Village of Winnetka

Zoning Board of Appeals Regular Meeting

February 9, 2026 at 7:00 PM
Village Hall Council Chambers
510 Green Bay Road

AGENDA

1. **Call to Order & Roll Call**
2. **Approval of Minutes**
   a. January 12, 2026, Regular Meeting Minutes
3. **Community Development Report**
4. **Continued Cases**
   a. **Case No. 25-16-SD: 936 Sunset Road:** An *amended a*pplication seeking approval of a Final Plat of Subdivision to allow a two-lot subdivision of 936 Sunset Road, which requires a zoning variation to allow Proposed Lot 1 (936 Sunset Road) to provide less than the minimum required lot depth. The Village Council has final jurisdiction on this request. *This item was continued from the October 13, 2025, and December 8, 2025, Zoning Board of Appeals meetings.*
   b. **Case No. 26-01-V2: 671 Lincoln Avenue:** An application seeking approval of a zoning variation to allow construction of a circular driveway in the front yard of 671 Lincoln Avenue. The requested variation would permit the proposed improvement to exceed the maximum permitted front yard lot coverage. The Village Council has final jurisdiction on this request. *The Applicant has withdrawn this application. The Zoning Board of Appeals will not be taking action on this application.*
5. **New Cases**
   a. **Case No. 25-28-SU: 225 Sheridan Road - Centennial Beach:** An application seeking approval of a Special Use Permit to allow installation of fencing on the existing beach. The Village Council has final jurisdiction on this request.
   b. **Case No. 26-04-V2: 1086 Fisher Crescent Lane:** An application seeking approval of a zoning variation to allow construction of a new single-family residence at 1086 Fisher Crescent Lane. The requested variation would permit the proposed residence to provide less than the minimum required corner yard setback from Fisher Crescent Lane. The Village Council has final jurisdiction on this request.
6. **New Business**
   a. March 9, 2026, Regular Meeting - Quorum Check
7. **Public Comments**
8. **Adjournment**

NOTICE

Public comment is permitted on all agenda items at the meeting. If you wish to provide testimony or comments prior to the meeting, you may provide them one of two ways: (1) by sending an email to planning@winnetka.org; or by sending a letter to Community Development, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093. All agenda materials are available at www.villageofwinnetka.org/agendacenter.

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

WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
JANUARY 12, 2026

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

Call to Order & Roll Call:
Chairman Bradley called the meeting to order at 7:01 p.m. Roll call was taken of the Board Members present.

Public Comment:
No comments were made at this time.

Approval of Meeting Minutes.
Chairman Bradley asked for a motion to approve the December 8, 2025. meeting minutes. A motion to approve the December 8, 2025. meeting minutes was made by Mr. Ritter and seconded by Ms. Hanley. A vote was taken and the motion unanimously passed, 4 to 0:
AYES: Bradley, Haller, Hanley, Ritter
NAYS: None

Community Development Report.
Mr. Mangum noted there has been no action on any items since the last meeting.

Chairman Bradley asked for a motion to take the agenda out of order and move up Case No. 26-03-V for 614 Cherry Street. A motion was made to move agenda item 5(c) to 5(a) by Ms. Hanley and seconded by Mr. Ritter. A vote was taken and the motion unanimously passed, 4 to 0:
AYES: Bradley, Haller, Hanley, Ritter
NAYS: None

Continued Cases:

a. **Case No. 25-14-V2: 175 DeWindt Road: An amended 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 Zoning Board of Appeals has final jurisdiction on this amended request. This item was continued from the August 11, 2025, and October 13, 2025, Zoning Board of Appeals meetings.**

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Mr. Marx summarized the GFA and front yard setback variations requested and the previous discussion for this matter. He noted the front yard setback request remained unchanged and a variation is requested for encroachment into the required front yard setback which he identified in an illustration. Mr. Marx stated in response to comments made, the proposed addition has been reduced in size and the applicant provided more information with regard to the home's existing condition to reflect a more accurate GFA which changed the variation's nature from major to standard. He noted the existing residence is nonconforming and summarized the resulting GFA. He referred to the original and revised floor plans which he described for the ZBA. Mr. Marx then referred to written comments received relating to the request and stated following the applicant's presentation, public comment and Board discussion, the Board may either continue the matter to a date certain to provide time to address any questions or comments or consider a motion to adopt the resolution to approve or deny the variations with draft resolutions included on page nos. 86-107. He then asked if there were any questions.

Chairman Bradley also asked if there were any questions. No questions were raised at this time. Chairman Bradley swore in those speaking to this matter.

Christopher Canning, 1000 Skokie Blvd., Wilmette, stated he is representing the applicants, Emily and John Thomas, and also introduced Scott Walker, the builder, along with Healy Rice, the architect. He summarized their efforts made to make the numbers right and discussed the revised plan submitted as a result of the comments made noting two variations are being requested for the front yard setback and GFA. Mr. Canning described the square footage reductions contained in the revised plan and explained the reasoning for not wanting to dig down in connection with flooding and storm water concerns.

Scott Walker explained how certain walls were adjusted and the shallower pitched roof was removed along with the creation of a dormer for architectural character. He stated there would also be a major square footage reduction which eliminated privacy concerns to the south with the request providing the needed storage. Mr. Walker explained how the roof pitch created headroom and additional GFA.

Ms. Hanley asked what are the current and existing roof heights. Mr. Walker provided the information for the Board. Chairman Bradley questioned the flagpole calculation relating to the variation requested. Mr. Walker explained how the flagpole attributed to the amount of the variation being requested and represented a hardship. Ms. Rice explained the plan to create a taller attic over the garage.

Chairman Bradley then asked for public comment. Courtney Nelson, 130 Evergreen, stated her home is to the south and would be the most impacted by the request. She explained their position to protect and preserve their family space and quality of life. Ms. Nelson referred to the noise with regard to the amount of construction in the neighborhood. She stated the proposed addition would significantly affect their property and alter the character of the locality and as well as their light and air, etc. Ms. Nelson stated the home is already maxed out and the proposed space would be used as living space as opposed to storage. She asked if the request is approved, for the applicant to wait until next winter to build and plant a row of evergreens along their side of the fence.

David Nelson, 130 Evergreen, stated the hardship needed to be met in order for the request to be approved and stated the applicants were aware of the property's restrictions when they bought the home and asked for that to be factored into the Board's analysis.

Chairman Bradley asked if the applicant would like to respond. Mr. Walker referred to the amended south elevation with the skylights which would not allow for a view into the rear property. The Board Members

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reviewed the aerial view map on Figure 1. Mr. Walker provided further information relating to views to surrounding properties and also identified the area where the pool would be located. Mr. Canning asked for the opportunity to discuss any conditions the Board may impose with the applicant.

Chairman Bradley noted a unanimous motion would have be made and provided the applicant with their options. He then closed public comment and called the matter in for discussion.

Ms. Hanley referred to her initial concerns relating to the first two standards due to the enormous scale of the original project. She stated while the property is a flag lot, it is not unique but it did create a GFA calculation challenge. Ms. Hanley stated since the request was significantly scaled down, it made the requested variation more palatable along with the dormer and window removal on the south side in response to neighbors' comments. She concluded she would lean toward approval. Mr. Ritter agreed with Ms. Hanley's comments and stated the GFA overage is not a result of increased impermeable area. He stated he is sympathetic to the rear neighbors' concerns and commented the applicant's team did a good job in minimizing the proposed addition's size. He questioned whether the glare concern raised would be an issue. Mr. Walker responded light reflects off glass. Mr. Ritter then stated he would be inclined to approve the request without conditions.

Mr. Haller stated he appreciated the size reduction and the rear yard character appearance which would be changed. He stated would lean in favor of the request and referred to the comments relating to the room's use and whether the Board should consider the basis for the room's use relating to hardship relief. Ms. Hanley and Chairman Bradley stated that the room's use is not relevant and referred to the home's lack of a basement. Chairman Bradley also commented on the usability of the flag lot area and the GFA calculations. He then summarized how he considered the standards and his position due to the inability of the request to meet the reasonable return standard. He then stated he would be amenable to conditions with regard to the timing of the pool project and the current project.

Mr. Haller stated if he would consider conditions it would be landscaping to ameliorate the visual impact, not timing of construction. Ms. Hanley stated she would not be comfortable dictating adding landscaping as a solution. She also referred to the difficulty relating to the lack of a basement and that the proposal has been reduced from the original proposal.

Chairman Bradley asked for a motion to approve the request as indicated on page no. 86. A motion to approve the request was made by Ms. Hanley and seconded by Mr. Haller. A vote was taken and the motion unanimously passed, 4 to 0:
AYES: Bradley, Haller, Hanley, Ritter
NAYS: None

New Cases:

a. **Case No. 26-03-V: 614 Cherry Street: An application seeking approval of zoning variations to allow construction of a covered porch addition and work beyond ordinary repair and maintenance to the existing legally nonconforming residence at 614 Cherry Street. The requested variations would permit the proposed improvements to (i) provide less than the minimum required side yard setback from the west property line; and (ii) perform structural changes necessary to provide a new window opening in the legally nonconforming west side building wall. The Zoning Board of Appeals has final jurisdiction on this request.**

Mr. Marx summarized the variations being requested and identified the property's location, zoning classification and views of the property. He then summarized the request to replace the rear stoop, the

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home's legal nonconforming status as well as a new window opening in the nonconforming side building wall. Mr. Marx noted the detached garage is also legally nonconforming in terms of its location but would not change. He identified the location of the proposed porch addition in an illustration for the Board as well as rear and side building elevations. Mr. Marx stated two written comments were received and included as Attachment E in the packet. He then stated the Board may either continue the matter to a date certain in order to address questions or comments or consider a motion to approve or deny the request with resolutions on page nos. 194-207. Mr. Marx asked if there were any questions.

