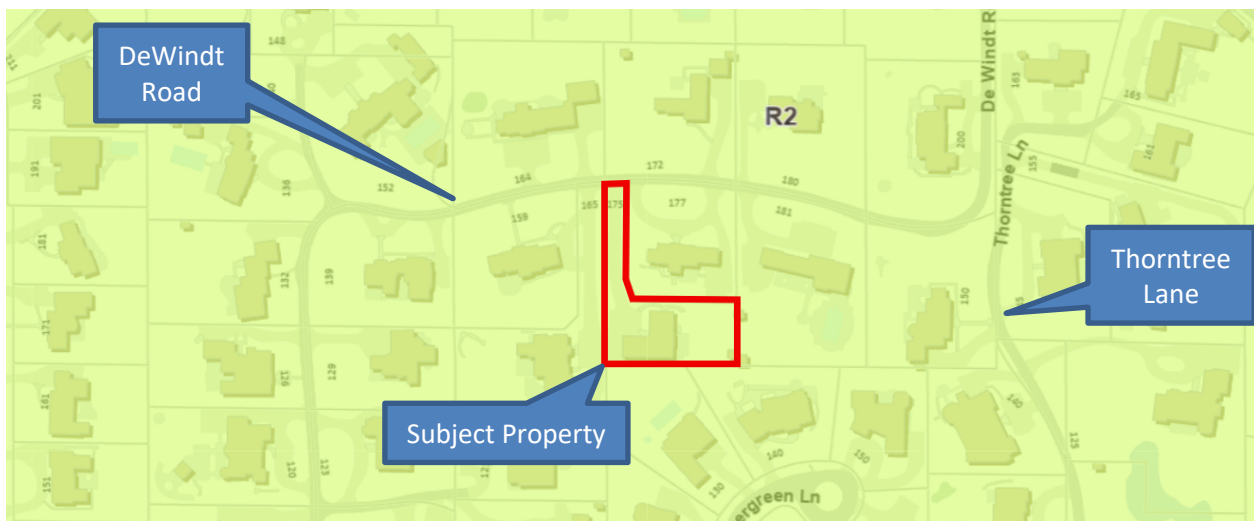
The Subject Property, which is approximately 0.39 acres in size, is located on the south side of DeWindt Road between Hill and Sunset Roads and contains an existing two-story residence with an attached garage (see **Figure 1**). The Subject Property is a flag lot, which is an irregularly shaped lot consisting of two sections: the primary mass of the lot (the “flag” portion), which is set back from the street frontage access and is behind one or more other lots; and a narrow access corridor (the “flagpole” portion).

The Subject 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.

The existing lot is a legally nonconforming interior lot that is 17,073.24 square feet in net lot area, while the minimum required lot area for an interior lot in the R-2 District is 24,000 square feet. The area of the “flagpole” portion of the lot (4,805.58 square feet) as well as the area of the private road easement (600 square feet) are excluded from the lot area for zoning purposes. Also, the lot has an average lot width of 91 feet, while the minimum required average lot width for an interior lot in the R-2 District is 100 feet. The lot also has a lot depth of 187.62 feet, while the minimum required lot depth is 200 feet.



**Figure 1 – Aerial Map**



**Figure 2 – Zoning Map**

## PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The existing residence was constructed in 1960. Subsequent building permits were issued in:

1. 1997 to construct a second floor and attic addition; and
2. 2024 to remodel the kitchen.

Other minor permits have been issued over the last several years. The Applicant acquired the property in 2021. There is one previous zoning case on file for the Subject Property. In 1997, ZBA Case No. 97-02-V2 was an application requesting zoning relief to allow a second-floor addition that would encroach into the required front yard setback and south side yard setback. The side yard setback variation was approved; however, the front yard setback variation was denied by the Village Council. It should be noted that the existing residence complies with current side yard setback requirements due to an amendment to the Zoning Ordinance that now bases the required side yard setbacks on average lot width rather than the Zoning District in which a lot is located.

Subsequent to the submittal of the variation application that is currently before the ZBA, the Applicant submitted a building permit application to allow installation of hardscaping and a pool. This permit has been reviewed and approved by Village staff. These improvements comply with the zoning regulations and are not part of the zoning relief being considered by the ZBA.

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



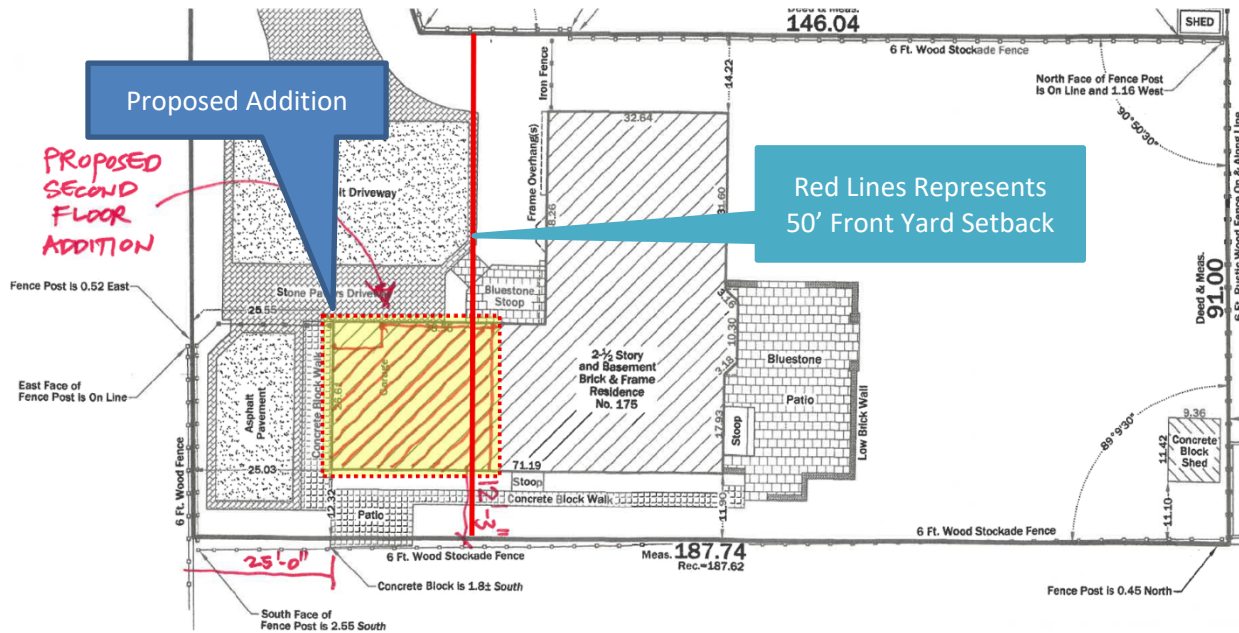
**Figure 3 – Subject Property – Front (West) and Side (North) Elevations**



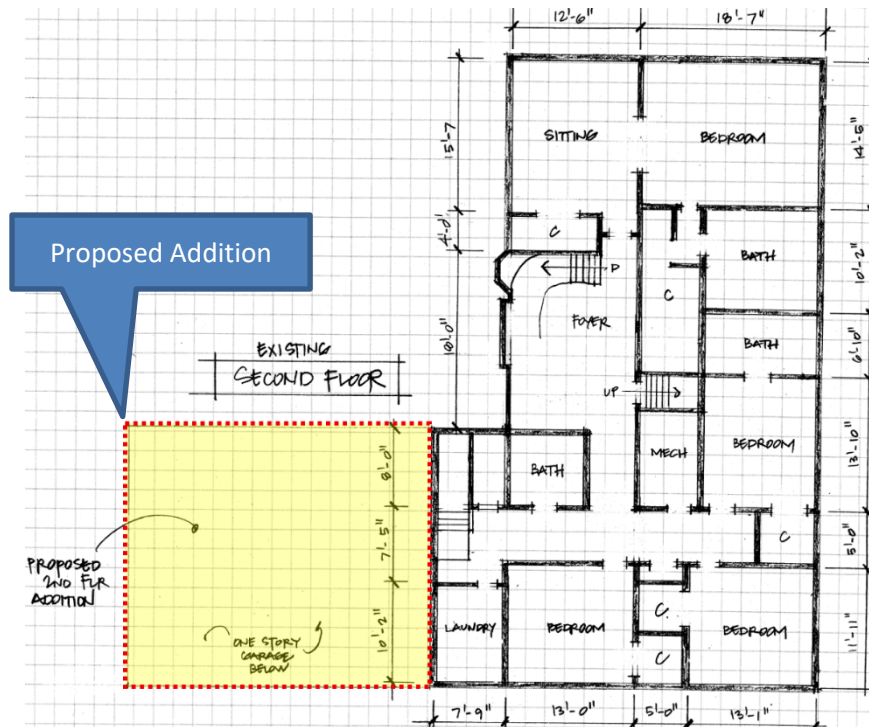
**Figure 4 – Subject Property – Front (West) and Side (South) Elevations**

**PROPOSED PLAN**

The Applicant is requesting variations to construct a second-floor addition on the existing residence. The addition would be above the existing attached garage on the west side of the existing residence and consist of an open room as well as additional storage space. The addition would measure 30 feet by 26.58 feet (797.4 square feet). The proposed addition is intended to maintain the existing setbacks along the west and south facades of the residence. Excerpts of the proposed site plan, floor plan, building elevations, and a rendering are provided below and on the following pages as Figures 5 through 11. The complete set of plans is provided in the application materials (**Attachment B**).



**Figure 5 – Site Plan**



**Figure 6 – Existing Second Floor Plan**

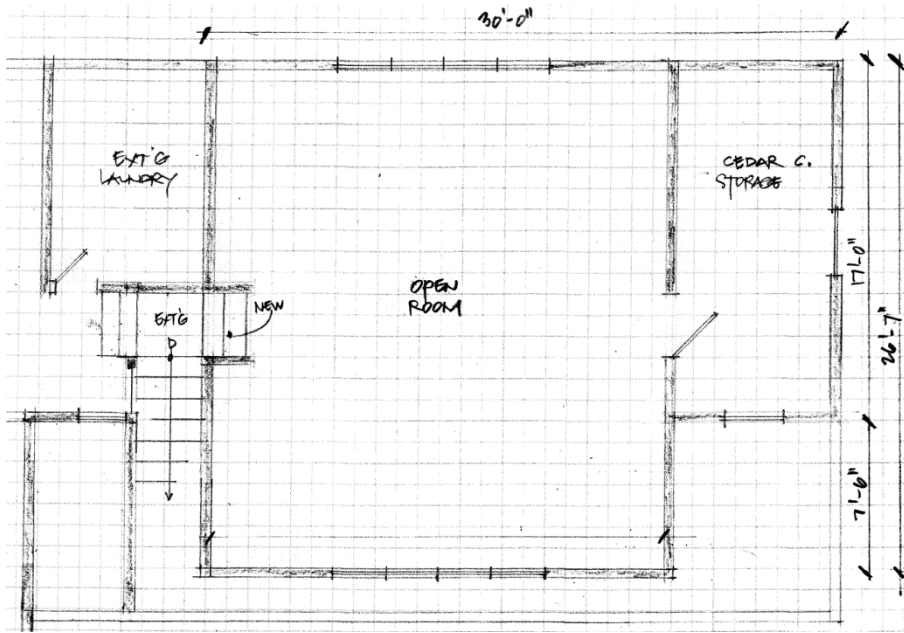


Figure 7 – Proposed Second-Floor Addition Floor Plan

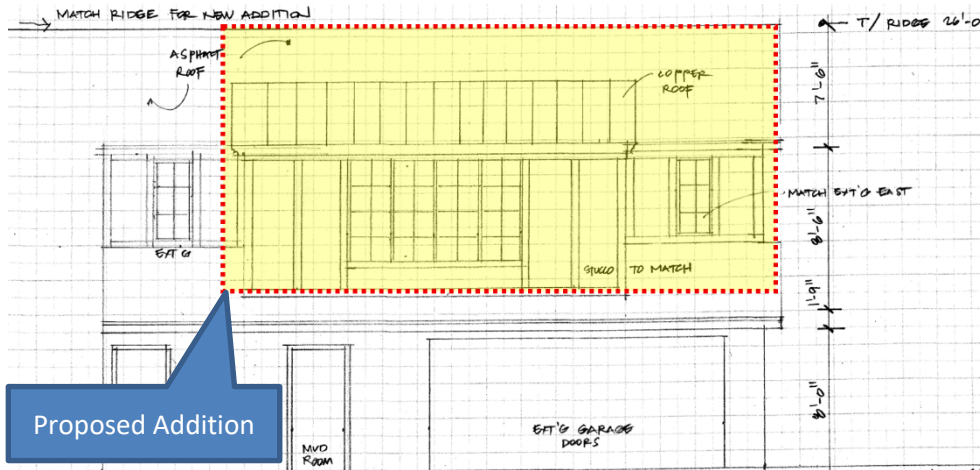


Figure 8 - Proposed North Elevation

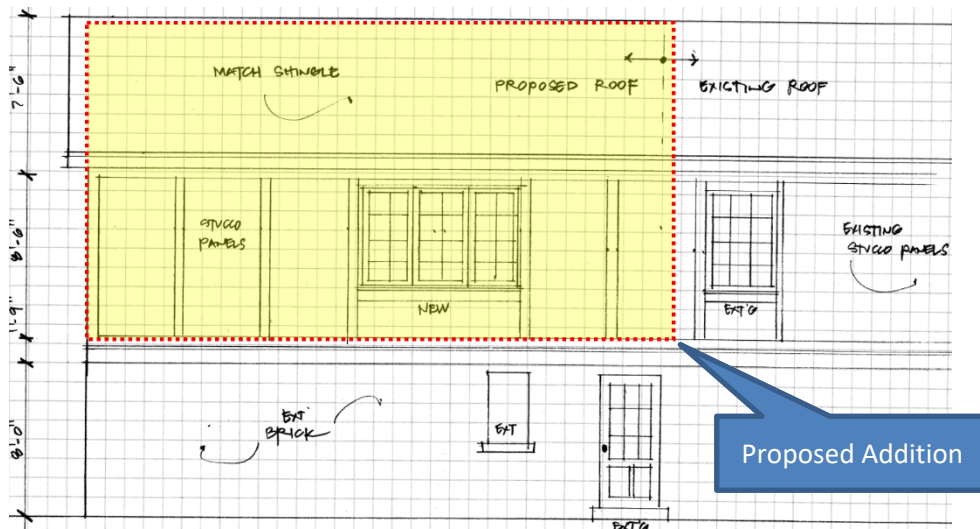


Figure 9 - Proposed South Elevation

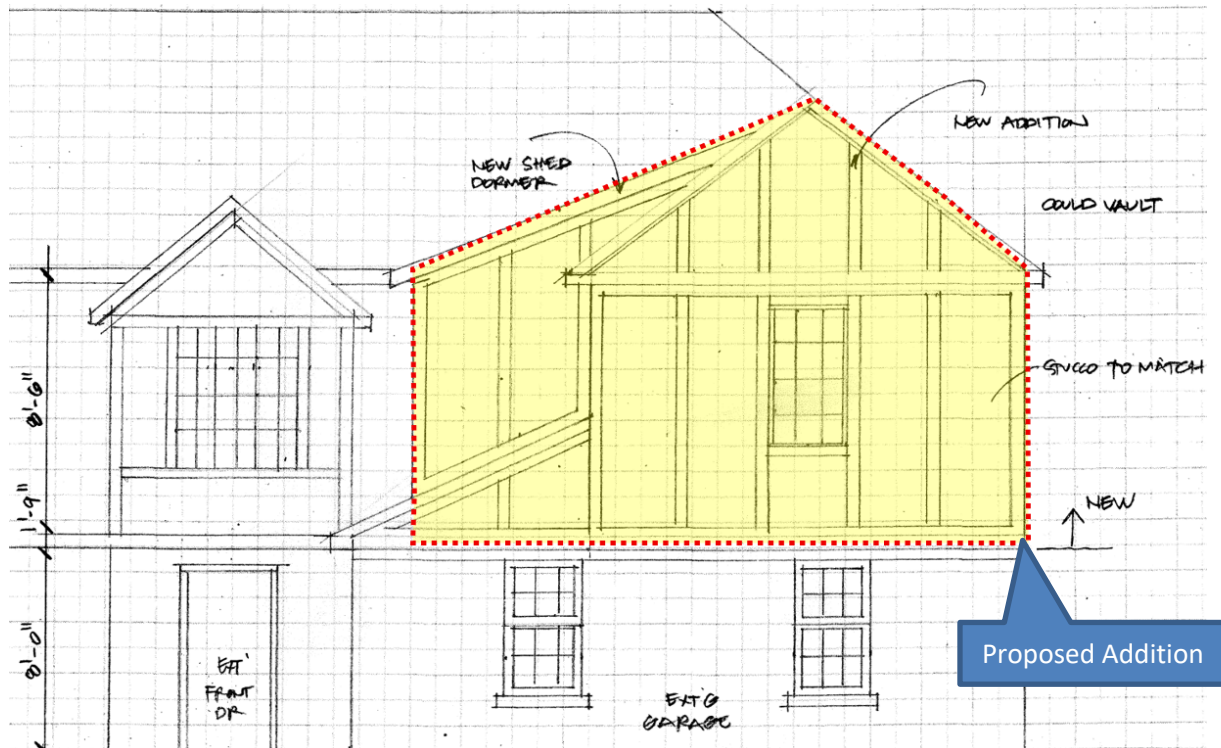


Figure 10 - Proposed West Elevation

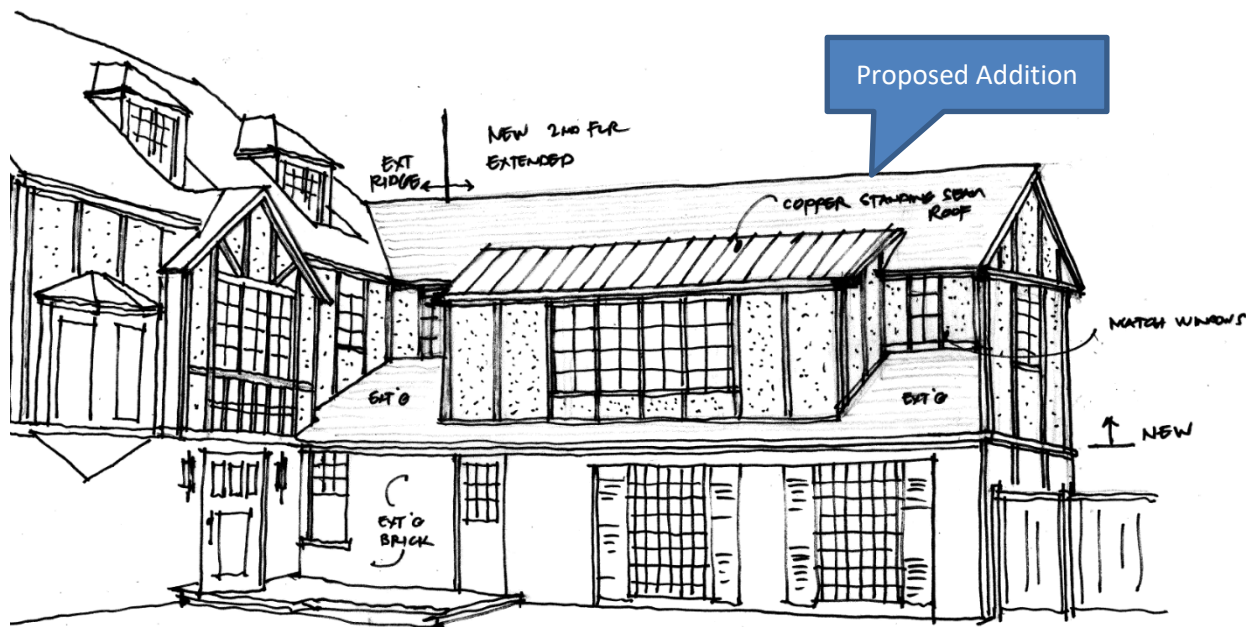


Figure 11 – Rendering of Proposed North and West Elevations

The proposed improvement with this variation request does not include any additional impermeable lot coverage. However, upon submittal of the building permit for the proposed addition, Village Engineering staff will review the permit for compliance with the Village stormwater regulations to verify stormwater is being managed on-site.

Figure 12 on the following page represents the Subject Property’s location in the floodplain; the cyan represents the 100-year floodplain; the orange represents the 500-year floodplain. The Subject Property

is located in the 100-year floodplain. 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). Compliance with these ordinances will be verified by Village Engineering staff upon submittal of the necessary permits to construct the proposed improvement.

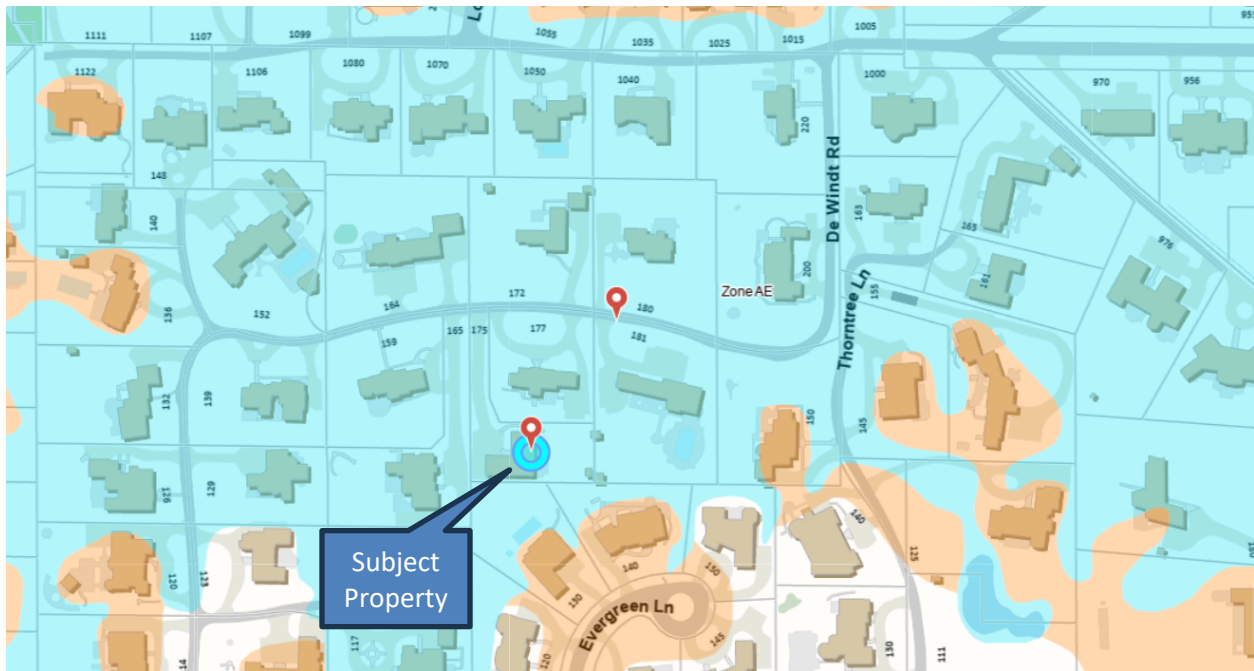


Figure 12 - GIS Floodplain Map

#### REQUESTED ZONING RELIEF

The attached Zoning Matrix highlights the existing lot and the proposed improvement's compliance with the R-2 zoning district regulations (**Attachment A**). The Applicant requests two variations: (1) gross floor area; and (2) front yard setback.

Gross Floor Area (GFA). The site currently contains 6,033.09 square feet of GFA, exceeding the maximum permitted GFA by 224.25 square feet (3.86%). The increase in GFA with the proposed addition is 797.4 square feet, bringing the total GFA to 6,830.49 square feet, whereas a maximum of 5,808.84 square feet is permitted, a variation of 1,021.65 square feet (17.59%).

The Zoning Ordinance states that for any flag lot that was lawfully in existence on October 7, 1997, the "flagpole" portion of the lot shall be excluded when calculating the GFA; provided that the resulting maximum GFA shall not be less than 85% of the maximum GFA computed by using a lot area that includes both the "flagpole" and "flag" portions of the lot. In this instance, the permitted GFA is 85% of the maximum GFA computed by using a lot area that includes both the "flagpole" and "flag" portions of the lot. This results in an additional 487.52 square feet of permitted GFA.

Front Yard Setback (West). The existing residence is legally nonconforming with respect to the front yard setback as it currently provides a front yard setback of 25.03 feet, encroaching into the minimum required setback of 50 feet by 24.97 feet. The proposed addition would also provide a front yard setback of 25.03 feet, requiring a variation of 24.97 feet (49.94%).

## 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 ZBA 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 ZBA; 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 request, 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. **Gross Floor Area (GFA)** of 6,830.49 square feet, whereas a maximum of 5,808.84 square feet is permitted, a variation of 1,021.65 square feet (17.59%) [Section 17.30.040 – Maximum Building Size]; and
2. **Front Yard Setback** of 25.03 feet from the west property line, whereas a minimum of 50 feet is required, a variation of 24.97 feet (49.94%). [Section 17.30.050 – Front and Corner Yard Setbacks].

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: Application Materials
- Attachment C: Public Correspondence

## ATTACHMENT A

### ZONING MATRIX

**ADDRESS: 175 DeWindt Road**

**CASE NO: 25-14-V2**

**ZONING: R-2**

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (3)
Min. Lot Size	24,000 SF	22,479 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	100 FT	91 FT (1)	N/A	N/A	EXISTING NONCONFORMING
Min. Lot Depth	200 FT	187.62 FT (1)	N/A	N/A	EXISTING NONCONFORMING
Max. Roofed Lot Coverage	4,268.36 SF (1)	3,431.52 SF	3,431.52 SF	0 SF	OK
Max. Gross Floor Area	5,808.84 SF (2)	6,033.09 SF	6,830.49 SF	797.4 SF	<b>1,021.65 SF (17.59%) VARIATION</b>
Max. Impermeable Lot Coverage	8,536.71 SF (1)	7,478 SF	7,478 SF	0 SF	OK
Min. Front Yard (West)	50 FT	25.03 FT	25.03 FT	0 SF	<b>24.97 FEET (49.94%) VARIATION</b>
Min. Side Yard (South)	9.1 FT	11.9 FT	11.9 FT	0 SF	OK
Min. Total Side Yards	22.75 FT	14.22 FT	14.22 FT	0 FT	OK
Min. Rear Yard (East)	25 FT	89 FT	89 FT	0 FT	OK

**NOTES:**

(1) Based on zoning lot area of 17,073.42 square feet which excludes flag portion and private road easement

(2) Based on Zoning Ordinance provision that any flag lot in existence before October 7,1997, shall not be allowed less than 85% of the maximum permitted GFA computed by using a lot area that includes both the "flagpole" and "flag" portions of the lot.

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

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. \_\_\_\_\_

Property Information

Site Address: 175 DEWINDT

Owner Information

Name: EMILY & JOHN THOMAS

Primary Contact: SCOTT WALKER

Address: SAME

Phone No. 

City, State, ZIP: WINNETKA

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

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

Architect Information

Name: HEAVY RICE

Attorney Information

Primary Contact: SCOTT WALKER

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

Address: 

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

City, State, ZIP: WINNETKA

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

Phone No. 

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

Email: 


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

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

Nature of any restrictions on property: \_\_\_\_\_

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

REQUEST TO BUILD A SECOND FLOOR ON TOP OF EXISTING ONE  
STORY GARAGE. FLAG LOT MAKES THE ORIENTATION OF  
THE HOUSE ODD.

Property Owner Signature: 

Date: 5.2.25

**CANNING & CANNING LLC  
1000 SKOKIE BOULEVARD, SUITE 355  
WILMETTE, ILLINOIS 60091  
(847) 853-7042 - FAX**

CHRISTOPHER S. CANNING

DIRECT DIAL NUMBER

██████████  
[chris@canninglegal.com](mailto:chris@canninglegal.com)

September 26, 2025

**VIA HAND DELIVERY**

Matthew Bradley, Chair  
Zoning Board of Appeals  
Village of Winnetka  
c/o Ann Klaassen  
Assistant Director of Community Development  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Request for Variations at 175 DeWindt Road.**

Dear Chairperson Bradley and Members of the Zoning Board:

I am writing on behalf of Emily and John Thomas (“Emily and John”) the owners of 175 DeWindt Road regarding their application for a front yard setback variation and a Gross Floor Area variation to permit a second-floor addition. 175 DeWindt Road is a legal nonconforming flag-shaped lot under that Zoning Ordinance. The proposed addition will not change the existing nonconforming front yard setback. The proposed addition will increase the Gross Floor Area but will not change the impervious coverage on the lot.

**I. 175 DeWindt Road.**

175 DeWindt Road is located within the R-2 Residential Zoning District. The lot is surrounded by single-family homes in the same zoning district. The existing lot is legally nonconforming. It is 17,073.24 square feet in net lot area, less than the minimum required lot area in the R-2 District of 24,000 square feet. Please note that the area of the “flagpole” portion of the lot and the area of the private road easement are excluded from the lot area for zoning purposes. The lot is also nonconforming in two other respects. The lot has an average lot width

of 91', while the minimum required average lot width in the R-2 District is 100'. The lot also has a lot depth of 187.62', while the minimum required lot depth in the R-2 District is 200'.

II. **The proposed addition.**

The current home at 175 DeWindt Road was built in 1960 as a single-story home. Due to its location in the floodplain, the home was built on a slab without a basement. In 1997, the then owner applied for variations to construct a second-floor addition that would encroach into the required front yard setback and south side yard setback. The side yard setback was approved but the front yard setback was not. Thereafter, the second-floor addition was built. The prior owners used the garage "as a storage room and gym space because they did not have a basement." (See letter from Mawicke Group attached as Exhibit A). Emily and John purchased the home in 2021. They use the garage for their vehicles.

Emily and John seek to construct a second-floor addition. The new addition is proposed to be located above the existing attached garage on the west side of existing residence. The addition is 30'x 26.58 (797.40 sq. ft.). The proposed addition maintains the existing setback on the west and south facades of the home. To put it another way, the proposed addition does not encroach any further into the front yard (west) setback than the existing west side facade. By building over the existing garage, the proposed addition does not add any additional impervious lot coverage. To the extent that there are neighbor concerns about "storm-water implications" the proposed addition will have no impact.

Emily and John seek two variations to construct the addition. First, Emily and John seek a Gross Floor Area variation. The current home contains 6,033.90 square feet of GFA, exceeding the maximum permitted GFA by 224.25 square feet. The net increase in GFA with the proposed addition results in a variation of 1,021.65 sq. ft. It must be noted that when the current second floor addition was added in 1997, there was no variation sought for GFA so presumably, the amount of GFA added was conforming to the Zoning Ordinance at the time. Since 1997, the Zoning Ordinance has changed and now the current amount of GFA is nonconforming. This nonconformity was not created by any action by Emily and John. It should also be noted that if Emily and John could utilize the full square footage of their lot, the GFA would be conforming, and no variation would be necessary.

The second variation request is for the Front Yard Setback. Despite having a DeWindt Road address, the front yard of the home is the west side of the home. The existing home constructed in 1960 has a legally nonconforming front yard setback on the west side of 25.03 feet, encroaching into the minimum required setback of 50 feet by 24.97 feet. The proposed addition does not encroach any further into the front yard setback. In fact, the addition is set back 33' for the west lot line, 8' less than the west wall of the garage.

The front yard of the home being the west side of the home has created confusion for neighbors. In a letter dated July 30, 2025, Amy Burke, President of the DeWindt Road Association wrote concerning the front yard setback that "neighbors cannot evaluate visual impact, emergency-vehicle access or potential precedent for future encroachments." Burke added "DeWindt Road lots are unusually deep, and the 50-ft setback has preserved the street's spacious

park-like setting for decades.” In a typical grid-like neighborhood, the front yard of the home faces the street, and all homes maintain the same setback creating an open vista as one looks at length of the street. If one seeks a front yard setback to encroach into that setback, they are in effect “borrowing from the street” and that encroachment impacts the views of all the neighbors. Here, Emily and John are not “borrowing” from DeWindt Road. The proposed addition will not be any closer to DeWindt Road than the current home. The proposed addition will have no impact on emergency vehicle access, nor will it have any impact on the “spacious, park-like setting” of DeWindt Road.

In addition to seeking variations for the second-floor addition, John and Emily have applied for a separate building permit to add an in-ground swimming pool and spa. The proposed pool and spa will be conforming as to setbacks and Impervious Lot Coverage. The proposed pool and spa will not add any additional GFA and therefore, no variations are sought for the pool and spa.

### III. Standards of Review.

For the Zoning Board to grant the requested variations, the Zoning Board requires evidence on the following issues:

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

Emily and John’s requests for variations meets with each of these standards:

Emily and John do not believe that their property will yield a reasonable return if the variations are denied. They were able to purchase the home at a reduced price in large part due to the lack of a basement and storage. As detailed in the attached letter from the Mawicke Group, the prior owner had to reduce the asking price four times due to the lack of a basement. As Ms. Mawicke states “basements and ample storage are key desires for homes on the North Shore.” She added that “the fact that there was no basement/lower level was in our minds the sole reason this property did not move in a timely fashion like everything else around it on the market.” The lack of a basement or storage still exist today and that deficiency drives Emily and John’s request. Seeing that the prior owners did not realize a reasonable return in the very active Pandemic real estate market of 2021 when 340 homes were sold in Winnetka, Emily and John believe that the additional space will permit them to realize a reasonable return.

John and Emily considered several alternatives to alleviate the lack of basement and storage, but each alternative would result in one or more variations. Emily and John considered an addition off the back of the home (east). The three possible locations were: off the office, off the family room, and off the kitchen. An addition to the east would increase Lot Coverage and Impervious Lot Coverage. The Impervious Lot Coverage could impact storm water management. Emily and John also considered adding a third bay to the existing two car garage (on the west side). This alternative was rejected since it would encroach even further into the front yard setback and add Lot Coverage and Impervious Lot Coverage. Finally, Emily and John considered digging below the existing two car garage to create a basement. This alternative was rejected because there was not a permissible location to install a staircase going down into the basement, creating access issues. There were also a myriad of engineering issues that would result from attempting to put the basement in a floodplain. These issues were cost-prohibitive and unlikely to result in a reasonable return on their investment in the basement. After thoroughly evaluating the options above, Emily and John believe an addition above the existing two-car garage is the best option. The proposed addition above the existing two-car garage will be accessible via an existing staircase. The proposed addition will be in the Tudor style, matching the current style of the home and other homes around it. Recognizing the problems in the neighborhood with heavy rains and the tireless work of the Village, with the critical input of the DeWindt Road Association, a to mitigate these issues through the project at Skokie Playfield and upcoming stormwater projects in the neighborhood, it is important to Emily and John that the proposal does *not* increase Lot Coverage or add more Impervious Lot Coverage as the other options might.

Emily and John's situation was not created by them but due to unique conditions. John and Emily did not create the flag-shaped lot. Due to the configuration of the lot, the west side of the home serves as the front yard, not the north side of the home. As a result, no addition of any size can be made to the west side of the home since the home is already encroaching into the front yard setback. Similarly, Emily and John did not create the existing nonconforming GFA. Presumably the GFA results from a change in the Zoning Ordinance decades before they bought the home. The flag shaped lot penalizes Emily and John. If Emily and John could utilize the full square footage of their lot, the GFA would be conforming, and no variation would be necessary.

This request for variations will not alter the essential character of the neighborhood. The proposed addition does not encroach any further into the front yard setback than the existing home. Moreover, the addition will be more than 150' from DeWindt Road thereby not having any impact on the look and feel of the park-like setting of DeWindt Road.

If the Zoning Board grants the requested variations, there will be no impact on the supply of light and air to adjacent properties. The proposed height of the addition meets the requirements of the Zoning Ordinance. The windows of the addition will be the same height as the existing windows of the home for a consistent look. The windows of the addition will be in

line with the western portion of the rear yard of 130 Evergreen Lane and more than 100' from the rear of the home.

If the Zoning Board grants the requested variations, there will be no increase in the hazard from fire or other types of damage. In fact, by not adding Impervious Lot Coverage, the addition will not exacerbate the already problematic flooding situation in the neighborhood.

If the Zoning Board grants the requested variations, there will be no diminishment in the taxable value of land and building throughout the Village. In fact, Emily and John desire to add to the taxable value of land and buildings in the Village with this addition.

If the Zoning Board grants the requested variations, there will be no material increase in traffic or congestion on Village streets. To the extent that there are concerns about construction traffic, for the prior projects at the home, contractors have utilized Emily and John's driveway and have tried to avoid parking on DeWindt Road. Emily and John expect that this practice will continue with this project.

If the Zoning Board grants the requested variations, there will be no impairment whatsoever on the public health, safety, comfort, morals, and welfare of the inhabitants of the Village. As discussed above, Emily and John considered several alternative locations for the addition but recognizing that the home is located in the flood plain, they took steps to avoid adding any Impervious Lot Coverage that might contribute to flooding in the neighborhood.

Since the proposed variations meet the standards of review, Emily and John ask that the Zoning Board recommend approval of their requested variations. We look forward to the opportunity to appear at the Public Hearing on the application and answer any questions the Zoning Board may have. Thank you for your consideration of this request.

Very truly yours,

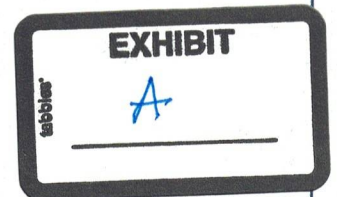
A black rectangular redaction box covering the signature of Christopher S. Canning.

Christopher S. Canning

To Whom It May Concern regarding 175 DeWindt Rd. Winnetka -

The Mawicke Group was the listing agent for this property. We originally listed the property in February of 2021 starting at \$2, 599,000. The property was not an easy sell for many buyers because it does not have a basement. We did countless showings over the course of 200 plus days and the home had 4 price reductions (which was unheard of in the strong seller's market of 2021) because it did not have a basement. We had buyers come back many times who loved the home but could not get past the fact that there was not a basement or storage. Our current sellers at the time were using the garage as a storage room and gym space because they did not have a basement. It was a major hindrance and sticking point with potential buyers that they simply could not get over enough to submit an offer. Basements and ample storage are key desires for homes on the North Shore.

The fact that there was no basement/lower level was in our minds the sole reason this property did not move in a timely fashion like everything else around it on the market. The home ended up selling in August 2021 for around \$425,000 from the original list price - no basement and no storage.



MEGAN MAWICKE BRADLEY // 312-307-1157 // MMAWICKE@ATPROPERTIES.COM

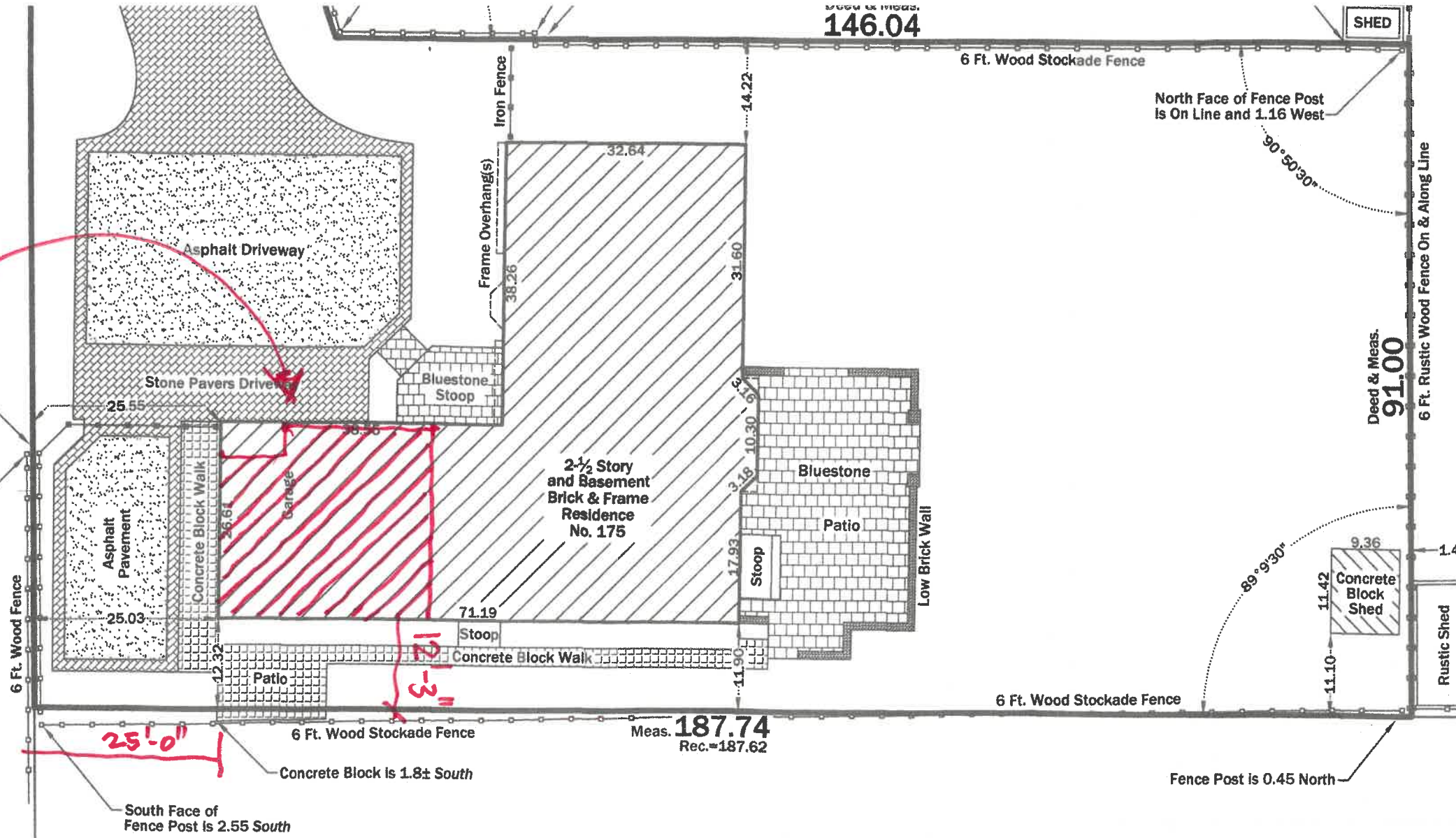
175 DEWINDI

146.04

PROPOSED SECOND FLOOR ADDITION

Fence Post is 0.52 East

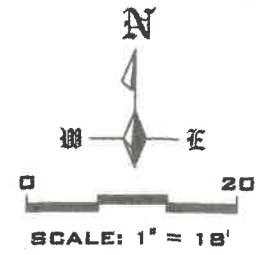
East Face of Fence Post is On Line



ORDERED FOR: COLE STREMMEL, ATT.  
 JOB: MORTGAGE / SALE  
 DATE: 10-8-21  
 EXPIRY DATE: 10-12-21  
 ATB: BOND & PDF

Attention hereon is not sufficient nor guaranteed  
 construction, unless property corners noted.  
 Distances and angles may not be assumed by scaling.  
 Distances noted hereon are in feet and decimals.  
 Refer to Deeds & Easements per title, if provided.  
 Verify all points on ground prior to construction.

PROFESSIONAL SERVICE CONFORMS TO THE CURRENT  
 ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

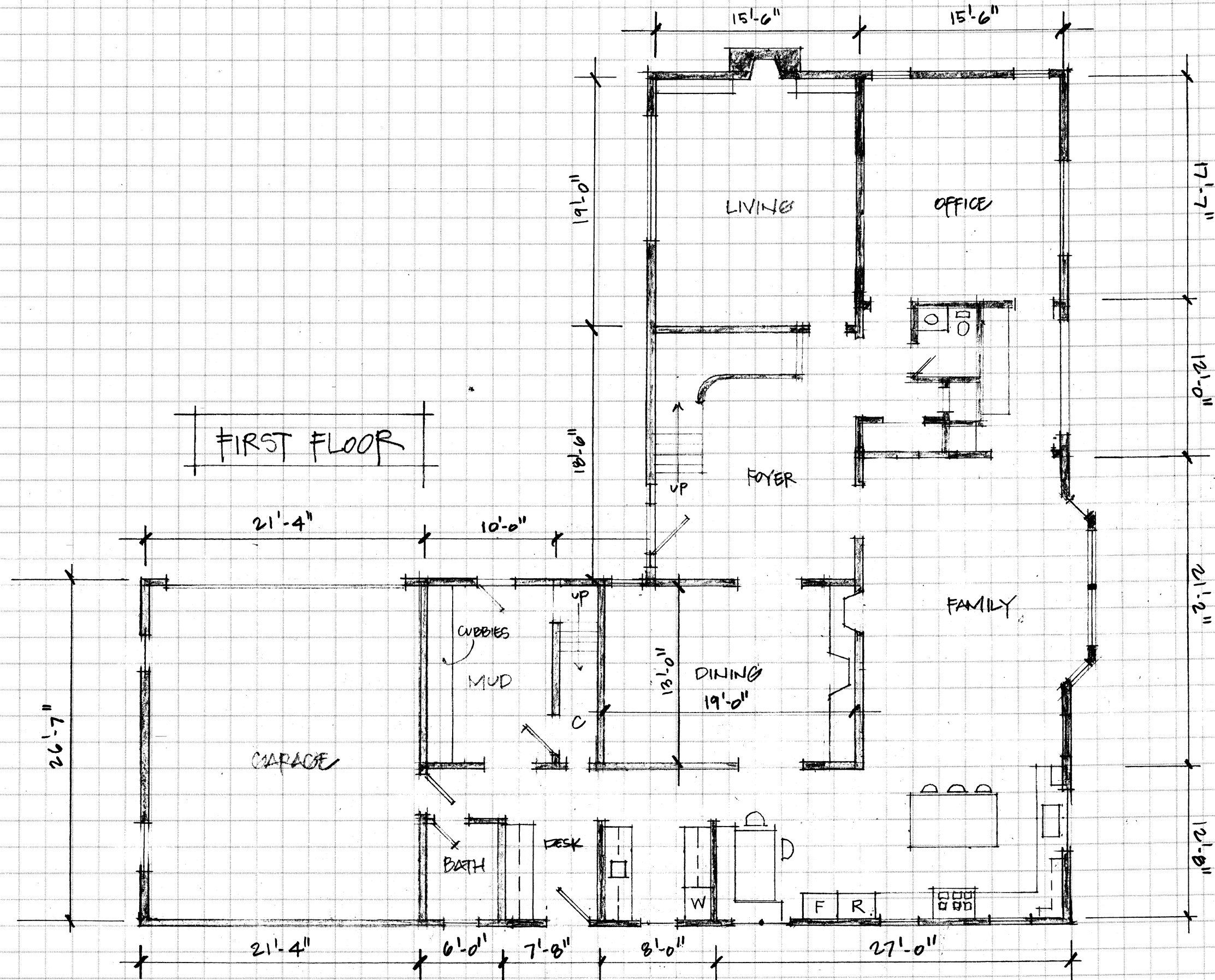


**NORTH SHORE SURVEY, LTD.**  
 436 CATALPA LANE, LIBERTYVILLE, ILLINOIS 60048  
 (847) 446-6510 NORTHSHORESURVEY@GMAIL.COM  
 PROFESSIONAL DESIGN FIRM No. 184.006982