Chairman Bradley also asked if there were any questions. No questions were raised at this time. He then swore in those speaking to this matter.

Healy Rice, the project architect, introduced herself along with Brian Axline, the property owner. She stated the request is to remove and replace the existing porch in the rear of the property which would be slightly larger. Ms. Rice also stated the existing stairway to the basement would be removed and referred to a window well on the driveway side. She stated the proposed porch would serve as a mudroom and summarized the setback issues. Ms. Rice stated the one story addition would align with the existing home on the second floor. She noted an existing window would be removed with a new window added for the bathroom in the same wall. Ms. Rice also stated they have received neighborhood support and asked if there were any questions. She added there is ample separation between the two properties.

Chairman Bradley asked if there were any questions from the Board or the audience. No questions were raised at this time and no public comments were made. He then called the matter in for discussion.

Ms. Hanley described the request as a simple approval and stated she would be in favor of the request. Mr. Ritter agreed with Ms. Hanley's comment and stated the changes would be minimal. He stated he would be in favor. Mr. Haller and Chairman Bradley also agreed with the comments made. Chairman Bradley noted the side yard setback would be improved and described the request as straightforward.

Chairman Bradley then asked for a motion to approve the request as indicated on page no. 194. A motion to approve the request as presented was made by Ms. Hanley and seconded by Mr. Haller. A vote was taken and the motion unanimously passed, 4 to 0:
AYES: Bradley, Haller, Hanley, Ritter
NAYS: None

b. **Case No. 26-01-V2: 671 Lincoln Avenue: An application seeking approval of a zoning variation to allow construction of a circular driveway in the front yard of 671 Lincoln Avenue. The requested variation would permit the proposed improvement to exceed the maximum permitted front yard lot coverage. The Village Council has final jurisdiction on this request.**

Mr. Marx identified the property's location, zoning classification and site photos of the property and surrounding properties. He summarized the front yard lot coverage variation being requested and identified the driveway, fence and front entry gates. Mr. Marx stated the request is to expand the driveway to a circular driveway with a new curb cut and the increase in impermeable lot coverage and front yard lot coverage. He noted two written comments from neighbors were received and included in the agenda packet. Mr. Marx stated following the applicant's presentation, the Board may decide to either continue the matter to a date certain to allow for time to address questions or comments or make a motion to recommend approval or denial of the variation with draft language included on page nos. 139-140. He then asked if there were any questions.

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Chairman Bradley also asked if there were any questions. No questions were raised at this time. He then swore in those speaking to this matter.

Scott Price, the project manager and Sam Everly, the landscape contractor with Midwest Arbor, introduced themselves to the Board. Mr. Price stated they were retained to do interior work and refurbish the home purchased approximately one year ago. He stated they planned to restore the circular driveway which was previously removed primarily due to safety concerns due to the amount of traffic the home generated. Mr. Price described the plans for the proposed driveway and drainage work to ensure water management is sufficient.

Chairman Bradley asked if there were any questions. Mr. Ritter asked the applicant if they considered installing a turnaround which would result in a lower amount of impervious surface. Mr. Price responded they did not but can consider it. Ms. Hanley referred to the site plan. Mr. Price confirmed there is a three car garage but the third bay is unusable. Mr. Everly stated due to the radius, it would be difficult to get out. Chairman Bradley stated the home is iconic and referred to the amount of exposure relating to the home. He asked for the specific reasons which motivated the circular driveway. Mr. Price responded the proposed design lined up with what was there before as well as what was in the Home Alone movie. He explained the difficulties for the workers and visitors to the home which is currently unoccupied.

Chairman Bradley referred to Attachment D from the former owners with regard to the space in the rear to allow for a turnaround. He stated while the request is a balance of safety and restoration, he asked to what extent is the issue of the turnaround not feasibly already there with what the previous owner did to the property. Mr. Price responded the issue related more to the guests as opposed to those backing in and out of the garage. He stated the new ownership chose to remain anonymous who have more children and vehicles than the prior owners.

Chairman Bradley also asked if efforts were made to solicit help from the Village and police department to attempt to minimize the amount of disruption. Mr. Price noted the ownership family has met with the police chief and other Village members to discuss this issue. He also stated the plan was presented to the Chief of Police and the Fire Chief in order to obtain their input with the knowledge they cannot control the amount of people who gather at the property.

Ms. Hanley stated while she appreciated there is a safety hazard, she described it as a safety issue of the applicant's own making which would draw more people to see the home. She stated there are ways to keep the home from being seen and from being an attraction. Chairman Bradley stated the home was existing nonconforming and if the request was for any other home in the Village, it would be a nonstarter in terms of the justification for installing this amount of overage.

Chairman Bradley referred to the proposed overage for the turnaround the applicant claimed is the minimal amount necessary to allow vehicles to safely exit the property facing forward. Mr. Price stated while it is unusual to go back to a condition that was previously grandfathered in, the plans would allow for a large detention system to account for the driveway. He also stated the driveway could be minimized to 12 feet. No additional questions were raised at this time.

Chairman Bradley stated the Board would first take a break which would be followed by public comment.

Kristen and Gavin Cross, 663 Lincoln, stated they moved to the home knowing what they were dealing with and stated they are not here in opposition but want to know the intentions in terms of safety. Mr.

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Cross stated it is their understanding that the owners do not live in the home and have done nothing to address security concerns. He described the proposal as a solution for one home but a poor solution for others while they all have similar concerns with regard to their driveways. Mr. Cross stated their question to the Village is how the situation would be managed going forward. Mrs. Cross also stated the fact that it is a neighborhood should be considered and they are concerned with safety with deliveries which can be addressed in numerous ways and which would not make the home look like a movie set. She stated the new owners would not live in the home full time and reminded everyone that it is a neighborhood with safety being everyone's concern.

Melissa and Michael Howard, 664 Lincoln, stated they are in the process of building a new home across from the property. She informed the Board they installed a camera due to the amount of people in the neighborhood and has changed their home's design to address privacy and safety concerns. Mrs. Howard stated their side of the street experienced more traffic and referred to the use of their driveway by visitors for photos. She explained the amount of traffic which made exiting the property very difficult. Mr. Howard referred to the aerial view and asked for the engineers to address the amount of impermeable surface in terms of water drainage. He also referred to aesthetics with regard to landscaping which can mitigate the appearance of a driveway. Mr. Howard then stated the larger issue related to the Village addressing the context concern issues for the unique block with regard to the amount of traffic. He stated while they are not opposed to the circular drive, the Village benefitted from the home but the people on the block pay the larger price and asked for grace to be extended to them in terms of the cost they bear. Mrs. Howard also asked if tour buses can be stopped or funneled in certain ways and asked for a more cohesive plan to be achieved which would benefit everyone.

Taron Giniat, 682 Lincoln, stated the amount of traffic from 9 to 5 is much quieter and her biggest concern is that this is a security issue of the applicant's own making and calling the matter a safety concern is disingenuous. She described the amount of traffic in the neighborhood and questioned whether the requested permanent change is worth it for a temporary convenience especially when the owners do not plan to live in the home full time.

Kathy Howlett, 650 Lincoln, stated she has been working with Mr. Mangum with regard to possible solutions and stated they appreciated the various entities working with them on this matter. She then stated with regard to safety concerns, she referred to the amount of small children in the neighborhood and stated while it is an iconic home, she asked the Board to recommend conditions for the new owners to have security for the property to take the burden off the Police Department who have provided excellent response. No additional comments were made at this time.

Chairman Bradley closed public comment and asked the applicant if they would like to respond. Mr. Price thanked the audience for their comments and stated the owners purchased the home for their families' and friends' enjoyment and they cannot be in the home all the time. He stated it would not be a museum, Airbnb or an attraction. Mr. Price stated with regard to safety, the owners have installed several cameras and have been in discussions with their security team regarding more cameras on the streetscape as well as being open to working with the Village.

Chairman Bradley called the matter in for discussion and outlined the items the Board is to consider. Ms. Hanley noted if they were to deny the request, it would not set a standard for the denial of any circular driveway on the street. She stated with regard to the standards she had difficulty with the first three standards which she explained to the Board. Ms. Hanley stated she would not vote in favor of the request. Mr. Ritter stated he only had trouble with the first standard. He stated while he understood the safety

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concerns, there are a variety of things the owners can do to alleviate some of the problem and offered a solution for vehicles to line up in the driveway. Mr. Ritter stated he also would not vote in favor of the request.

Mr. Haller stated he had a problem with standard nos. 1, 2 and 7. Chairman Bradley stated the home would continue to grow in terms of its adoration which qualified as a unique circumstance. He stated he disagreed it would be a benefit to the Village and stated ample evidence was provided by the applicant of the intention to return the home to its 1990's form. Chairman Bradley stated to put back the grandfathered front yard lot coverage would increase the concern and agreed there are safety concerns for the street which need to be abated. He stated there are several standards that have not been met which he described in detail. Chairman Bradley then stated he would not be in favor of the request and asked if there were any other comments. No additional comments were made at this time.