State of Illinois }  
 County of Cook } SS

WE, North Shore  
 as described in the a  
 surveys and that the

DATE



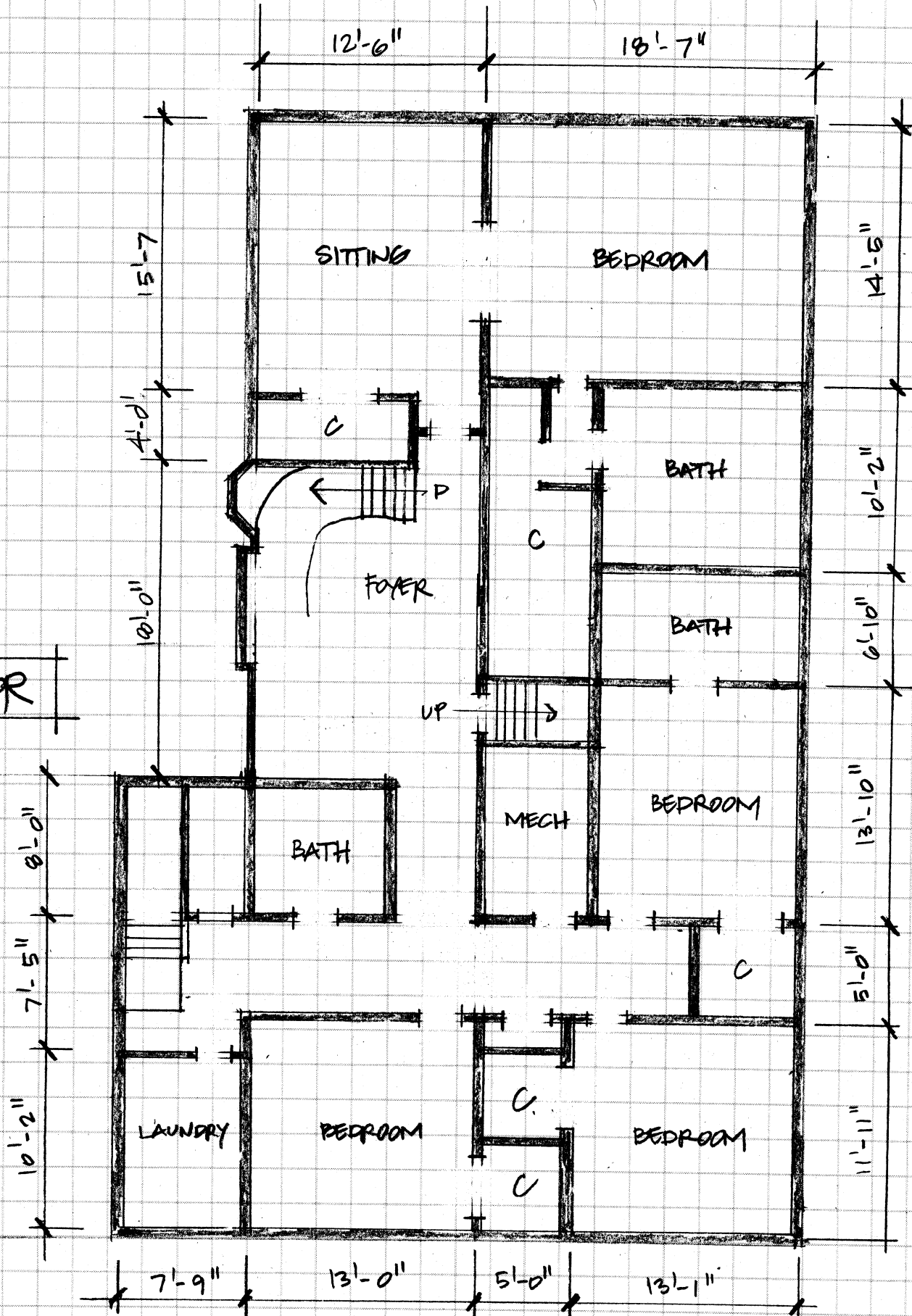
6.24.25  
1/8" SCALE

■	MCMURRAY INC.	■
THOMAS RES		
175 DEWINDT		
WINNETKA		

PROPOSED  
2ND FLR  
ADDITION

ONE STORY  
GARAGE  
BELOW

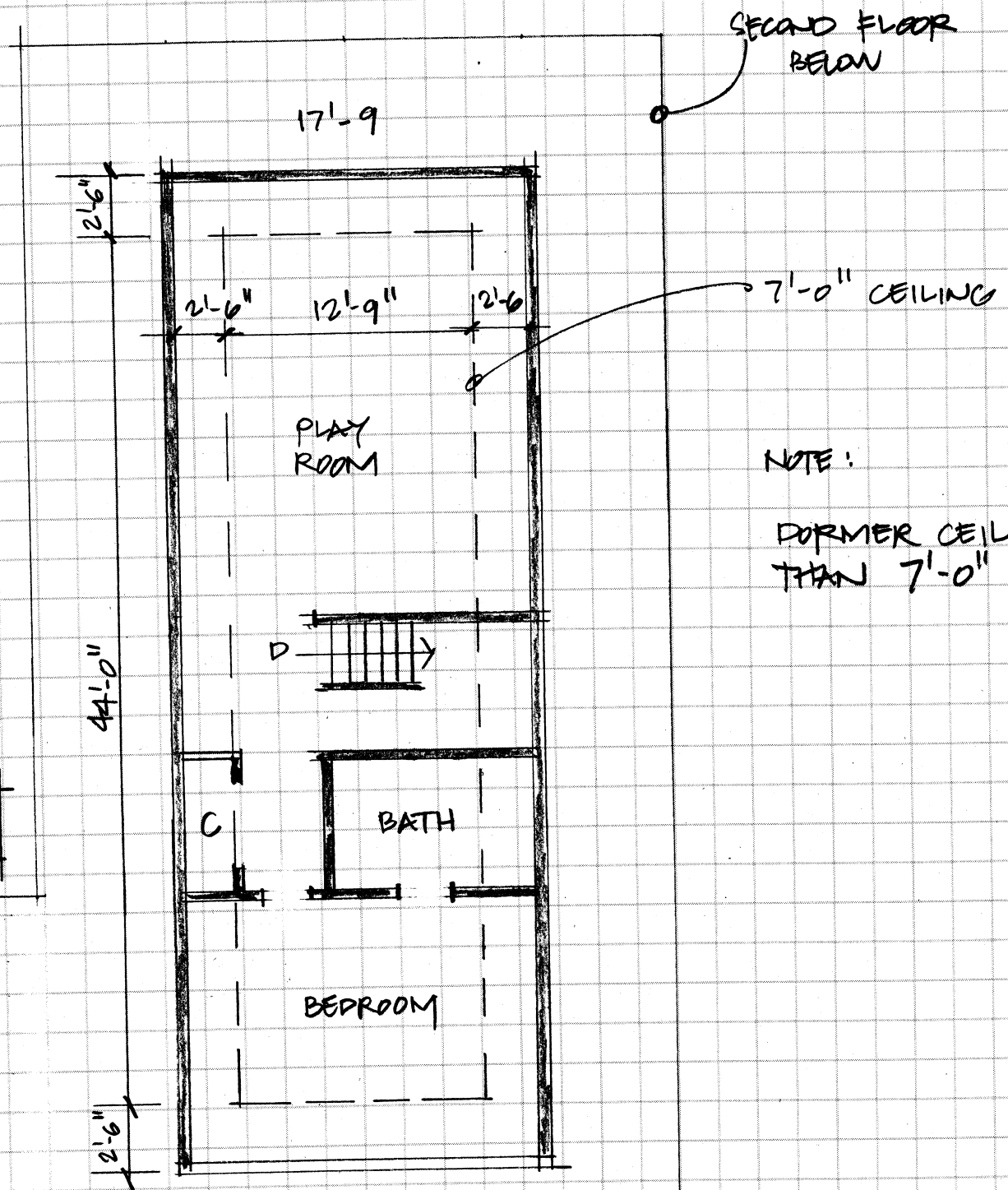
EXISTING  
SECOND FLOOR



6.24.25  
1/8" SCALE

■ MCMURRAY INC. ■
THOMAS RES
175 DEWINDT
WINNETKA

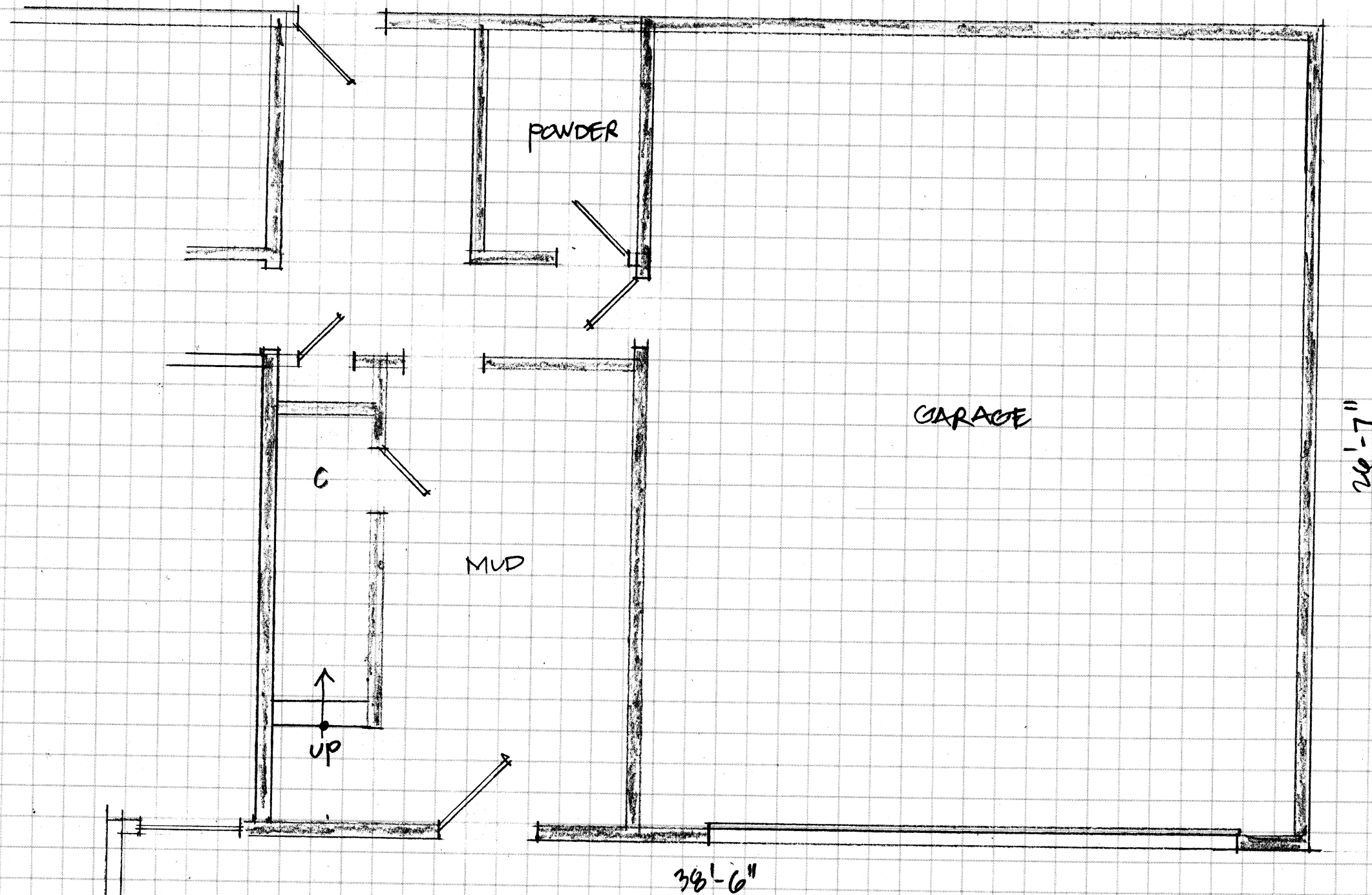
BRD FLOOR



NOTE:  
DORMER CEILING LESS  
THAN 7'-0"

6.24.25 1/8"

■	MCMURRAY INC.	■
THOMAS RES		
175 DEWINDT		
WINNETKA		



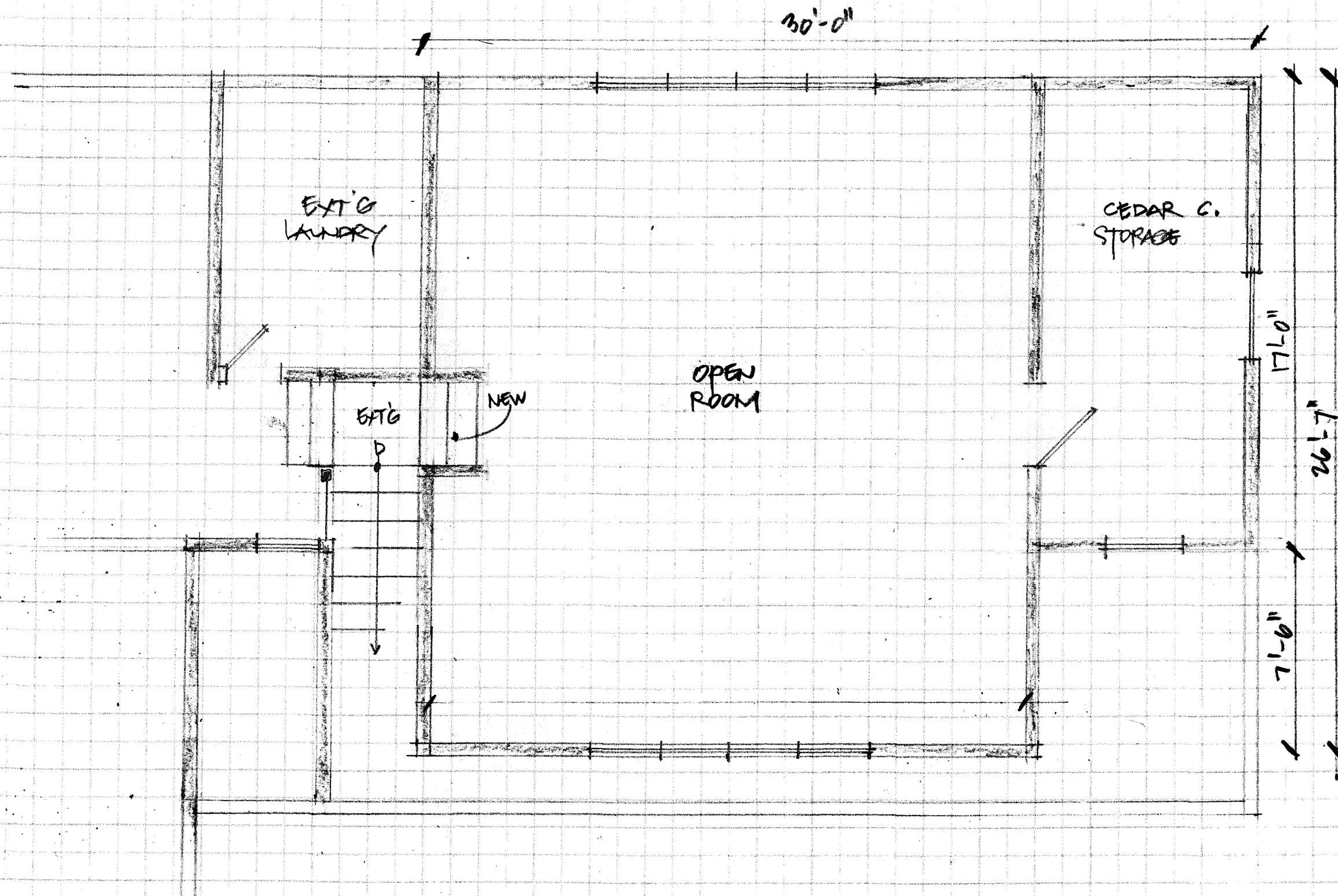
PARTIAL 1ST FLOOR

EXISTING

NO WORK





■	MCMURRAY INC.	■
THOMAS RES		
175 DEWINDT		
WINNETKA		



4.22



 <b>MCMURRAY INC.</b> 
THOMAS REC 175 DEWINDT WINNETKA





THOMAS RESIDENCE

175 DEWINDT  
WINNETKA

GARAGE 2ND FLR ADD'T

- FIRST FLOOR EXT
- MATCH SIDING
- MATCH ROOF



8'-0"

11'-9"

8'-0"

NEW SHED DORMER

NEW ADDITION

COULD VAULT

SUSCO TO MATCH

NEW

FRONT DR

GARAGE

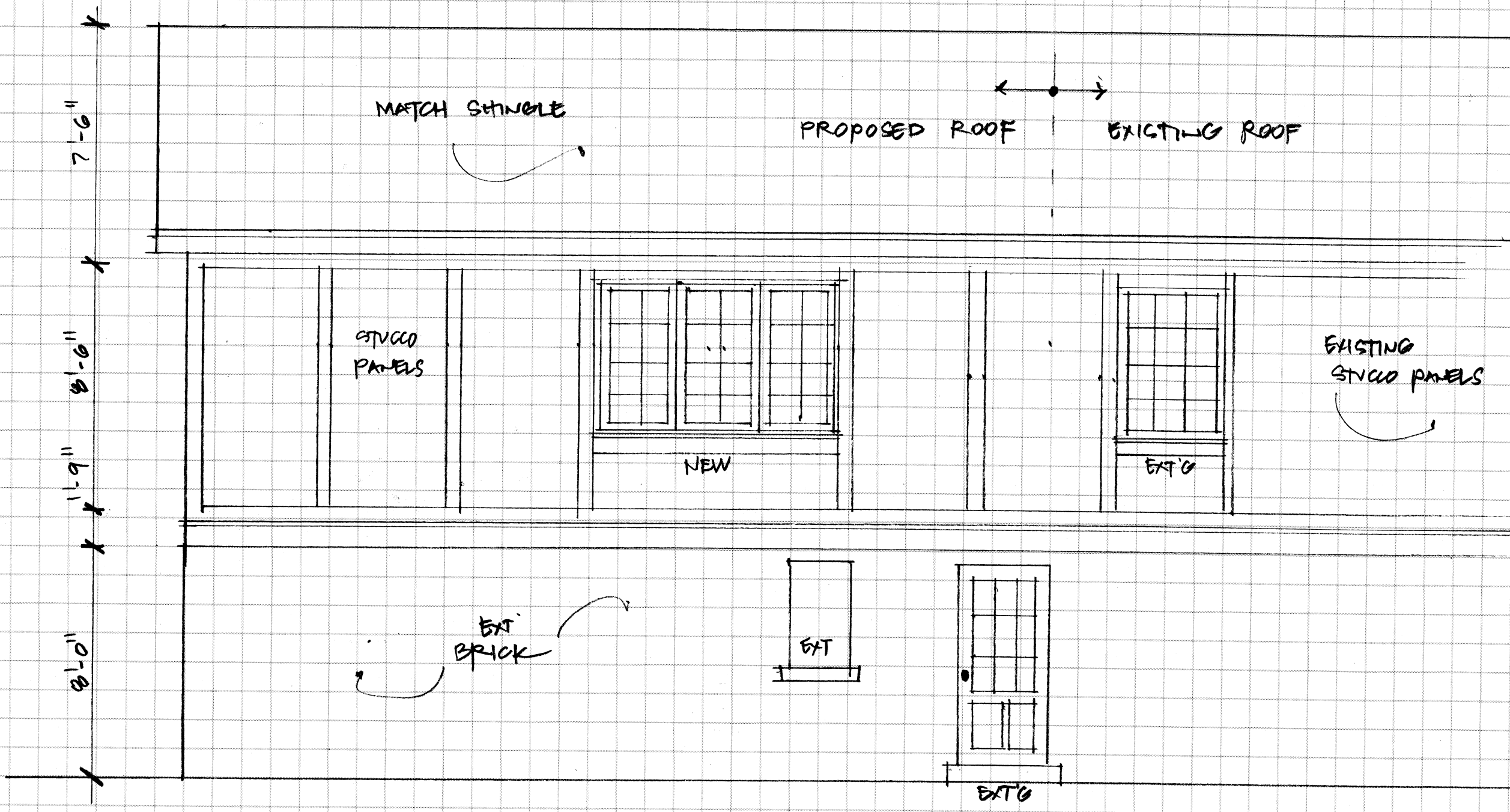
PROPOSED

PARTIAL WEST

4.22.25

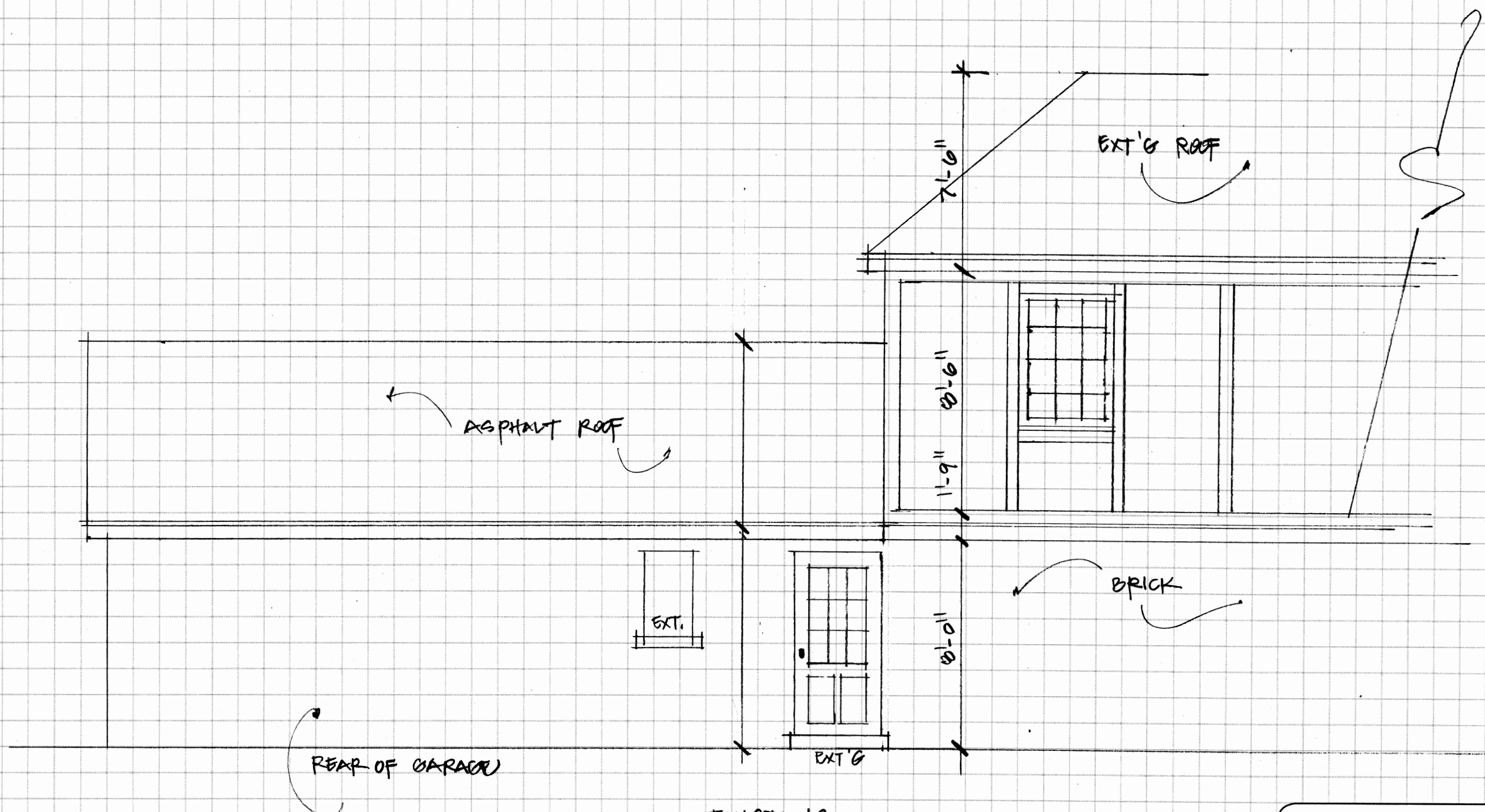
MCMURRAY INC.

THOMAS RES  
175 DEWINDT  
WINNETKA



PROPOSED  
PARTIAL SOUTH

<div style="display: flex; justify-content: space-between; align-items: center;"> <span>■</span> <span>MCMURRAY INC.</span> <span>■</span> </div>
THOMAS RES. 175 DEWINDT WINNETKA



EXISTING  
 PARTIAL SOUTH

<div style="display: flex; justify-content: space-between; align-items: center;"> <span>■</span> <span>MCMURRAY INC.</span> <span>■</span> </div>
THOMAS RES
175 DEWINDT
WINNETKA

→ MATCH RIDGE FOR NEW ADDITION

T / RIDGES 26'-0"

ASPHALT ROOF

COPPER ROOF

MATCH EXT'G EAST

EXT'G

STUCCO TO MATCH

DR

MUD ROOM

EXT'G GARAGE DOORS

7'-0"

8'-6"

11'-9"

8'-0"

4 22 25

PROPOSED

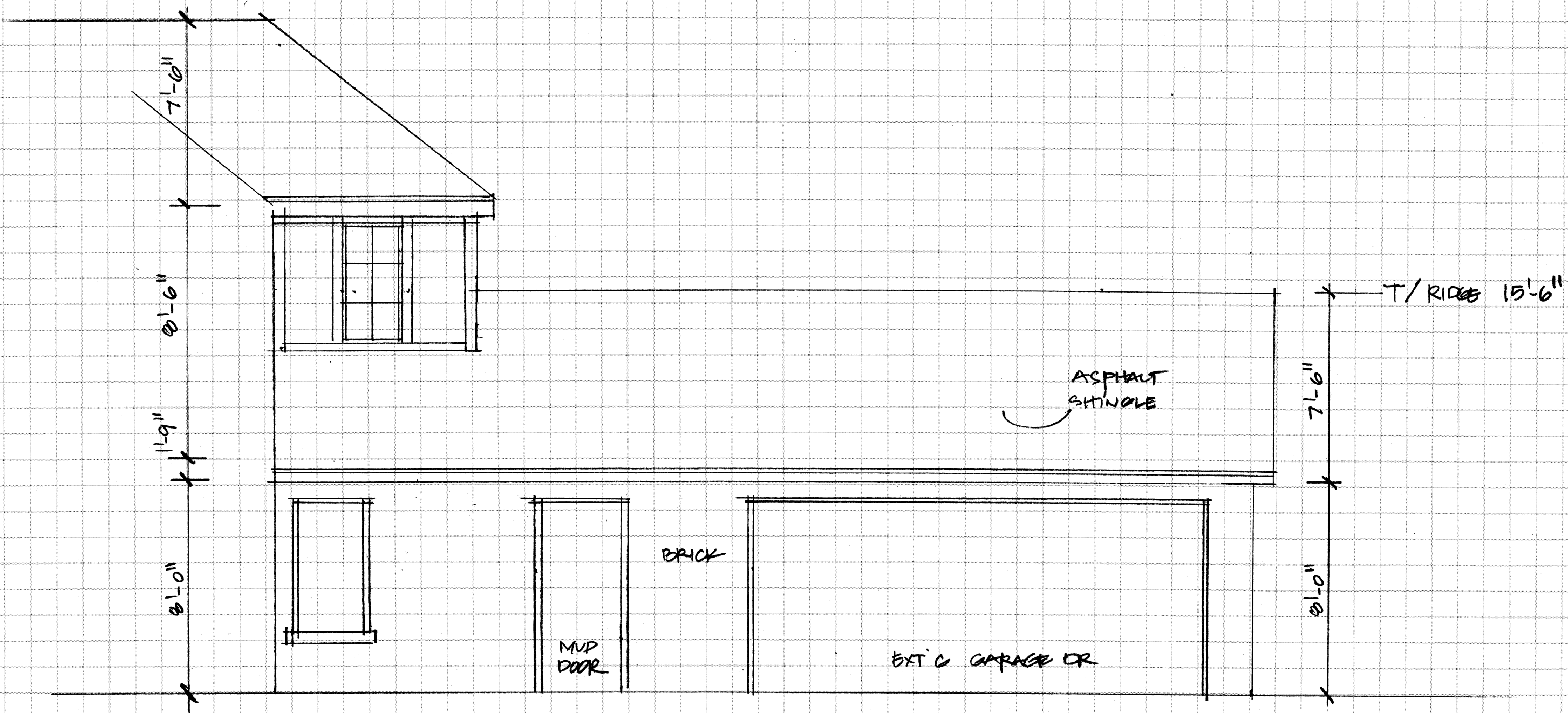
PARTIAL NORTH

■ McMurray Inc. ■

THOMAS RES

175 DEWINDT

WINNETKA



EXISTING  
 PARTIAL NORTH

■	MCMURRAY INC.	■
THOMAS RES		
175 DEWINDT		
WINNETKA		





# ATTACHMENT C

**From:** [REDACTED]  
**To:** [Planning](#)  
**Cc:** [REDACTED]  
**Subject:** Case No 25-14-V2  
**Date:** Tuesday, August 5, 2025 9:14:45 PM  
**Attachments:** [DWA.pdf](#)

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**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.

As the President of the DeWindt Road Association, I am writing on behalf of the Association, which is a neighborhood association established to manage issues related to DeWindt Road, a private street within the Village of Winnetka, and its residents.

I've attached the response to the recent Notice of Winnetka Zoning Board appeal regarding the above case number.

A subset of the Association will plan to be at the public hearing on Aug 11th but we wish to provide this testimony / comment prior to the meeting.

Respectively submitted,

Amy P Burke  
[REDACTED]

July 30, 2025

**Via E-Mail and U.S. Mail**

Village of Winnetka—Community Development Department  
Building & Zoning Division  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Case No. 25-14-V2 – 175 DeWindt Road (Request for Front-Yard-Setback & Gross-Floor-Area Variations)**

Dear Chairperson and Members of the Zoning Board of Appeals:

I serve as President of the DeWindt Road Association (“DRA”), the homeowners’ organization responsible for safeguarding the character, safety, and shared infrastructure of our private street. A number of residents have asked me to convey their concerns regarding the above-referenced variance petition. Although this letter does not purport to speak for every member of the DRA, it reflects the position of a significant group of homeowners who will be most directly affected by the requested relief.

---

**1. Front-Yard-Setback Variation (Request #1)**

- **Lack of quantifiable detail.** The application does not state the precise setback proposed (only that it will be “less than” the 50-ft minimum). Without an exact dimension, neighbors cannot meaningfully evaluate visual impact, emergency-vehicle access, or potential precedent for future encroachments.
- **Cumulative precedent.** DeWindt Road lots are unusually deep, and the 50-ft setback has preserved the street’s spacious, park-like setting for decades. Granting an open-ended reduction will invite similar requests from other properties, incrementally eroding neighborhood character.

---

**2. Gross-Floor-Area (GFA) Variation (Request #2)**

- **Incomplete calculations.** Neither the application nor its exhibits reconcile the proposed GFA with the Village’s R-1 zoning formula. Without a clear table of existing vs. proposed floor area, it is impossible to verify hardship.
- **Storm-water implications.** This is a major concern. Increased bulk typically triggers larger roof area and impervious surface, **exacerbating runoff onto DeWindt Road, which**

**lacks public storm-sewer infrastructure. Neighbors already experience ponding during heavy rain; added mass will worsen this condition unless fully mitigated.**

---

### **3. Catch-All “Any Other Relief Deemed Necessary” (Request #3)**

A blanket request for unspecified relief circumvents the transparency the ZBA and neighbors require. It would be helpful to have each variance should listed with: (a) the precise numerical deviation, (b) the ordinance section, and (c) the hardship claimed. Without this, it’s very difficult for us to comment.

---

### **4. Construction-Management Concerns**

DeWindt Road is a narrow, private lane with limited to no public turn-around. For safety and emergency access:

1. **On-site parking only.** All contractor vehicles must be confined to the 175 DeWindt driveway or a remote staging lot; no curbside parking or idling.
2. **Hours of work.** Heavy deliveries limited to 9 a.m.–3 p.m. on weekdays to avoid school-bus and commuter traffic.

While these items are construction-phase issues rather than zoning standards, they illustrate the practical difficulties posed by a project of this scale on a constrained site.

---

### **5. Requested Action**

For the reasons above, the undersigned **respectfully requests** that the Zoning Board **deny** the variance petition **unless and until** the applicant produces:

1. A fully dimensioned site plan showing the exact front-yard setback requested.
  2. A certified GFA worksheet demonstrating the minimum relief necessary.
  3. A revised application listing every ordinance section from which relief is sought, with quantified deviations and hardship statements.
  4. A construction-management plan, reviewed by Village staff, guaranteeing safe access and protection of DeWindt Road infrastructure.
-

Emily and John Thomas are valued neighbors, and we remain committed to working collaboratively toward a solution that meets their family's needs **and** upholds the standards that have long protected property values and quality of life on DeWindt Road.

Thank you for your careful consideration.

Respectfully submitted,


Amy Burke

President, DeWindt Road Association

[contact information]

# DAVID & COURTNEY NELSON

130 Evergreen Lane  
Winnetka, Illinois 60093



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

RE: **Contesting** Case No. 25-14-V2, 175 Dewindt Road – Residential Addition

Dear Board:

My wife and I occupy the residence at 130 Evergreen Lane. The above referenced residential address shares the Southern property line with our residence. The Residential Addition, as proposed, violates a 50' setback and introduces privacy concerns. Additionally, the current proposal shows windows on the South facing, second-level façade exacerbating such privacy concerns. This Proposed Addition would not be allowed under current zoning and as such, we respectfully request either: (1) all three of the proposed variances be denied; or (ii) provide for privacy restrictions **on title** that would forever restrict views into or out of the South-Facing, second-level façade of the Proposed Addition.

To provide the Board with visuals, attached is a satellite image of the existing conditions today (attached as Image 1). The current landscaping shown for 130 Evergreen Lane took 3 years to accomplish and provided for the mutual privacy for both residences at great consideration and cost. We worked with the Village of Winnetka Department of Planning and Engineering, the state of Illinois Department of Engineering, the U.S. Army Corps of Engineers (USACE) - Chicago District, and the Winnetka Forestry Departments. The second attached image (Image 2), shows the current plantings and that the large 20-foot trees were strategically placed to provide privacy to both residences. Such plantings required sufficient lot line set-back to accommodate such large trees in these exact locations. However, in order to comply with stringent 200-year flood water retention requirements, the landscaping set-backs had to be reduced allowing for only smaller evergreens along the entire lot line. As such, we cannot accommodate larger trees sufficient to block the proposed windows shown on the Residential Addition. It also does not appear that 175 Dewindt has sufficient lot line relief due to the existing garage to provide for similar natural plantings to mitigate the loss of privacy should the required 50-foot set-back be waived.

As an overall argument against the proposed Application, we simply ask what is the required "Hardship" identified in order to provide such variance? We have attached a Google AI report that the Board members are far better to assess than we are. (See attached, Image 3). In assessing the Hardship, we merely want to provide the Board with the following facts: The existing home was advertised by publicly available listing agents and advertised to be in excess of 6,300 square feet. The existing "garage" as labelled on plans, is actually a finished room and all parking is in the driveway with no access to a "garage" in its typical use. After a number of years on the market, the home was purchased between October 28-November 3, 2021 in its existing condition. As such, the Applicant had sufficient time to do its due-diligence and was aware of all existing conditions and current "legal, non-conforming" zoning conditions. It is our understanding that no changes have been made to underlying zoning that would create any new information from what the Applicant knew at the time of purchase. These facts and other

implied reasons for the Applicants request for zoning variance seem to fall into convenience categories or for financial gain. Without any further knowledge, it seems this cannot be granted based on simply facts.

We appreciate the Board's time in hearing our perspective and are available for any further questions and to host a tour if necessary. We will unfortunately not be able to attend the Public Hearing on Monday, August 11<sup>th</sup> but hope our absence does not negatively impact our case and request to respectively **Deny** the Applicant's request.

Sincerely,



David B. Nelson

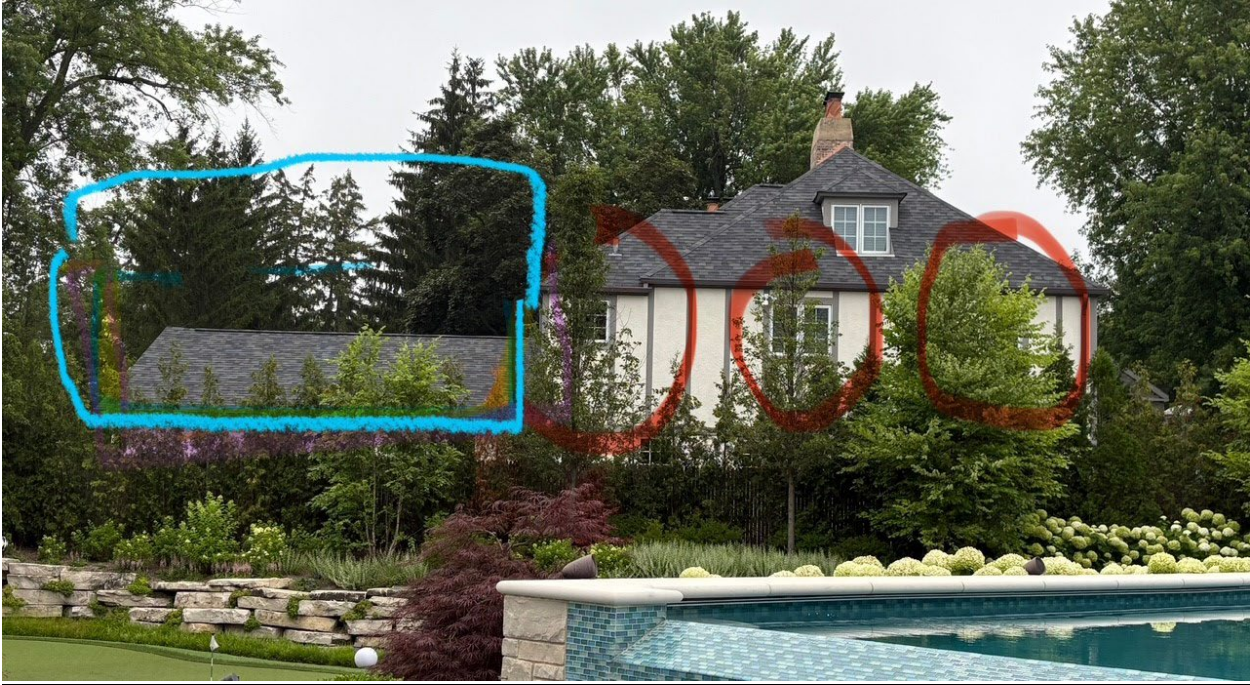
**Attachments:**

- 1) Image 1 – Satellite Image of Existing Conditions Along South Lot Line of 175 Dewindt and 130 Evergreen Lane
- 2) Image 2: Current Image of 20' Tall Trees/Planting Providing for Mutual Privacy
- 3) Image 3: Source: Google AI Search

**Image 1 – Satellite Image of Existing Conditions Along South Lot Line of 175 Dewindt and 130 Evergreen Lane**



**Image 2: Current Image of 20' Tall Trees/Planting Providing for Mutual Privacy**



### Image 3: Source: Google AI Search:

Winnetka zoning hardship requirements for obtaining a variation:

In Winnetka, Illinois, a property owner seeking a zoning variance based on hardship must demonstrate that strict adherence to zoning regulations creates a "practical difficulty or particular hardship". This burden of proof rests with the applicant.

Here are the key aspects to proving hardship for a zoning variation in Winnetka:

#### 1. Defining "hardship"

- **Unique to the property:** The hardship must be a consequence of the specific characteristics of the property, not related to the owner's personal circumstances or a general condition shared by the neighborhood or community.
- **Not self-created:** The hardship cannot be a result of actions taken by the current or past property owner.
- **Beyond mere inconvenience:** The hardship must be more than simply a preference for a different standard or a general inconvenience.
- **Impact on reasonable return:** The property in question must be unable to yield a reasonable return if used only under the conditions allowed by the zoning district's regulations.

#### 2. Examples of what *doesn't* constitute hardship

Winnetka's regulations specifically state that the following situations **do not** qualify as a practical difficulty or particular hardship:

- Improvements to the property's appearance or neighborhood
- Personal convenience or preference
- Making the property more readily saleable or increasing its selling price
- A family member's physical disability or handicap
- Changes in family size or age
- Lack of awareness of a zoning provision
- The existence of practical alternatives to the proposed request

- Neighbor approval of the variance request
- Hardship created by past property development
- Increased costs associated with complying with the Zoning Ordinance

### 3. Necessary evidence for variation requests

When applying for a variation, the Zoning Board of Appeals will require evidence that the property cannot yield a reasonable return under existing regulations, that the circumstances are unique, and that the variation will *not negatively impact* the locality's character, *adjacent properties*, fire risk, taxable value, traffic, or public welfare



# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** ANN KLAASSEN, ASSISTANT DIRECTOR  
**DATE:** OCTOBER 7, 2025  
**SUBJECT:** 881 & 883 PRIVATE ROAD - FINAL PLAT APPROVAL  
AJV SUBDIVISION (CASE NO. 25-12-SD)

### INTRODUCTION

On October 13, 2025, the Zoning Board of Appeals (ZBA) is scheduled to hold a public hearing on an application submitted by Jesse Van Dyke, as the owner of the property located at 881 Private Road and CLB Children GRAT Trust II UAD 7/29/2008, as the owner of the property located at 883 Private Road (collectively, the "Subject Property"). Jesse Van Dyke along with CLB Children GRAT Trust II UAD 7/29/2008 (collectively the "Applicant"), have filed an application seeking the following approvals as part of a Final Subdivision Plat approval to relocate the lot line dividing the two properties:

1. **Variations** to permit:
  - a. Proposed Lot 1 (883 Private Road) to provide a front street line of 10.1 feet, whereas a minimum of 20 feet is required, a variation of 9.9 feet (49.5%) [Section 17.30.020 Lot Width and Street Frontage];
  - b. Proposed Lot 2 (881 Private Road) to provide a lot depth of 177.25 feet, whereas a minimum of 200 feet is required, a variation of 22.75 feet (11.37%) [Section 17.30.010 Lot Area, Shape and Dimensions]; and
  - c. The existing residence at 881 Private Road (Proposed Lot 2) to observe a total side yard setback of 42.45 feet, whereas a minimum of 43.34 feet is required, a variation of 0.89 feet 2.05%) [Section 17.30.060 Side Yard Setback].

This application is limited to the subdivision request, the associated relief, and the existing improvements, no proposed improvements to the Subject Property are included in this request. The ZBA is charged with making a recommendation to the Village Council regarding the zoning variations. At its September 24, 2025, meeting the Plan Commission (PC) considered the Final Plat of Subdivision, the requested relief listed above, as well as a finding of "no material increased adverse impact" for the existing nonconforming front-facing attached garage door width for the existing residence at 881 Private Road. By a vote of 7-0, the Commission recommended approval of the request. Details regarding the PC's consideration are provided later in this report.

A mail notice was sent to property owners within 250 feet in compliance with the Zoning Ordinance, informing them of public hearing being held by the ZBA. The hearing was also properly noticed in the *Winnetka Talk* on September 25, 2025. As of the date of this memo, staff has not received any written comments from the public regarding this application.

**The Village Council has final jurisdiction on this request.**

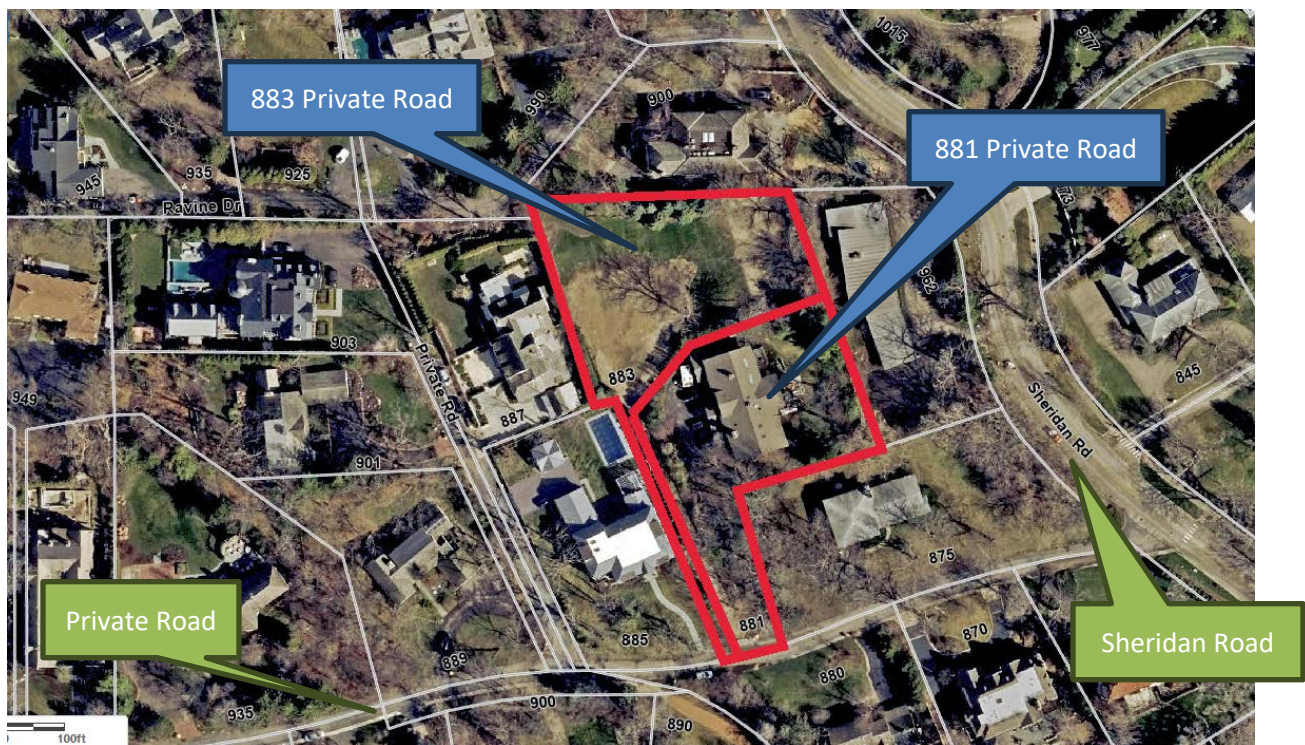
**PROPERTY DESCRIPTION**

The Subject Property is located on the north side of Private Road, between Sheridan and Old Green Bay Roads and currently consists of two buildable lots. The property at 881 Private Road contains a two-story single-family residence and 883 Private Road is a vacant lot. The area of each existing lot is as follows:

- 1. 883 Private Road: 26,406 square feet (0.61 acres)
- 2. 881 Private Road: 24,223 square feet (0.56 acres)

Both of the existing lots, as well as the proposed lots, are flag lots. A flag lot is an irregularly shaped lot consisting of two sections: the primary mass of the lot (the “flag” portion), which is set back from the street frontage access and is behind one or more other lots; and a narrow access corridor (the “flagpole” portion). For zoning purposes, the area of the “flagpole” portion of each lot, as well as the area of the private road easement, are excluded from the lot area. The lot areas noted above, as well as when lot area is referenced throughout this report, are the net lot areas reflecting the exclusions of the “flagpole” and private roadway easement.

Additionally, both of the existing lots are legally nonconforming. The 881 Private Road parcel has a lot depth of 177.25 feet, while the minimum required lot depth in the R-2 District is 200 feet. The 883 Private Road parcel has a front street line of 10.1 feet, while the minimum required front street line for interior lots is 20 feet. The existing parcels and improvements are identified below in Figure 1.



**Figure 1 – Two Existing Lots**

The Subject Property is zoned R-2 Single Family Residential, and it is surrounded by the same (Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The Applicant’s use of the Subject Property for a single-family residence is consistent with the Comprehensive Plan land use designation and the R-2 zoning district.



**Figure 2 – Zoning Map**

### **PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS**

881 Private Road. The original date of construction of 881 Private Road cannot be determined from Village records; however, it is estimated that the residence was constructed in 1908. The following subsequent building permits were issued in:

1. 1925 to construct a two-story garage addition;
2. 1938 to construct an addition and alter the interior and of the two-story residence;
3. 1941 to construct a one-story, one-car garage;
4. 1942 to construct one-story accessory building (studio);
5. 1969 to construct an attached garage; and
6. 1993 to construct an addition and remodel the residence.

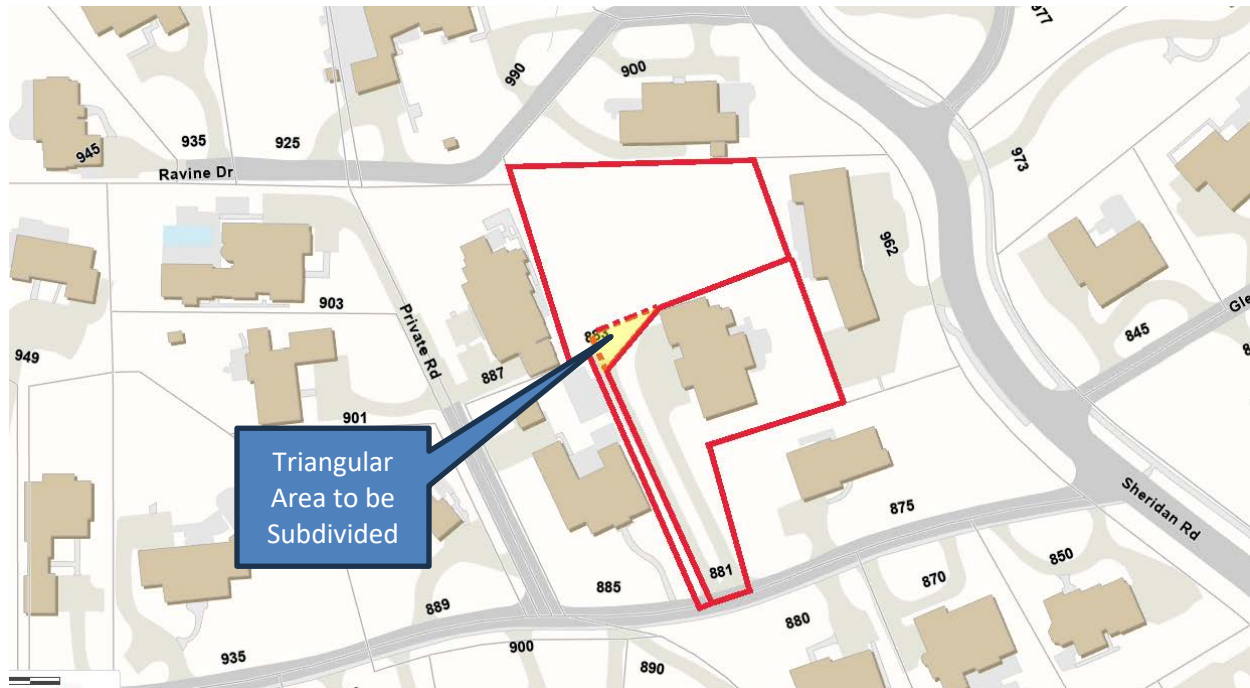
Other minor permits have also been issued over the last several years. The owner of 881 Private Road acquired the property in 2022. There are two previous zoning cases on file for 881 Private Road:

1. In 1970, Case No. 1049 was denied by the ZBA to allow completion of a garage roof that encroached into the minimum required north side yard setback; and
2. In 1993, Case No. 1564 was approved by the ZBA to allow construction of an addition to the attached garage within the minimum required north side yard setback.

883 Private Road. In January 2024, demolition and site restoration permits were issued to allow the removal of a single-family residence on the 883 Private Road parcel, which was constructed in 1967. The lot is currently vacant. The owner of 883 Private Road acquired the property in 2023.

## GENERAL DESCRIPTION OF PROPOSED PLAT OF SUBDIVISION

As described in the written narrative provided by the Applicant and included in **Attachment A**, the owners of each lot that make up the Subject Property have entered into a sales contract to convey a triangular portion of the 883 Private Road parcel and consolidate it with the 881 Private Road parcel. The owner of the 881 Private Road parcel is seeking the additional land to allow for improved access to the existing attached garage. The triangular area to be subdivided is 1,387 square feet and is highlighted below in Figure 3.



**Figure 3 – Map View of Area to be Conveyed**

The proposed subdivision would create new lots that would measure:

- 24,842 square feet (0.57 acres) - Proposed Lot 1 – 883 Private Road
- 25,610 square feet (0.59 acres) - Proposed Lot 2 – 881 Private Road

A neighborhood view of the proposed subdivision is represented in Figure 4 on the following page. An excerpt of the proposed *AJV Subdivision* is provided in Figure 5.

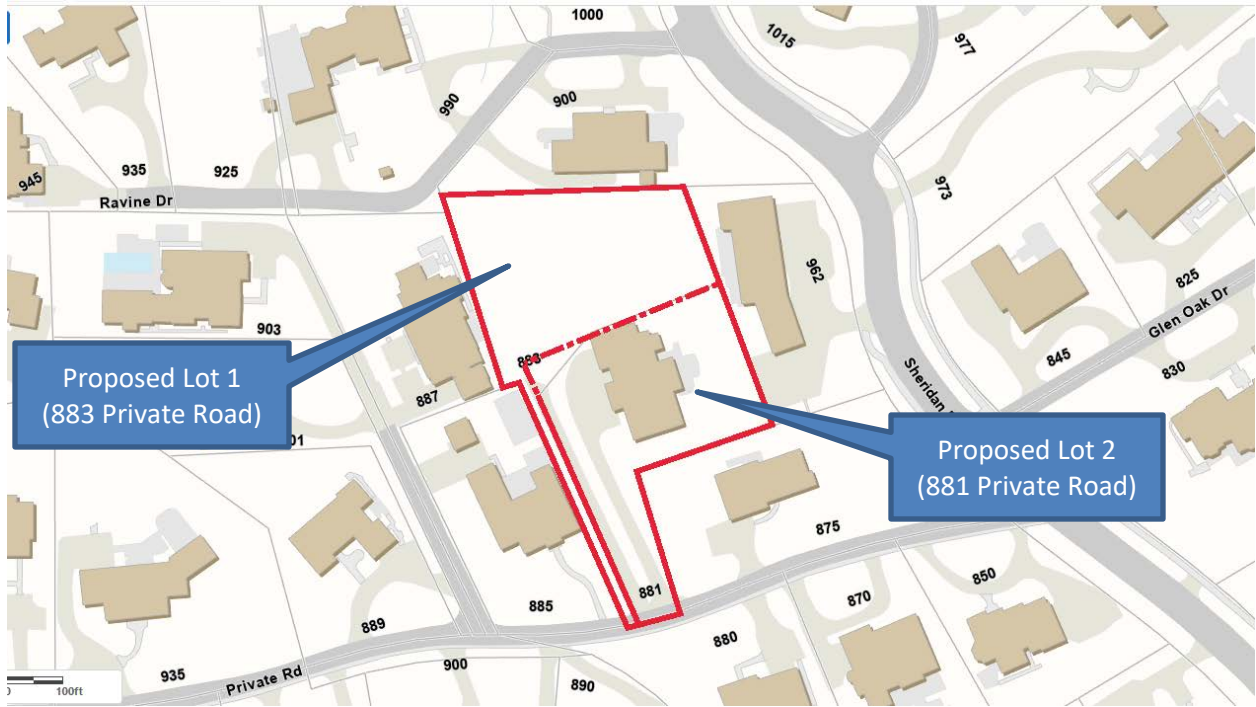


Figure 4 – Proposed subdivision (neighborhood map view)

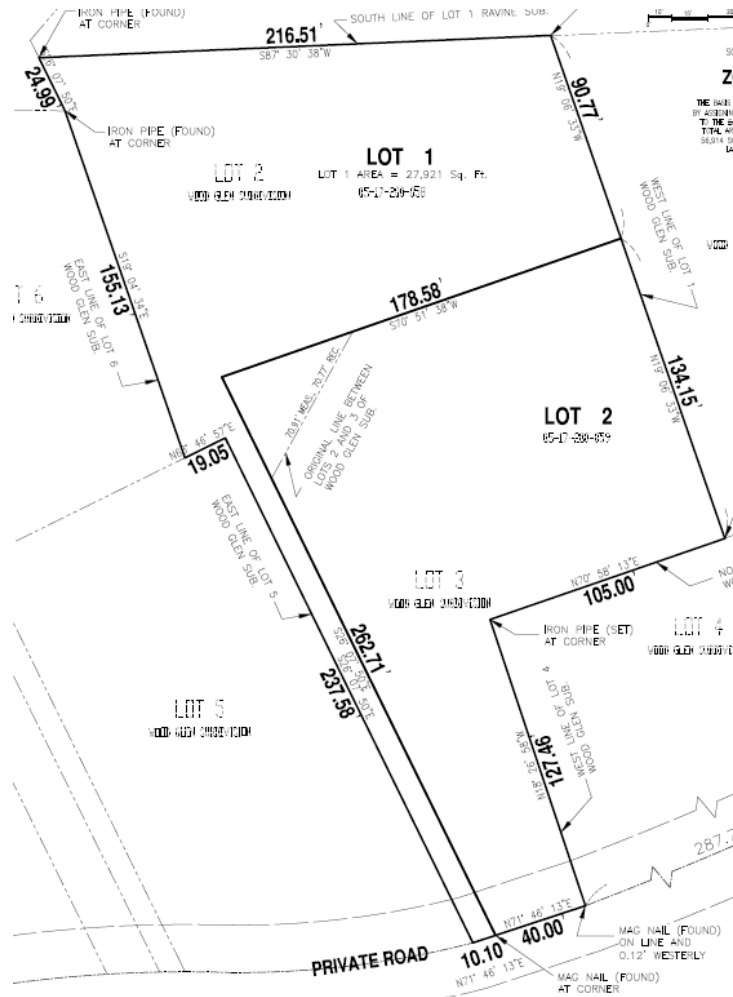


Figure 5 – Excerpt of AJV Subdivision Plat

**DESCRIPTION OF ZONING STANDARDS**

The Subject Property is located in the R-2 Single Family Residential zoning district, which is one of five different single family residential zoning classifications in the Village. The R-2 zoning district provides for larger, wider lots compared to most other residential zoning districts, with the R-2 zoning district’s purpose statement describing the district as demonstrating a “small estate” character.

**Residential Zoning Hierarchy**

A comparison of the Village’s five different residential zoning classifications (Table 1 below) shows the hierarchy of zoning standards throughout the Village’s residential neighborhoods, ranging from larger “estate” character lots in portions of the Village, to smaller, more intensive developed areas.

**Surrounding Zoning**

Neighboring properties of the Subject Property are similarly zoned for larger lot sizes called for in the R-2 zoning district (minimum lot area of 24,000 square feet), as depicted in Figure 2 earlier in this report.

<b>Table 1 Residential Zoning Hierarchy</b>	<b>R-1 ("estate" character)</b>	<b>R-2 ("small estate" character)</b>	<b>R-3 ("moderately intense" suburban character)</b>	<b>R-4 ("relatively intense" suburban character)</b>	<b>R-5 ("relatively intense" suburban character)</b>
<b>Minimum Lot Area</b>	48,000 s.f.	24,000 s.f.	16,000 s.f.	12,600 s.f.	8,400 s.f.
<b>Minimum Lot Width</b>	150 ft.	100 ft.	75 ft.	60 ft.	60 ft.
<b>Minimum Front Setback</b>	50 ft.	50 ft.	40 ft.	30 ft.	30 ft.
<b>Minimum Rear Setback</b>	50 ft.	25 ft.	25 ft.	25 ft.	25 ft.

**Table 1 – Residential Zoning Hierarchy**

**COMPLIANCE WITH ZONING STANDARDS – LOT SIZE AND DIMENSIONS**

All subdivisions are evaluated by staff at the time of application to assure compliance with basic minimum quantitative measures including but not limited to (a) minimum lot area, (b) minimum lot width, and (c) minimum lot depth.

The proposed *AJV Subdivision* **does not comply** with minimum lot depth and minimum front street line requirements as summarized in Table 2 on the following page. Specifically, Proposed Lot 1 (883 Private Road) would have a front street line measuring 10.1 feet, whereas the minimum required front street line is 20 feet, a variation of 9.9 feet (49.5%). Additionally, Proposed Lot 2 (881 Private Road) would have a lot depth of 177.25 feet, whereas the minimum required lot depth for lots in the R-2 District is 200 feet, a variation of 22.75 feet (11.37%). It is important to note that both of the existing lots are nonconforming with respect to these same zoning standards. However, Section 16.12.010 Minimum land subdivision standards of the Subdivision Code requires all lots created by any plan for land subdivision shall comply with all standards of the Zoning Ordinance. Hence, the ***proposed subdivision requires approval of variations*** (standards highlighted yellow in Table 2) for which both the Plan Commission and Zoning Board of Appeals are charged with making a recommendation to the Village Council.

<b>Table 2 R-2 Zoning Standards</b>		<b>Proposed Lot 1 883 Private</b>	<b>Proposed Lot 2 881 Private</b>	<b>Existing Lot 883 Private</b>	<b>Existing Lot 881 Private</b>
<b>Minimum Lot Area (Interior lot)</b>	24,000 sq. ft.	24,842 sq. ft. COMPLIES	25,610 sq. ft. COMPLIES	26,406 sq. ft. COMPLIES	24,223 sq. ft. COMPLIES
<b>Minimum Lot Width (average)</b>	100 feet	120.35 feet COMPLIES	144.48 feet COMPLIES	127.92 feet COMPLIES	136.66 feet COMPLIES
<b>Minimum Lot Width (at front street line)</b>	20 feet	10.1 feet VARIATION OF 9.9 FT (49.5%)	40 feet COMPLIES	10.1 feet DOES NOT COMPLY	40 FEET COMPLIES
<b>Minimum Lot Depth</b>	200 feet	206.42 feet COMPLIES	177.25 feet VARIATION OF 22.75 FT(11.37%)	206.42 feet COMPLIES	177.25 feet DOES NOT COMPLY
<b>Minimum Rectangular Area within Lot Boundaries</b>	90 feet x 181.5 feet	COMPLIES	COMPLIES	COMPLIES	COMPLIES

**Table 2 – R-2 Zoning Standards**

**COMPLIANCE WITH ZONING STANDARDS – REQUIRED SETBACKS AND BUILDING SIZE**

The allowable size of buildings on a residential lot and the required amount of open space around the buildings is dictated by the Village Zoning Ordinance. As a general rule, the allowable size of buildings and the setback requirements for those buildings change with any modifications to lot dimensions. As a result, staff conducts analyses of proposed lots and the improvements on those lots to determine (a) whether any new zoning nonconformities would be created by the resubdivision and (b) whether there are any existing zoning nonconformities which will remain. In the event of a zoning nonconformity arising out of a proposed subdivision, relief must be granted by both the Plan Commission and Zoning Board of Appeals.

Staff evaluation of the proposed *AJV Subdivision* is summarized in Tables 3 and 4 on the following pages, indicating the extent to which the proposed resubdivided lots comply with (or fall short of) zoning standards. The item highlighted (in yellow) in Table 3 indicates the creation of a zoning nonconformity.

Description of minimum sum of setbacks of both side yards requirement – Side yard setback requirements are calculated based on a lot’s width:

- Lots with an average lot width that is 100 feet or more: The minimum required sum of side yards setback is 30% of the average lot width.
- Lots with an average lot width that is less than 100 feet: The minimum required sum of side yards setback is 25% of the average lot width or 14 feet, whichever is greater.

Newly created zoning nonconformity (zoning variation required) – The proposed subdivision has the effect of increasing the average lot width of 881 Private Road to 144.48 feet, resulting in an increase in the required minimum sum of side yard setback to 43.34 feet. **As a result, the proposed larger lot renders the existing 881 Private Road residence (which has a total side yard setback 42.45 feet), nonconforming with the new minimum side yard requirement of 43.34 feet. The existing improvements providing a total side yard setback of 42.45 feet, are deficient with the new requirement by 0.89 feet or 2.05%.**

<b>Table 3 – Zoning Setback Requirements</b>		<b>Proposed Lot 1 883 Private</b>	<b>Proposed Lot 2 881 Private</b>	<b>Existing Lot 883 Private</b>	<b>Existing Lot 881 Private</b>
<b>SETBACK REQUIREMENTS</b>	Minimum Required Front Yard (West)	50 feet	50 feet	50 feet	50 feet
	Front yard provided by existing structures	N/A	58.31 feet	N/A	58.31 feet
	Minimum Required Side Yard	12 feet	12 feet	12 feet	12 feet
	Side yard provided by existing structures	N/A	12.3 feet	N/A	12.3 feet
	Minimum Required Total Side Yard	36.1 feet	43.34 feet	38.38 feet	41 feet
	Total Side Yard provided by existing structures	N/A	42.45 feet VARIATION OF 0.89 FT (2.05%)	N/A	42.45 feet
	Minimum Required Rear Yard	25 feet	25 feet	25 feet	12 feet
	Rear yard provided by existing structures	N/A	63.5 feet	N/A	63.5 feet

**Table 3 – Zoning Setback Requirements**

<b>Table 4 – Zoning Building Size Requirements</b>		<b>Proposed Lot 1 883 Private</b>	<b>Proposed Lot 2 881 Private</b>	<b>Existing Lot 883 Private</b>	<b>Existing Lot 881 Private</b>
<b>ALLOWABLE BUILDING SIZE</b>	Maximum Allowed Gross Floor Area (GFA)	7,528.66 ft.	7,705.3 sq. ft.	7,888.35 sq. ft.	7,386.29 sq. ft.
	GFA provided by existing structures	N/A	6,770.57 sq. ft.	N/A	6,770.57 sq. ft.
	Maximum Allowed Roofed Lot Coverage (RLC) (25% of lot area)	6,210.5 sq. ft.	6,402.5 sq. ft.	6,601.47 sq. ft.	6,055.75 sq. ft.
	RLC provided by existing structures	N/A	4,599.63 sq. ft.	N/A	4,599.63 sq. ft.
	Maximum Allowed Impermeable Lot Coverage (ILC) (50% of lot area)	12,421 sq. ft.	12,805 sq. ft.	13,202.94 sq. ft.	12,111.5 sq. ft.
	ILC provided by existing structures	N/A	9,215.63 sq. ft.	N/A	9,215.63 sq. ft.

**Table 4 – Zoning Building Size Requirements**



## CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

Plan Commission (PC). On September 24, 2025, the PC held a public hearing on this request. After hearing from staff and the Applicant, and receiving no written or verbal public comments, the Commission discussed the request. The owner of 881 Private Road explained that his intent is to add approximately 8 feet of asphalt to the existing driveway to provide vehicular access to the existing garage. Members of the Commission noted that the proposed subdivision does not impact neighbors and does not violate goals of the Comprehensive Plan. By a vote of 7-0, the PC recommended approval of the request.

## FINDINGS & RECOMMENDATION

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 ZBA 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 ZBA; 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 to allow:

- A. Proposed Lot 1 (883 Private Road) to provide a front street line of 10.1 feet, whereas a minimum of 20 feet is required, a variation of 9.9 feet (49.5%) [Section 17.30.020 Lot Width and Street Frontage];
- B. Proposed Lot 2 (881 Private Road) to provide a lot depth of 177.25 feet, whereas a minimum of 200 feet is required, a variation of 22.75 feet (11.37%) [Section 17.30.010 Lot Area, Shape and Dimensions]; and
- C. The existing residence at 881 Private Road (Proposed Lot 2) to observe a total side yard setback of 42.45 feet, whereas a minimum of 43.34 feet is required, a variation of 0.89 feet 2.05%) [Section 17.30.060 Side Yard Setback].

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: Application Materials

Attachment B: Proposed Plat of Subdivision (AJV Subdivision)

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 25-12-SD

Property Information

Site Address: 881 Private Road

Owner Information

Name: Jesse Van Dyke

Address: 881 Private Road

City, State, ZIP: Winnetka, IL 60093

Email: [REDACTED]

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

Phone No. [REDACTED]

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

Architect Information

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

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

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

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

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

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

Attorney Information

Name: Christopher S. Canning

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

Address: 1000 Skokie Blvd., Ste. 355

City, State, Zip: Wilmette, IL 60091

Phone No. 847.853.7040

Email: chris@canninglegal.com

Nature of any restrictions on property: None

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

Applicant seeks variations for lot depth and total side yard setback. See attached narrative.

Property Owner Signature: [REDACTED]

Date: 08/22/2025

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 25-12-SD

Property Information

Site Address: 883 Private Road, Winnetka, IL. 60093

Owner Information

Name: MARTHA WHEALY, Trustee of the CLB CHILDREN GRAT TRUST (I UAD 07/29/08)

Address: 883 Private Road

City, State, ZIP: Winnetka, IL 60093

Email: [REDACTED]

Primary Contact: Peter Bernick

Phone No. [REDACTED]

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

Architect Information

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

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

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

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

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

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

Attorney Information

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

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

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

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

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

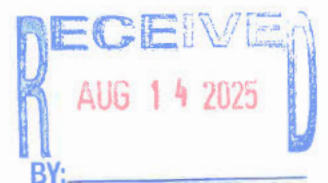
Email: \_\_\_\_\_

Nature of any restrictions on property: \_\_\_\_\_

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

Pro: [REDACTED]

08/12/2025



**PROPERTY OWNER AUTHORIZATION LETTER**  
(Zoning Variation Application)

Property Address: 883 Private Road, Winnetka, IL 60093  
Parcel Number: 05-17-200-058-0000

This letter shall serve to notify and verify that I/we am/are the legal owners of the property described and attached hereto and do hereby authorize the applicant to file and represent my/our interest in the above-referenced application(s). I/we have read this Letter of Authorization and know the contents thereof; and so hereby certify (or declare) under penalty of perjury under the laws of the State of Illinois that the information contained in the above referenced application(s) is true and correct.

<p>OWNER(S) OF RECORD <u>Murth at Was alu</u> Printed Name</p>	<p><u>[Redacted Signature]</u> Signature</p>	<p><u>8/12/25</u> Date</p>
<p>_____ Printed Name</p>	<p>_____ Signature</p>	<p><u>[Redacted Date]</u> Date</p>

**RECEIVED**  
AUG 14 2025  
BY: \_\_\_\_\_

**CANNING & CANNING LLC  
1000 SKOKIE BOULEVARD, SUITE 355  
WILMETTE, ILLINOIS 60091  
(847) 853-7042 - FAX**



CHRISTOPHER S. CANNING  
DIRECT DIAL NUMBER  
(847) 853-7040  
[chris@canningequal.com](mailto:chris@canningequal.com)

August 14, 2025

**VIA HAND DELIVERY**

Matthew Bradley, Chair  
Zoning Board of Appeals  
Village of Winnetka  
c/o Ann Klaassen  
Assistant Director of Community Development  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Request for Variations related to Application for Subdivision at 881-883  
Sunset Road.**

Dear Chairperson Bradley and Members of the Zoning Board:

I am writing I am writing on behalf of Jesse Van Dyke and Victoria Malkin (the "Van Dykes") the owners of 881 Private Road regarding their joint application with The CLB Children Grant Trust II under agreement dated July 29, 2008, the owners of 883 Private Road (the "Trust") (collectively the "Applicants") to subdivide a small parcel of the lot at 883 Private Road (the "Triangle") and consolidate it with the lot at 881 Private Road. The Van Dykes and the Trust have entered into a contract contingent on the approval of the subdivision. The Trust has authorized the Van Dykes to proceed with the application for the subdivision and any variations that may be needed. As set forth more fully below, the Van Dykes seeks to acquire the Triangle and attach it to their lot to preserve the existing home, to gain access to the garage and to square the corner of their lot. The Plan Commission will hear the Subdivision Application on September 24, 2025.

Both the lot at 881 Private Road and the lot at 883 Private Road are legal nonconforming flag lots under the Zoning Ordinance. If the subdivision is granted, the newly created lot at 883 Private Road will be non-conforming in that it has and will have a front street line measuring 10.1 feet, whereas the minimum required front street line is 20 feet. It is important to note that the current front street line is and has been 10.1 feet since the lot was created by a prior subdivision. The newly created lot at 881 Private Road will have a lot depth measuring 177.25 feet, whereas the minimum required lot depth is 200 feet as required in the R-2 Zoning District. It is important to note that the current lot depth of 881 Private Road has been non-conforming since the 1965 subdivision of the two properties. The existing home that was presumably in a conforming location since it was built in 1908, will also now encroach into the side yard setback on the south side of the home by 1.19' and a variation is requested for that amount of the encroachment. Please note that the home has not moved but rather the method for calculating side yard sets backs with the addition of the Triangle causes the need for the variation. Therefore, the Applicants seek variations from these requirements. For the reasons set forth below, the Applicants respectfully request that the Zoning Board of Village of Winnetka recommend the granting of the requested variations.

**I. 881 and 883 Private Road.**

Both 883 and 881 Private Road are located within the R-2 Residential Zoning District. Both properties are located on legal, non-conforming flag lots. Both properties are surrounded by single-family homes. Presently, the lot at 883 Private Road has a lot area of 29,315 sq. ft. and the lot at 881 Private Road has a lot area of 27,653. The Triangle to be subdivided and conveyed from 883 Private Road to 881 Private Road has a lot area of 1,387 sq. ft. (Photos of the Triangle are attached as Exhibits A and B).

**II. A brief history of 881 and 883 Private Road.**

Constructed in 1908, the residence currently known as 881 Private Road, formerly designated as 960 Sheridan Road, is believed to have been the first dwelling constructed west of Sheridan Road within the Hubbard Woods Estate subdivision. The property originally comprised a substantially larger tract spanning multiple acres. Over the course of several decades, successive owners subdivided and conveyed portions of the original parcel through a series of recorded transactions. In or around 1965, a then-owner of 881 Private Road completed the final subdivision of the remaining land, resulting in the creation of a separate legal parcel now known as 883 Private Road. Both the 881 Private Road and 883 Private Road lots were platted as "flag" lots.

At the time of this subdivision, the parcel designated as 883 Private Road included the location of the coach house formerly associated with 881 Private Road. The coach house was subsequently demolished, and a new single-family residence was constructed on the 883 Private Road lot, with completion occurring approximately in 1967. The driveway width of 10.1' was presumably created at or before that time. In 2024, the Trust demolished that residence.

In 1994, the then owners of 881 Private Road undertook significant improvements to the property, including the demolition of a detached single-car garage and the construction of an attached two-car garage. Due to the configuration of the lot line established by the 1965 subdivision, particularly along the northwest corner of the 881 parcel, vehicular access to the northernmost garage bay is severely constrained. The northernmost parking bay's limited usability is due to the impracticality of vehicular ingress and egress, which requires a series of difficult turning maneuvers. As of the date of this statement, the northernmost bay remains unused for parking purposes because of these access limitations.

A reconfiguration of the lot lines to regularize and square off the respective parcels at 881 Private Road and 883 Private Road would materially reduce the irregularity of the existing lot shapes and resolve the long-standing vehicular access issue affecting the northernmost garage bay at 881 Private Road.

The proposed subdivision resulting in the Triangle meets all the minimum Village of Winnetka zoning criteria for both 881 Private Road and 883 Private Road except for three criteria. For 881 Private Road, if the subdivision is granted, the new 881 Private Road lot will have a lot depth measuring 177.25 feet, whereas the minimum required lot depth is 200 feet. The new 881 Private Road lot will now have an existing side yard on the south side of 30.15' where the required side yard is 31.34', a difference of 1.19' or 14.28 inches. As for 883 Private Road, if the subdivision is granted, the lot will have a front street line measuring 10.1 feet, whereas the minimum required front street line is 20 feet. It is important to note that the current front street line is and has been 10.1 feet for many years. The front street line of this dimension is quite common on Private Road. The following lots all have front street lines of a similar size: 887 Private Road, 10', 901 Private Road, 10', 903 Private Road, 11.07', 949 Private Road, 10', 953 Private Road, 10'. The subdivision will not change this legal nonconformity. Therefore, the Applicants are asking that the Zoning Board grant them three variations to allow the proposed subdivided lot to be under the required lot depth and the minimum required front street line.

### III. Standards of Review.

For the Zoning Board to grant the requested variations, the Zoning Board requires evidence on the following issues:

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

August 14, 2025

Page 4

The Van Dykes and the Trust's requests for variations meets with each of these standards:

The Van Dykes do not believe their lot will yield a reasonable return if they effectively only have a one car garage. Covered parking is desirable and current and future homebuyers will be seeking garages with covered parking for two or more vehicles. The acquisition of the Triangle will permit the Van Dykes to have a garage accessible by two vehicles. The Trust believes that the property in question cannot yield a reasonable return unless the subdivision is granted.

The applicants' situation was not created by them but due to the unusual conditions they face 60 years after the lots were subdivided creating adjoining flag lots. As discussed above, the two lots were conforming lots of record after the 1965 subdivision but became non-conforming after the Zoning Ordinance was amended to prohibit "flag" lots. That amendment occurred well before the applicants owned the two lots.

This request for variations will not alter the essential character of the neighborhood. The variations will not be noticeable from the Private Road. There are many non-rectangular lots on Private Road including five (5) other "flag" lots including 901 Private Road, 949 Private Road, 953 Private Road, 887 Private Road, and 903 Private Road. As discussed above, a front street line less than 20' is quite common on Private Road. Finally, the home at 881 Private Road has not changed location or size but it is now deemed to be encroaching into the side yard setback. Such an encroachment will not alter the character of the neighborhood.

If the Zoning Board grants the requested variations, there will be no impact on the supply of light and air to adjacent properties. Moreover, the Applicants are the adjacent properties, and they are in support of the application.

If the Zoning Board grants the requested variations, there will be no increase in the hazard from fire or other types of damage.

If the Zoning Board grants the requested variations, there will be no diminishment in the taxable value of land and building throughout the Village; in fact, if 883 Private Road is developed in the future, it is likely that the taxable value of property in the Village will increase and offset any loss of taxable value resulting from the sale of the Triangle to 881 Private Road.

If the Zoning Board grants the requested variations, there will be no material increase in traffic or congestion on Village streets. In fact, by allowing 881 Private Road to make full use of its garage, it may reduce congestion on Private Road by making a park space available.

If the Zoning Board grants the requested variations, there will be no impairment whatsoever on the public health, safety, comfort, morals, and welfare of the inhabitants of the Village.

August 14, 2025  
Page 5

Since the proposed variations meet the standards of review, the Applicants ask that the Zoning Board recommend approval of their requested variations. We look forward to the opportunity to appear at the Public Hearing on the application and answer any questions the Zoning Board may have. Thank you for your consideration of this request.

Very truly yours,

A black rectangular redaction box covering the signature of Christopher S. Canning.

Christopher S. Canning



BY: \_\_\_\_\_ VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

### SUBDIVISION/CONSOLIDATION APPLICATION

Case No. 25-12-30

**Property Information**

Site Address: 881 Private Road purchase of portion of 883 Private Road P-22024-V11  
Parcel Identification Number(s) (PIN): 881 Private: 05172000590000, 883 Private Road: 05172000580000

**Property Owner Information**

Name: Jesse Van Dyke

**Surveyor Information**

Company Name: B.H. Suhr & Company, Inc.

Primary Contact: Jesse Van Dyke

Primary Contact: Tanja Zec

Address: 881 Private Road

Address: 450 Skokie Blvd.

City, State, Zip: Winnetka, IL. 60093

City, State, Zip: Northbrook, IL. 60062

Phone No. [REDACTED]

Phone No. 847-864-6315

Email: [REDACTED]

Email: tanja@bhsuhr.com

Date owner acquired property: 07/15/2022

**Architect Information**

Name: N/A

**Attorney Information**

Name: N/A

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

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

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

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

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

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

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

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

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

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

Property Owner Signature: [REDACTED]

Date: June 12, 2025

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

SUBDIVISION/CONSOLIDATION APPLICATION

Case No. \_\_\_\_\_

Property Information

Site Address: 883 Private Road, Winnetka, IL. 60093

Parcel Identification Number(s) (PIN): 05172000580000

Property Owner Information

Name: MARTHA WHEALY, Trustee of the CLB CHILDREN GRAT TRUST II UAD 07/29/08

Primary Contact: Peter Bernick

Address: Private Road

City, State, Zip: Winnetka, IL. 60093

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

Email \_\_\_\_\_

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

Architect Information

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

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

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

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

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

Surveyor Information

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

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

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

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

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

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

Attorney Information

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

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

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

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

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

08/12/2025

RECEIVED  
AUG 14 2025  
BY: \_\_\_\_\_

**CANNING & CANNING LLC  
1000 SKOKIE BOULEVARD, SUITE 355  
WILMETTE, ILLINOIS 60091**

CHRISTOPHER S. CANNING  
DIRECT DIAL NUMBER  
(847) 853-7040  
chris@canninglegal.com

August 14, 2025

**VIA HAND DELIVERY**

Layla Danley  
Chair, Plan Commission  
Village of Winnetka  
c/o Ann Klaassen  
Assistant Director of Community Development  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Application for Subdivision at 881-883 Private Road.**

Dear Chair Danley and Members of the Plan Commission:

I am writing on behalf of Jesse Van Dyke and Victoria Malkin (the “Van Dykes”) the owners of 881 Private Road regarding their joint application with The CLB Children Grant Trust II under agreement dated July 29, 2008, the owners of 883 Private Road (the “Trust”) (collectively the “Applicants”) to subdivide a small parcel of the lot at 883 Private Road (the “Triangle”) and consolidate it with the lot at 883 Private Road. The Applicants have entered into sales contract contingent on the approval of the subdivision. The Trust has authorized the Van Dykes to proceed with the application for the subdivision and any variations that may be needed. As set forth more fully below, the Van Dykes seeks to acquire the Triangle and attach it to their lot to preserve the existing home, to gain access to the garage and to square the corner of their lot. For the reasons set forth below, the Applicants respectfully request that the Plan Commission of Village of Winnetka recommend the granting of the requested subdivision.

**I. 881 and 883 Private Road.**

Both 883 and 881 Private Road are located within the R-2 Residential Zoning District. Both properties are located on legal, non-conforming flag lots. Both properties are surrounded by

single-family homes. Presently, the lot at 883 Private Road has a lot area of 29,315 sq. ft. and the lot at 881 Private Road has a lot area of 27,653. The Triangle to be subdivided and conveyed from 883 Private Road to 881 Private Road has a lot area of 1,387 sq. ft. (Photos of the Triangle are attached as Exhibits A and B).

## II. A brief history of 881 and 883 Private Road.

Constructed in 1908, the residence currently known as 881 Private Road, formerly designated as 960 Sheridan Road, is believed to have been the first dwelling constructed west of Sheridan Road within the Hubbard Woods Estate subdivision. The property originally comprised a substantially larger tract spanning multiple acres. Over the course of several decades, successive owners subdivided and conveyed portions of the original parcel through a series of recorded transactions. In or around 1965, a then-owner of 881 Private Road completed the final subdivision of the remaining land, resulting in the creation of a separate legal parcel now known as 883 Private Road. Both the 881 Private Road and 883 Private Road lots were platted as “flag” lots.

At the time of this subdivision, the parcel designated as 883 Private Road included the location of the coach house formerly associated with 881 Private Road. The coach house was subsequently demolished, and a new single-family residence was constructed on the 883 Private Road lot, with completion occurring approximately in 1967. The driveway width of 10.1’ was presumably created at or before that time. In 2024, the Trust demolished that residence.

In 1994, the owners of 881 Private Road undertook significant improvements to the property, including the demolition of a detached single-car garage and the construction of an attached two-car garage. Due to the configuration of the lot line established by the 1965 subdivision, particularly along the northwest corner of the 881 parcel, vehicular access to the northernmost garage bay is severely constrained. The northernmost parking bay’s limited usability is due to the impracticality of vehicular ingress and egress, which requires a series of difficult turning maneuvers. As of the date of this statement, the northernmost bay remains unused for parking purposes because of these access limitations.

A reconfiguration of the lot lines to regularize and square off the respective parcels at 881 Private Road and 883 Private Road would materially reduce the irregularity of the existing lot shapes and resolve the long-standing vehicular access issue affecting the northernmost garage bay at 881 Private Road.

The proposed subdivision resulting in the Triangle meets all the minimum Village of Winnetka zoning criteria for both 881 Private Road and 883 Private Road except for two criteria. For 881 Private Road, if the subdivision is granted, the 883 Private Road lot will have a lot depth measuring 177.25 feet, whereas the minimum required lot depth is 200 feet. As for 883 Private Road, if the subdivision is granted, the lot will have a front street line measuring 10.1 feet, whereas the minimum required front street line is 20 feet. It is important to note that the current front street line is and has been 10.1 feet for many years. A front street line of this dimension is very common on Private Road. The following lots all have front street lines of a similar size: 887 Private Road, 10’, 901 Private Road, 10’, 903 Private Road, 11.07’, 949 Private Road, 10’, 953

Private Road, 10'. The subdivision will not change this legal nonconformity. For 881 Private Road, the proposed subdivision results in increased lot area and average lot width causing the existing improvements to not comply with the total side yard setback requirement for the new lot and thus relief is being sought from the Zoning Board.

Therefore, the Applicants are asking by a separate application that the Zoning Board grant them the variations to allow the proposed subdivided lot to be under the required lot depth, the total side yard setback requirement and the minimum required front street line.

### III. Standards of Review.

Pursuant to the Village of Winnetka Code and Zoning Ordinance, any application to subdivide a parcel must meet the requirements of Chapter 16 of the Code related to Subdivisions and §17.30.010 and 17.30.020 of the Zoning Ordinance setting forth the yard regulations for the R-2 Residential zoning district.

Chapter 16.12.10 D requires subdivided lots to adhere to the following standards:

1. *All lots created by any plan for land subdivision shall comply with all standards of the Zoning Ordinance, except as provided in this chapter.*
2. *All side lines of lots shall be approximately perpendicular to street lines, or radial to curved street lines unless, in the opinion of the Plan Commission, a variation of the requirement would enhance public safety or convenience.*
3. *All lots created by any plan for land subdivision shall meet the lot area requirements of the Zoning Ordinance. All lot area calculations shall exclude all easements for ingress and egress, all public or private streets, all public or private alleys, and the access corridor, or "flagpole," of any flag lot.*
4. *Where a lot is already improved with buildings or structures, the plan shall show whether the dimensions and locations of such improvements comply with the use, intensity of use of lot (including impermeable surface requirements), setback, side yard, rear yard and other bulk requirements of the Zoning Ordinance then in effect. If a prior legal nonconformity, or a previously granted variation, with respect to any such requirements exists, the Plan Commission shall determine whether such nonconformity or previously granted variation, in the context of the proposed subdivision, would result in a material increased adverse impact upon the public health, safety or welfare. If such a determination is made, the Plan Commission may deny the plan for land subdivision. No plan for land subdivision which itself creates a departure from such requirements shall be approved by the Plan Commission until such time as a variation for such departure is granted by the Zoning Board of Appeals or the Village Council, as the case may be, in accordance with the Zoning Ordinance.*
5. *At intersections with major streets, acute angle intersections and other places where, in the opinion of the Plan Commission, safety or convenience of traffic movement would be enhanced, corners shall be cut back by joining the intersecting street lines through circular arcs having adequate radii.*
6. *No plan for any land subdivision shall be approved if it results in the creation of one or more lots having side lot lines abutting rear lot lines.*

*7. All lots created by any plan for land subdivision shall meet the lot depth requirements of the Zoning Ordinance. Notwithstanding the foregoing, the access corridor, or “flagpole,” shall be excluded when measuring the lot depth of a flag lot.*

*8. All lots created by any plan for land subdivision shall meet the lot width requirements of the Zoning Ordinance. Notwithstanding the foregoing, all new flag lots shall meet the minimum lot width requirements of the Zoning Ordinance, both as measured by excluding the access corridor, or “flagpole,” and as measured by including the access corridor or “flagpole.”*

*9. All lots created by any plan for land subdivision shall meet all yard and setback requirements of the Zoning Ordinance. Notwithstanding the foregoing, for any flag lot that has a front street line that is less than fifty (50) feet long and that is at least seventy-five (75) feet wide at its widest point, all yards and setbacks shall be measured based both on using the actual front street line as the front lot line, and on using as the front lot line the lot line from which the Director determines the front setback shall be measured for development purposes.*

The Applicants request for a subdivision complies with or seeks to comply through variances as permitted under the Code with these requirements in the following ways:

1. Both the lots at 881 Private Road and 883 Private Road are legal nonconforming flag lots. They comply with all standards of the Zoning Ordinance except in two respects. To the extent that 883 Private Road has a minimum front street line less than required and to the extent that 881 Private Road has a lot depth less than required, the Applicants will seek a variation from the Zoning Ordinance.

2. Both the lots at 881 Private Road and 883 Private Road meet and will continue to meet this standard after the subdivision of the Triangle from 883 Private Road to 881 Private Road.

3. Both the lot at 881 Private Road and the lot at 883 Private Road exceed the minimum lot area requirement.

4. Both 881 Private Road and 883 Private Road are legal nonconforming flag lots. The subdivisions of the Triangle and the conveyance from 883 Private Road to 881 Private Road will not change the legal nonconforming status of either lot or increase the nonconformity of either lot.

5. This standard is inapplicable for both 881 Private Road and 883 Private Road.

6. This standard is met by both 881 Private Road and 883 Private Road.

7. The “new” 883 Private Road lot meets this standard. The “new” 881 Private Road does not meet this standard and thus, the Van Dykes are seeking a variation from this standard.

8. The “new” 883 Private Road lot meets this standard. The “new” 881 Private Road meets this standard, but the existing improvements do not comply with the existing total side yard setback requirement or the new total side yard setback requirement. The Van Dykes will seek a variation from this requirement.

9. See Response to Standard #8

August 14, 2025  
Page 5

Since the proposed subdivision meets the standards of review or variations are being sought for any requirements that do not, the Van Dykes and the Trust ask that the Plan Commission recommend approval of their application. We look forward to the opportunity to appear at the Public Hearing on the application and answer any questions the Plan Commission may have. Thank you for your consideration of this request.

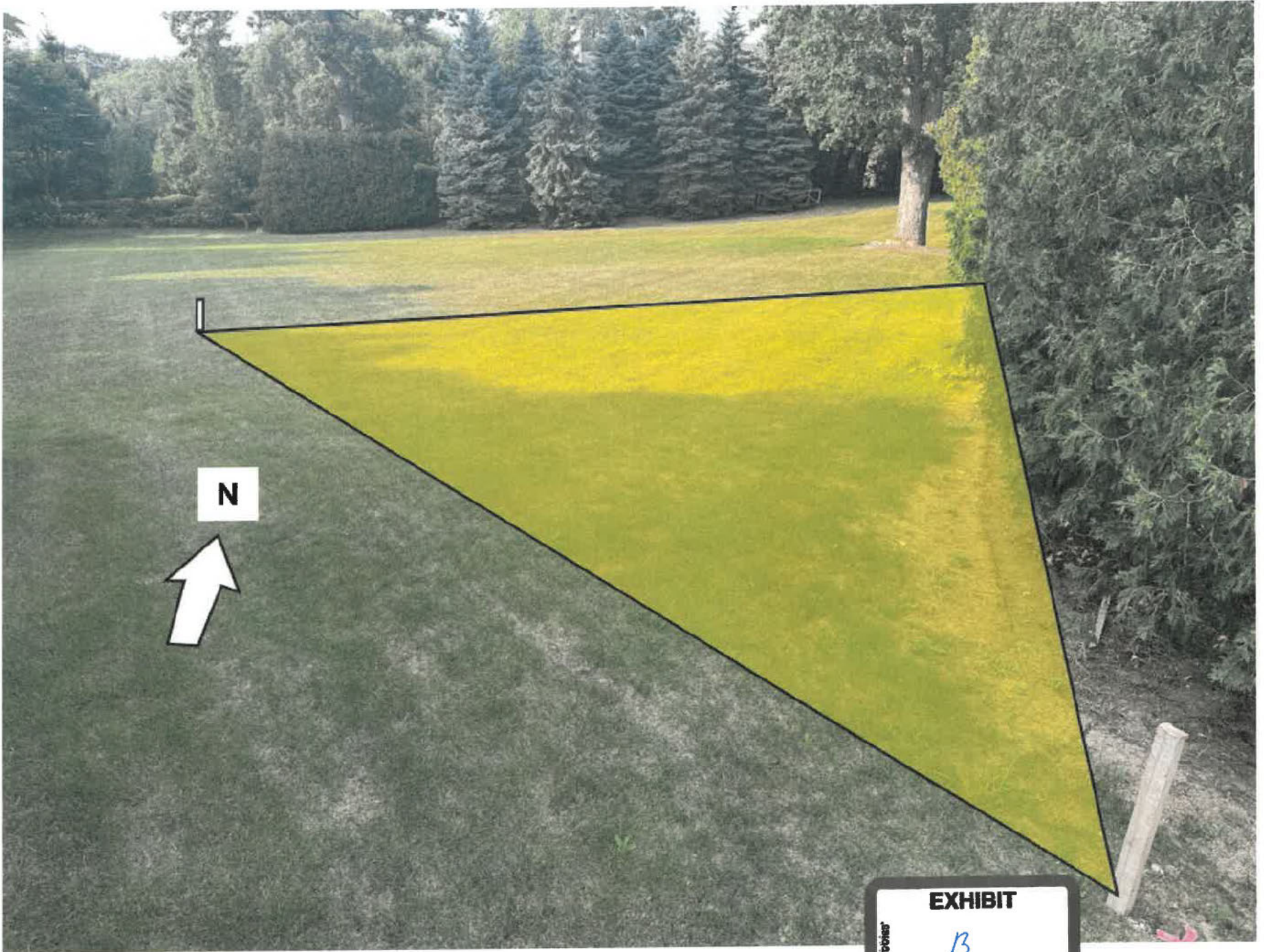
Very truly yours,



Christopher S. Canning

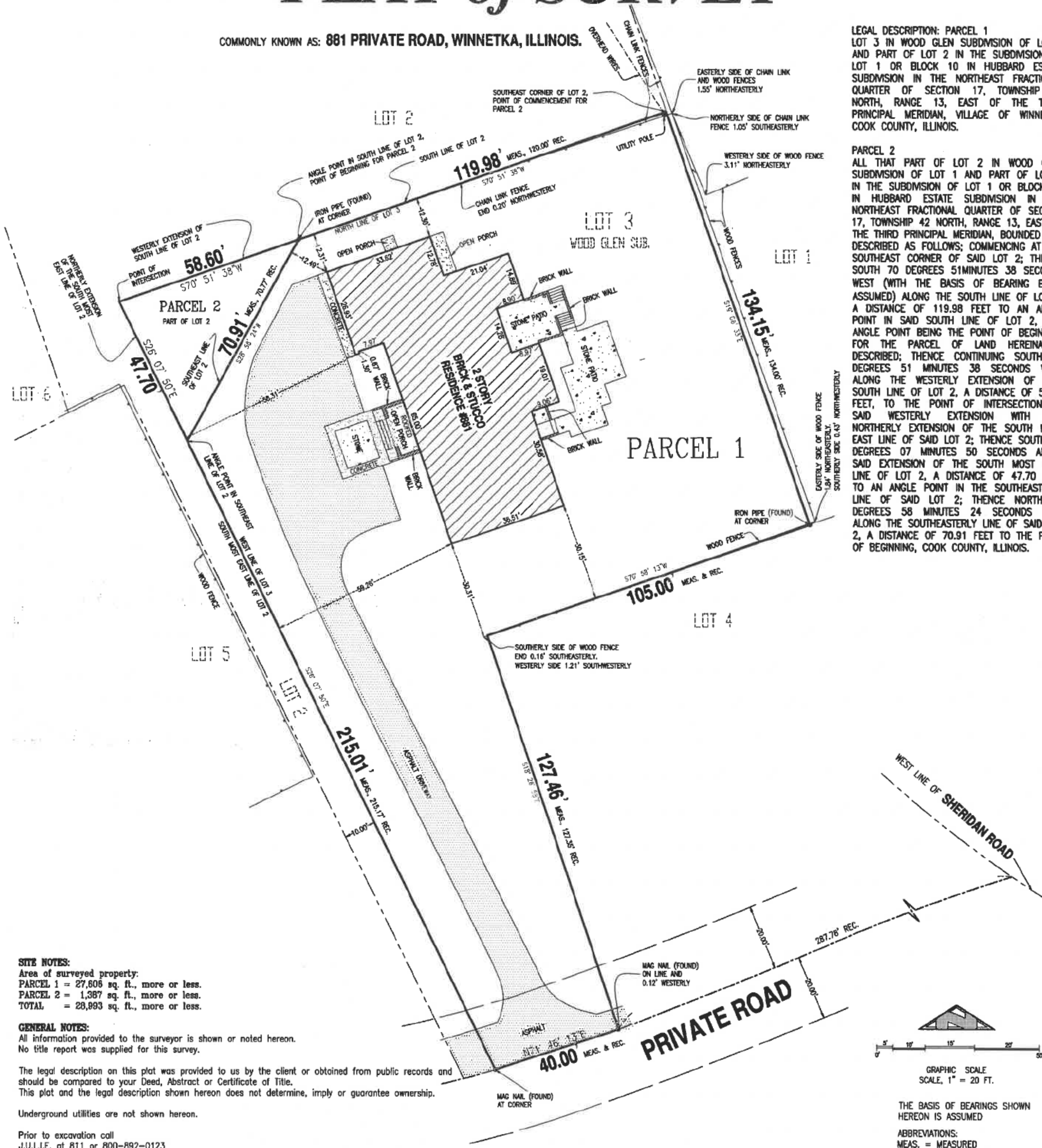


EXHIBIT  
A



# PLAT of SURVEY

COMMONLY KNOWN AS: 881 PRIVATE ROAD, WINNETKA, ILLINOIS.



LEGAL DESCRIPTION: PARCEL 1  
 LOT 3 IN WOOD GLEN SUBDIVISION OF LOT 1  
 AND PART OF LOT 2 IN THE SUBDIVISION OF  
 LOT 1 OR BLOCK 10 IN HUBBARD ESTATE  
 SUBDIVISION IN THE NORTHEAST FRACTIONAL  
 QUARTER OF SECTION 17, TOWNSHIP 42  
 NORTH, RANGE 13, EAST OF THE THIRD  
 PRINCIPAL MERIDIAN, VILLAGE OF WINNETKA,  
 COOK COUNTY, ILLINOIS.

PARCEL 2  
 ALL THAT PART OF LOT 2 IN WOOD GLEN  
 SUBDIVISION OF LOT 1 AND PART OF LOT 2  
 IN THE SUBDIVISION OF LOT 1 OR BLOCK 10  
 IN HUBBARD ESTATE SUBDIVISION IN THE  
 NORTHEAST FRACTIONAL QUARTER OF SECTION  
 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF  
 THE THIRD PRINCIPAL MERIDIAN, BOUNDED AND  
 DESCRIBED AS FOLLOWS; COMMENCING AT THE  
 SOUTHEAST CORNER OF SAID LOT 2; THENCE  
 SOUTH 70 DEGREES 51MINUTES 38 SECONDS  
 WEST (WITH THE BASIS OF BEARING BEING  
 ASSUMED) ALONG THE SOUTH LINE OF LOT 2,  
 A DISTANCE OF 119.98 FEET TO AN ANGLE  
 POINT IN SAID SOUTH LINE OF LOT 2, SAID  
 ANGLE POINT BEING THE POINT OF BEGINNING  
 FOR THE PARCEL OF LAND HEREINAFTER  
 DESCRIBED; THENCE CONTINUING SOUTH 70  
 DEGREES 51 MINUTES 38 SECONDS WEST  
 ALONG THE WESTERLY EXTENSION OF SAID  
 SOUTH LINE OF LOT 2, A DISTANCE OF 58.60  
 FEET, TO THE POINT OF INTERSECTION OF  
 SAID WESTERLY EXTENSION WITH THE  
 NORTHERLY EXTENSION OF THE SOUTH MOST  
 EAST LINE OF SAID LOT 2; THENCE SOUTH 26  
 DEGREES 07 MINUTES 50 SECONDS ALONG  
 SAID EXTENSION OF THE SOUTH MOST EAST  
 LINE OF LOT 2, A DISTANCE OF 47.70 FEET  
 TO AN ANGLE POINT IN THE SOUTHEASTERLY  
 LINE OF SAID LOT 2; THENCE NORTH 28  
 DEGREES 58 MINUTES 24 SECONDS EAST  
 ALONG THE SOUTHEASTERLY LINE OF SAID LOT  
 2, A DISTANCE OF 70.91 FEET TO THE POINT  
 OF BEGINNING, COOK COUNTY, ILLINOIS.

**SITE NOTES:**  
 Area of surveyed property:  
 PARCEL 1 = 27,606 sq. ft., more or less.  
 PARCEL 2 = 1,387 sq. ft., more or less.  
 TOTAL = 28,993 sq. ft., more or less.

**GENERAL NOTES:**  
 All information provided to the surveyor is shown or noted hereon.  
 No title report was supplied for this survey.

The legal description on this plat was provided to us by the client or obtained from public records and should be compared to your Deed, Abstract or Certificate of Title. This plat and the legal description shown hereon does not determine, imply or guarantee ownership.

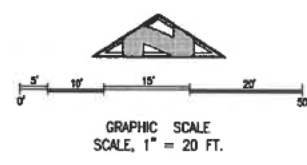
Underground utilities are not shown hereon.

Prior to excavation call  
 J.U.L.I.E. at 811 or 800-892-0123

All building restrictions, building lines and easements may or may not be shown. Check your Deed, Abstract, Title Report, and local ordinances. No responsibility is assumed by the surveyor.

Compare all points before building by same and report any discrepancy at once.

Dimensions are shown in feet and decimal parts thereof. No dimension is to be assumed by scaling.



THE BASIS OF BEARINGS SHOWN  
 HEREON IS ASSUMED  
 ABBREVIATIONS:  
 MEAS. = MEASURED  
 REC. = RECORD DIMENSION

REVISED 12/13/2024 - ROAD CENTER LINE  
 PARCEL 2 ADDED

<b>B.H. SUHR &amp; COMPANY, INC.</b>	
SURVEYORS ESTABLISHED 1911	Professional Design Firm
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062	License No. 184.000527-0008
TEL. (847) 864-6315 / FAX (847) 864-9341	E-MAIL: SURVEYOR@BHSUHR.COM
LOCATION <u>881 PRIVATE ROAD</u>	SURVEY DATE <u>NOVEMBER 27</u> 20 <u>24</u>
ORDER No. <u>24-094</u>	ORDERED BY: <u>JESSE VAN DYKE</u>

FIELD MEASUREMENTS COMPLETED NOVEMBER 27 20 24

STATE OF ILLINOIS }  
 COUNTY OF COOK }

This professional service conforms to the current Illinois Minimum Standards for a boundary survey.

By [Redacted] Dated December 9 20 24

Michael E. Farrell  
 Illinois Professional Land Surveyor No. 035-002639  
 License Expiration Date 11/30/26



PROFESSIONALS ASSOCIATED - MM SURVEY CO.

BOUNDARY \* ALTA \* TOPOGRAPHIC \* CONDOMINIUM SURVEYS  
 7100 NORTH TRIPP AVENUE, LINCOLNWOOD, ILLINOIS 60712  
 PROFESSIONAL DESIGN FIRM NO. 184-003023

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

MM SURVEY  
 PHONE: (773)-282-5900  
 FAX: (773)-282-9424  
 E-MAIL: info@MMSurveyingChicago.com  
 www.mmsurveyingchicago.com

PLAT OF SURVEY

OF



GRAPHIC SCALE

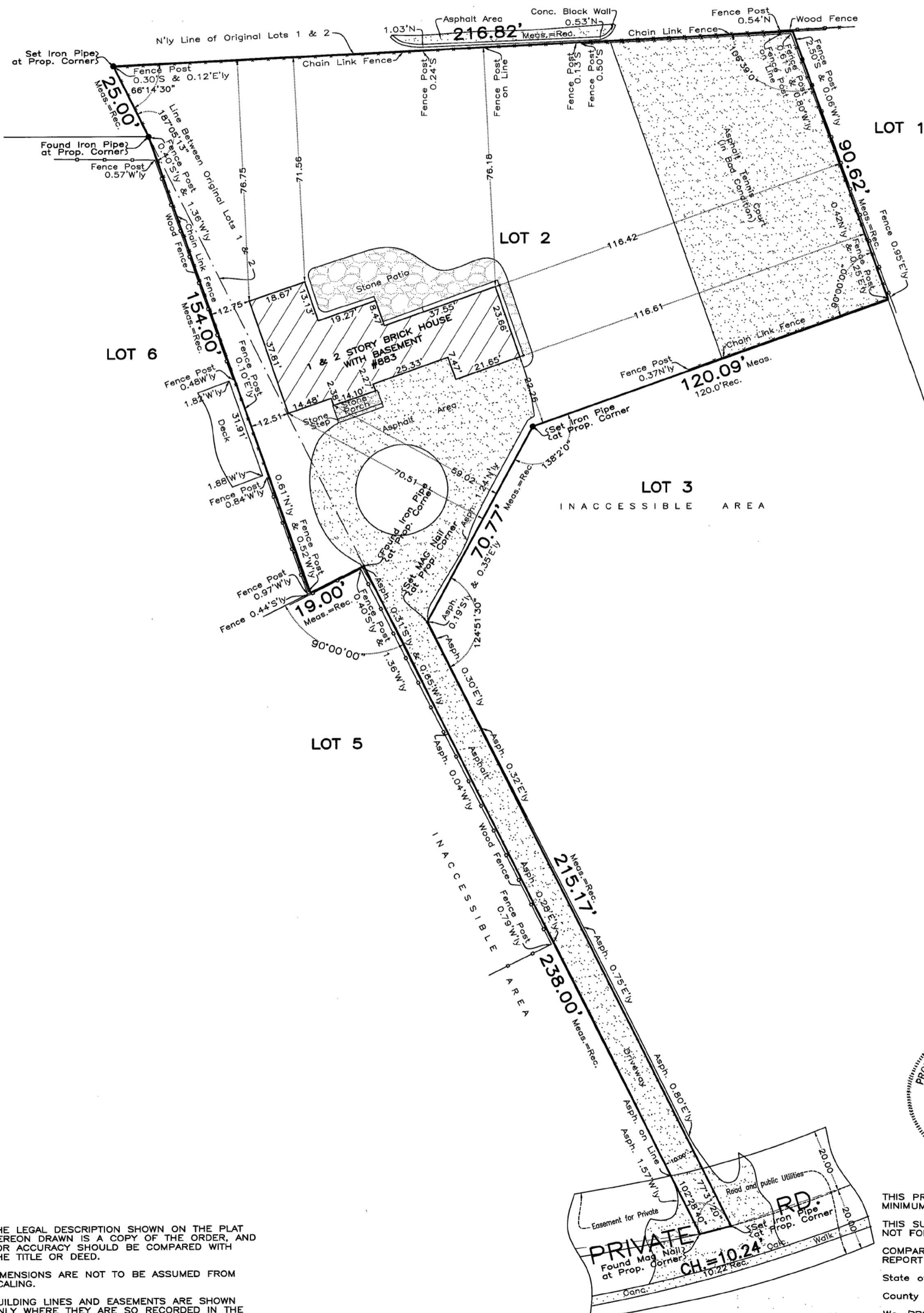


( IN FEET )  
 1 inch = 25 ft.