Chairman Bradley advised the applicant of the Board's position and offered them the option to revisit the matter based on the Board's comments or proceed with a vote on a recommendation to the Village Council. Mr. Price agreed to continue the matter to allow discussions with the owners.

Chairman Bradley then asked for a motion to continue the matter to the February 9, 2026, meeting. A motion was made by Ms. Hanley and seconded by Mr. Ritter. A vote was taken and the motion unanimously passed, 4 to 0:
AYES: Bradley, Haller, Hanley, Ritter
NAYS: None

c. **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. This item was continued from the October 13, 2025, and December 8, 2025, Zoning Board of Appeals meeting. The applicant is amending its request, which requires new public notice of the amended relief requested. The amended application will be considered by the Zoning Board of Appeals on February 9, 2026. The Zoning Board of Appeals will not be taking any action on this item at its January 12, 2026, meeting.**
No action was taken by the Board on this agenda item.

d. **Case No. 25-29-SD: 829 Foxdale Avenue and 833 Foxdale Avenue: Applications seeking approval of a Final Plat of Subdivision to consolidate the two existing lots into a single lot of record. As part of the Final Plat approval, the application includes a request of approval of zoning variations to permit the existing residence at 833 Foxdale Avenue to (i) observe less than the minimum required side yard setback from the north property line, which is due to an increase in the minimum required side yard setback as a result of the proposed increase in total lot area and average lot width; and (ii) not provide the required building line articulation along the north side building walls. The Village Council has final jurisdiction on this request.**
At the request of the Applicant, this item was pulled from the agenda. The Board did not discuss this agenda item.

New Business:
a. February 9, 2026, Meeting - Quorum Check.
The Board Members discussed their availability.

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Public Comment:
No comments were made at this time.

Adjournment:
Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley and the motion was seconded. A vote was taken and the motion unanimously passed, 4 to 0:
AYES: Bradley, Haller, Hanley, Ritter
NAYS: None
The meeting adjourned at 9:08 p.m.

Respectfully submitted,

Antionette Johnson
Recording Secretary

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MEMORANDUM
VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS

FROM: ANN KLAASSEN, ASSISTANT DIRECTOR

DATE: FEBRUARY 5, 2026

SUBJECT: 936 SUNSET ROAD – ZONING VARIATION FOR FINAL PLAT APPROVAL MARREN'S RESUBDIVISION (AMENDED CASE NO. 25-16-SD)

INTRODUCTION

On February 9, 2026, the Zoning Board of Appeals ("ZBA") is scheduled to hold a public hearing on an amended 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 amended applications seeking the following approvals as part of a Final Subdivision Plat approval to create two new Lots of Record:

1. **Zoning Variation** to allow Proposed Lot 1 (936 Sunset Road) to provide a lot depth of 172.64 feet, whereas a minimum of 200 feet is required, a variation of 27.36 feet (13.68%) [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:

- **Subdivision Code Variations** to allow:
    - The side lot line of Proposed Lot 2 to abut the rear lot line of Proposed Lot 1 (936 Sunset Road); and
    - The creation of a lot with a side lot line that is not perpendicular to the street line (Proposed Lot 2);
- 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
    a. Exceed the maximum permitted width for front-facing garage doors.

The ZBA is charged with making a recommendation to the Village Council regarding the zoning variation described above. The Plan Commission is scheduled to consider the amended Final Plat of Subdivision and all the relief outlined above at its February 25, 2026, meeting.

A mail notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance, informing them of the public hearing before the ZBA. The hearing was also properly noticed in *Winnetka Talk* on January 22, 2026. As of the date of this memo, staff has not received any written comments on the amended application. The three written comments received by Village staff

from the public regarding the initial application were all are included in the December 8 ZBA agenda packet (**Attachment B2**).

The Village Council has final jurisdiction on this request.

DECEMBER 8, 2025, ZONING BOARD OF APPEALS MEETING

On December 8, 2025, the ZBA held a continued public hearing on the Applicant's initial request for approval of a Final Subdivision Plat to allow a two-lot subdivision of the Subject Property. The item had been continued from the October 13 ZBA meeting to allow the Applicant time to explore amending the proposed subdivision so that Proposed Lot 2 would comply with the lot area and rectangular lot area requirements. The staff report and meeting minutes of the December 8 meeting can be found in **Attachment B2**.

After hearing from staff, the Applicant's legal counsel and civil engineer, and receiving no additional written or verbal public comment on the application, the ZBA discussed the request and asked questions of the Applicant. The questions focused on the buildability of Proposed Lot 1 in "Option 1" presented to the ZBA as an alternative to the originally proposed subdivision, which required two zoning variations for Proposed Lot 2 while Proposed Lot 1 did not require zoning variations. Following a recess to allow the Applicant time to discuss with their legal counsel and civil engineer, the Applicant requested the application be continued to the January 12, 2026, ZBA meeting to allow them time to evaluate whether to amend the application to move the proposed lot line between the two lots to the north. By a vote of 6-0, the ZBA granted the Applicant's request and continued the item to the January 12 ZBA meeting.

Prior to the January 12 ZBA meeting, the Applicant informed staff that they were amending the proposed subdivision. Because the amended subdivision requires different zoning relief, public notice of the amended relief was required. Therefore, the ZBA did not take any action on this item on January 12. Rather, new public notice was provided for the ZBA's consideration of the amended request at the February 9, 2026, ZBA meeting.

AMENDED PROPOESD PLAN

In response to comments heard at both the October 13 and December 8 ZBA meetings, the Applicant has provided the attached written explanation describing the amended plat of subdivision (**Attachment A2**). The change to the proposed plan involves shifting the proposed lot line dividing the two lots 27.36 feet to the north. As a result, the lot area and rectangular buildable area requirements are met for the proposed southerly lot (Lot 2 facing Higginson Lane). However, Proposed Lot 1 (936 Sunset Road) now requires zoning relief from the minimum lot depth requirement. The lot depth would be reduced from 200 feet (the minimum required lot depth) to 172.64 feet, a difference of 27.36 feet.

The images on the following pages compare the originally proposed plat of subdivision considered at the October and December ZBA meetings with the current amended plat of subdivision.

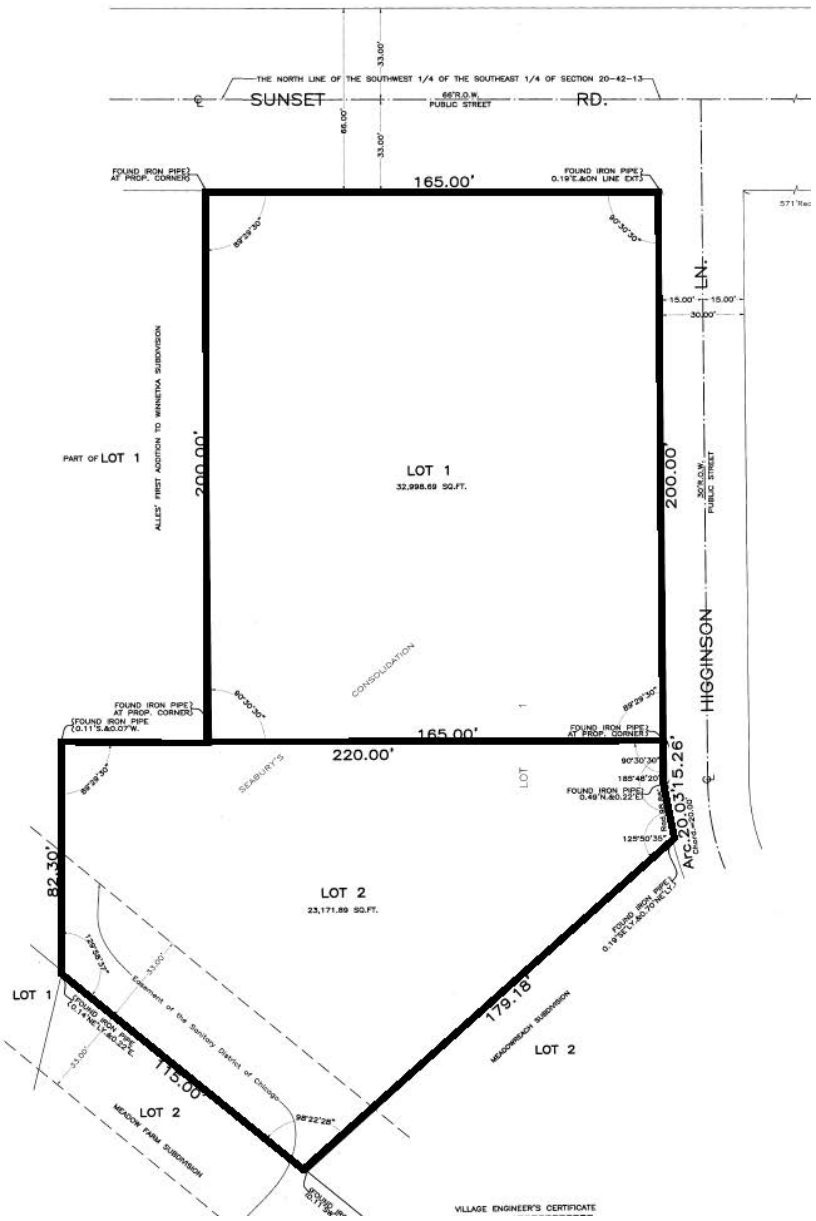


Figure 1 – Excerpt of Marren's Resubdivision Plat (October & December Meetings)