LOT 2 IN WOOD GLEN SUBDIVISION OF LOT 1 AND PART OF LOT 2 IN THE SUBDIVISION OF LOT 1 IN THE SUBDIVISION OF LOT OR BLOCK 10 IN HUBBARD ESTATES SUBDIVISION IN THE NORTHEAST FRACTIONAL 1/4 OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 29,282 SQ.FT. = 0.672 ACRES.

COMMONLY KNOWN AS: 883 PRIVATE ROAD, WINNETKA, ILLINOIS.



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON 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 ABSTRACTS.

ORDER NO.: 23-100967  
 SCALE: 1 INCH = 25 FEET.

DATE OF FIELD WORK: February 8, 2023.

ORDERED BY: Law Office of Phillip Grossman

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 s.s.  
 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 hereon drawn is an accurate representation of said survey.

Date: February 16, 2023.

IL PROF. LAND SURVEYOR - LICENSE EXP. DATE NOV. 30, 2024.

Drawn By: A.T.

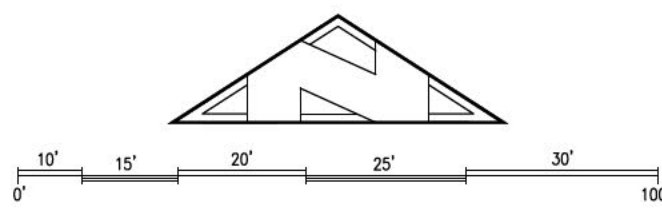
# Sketch Plan of AJV Subdivision



Location Map  
not to scale

BEING A PROPOSED SUBDIVISION IN THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

LEGAL DESCRIPTION:  
LOTS 2 AND 3 IN WOOD GLEN SUBDIVISION OF LOT 1 AND PART OF LOT 2 IN THE SUBDIVISION OF LOT 1 OR BLOCK 10 IN HUBBARD ESTATE SUBDIVISION IN THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS.



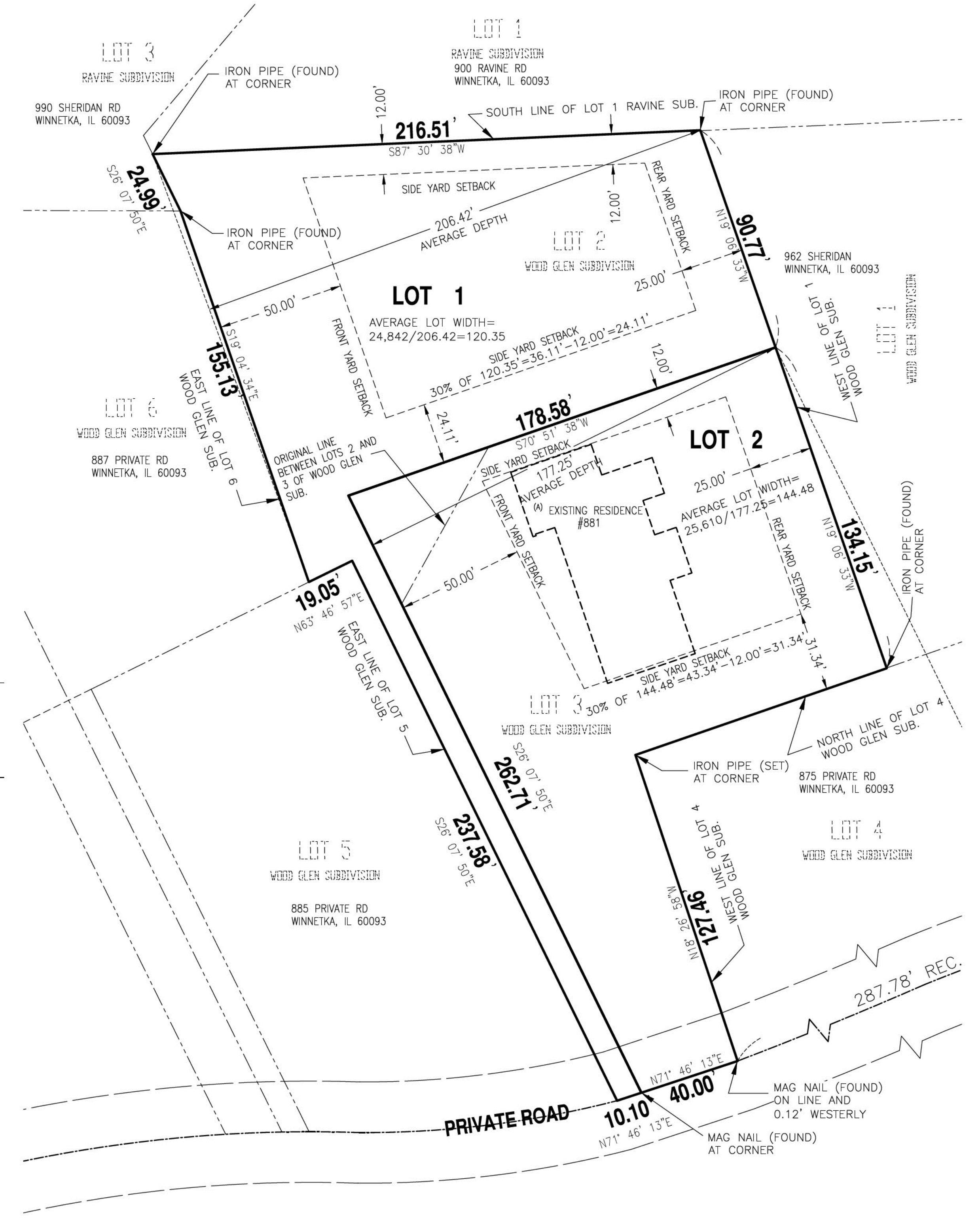
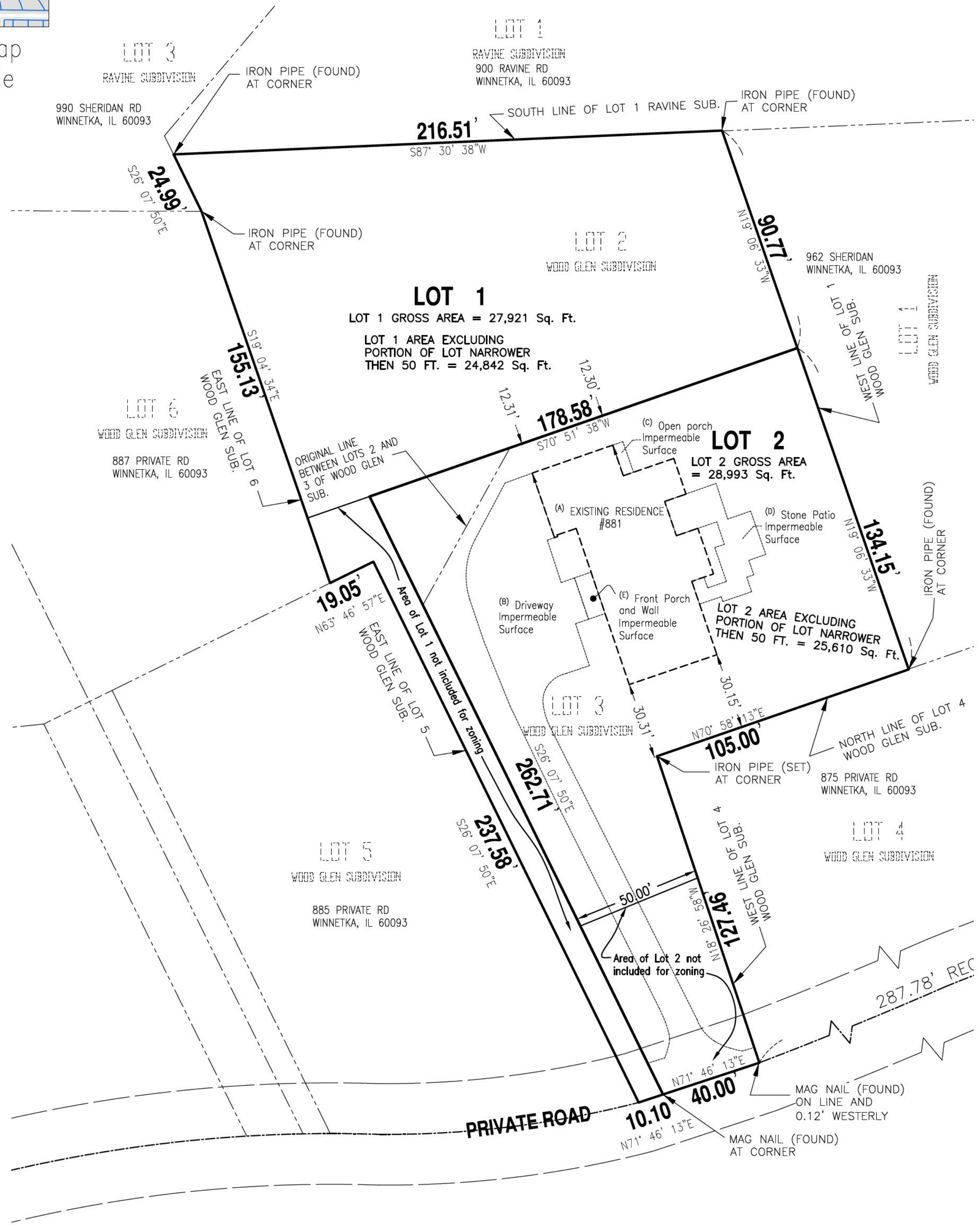
## ZONED R-2

THE BASIS OF BEARING IS ESTABLISHED BY ASSIGNING A BEARING OF N19°05'33"W TO THE EAST LINE OF LOTS 1 AND 2. TOTAL AREA OF THIS SUBDIVISION IS 56,914 SQ. FT. (1.30657 ACRES) OF LAND, MORE OR LESS.

	Lot 1	Lot 2
Gross Lot Area	27,921 Sq. ft.	28,993 Sq. ft.
Lot Area for Zoning Purpose	24,842 Sq. ft.	25,610 Sq. ft.
Average lot depth	206.42 Ft.	177.25 Ft.
Average lot width	120.35 Ft.	144.48 Ft.
Existing impervious area	N/A	9,551 Sq. ft.
Front Yard Setback	50.00 Ft.	50.00 Ft.
Rear Yard Setback	25.00 Ft.	25.00 Ft.
Side Yard Setback	12.00 Ft.	12.00 Ft.
Total Side Yard	36.11 Ft.	43.34 Ft.
30% of Average Lot Width Remaining Side Yard	24.11 Ft.	31.34 Ft.

Impermeable Surfaces in lot 2	50 Ft. Flag Lot 50 Ft. Deduction		Net
A Building (Existing Residence)	3,729 Sq. Ft.	---	3,729 Sq. Ft.
B Driveway	4,958 Sq. Ft.	1,221 Sq. Ft.	3,737 Sq. Ft.
C Open porch NE Corner Bldg	53 Sq. Ft.	---	53 Sq. Ft.
D Stone Patio on ES Bldg	810 Sq. Ft.	---	810 Sq. Ft.
E Front porch and wall	110 Sq. Ft.	---	110 Sq. Ft.
<b>Total</b>	<b>9,661 Sq. Ft.</b>	<b>---</b>	<b>8,440 Sq. Ft.</b>

Flag Lot Area Deduction	Lot 2	
	Lot 1	Lot 2
Gross Lot Area	27,921 Sq. Ft.	28,993 Sq. Ft.
Deduction for "Flagpole" of Flag Lot	3,079 Sq. Ft.	3,383 Sq. Ft.
<b>Net Lot Area</b>	<b>24,842 Sq. Ft.</b>	<b>25,610 Sq. Ft.</b>



**B.H. SUHR & COMPANY, INC.**

SURVEYORS ESTABLISHED 1911  
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062  
TEL. (847) 864-6315 / FAX (847) 864-9341  
E-MAIL: SURVEYOR@BHSUHR.COM

Professional Design Firm  
License No. 184.008027-0008

LOCATION 883 & 881 PRIVATE RD  
ORDER No. 24-094-C ORDERED BY Jesse Van Dyke

DRAFTED BY B.H. Suhr & Company, Inc. All rights reserved.

**FOR REVIEW**  
**02/19/2025 / REVISED 08/14/2025**





# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** ANN KLAASSEN, ASSISTANT DIRECTOR  
**DATE:** OCTOBER 7, 2025  
**SUBJECT:** 936 SUNSET ROAD - FINAL PLAT APPROVAL  
MARREN'S RESUBDIVISION (CASE NO. 25-16-SD)

### INTRODUCTION

On October 13, 2025, the Zoning Board of Appeals (ZBA) is scheduled to hold a public hearing on an application submitted by Robert and Susan Marren (collectively, the "Applicant"), as the owners of the property located at 936 Sunset Road (the "Subject Property"), to allow a two-lot subdivision of the Subject Property. The Applicant has filed an application seeking the following approvals as part of a Final Subdivision Plat approval to create two new Lots of Record:

1. **Zoning Variations** to allow Proposed Lot 2 to:
  - a. Provide a lot area of 23,171.89 square feet, whereas a minimum of 24,000 square feet is required, a variation of 828.11 square feet (3.45%) [Section 17.30.010 Lot Area, Shape and Dimensions]; and
  - b. Provide less than the minimum required rectangular buildable area of 16,335 square feet [Section 17.30.010 Lot Area, Shape and Dimensions].

As part of the Final Subdivision Plat approval, the Applicant is also requesting approval of the following:

- A variation from the Subdivision Code to allow the side lot line of Proposed Lot 2 to abut the rear lot line of Proposed Lot 1 (936 Sunset Road);
- A finding of "No Material Increased Adverse Impact" for the existing improvements at 936 Sunset Road (Proposed Lot 1), which:
  - a. Observe less the minimum required front yard setback of 50 feet from Sunset Road;
  - b. Observe less than the minimum required corner yard setback of 50 feet from Higginson Lane; and
  - c. Exceed the maximum permitted width for front-facing garage doors.

This application is limited to the subdivision request, the associated relief, and the existing improvements, no proposed improvements to the Subject Property are included in this request. The ZBA is charged with making a recommendation to the Village Council regarding the zoning variations described above. The Plan Commission (PC) considered the Final Plat of Subdivision and all the relief outlined above at its September 24, 2025, meeting. By a vote of 6-1, the PC recommended approval of the request. Details regarding the PC's consideration are provided later in this report.

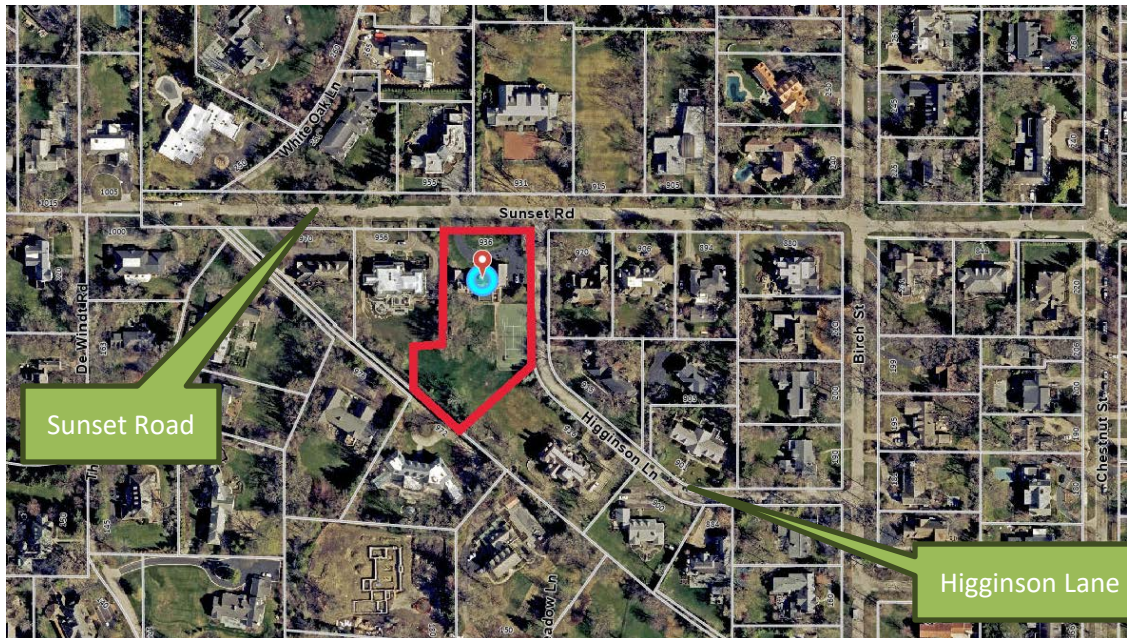
A mail notice was sent to property owners within 250 feet in compliance with the Zoning Ordinance, informing them of the public hearing being held by the ZBA. The hearing was also properly noticed in the

Winnetka Talk on September 25, 2025. As of the date of this memo, staff has received three written comments from the public regarding this application. The comments are included in this report as **Attachment D**.

***The Village Council has final jurisdiction on this request.***

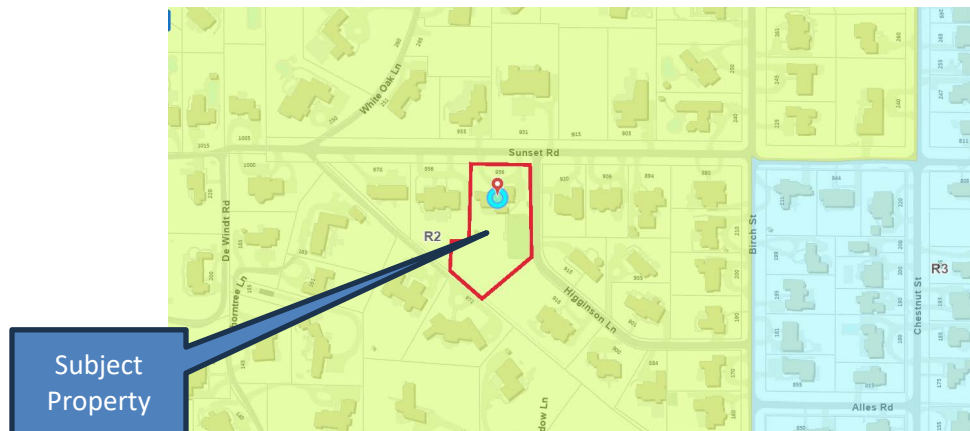
**PROPERTY DESCRIPTION**

The Subject Property is located on the southwest corner of the intersection of Sunset Road and Higginson Lane and currently consists of one buildable lot; it contains a two-story single-family residence, accessory playhouses, and a tennis court. The existing lot measures 56,171 square feet (1.29 acres); the lot and the existing improvements are illustrated below in Figure 1.



**Figure 1 – Existing Lot**

The Subject Property is zoned R-2 Single Family Residential, and it is surrounded by the same (Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The Applicant’s use of the Subject Property for a single-family residence is consistent with the Comprehensive Plan land use designation and the R-2 zoning district.



**Figure 2 – Zoning Map**

## PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The existing residence on the Subject Property was constructed in 1955. The following subsequent building permits were issued in:

1. 1963 to remodel the basement, add a dormer over the garage, and a second-floor bathroom;
2. 1976 to enlarge a porch and add a greenhouse;
3. 1992 to construct a dormer on the west elevation; and
4. 2009 to remodel the kitchen, breakfast room, and mudroom.

Other minor permits have also been issued over the last several years. The Applicant acquired the property in 2006. There are three previous zoning cases on file for the Subject Property:

1. In 1955, ZBA Case No. 871 was denied by the ZBA to allow construction of a new single-family residence within the minimum required corner yard setback from the east property line along Higginson Lane;
2. In July 1976, ZBA Case No. 1171 was approved by the Village Council to allow tennis court fencing 10 feet in height, subject to the property being consolidated into a single Lot of Record;
3. In November 1976, the Seabury Consolidation was approved by the Village Council consolidating two lots into the existing parcel. The Subject Property was originally platted as two lots, in a fashion similar to what is now being requested. The 1976 consolidation was submitted in order to allow construction of a tennis court, which would straddle the lot line between two lots. The tennis court prompting the consolidation of the then-two lots can be seen in current plats of survey and maps included throughout this report; and
4. On January 13, 2014, the ZBA considered Case No. 14-01-V2 to allow a two lot subdivision for which one of the proposed lots required variations from the minimum required lot area and the minimum rectangular buildable area. After hearing from the Applicant and the public, the Board discussed the request. Members found that the standards for granting a variation were not adequately addressed. At the request of the Applicant, the item was continued to the next ZBA meeting. Then in March 2014, prior to returning to the ZBA, or having the proposed subdivision considered by the Plan Commission, the Applicant withdrew the application. Minutes of the January 2014 ZBA meeting are included in this report as **Attachment C**. The proposed subdivision and the associated relief currently before the ZBA is the same as what was proposed in 2014.

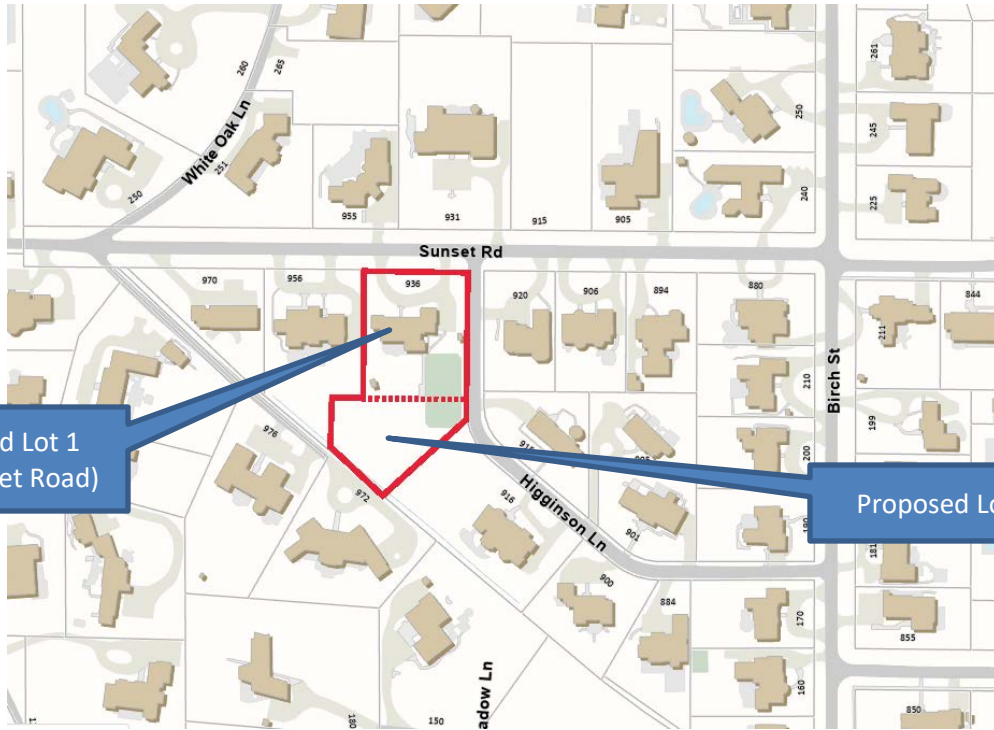
## GENERAL DESCRIPTION OF PROPOSED PLAT OF SUBDIVISION

As described in the written narrative provided by the Applicant and included in **Attachment A**, they reside at 936 Sunset Road and are seeking approval to subdivide the existing single lot into two lots. The existing tennis court on the Subject Property would be removed to accommodate the proposed lots. The proposed subdivision would restore the Subject Property to its original configuration that existed prior to the 1976 Seabury Consolidation.

The proposed subdivision would create two new lots that would measure:

- 32,998.69 square feet (0.76 acres) – Proposed Lot 1 – 936 Sunset Road (north lot)
- 23,171.89 square feet (0.53 acres) – Proposed Lot 2 (south lot, fronting on Higginson Lane)

A neighborhood view of the proposed subdivision is represented in Figure 3 on the following page. An excerpt of the proposed *Marren's Resubdivision* is provided in Figure 4.



Proposed Lot 1  
(936 Sunset Road)

Proposed Lot 2

Figure 3 – Proposed Subdivision (Neighborhood Map View)

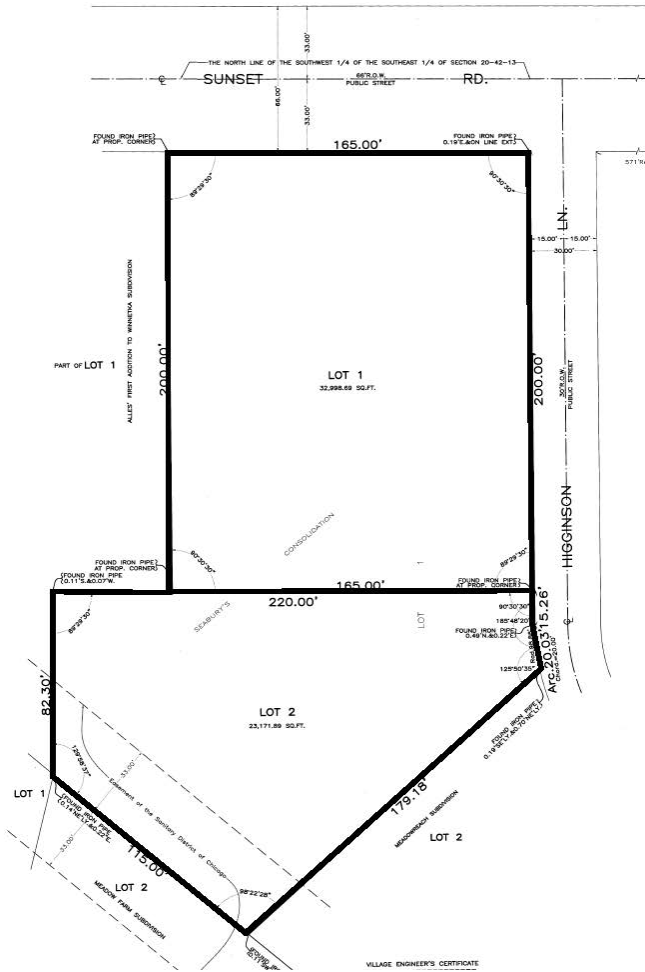


Figure 4 – Excerpt of Marren's Resubdivision Plat

## DESCRIPTION OF ZONING STANDARDS

The Subject Property is located in the R-2 Single Family Residential zoning district, which is one of five different single family residential zoning classifications in the Village. The R-2 zoning district provides for larger, wider lots compared to most other residential zoning districts, with the R-2 zoning district’s purpose statement describing the district as demonstrating a “small estate” character.

### Residential Zoning Hierarchy

A comparison of the Village’s five different residential zoning classifications (Table 1 below) shows the hierarchy of zoning standards throughout the Village’s residential neighborhoods, ranging from larger “estate” character lots in portions of the Village, to smaller, more intensive developed areas.

### Surrounding Zoning

Neighboring properties of the Subject Property are similarly zoned for larger lot sizes called for in the R-2 zoning district (minimum lot area of 24,000 square feet), as depicted in Figure 2 earlier in this report. Lots in the surrounding neighborhood were first developed under the Village’s R-2 Zoning classification, which at that time required a minimum lot area of 21,780 square feet (1/2 acre). The Village would later increase the minimum lot area in all residential zoning districts in 1999, increasing the minimum lot area for the R-2 district from 21,780 square feet to 24,000 square feet for interior lots.

<b>Table 1 Residential Zoning Hierarchy</b>	<b>R-1 ("estate" character)</b>	<b>R-2 ("small estate" character)</b>	<b>R-3 ("moderately intense" suburban character)</b>	<b>R-4 ("relatively intense" suburban character)</b>	<b>R-5 ("relatively intense" suburban character)</b>
<b>Minimum Lot Area</b>	48,000 s.f. (50,400 s.f. corner lots)	24,000 s.f. (25,200 s.f. corner lots)	16,000 s.f. (16,800 s.f. corner lots)	12,600 s.f. (13,300 s.f. corner lots)	8,400 s.f. (8,900 s.f. corner lots)
<b>Minimum Lot Width</b>	150 ft.	100 ft. 115 ft. (corner lots)	75 ft. (85 ft. corner lots)	60 ft. (70 ft. corner lots)	60 ft. (70 ft. corner lots)
<b>Minimum Front Setback</b>	50 ft.	50 ft.	40 ft.	30 ft.	30 ft.
<b>Minimum Rear Setback</b>	50 ft.	25 ft.	25 ft.	25 ft.	25 ft.

**Table 1 – Residential Zoning Hierarchy**

## COMPLIANCE WITH ZONING STANDARDS – LOT SIZE AND DIMENSIONS

All subdivisions are evaluated by staff at the time of application to assure compliance with basic minimum quantitative measures including, but not limited to (a) minimum lot area, (b) minimum lot width, and (c) minimum lot depth.

The proposed *Marren’s Resubdivision* **does not comply** with two provisions of the Zoning Ordinance related to lot area and dimensions. The proposed southerly lot (Lot 2 fronting on Higginson Lane), measuring 23,171.89 square feet, does not comply with (a) the **minimum lot area** of 24,000 square feet and in a related standard, does not meet (b) the **minimum rectangular area**. The extent to which the proposed lots comply with minimum zoning standards is summarized in Table 2 on the following page.

Rectangular Area Requirement. In order to effectively control the overall shape and size of irregularly shaped lots, in the R-2 District, zoning requirements include a minimum lot area of 24,000 square feet for an interior lot, as well as a requirement that a lot have a rectangular area of at least 16,335 square feet. The rectangular area is further qualified, being described as requiring a minimum dimension for each leg of 90 feet. Figure 5 below, prepared by staff for the Applicant in 2007, depicts in yellow, the extent to which Proposed Lot 2 (south lot, fronting on Higginson Lane) is not able to contain the minimum rectangular area (measuring 90 feet by 181.5 feet) within its boundaries.

The minimum rectangular area is thought to have originated due to the existence of areas in the village such as ravine areas where terrain or other natural features make regular, rectangular lots impossible. The minimum rectangular area standard has the intended effect of assuring that irregularly shaped lots, when contemplated, still provide an adequate concentration of lot area on which to build.

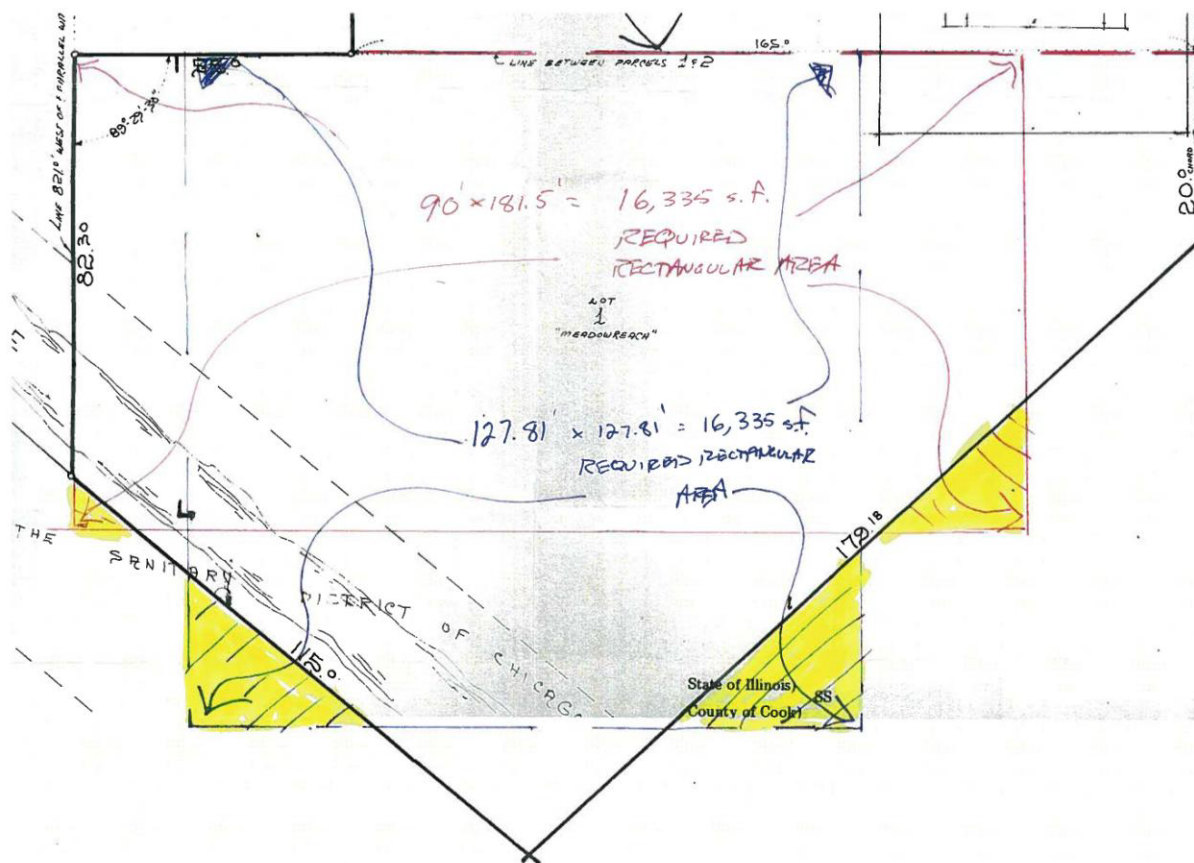


Figure 5 – Minimum Rectangular Area – Proposed Lot 2 (South Lot)

Section 16.12.010, Minimum land subdivision standards of the Subdivision Code, requires all lots created by any plan for land subdivision shall comply with all standards of the Zoning Ordinance. Hence, the proposed subdivision requires approval of variations (standards highlighted yellow in Table 2) for which both the Plan Commission and Zoning Board of Appeals are charged with making a recommendation to the Village Council.

<b>Table 2 R-2 Zoning Standards</b>		<b>Proposed Lot 1 936 Sunset</b>	<b>Proposed Lot 2 South Lot</b>	<b>Existing Lot 936 Sunset</b>
<b>Minimum Lot Area</b>	24,000 s.f. (25,200 s.f. corner lot)	32,998.69 s.f. COMPLIES	23,171.89 s. f. VARIATION OF 828.11 SF (3.45%)	56,171 s.f. COMPLIES
<b>Minimum Lot Width (average)</b>	100 feet 115 feet (corner lot)	165 feet COMPLIES	105.33 feet COMPLIES	158.67 feet COMPLIES
<b>Minimum Lot Width (at front street line)</b>	20 feet	165 feet COMPLIES	35.26 feet COMPLIES	165 feet COMPLIES
<b>Minimum Lot Depth</b>	200 feet	200 feet COMPLIES	220 feet COMPLIES	206.42 feet COMPLIES
<b>Minimum Rectangular Area within Lot Boundaries</b>	90 feet x 181.5 feet	COMPLIES	DOES NOT COMPLY	COMPLIES

**Table 2 – R-2 Zoning Standards**

**COMPLIANCE WITH ZONING STANDARDS – REQUIRED SETBACKS AND BUILDING SIZE**

The allowable size of buildings on a residential lot and the required amount of open space around the buildings is dictated by the Village Zoning Ordinance. As a general rule, the allowable size of buildings and the setback requirements for those buildings change with any modifications to lot dimensions. As a result, staff conducts analyses of proposed lots and the improvements on those lots to determine (a) whether any new zoning nonconformities would be created by the resubdivision and (b) whether there are any existing zoning nonconformities which will remain. In the event of a zoning nonconformity arising out of a proposed subdivision, relief must be granted by both the Plan Commission and Zoning Board of Appeals.

Staff evaluation of the proposed *Marren’s Resubdivision* is summarized in Tables 3 and 4 on the following page, indicating the extent to which the proposed lots comply with (or fall short of) zoning standards. Those items highlighted green are **existing nonconformities that would remain** with the proposed subdivision.

<b>Table 3 – Zoning Setback Requirements</b>		<b>Proposed Lot 1 936 Sunset</b>	<b>Proposed Lot 2 South Lot</b>	<b>Existing Lot 936 Sunset</b>
<b>SETBACK REQUIREMENTS</b>	Minimum Required Front Yard	50 feet	50 feet	50 feet
	Front yard provided by existing structures	49.91 feet	NA	49.91 feet EXISTING NONCONFORMITY
	Minimum Required Corner Yard	50 feet	N/A	50 feet
	Corner yard provided by existing structures	49.52 feet (5.52 feet playhouse)	N/A	49.52 feet (5.52 feet playhouse) EXISTING NONCONFORMITY
	Minimum Required Side Yard	12 feet	12 feet	12 feet
	Side yard provided by existing structures	14.35 feet	N/A	14.35 feet
	Minimum Required Total Side Yard	N/A	31.6 feet	N/A
	Total Side Yard provided by existing structures	N/A	N/A	N/A
	Minimum Required Rear Yard	25 feet	25 feet	25 feet
	Rear yard provided by existing structures	81.23 feet	N/A	+160 feet

**Table 3 – Zoning Setback Requirements**

<b>Table 4 – Zoning Building Size Requirements</b>		<b>Proposed Lot 1 936 Sunset</b>	<b>Proposed Lot 2 South Lot</b>	<b>Existing Lot 936 Sunset</b>
<b>ALLOWABLE BUILDING SIZE</b>	Maximum Allowed Gross Floor Area (GFA)	9,404.7 sq. ft.	7,144.53 sq. ft.	14,734.33 sq. ft.
	GFA provided by existing structures	5,751.63 sq. ft.	N/A	5,751.63 sq. ft.
	Maximum Allowed Roofed Lot Coverage (RLC) (25% of lot area)	8,249.67 sq. ft.	5,792.97 sq. ft.	14,042.75 sq. ft.
	RLC provided by existing structures	4,162.76 sq. ft.	N/A	4,162.76 sq. ft.
	Maximum Allowed Impermeable Lot Coverage (ILC) (50% of lot area)	16,499.34 sq. ft.	11,585.94 sq. ft.	28,085.5 sq. ft.
	ILC provided by existing structures	10,667.11 sq. ft.	N/A	17,634.56 sq. ft.

**Table 4 – Zoning Building Size Requirements**

## FLOODPLAIN AND STORMWATER

The proposed subdivision consists of creating two new lots; one lot would contain the existing residence and the other would be a vacant lot to be developed. As noted earlier, no improvements are currently proposed on either of the lots. As represented in Figure 6 below, the Subject Property lies entirely within the 100-year floodplain. The cyan represents the 100-year flood area and the orange represents the 500-year flood area. As a result, development on both lots is subject to the Village's Flood Hazard Protection Ordinance and the Metropolitan Water Reclamation District (MWRD) Water Management Ordinance (WMO).



**Figure 6 – GIS Floodplain Map**

For construction or site work in the floodplain, compensatory storage is required. Compensatory storage is an excavated area that provides an equivalent volume (1:1 ratio of cut/fill) of storage that balances the loss of natural floodplain storage when artificial fill or structures have been placed within the floodplain, ensuring that there is no net fill within the floodplain. From a site development standpoint, it's also worth noting that the Village Flood Hazard Protection regulations restrict the depth and location of compensatory storage. In no case shall the depth of excavation for any compensatory storage in the front and side yards of the lot exceed 18 inches, as measured from the previously existing natural grade. Also, compensatory storage may be constructed with retaining walls, provided that the retaining walls are not constructed along the sides of the storage area adjacent to a property line.

The Village Engineering Department has reviewed the proposed subdivision and has provided the following comments specific to the development of Proposed Lot 2 (south lot):

1. The elevation of the floodplain at this location is 625.3. To meet Village requirements, the top of the foundation for a new residence would need to be at an elevation of 627.3, which is approximately 4 feet above the elevation of Higginson Lane;
2. Any new residential development would require the installation of stormwater detention and possible compensatory storage for any proposed increases in grading of the lot. Because the proposed lot is currently undeveloped, the Village will require a larger detention volume than what is typical for an existing developed lot;
3. Installation of detention or above ground compensatory storage will be very difficult to achieve due to easements and setbacks. It is recommended that the Applicant provide an exhibit of the

lot showing all easements, rights-of-way, and setbacks to show maximum building footprint and available space for detention/compensatory storage;

4. Home should be built on a crawl space foundation with openings in the foundation to allow for the pass through of stormwater. This would require all mechanical equipment to be placed at a minimum elevation of 627.3, above the base flood elevation (BFE). The maximum allowable crawl space height shall not exceed 5 feet;
5. Due to grade concerns from the roadway to the proposed structure, any proposed driveway may have a steep slope. To address this grading issue, any proposed garage floor elevation may be below the BFE. The property owner would need to design a garage with openings to allow for the passing of stormwater through the foundation walls.

In response to the Village Engineering comments above, the Applicant has provided an engineering exhibit of a possible house on the proposed vacant lot to help address the engineering comments (Figure 7). The exhibit represents a proposed house with the following characteristics:

- a. No basement. House planned on a flowable crawl space with vented openings to allow floodwater to enter and drain out of the crawl space, which would be less than 5 feet in height;
- b. First floor elevation of 627.5 and an attached garage elevation of 626.5. The garage and a portion of the driveway would also be built on a flowable crawl space;
- c. Proposed compensatory storage would be provided as surface storage and be graded to drain to the Skokie Ditch (easement along southwest portion of lot). The stormwater detention would be provided in an underground vault with a pumped discharge to the Skokie Ditch; and
- d. A building footprint of approximately 2,500 square feet in addition to an attached garage with a footprint of 650 square feet.

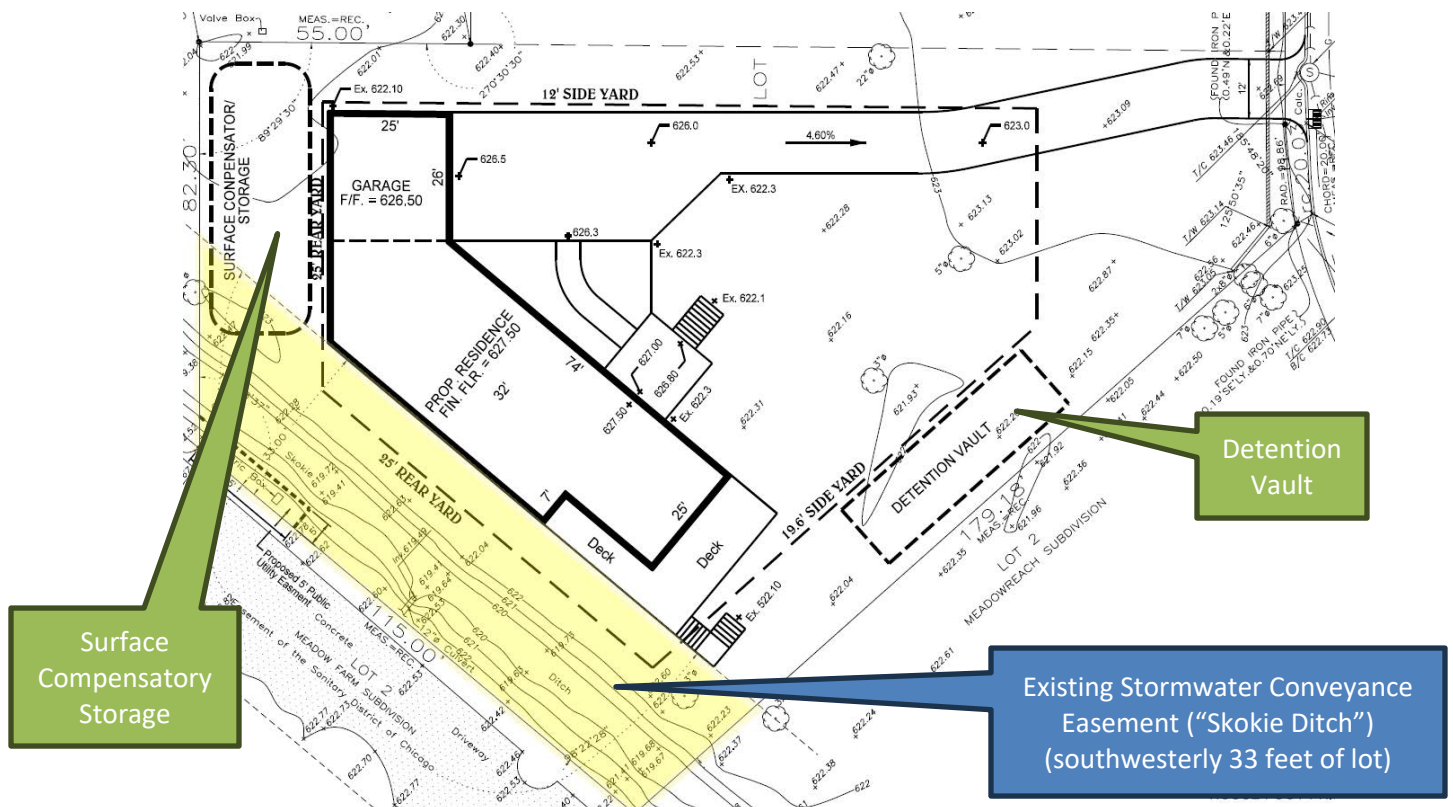


Figure 7 – Engineering Exhibit Provided by Applicant for Proposed Lot 2 (South Lot)

The Village Engineering Department has reviewed the exhibit above and has the following general comments:

- **Compensatory storage within the easement:** The Engineering Department reached out to MWRD to confirm that surface compensatory storage would be allowed within the stormwater conveyance easement. MWRD confirmed that compensatory storage in the easement is acceptable provided it will not interfere with storm water conveyance. Fill within the easement is not allowed.
- **Attached garage:** The garage must meet all requirements for unfinished areas below the flood protection elevation. It may only be used for parking of vehicles, building access, or storage. It must be designed with flood vent openings to equalize hydrostatic flood forces on exterior walls.

Stormwater. For new development within the Village each site must manage its stormwater on-site and not cause additional stormwater runoff onto adjacent properties. New home construction on a previously undeveloped lot, such as Proposed Lot 2, requires stormwater detention. It is important to note that stormwater detention is in addition to any required floodplain compensatory storage.

In order to provide detention, the site must be engineered to pick up the runoff from the site (house, impermeable surfaces). This is typically achieved with a combination of grading, storm sewers, storm inlet structures, depressional storage, or underground storage. The site is graded to create low points, where storm inlets are placed to collect the runoff from the site. This runoff is then conveyed, via a storm sewer system into the stormwater detention facility, be it depressional storage, underground pipe or vault storage, or a combination of these methods. As the stormwater is being collected and detained on-site, the release of this stormwater into the public storm system is restricted on its release rate before entering the public system.

Any future improvements on either lot will be evaluated by Village Engineering staff for compliance with Village floodplain development regulations and stormwater regulations, upon submittal of permits necessary for site improvements.

#### **REQUESTED ZONING RELIEF**

The Applicant is requesting approval of two variations from the Zoning Ordinance to allow the two-lot subdivision of the Subject Property.

Lot Area. The proposed southerly lot (Lot 2 fronting on Higginson Lane), would have a lot area measuring 23,171.89 square feet, whereas a minimum of 24,000 square feet is required for an interior lot in the R-2 Single Family Residential Zoning District, a variation of 828.11 square feet (3.45%).

Rectangular Area. Given the irregular shape of the lot, Proposed Lot 2 would also provide less than the minimum required rectangular buildable area of 16,335 square feet for a lot in the R-2 Single Family Residential Zoning District. Thus, zoning relief is being requested to allow the proposed lot.

#### **CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS**

Plan Commission (PC). On September 24, 2025, the PC held a public hearing on this request. After hearing from staff and the Applicant, and receiving letters from five neighbors in opposition to the request, the Commission discussed the application. The written correspondence from the neighbors expressed concerns with development in the floodplain, drainage, and noncompliance with the zoning lot standards. Some members of the PC noted that the zoning relief requested was minimal and that increasing the lot area of Proposed Lot 2 to comply with the minimum required lot area would require Proposed Lot 1 to seek relief from the lot depth requirement. Some members also noted that the proposed subdivision

would revert the Subject Property back to its original two-lot configuration prior to the consolidation in 1976. **Ultimately, by a vote of 6-1, the Commission recommended approval of the request with a condition that the existing nonconforming playhouse be removed or relocated to comply with the zoning regulations.**

## **FINDINGS & RECOMMENDATION**

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 ZBA 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 ZBA; 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 to allow Proposed Lot 2 to:

- A. Provide a lot area of 23,171.89 square feet, whereas a minimum of 24,000 square feet is required, a variation of 828.11 square feet (3.45%) [Section 17.30.010 Lot Area, Shape and Dimensions]; and
- B. Provide less than the minimum required rectangular buildable area of 16,335 square feet [Section 17.30.010 Lot Area, Shape and Dimensions].

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: Application Materials

Attachment B: Proposed Plat of Subdivision (Marren's Resubdivision)

Attachment C: January 13, 2014, ZBA Meeting Minutes Excerpt

Attachment D: Public Correspondence

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 25-16-SD

Property Information

Site Address: 936 Sunset Road

Owner Information

Name: Robert and Susan Marren

Address: 936 Sunset Road

City, State, ZIP: Winnetka, IL 60093

Email: [REDACTED]

Primary Contact: Susan Marren

Phone No: [REDACTED]

Date property acquired by owner: 04/26/2006

Architect Information

Name: Daniel Creaney Company

Primary Contact: Daniel Creaney

Address: 405 Skokie Blvd., Ste. 105

City, State, ZIP: Northbrook, IL 60062

Phone No. 847-480-5757

Email: dcreaney@dcreaneyco.com

Attorney Information

Name: Christopher S Canning

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

Address: 1000 Skokie Blvd., Ste. 355

City, State, Zip: Wilmette, IL 60091

Phone No. 847-853-7040

Email: chris@canninglegal.com

Nature of any restrictions on property: Property is located in floodplain.