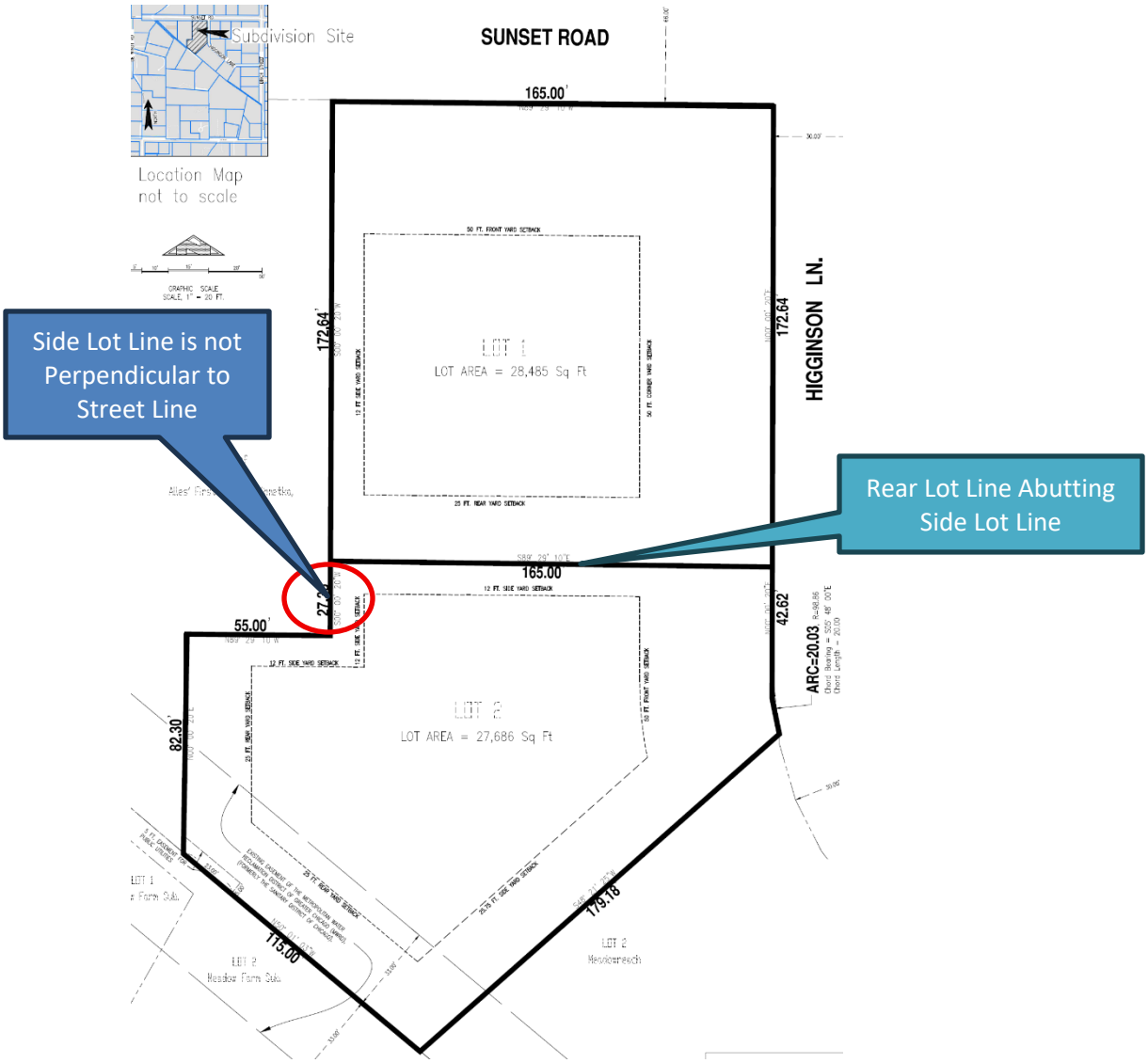


Figure 2 – Excerpt of Amended Marren's Resubdivision Plat

Compliance with Zoning Standards – Lot Size and Dimensions. The amended *Marren's Resubdivision* **does not comply** with one provision of the Zoning Ordinance related to lot area and dimensions. In comparison, the plat of subdivision originally proposed did not comply with two provisions of the Zoning Ordinance. Previously, the requested relief was limited to Proposed Lot 2 (southerly lot fronting on Higginson Lane); Proposed Lot 1, (lot with existing residence) fully complied with the zoning regulations. Whereas, the amended plat of subdivision shifts the requested zoning relief to Proposed Lot 1, while Proposed Lot 2 would comply. Table 1 on the following page summarizes the extent to which the lots created with the original plat of subdivision complied with, or fell short of, the minimum zoning standards and Table 2 does the same but for the amended subdivision.

With respect to the required setbacks and building size requirements, the amended *Marren's Resubdivision* does not create any zoning nonconformities on Proposed Lot 1. However, variations from the Subdivision Code are required to allow: (i) the side lot line of Proposed Lot 2 to abut the rear lot line of Proposed Lot 1 (936 Sunset Road); and (ii) creation of a lot with a side lot line that is not perpendicular to the street line (Proposed Lot 2) for which the Plan Commission is scheduled to consider at its meeting on February 25, 2026. Although Subdivision Code variations are not within the purview of the ZBA, this is noted for the ZBA's information.

Table 1 – Marren's Resubdivision ***R-2 Zoning Standards***		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***	***Existing Lot 936 Sunset***
Minimum Lot Area	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
Minimum Lot Width (average)	100 feet 115 feet (corner lot)	165 feet COMPLIES	105.33 feet COMPLIES	158.67 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	165 feet COMPLIES	35.26 feet COMPLIES	165 feet COMPLIES
Minimum Lot Depth	200 feet	200 feet COMPLIES	220 feet COMPLIES	206.42 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries	90 feet x 181.5 feet	COMPLIES	DOES NOT COMPLY	COMPLIES

Table 1 – R-2 Zoning Standards – Proposed Marren's Resubdivision (October & December Meetings)

Table 2 – Amended Marren's Resubdivision ***R-2 Zoning Standards***		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***	***Existing Lot 936 Sunset***
Minimum Lot Area	24,000 s.f. (25,200 s.f. corner lot)	***28,485 s.f. COMPLIES***	***27,686 s.f. COMPLIES***	56,171 s.f. COMPLIES
Minimum Lot Width (average)	100 feet 115 feet (corner lot)	165 feet COMPLIES	***125.84 feet COMPLIES***	158.67 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	165 feet COMPLIES	***62.62 feet COMPLIES***	165 feet COMPLIES
Minimum Lot Depth	200 feet	***172.64 feet DOES NOT COMPLY***	220 feet COMPLIES	206.42 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries	90 feet x 181.5 feet	COMPLIES	***COMPLIES***	COMPLIES

Table 2 – R-2 Zoning Standards – Amended Marren's Resubdivision

Compliance with Zoning Standards – Required Setbacks and Building Size. No additional zoning variations related to building size and setbacks are created with the amended subdivision. In fact, the required setbacks remain the same with the exception of the total side yard setback requirement for Proposed Lot 2, which is increased from 31.6 feet to 37.75 feet. The existing nonconformities that would remain in the *Marren's Resubdivision* would also remain in amended subdivision. Tables 3 and 4 on the following page summarize the allowable building size and setback requirements for the proposed lots in the amended

subdivision. Those items highlighted green are **existing nonconformities that would also remain** with the amended subdivision.

	Table 3 – Zoning Setback Requirements (*Amended Subdivision*)	***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***	*Existing Lot 936 Sunset*
SETBACK REQUIREMENTS	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	***37.75 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	***53.87 feet***	N/A	+160 feet

Table 3 – Zoning Setback Requirements (Amended Marren's Resubdivision)

	Table 4 – Zoning Building Size Requirements (*Amended Subdivision*)	***Proposed Lot 1 936 Sunset***	***Proposed Lot 2*** *South Lot*	*Existing Lot 936 Sunset*
ALLOWABLE BUILDING SIZE	Maximum Allowed Gross Floor Area (GFA)	8,366.55 sq. ft.	8,182.78 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)	7,121.25 sq. ft.	6,921.5 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)	14,242.5 sq. ft.	13,843 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 (Amended Marren's Resubdivision)

REQUESTED ZONING RELIEF

With the amended subdivision, the Applicant is requesting approval of one variation from the Zoning Ordinance to allow the two-lot subdivision of the Subject Property.

Lot Depth. Proposed Lot 1 (northerly lot with existing residence), would have a lot depth measuring 172.64 feet, whereas a minimum of 200 feet is required for a lot in the R-2 Single Family Residential Zoning District, a variation of 27.36 feet (13.68%).

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 variation. 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 variation to allow Proposed Lot 1 to:

   A. Provide a lot depth of 172.64 feet, whereas a minimum of 200 feet is required, a variation of 27.36 square feet (13.68%) [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 variation requested is **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 A2: Applicant's Amended Request and Plat of Subdivision
Attachment B2: December 8, 2025, ZBA Meeting Staff Report and Meeting Minutes Excerpt

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

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

January 12, 2026

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: Amended 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 amended application to subdivide the existing 165' wide lot at 936 Sunset Road (the "Subject Property") into two lots: one lot containing 28,485 sq. ft ("Lot 1") and the other lot containing 27,686 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 conforming lot. Bob and Susan originally proposed a subdivision in keeping with the two separate lots that existed in 1976 before they were consolidated. The plan required two zoning variations on the proposed Lot 2, specifically for minimum lot area and for minimum rectangular area. Under the amended plat of subdivision, the proposed Lot 1 becomes shorter but the proposed Lot 2 becomes larger. As a result, if the subdivision is granted, Lot 1 will not meet the minimum lot depth of 200 feet as required in the R-2 Zoning District but will be approximately 172.64 feet. Lot 2 will comply with the minimum lot area and minimum rectangular area and will not require any variations. Therefore, Bob and Susan seek a variation

from that requirement. The proposed subdivision will need a variation from the Subdivision Code. Bob and Susan have applied to the Plan Commission to grant that variation. The Plan Commission will hear the matter on February 25, 2026. For the reasons set forth below, Bob and Susan respectfully request that the Zoning Board recommend the granting of the requested zoning variation.

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 28,485 square feet. The existing home and garage will occupy Lot 1. Lot 2 will have a lot area of 27.686 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. The original subdivision application.

Bob and Susan's original plan of subdivision has two goals. Bob and Susan sought to subdivide the Subject Property to maintain the location of the existing home on Lot 1. On Lot 2, Bob and Susan sought 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.

Under the original proposed plat of subdivision, the proposed Lot 1 was conforming in all material respects but Lot 2 did not meet the minimum rectangular buildable area requirement and the minimum lot area requirement. Therefore, Bob and Susan sought variations in relation to those requirements.

III. The Amended Subdivision application.

After attending two Zoning Board meetings, receiving feedback from the Board and neighbors, Bob and Susan have amended their subdivision application. Under the amended plat

of subdivision, the lot line between the two proposed lots is moved 27.36 feet north. As a result, proposed Lot 1 does not comply with the minimum lot depth requirement of 200 feet. However, both proposed lots comply with the minimum required lot area and minimum rectangular area which they did not under the original proposed subdivision. The amended plat of subdivision does not create any additional zoning variations related to building size and setbacks. The proposed plat of subdivision will require one Subdivision Code variation and the Plan Commission will consider that variation.

IV. **Standards of Review for variations**.

For the Zoning Board to grant the requested variation, 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 variation meets 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 original proposed Lot 2 now became non-conforming in Lot Area. That amendment occurred well before Bob and Susan owned the Subject Property. The minimum rectangular area requirement was also created after the 1976 consolidation. By permitting the subdivision, Lots 1 and 2 will now be

conforming as to minimum lot area; a size more in keeping with the prevailing standard of lot sizes in the zoning district and both will meet the minimum rectangular area requirement.

If the Zoning Board grants the requested variations, it will not alter the essential character of the locality; in fact, it would result in lot size more in keeping with other comparable sized irregular lots in the immediate 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. Bob and Susan's engineer Dan Creaney has testified to how a home could be built on Lot 2 that complies with the requirements for building in the floodplain.

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 variation, there will be no material increase in traffic or congestion on Village streets.

If the Zoning Board grants the requested variation, there will be no impairment whatsoever on the public health, safety, comfort, morals, and welfare of the inhabitants of the Village. The new Lot 2 would be a conforming lot of record, and a home could be built that meets with setbacks, lot coverage, height, and Gross Floor Area requirements.

Since the proposed Subdivision will allow Bob and Susan to maintain their home on proposed Lot 1 and create a conforming Lot 2, Bob and Susan ask that the Zoning Board recommend approval of their requested variation. 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,



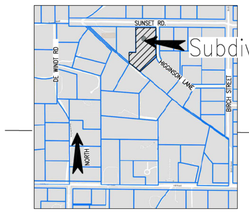
Christopher S. Canning

Marren's Resubdivision

BEING A SUBDIVISION IN THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, COOK COUNTY, ILLINOIS.

PRELIMINARY PLAT
FOR REVIEW ONLY
01/26/2026

NOTE: MONUMENTS WILL BE SET UPON FINAL APPROVAL



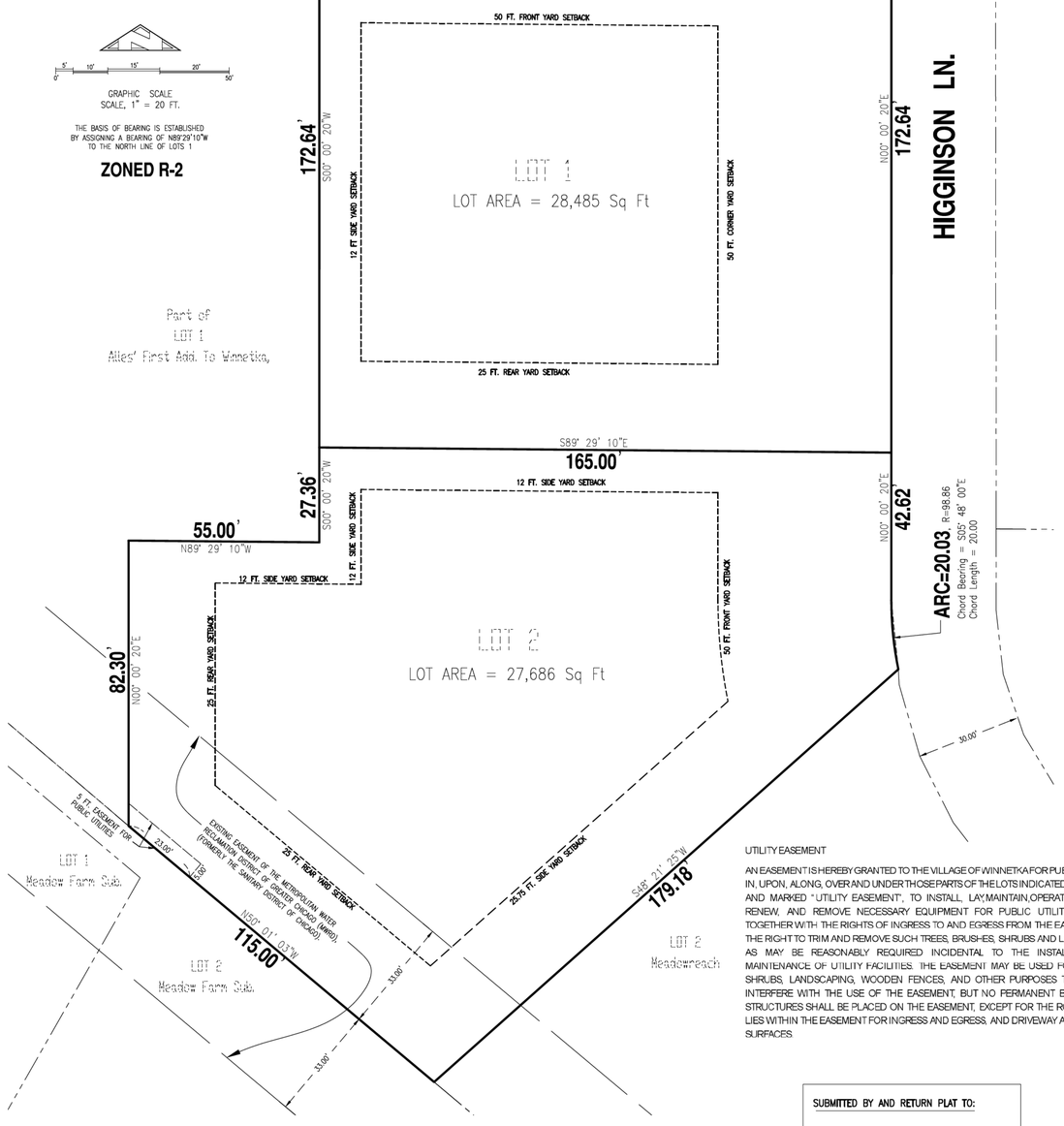
Location Map
not to scale

GRAPHIC SCALE
SCALE, 1" = 20 FT.

THE BASIS OF BEARING IS ESTABLISHED BY ASSIGNING A BEARING OF N89°29'10"W TO THE NORTH LINE OF LOTS 1

ZONED R-2

Part of
LOT 1
Alles' First Add. To Winnetka,



UTILITY EASEMENT

AN EASEMENT 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, 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, BRUSHES, 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.

EXISTING P.I.N.'S
05-20-407-071-0000

LOT 1 SEND TAX BILL TO:
Robert J. Marren & Susan L. Marren
936 Sunset Rd.
Winnetka, Illinois, 60093

Lot 2 SEND TAX BILL TO:
Robert J. Marren & Susan L. Marren
936 Sunset Rd.
Winnetka, Illinois, 60093

AREAS TABLE	
LOT 1	= 28,485 sq. ft., more or less
LOT 2	= 27,686 sq. ft., more or less
TOTAL	= 56,171 sq. ft., more or less

SUBMITTED BY AND RETURN PLAT TO:

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

VILLAGE ENGINEER CERTIFICATE:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Approved this _____ day of _____ , A.D., 2026 , by the Village Engineer of the Village of Winnetka, Cook County, Illinois.

_____
Village Engineer

DIRECTOR OF FINANCE CERTIFICATE:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, _____ , Director of Finance 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 this plat of Subdivision.