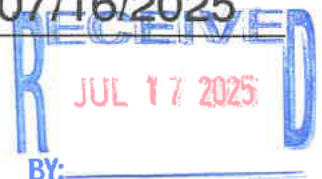
Brief explanation of variation(s) requested (attach separate sheet providing additional details): \_\_\_\_\_

See attached letter describing variations and addressing standards of review.

Property Owner Signature: \_\_\_\_\_

[REDACTED SIGNATURE]

Date: 07/16/2025



CANNING & CANNING LLC  
1000 SKOKIE BOULEVARD, SUITE 355  
WILMETTE, ILLINOIS 60091  
(847) 853-7042 - FAX



CHRISTOPHER S. CANNING  
DIRECT DIAL NUMBER  
(847) 853-7040  
[chris@canninglegal.com](mailto:chris@canninglegal.com)

July 17, 2025

**VIA HAND DELIVERY**

Matthew Bradley, Chair  
Zoning Board of Appeals  
Village of Winnetka  
c/o Ann Klaassen  
Assistant Director of Community Development  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Request for Variations related to Application for Subdivision at 936 Sunset Road.**

Dear Chairperson Bradley and Members of the Zoning Board:

I am writing on behalf of Robert J. Marren and Susan L. Marren ("Bob and Susan") regarding their application to subdivide the existing 165' wide lot at 936 Sunset Road (the "Subject Property") into two lots: one lot containing 32,998 sq. ft ("Lot 1") and the other lot containing 23,171.89 sq. ft. ("Lot 2"). As set forth more fully below, Bob and Susan seek to subdivide the Subject Property to preserve the existing home in which they have lived for the last 19 years and to create a new lot effectively restoring what was a conforming lot prior to a mandated lot consolidation in 1976. Bob and Susan have applied to the Plan Commission to grant the subdivision. The Plan Commission will hear the matter on August 27, 2025.

If the subdivision is granted, the newly created lot will be non-conforming in two aspects. First, Lot 2 will not meet the minimum lot area of 24,000 square feet as required in the R-2 Zoning District. Second, Lot 2 will not meet the minimum required rectangular area of 16,335 square feet. Therefore, Bob and Susan seek variations from these requirements. For the

July 17, 2025

Page 2

reasons set forth below, Bob and Susan respectfully request that the Zoning Board of Village of Winnetka recommend the granting of the requested variations.

**I. The Subject Property.**

The Subject Property is located within the R-2 Residential Zoning District. The Subject Property is surrounded by single family homes. The Subject Property has approximately 165' of frontage on Sunset Road and 215' of frontage on Higginson Road. At its deepest dimension, the current lot has an approximate depth of 385'. It is improved with a single-family residence and a tennis court.

Bob and Susan intend to subdivide the Subject Property into two lots. Lot 1 will have a lot area of 32,998.69 square feet. The existing home and garage will occupy Lot 1. Lot 2 will have a lot area of 23,171.89 square feet. Lot 2, which once was the site of a tennis court, will now be available for green space, a recreational area, or a new home.

**II. Bob and Susan's current lot.**

Bob and Susan's plan of subdivision has two goals. First, Bob and Susan seek to subdivide the Subject Property to maintain the location of the existing home on Lot 1. On Lot 2, Bob and Susan simply seek to restore the lot to the status it held prior to the 1976 lot consolidation.

In 1976, both the lot at 936 Sunset Road and the lot to the south were located within the R-2 Zoning District. Since the square footage of each of the lots was greater than one half acre, both lots were conforming under the then existing Zoning Ordinance. Even though the two lots were conforming, the Village of Winnetka required the prior owner, Mr. Seabury, to apply for a lot consolidation presumably because the current interpretation of the Zoning Ordinance was that accessory uses to permitted uses must be on the same lot of record. Mr. Seabury told the Plan Commission that he wanted to put a tennis court on the south lot. The Plan Commission unanimously approved the consolidation. Now that Bob and Susan's children have grown and the tennis court is no longer used, they seek to undo the 1976 consolidation and return the proposed Lot 2 to its prior status as a separate lot.

The proposed subdivision boundaries as they pertain to the south lot meet all the minimum Village of Winnetka zoning criteria except for minimum rectangular buildable area (16,355 square feet) and the minimum lot area requirement of (24,000 square feet). Therefore, Bob and Susan are asking for variations in relation to those requirements.

III. **Standards of Review.**

In December 2013, Brian Norkus, the Assistant Director of Community Development, undertook a zoning review analysis to determine Bob and Susan’s compliance with the R-2 Zoning District’s requirements for lot area and rectangular buildable area. Mr. Norkus’ analysis determined the following:

Summary of zoning compliance / **noncompliance**

	Lot 1	Lot 2
Minimum lot area 24,000 sf	32,998	23,171.89
Minimum rectangular area 16,335 sf.	Complies	Does not comply

Because the proposed Lot 2 does not meet the R-2 Zoning District’s requirements for Minimum Lot Area and the Minimum Rectangular Area, Bob and Susan respectfully request variations from these requirements.

For the Zoning Board to grant the requested variations, the Zoning Board requires evidence on the following issues:

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

Bob and Susan’s request for variations meets with each of these standards:

Bob and Susan bought their home in 2006 at the height of the housing market. See Rodkin, D. (2019, September 25), *Home prices peaked here in 2006. We’re still way behind that.* Crain’s Chicago Business. <https://www.chicagobusiness.com/residential-real-estate/home-prices-peaked-here-2006-were-still-way-behind>. Since that time, Bob and Susan have made numerous improvements to their home. Despite these improvements and the post-Pandemic housing market, they have received unsolicited offers to purchase the current home and the current lot that do not permit Bob and Susan to make a reasonable return on the investment in their home and improvements. Certainly, the value of their home has not kept up with the rate of inflation or the stock market returns. Bob and Susan believe that the sale of Lot 2 combined with the eventual sale of their home on Lot 1 may yield a reasonable return.

Bob and Susan's situation was not created by them but due to the unusual conditions they face 49 years after the lots were consolidated. As discussed above, the two lots were conforming lots of record when the consolidation occurred. After the 1999 zoning amendment, the proposed Lot 2 now became non-conforming in Lot Area. That amendment occurred well before Bob and Susan owned the Subject Property. By permitting the subdivision, the lots will return to their prior sizes; a size more in keeping with the prevailing standard of lot sizes in the zoning district.

This request for variations is similar to the subdivision sought and approved at 860 Lamson Drive. In that matter, the applicant acquired the home in 1959. In 1975, the applicant purchased the adjoining home at 901 Tower Road, demolished the home, and built a tennis court for the family. In 1975, both the lot at 860 Lamson Drive and the lot at 901 Tower Road were located within the "A" (One-Half Acre) Residence District. Since the square footage of each of the lots was greater than one half acre, both lots were conforming under the then existing Zoning Ordinance. Despite the fact that the two lots were conforming, the Village of Winnetka required the applicant to apply for a lot consolidation because "this request for approval of a preliminary and final plat of consolidation was prompted by the current interpretation of the Zoning Ordinance that accessory uses to permitted uses must be on the same lot of record." (Village of Winnetka Plan Commission Minutes, November 12, 1975, pg.2). The Plan Commission unanimously approved the consolidation. In 2018, the applicant applied for a subdivision and variations to restore the two lots to their prior condition. The Village Council approved the requested zoning variations and granted preliminary plat approval (M-2-2018) and granted final plat approval of the subdivision (R-45-2018).

The requested variations also arise from the unusual shape of the lot. Here, the proposed lot 2 is 97% of the minimum lot area. As discussed above, Bob and Susan considered moving the proposed north lot line of Lot 2 to make the lot area conforming for Lot 2, but it would lead to the need for a minimum lot depth variation for Lot 1 that would impact their neighbors. A lot smaller than the minimum required lot area is not unusual for this neighborhood. For example, 894 Sunset Road (21,867 sq. ft.), 906 Sunset Road (21,867 sq. ft.), 920 Sunset Road (22,041 sq. ft.), 955 Sunset Road (23,579 sq. ft. located in flood plain), 970 Sunset Road (21,344sq. ft. located in flood plain), 901 Higginson Road (21,506 sq. ft.), 905 Higginson Road (22,041 sq. ft.) and 915 Higginson Road (20,386 sq. ft.) are all smaller than the minimum lot area.

In addition, as pointed out in Mr. Norkus's memo, the "minimum rectangular area is thought to have originated due to the existence of areas of the village such as ravine areas where terrain or other natural feature make regular, rectangular lots impossible." Here, Lot 2 when it was a conforming lot of record, it was not rectangular. By applying the minimum rectangular area to Lot 2, which is not in a ravine area and was never rectangular, creates a hardship upon Bob and Susan and prevents them from making a reasonable use of their property.

If the Zoning Board grants the requested variations, it will not alter the essential character of the locality; in fact, it would result in lots more in keeping with other comparable sized irregular lots in the immediate neighborhood. Moreover, if the lots were subdivided and, in the future, developed separately, the homes on the subdivided lots would be more in keeping with the sizes of other homes in the neighborhood. An unusually shaped lot is common in this

July 17, 2025

Page 5

neighborhood. Several unusually shaped lots in the neighborhood include 884 Higginson Road, 905 Higginson Road, 915 Higginson Road and 970 Sunset Road and to that extent, Lot 2 would be in keeping with the character of the neighborhood. Moreover, there is "an adequate concentration of lot area on which to build." Mr. Norkus' report explained that the maximum gross floor area that could be on Lot 2 would be 7,144 sq. ft, the maximum total building footprint/roofed lot coverage would be 5,793 sq. ft., and the maximum impermeable surfaces would be 11,586 sq. ft. A home of this size would be in keeping with the character of the neighborhood.

If the Zoning Board grants the requested variations, there will be no impact on the supply of light and air to adjacent properties.

If the Zoning Board grants the requested variations, there will be no increase in the hazard from fire or other types of damage.

If the Zoning Board grants the requested variations, there will be no diminishment in the taxable value of land and building throughout the Village; in fact, if Lot 2 is developed in the future, it is likely that the taxable value of property in the Village will increase and offset any loss of taxable value resulting from a smaller Lot 1.

If the Zoning Board grants the requested variations, there will be no material increase in traffic or congestion on Village streets.

If the Zoning Board grants the requested variations, there will be no impairment whatsoever on the public health, safety, comfort, morals, and welfare of the inhabitants of the Village.

Since the proposed Subdivision will allow Bob and Susan to maintain their home and return the proposed Lot 2 to its prior status as a separate lot of record, Bob and Susan ask that the Zoning Board recommend approval of their requested variations. We look forward to the opportunity to appear at the Public Hearing on the application and answer any questions the Zoning Board may have. Thank you for your consideration of this request.

Very truly yours,

  
Christopher S. Canning

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

SUBDIVISION/CONSOLIDATION APPLICATION

Case No. 25-16-SD

Property Information

Site Address: 936 Sunset Road

Parcel Identification Number(s) (PIN): 05-20-407-071-0000

Property Owner Information

Name: Robert and Susan Marren

Primary Contact: Susan Marren

Address: 936 Sunset Road

City, State, Zip: Winnetka, IL 60093

Phone No. [REDACTED]

Email: [REDACTED]

Date owner acquired property: 04/26/2006

Architect Information

Name: Daniel Creaney Company

Primary Contact: Daniel Creaney

Address: 450 Skokie Blvd., Ste. 105

City, State, ZIP: Northbrook, IL 60062

Phone No. 847-480-5757

Email: dcreaney@dcreaneyco.com

Surveyor Information

Company Name: Professionals Associated-

MM Survey Co.

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

Address: 7100 North Tripp Ave.

City, State, Zip: Lincolnwood, IL 60645

Phone No. 773-282-5900

Email: info@SurveyingChicago.com

Attorney Information

Name: Christopher S. Canning

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

Address: 1000 Skokie Blvd., Ste. 355

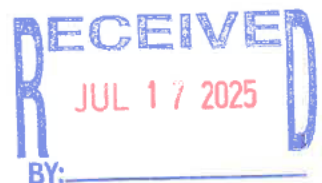
City, State, Zip: Wilmette, IL 60091

Phone No. 847-853-7040

Email: chris@canninglegal.com

Property Owner Signature: [REDACTED]

Date: 07/16/2025



**CANNING & CANNING LLC  
1000 SKOKIE BOULEVARD, SUITE 355  
WILMETTE, ILLINOIS 60091**

CHRISTOPHER S. CANNING  
DIRECT DIAL NUMBER  
(847) 853-7040  
chris@canninglegal.com

July 17, 2025

**VIA HAND DELIVERY**

Layla Danley  
Chair, Plan Commission  
Village of Winnetka  
c/o Ann Klaassen  
Assistant Director of Community Development  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Application for Subdivision at 936 Sunset Road.**

Dear Chair Danley and Members of the Plan Commission:

I am writing on behalf of Robert J. Marren and Susan L. Marren (“Bob and Susan”) regarding their application to subdivide the existing lot at 936 Sunset Road (the “Subject Property”) into two lots: one lot containing 32,998 sq. ft (“Lot 1”) and the other lot containing 23,171.89 sq. ft. (“Lot 2”). As set forth more fully below, Bob and Susan seek to subdivide the Subject Property to preserve the existing home in which they have lived for the last 19 years and to create a new lot effectively restoring what was a conforming lot of record prior to a mandated lot consolidation in 1976. For the reasons set forth below, Bob and Susan respectfully request that the Plan Commission of Village of Winnetka recommend the granting of the requested subdivision.

**I. The Subject Property.**

The Subject Property is located within the R-2 Residential Zoning District. The Subject Property is surrounded by single family homes. The Subject Property has approximately 165’ of frontage on Sunset Road and 215’ of frontage on Higginson Road. At its deepest dimension, the

current lot has an approximate depth of 385'. It is improved with a single-family residence and a tennis court.

Bob and Susan intend to subdivide the Subject Property into two lots. Lot 1 will have a lot area of 32,998 square feet. The existing home and garage will occupy Lot 1. Lot 2 will have a lot area of 23,171.89 square feet. Lot 2, which once was the site of a tennis court, will now be available for green space, a recreational area, or a new home.

## II. **Bob and Susan's current lot.**

Bob and Susan's plan of subdivision has two goals. First, Bob and Susan seek to subdivide the Subject Property to maintain the location of the existing home on Lot 1. On Lot 2, Bob and Susan simply seek to restore the lot to the status it held prior to the lot consolidation mandated by the Village of Winnetka in 1976.

In 1976, both the lot at 936 Sunset Road and the lot to the south were located within the R-2 Zoning District. Since the square footage of each of the lots was greater than one half acre, both lots were conforming under the then existing Zoning Ordinance. Even though the two lots were conforming, the Village of Winnetka required the prior owner, Mr. Seabury, to apply for a lot consolidation presumably because the interpretation of the Zoning Ordinance was that accessory uses to permitted uses must be on the same lot of record. Mr. Seabury told the Plan Commission that he wanted to install a tennis court on the south lot. The tennis court is an accessory structure under the Zoning Ordinance. The Plan Commission unanimously approved the consolidation. Now that Bob and Susan's children have grown and the tennis court is no longer used, they seek to undo the consolidation and return the proposed Lot 2 to its prior status as a separate lot of record.

The proposed subdivision of the south lot meets all the minimum Village of Winnetka zoning criteria except for minimum rectangular buildable area (minimum rectangular buildable area in an R-2 district is 16,335 square feet), and the Village of Winnetka's minimum lot area requirement of (24,000 square feet). Therefore, Bob and Susan are asking by a separate application that the Zoning Board grant them two variations to allow the proposed subdivided lot to be under the minimum lot area requirement and minimum rectangular buildable area. In addition to the zoning variations, as addressed below, the proposed south lot needs variations from the subdivision portion of the Zoning Ordinance as well.

Both the northern and southern portions of the property are in the designated flood plain. Therefore, it is understood that any new improvements situated on the land must adhere to the strict storm water management engineering requirements established by the Village of Winnetka. Furthermore, storm water detention must be designed and implemented to accommodate such a structure which is standard practice when building in the Village of Winnetka. Civil Engineer Daniel Creaney, who has worked on projects in Winnetka for decades, will submit a separate report addressing the storm water management that would be needed if the lot were to be used for a future single-family home.

### III. Standards of Review.

Pursuant to the Village of Winnetka Code and Zoning Ordinance, any application to subdivide a parcel must meet the requirements of Chapter 16 of the Code related to Subdivisions and §17.30.010 and 17.30.020 of the Zoning Ordinance setting forth the yard regulations for the R-2 Residential zoning district.

Chapter 16.12.10 D requires subdivided lots to adhere to the following standards:

1. *All lots created by any plan for land subdivision shall comply with all standards of the Zoning Ordinance, except as provided in this chapter.*
2. *All side lines of lots shall be approximately perpendicular to street lines, or radial to curved street lines unless, in the opinion of the Plan Commission, a variation of the requirement would enhance public safety or convenience.*
3. *All lots created by any plan for land subdivision shall meet the lot area requirements of the Zoning Ordinance. All lot area calculations shall exclude all easements for ingress and egress, all public or private streets, all public or private alleys, and the access corridor, or "flagpole," of any flag lot.*
4. *Where a lot is already improved with buildings or structures, the plan shall show whether the dimensions and locations of such improvements comply with the use, intensity of use of lot (including impermeable surface requirements), setback, side yard, rear yard and other bulk requirements of the Zoning Ordinance then in effect. If a prior legal nonconformity, or a previously granted variation, with respect to any such requirements exists, the Plan Commission shall determine whether such nonconformity or previously granted variation, in the context of the proposed subdivision, would result in a material increased adverse impact upon the public health, safety or welfare. If such a determination is made, the Plan Commission may deny the plan for land subdivision. No plan for land subdivision which itself creates a departure from such requirements shall be approved by the Plan Commission until such time as a variation for such departure is granted by the Zoning Board of Appeals or the Village Council, as the case may be, in accordance with the Zoning Ordinance.*
5. *At intersections with major streets, acute angle intersections and other places where, in the opinion of the Plan Commission, safety or convenience of traffic movement would be enhanced, corners shall be cut back by joining the intersecting street lines through circular arcs having adequate radii.*
6. *No plan for any land subdivision shall be approved if it results in the creation of one or more lots having side lot lines abutting rear lot lines.*
7. *All lots created by any plan for land subdivision shall meet the lot depth requirements of the Zoning Ordinance. Notwithstanding the foregoing, the access corridor, or "flagpole," shall be excluded when measuring the lot depth of a flag lot.*
8. *All lots created by any plan for land subdivision shall meet the lot width requirements of the Zoning Ordinance. Notwithstanding the foregoing, all new flag lots shall meet the minimum lot width requirements of the Zoning Ordinance, both as measured by excluding the access corridor, or "flagpole," and as measured by including the access corridor or "flagpole."*

9. *All lots created by any plan for land subdivision shall meet all yard and setback requirements of the Zoning Ordinance. Notwithstanding the foregoing, for any flag lot that has a front street line that is less than fifty (50) feet long and that is at least seventy-five (75) feet wide at its widest point, all yards and setbacks shall be measured based both on using the actual front street line as the front lot line, and on using as the front lot line the lot line from which the Director determines the front setback shall be measured for development purposes.*

Bob and Susan's request for a subdivision complies with or seeks to comply through variances as permitted under the Code with these requirements in the following ways:

1. It is Bob and Susan's intent that the lots meet the standards of the Zoning Ordinance. At the time the lots were consolidated in 1976, the lots did meet those standards. The Zoning Ordinance was amended in 1999, well after the consolidation and well before Bob and Susan bought the lots, and those standards have changed rendering the proposed Lot 2 to be non-conforming. By their application to the Zoning Board, Bob and Susan seek a variation from this requirement since they did not create the situation.

2. This standard is met.

3. While this standard was met at the time of the lot consolidation in 1976, the proposed lots created by the proposed subdivision do not meet the lot area requirements of the Zoning Ordinance. Lot 1 is conforming, but Lot 2 is 97% of the required lot area. Bob and Susan considered making Lot 2 conform to the Lot Area requirement but if that were done, then they would need a variation from the Minimum Lot depth requirement of 200' for Lot 1. Bob and Susan considered this alternative but because they share the conforming 200' lot line with their neighbors to the west, Bob and Susan decided that seeking a small variation for lot area was preferred to seeking a variation that would impact their neighbors to the west. Bob and Susan seek a variation from this requirement.

4. Bob and Susan believe that this standard is met. The existing home on the proposed Lot 1 was a conforming structure when built. Maintaining the home on Lot 1 and subdividing the Subject Property will not result in a material increase or adverse impact upon the public health, safety, or welfare.

5. This standard is inapplicable.

6. Bob and Susan seek a variation from this requirement. When the lots were consolidated, that consolidation created a situation where a side lot abutted a rear lot line of the neighbor to the south. That condition has remained unchanged since 1976. The granting of a variation to this requirement will not change the status quo.

7. This standard is met.

8. This standard is met.

9. This standard is met.

To the extent that the subdivision standards are not met, the Code permits the Plan Commission to recommend the granting of variations under the following circumstances:

*Variations and Exceptions. Whenever the land to be subdivided is of such unusual size or shape or is surrounded by such development or unusual conditions that the strict application of this section would result in real difficulties and substantial hardships or injustices, the Plan*

*Commission may vary or modify such requirements so that the owner is allowed to develop the land in a reasonable manner; provided that, public health, safety, welfare and convenience are protected.*

Here, variations from the strict application of the Code are appropriate due to the unusual conditions Bob and Susan face 49 years after a prior owner consolidated the lots. As discussed above, the two lots were conforming lots of record when a consolidation was mandated in 1976 so the prior owner could install a tennis court. By permitting the subdivision, the lots will return to their prior sizes; a size more in keeping with the prevailing standard of lot sizes in the zoning district.

This request is similar to the subdivision sought and approved at 860 Lamson Drive. In that matter, the applicant acquired the home in 1959. In 1975, the applicant purchased the adjoining home at 901 Tower Road, demolished the home, and built a tennis court for the family. In 1975, both the lot at 860 Lamson Drive and the lot at 901 Tower Road were located within the "A" (One-Half Acre) Residence District. Since the square footage of each of the lots was greater than one half acre, both lots were conforming under the then existing Zoning Ordinance. Despite the fact that the two lots were conforming, the Village of Winnetka required the applicant to apply for a lot consolidation because "this request for approval of a preliminary and final plat of consolidation was prompted by the current interpretation of the Zoning Ordinance that accessory uses to permitted uses must be on the same lot of record." (Village of Winnetka Plan Commission Minutes, November 12, 1975, pg.2). The Plan Commission unanimously approved the consolidation. In 2018, the applicant applied for a subdivision and variations to restore the two lots to their prior condition. The Village Council approved the requested zoning variations and granted preliminary plat approval (M-2-2018) and granted final plat approval of the subdivision (R-45-2018).

The requested variations also arise from the unusual shape of the lot. Here, the proposed lot 2 is 97% of the minimum lot area. As discussed above, Bob and Susan considered moving the proposed north lot line of Lot 2 to make the lot area conforming for Lot 2, but it would lead to the need for a minimum lot depth variation for Lot 1 that would impact their neighbors. A lot smaller than the minimum required lot area is not unusual for this neighborhood, For example, 894 Sunset Road (21,867 sq. ft.), 906 Sunset Road (21,867 sq. ft.), 920 Sunset Road (22,041 sq. ft.), 955 Sunset Road (23,579 sq. ft. located in flood plain), 970 Sunset Road (21,344sq. ft. located in flood plain), 901 Higginson Road (21,506 sq. ft.), 905 Higginson Road (22,041 sq. ft.) and 915 Higginson Road (20,386 sq. ft.) are all smaller than the minimum lot area.

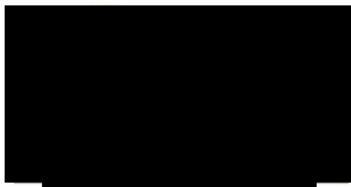
As for the minimum rectangular area, the staff report explains that "the minimum rectangular area is thought to have originated due to the existence of areas of the village such as ravine areas where terrain or other natural feature make regular, rectangular lots impossible. The minimum rectangular area standard has the intended effect of assuring that irregularly shaped lots, when contemplated, still provide an adequate concentration of lot area on which to build." (Brian Norkus memo dated December 10, 2013, pg.3). An unusually shaped lot is common in this neighborhood. Several unusually shaped lots in the neighborhood include 884 Higginson Road, 905 Higginson Road, 915 Higginson Road and 970 Sunset Road and to that extent, Lot 2

July 17, 2025  
Page 6

would be in keeping with the character of the neighborhood. Moreover, there is “an adequate concentration of lot area on which to build.” Mr. Norkus’ report explained that the maximum gross floor area that could be on Lot 2 would be 7,144 sq. ft, the maximum total building footprint/roofed lot coverage would be 5,793 sq. ft., and the maximum impermeable surfaces would be 11,586 sq. ft. A home of this size would be in keeping with the character of the neighborhood.

Since the proposed Subdivision will allow Bob and Susan to maintain their home and return the proposed Lot 2 to its prior status as a separate lot of record, they ask that the Plan Commission recommend approval of their application. We look forward to the opportunity to appear at the Public Hearing on the application and answer any questions the Plan Commission may have. Thank you for your consideration of this request.

Very truly yours,

A large black rectangular redaction box covering the signature area.

Christopher S. Canning



July 29, 2025

Layla Danley  
Chair, Plan Commission  
Village of Winnetka  
c/o Ann Klaassen  
Assistant Director of Community Development  
Village of Winnetka  
510 Green Bay Road  
Winnetka, IL 60093

RE: **CONSTRUCTION IN THE FLOODPLAIN IN WINNETKA**

Dear Chair Danley and Members of the Plan Commission:

I have been retained by Robert J. Marren and Susan L. Marren regarding their application to subdivide the existing lot at 936 Sunset Road (the "Subject Property") into two lots: one lot containing 32,998 sq. ft ("Lot 1") and the other lot containing 23,171.89 sq. ft. ("Lot 2"). There are several areas within Winnetka where the elevation of the lot is below the base flood elevation as determined by FEMA. In Winnetka, development must comply with the Village's storm water detention requirements and compensatory storage requirements for fill in the flood plain. Daniel Creaney Company has provided engineering services for new houses, house additions, and pools within the floodplain through Winnetka generally and in the area near the Subject Property specifically. All these projects that have needed storm water detention have been thoroughly reviewed and approved by the Village of Winnetka.

The proposed Lot 2 is in the flood plain. I am confident that we can provide engineering services for the proposed house that will meet the Village's storm water detention requirements and flood plain requirements. I plan to attend the Plan Commission and Zoning Board meetings regarding the proposed subdivision and answer any questions that the members may have. Please feel free to contact me directly with any questions you may have. Thank you.

Daniel A. Creaney, P.E.  
P.E. 36-33917

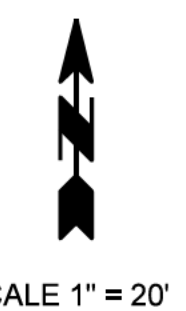
J:\DCC\Forms, Letters, Notes\Construction in floodplain in Winnetka .docx

*Celebrating Over 40 Years of Service*

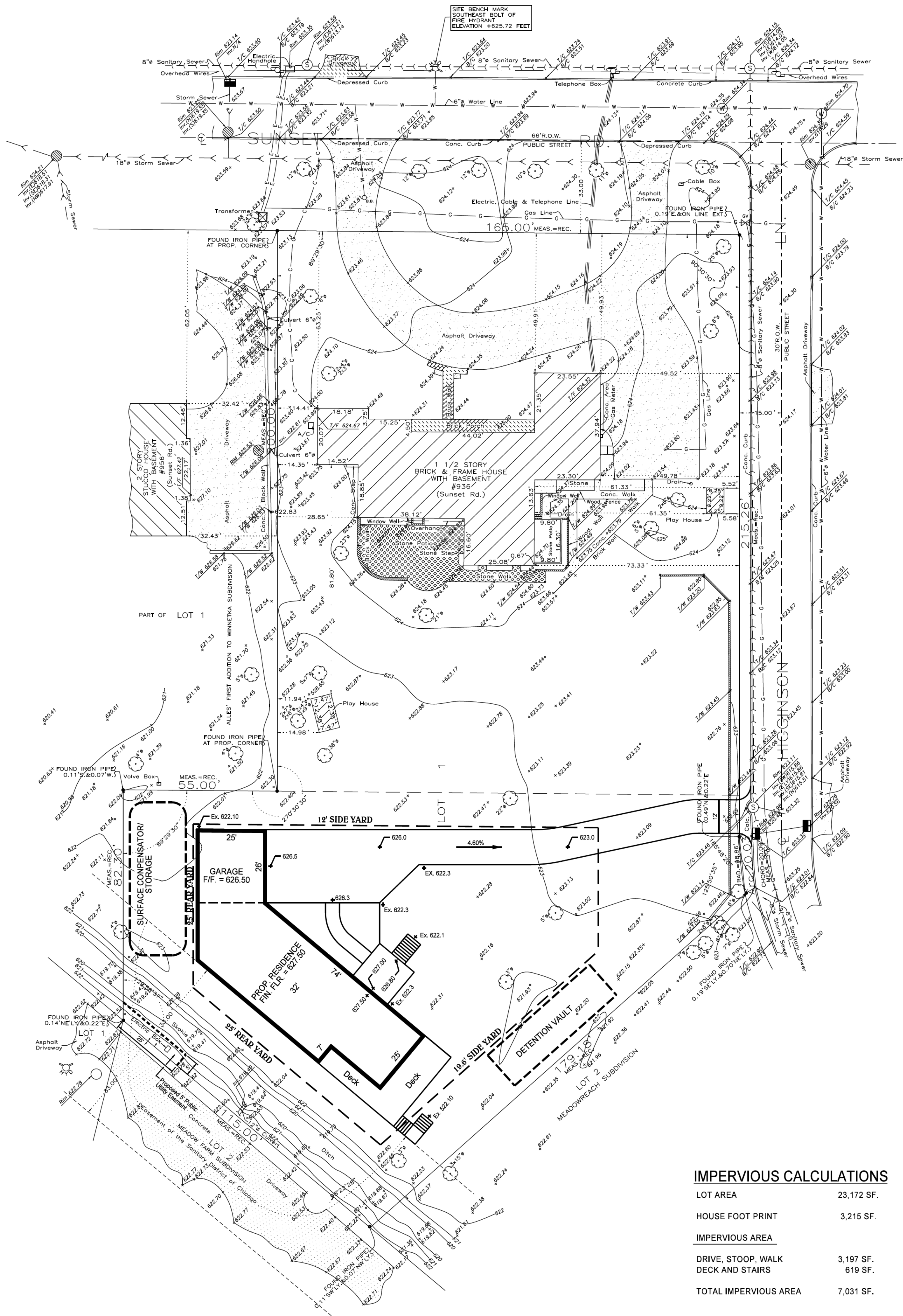
450 Skokie Boulevard, Suite 105 • Northbrook, IL 60062-7909  
847-480-5757 • [www.dcreaneyco.com](http://www.dcreaneyco.com)

# BOUNDARY & TOPOGRAPHIC SURVEY

OF  
 LOT 1 IN SEABURY'S CONSOLIDATION OF LOT 1 IN MEADOWREACH, TOGETHER WITH PART OF LOT 1 IN ALLES' FIRST ADDITION TO WINNETKA, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 4, 1976 AS DOCUMENT 23697377, IN COOK COUNTY, ILLINOIS.  
 LAND TOTAL AREA: 56,171 SQ.FT. = 1.289 ACRES  
 COMMONLY KNOWN AS: 936 SUNSET ROAD, WINNETKA, ILLINOIS.



SCALE 1" = 20'

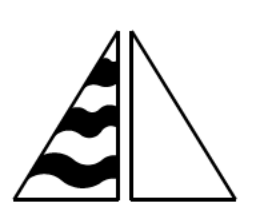


- LEGEND:
- - MANHOLE
  - ⊙ - CATCH BASIN
  - ⊖ - SANITARY MANHOLE
  - ⊕ - WATER MANHOLE
  - ⊞ - INLET
  - ⊚ - FIRE HYDRANT
  - ⊛ - GAS VALVE
  - ⊜ - B.BOX
  - ⊝ - UTILITY POLE
  - ⊞ - TREE
  - T/F - TOP OF FOUNDATION ELEVATION
  - T/C - TOP OF CURB ELEVATION
  - B/C - BOTTOM OF CURB ELEVATION
  - T/W - TOP OF WALL ELEVATION
  - SPOT - SPOT ELEVATION
  - CONTOUR - CONTOUR
  - - SANITARY LINE
  - - STORM LINE
  - - WATER LINE
  - - GAS LINE
  - - ELECTRIC LINE
  - - CABLE LINE
  - - AT&T LINE

### IMPERVIOUS CALCULATIONS

LOT AREA	23,172 SF.
HOUSE FOOT PRINT	3,215 SF.
IMPERVIOUS AREA	
DRIVE, STOOP, WALK DECK AND STAIRS	3,197 SF. 619 SF.
TOTAL IMPERVIOUS AREA	7,031 SF.

NOTE: FLOWABLE CRAWL UNDER HOUSE,  
 GARAGE, STOOP AND ELEVATED DRIVEWAY.



**DANIEL CREANEY COMPANY**  
 CONSULTING CIVIL ENGINEERS  
 450 SKOKIE BLVD. SUITE 105  
 NORTHBROOK, ILLINOIS (847) 480-5757

936 SUNSET ROAD  
 WINNETKA, ILLINOIS

SHEET

1

OF 1

DESIGNED BY: DAC CHECKED BY: DAC SCALE: 1" = 20'  
 DRAWN BY: JS JOB NO.: BOOK:

EXHIBIT

DATE BY REVISION

DATE 8-25-2025

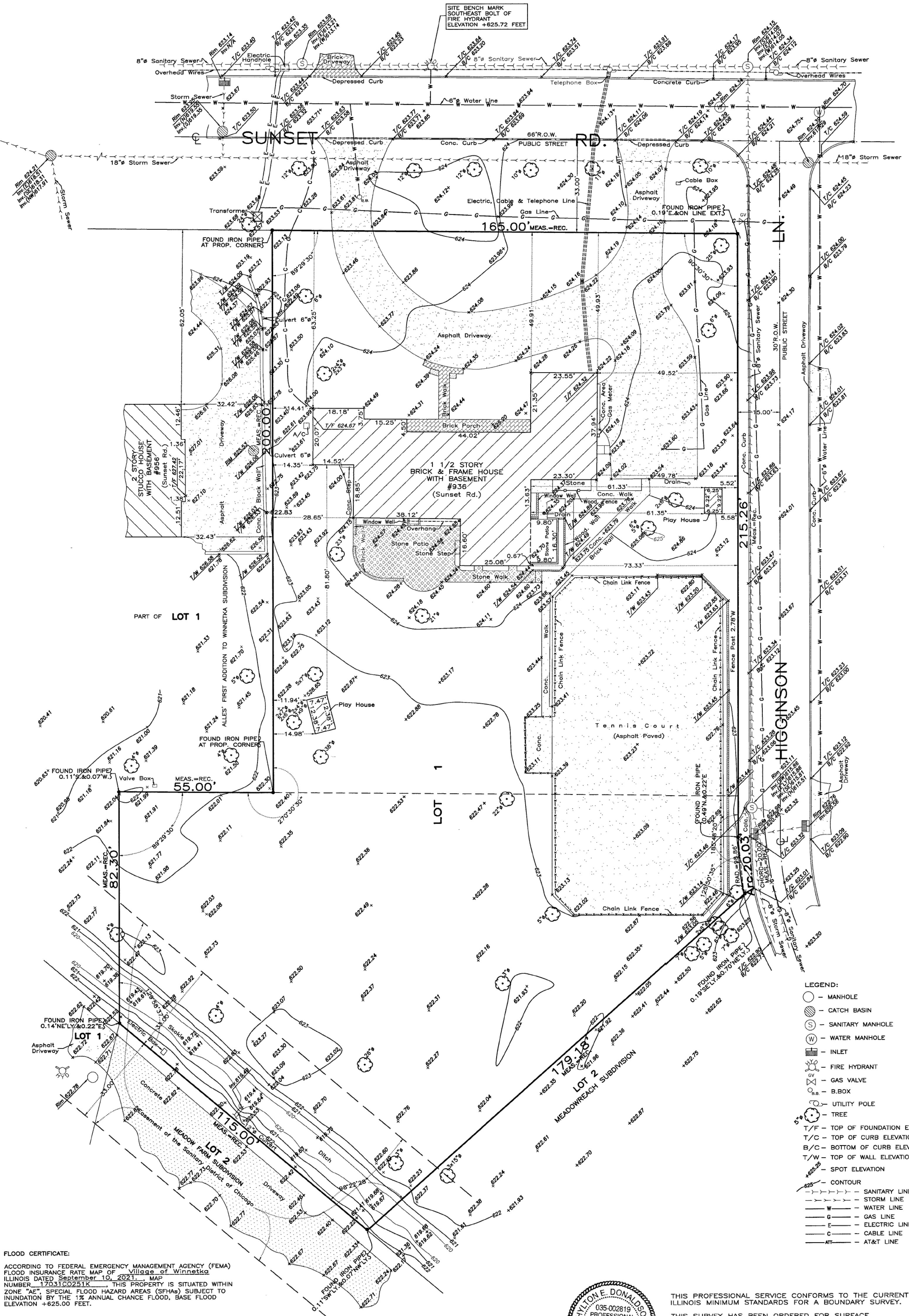
# BOUNDARY & TOPOGRAPHIC SURVEY

OF

LOT 1 IN SEABURY'S CONSOLIDATION OF LOT 1 IN MEADOWREACH, TOGETHER WITH PART OF LOT 1 IN ALLES' FIRST ADDITION TO WINNETKA, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 4, 1976 AS DOCUMENT 23697377, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 56,171 SQ.FT. = 1.289 ACRES

COMMONLY KNOWN AS: 936 SUNSET ROAD, WINNETKA, ILLINOIS.



- LEGEND:**
- - MANHOLE
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  - ⊕ - WATER MANHOLE
  - ⊖ - INLET
  - ⊗ - FIRE HYDRANT
  - ⊕ - GAS VALVE
  - ⊖ - B.BOX
  - ⊕ - UTILITY POLE
  - ⊗ - TREE
  - T/F - TOP OF FOUNDATION ELEVATION
  - T/C - TOP OF CURB ELEVATION
  - B/C - BOTTOM OF CURB ELEVATION
  - T/W - TOP OF WALL ELEVATION
  - SPOT - SPOT ELEVATION
  - CONTOUR - CONTOUR
  - - SANITARY LINE
  - - STORM LINE
  - W - WATER LINE
  - G - GAS LINE
  - E - ELECTRIC LINE
  - C - CABLE LINE
  - AT - AT&T LINE

**FLOOD CERTIFICATE:**  
 ACCORDING TO FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP OF Village of Winnetka ILLINOIS DATED September 10, 2021. MAP NUMBER 17031602251K. THIS PROPERTY IS SITUATED WITHIN ZONE "AE" SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD, BASE FLOOD ELEVATION +625.00 FEET.

THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON 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. 06-73951  
 SCALE: 1 INCH = 20 FEET.  
 DATE OF FIELD WORK: May 20, 2024.  
 ORDERED BY: Susan Marren

**NOTES:**  
 - UTILITY DATA OTHER THAN PHYSICAL EVIDENCE VISIBLE ON THE GROUND IS SHOWN AS PER RECORDS OBTAINED FROM PRIVATE AND PUBLIC SOURCES AS INDICATED AND SHOULD BE ASSUMED TO BE APPROXIMATE.  
 - ALL ELEVATIONS SHOWN HEREON ARE IN REFERENCE TO U.S.C. AND G.S. DATUM, FOR BENCH MARK USED CROSS NOTCH ON INTERSECTION OF WILLOW ROAD AND RIDGE AVENUE VILLAGE OF WINNETKA, ILLINOIS, ELEVATION +646.49 FEET (NAVD 88).



THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.  
 THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY. 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 s.s.  
 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 hereon drawn is an accurate representation of said survey.  
 Date: May 20, 2024  
 I.L. PROF. LAND SURVEYOR - LICENSE EXP. DATE: NOV. 30, 2024.  
 DRAWN BY: J.V. & ZZ

# REAL ESTATE APPRAISAL

## SINGLE-UNIT RESIDENTIAL PROPERTY

*Located At:*

936 Sunset Road  
Winnetka, Illinois 60093

*Prepared For:*

Robert & Susan Marren

*Prepared By:*

JCS Real Estate Services, Inc.  
1694 1<sup>st</sup> Street  
Highland Park, Illinois 60035



File R25-003

936 Sunset Road, Winnetka, IL 60093



August 12, 2025

Robert & Susan Marren  
936 Sunset Road  
Winnetka, IL 60093

Re: Single-Unit Residential property appraisal  
936 Sunset Road  
Winnetka, Illinois 6093

Dear Mr. & Mrs. Marren:

In fulfillment of our agreement, JCS Real Estate Services, Inc. is pleased to transmit our appraisal report estimating the market values of the above referenced real property under three scenarios. An executive summary of salient facts and conclusions is presented on page one.

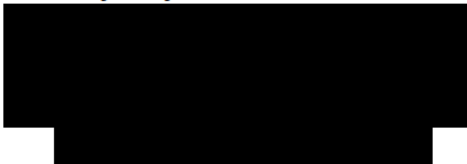
The market value opinions reached in this appraisal are qualified by several assumptions and limiting conditions that are outlined in the report. This report describes the method of analysis and contains data gathered in my investigation. I have inspected the property and have made a thorough investigation and analysis in order to arrive at sound opinions of market value.

This appraisal report describes the scope of assignment and summarizes data gathered in the investigation and complies with the reporting requirements of the Uniform Standards of Professional Appraisal Practice (USPAP) and the Code of Professional Ethics and Standards of Professional Practice of the Appraisal Institute.

My compensation is not contingent on the reporting of a predetermined value, or direction in value that favors the cause of the client, action or event resulting from the analyses, opinions or conclusions in, or the use of, this report, and the appraisal was not based on a requested valuation.

Thank you for the opportunity to provide appraisal services to assist in this matter. If you have any questions or comments regarding the appraisal, please contact me at (847) 877-9373.

Very truly,



John C. Satter, MAI, GAA  
JCS Real Estate Services, Inc.  
Certified General Real Estate Appraiser  
Illinois License No. 553.001110  
Expires September 30, 2025

## DESCRIPTIVE PHOTOGRAPHS



Front View



Rear View

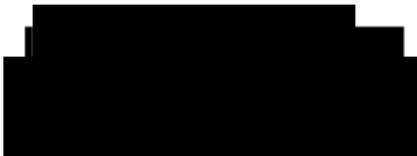
## EXECUTIVE SUMMARY

Address:	936 Sunset Road Winnetka, IL 60093
Location:	Southwest Winnetka
Property Type/Use:	Detached single-unit residence Expanded ranch style 69 years old Two garage spaces
Gross Living Area:	5,151 square feet +/-
Site Area:	56,171 square feet +/-
Occupancy:	Owner
Highest and Best Use:	Continued use – residential
Date of Inspection:	July 22, 2025
Effective Date of Appraisal:	July 22, 2025
Date of Report:	August 12, 2025
Extraordinary Assumptions:	The gross living area calculations are based on the plat of survey, prior mortgage appraisal and Cook County Assessor records.
Purpose:	Estimate an opinion of fair market value
Intended Use:	Planning/Proposed Subdivision
Intended User:	Robert & Susan Marren and legal counsel
<b>Opinion of Market Value – Whole</b> Marketing/Exposure Times:	<b>\$2,600,000</b> 90-120 days
<b>Opinion of Market Value – Front</b> Marketing/Exposure Times:	<b>\$2,300,000</b> 90-120 days
<b>Opinion of Market Value – Rear Lot</b> Marketing/Exposure Times:	<b>\$1,200,000</b> 90-120 days

## CERTIFICATION

I certify that, to the best of my knowledge and belief:

1. The statements of fact contained in this report are true and correct.
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are personal, impartial, and unbiased professional analyses, opinions, and conclusions.
3. The appraiser(s) has (have) no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
4. The appraiser(s) has (have) no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
5. The engagement for this assignment was not contingent upon developing or reporting predetermined results.
6. The appraiser's compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute.
8. The reported analyses, opinions, and conclusions were developed, and this report has been prepared in conformity with the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
10. John C. Satter, MAI inspected the subject property on July 22, 2025.
11. No one provided significant real property appraisal assistance to the person(s) signing this report.
12. The appraiser has experience in appraising properties similar to the subject and is in compliance with the Competency Rule of USPAP and AI
13. John C. Satter, MAI has not performed services, as an appraiser or in any other capacity, regarding the properties that are the subject of this report within the three-year period immediately preceding the agreement to perform this assignment.
14. As of the date of this report, John C. Satter, MAI has completed the requirements of the continuing education program of the Appraisal Institute.



John C. Satter, MAI, GAA  
Certified General Real Estate Appraiser  
Illinois License No. 553-001110  
Expires September 30, 2025

## **ASSUMPTIONS & LIMITING CONDITIONS**

### **Extraordinary Assumptions & Hypothetical Conditions**

The gross living area is based off the plat of survey, prior mortgage appraisal, and Cook County Assessor records. Please note that the use of the extraordinary assumption may have affected the assignment results.

### **General Assumptions**

Title to the property is assumed to be good and marketable unless otherwise stated.

The property is appraised free and clear of any or all liens or encumbrances unless otherwise stated and there are no leases encumbering the property at this time.

Responsible ownership and competent property management are assumed.

The information furnished by others is believed to be reliable, but no warranty is given for its accuracy. This includes the information provided by the property contact, MLS published information, opinions from real estate agents interviewed, and public record data relied upon.

Illustrative material in this report is included only to help the reader visualize the property.

It is assumed that there are no hidden or concealed conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for obtaining the engineering studies that may be required to discover them.

It is assumed that the property is in full compliance with all applicable federal, state, and local environmental regulations and laws unless the lack of compliance is stated, described, and considered in the appraisal report.

### **General Limiting Conditions**

Possession of this report, or a copy thereof, does not carry with it the right of publication.

The appraiser, by reason of this appraisal, is not required to give further consultation or testimony or to be in attendance in court with reference to the property in question unless arrangements have been previously made.

### **Environmental Considerations**

The value estimated is predicated on the assumption that there is no such condition on or in the property or in such proximity thereto that would cause a loss in value.

### **Competency of the Appraiser**

The appraiser has the appropriate knowledge valuing the property type and experience working in the subject market to complete this assignment competently. See attached qualification addenda.

## SCOPE OF WORK FOR THE APPRAISAL

The client has requested opinions of the real property's market value for planning/proposed subdivision use. The scope of work will include:

1. Agreement on the purpose, methodology, use and users of appraisal and acceptance of the assignment;
2. Preliminary analysis and research of county records on the property and MLS and county records on comparable sale data;
3. Inspecting the subject property. The interior and exterior of the property was inspected July 22, 2025. The effective date of value is July 22, 2025. Our observations during our inspection have been relied upon for this assignment.
4. Analyzing the subject neighborhood, competing neighborhoods and the area market.
5. Analyzing the highest and best use of the property.
6. Investigated and selected the most relevant and reliable improved sales for deriving an opinion of market value for the whole property, as is, by the Sale Comparison Approach to value and deriving an opinion of market value for the front portion of the site improved with the residence excluding the rear 24,000-square-foot buildable lot portion of the site.
7. Investigated and selected the most relevant and reliable vacant land sales (including tear downs) for use in the Sales Comparison Approach and deriving an opinion of market value for the rear buildable lot,
8. Preparing an appraisal report.

### Data Collection and Verification

I contacted local real estate brokers involved in sales or listings to research and confirm factors that affect property values including pricing and location, marketing periods, transaction totals and trends. Comparable sale information has been gathered from the Midwest Real Estate Data Multiple Listing Service, residential brokerage firms, third party data services and the county assessor's records.

### Purpose of the Appraisal

The purpose of this appraisal is to estimate three opinions of market value of the property commonly known as 936 Sunset Road, Winnetka, Illinois

### Intended Use, Client and Users of the Appraisal

The intended use of the appraisal is for planning/proposed subdivision. The client is Robert and Susan Marren that engaged JCS Real Estate Services, Inc. to complete the assignment. Other intended users are legal counsel and parties involved in the subdivision.

### Property Rights Appraised

The subject property has been appraised as a whole, as if owned in fee simple, free and clear of all liens, encumbrances and special assessments.

Fee Simple Estate is defined as "Absolute ownership unencumbered by any other interest or estate; subject only to the limitations of eminent domain, escheat, police power, and taxation."

### Definition of Market Value

The definition of market value as applied in this report is defined as:

"The most widely accepted components of market value are incorporated in the following definition. The most probable price that the specified property interest should sell for in a competitive market after a reasonable exposure time, as of a specified date, in cash, or in terms equivalent to cash, under all conditions requisite to a fair sale, with the buyer and seller each acting prudently, knowledgeably, for self-interest, and assuming that neither is under duress." <sup>1</sup>

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<sup>1</sup> The Dictionary of Real Estate Appraisal, Seventh Edition, The Appraisal Institute 2022

## IDENTIFICATION OF THE PROPERTY

The real property being appraised is an 69-year-old, detached single-unit residential property that has the common address of 936 Sunset Road, Winnetka, Illinois 60093. The property is identified by the Cook County Assessor as PIN: 05-20-407-071-0000.

### Legal Description

The legal description below is copied from a boundary survey provided by the client.

## BOUNDARY & TOPOGRAPHIC SURVEY

OF

LOT 1 IN SEABURY'S CONSOLIDATION OF LOT 1 IN MEADOWREACH, TOGETHER WITH PART OF LOT 1 IN ALLES' FIRST ADDITION TO WINNETKA, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 4, 1976 AS DOCUMENT 23697377, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 56,171 SQ.FT. = 1.289 ACRES

COMMONLY KNOWN AS: 936 SUNSET ROAD, WINNETKA, ILLINOIS.