Dated this _____ day of _____ , A.D., 20 ____ .

_____
Director of Finance

PLAN COMMISSION CERTIFICATE:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Approved by the Village of Winnetka Plan Commission at a meeting held the ____ day of _____ , A.D., 20 _____ .

By: _____ Attest: _____

Title: _____ Title: _____

VILLAGE BOARD CERTIFICATE:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Approved by the President and Board of Trustees of the Village of Winnetka, Cook County, Illinois,

this _____ day of _____ A.D., 20 _____

By: _____ Attest: _____

Village President Village Clerk

WATER AND ELETRIC DEPARTMENT CERTIFICATE:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

Approved this _____ day of _____ A.D., 20 _____ by the Director of Water and Electric Utilities, of the Village of Winnetka, Cook County, Illinois.

By: _____
Director of Water and Electric Utilities

The undersigned hereby authorize the Village of Winnetka and/or its designated agents to record this Plat of Subdivision with the Office of the Cook County Clerk's office on behalf of the undersigned.

B. H. SUHR & COMPANY, INC
LAND SURVEYORS

By: _____

MICHAEL E. FARRELL
Illinois Professional Land Surveyor No. 035-002639
License Expiration Date 11/30/2026

OWNERS CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____ hereby certify that I am the Title Owner of record 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 QUARTER OF THE SOUTHEAST QUARTER 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

and that I have caused the same to be subdivided into two (2) Lots, as shown hereon.

additionally,

I do hereby certify that to the best of my knowledge the whole of the subject property to be subdivided hereon lies within the following school districts.

Elementary School District: WINNETKA SCHOOL DISTRICT 36
High School District: NEW TRIER TOWNSHIP HIGH SCHOOL DISTRICT 203

Dated this____ day of _____, A.D., 20__.

_____
Owner

NOTARY PUBLIC CERTIFICATE

STATE OF ILLINOIS)
) SS
COUNTY OF _____)

I, _____ , a Notary Public, in and for said County, in the State aforesaid, do hereby certify that

_____ is personally known to me to be the same person whose name is subscribed to the foregoing instrument as Owner, appeared before me this day in person and acknowledged that he/she signed and delivered the said instrument of their own free and voluntary act, for the use and purposes therein set forth.

Given under my hand and Notarial Seal, this ____ day of _____, A.D., 20___ .

_____
NOTARY PUBLIC

SURVEYOR:

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

B. H. SUHR & COMPANY, INC., does hereby certify that it has surveyed the following described property for the purpose of Subdividing it into Two (2) Lot as shown hereon:

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 QUARTER OF THE SOUTHEAST QUARTER 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

It further certifies that this property is situated in Zone AE, an area subject to inundation by the 1% annual chance flood, as designated by Flood Insurance Rate Map No. 17031C0251K, effective date: September 10, 2021.

It further certifies that the property shown on the plat hereon drawn is within the Village of Winnetka, Illinois, which has adopted a comprehensive plan.

Dimensions are shown in feet and decimal parts thereof and are correct at 62 degrees Fahrenheit.

Dated at Northbrook, Illinois, this ____ day of _____, A.D., 2026.
B. H. SUHR & COMPANY, INC
LAND SURVEYORS

By: _____

MICHAEL E. FARRELL
Illinois Professional Land Surveyor No. 035-002639
License Expiration Date 11/30/2026

B.H. SUHR & COMPANY, INC.
SURVEYORS ESTABLISHED 1911
450 SKOKIE BLVD. SUITE 105, NORTHBROOK, ILLINOIS, 60062
TEL. (847) 864-4315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM
Professional Design Firm License No. 184.008027-0008

LOCATION SUNSET RD. DATE, _____ 20 26
ORDER No. 25-103 ORDERED BY : _____

DRAFTER © 2025 B. H. Suhr & Company, Inc. All rights reserved.

File: J:\2025 Central Docs\2025\100-199\25-103\Plat of Subdivision\25-103 Prelim Sub 01262026.dwg, Plotted: 1/28/2026 8:54 AM.

MEMORANDUM
VILLAGE OF WINNETKA
COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS

FROM: ANN KLAASSEN, ASSISTANT DIRECTOR

DATE: DECEMBER 4, 2025

SUBJECT: 936 SUNSET ROAD – FINAL PLAT APPROVAL
MARREN'S RESUBDIVISION (CONTINUED CASE NO. 25-16-SD)

INTRODUCTION

On December 8, 2025, the Zoning Board of Appeals (ZBA) is scheduled to hold a continued 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.

The initial public hearing on October 13, 2025, was properly noticed on September 25, 2025, in the *Winnetka Talk* and a mail notice was sent to property owners within 250 feet of the Subject Property informing them of the initial public hearing being held by the ZBA, in compliance with the Zoning Ordinance. As of the date of this memo, staff has received three written comments from the public regarding this application; these comments were all included in the October 13 ZBA agenda packet (**Attachment B1**). Staff has not received any additional written comments from the public regarding this application since the October ZBA meeting.

OCTOBER 13, 2025, ZONING BOARD OF APPEALS MEETING

On October 13, 2025, the ZBA held a public hearing on the Applicant's request for approval of a Final Subdivision Plat to allow a two-lot subdivision of the Subject Property. The staff report and meeting minutes of the October 13 meeting can be found in **Attachment B1**.

After hearing from staff, the Applicant's legal counsel and civil engineer, the ZBA heard from two members of the public who are neighbors of the Subject Property. The ZBA then discussed the request. A significant amount of the ZBA's discussion was focused on the relief requested and how that would impact the ability to develop the lot in a reasonable manner that would be appropriate in the neighborhood. The six members in attendance were split on the application. The Applicant heard the concerns expressed by the members of the ZBA leaning towards recommending denial of the relief and requested that the item be continued to the December 8, 2025, ZBA meeting to allow them time to explore amending the proposed plat of subdivision so that proposed Lot 2 would comply with the lot area and rectangular lot area requirements. At the Applicant's request, the ZBA continued the item to the December 8, 2025, ZBA meeting to provide the Applicant with time to respond to the ZBA's comments.

APPLICANT'S RESPONSE TO OCTOBER 13 ZONING BOARD OF APPEALS COMMENTS

In response to comments heard at the October 13 ZBA meeting, the Applicant has provided an exhibit with two subdivision options to illustrate the implications of relocating the lot line between the two proposed lots so that Proposed Lot 2 (south lot) complies with lot area and rectangular area requirements (**Attachment A1**). Both of the options represent proposed lots that comply with the minimum required rectangular area requirement; however, the options include a variety of additional zoning variations and Subdivision Code variations that are described later in this report. It is important to note the Applicant is not amending its application; it has provided the exhibit in response to comments and questions at the October ZBA meeting.

EXHIBIT

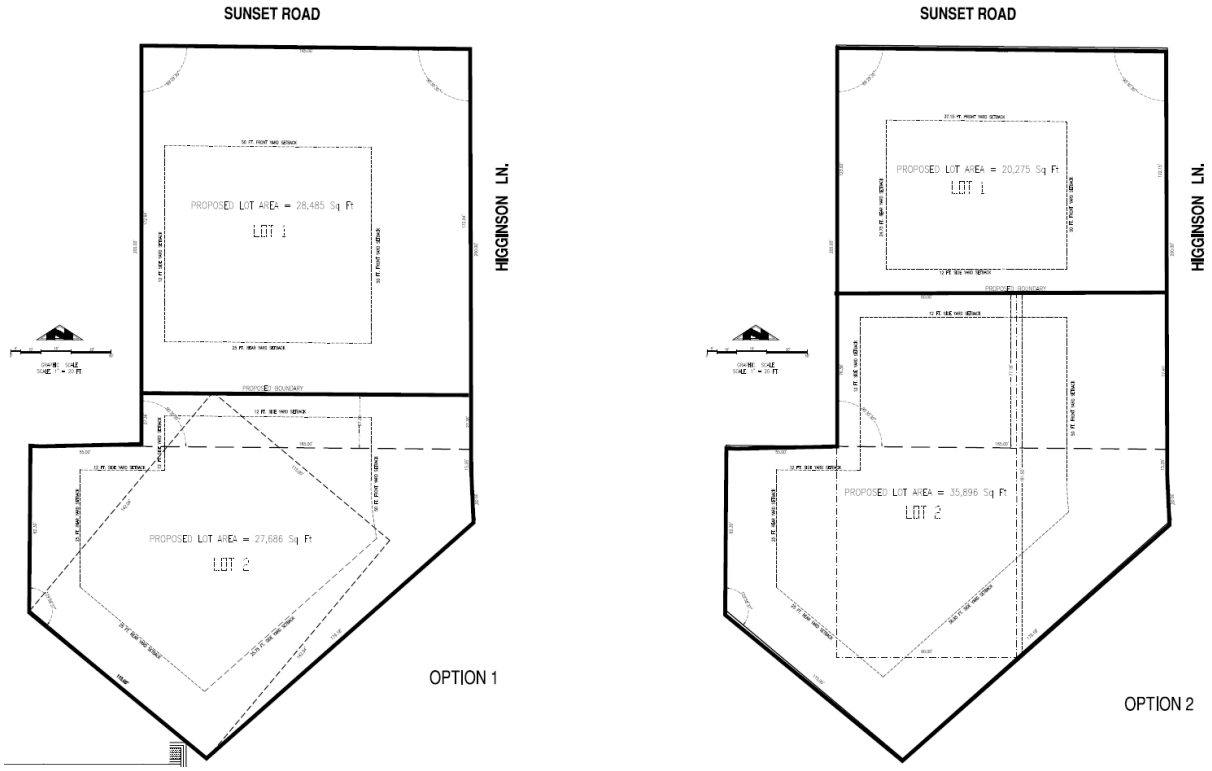


Figure 1A – Subdivision Options Exhibit

Before describing the relief necessary for the two subdivision options provided by the Applicant, the following is a brief summary of the proposed *Marren's Resubdivision* (Figure 1B). As explained in detail in the October staff report (Attachment B1), the proposed *Marren's Resubdivision* considered by the ZBA at the October 13 meeting **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 the minimum zoning standards is summarized in Table 1A on the following page.