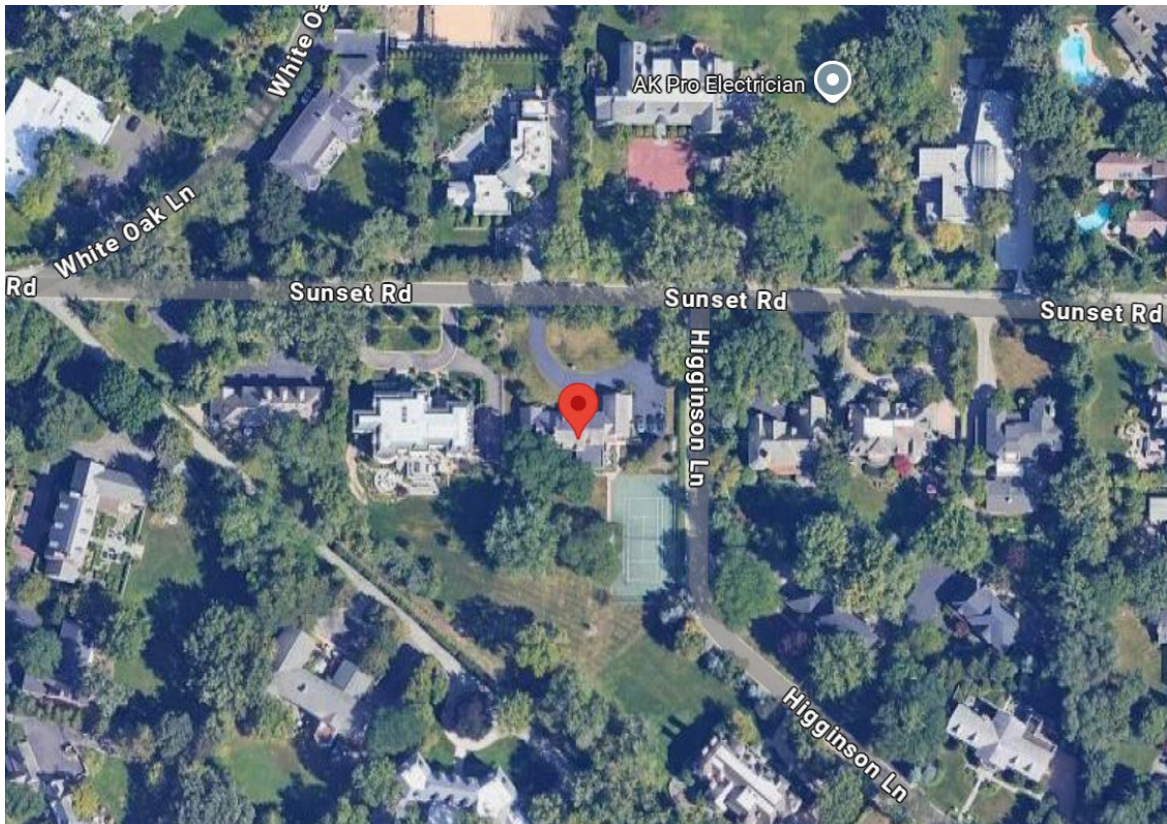
### Personal Property

No items of personal property are included in the estimated value.

### Three Year Sales History

A search of the county records (via MLS/REDI) reveals no sale of the property in the past three years. The property las sold in April 2006 for \$2.50 million. The property has not been listed for sale during the past three years based on search of the MLS and other real estate web-based platforms.

### Aerial Image

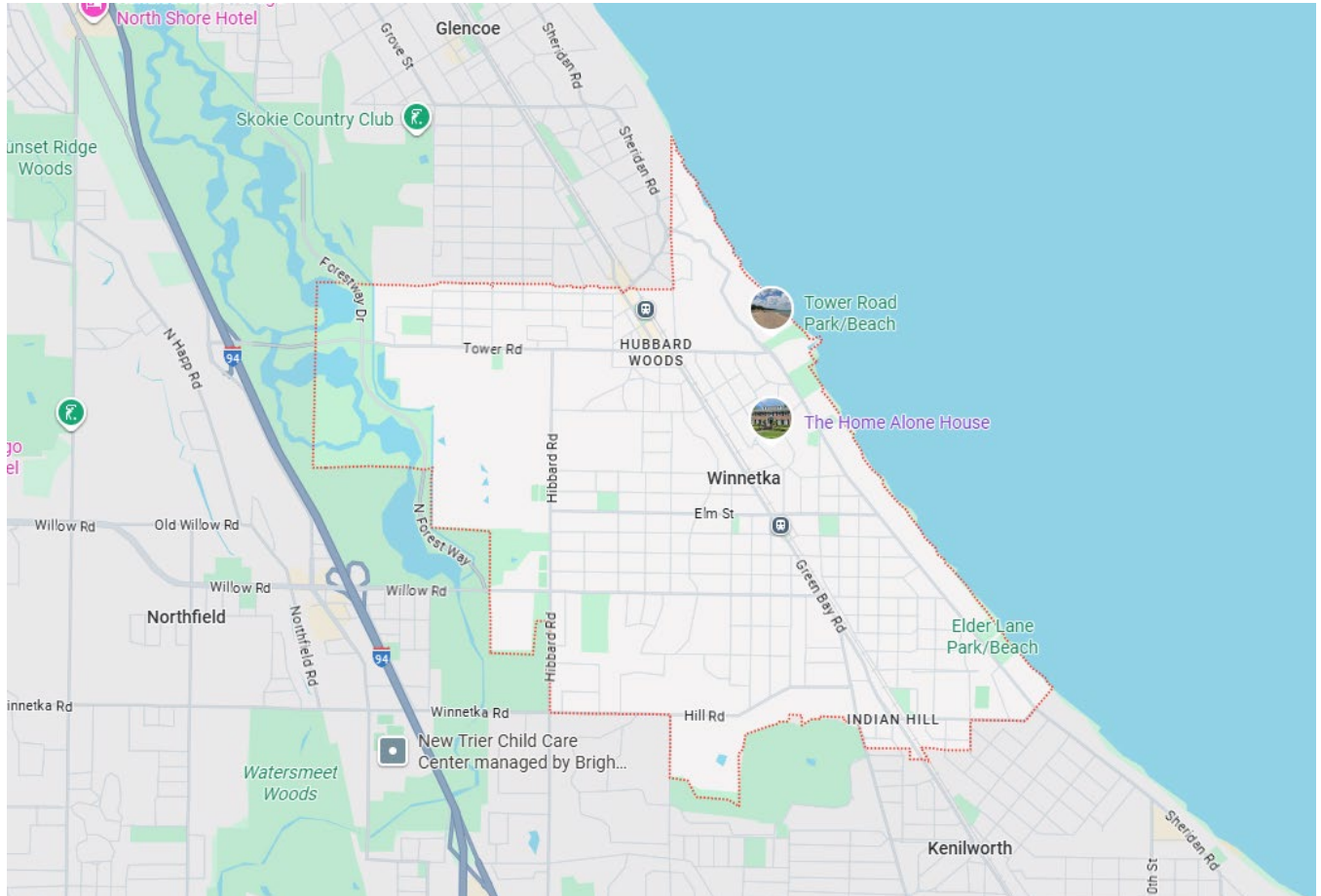


## NEIGHBORHOOD DATA

### Introduction/Location

The subject property is located in the Village of Winnetka, Illinois and is situated in the southwest portion of the village. Winnetka is a mature suburban community located approximately 20 miles northwest of the Chicago's central business district.

The Village of Winnetka's boundaries are somewhat irregular and are generally Scott Avenue to the north, Lake Michigan to the east, Hill Road to the south and the Edens Expressway (I-94) to the west. Bordering communities include Glencoe to the north, Northbrook and Northfield to the west, and Wilmette to the south.



The village is fully developed and has a balance of land uses and characteristics and amenities common for Chicago's northern suburbs. Land use is mostly residential with commercial uses developed in the downtown district, along Green Bay Road, and at major intersections of commercial corridors.

### Access

The market area has good linkage to the Chicago business districts with access to the Edens Expressway (I-94) one mile to the west of the subject and Sheridan Road running parallel to Lake Michigan. The Tri-State Tollway (I-294) is located approximately 10 miles to the west of the subject providing access to O'Hare International Airport and suburban business districts.

Willow Road links the area to the Edens Expressway and the Tri-State Tollway. Public train and bus services link Winnetka to the Chicago Loop business district. PACE bus service runs along Green Bay Road through Winnetka. Drivers use the area expressways or primary streets to reach Chicago's central business district in 30 to 40 minutes.

Access to the Metra train and PACE bus service are available at the Winnetka train stations located along Green Bay Road. O'Hare International Airport provides international and domestic passenger and freight air service located approximately 20 miles southwest of the subject. Midway International Airport also provides international and domestic passenger air service and freight service and is located 40 miles southeast of the subject. Additionally, Waukegan National Airport is approximately 20 miles north of the subject and Chicago Executive Airport is located 15 miles to the west.

**Development Characteristics**

The Village of Winnetka is in the stable stage of its development cycle. This is a stage in which the market area experiences equilibrium without marked gains or losses. The community is at full development and has land use characteristics and village amenities common for Chicago's northern suburbs. The area is attractive to residents due to the schools, village amenities, recreational uses and proximity to business centers.

Winnetka has primarily single-family residential uses in established, fully developed neighborhoods with commercial properties located in the downtown district and along primary streets or along major intersections. Office uses are scattered in various secondary locations and business parks. Winnetka has a primary downtown business district with several ancillary commercial districts located along primary streets including Green Bay Road, Willow Road and Tower Road.

**Housing Prices**

The following table summarizes the median and average detached single-unit residential prices in Winnetka for 2016-2025 (YTD). We note that the median sale price has ranged from \$1.1 million to \$1.925 million while the average price has ranged \$1.34 million to \$2.46 million. The average marketing time (DOM) has contracted the past five years from 120 to 163 days to 40 to 71 days.

WINNETKA DETACHED HOUSING				
Year	Number of Sales	Median Sale Price	Average Sale Price	Avg. DOM
2016	242	\$1,225,000	\$1,393,790	163
2017	255	\$1,122,500	\$1,340,502	159
2018	247	\$1,165,000	\$1,528,007	156
2019	234	\$1,227,500	\$1,407,258	163
2020	304	\$1,100,000	\$1,360,999	120
2021	340	\$1,303,250	\$1,543,645	71
2022	243	\$1,525,000	\$1,917,373	45
2023	189	\$1,675,000	\$2,018,460	48
2024	177	\$1,750,000	\$2,048,803	40
2025 Ytd.	110	\$1,925,000	\$2,462,668	61

**Summary and Conclusion**

The subject property is located in a fully developed affluent suburban area of Chicago that has primarily low-density residential land uses. The suburb is in the stable stage of the development cycle with limited potential for new inventory.

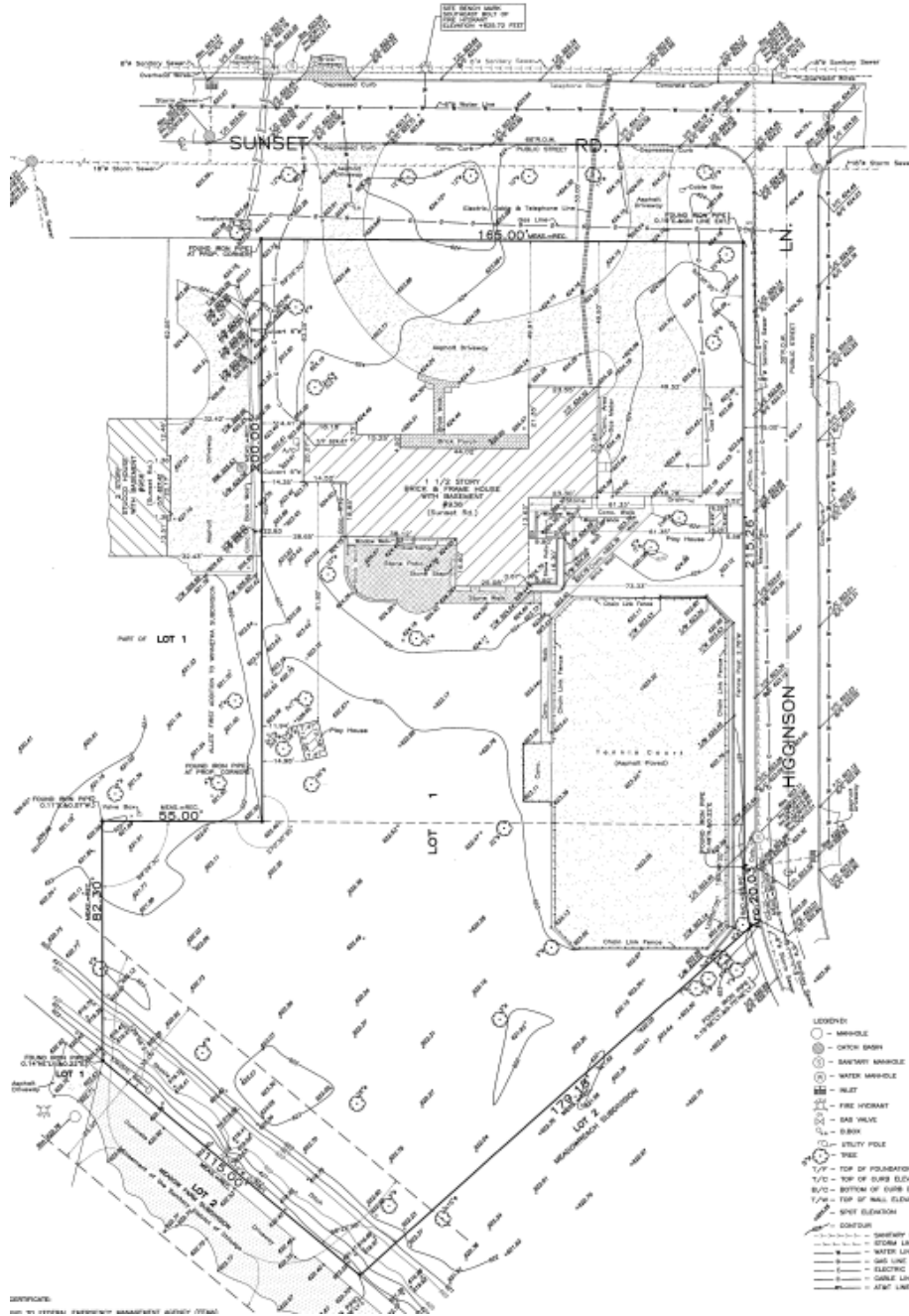
The local area will continue to enjoy good demand for housing units (attached and detached) as well as commercial space in the long term due to its proximate location and linkage to the CDB. The area's income levels will continue to support growth in the commercial base and turnover of the residential housing base.

**Marketing and Exposure Time**

Based on marketing times for the comparable sales and data analyzed for the market area, a marketing period and exposure time of 90-120 days is estimated for the subject property.

## SITE DATA

The site is level and irregular shaped with 165 feet of frontage on the south side of Sunset Road, 235.29 feet of frontage along Higginson Lane, 282.30 feet of depth on the west side and 179.13 feet of depth on the east side. It totals 56,171 SF of area and is two combined lots of record due to a consolidation by a prior owner to meet an accessory use requirement. The site size is toward the high end of the range for the community and nearly twice that of adjacent properties. The plat of survey below illustrates the large vacant rear portion of the site.



Sunset Road is a two-way, two lane public right of way and Higginson Lane is a two-way, two-lane public right that links Sunset Road with Birch Street. Street improvements including concrete curbs and sidewalks, street gutters and storm/sanitary drain lines, and overhead street lighting. Natural gas, city water and sewer and electricity utilities are all available and connected to the site. The topography is level and soil quality conducive for development. Storm water is managed through the city's storm water system.

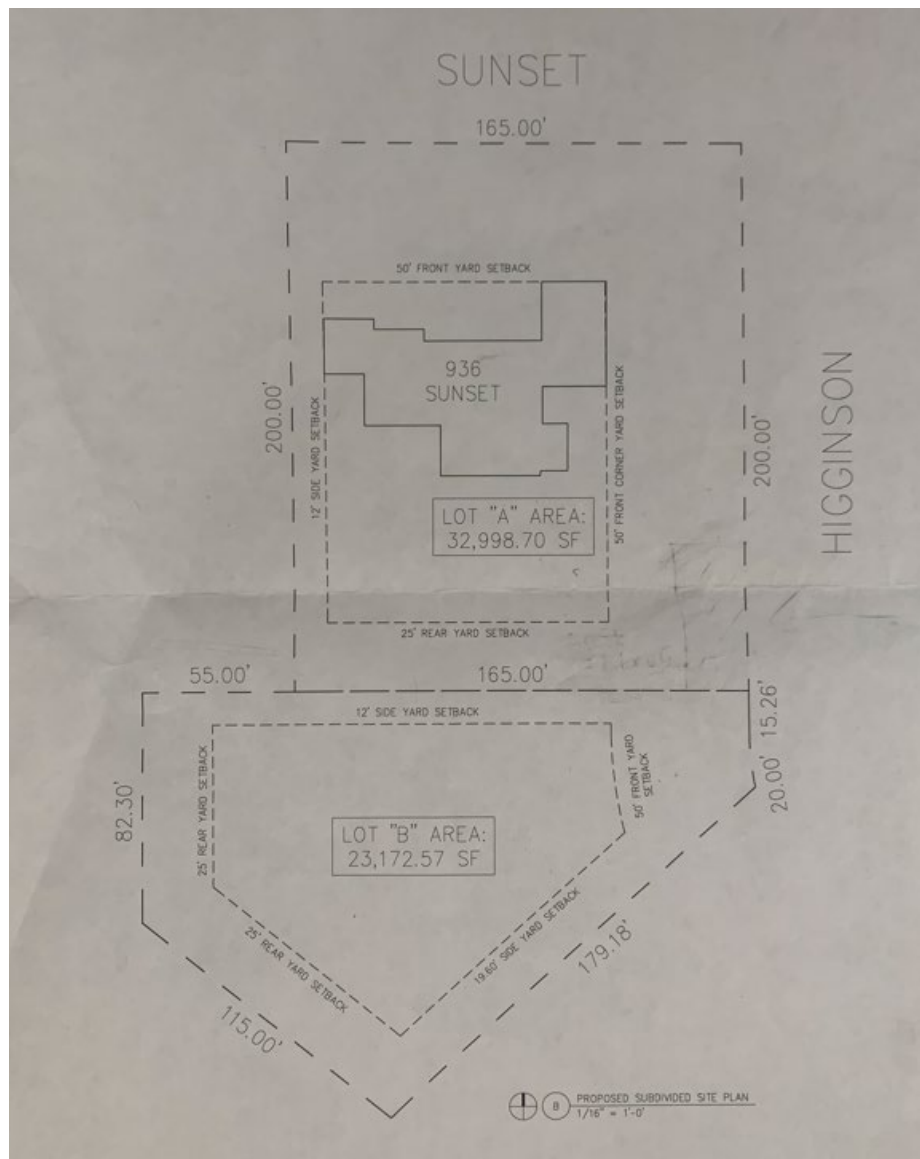
## ZONING

The Village of Winnetka classifies the site as R-2, Single-Family Residential District. The district has a minimum size requirement of 24,000 square feet. There are several other bulk restrictions including a minimum front line of 20 feet and a minimum average width of 100 feet. The ordinance should be reviewed by an attorney familiar with real estate and the existing site analyzed by an architect or civil engineer to render opinions of the viability of achieving the stated goal of subdividing the site into two buildable lots.

The site is over twice as large as the minimum site area required for the R2 zoning district. The irregular shape presents some challenges for the rear lot to meet all size requirements such as frontage; however, the shape allows for an ample sized building envelope to construct a moderately sized residence.

### Subdivision Rendering

The below image was prepared as a visual representation of a potential subdivision of the site into front and rear lots that is the property's highest and best use.



## IMPROVEMENTS

The subject property is an expanded Ranch style residence with finished first and second levels, and finished partial basement level. The building has a frame structure with brick veneer and sided exterior, gable style wood shingle roof with dormers, copper gutters and downspouts, double-pane windows in wood frames and an attached two-car garage with an electric overhead door.

The original portion of the residence was constructed in 1956 as a ranch style. It was expanded over the years with the upper floor built out with bedrooms, bathrooms and recreational space. The residence has 5151 square feet of gross living area on floors one and two, plus approximately 1,596 square feet of finished basement area.

The first floor has approximately 3,131 square feet of gross living area with entry, living room, dining room, family room, kitchen, den, primary bedroom-bathroom suite, half bathroom and mudroom. The second floor is approximately 2,020 square feet with five bedrooms and three full bathrooms. There is a small storage area off the west end. The partial basement is approximately 2,281 square feet and 1,596 square feet are finished with a large recreation room, exercise room, full bathroom, laundry room, and storage room that also houses mechanical equipment.

Interior finishes are good quality including drywall board walls and ceilings, ceiling mounted lights, painted wood trim, and solid wood doors. Flooring is a mix of hardwood, carpet and tile. The kitchen finishes are good quality due to renovation including painted wood cabinets, granite counters and good cost-quality appliances. The bathroom finishes are a mix of stone and ceramic tile floors and shower surround, wood cabinets and stone or composition counters.

The building has five zones for forced air heat and cooling. The property has city water/sewer, natural gas and electric meters.

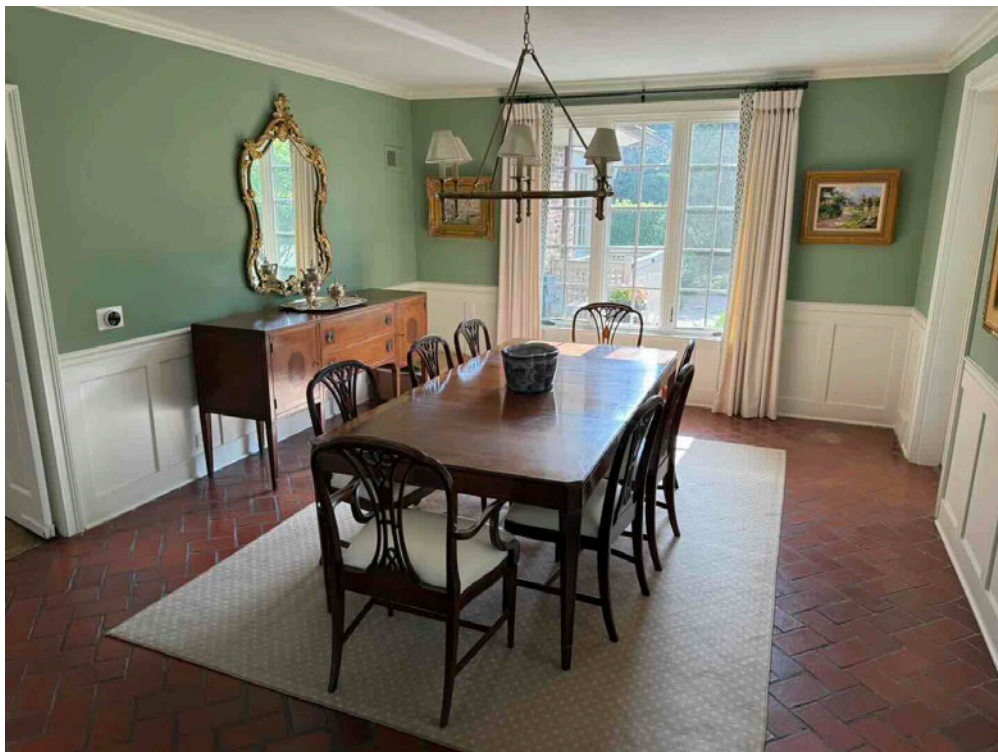
Site improvements include asphalt paved circular drive with two curb cuts off Sunset Road, brick entry walk, covered front porch, slate patio, tennis court with covered sitting area and landscaping with mature trees and bushes and flower beds, etc.

Overall, the residence is ranked average condition and exterior quality and good interior quality of construction for the neighborhood. Our inspection revealed no immediate major repairs needed.

## DESCRIPTIVE PHOTOGRAPHS

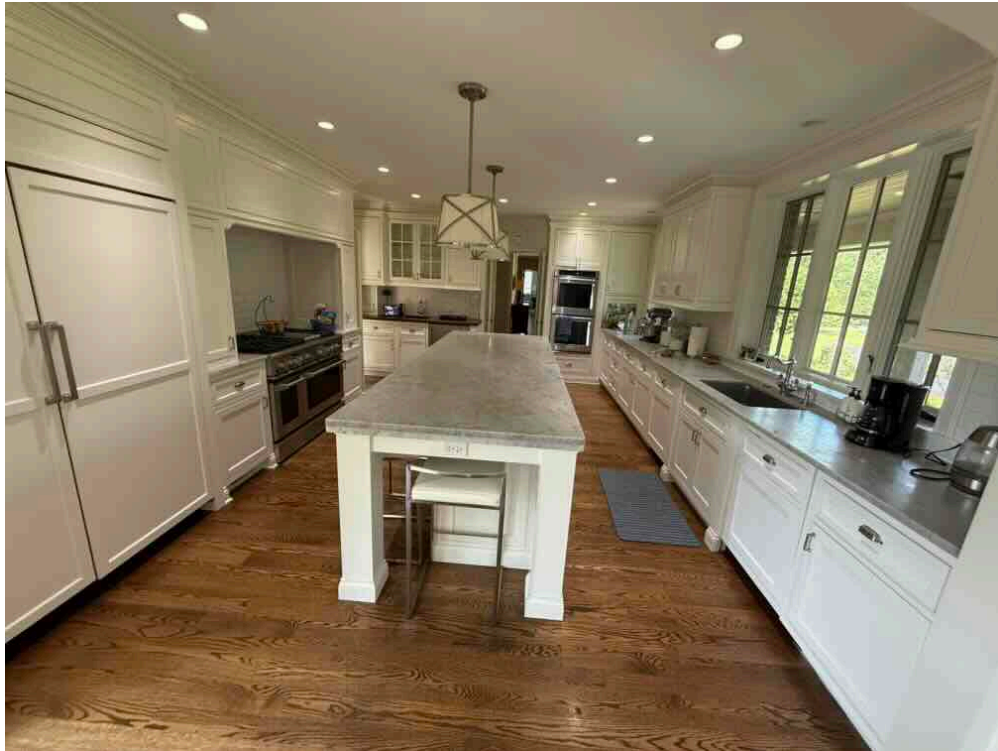


Living Room

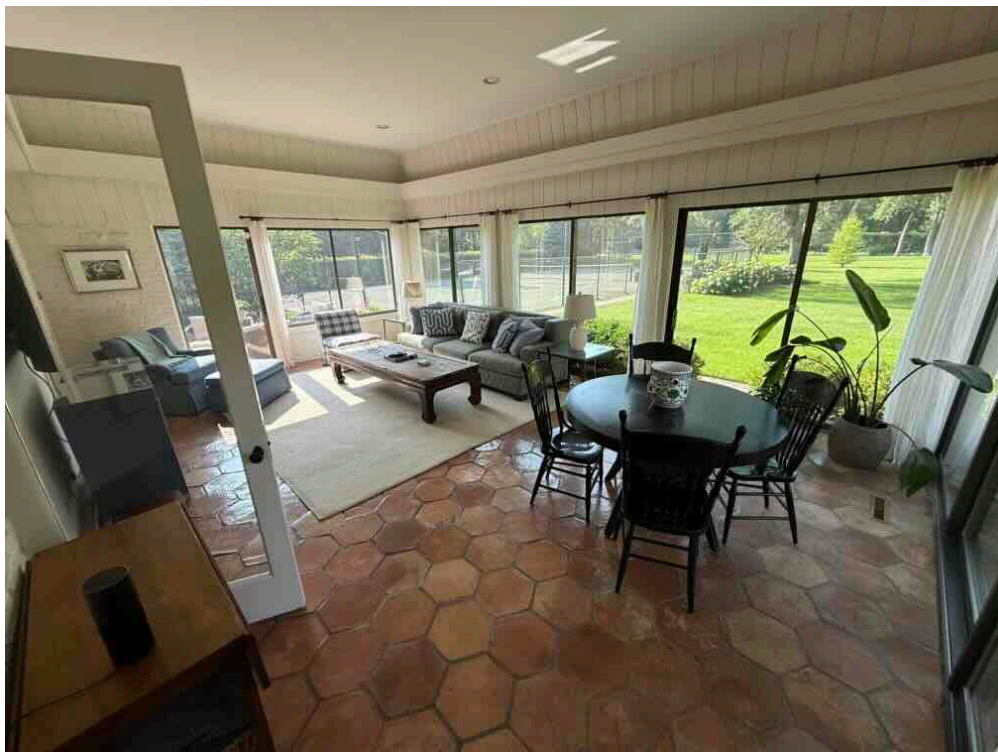


Dining Room

## DESCRIPTIVE PHOTOGRAPHS



Kitchen

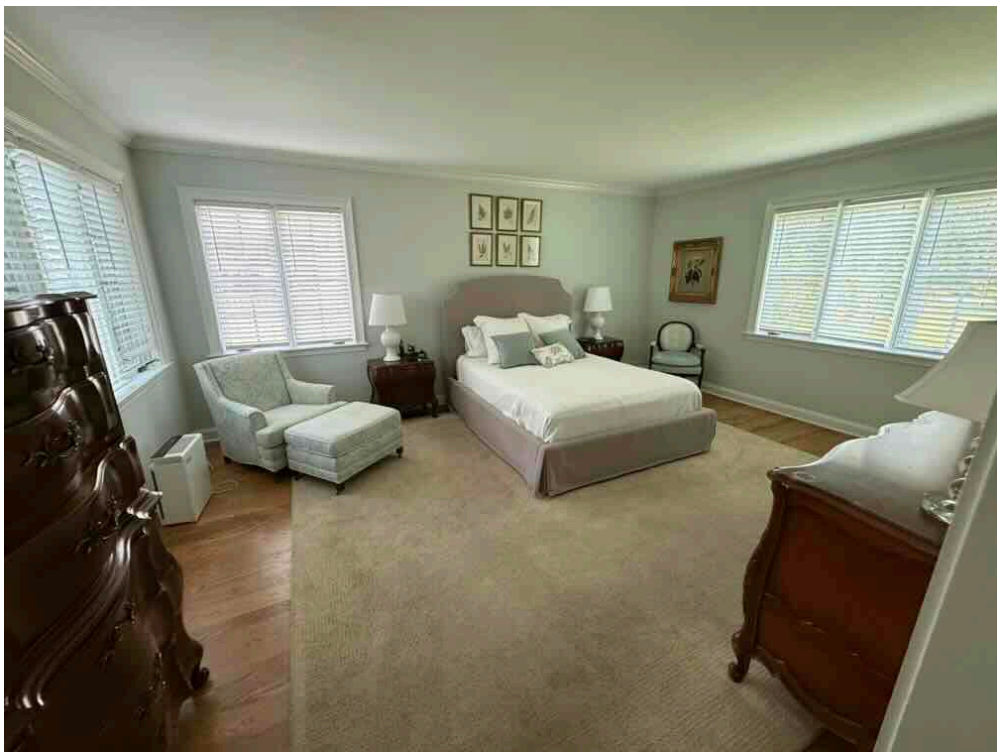


Family Room

## DESCRIPTIVE PHOTOGRAPHS



Den

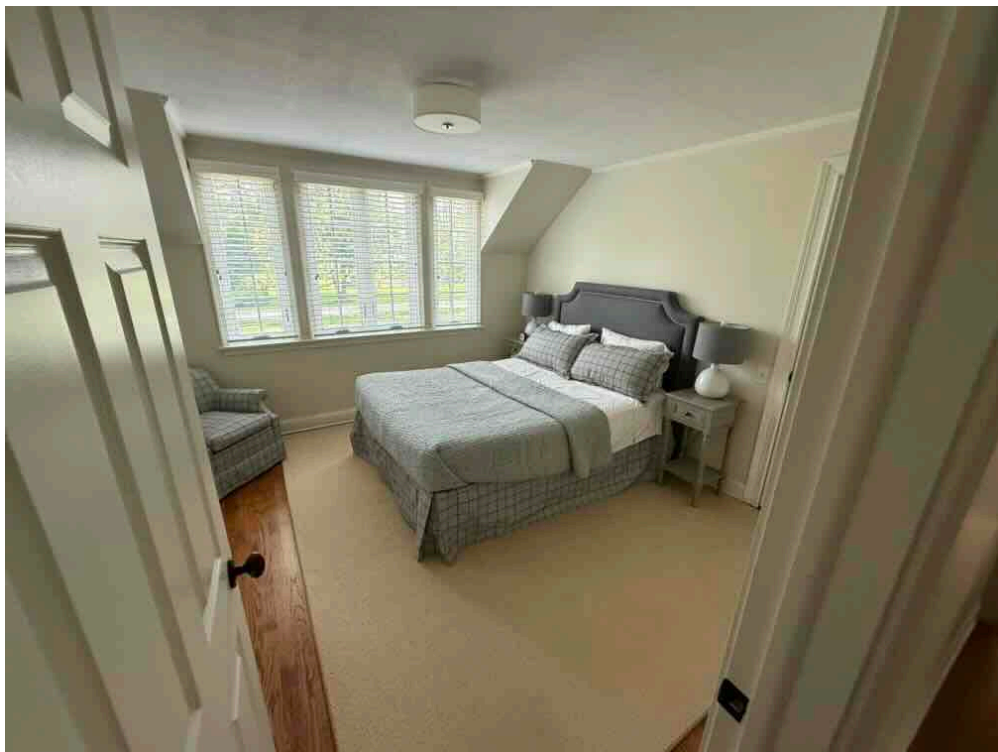


Primary Bedroom

## DESCRIPTIVE PHOTOGRAPHS



Primary Bathroom



Second Floor Hall Bedroom

## DESCRIPTIVE PHOTOGRAPHS

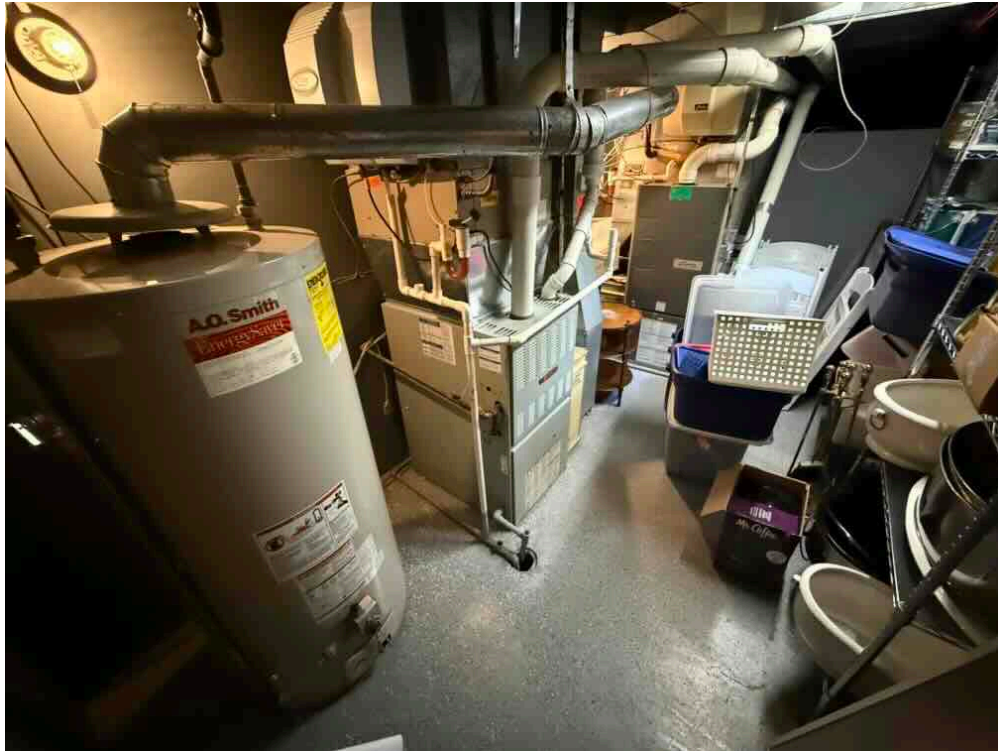


Private Bathroom

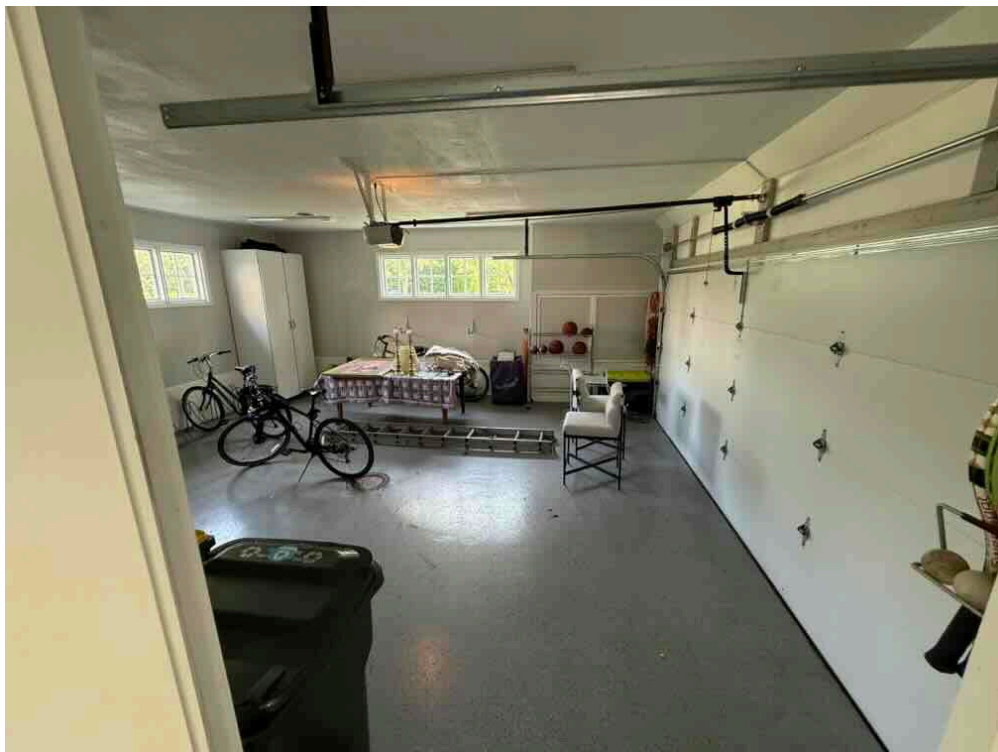


Basement Recreation Room

## DESCRIPTIVE PHOTOGRAPHS



Basement Mechanical Room



Two-Car Garage

## DESCRIPTIVE PHOTOGRAPHS



Tennis Court



Rear Yard

## HIGHEST AND BEST USE

### *Introduction*

Highest and best use is defined as: “the reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legally permissibility, physically possible, financially feasible and maximally productive”.<sup>2</sup>

### *Highest and Best Use as Vacant*

Based on the zoning, subject property physical characteristics, and trends in the neighborhood, the highest and best use of the site is to develop the site with two detached single-unit residences. The timing of development is immediate.

### *Highest and Best Use as Improved*

The subject property is an average to good cost quality detached single-unit residential unit on a 1.29-acre site in the southwest section of Winnetka. The improvements are in average condition and have average modernization. The improvements contribute to value; however, the site is larger than typical and is underutilized with the rear section functioning to support the tennis court accessory use. The south yard area is excess land and should be subdivided from the parcel for development of a single-unit residence. No alternative use results in a higher residual value to the land. Therefore, continued use as improved with the rear buildable lot subdivided out for development is the highest and best use as improved. Timing is immediate.

## VALUATION PROCESS

An opinion of the market value for a single-unit residential property as is (whole) and with only the front lot area (front) has been requested. Also, an opinion of the rear 24,000 square foot buildable lot (rear) has been requested. The opinions of value will be estimated by direct comparison with improved sales and vacant land sales from the neighborhood. The Cost Approach and the Income Capitalization Approach are not applicable due to the design and age of the improvements and as properties in this market are acquired for occupancy and not as investments. Therefore, only the Sales Comparison Approach will be developed.

The **Sales Comparison Approach** is a set of procedures in which a value is derived by comparing the property being appraised to similar properties that have sold recently. Applying appropriate units of comparison and making adjustments to the sale prices of the comparable sales based on the elements of comparison. The sale comparison approach may be used to value improved properties, vacant land or land being considered as though vacant; it is the most common and preferred method of valuation when comparable sales data is available.<sup>3</sup>

The reliability of the sales comparison approach is subject to the degree of similarity between the subject property and the comparable properties; however, as no properties are identical, adjustments for differences in financing terms, conditions of the sale, market conditions, location, physical and income characteristics are often necessary.

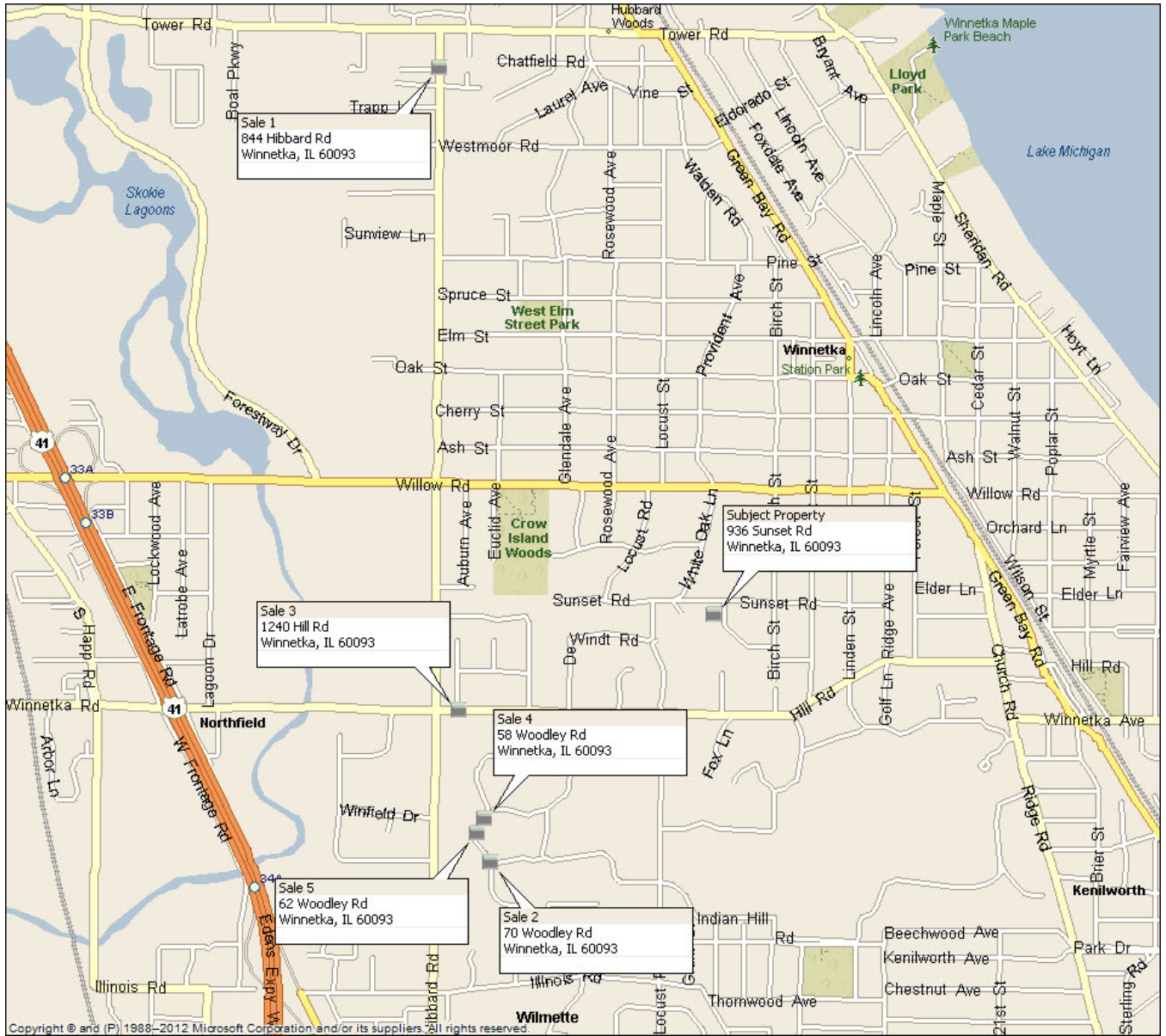
The best indication of value for the subject property is recent sales or available listings from within the immediate market area. Realtor generated data on property listings and sales are available from the MRED, LLC Multiple Listing Service (MLS). Physical data on the sales presented in the MLS such as site area, residence size, and zoning were verified with the county or city records. Real estate agents involved in the sale or listing are interviewed for opinions on the condition, updating and buyer-seller motivation. A search of MRED, the primary MLS serving the area, reveals several closed sales within the immediate neighborhood. The best closed sales are presented and compared to the subject property.

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<sup>2</sup> The Dictionary of Real Estate Appraisal, Seventh Edition, The Appraisal Institute 2022

<sup>3</sup> Ibid

# LOCATION MAP WHOLE ANALYSIS



COMPARABLE SALE SUMMARY AND ADJUSTMENT GRID - WHOLE						
Property	Subject	Sale 1	Sale 2	Sale 3	Sale 4	Sale 5
Address	936 Sunset Road	844 Hibbard Road	70 Woodley Road	1240 Hill Road Rd	58 Woodley Road	62 Woodley Road
City	Winnetka, IL	Winnetka	Winnetka	Winnetka	Winnetka	Winnetka
Sale Price	-	\$2,100,000	\$2,350,000	\$2,360,000	\$2,680,000	\$2,850,000
Concessions	-	None	None	None	None	None
Date of Sale*	7/22/2025	7/30/2024	12/18/2024	7/18/2025	8/30/2024	Active
Location	SW Winnetka	NW Winnetka	SW Winnetka	SW Winnetka	SW Winnetka	SW Winnetka
Site Area - SF	56,171	38,934	44,610	37,984	40,480	66,707
View	Residential	Residential	Residential	Residential	Residential	Residential
Design	Expanded Ranch	Colonial	Expanded Ranch	Georgian	Colonial	Colonial
Exterior Quality	Frame/Brick Veneer	Brick	Frame, Brick	Brick	Brick	Frame, Brick
Interior Quality	Good	Good	Good	Good	Good	Good
Age - years	69	100	70	87	85	92
Condition	Average	Average	Average	Average	Average	Average
HVAC	Zoned FA/AC	FA/AC	FA/AC	Zoned FA/AC	Zoned FA/AC	Zoned FA/AC
Parking	2 Garage Spaces	2 Garage Space	3 Garage Space	2 Garage Spaces	3 Garage Space	2 Car Garage
Project Amenities	Patio, Tennis Ct	Patio, Pool, Pool House	Patio, Porch, Pool	Patio, Porch, Pool	Patio	Patio, Balconies
Fireplaces	3	2	3	3	4	5
Basement Area (SF)	2,281	1,329	0	1,017	3,201	2,275
Finished Basement Area (SF)	1596	657	0	627	2,500	0
GLA - SF	5,151	4,885	5,000	4,337	8,754	5,000
Above Grade Rooms	12	11	13	12	12	13
Above Grade Bedrooms	6	5	5	5	7	6
Above Grade Baths	4.1	5.1	6.2	4.1	6.2	4.2
Sales Comparison Adjustment Grid						
		Sale 1	Sale 2	Sale 3	Sale 4	Sale 5
Sale Price	Adjustment Rate	\$2,100,000	\$2,350,000	\$2,360,000	\$2,680,000	\$2,850,000
<i>Market Conditions / Sale-List Ratio</i>		\$0	\$0	\$0	\$0	(\$142,500)
<i>Location</i>		\$105,000	\$0	\$0	\$0	\$0
<i>Site Area</i>	\$15.00	\$258,555	\$173,415	\$272,805	\$235,365	(\$158,040)
<i>Design</i>		\$0	\$0	\$0	\$0	\$0
<i>View</i>		\$0	\$0	\$0	\$0	\$0
<i>Quality</i>		\$0	\$0	(\$59,000)	\$0	\$0
<i>Condition</i>		\$25.00	\$0	\$0	\$0	\$0
<i>Car Storage</i>		\$0	(\$25,000)	\$0	\$0	\$0
<i>Basement Area/Finish</i>		\$10/\$20	\$28,300	\$54,730	\$32,020	(\$27,280)
<i>Gross Living Area</i>		\$50.00	\$13,300	\$7,550	\$40,700	(\$180,150)
<i>Kitchen Finish</i>		\$0	\$0	\$0	\$0	\$0
<i>Number of Baths</i>		(\$10,000)	(\$25,000)	\$0	(\$25,000)	(\$5,000)
<i>Bath Finishes</i>		\$0	\$0	\$0	\$0	\$0
<i>Amenities</i>		(\$25,000)	(\$25,000)	(\$25,000)	\$0	\$0
<i>Overall Adjustment</i>		\$370,155	\$160,695	\$261,525	\$2,935	(\$266,010)
<b>Adjusted Sale Price</b>		<b>\$2,470,155</b>	<b>\$2,510,695</b>	<b>\$2,621,525</b>	<b>\$2,682,935</b>	<b>\$2,583,990</b>
<i>% Net Adjustment</i>		17.6%	6.8%	11.1%	0.1%	-9.3%
<i>% Gross Adjustments</i>		19.8%	12.2%	17.1%	17.5%	12.1%
					Low	\$2,470,155
					High	\$2,682,935
					Average	\$2,573,860
					Median	\$2,583,990

Effective date for appraisal of subject property

The sales are all located in the subject's west Winnetka area and are similar vintage traditional style residences. Due to the large site area of the subject property, sales from the nearby Woodley Road subdivision have been considered.

The sales have closing dates between July and December 2024 with one active listing. The sales are adjusted for significant differences and require gross adjustments of 12.1 to 19.8 percent for differences in list to sale price ratio and physical characteristics including location, site area, exterior quality, car storage, basement area and finish, gross living area, condition, number of bathrooms and amenities.

**File R21-1101**

**936 Sunset Road, Winnetka, IL 60093**

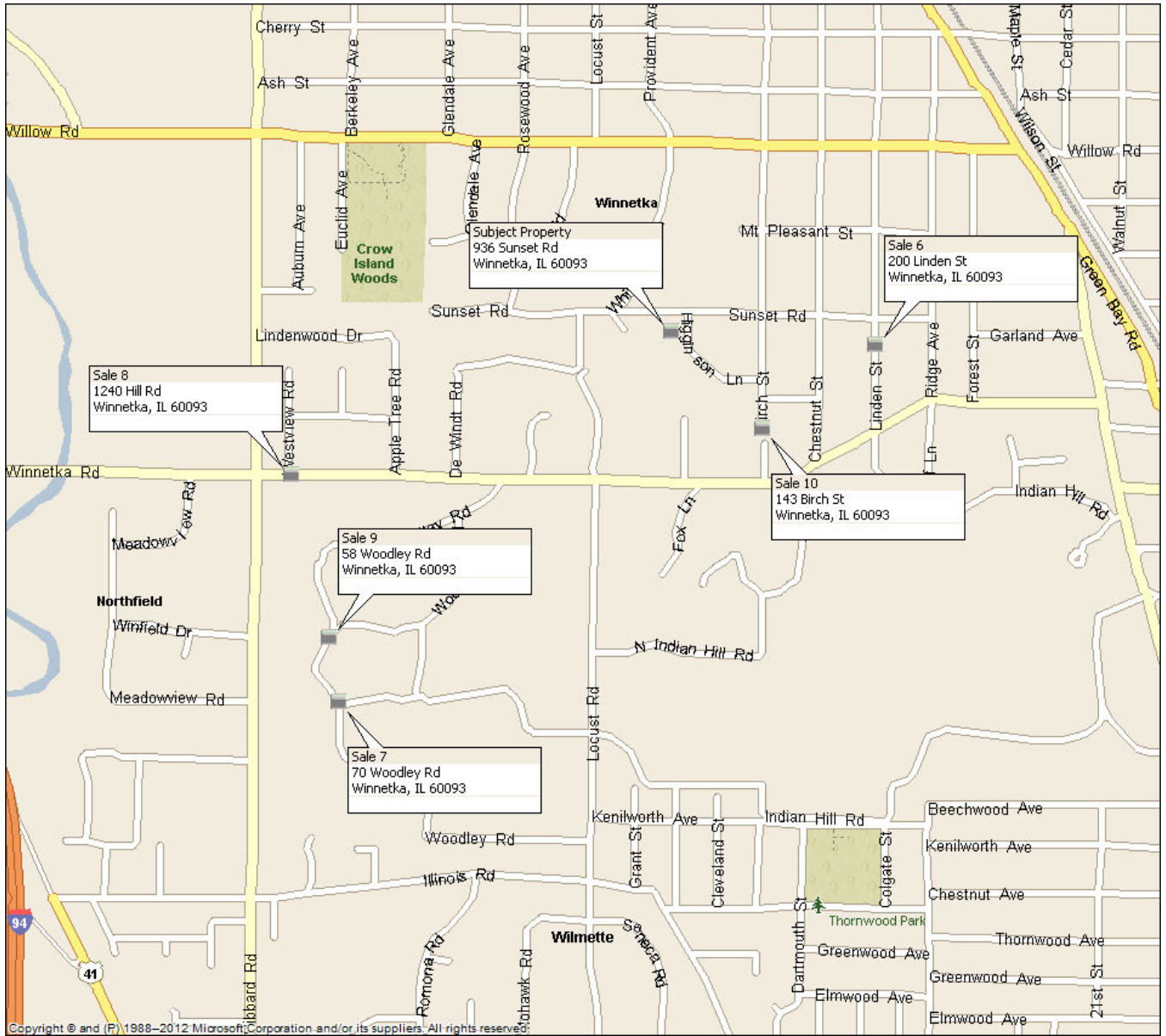
The adjustments are based on market data, contributory value based on replacement cost and our judgment and experience working in the market area. The sales have an adjusted price range of \$2,470,155 to \$2,682,935 with a median of \$2,583,990 and an average of \$2,573,860.

***Conclusion***

The subject property is reconciled to a value near the median and average of the adjusted range with equal weight on the Sales. Our opinion of market value as of the effective date is \$2,575,000.

***Opinion of Market Value for the Whole Property as of July 22, 2025:                    \$2,575,000***

# LOCATION MAP FRONT PORTION ANALYSIS



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COMPARABLE SALE SUMMARY AND ADJUSTMENT GRID - FRONT						
Property Address City	Subject 936 Sunset Road Winnetka, IL	Sale 6 200 Linden Street Winnetka	Sale 7 70 Woodley Road Winnetka	Sale 8 1240 Hill Road Rd Winnetka	Sale 9 58 Woodley Road Winnetka	Sale 10 143 Birch Street Winnetka
Sale Price	-	\$2,057,000	\$2,350,000	\$2,360,000	\$2,680,000	\$2,149,900
Concessions	-	None	None	None	None	None
Date of Sale*	7/22/2025	9/30/2024	12/18/2024	7/18/2025	8/30/2024	12/6/2024
Location	SW Winnetka	SW Winnetka	SW Winnetka	SW Winnetka	SW Winnetka	SW Winnetka
Site Area - SF	32,171	18,700	44,610	37,984	40,480	18,700
View	Residential	Residential	Residential	Residential	Residential	Residential
Design	Expanded Ranch	Colonial	Expanded Ranch	Georgian	Colonial	English
Exterior Quality	Frame/Brick Veneer	Brick	Frame, Brick	Brick	Brick	Frame
Interior Quality	Good	Good	Good	Good	Good	Good
Age - years	69	97	66	82	81	98
Condition	Average	Average	Average	Average	Average	Average
HVAC	Zoned FA/AC	FA/AC	FA/AC	Zoned FA/AC	Zoned FA/AC	Zoned FA/AC
Parking	2 Garage Spaces	2 Garage Space	3 Garage Space	2 Garage Spaces	3 Garage Space	1 Car Garage
Project Amenities	Patio, Tennis Ct	Deck	Patio, Porch, Pool	Patio, Porch, Pool	Patio	Deck, Porch
Fireplaces	3	2	3	3	4	3
Basement Area (SF)	2,281	1,200	0	1,017	3,201	2,053
Finished Basement Area (SF)	1596	700	0	627	2,500	0
GLA - SF	5,151	4,592	5,000	4,337	8,754	4,318
Above Grade Rooms	12	12	13	12	12	10
Above Grade Bedrooms	6	5	5	5	7	4
Above Grade Baths	4.1	3.1	6.2	4.1	6.2	4.2
Sales Comparison Adjustment Grid						
		Sale 6	Sale 7	Sale 8	Sale 9	Sale 10
Sale Price	Adjustment Rate	\$2,057,000	\$2,350,000	\$2,360,000	\$2,680,000	\$2,149,900
<i>Market Conditions / Sale-List Ratio</i>		\$0	\$0	\$0	\$0	\$0
<i>Location</i>		\$0	\$0	\$0	\$0	\$0
<i>Site Area</i>	\$15.00	\$202,065	(\$186,585)	(\$87,195)	(\$124,635)	\$202,065
<i>Design</i>		\$0	\$0	\$0	\$0	\$0
<i>View</i>		\$0	\$0	\$0	\$0	\$0
<i>Quality</i>		(\$41,140)	\$0	(\$47,200)	\$0	\$42,998
<i>Condition</i>	\$25.00	\$0	\$0	\$0	\$0	\$0
<i>Car Storage</i>		\$0	(\$25,000)	\$0	\$0	\$25,000
<i>Basement Area/Finish</i>	\$10/\$20	\$28,730	\$54,730	\$32,020	(\$27,280)	\$34,200
<i>Gross Living Area</i>	\$50.00	\$27,950	\$7,550	\$40,700	(\$180,150)	\$41,650
<i>Kitchen Finish</i>		\$0	\$0	\$0	\$0	\$0
<i>Number of Baths</i>		(\$10,000)	(\$25,000)	\$0	\$0	(\$5,000)
<i>Bath Finishes</i>		\$0	\$0	\$0	\$0	\$0
<i>Amenities</i>		(\$25,000)	(\$25,000)	(\$25,000)	\$0	\$0
<b>Overall Adjustment</b>		\$182,605	(\$199,305)	(\$86,675)	(\$332,065)	\$340,913
<b>Adjusted Sale Price</b>		\$2,239,605	\$2,150,695	\$2,273,325	\$2,347,935	\$2,490,813
<b>% Net Adjustment</b>		8.9%	-8.5%	-3.7%	-12.4%	15.9%
<b>% Gross Adjustments</b>		15.1%	12.7%	8.8%	12.4%	16.3%
					Low	\$2,150,695
					High	\$2,490,813
					Average	\$2,300,475
					Median	\$2,273,325

Effective date for appraisal of subject property

**For this analysis, the reduced site area of 32,171 square feet is used assuming the rear 24,000 square feet are subdivided out for development of a single-unit residence.**

The sales are all located in the subject's SW Winnetka area and are similar vintage traditional style residences. The sales have closing dates between August 2024 to July 2025. The sales are adjusted for significant differences and require gross adjustments of 8.8 to 16.3 percent for differences in physical characteristics including site area,

**File R25-003**

**936 Sunset Road, Winnetka, IL 60093**

exterior quality, car storage, basement area and finish, gross living area, condition, number of bathrooms and amenities.

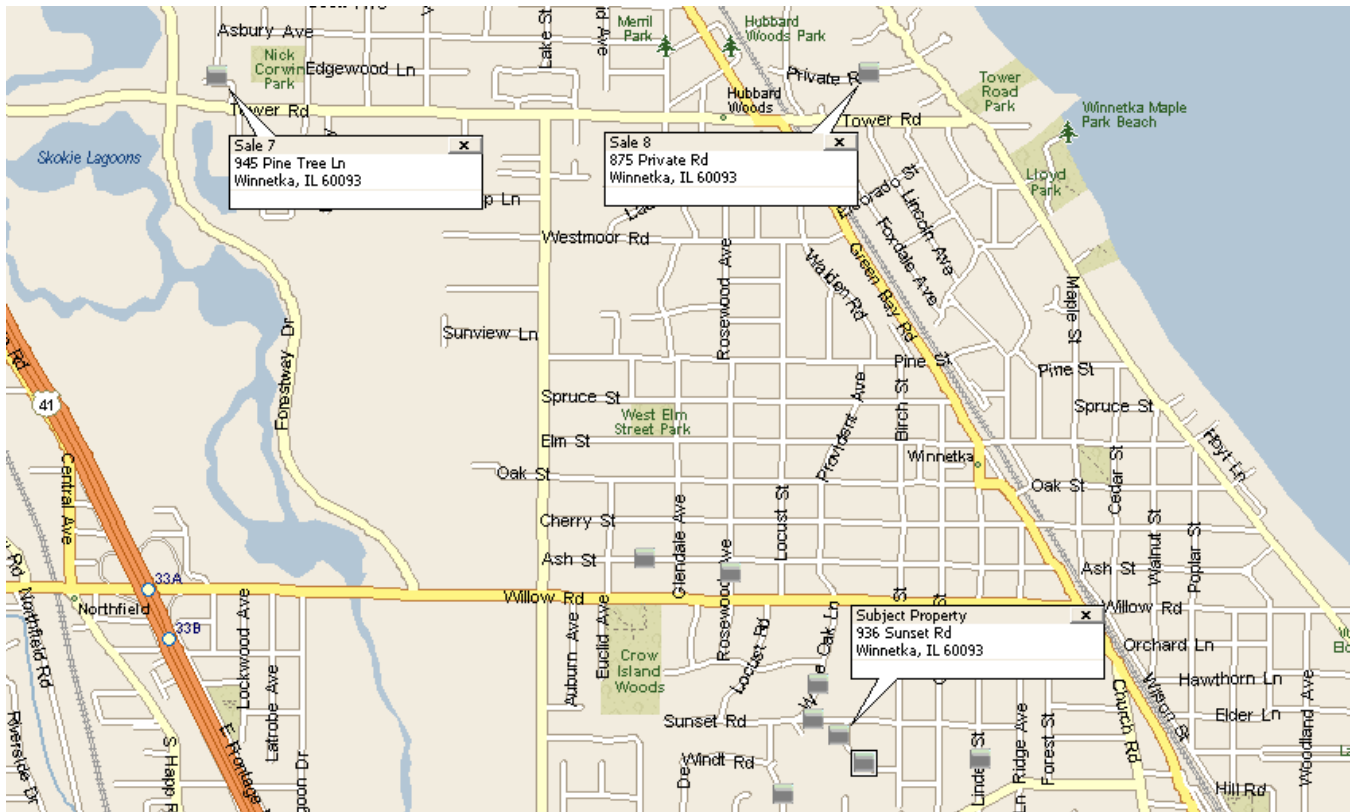
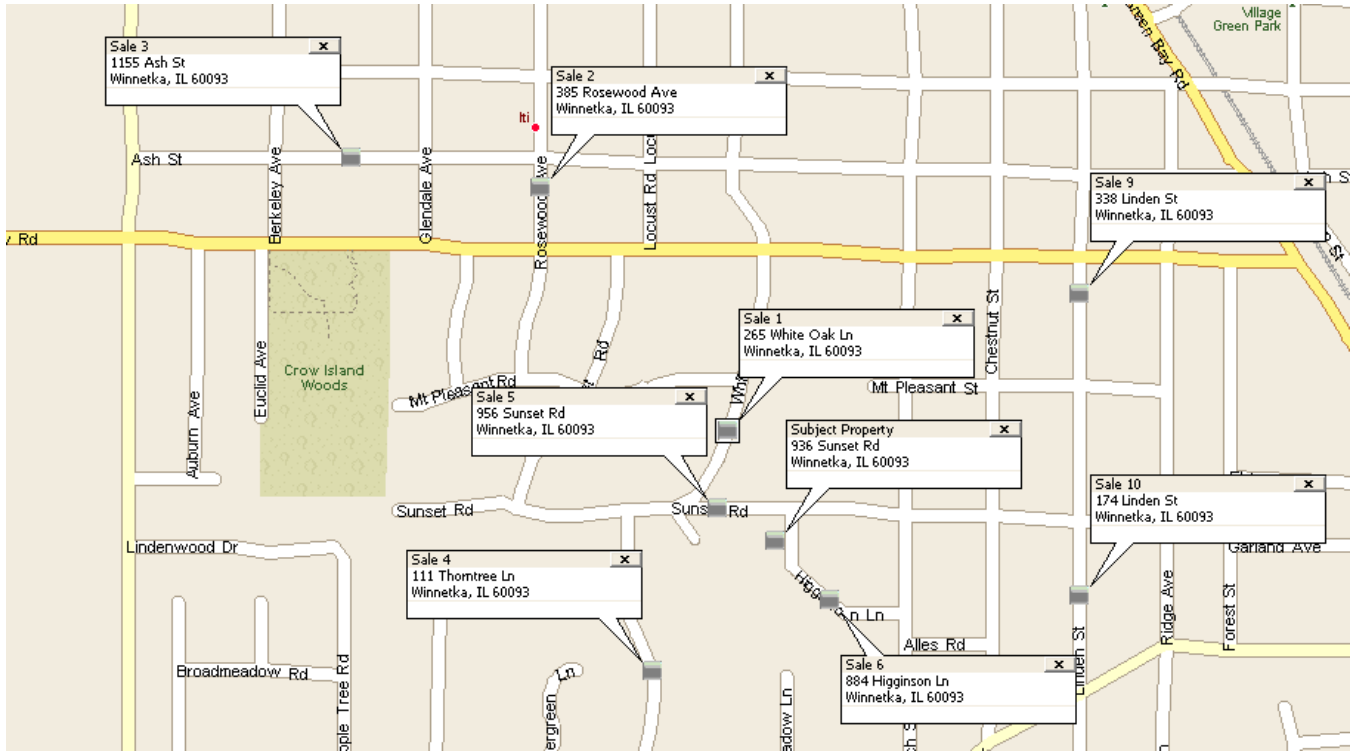
The adjustments are based on market data, contributory value based on replacement cost and our judgment and experience working in the market area. The sales have an adjusted price range of \$2,156,695 to \$2,490,813 with a median of \$2,273,325 and an average of \$2,300,475.

***Conclusion***

The subject property is reconciled to a value near the median and average of the adjusted range with equal weight on the Sales. Our opinion of market value as of the effective date is \$2,300,000.

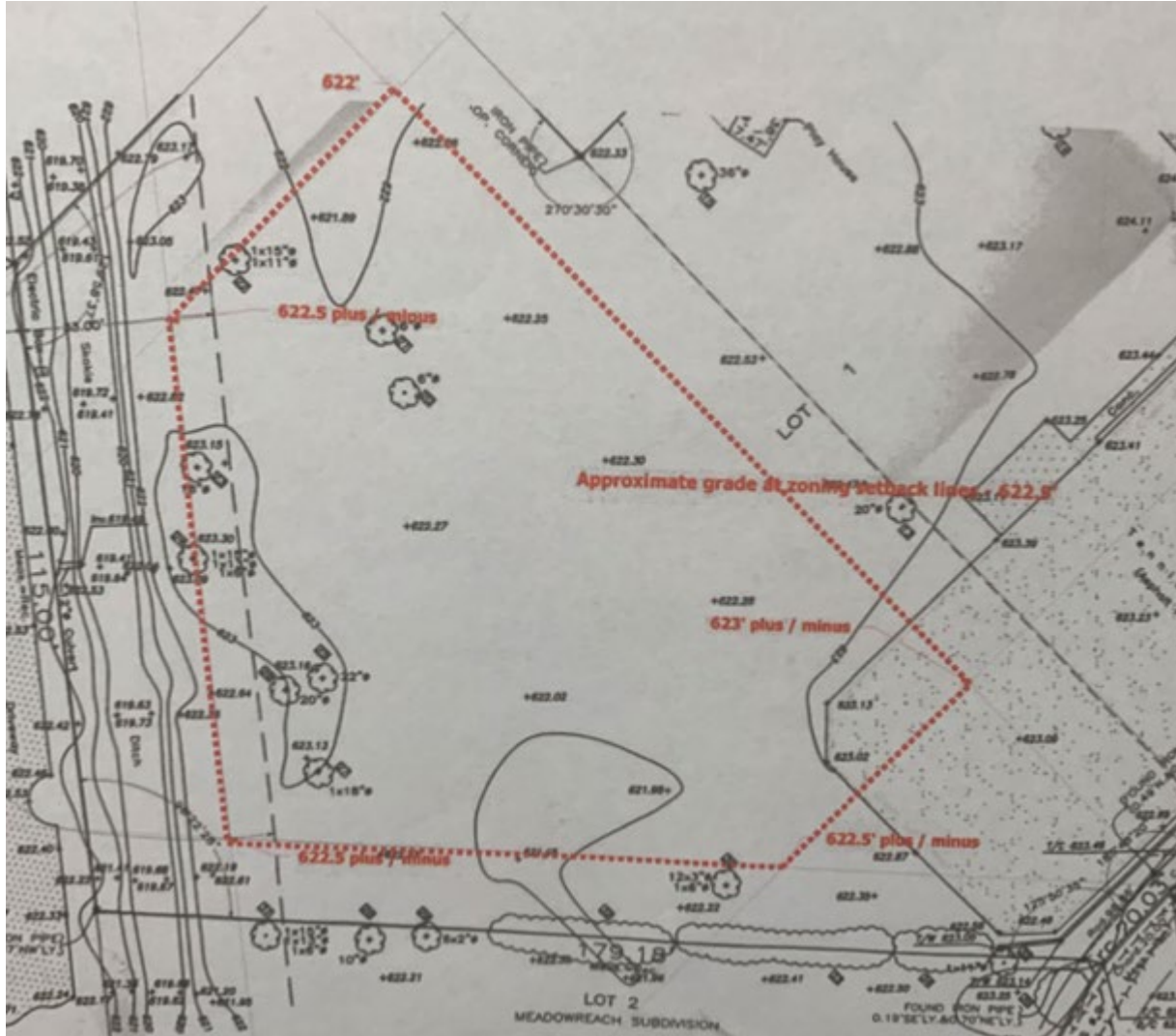
***Opinion of Market Value for the Whole Property as of July 22, 2025:                   \$2,300,000***

# LOCATION MAP REAR LOT ANALYSIS



The rear lot is assumed to be 24,000 square feet and to generally meet the size requirements of the R2 zoning district. The site is within Zone AE, a flood hazard district and will be subject to development guidelines to provide compensatory storm water storage. Development in a flood hazard district is occurring in Winnetka and has been done successfully on many sites with similar flood plain elevations as the subject property.

The image below illustrates a potential building envelope for the south parcel. The scenario includes removal of the tennis court.



The table below summarizes land sales (many of which are tear downs) in Winnetka considered in the valuation scenario of the rear buildable lot.

<b>FLOOD PLAIN TEAR DOWN LAND SALES</b>							
<b>No</b>	<b>Address</b>	<b>City, St</b>	<b>Flood Zone</b>	<b>Sale Date</b>	<b>Sale Price</b>	<b>Size - SF</b>	<b>\$PSF</b>
1	265 White Oak Lane	Winnetka, IL	A	10/21/2020	\$1,200,000	29,297	\$40.96
2	385 Rosewood Ave	Winnetka, IL	A	10/15/2018	\$405,000	8,850	\$45.76
3	1155 Ash Street	Winnetka, IL	A	3/22/2022	\$525,000	10,800	\$48.61
4	111 Thorntree Lane	Winnetka, IL	A/X	2/17/2022	\$1,400,000	42,244	\$33.14
5	956 Sunset Rd	Winnetka, IL	A	8/21/2014	\$1,200,000	37,510	\$31.99
6	884 Higginson Ln	Winnetka, IL	A	7/1/2013	\$1,425,000	27,443	\$51.93
7	945 Pine Tree Lane	Winnetka, IL	X	1/21/2025	\$1,175,000	26,563	\$44.23
8	875 Private Rd	Winnetka, IL	X	10/30/2023	\$1,570,000	31,078	\$50.52
9	338 Linden St	Winnetka, IL	X	5/15/2025	\$1,130,000	12,628	\$89.48
10	174 Linden St	Winnetka, IL	X	1/18/2024	\$1,050,000	12,716	\$82.57
						Low	\$31.99
						High	\$89.48
						Average	\$51.92

Ten tear down and vacant land sales in Winnetka have a sale price per square foot of \$31.99 to \$89.48 per square foot plus in most cases, tear down costs. The sales have an average of \$51.92 per square foot of land area.

Given the subject's AE flood zone rating and size, the market value of the site, if available for development as a buildable lot subject to the R2 zoning requirements with some needed variances, would be toward the lower end of the midpoint of the range given current market demand and significant price appreciation of residences in Winnetka the past five years.

Therefore, based on our analysis, it is our opinion that the value of the south 24,000 square foot lot is \$50.00 per square foot or \$1.2 million.

**Comparable Sales**

## ADDENDUM

### Improved Comparable Sale # 1

#### Location Data

Street Address	844 Hibbard Road
City	Winnetka
State	IL
County	Cook
Zip	60093

#### Transaction Data

Contract-Sale Date	7/30/2024
Sale Price	\$2,100,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's-Length
Marketing Period (days)	9

#### Improvement Data

Gross Living Area (SF)	4,885
Year Built	1924
Condition	Average
Exterior Quality	Brick
Interior Quality	Good
Parking	2 Garage Space
Bedrooms	5
Bathrooms	5.1
Fireplace(s)	2
Amenities	Patio, Pool, Pool House

#### Site Data

Acres (Gross)	0.89
Square Feet (Gross)	38,934
Acres (Net)	0.89
Square Feet (Net)	38,934
Shape	Rectangle
Topography/Elevation	Level
Utilities	All available
Zoning	R2

#### Prior Sales

None in prior 3 Years

#### Analysis

Price/Sq Ft	\$429.89
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#### Source

MRED #12058179, Public Records, Listing Broker.



# ADDENDUM

## Improved Comparable Sale # 2

### Location Data

Street Address	70 Woodley Road
City	Winnetka
State	IL
County	Cook
Zip	60093

### Transaction Data

Contract Sale Date	12/18/2024
Sale Price	\$2,350,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's-Length
Marketing Period (days)	27

### Improvement Data

Gross Living Area (SF)	5,000
Year Built	1954
Condition	Average
Exterior Quality	Frame, Brick
Interior Quality	Good
Parking	3 Garage Space
Bedrooms	5
Bathrooms	6.2
Fireplace(s)	3
Amenities	Patio, Porch, Pool

### Site Data

Acres (Gross)	1.02
Square Feet (Gross)	44,610
Acres (Net)	1.02
Square Feet (Net)	44,610
Shape	Rectangle
Topography/Elevation	Level
Utilities	All available
Zoning	R-3, Cook County

### Prior Sales

Jul-23	\$1,900,000
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### Analysis

Price/Sq Ft	\$470.00
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### Source

MRED #12204141, Listing Broker, Public Records

# ADDENDUM

## Improved Comparable Sale # 3

### Location Data

Street Address	1240 Hill Road Rd
City	Winnetka
State	IL
County	Cook
Zip	60093

### Transaction Data

Contract Sale Date	7/18/2025
Sale Price	\$2,360,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's-Length
Marketing Period (days)	10

### Improvement Data

Gross Living Area (SF)	4,337
Year Built	1938
Condition	Average
Exterior Quality	Brick
Interior Quality	Good
Parking	2 Garage Spaces
Bedrooms	5
Bathrooms	4.1
Fireplace(s)	3
Amenities	Patio, Porch, Pool

### Site Data

Acres (Gross)	0.87
Square Feet (Gross)	37,984
Acres (Net)	0.87
Square Feet (Net)	37,984
Shape	Rectangular
Topography/Elevation	Level
Utilities	All available
Zoning	R2

### Prior Sales

None in 3 years

### Analysis

Price/Sq Ft	\$544.15
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### Source

MRED #12349801, Public Records



## ADDENDUM

### Improved Comparable Sale # 4

#### Location Data

Street Address	58 Woodley Road
City	Winnetka
State	IL
County	Cook
Zip	60093

#### Transaction Data

Contract Sale Date	8/30/2024
Sale Price	\$2,680,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's Length
Marketing Period (days)	15

#### Improvement Data

Gross Living Area (SF)	8,754
Year Built	1939
Condition	Average
Exterior Quality	Brick
Interior Quality	Good
Parking	3 Garage Space
Bedrooms	7
Bathrooms	6.2
Fireplace(s)	4
Amenities	Patio

#### Site Data

Acres (Gross)	0.93
Square Feet (Gross)	40,480
Acres (Net)	0.93
Square Feet (Net)	40,480
Shape	Rectangle
Topography/Elevation	Level
Utilities	All available
Zoning	R-3, Cook County

#### Prior Sales

Jun-22	\$2,625,000
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#### Analysis

Price/Sq Ft	\$306.15
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#### Source

MRED #12094231, Listing Broker, Public Records

# ADDENDUM

## Improved Comparable Sale # 5

### Location Data

Street Address	62 Woodley Road
City	Winnetka
State	IL
County	Cook
Zip	60093

### Transaction Data

Sale Date	Active
Sale Price	\$2,850,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's Length
Marketing Period (days)	5

### Improvement Data

Gross Living Area (SF)	5,000
Year Built	1933
Condition	Average
Exterior Quality	Frame, Brick
Interior Quality	Good
Parking	2 Car Garage
Bedrooms	6
Bathrooms	4.2
Fireplace(s)	5
Amenities	Patio, Balconies

### Site Data

Acres (Gross)	1.53
Square Feet (Gross)	66,707
Acres (Net)	1.53
Square Feet (Net)	66,707
Shape	Rectangular
Topography/Elevation	Level
Utilities	All available
Zoning	R-3, Cook County

### Prior Sales

Mar-07	\$3,100,000
Feb-24	\$2,649,000

### Analysis

Price/Sq Ft	\$570.00
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### Source

MRED #12429588, Listing Broker, Public Records



## ADDENDUM

### Improved Comparable Sale # 6

#### Location Data

Street Address	200 Linden Street
City	Winnetka
State	IL
County	Cook
Zip	60093

#### Transaction Data

Contract-Sale Date	9/30/2024
Sale Price	\$2,057,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's-Length
Marketing Period (days)	15

#### Improvement Data

Gross Living Area (SF)	4,592
Year Built	1923
Condition	Average
Exterior Quality	Brick
Interior Quality	Good
Parking	2 Garage Space
Bedrooms	5
Bathrooms	3.1
Fireplace(s)	2
Amenities	Deck

#### Site Data

Acres (Gross)	0.43
Square Feet (Gross)	18,700
Acres (Net)	0.43
Square Feet (Net)	18,700
Shape	Rectangle
Topography/Elevation	Level
Utilities	All available
Zoning	R3

#### Prior Sales

None in prior 3 Years

#### Analysis

Price/Sq Ft	\$447.95
-------------	----------

#### Source

MRED #12090653, Public Records, Listing Broker.



## ADDENDUM

### Improved Comparable Sale # 7

#### Location Data

Street Address	70 Woodley Road
City	Winnetka
State	IL
County	Cook
Zip	60093

#### Transaction Data

Contract Sale Date	12/18/2024
Sale Price	\$2,350,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's-Length
Marketing Period (days)	27

#### Improvement Data

Gross Living Area (SF)	5,000
Year Built	1954
Condition	Average
Exterior Quality	Frame, Brick
Interior Quality	Good
Parking	3 Garage Space
Bedrooms	5
Bathrooms	6.2
Fireplace(s)	3
Amenities	Patio, Porch, Pool

#### Site Data

Acres (Gross)	1.02
Square Feet (Gross)	44,610
Acres (Net)	1.02
Square Feet (Net)	44,610
Shape	Rectangle
Topography/Elevation	Level
Utilities	All available
Zoning	R-3, Cook County

#### Prior Sales

Jul-23	\$1,900,000
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#### Analysis

Price/Sq Ft	\$470.00
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#### Source

MRED #12204141, Listing Broker, Public Records



## ADDENDUM

### Improved Comparable Sale # 8

#### Location Data

Street Address	1240 Hill Road Rd
City	Winnetka
State	IL
County	Cook
Zip	60093

#### Transaction Data

Contract Sale Date	7/18/2025
Sale Price	\$2,360,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's-Length
Marketing Period (days)	10

#### Improvement Data

Gross Living Area (SF)	4,337
Year Built	1938
Condition	Average
Exterior Quality	Brick
Interior Quality	Good
Parking	2 Garage Spaces
Bedrooms	5
Bathrooms	4.1
Fireplace(s)	3
Amenities	Patio, Porch, Pool

#### Site Data

Acres (Gross)	0.87
Square Feet (Gross)	37,984
Acres (Net)	0.87
Square Feet (Net)	37,984
Shape	Rectangular
Topography/Elevation	Level
Utilities	All available
Zoning	R-2

#### Prior Sales

None in 3 years

#### Analysis

Price/Sq Ft	\$544.15
-------------	----------



#### Source

MRED #12349801, Public Records

## ADDENDUM

### Improved Comparable Sale # 9

#### Location Data

Street Address	58 Woodley Road
City	Winnetka
State	IL
County	Cook
Zip	60093

#### Transaction Data

Contract Sale Date	8/30/2024
Sale Price	\$2,680,000
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's Length
Marketing Period (days)	15

#### Improvement Data

Gross Living Area (SF)	8,754
Year Built	1939
Condition	Average
Exterior Quality	Brick
Interior Quality	Good
Parking	3 Garage Space
Bedrooms	7
Bathrooms	6.2
Fireplace(s)	4
Amenities	Patio

#### Site Data

Acres (Gross)	0.93
Square Feet (Gross)	40,480
Acres (Net)	0.93
Square Feet (Net)	40,480
Shape	Rectangle
Topography/Elevation	Level
Utilities	All available
Zoning	R-3, Cook County

#### Prior Sales

Jun-22	\$2,625,000
--------	-------------

#### Analysis

Price/Sq Ft	\$306.15
-------------	----------



#### Source

MRED #12094231, Listing Broker, Public Records

# ADDENDUM

## Improved Comparable Sale # 10

### Location Data

Street Address	143 Birch Street
City	Winnetka
State	IL
County	Cook
Zip	60093

### Transaction Data

Sale Date	12/6/2024
Sale Price	\$2,149,900
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's Length
Marketing Period (days)	4

### Improvement Data

Gross Living Area (SF)	4,318
Year Built	1922
Condition	Average
Exterior Quality	Frame
Interior Quality	Good
Parking	1 Car Garage
Bedrooms	4
Bathrooms	4.2
Fireplace(s)	3
Amenities	Deck, Porch

### Site Data

Acres (Gross)	0.43
Square Feet (Gross)	18,700
Acres (Net)	0.43
Square Feet (Net)	18,700
Shape	Rectangular
Topography/Elevation	Level
Utilities	All available
Zoning	R3

### Prior Sales

None

### Analysis

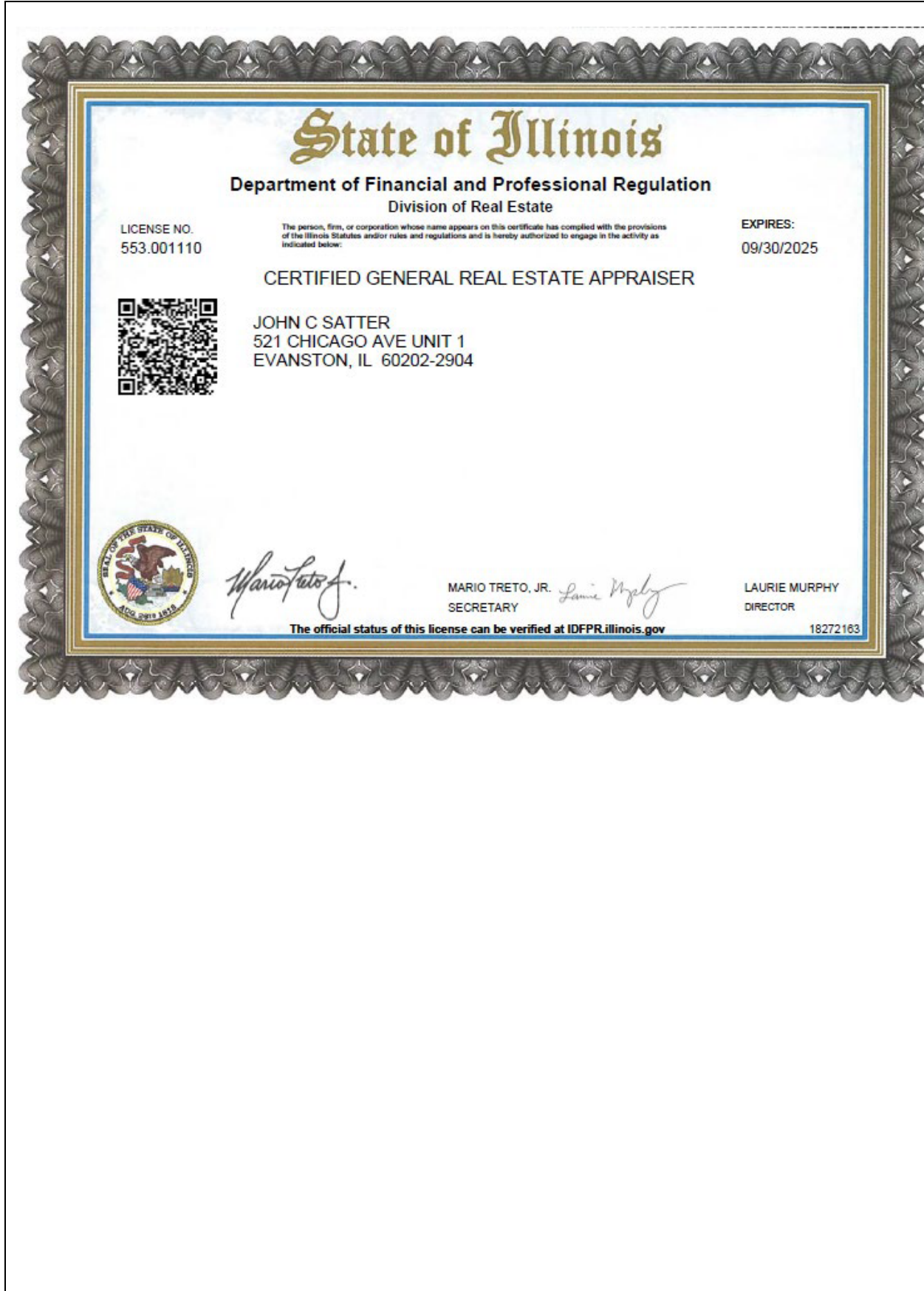
Price/Sq Ft	\$497.89
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### Source

MRED #12164633, Listing Broker, Public Records

**State Certification/Qualifications**



# State of Illinois

Department of Financial and Professional Regulation  
Division of Real Estate

LICENSE NO.  
553.001110

The person, firm, or corporation whose name appears on this certificate has complied with the provisions of the Illinois Statutes and/or rules and regulations and is hereby authorized to engage in the activity as indicated below.

EXPIRES:  
09/30/2025

CERTIFIED GENERAL REAL ESTATE APPRAISER



JOHN C SATTER  
521 CHICAGO AVE UNIT 1  
EVANSTON, IL 60202-2904



*Mario Treto, Jr.*

MARIO TRETO, JR.  
SECRETARY

*Laurie Murphy*

Laurie MURPHY  
DIRECTOR

The official status of this license can be verified at [IDFPR.illinois.gov](http://IDFPR.illinois.gov)

18272163

**Qualifications for John C. Satter, MAI, GAA**

1997 - Present	JCS Real Estate Services, Inc. President
1992 - 1996	Wayne L. Wnek, MAI & Associates, Inc. Real Estate Appraiser

**Scope of Experience:**

Mr. Satter is the President and owner of JCS Real Estate Services, Inc., a real estate appraisal firm that provides one-to-four-unit residential appraisal services. Responsibilities include business development, staff management, and appraisal production and review. Mr. Satter has over 32 years of experience in the valuation of a wide variety of real property types.

Mr. Satter has broad experience in the valuation of residential, commercial, industrial and special use real estate throughout the Chicago metropolitan area.

Mr. Satter has experience as an expert witness and has been qualified as an expert in the Circuit Courts of Cook, Lake, DuPage, and Will Counties of Illinois, the Chicago Zoning Board of Appeals, Lake and Cook County property tax appeal boards, the Chicago Planning and Zoning Commission, the U.S. District Court for Northern Illinois, and the U.S. District Court for Eastern Michigan.

Mr. Satter is a designated Member of the Appraisal Institute (MAI) and General Accredited Appraiser (GAA) of the National Association of Realtors. He has been engaged in the appraisal of real estate since 1992 with experience rendering opinions of value for private clients, financial institutions, mortgage brokers, attorneys, governmental agencies, accountants, and public corporations.

**Professional Associations and Affiliations:**

- Appraisal Institute MAI #12452 (Awarded March 2007)
- National Association of Realtors General Accredited Appraiser #4683 (Awarded January 2005)
- IL Certified General Real Estate Appraiser
- Illinois Coalition of Appraisal Professionals (ICAP)
- Former Member of the Glencoe Zoning Board of Appeals and Liaison to the Plan Commission

**Formal Education:**

- Bachelor of Science - Civil Engineering, University of Illinois - Urbana/Champaign
- Specialized appraisal and real estate education, Appraisal Institute and North Shore Barrington Board of Realtors

# MARREN'S RESUBDIVISION

BEING A RESUBDIVISION OF LOT 1 IN SEABURY'S CONSOLIDATION OF LOT 1 IN MEADOWREACH, TOGETHER WITH PART OF LOT 1 IN ALLES' FIRST ADDITION TO WINNETKA, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID SEABURY'S CONSOLIDATION RECORDED NOVEMBER 4, 1976 AS DOCUMENT 23697377, IN COOK COUNTY, ILLINOIS.



GRAPHIC SCALE



( IN FEET )  
1 Inch = 25 Ft.

PREPARED BY:  
**PROFESSIONALS ASSOCIATED-MM SURVEY, CO.**  
PROFESSIONAL DESIGN FIRM NO. 184-003023  
7100 N. TRIPP AVE, LINCOLNWOOD, ILLINOIS 60712  
TEL (847) 875-3000 FAX (847) 875-2187  
e-mail: pa@professionalsassociated.com  
www.professionalsassociated.com

ORDER NO.: 06-73951

PERMANENT REAL ESTATE INDEX NUMBER:  
05-20-407-071-0000

AFTER RECORDING MAIL TO:

OWNER NAMES: ROBERT J. MARREN AND SUSAN L. MARREN  
ADDRESS: 936 SUNSET ROAD  
CITY, STATE & ZIP: WINNETKA, ILLINOIS, 60093.

SUBMITTED BY AND RETURN PLAT TO:

VILLAGE OF WINNETKA  
COMMUNITY DEVELOPMENT DEPARTMENT  
51 GREEN BAY ROAD  
WINNETKA, ILLINOIS 60093

PERMISSION TO RECORD

I, HYLTON E. DONALDSON, A PROFESSIONAL ILLINOIS LAND SURVEYOR NO. 035-002819, HEREBY DESIGNATE AND AUTHORIZE THE VILLAGE OF WINNETKA ACCORDING TO THE PUBLIC ACT 87-0705 TO RECORD THIS RESUBDIVISION WITH THE COUNTY OF COOK, ILLINOIS.

DATED: \_\_\_\_\_

HYLTON E. DONALDSON, ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2819

OWNER'S CERTIFICATE

THIS IS TO CERTIFY THAT THE UNDERSIGNED IS THE OWNERS OF THE LAND DESCRIBED IN THE ANNEXED PLAT, AND THAT HE / SHE HAS CAUSED THE SAME TO BE SURVEYED AND RESUBDIVIDED AND PLATTED AS INDICATED HEREON, FOR THE USES AND PURPOSES THEREIN SET FORTH, AND DO HEREBY ACKNOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREON INDICATED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

OWNERS \_\_\_\_\_ AND \_\_\_\_\_

NOTARY CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) SS.

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ AND \_\_\_\_\_ WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AS THE PERSONS WHOSE NAMES IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS OWNERS OF THE PROPERTY DESCRIBED HEREON, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE SAID INSTRUMENT AS THEIR FREE AND VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

NOTARY PUBLIC

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, HYLTON E. DONALDSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT A SURVEY UNDER MY DIRECTION WAS PERFORMED ON THE BELOW DESCRIBED PROPERTY FOR THE PURPOSES OF RESUBDIVISION AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY AND RESUBDIVISION OF LOT 1 IN SEABURY'S CONSOLIDATION OF LOT 1 IN MEADOWREACH, TOGETHER WITH PART OF LOT 1 IN ALLES' FIRST ADDITION TO WINNETKA, BEING A SUBDIVISION OF PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO SAID SEABURY'S CONSOLIDATION RECORDED NOVEMBER 4, 1976 AS DOCUMENT 23697377, IN COOK COUNTY, ILLINOIS.

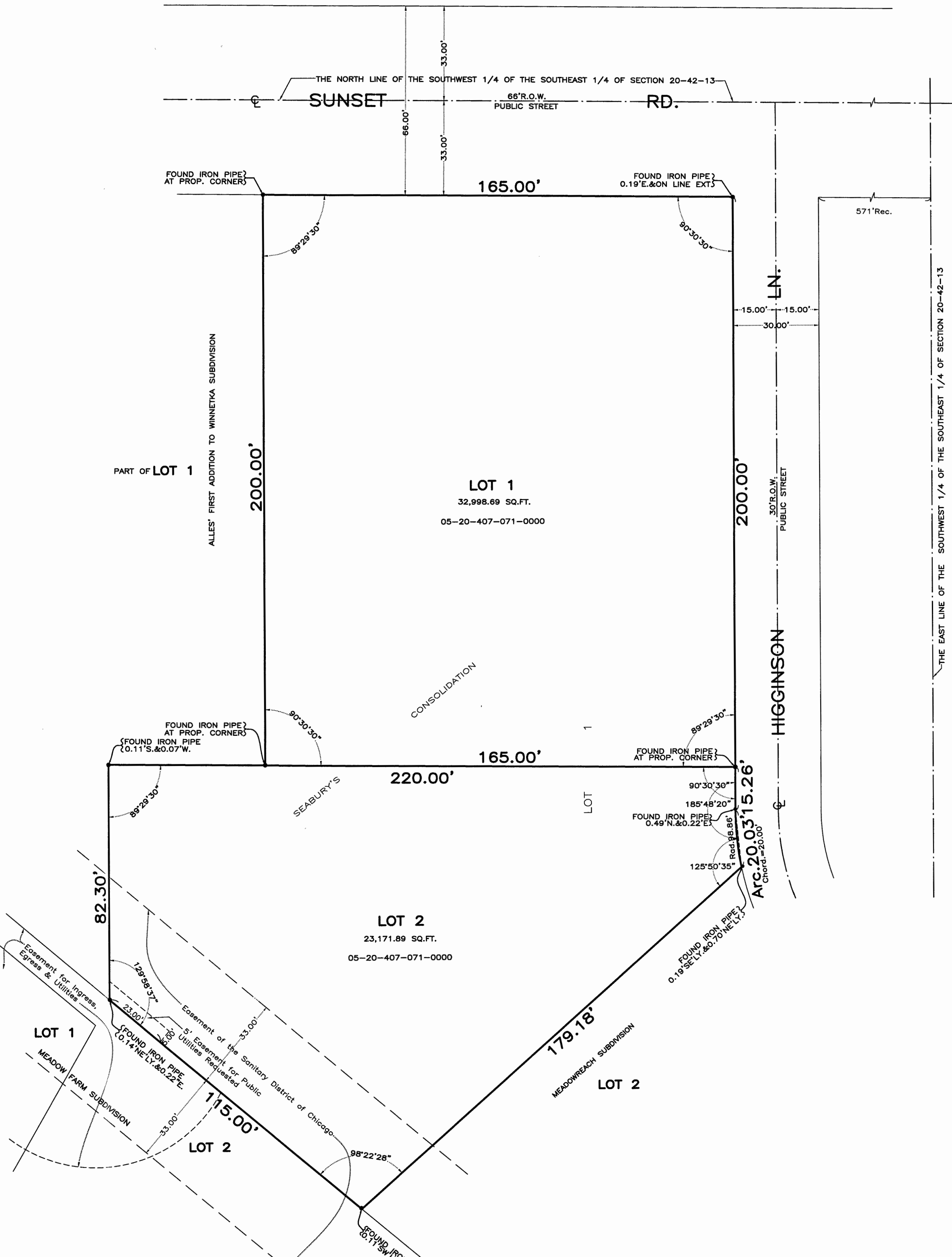
IRON PIPES OR OTHER MONUMENTATION AS NOTED WERE FOUND OR SET AT ALL THE LOT CORNERS OF THE RESUBDIVISION.  
DIMENSIONS ARE SHOWN IN FEET AND DECIMAL PARTS THEREOF.

PER FLOOD INSURANCE RATE MAP OF THE VILLAGE OF WINNETKA, ILLINOIS, MAP NO. 17031C0251K DATED SEPTEMBER 10, 2021, THIS PROPERTY IS SITUATED WITHIN ZONE "AE", SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD.

I FURTHER CERTIFY THAT THE PROPERTY SHOWN ON THE PLAT HEREON DRAWN IS SITUATED WITHIN THE VILLAGE OF WINNETKA, ILLINOIS, WHICH HAS ADOPTED A VILLAGE PLAN AND WHICH IS EXERCISING THE SPECIAL POWERS AUTHORIZED BY DIVISION 12 OF THE ILLINOIS MUNICIPAL CODE AS HERETOFORE AND HEREAFTER AMENDED.

DATED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 2819, LICENSE EXP. DATE NOV. 30, 2026.



### VILLAGE BOARD AND TRUSTEES CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

APPROVED BY THE PRESIDENT AND THE BOARD OF TRUSTEES OF THE VILLAGE OF WINNETKA, ILLINOIS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

BY: \_\_\_\_\_ PRESIDENT

ATTEST: \_\_\_\_\_ VILLAGE CLERK

### PLAN COMMISSION CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

APPROVED BY THE PLAN COMMISSION OF THE VILLAGE OF WINNETKA, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

BY: \_\_\_\_\_ CHAIRMAN

ATTEST: \_\_\_\_\_ SECRETARY

### VILLAGE ENGINEER'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

APPROVED BY THE VILLAGE ENGINEER OF THE VILLAGE OF WINNETKA, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

BY: \_\_\_\_\_ VILLAGE ENGINEER

### VILLAGE COLLECTOR'S CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

I, \_\_\_\_\_ VILLAGE COLLECTOR OF THE VILLAGE OF WINNETKA, ILLINOIS, DO HEREBY CERTIFY THAT THERE ARE NO DELINQUENT OR UNPAID CURRENT OR FORFEITED SPECIAL ASSESSMENTS, OR ANY DEFERRED INSTALLMENTS THEREON THAT HAVE BEEN APPORTIONED AGAINST THE TRACT OF LAND INCLUDED IN THE PLAT HEREON DRAWN.

DATED AT WINNETKA, ILLINOIS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

BY: \_\_\_\_\_ VILLAGE COLLECTOR

### UTILITY EASEMENT

AN EASEMENTS IS HEREBY GRANTED TO THE VILLAGE OF WINNETKA FOR PUBLIC UTILITIES, IN, UPON, ALONG, OVER AND UNDER THOSE PARTS OF THE LOTS INDICATED ON THIS PLAT AND MARKED "UTILITY EASEMENT;" TO INSTALL, CONSTRUCT, LAY, MAINTAIN, OPERATE, RELOCATE, RENEW AND REMOVE NECESSARY EQUIPMENT FOR PUBLIC UTILITY PURPOSES, TOGETHER WITH THE RIGHTS OF INGRESS TO AND EGRESS FROM THE EASEMENT, AND THE RIGHT TO TRIM AND REMOVE SUCH TREES, BUSHES, SHRUBS AND LANDSCAPING, AS MAY BE REASONABLY REQUIRED INCIDENTAL TO THE INSTALLATION AND MAINTENANCE OF UTILITY FACILITIES. THE EASEMENT MAY BE USED FOR GARDENS, SHRUBS, LANDSCAPING, WOODEN FENCES, AND OTHER PURPOSES THAT DO NOT INTERFERE WITH THE USE OF THE EASEMENT, BUT NO PERMANENT BUILDINGS OR STRUCTURES SHALL BE PLACED ON THE EASEMENT EXCEPT FOR THE ROADWAY THAT LIES WITHIN THE EASEMENT FOR INGRESS AND EGRESS, AND DRIVEWAY AND SIDEWALK SURFACES.

### WATER & ELECTRIC DEPARTMENT CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF COOK ) SS.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

BY: \_\_\_\_\_ DIRECTOR OF WATER & ELECTRIC

### OWNER'S SCHOOL DISTRICT CERTIFICATE

THIS IS TO CERTIFY THAT I, \_\_\_\_\_ AS OWNER OF THE PROPERTY DESCRIBED AS THE \_\_\_\_\_ MARREN'S RESUBDIVISION, AND LEGALLY DESCRIBED ON THE PLAT OF THE SAME NAME, HAVE DETERMINED TO THE BEST OF MY KNOWLEDGE THE SCHOOL DISTRICT IN WHICH EACH OF THE FOLLOWING LOTS LAY.

SIGNATURE OF OWNERS \_\_\_\_\_  
LOT NUMBERS \_\_\_\_\_ SCHOOL DISTRICT  
1 & 2 \_\_\_\_\_ ELEMENTARY \_\_\_\_\_ HIGH SCHOOL

### NOTARY CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) SS.

I, \_\_\_\_\_ A NOTARY PUBLIC IN AND FOR SAID COUNTY, IN THE STATE AFORESAID, DO HEREBY CERTIFY THAT \_\_\_\_\_ WHO IS PERSONALLY KNOWN TO ME TO BE THE SAME AS THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AS OWNER OF THE PROPERTY DESCRIBED HEREON, APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT HE/SHE SIGNED THE SAID INSTRUMENT AS HIS/HER FREE AND VOLUNTARY ACT, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND NOTARIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 20\_\_\_\_.

NOTARY PUBLIC

### MORTGAGE HOLDER CERTIFICATE

THIS IS TO CERTIFY THAT \_\_\_\_\_ AS MORTGAGE HOLDER OF THE PROPERTY DESCRIBED HEREON DOES HEREBY CONSENT TO THE SUBDIVISION OF SAID PROPERTY AS SHOWN ON THE PLAT HEREON DRAWN.

\_\_\_\_\_ AS MORTGAGE HOLDER.

BY: \_\_\_\_\_

ATTEST: \_\_\_\_\_

### NOTARY CERTIFICATE

STATE OF ILLINOIS )  
COUNTY OF \_\_\_\_\_ ) SS.

I, \_\_\_\_\_ AND \_\_\_\_\_ OF THE SAME PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FOREGOING INSTRUMENT AS SUCH \_\_\_\_\_ AND \_\_\_\_\_ APPEARED BEFORE ME THIS DAY IN PERSON AND ACKNOWLEDGED THAT THEY SIGNED THE SAID INSTRUMENT AS THEIR FREE AND VOLUNTARY ACT FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.