With respect to the required setbacks and building size requirements, the proposed *Marren's Resubdivision* does not create any zoning nonconformities on Proposed Lot 1. However, a variation from the Subdivision Code is required to allow the side lot line of Proposed Lot 2 to abut the rear lot line of Proposed Lot 1 (936 Sunset Road) for which the Plan Commission made a recommendation of approval to the Village Council. Although Subdivision Code variations are not within the purview of the ZBA, this is noted for the ZBA's information.

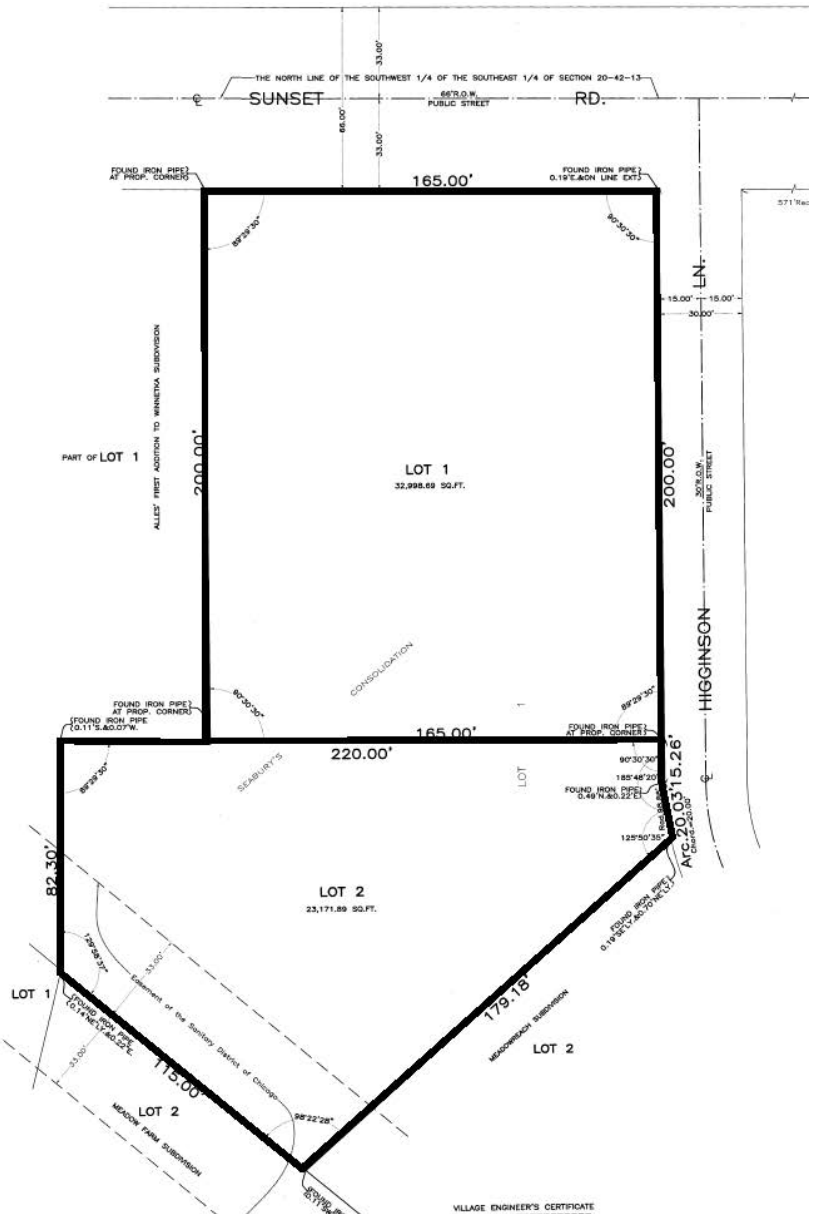


Figure 1B – Excerpt of Marren's Resubdivision Plat (October Meeting)

Table 1A – Marren's Resubdivision R-2 Zoning Standards		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***	***Existing Lot 936 Sunset***
Minimum Lot Area	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
Minimum Lot Width (average)	100 feet 115 feet (corner lot)	165 feet COMPLIES	105.33 feet COMPLIES	158.67 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	165 feet COMPLIES	35.26 feet COMPLIES	165 feet COMPLIES
Minimum Lot Depth	200 feet	200 feet COMPLIES	220 feet COMPLIES	206.42 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries	90 feet x 181.5 feet	COMPLIES	DOES NOT COMPLY	COMPLIES

Table 1A – R-2 Zoning Standards – Proposed Marren's Resubdivision (October Meeting)

Exhibit Option 1 - Option 1 (Figure 1C) pushes the lot line between the two proposed lots 27.36 feet north. As a result, Option 1 **does not comply** with one provision of the Zoning Ordinance related to lot dimensions. Proposed Lot 1 (936 Sunset Road), with a lot depth of 172.64 feet, does not comply with the **minimum lot depth** requirement of 200 feet. However, both lots comply with the minimum required lot area and rectangular area. Table 2A on the following page summarizes the extent to which Option 1 complies with the minimum zoning standards. The standard highlighted yellow requires zoning relief.

No additional zoning variations related to building size and setbacks are created in Option 1. In fact, the required setbacks remain the same with the exception of the total side yard setback requirement for Proposed Lot 2, which is increased from 31.6 feet to 37.75 feet. The existing nonconformities that would remain in the *Marren's Resubdivision* would also remain in this option.

In addition to the zoning variation for lot depth, Option 1 requires one additional Subdivision Code variation that is not required with the proposed *Marren's Resubdivision*. Section 16.12.010.D.2 states *"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."* Option 1 also requires the Subdivision Code variation to allow the side lot line of Proposed Lot 2 to abut the rear lot line of Proposed Lot 1 (936 Sunset Road). The Plan Commission would need to consider this additional relief; it is not within the purview of the ZBA.