NOTARY PUBLIC

## ATTACHMENT C

Minutes adopted 02.10.2014

### WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES EXCERPT JANUARY 13, 2014

**Zoning Board Members Present:** Joni Johnson, Chairperson  
Chris Blum  
Andrew Cripe  
Mary Hickey  
Carl Lane  
Jim McCoy  
Scott Myers

**Zoning Board Members Absent:** None

**Village Staff:** Michael D'Onofrio, Director of Community  
Development

\*\*\*

#### **936 Sunset Rd., Case No. 14-01-V2, Robert and Susan Marren, Variations by Ordinance: (1) Lot Area and (2) Rectangular Buildable Area**

Mr. D'Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by Robert and Susan Marren concerning variations by Ordinance from Section 17.30.010 [Lot Area, Shape and Dimensions] of the Winnetka Zoning Ordinance to permit Lot 2 of the proposed Marren's Subdivision to have a lot area of 23,171.88 s.f., whereas a minimum of 24,000 s.f. is required, a variation of 828.12 s.f. (3.45%) and not provide the minimum rectangular buildable area of 16,335 s.f.

Chairperson Johnson stated that before she swore in the witnesses, she would like to read a statement which would be applicable to this case as well as the Birch Street case. She stated that for those of you who were at the last meeting on December 9, 2013 you would recall that one of the questions raised with regard to new construction was whether Cook County had passed the Watershed Management Ordinance ("WMO"). Chairperson Johnson stated that the engineer for the applicant stated that he did not think that the ordinance had been passed. In fact the ordinance was passed on October 3, 2013 and would take effect May 1, 2014. She stated that the storm water master plan which was presented to the Village Council made several recommendations relating to the WMO. Chairperson Johnson stated that in addition, the plan discusses the issue of "deep basements" and the implications of flooding and storm water management.

Chairperson Johnson stated that consequently, she briefly discussed with Mr. D'Onofrio that it would helpful to have the Village staff or the Public Works Department present at the meeting at which the Birch Street case is next presented. She stated that Susan Chen of the Public Works Department planned to attend the Plan Commission meeting on January 22, 2014 to address storm water issues relating to new construction and in particular, relating to the subdivision request for

936 Sunset. Chairperson Johnson stated that meeting was supposed to take place in December, but that for various technical reasons, the meeting was continued until January 22, 2014.

Chairperson Johnson stated that due to the inadequacy of the information presented at the meeting, it is imperative that we obtain the input of Village staff. She stated that if this were a typical adversarial process, they could rely on opposing parties to present expert testimony reporting their respective positions. Chairperson Johnson stated that although they are a quasi-judicial body, they do not typically have an adversarial presentation of evidence and that it is difficult if not impossible for members of the Board to fill in gaps to weigh one side of the evidence, etc. She noted that the WMO is approximately 280 pages and that she did not expect anyone on this Board to be able to digest or understand how it would apply to the Birch Street case or other new construction cases which may come before the Board.

Chairperson Johnson stated that she brought the matter up at this meeting since there are flood water implications for this case. She stated that if the applicants wanted to proceed, after the presentation of testimony if the Board members feel that storm water and flooding issues are not adequately addressed, the case could be continued until the next meeting in order to obtain input from the Village staff or in the form of a written report. Chairperson Johnson commented that while the new WMO did not currently apply, it will in 3 months. She also stated that in the agenda report, the architects for the Marrens stated that they did not believe that any new construction will be able to have a basement and that there has not been a final determination in that regard. Chairperson Johnson also stated that the basement issue may not come up at this meeting, but that it is relevant. She then asked if there were any questions. No questions were raised by the Board at this time.

Chairperson Johnson swore in those that would be speaking on this case.

John Ballack of Timm T. Martin Architects introduced himself to the Board and stated that he would be representing the property owners. He informed the Board that the property owners are seeking to subdivide their property on the corner of Higginson and Sunset and that they are asking for two variations. Mr. Ballack stated that the first variation is to allow for a minimum lot area for the south portion to be under the 24,000 square foot minimum. He stated that since the rectangular building area of the southern lot would be compromised in doing so, they are requesting that the Board allow that to pass as well.

Mr. Ballack then stated that with regard to the past history of the lot pre-1976, it was known as the Seabury's Consolidation and that it used to be two lots which are identical to the proposal. He added that it is documented in the records and that the property was owned by John and Charlene Seabury. Mr. Ballack informed the Board that the reason behind that consolidation was to allow a tennis court to straddle both properties and stated that the subdivision would bring the property back to its historical intent. He noted that the corner lot would be fully compliant with zoning and that the south lot would be complaint except for two issues. Mr. Ballack then stated that it is their hope that the Board passed the request and asked if there were any questions.

Ms. Hickey stated that in terms of the ordinance, it states that the rectangular building area is 16,335 square feet. She then asked what is the rectangular building area.

Mr. Ballack stated that with regard to the old ordinance, it was designed for irregularly shaped lots such as this. He then stated that one side has to be 90 feet and that they would have to fit that shape within the boundaries of the irregularly shaped lot. Mr. Ballack stated that with regard to the agenda report, there is a diagram drawn (on page 3) which showed how the corners fall outside of the south property lines. He indicated that it is close, but that it did not fit.

Ms. Hickey referred to the rectangular building area out of the proposed parcel.

Mr. Ballack responded that they did not explore the exact number. He then stated that if they were to take 10 feet off of the bottom of the rectangular area, it would fit. Mr. Ballack informed the Board that there are two scenarios shown and that the long rectangle at the top showed the area up and down on the page.

Mr. Blum informed the applicants that one thing that the Board considers is whether there are conforming alternatives. He then stated that after looking at the proposal, he asked the applicants if they explored conforming alternatives and that it appeared as though lot 1 is significantly over the minimum lot size. Mr. Blum also asked if they could divide it 10 feet to the north and have two conforming lots.

Mr. Ballack responded that they did explore conforming alternatives and that if they were to move the boundary line north, they would not have a compliant lot depth because it is a corner lot. He noted that the established north corner lot is to be legally compliant.

Chairperson Johnson asked the applicants if they were to do Mr. Blum's suggestion, could they seek a variation for the corner lot.

Mr. Ballack confirmed that they could, but that it would be best to maintain the corner lot as close as possible and to focus on the south lot. He also stated that unless there is input from the neighbors, they would welcome alternatives and that they are flexible.

Mr. Cripe asked if they were to take the other approach and ask for a variation on the corner lot, would that address the rectangular issue.

Mr. Ballack agreed that it would work on the north lot and that the minimum rectangular building area would fit if they were to adjust the north boundary. He indicated that it is very close as it is. Mr. Ballack reiterated that they would have two noncompliant lots, but that alternative would satisfy the minimum building area.

Mr. Lane asked if it would hang over the lot line of the west property.

Mr. Ballack noted that only one side has to be a 90 feet minimum. He indicated that while they could play around with the shape, there is no way of telling that here.

Chairperson Johnson asked Mr. D'Onofrio for his input.

Mr. D'Onofrio informed the Board that the issue was discussed with the applicants in terms of

moving the lot line further north. He stated that at the same time, they would need zoning relief for lot 1 on the corner lot. Mr. D'Onofrio noted that it is important for the Board to understand that this buildable area concept came about in large part because there are so many lots with different topography like ravines where there is a lot area of "X" and 30% of it is table land and 70% of it is on the slope. He stated that therefore, in order to take advantage of the entire lot area, from a practical point of view, it would have to take up the tableland and have the home "cheek to jowl." Mr. D'Onofrio referred to an adequate space on a similar plane to build a new single family home. He stated that is the reason behind creating buildable area. Mr. D'Onofrio indicated that this situation is a little bit different in that they are not dealing with steep topography. Mr. D'Onofrio then stated that in connection with a large flag lot, a significant portion of the lot area is not usable or buildable. He stated that it is a proportionality issue of how to build a home on a lot which has steep topography that fits on the tableland.

Chairperson Johnson referred the Board to Attachment A in the packet of materials and the Village Council and ordinance recitals which go through quite a bit of detail as to why the ordinance was enacted. She stated that you can see the rationale for the change in 1999. Chairperson Johnson noted that there didn't appear to be many standards governing subdivisions, but that one identified in the Plan Commission agenda packet is that subdivisions should not result in the creation of side lot lines abutting rear lot lines.

Mr. Blum stated that it is the ordinance.

Mr. D'Onofrio stated that those criteria are for the Plan Commission to consider when looking at subdivision requests.

Chairperson Johnson stated that while it is not relevant in that the Board is not ruling on the subdivision request per se, the Board has to have an understanding of the issues raised by subdivision requests.

Mr. D'Onofrio referred the Board to Section 16.12.010 of the Village code which is the subdivision regulations. He read the following statement: "that subdivisions shall not result in the creation of one or more lots which have a side lot line which abut rear lot lines." Mr. D'Onofrio stated that is what would be happening as a result of the subdivision request. He stated that with regard to lots, most of the time, there are side yards abutting side yards, but in that case, they could end up with a rear yard abutting a side yard and that there may not be a positive impact.

Mr. Myers stated that he is struggling with regard to how to apply the first criteria to a subdivision which is that the property cannot yield a reasonable return. He stated that in this instance, there is a property that can yield a reasonable return and that if it was divided, there would be a totally different equation in terms of that term.

Mr. D'Onofrio responded that it is a little bigger scale in this case and that with regard to reasonable return, the Board is being asked to make a recommendation on a decision as to whether this should remain one lot or be re-subdivided into two lots.

Chairperson Johnson stated that is why it was discussed with Mr. D'Onofrio earlier as to whether

to go forward with the consideration of this case until both the Plan Commission and the Village Council make a decision on the subdivision because if they do not go ahead with the subdivision, then the applicants would obviously not need a variance since the Board is to provide an advisory opinion. She then stated that while she felt uncomfortable with that, it was Mr. D'Onofrio's suggestion that they go ahead.

Mr. Lane asked if it was possible to have access off of Sunset and have the front yard off of Sunset for the south lot.

Mr. Ballack indicated that he did not believe so. He referred to the current home on the corner and stated that they would have to put an easement across the north lot. Mr. Ballack then stated that in looking at the survey, it showed the existing home and that on the west boundary, for the west property line, there is only 14½ feet which would be very tight to put in an easement to allow access to the south lot. He then referred the Board to page 7 of the materials.

Mr. Lane asked the applicants if they considered trying to attach a piece of 916 Higginson to make the lot 24,000 square feet.

Mr. Ballack responded that they did not.

Chairperson Johnson asked if there was any other possibility to subdivide and sell part of the lot to 916 Higginson.

Mr. Ballack stated that they are only working within their property.

Chairperson Johnson asked the applicants if they have a rough drawing of what the home would look like with a driveway on Higginson and that she assumed that the garage would be in the front.

Mr. Ballack stated that on the east side, a hypothetical home was designed to show realistically how a home could be placed within the lot. He stated that it would have a side loaded driveway and referred the Board to page 18 which showed the existing lot with the existing home and the south lot with a hypothetical home. Mr. Ballack also stated that the driveway would be off of Higginson and that a driveway apron would be created. He then informed the Board that a four car garage is shown and that it could be a three car garage. Mr. Ballack added that the front of the home would face northeast.

Chairperson Johnson asked Mr. Ballack if his firm is working on the project across the street as their sign is there. She also asked if there were any other questions.

Mr. Lane asked how big the hypothetical home is. He referred to the calculation of the approximate square footage of the first floor being 4,200 square feet.

Mr. Ballack informed the Board that they submitted a complete zoning study in the packet of materials. He also stated that the total square footage is 7,144 and that half of that would be the first floor.

Ms. Hickey asked if they could put restrictions on the square footage of the proposed home.

Chairperson Johnson stated that it could be on the deed.

Mr. Ballack stated that a home of that size would be sufficient for that lot.

Chairperson Johnson asked what is the square footage of the home across the street on a similar lot.

Mr. Ballack stated that he did not know.

Mr. Cripe indicated that it looked like the front of the home would be staring into a backyard which he commented seemed awkward.

Mr. D'Onofrio stated that in connection with that standard on subdivisions, that showed what that issue is.

Mr. Cripe asked if there is no way around that issue and referred to the lot having a different shape.

Mr. Ballack responded that there is and that the diagram represented a random example case showing a home to be placed there. He noted that his firm was not retained to design that house and that it was done as a courtesy.

Chairperson Johnson stated that another issue is that even if the subdivision goes through, with regard to the variations, there is nothing barring a future owner from asking for more variations. She added that 915 Higginson is almost the exact same shaped lot.

Bonnie Rickard identified herself as the property owner and informed the Board that the square footage is half that size.

Mr. Myers stated that the applicants are making it clear that they are only showing the possibility.

Chairperson Johnson asked if there were any other questions.

Mr. Blum stated that it would be helpful for the applicants to run through the factors applied to variations and their position on the standards.

Mr. Cripe also asked for the applicants to state the reason they cannot get reasonable return on the property as it exists.

Chairperson Johnson asked if there were any other questions.

Mr. McCoy stated that the presented option is purely graphic and that the ordinance did not allow for the front door of a home to look into someone's backyard. He stated that if they were to grant the proposal, they would be creating another problem for a future owner of that lot. Mr. McCoy questioned how they do that to avoid violating the ordinance.

Mr. Ballack stated that he would like to stress that the home is a hypothetical home and that the zoning code would prevent that.

Mr. McCoy asked Mr. Ballack to inform the Board where they would put the front door on a home on this lot as a reasonable person where it would not violate the ordinance.

Mr. Myers stated that they would end up violating some zoning regulation such as side yard and front yard direction with regard to the way the home is facing. He indicated that you would either have an extremely small home which fit on the lot and met all of the criteria or there would have to be variations on one of those dimensions.

Mr. Ballack stated that architecturally speaking, there is more than one way to skin a cat and that they can make it work. He stated that the home would be oriented perpendicular to the north setback and that the main mass of the home would be to the north. Mr. Ballack added that the front door would face due east on Higginson.

Chairperson Johnson asked if there were any other questions. No additional questions were raised by the Board at this time. She then swore in the property owners.

Bob Marren introduced himself and his wife to the Board and stated that they have a history in Winnetka with a lot of family in Winnetka. He also stated that they are committed to the community and that they have six children who were raised here. Mr. Marren stated that prior to this home, they lived at 787 Sunset.

Mr. Marren informed the Board that when his wife's parents looked for a home to downsize to, they had a hard time finding a smaller home. He stated that they were looking for a home with a master bedroom on the first floor and that there were not many homes which accommodated that regardless of the price tag and that they finally found a home on Birch which fit their needs. Mr. Marren then stated that the prior owner of their home passed the home to their daughter and that only one family lived in the home.

Mr. Marren stated that when they looked at the set of old plans for the property; they discovered that it had been two lots. He confirmed that they have no plans to build a home on the property to sell and that the hypothetical rendering is not what he would recommend. Mr. Marren also stated that in no way was the architect charged with coming up with a home for that lot and that the rendering was only done to show that a home could be built. He added that they have no immediate plans to do anything and that the situation seemed like a nice idea, to revert the property to what it had previously been and to be in conformity with the neighborhood.

Chairperson Johnson asked if there were any questions.

Mr. McCoy stated that the Board is charged with the eight standards to be answered and that they have to see if the request meets the standards. He then referred to the very first standard of reasonable return, as well as unique circumstances. Mr. McCoy described the big one in this case is whether the request would alter the character of the locality. He indicated that while the

property owners obviously care about that, they may want to sell the property in the future to someone who may not have the same history as the property owners. Mr. McCoy stated that he would be more swayed if they were able to get past the first three standards in deciding whether or not to approve the request.

Chairperson Johnson asked if there were any other questions not relating to the standards. She noted that the home and the proposed south lot are in the flood plain and referred to the base flood elevation and that most of the lot is in the flood plain and asked if they had any flood detention on the property.

Mrs. Marren responded that they have two sump pumps. She informed the Board that they do get standing water in the back.

Mr. Marren informed the Board that there is a creek in the back of the property.

Chairperson Johnson stated that they understood that there is a lot of water in that area. She then asked if the subdivision is approved and the variations are approved and a home is built at some point, will that exacerbate the flooding on the Marren's existing property.

Mr. Ballack informed the Board that they did look into that and that they have had many conversations with Susan Chen who walked them through the process and the minimum lot grade formula to see whether they can build on a lot in the flood plain. He stated that you take the survey and average of spot elevations on the survey and that if those average lot grade numbers are less than the calculated number in the formula, then you cannot build a basement. Mr. Ballack informed the Board that the calculation for the lot with the subdivision is 622.67 feet at the base elevation. He also stated that the average grade calculation is 622.30 feet which meant that you cannot build a basement, not even on a pad. Mr. Ballack stated that left one option and that the south lot would have to do a floodable crawl space which is what was done at 931 Sunset.

Chairperson Johnson stated that if a home is built according to code and that there is a crawl space underneath with no basement, did that mean that the property owners would be in no worse of a position than they are now.

Mr. Ballack confirmed that is correct.

Mrs. Marren stated that the alternative is that if there is not a subdivision, there could be a huge home on the property and that a basement could be allowed.

It was stated that there would be a negative impact on the flood plain issues.

Chairperson Johnson asked if there were any other questions.

Mr. Myers commented that it is unfair to the property owners to ask them to reply to the standards now. He stated that the applicants got a sense that the Board is struggling and that the Board is charged to address the eight standards to say that there is some rationale. Mr. Myers referred to the proposed zoning change which met these standards and that for some of the standards, there is no question in that there would be no hazard from fire or impact on the light and air of adjacent

properties. He then stated that it is really the first three standards that the Board is struggling with in regard to how to take a reasonable request and put the standards and rationale together.

Chairperson Johnson stated that the property owners signed the standards form. She then stated that if they are not prepared to address the standards, the case could be continued in order for them to do so.

Mr. Ballack informed the Board that they would like to decline to address the standards, regroup and discuss the issues in more detail. He then asked for a continuance.

Chairperson Johnson asked the Board if they should ask the neighbors to come back or let them speak. She then asked for a vote on letting the neighbors speak.

Joseph Szokol of 976 Sunset stated that everyone who is here is busy and that they are ready to speak.

Chairperson Johnson stated that she is not sure that the basis to continue the case is adequate. She then stated that the Board would let the neighbors speak and that they also have the opportunity to attend the Plan Commission meeting and if this case is continued, to come back before the Board.

Mr. Szokol then stated that in connection with the two variations the applicants are asking for, there may be more in the future for a property which is 100% in the flood plain. He described the land as too stressed and that to allow potentially another home is outrageous. Mr. Szokol referred to the fact that while there are no plans to build a home, there are designs for a home which he described as disingenuous. He stated that when it rained, there is flooding which is the most compelling reason. Mr. Szokol also stated that if there is no compelling reason to make a zoning variation, then it should not be done and that to allow the request is outrageous.

Bill Krucks, 920 Sunset, informed the Board that he has been a resident for 35 years and that he lives across the street from the property. He stated that he would like to have the opportunity to help the Board and give insight to the neighborhood. Mr. Krucks described the elephant in the room as storm water. He then distributed information to the Board for their review which contained photographs of a rainstorm in April and June 2013 with flooding in the streets. Mr. Krucks then referred to an emergency incident in the neighborhood and that the water was so severe, that emergency vehicles had a difficult time coming down Sunset.

Mr. Krucks then stated that with regard to background, he stated that it is not personal, but that in the neighborhood, they are concerned every time there is new construction which asks for variations. He also referred to the connection between parts of the ordinance, especially as it concerned GFA and the mass of the home, which is the reason why the size and mass of homes are restricted. Mr. Krucks stated that in connection with storm water, the stress on infrastructure on the neighborhood is one of the factors which goes into the ordinance. He then stated that in connection with rain causing severe flooding and property damage, the Village engaged Mr. Christopher Burke to study drainage systems which dated to September 2009 and which was presented to the Village Council. Mr. Krucks informed the Board that Steve Saunders identified Birch, Sunset, DeWindt and White Oak as the areas which have the most severe area for flooding

in the Village due to the watershed of the Skokie ditch. He noted that the map of the Skokie ditch in the information dated back to 1864 and that it was referred to as the waterway in the combination of the lots in 1976. Mr. Krucks stated that the entire storm sewer systems fill with 2 inches of rain in the neighborhood and that the water then floated over land.

Mr. Krucks stated that the Burke study identified a limiting factor in the area as the area where the Skokie ditch runs open and closed and that it is open all the way to Sunset where it attempted to enter a 24 inch storm sewer but cannot. He also stated that the Burke study found that the waterway was not maintained and that it is filled with debris, fencing material and silt and that as a result, it backed up beginning at Birch and continued through the neighborhood. Mr. Krucks also stated that the Burke study recommended improvements to alleviate the problem and that the construction of a brand new storm sewer system never occurred.

Mr. McCoy stated that if they were to grant the variations limiting a future owner of the existing property from building a 14,000 square foot home on that property and also limiting a future home on the property to the south from having a basement, he asked Mr. Krucks if the question he is asking is for the Board to either approve the variations or if it is his testimony that he wanted to keep things the way they are. He indicated that a new owner could tear down the home and build a 14,000 square foot home which would add more problems.

Mr. Krucks stated that the request should be rejected because there is nothing worse that can happen now. He stated that a new home would result in the loss of permeable surface. Mr. Krucks informed the Board that the Higginson storm water measured 8 inches and that in the Burke study; it was recommended that no more water be brought to the Skokie ditch since it would otherwise increase flooding downstream to the rest of the neighborhood.

Ms. Hickey asked with regard to the new storm water solution by the Village, would Ms. Chen be covering the impact of that at the Plan Commission meeting.

Mr. D'Onofrio indicated that he did not know, but that they would be dealing with the issue specific to this area and plan.

Mamie Case, 901 Higginson, stated that as far as the Willow Road project, it superseded the Burke plan. She stated that if it occurred, it would be their only relief from the current situation. Ms. Case described it as still hypothetical and so far out in the future like 2018. She then stated that as it currently stands, there are no additional pumping stations at the DeWindt corner or relief other than the Willow Road project for the neighborhood and that she did not know when it would be put in. Ms. Case stated that until then, she described the stress on the area as crazy. She also stated that the Skokie ditch is an open waterway and that as you drive off of Sunset, that is an open waterway of the Skokie ditch and part of another reclamation district and that any request would have to be approved through other municipal channels.

Mr. D'Onofrio noted that it is controlled by the Metropolitan Water Reclamation District.

Ms. Case then stated that is why you cannot face the home to the spur on Sunset because of the open ditch there. She stated that it is part of the storm sewer system and that the general runoff

goes there.

Chairperson Johnson asked Mr. D'Onofrio who is responsible for maintaining the Skokie ditch. The audience responded that it is the Village's responsibility.

Ms. Case went on to state that the open land now served as overflow for storm water management for the Skokie ditch. She stated that the applicants are proposing variations to create a buildable lot where the lot elevation is so far below the base flood plain, even FEMA standards did not apply. Ms. Case indicated that you would have to build a raised home and put in storm water management for the general runoff. She questioned how you can put storm water management for an interior nonconforming lot when the runoff to the Skokie ditch is part of storm water management.

Chairperson Johnson stated that Ms. Chen would address the issue with the Plan Commission. She noted that the hypothetical home did not show any storm water or compensatory storage which would be required even without a basement.

Ms. Case then asked how the Board can rule on variations for something which is not ever going to be built.

Chairperson Johnson responded that it might be built and that the Board is to render an advisory opinion. She also stated that based on what the Board has heard from everyone, they realize that there is a water problem and that they see evidence of it.

Ms. Case then stated that with regard to the property being sold as a whole and whether a 14,000 square foot home could be built, that is sheer speculation. She stated that she would prefer that the lot stay together and that they would welcome a 14,000 square foot home versus two homes, one of which would be nonconforming on a corner interior lot. Ms. Case noted that the math calculations from the proposal page reveal that if they were to add square footage from the proposed nonconforming home and the current home, they would still have over 14,000 square feet of space built. She concluded by stating that in granting the variation, some of that space would straddle the flood plain and infringe on the surrounding properties and that she did not see the benefit of granting the variations.

Chairperson Johnson asked if there were any other comments.

Mike Klein, 955 Sunset, asked if the existing lot would be brought into conformity with regard to detention.

Mrs. Marren responded that it would stay the same.

Chairperson Johnson stated that if the south lot is developed, it would have to be addressed.

Mr. Klein then asked if there was no requirement for the existing home to be brought up to the code if the subdivision is approved.

Chairperson Johnson stated that only new construction needed to address compensatory storage

and detention.

Mr. D'Onofrio indicated that he is not aware of any subdivision where the existing lot and home is required to make storm water changes if there is already an improved lot.

Chairperson Johnson indicated that they could make that a condition of approval. She asked if there were any other comments.

Linda Krucks, 920 Sunset, informed the Board that she took most of the photographs which were distributed to the Board and that they live to the east of the property owners. She described them as lovely people. Mrs. Krucks stated that the issue is incomprehensible since they have lived there for so long. She then referred to the property owners and the Sholten's property to the west as Lake Sunset when there is two inches of rain. Mrs. Krucks also stated that with regard to the property line that the property owners and the Sholtens share, all of the neighbors here are in agreement that they are opposed to the variations. She then stated that in connection with the property owners and the Sholtens, the Sholtens have a crawl space which is floodable and that they have no basement. Mrs. Krucks informed the Board that the Sholtens live at 956 Sunset which is directly to the west.

Mrs. Sholten informed the Board that the home was built in 1947 without a basement.

Chairperson Johnson stated that they would like to hear from the 915 Higginson property owner. She then stated that if the proposal went through, they would have a driveway and a narrow street.

Bonnie Rickard stated that there would be no way to turn around and that the 3,300 or 3,400 square foot home was built in 1970.

Chairperson Johnson asked if there were any other comments.

Mrs. Marren informed the Board that they get water in their backyard and that they have lived in the home for 7 years. She also stated that they had water once in the basement when there was no electricity. Mrs. Marren then informed the Board that builders have contacted them and that if they sold their property, a home could be built on the lot which would measure 14,000 square feet without any variation.

Chairperson Johnson also stated that the applicants may be able to add onto the home without a variation. She asked if there were any other comments. Chairperson Johnson stated that the Board has to decide on the motion to continue the case to the next meeting.

Mr. Myers moved to continue the case for 936 Sunset until the next meeting date. Mr. Blum seconded the motion.

Mr. McCoy stated that when the case is continued, the applicants are to have addressed the standards.

Mr. Myers stated that the only reason the case is being continued is so that the applicants can

address the standards.

Chairperson Johnson stated that the applicants had the opportunity to address the standards, they signed the application and chose not to address them in writing or orally and take no responsibility. She stated that she is in favor of a continuance only because they will have the benefit of the Plan Commission meeting and Village staff input on the issues. Chairperson Johnson then stated that when the applicants address the standards when they come back, they should look at the backyards on Sunset, the two homes to the west, the open backyards to the south with no structure there, the issue about changing the character of the neighborhood if the variations are granted and the home which would be built on the south lot. She also stated that they should address changing the character of the neighborhood by adding a home on the south lot.

Mr. Cripe asked Mr. D'Onofrio if the applicants can withdraw their petition and come up with specific plans, without prejudice to the subsequent petition.

Mr. D'Onofrio responded as long as no action is taken, the applicants can withdraw and resubmit their application.

Mr. Cripe indicated that it may be worth considering.

Chairperson Johnson stated that the applicants need to decide before the Plan Commission meeting unless there is a Plan Commission continuance. She then asked if there were any other questions. No additional questions were raised by the Board at this time.

A vote was taken and the motion was unanimously passed, 7 to 0.

AYES: Blum, Cripe, Hickey, Johnson, Lane, McCoy, Myers  
NAYS: None

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Respectfully submitted,

Antionette Johnson

## ATTACHMENT D

### **Recommendation to deny 936 Sunset Road – Final Plat Approval: Marren’s Resubdivision (Case No. 25-16-SD)**

Dear Chairs and Members of the Winnetka Plan Commission and Zoning Board of Appeals,

We are writing to respectfully urge you to recommend denial of Case No. 25-16-SD, the proposed subdivision of 936 Sunset Road - Final Plat Approval Marren's Resubdivision. After careful review of the application, supporting materials and relevant Village ordinances, it is clear that this submission would be detrimental to the neighborhood, inconsistent with Winnetka's subdivision standards and contrary to the public health, safety, and welfare.

#### **1. Floodplain and drainage concerns**

The subject property lies in the floodplain with many areas below floodplain and in a low-lying drainage area. Construction of an additional residence which needs to be raised up 4+ feet from the base floodplain would increase impervious surface area, reducing storm water absorption and potentially redirecting flood water onto adjacent properties. Any fill placed to elevate a new building pad risks displacing water and the compensatory storage requirement will be in conflict with the open Skokie Ditch as it serves as the neighborhood's stormwater repository and uses this open land as its overflow.

#### **2. Noncompliance with lot standards**

The subdivision requires significant variations:

- Proposed Lot 2 fails to meet the minimum lot area and lacks the required rectangular buildable area -a side lot line would abut a rear lot line, creating an irregular and awkward lot configuration that is inconsistent with the Village's subdivision principles. Additionally, because the house must be raised, it will look out of character since it would be built in the backyards and side yards of the surrounding properties.

These conditions directly undermine the intent of Winnetka's zoning and planning standards, which are designed to ensure orderly safe and equitable land use.

#### **3. Material adverse impacts on the neighborhood**

The required finding of "No Material Increased Adverse Impact" cannot be reasonably made here. This subdivision would:

- increase flood and drainage risks for the surrounding properties
- reduce green space which the open Skokie Ditch uses as overflow
- introduces a house out of scale with the neighborhood lots
- depresses property values of the neighboring lots by creating a precedent for building into the flood plain on an undersized irregular lot
- creates a situation where an existing driveway is compromised by the lack of turnaround space due to the narrow street and new driveway being built directly across from it.

#### **4. Precedent and neighborhood integrity**

Approving this subdivision would set a troubling precedent, inviting future applications for non-conforming, substandard lots in flood prone areas.

For these reasons, the proposed 936 Sunset Road-Final Plat Approval Marren's Resubdivision (Case No. 25-16-SD) cannot be found to meet the Village's requirements for subdivision approval. It would create

new risks and adverse impacts without any corresponding public benefit. Please also note the attached photos of the flooding we experience at this exact site.

We respectfully request that the Plan Commission and Zoning Board of Appeals recommend denial of this application.

Sincerely,

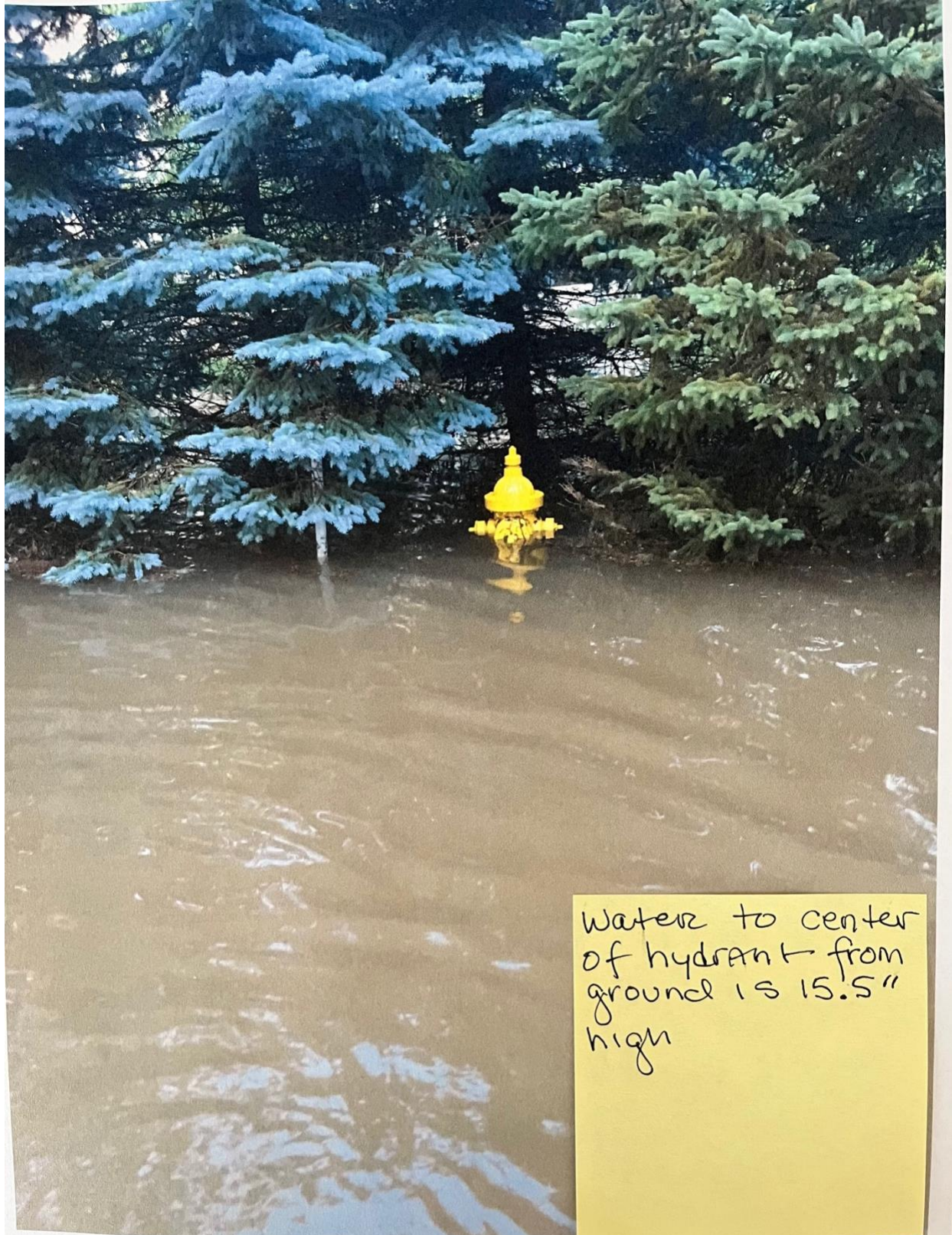
Githesh Ramamurthy  
916 Higginson Lane

James and Cait Langer  
956 Sunset Road

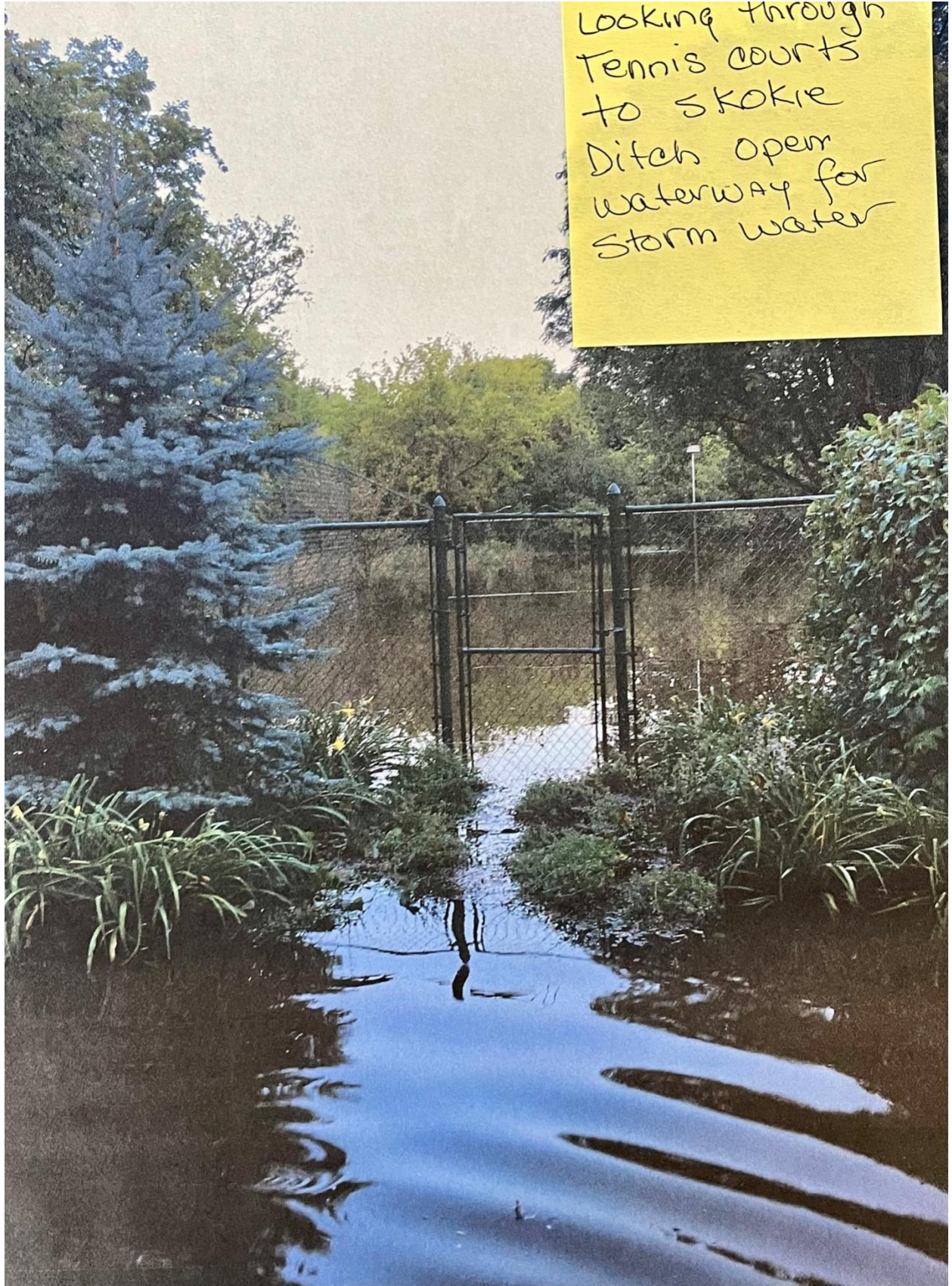
Nick and Jen Morse  
150 Meadow Lane

Higgwinn LLC  
900 Higginson Lane

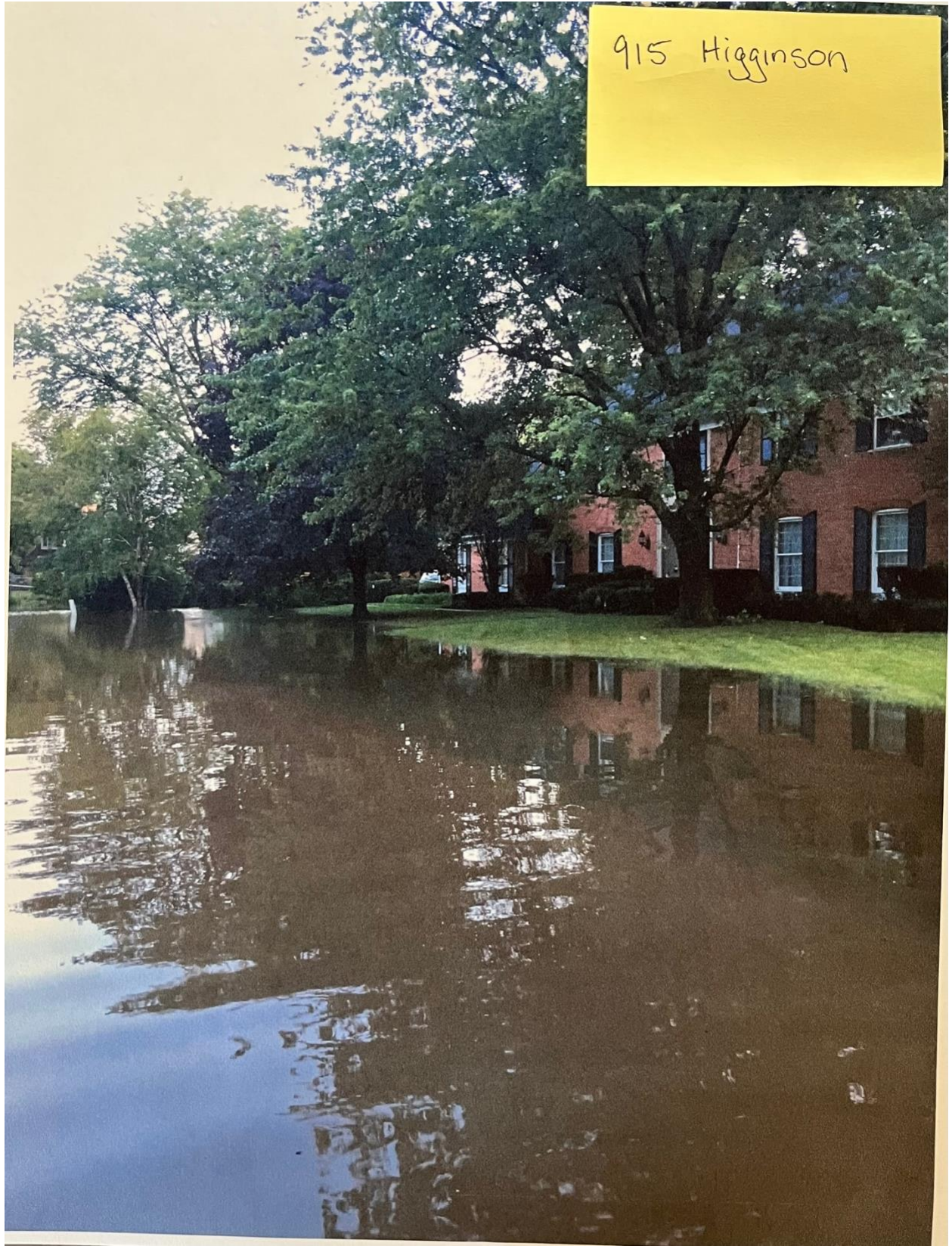
Greg Case  
901 Higginson Lane



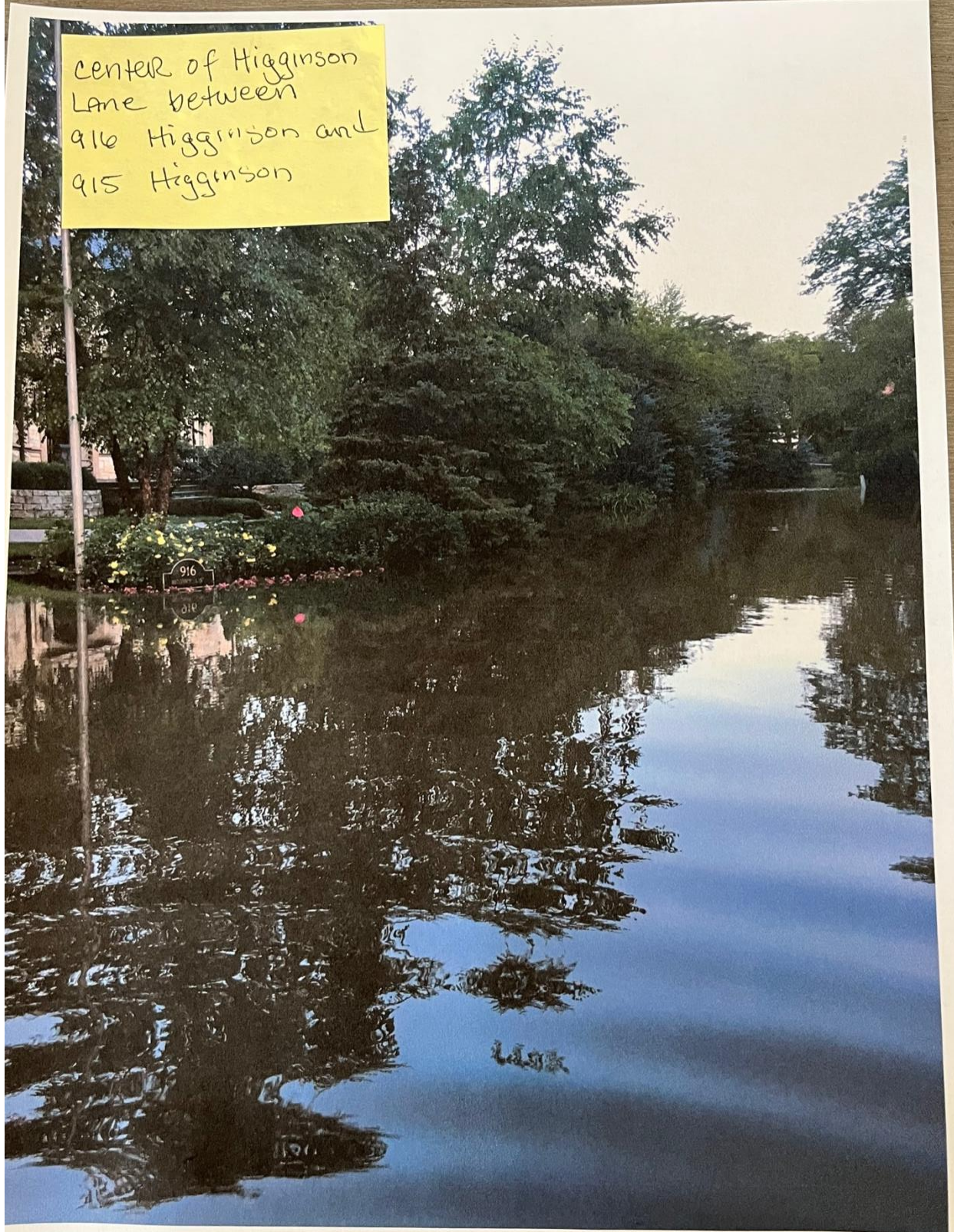
Water to center  
of hydrant from  
ground is 15.5"  
high



Looking through  
Tennis courts  
to Skokie  
Ditch open  
waterway for  
storm water



915 Higginson



James & Caitlynde Langer  
956 Sunset Road  
Winnetka, IL 60093

September 23, 2025

To:  
Chairs and Members of the Winnetka Plan Commission  
Chairs and Members of the Zoning Board of Appeals  
510 Green Bay Road  
Winnetka, IL 60093

**Re: Objection to Marren’s Resubdivision – Case No. 25-16-SD**

Dear Chairs and Members of the Plan Commission and Zoning Board of Appeals,

We write as the immediate next-door neighbors at 956 Sunset Road to respectfully but strongly object to the proposed two-lot subdivision of 936 Sunset Road (Marren’s Resubdivision, Case No. 25-16-SD).

While we support the detailed concerns raised by other neighbors, we believe it is critical for the Commission and Board to recognize both the legal deficiencies of this application and the direct personal harms it would cause to our family and property.

**1. Failure to Comply with Core Zoning and Subdivision Standards**

The proposed subdivision requires multiple fundamental variations that undermine Winnetka’s ordinances:

- Lot Area & Rectangular Buildable Area (Section 17.30.010): Proposed Lot 2 is 828 square feet smaller than the required 24,000 sq. ft. minimum and fails the rectangular buildable area test of 16,335 sq. ft. with legs of at least 90 feet.
- Irregular Lot Configuration (Section 16.12.010): The plan creates a side lot line abutting a rear lot line, which the Subdivision Code expressly prohibits.
- Existing Nonconformities: Lot 1 would continue to violate required front and corner setbacks and garage door width standards. The Code requires a finding of “No Material Increased Adverse Impact”, yet approving a subdivision that perpetuates these nonconformities clearly increases adverse impact.

These are not minor deviations. They are core standards designed to preserve the integrity of the R-2 District’s “small estate” character.

## **2. Entire Property Lies in the Floodplain**

The staff report confirms that 100% of 936 Sunset Road lies within the 100-year floodplain. Any new home on Lot 2 would need to be elevated approximately four feet above grade, displacing water and increasing drainage burdens on neighboring properties, including ours.

Our yard already experiences significant flooding during rainstorms. Adding another house and additional impervious surfaces on this site would almost certainly increase that flooding, forcing us to bear major additional upkeep costs to protect and maintain our property.

Village engineering staff warned that detention and compensatory storage would be extremely difficult to achieve on the proposed Lot 2 given easements and setbacks. As the immediate abutters, we face the greatest risk of increased runoff, water displacement, and damage to our property.

Importantly, a subdivision should also require that the existing residence on Lot 1 be brought into compliance with today's floodplain requirements. The current application does not address this, leaving an already nonconforming structure in place within a high-risk flood zone. The Plan Commission must take this into account before considering approval.

## **3. Neighborhood Character, Green Space, and Property Values**

The R-2 zoning district was created for larger "small estate" lots, with a minimum area of 24,000 sq. ft. Approving this subdivision would:

- Introduce an oddly shaped, undersized lot inconsistent with surrounding parcels.
- Significantly reduce the open green space that contributes to the character of our neighborhood and to the enjoyment of our own backyard.
- Place a raised house awkwardly in our backyard, destroying privacy and diminishing the aesthetic and market value of our home.
- Depress surrounding property values. The collective real estate losses to neighbors from reduced lot quality, diminished privacy, and floodplain complications would far exceed any private financial gain to the Applicant. In short, the result would be a net loss in value for the neighborhood as a whole.

## **4. History of Repeated Denial and Prior ZBA Findings**

This is not the first time the Marren's have sought to subdivide this property. In 2014, the Zoning Board of Appeals raised nearly identical concerns and continued the case after concluding the Applicant had failed to meet the required standards. At that time, the Board and neighbors identified:

- Severe Flooding: Residents testified about Sunset becoming impassable during the 2013 storms, while expert studies confirmed this area as one of Winnetka's most flood prone.

- Subdivision Code Violation: The Board acknowledged that Section 16.12.010 expressly prohibits creating a lot where a side lot line abuts a rear lot line.
- Lack of Hardship: ZBA members questioned whether the property could already yield a reasonable return as a single lot, undermining any claim of true hardship. The Marren's declined to address the eight required standards for granting variations, despite signing the application that required them.
- Neighborhood Character: Members worried about the awkward siting of a new house, which would look directly into neighboring backyards and alter the established character of Sunset Road.

Nothing material has changed since 2014. Approving this subdivision now would not only ignore these previously identified concerns but also contradict the Village's own consistent reasoning.

### **5. Lack of Public Benefit and Hardship Justification**

The Village's subdivision standards require that variations only be granted when a true hardship exists and when public health, safety, and welfare are protected. In this case, the Applicant has not demonstrated the type of proven financial or practical hardship that would justify relief from multiple core zoning standards. Instead, the only clear benefit is a private financial gain to the Applicant.

The public cost, however, is real: increased flood risk, loss of neighborhood character, diminished green space, and erosion of zoning integrity.

### **Conclusion**

For the reasons above, the proposed subdivision fails to meet the minimum requirements of the Zoning and Subdivision Codes, presents real floodplain and drainage dangers, undermines the character and open green space of the R-2 District, and repeats an already rejected scheme. It would also impose collective economic harm on neighboring property owners that far outweighs the Applicant's private gain, producing a net loss for the community.

We respectfully urge the Plan Commission and Zoning Board of Appeals to recommend denial of this application to the Village Council.

Thank you for your careful consideration. We have also attached views of our backyard after rains.

Sincerely,

James and Caitlynde Langer  
956 Sunset Road  
Winnetka, IL 60093











**From:** [REDACTED]  
**To:** [Planning](#)  
**Subject:** Marren,s proposed lot subdivision in our neighborhood Caso NO. 25-16-SD 936 Sunset rd  
**Date:** Friday, October 3, 2025 6:35:58 AM

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**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.

Good morning

My husband and I own property at 972 Sunset rd across the open Skokie ditch.

Every time its raining on subject property is standing water, like a small lake. We can observe this from our second floor bedrooms.

This is in addition to overflowing Skokie ditch.

House on this lot will add to this problems , no matter how well it will be constructed.

We strongly oppose this two lot subdivision., besides it will not fit with the character of the neighborhood.

Sincerley

Arie and Bozena Zweig