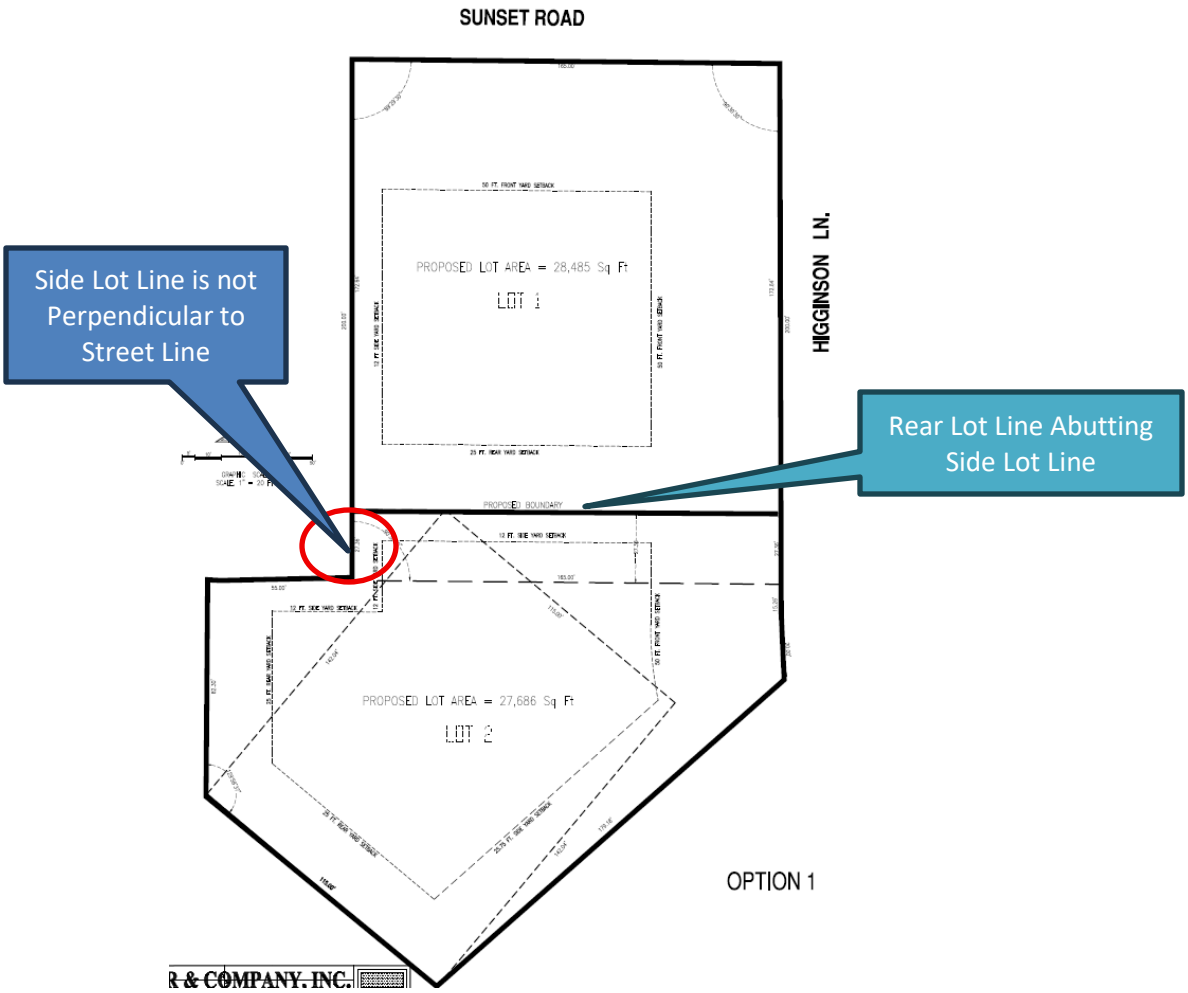


Figure 1C – Option 1

Table 2A – Exhibit Option 1 ***R-2 Zoning Standards***		***Proposed Lot 1*** ***936 Sunset***	***Proposed Lot 2*** ***South Lot***
Minimum Lot Area	24,000 s.f. (25,200 s.f. corner lot)	28,485 s.f. COMPLIES	27,686 s.f. COMPLIES
Minimum Lot Width (average)	100 feet 115 feet (corner lot)	165 feet COMPLIES	125.84 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	165 feet COMPLIES	62.26 feet COMPLIES
Minimum Lot Depth	200 feet	172.64 feet VARIATION OF 27.36 FT (13.68%)	220 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries	90 feet x 181.5 feet	COMPLIES	COMPLIES

Table 2A – R-2 Zoning Standards – Exhibit Option 1

Exhibit Option 2 – Option 2 (Figure 1D) pushes the lot line between the two proposed lots 76.38 feet north. As a result, Option 2 **does not comply** with two provisions of the Zoning Ordinance related to lot area and dimensions. Proposed Lot 1 (936 Sunset Road), measuring 20,275 square feet and 165 feet in depth, does not comply with (a) the **minimum lot area** of 25,200 square feet for a corner lot, and (b) the **minimum lot depth** of 200 feet.

One significant change with Option 2 is that Higginson Lane becomes the front lot line for the 936 Sunset Road parcel because it would be the shortest street line of the corner lot, whereas currently, and in the *Marren's Resubdivision* as well as Option 1, the front lot line is along Sunset Road. As a result, the yard designations for Proposed Lot 1 (936 Sunset Road) in Option 2 are as follows:

- Front Yard – Higginson Lane
- Corner Yard – Sunset Road
- Rear Yard – West lot line
- Side Yard – South lot line

Given these changes in yard designations and lot size, the existing improvements on the 936 Sunset Road lot become nonconforming with respect to three provisions of the Zoning Ordinance related to building size and setbacks: (a) the **rear yard setback**; (b) the **side yard setback**; and (c**) impermeable lot coverage.** Additionally, due to the decrease in lot depth, a portion of the existing walk and patio would have to be removed since the lot line dividing the two lots would be within these existing improvements (Figure 1E). Tables 3A through 5A on the following pages indicate the extent to which Option 2 complies with (or falls short of) zoning standards. The items highlighted (yellow) indicates the creation of a zoning nonconformity.

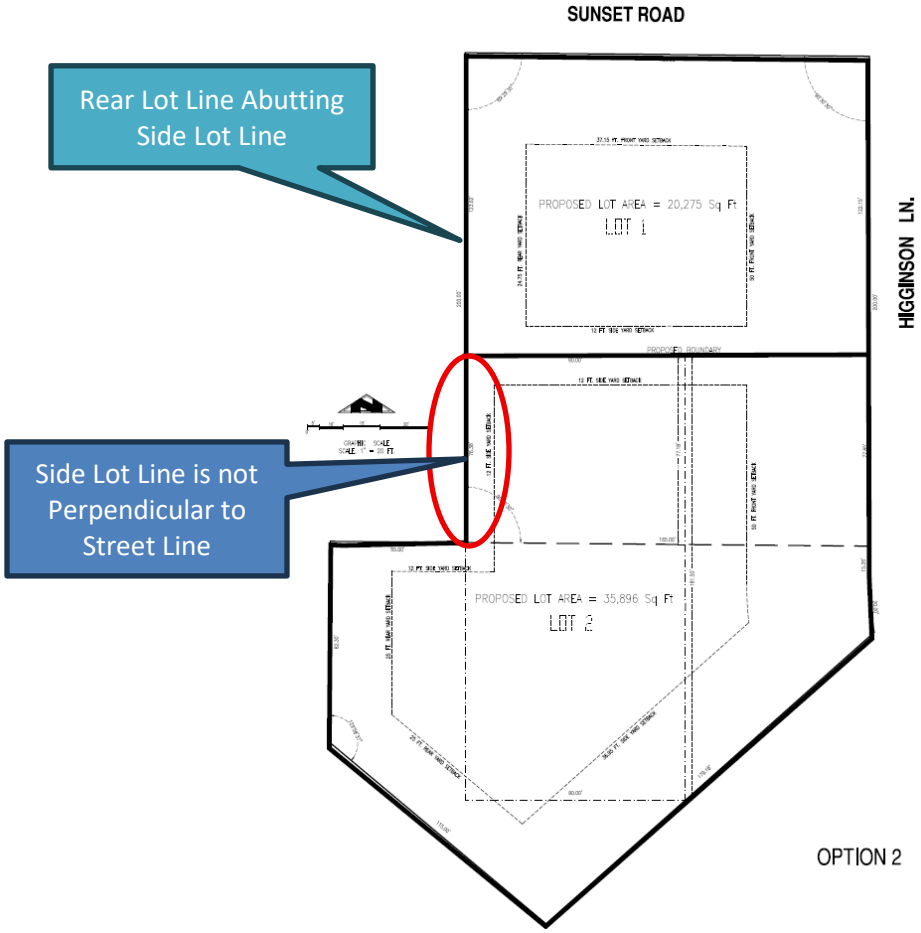


Figure 1D – Option 2

Table 3A – Exhibit Option 2 ***R-2 Zoning Standards***		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***
Minimum Lot Area	24,000 s.f. (25,200 s.f. corner lot)	20,275 s.f. VARIATION OF 4,925 SF (19.54%)	35,896 s.f. COMPLIES
Minimum Lot Width (average)	100 feet 115 feet (corner lot)	122.88 feet COMPLIES	163.16 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	122.15 feet COMPLIES	113.11 feet COMPLIES
Minimum Lot Depth	200 feet	165 feet VARIATION OF 35 FT (17.5%)	220 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries	90 feet x 181.5 feet	COMPLIES	COMPLIES

Table 3A – R-2 Zoning Standards – Exhibit Option 2

	Table 4A – Exhibit Option 2 ***Zoning Setback Requirements***	***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***	*Existing Lot 936 Sunset*
SETBACK REQUIREMENTS	Minimum Required Front Yard	50 feet	50 feet	50 feet
	Front yard provided by existing structures	49.52 feet (5.52 feet playhouse)	NA	49.52 feet (5.52 feet playhouse) EXISTING NONCONFORMITY
	Minimum Required Corner Yard	37.15 feet	N/A	50 feet
	Corner yard provided by existing structures	49.91 feet	N/A	49.91 feet EXISTING NONCONFORMITY
	Minimum Required Side Yard	12 feet	12 feet	12 feet
	Side yard provided by existing structures	4.41 feet VARIATION OF 7.59 FT (63.25%)	N/A	14.35 feet
	Minimum Required Total Side Yard	N/A	48.95 feet	N/A
	Total Side Yard provided by existing structures	N/A	N/A	N/A
	Minimum Required Rear Yard	24.75 feet	25 feet	25 feet
	Rear yard provided by existing structures	14.35 feet VARIATION OF 10.4 FT (42.02%)	N/A	+160 feet

Table 4A– Zoning Setback Requirements – Exhibit Option 2

Table 5A – Exhibit Option 2 ***Zoning Building Size Requirements***		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2*** *South Lot*	*Existing Lot 936 Sunset*
ALLOWABLE BUILDING SIZE	Maximum Allowed Gross Floor Area (GFA)	6,303.38 sq. ft.	10,071.88 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)	5,068.75 sq. ft.	8,974 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)	10,137.5 sq. ft.	17,948 sq. ft.	28,085.5 sq. ft.
	ILC provided by existing structures	10,667.11 sq. ft. VARIATION OF 529.61 SF (5.22%)	N/A	17,634.56 sq. ft.

Table 5A – Zoning Building Size Requirements – Exhibit Option 2

In addition to the five zoning variations required for Option 2, two Subdivision Code variations are also necessary. The same variation required for Option 1 from Section 16.12.010.D.2 regarding a side lot line that is not perpendicular to the street line is required as well as a variation from Section 16.12.010.D.6 to allow the rear lot line of Proposed Lot 1 (936 Sunset Road) to abut the side lot line of the neighboring property to the west. The Plan Commission would also need to consider this additional relief; it is not within the purview of the ZBA.

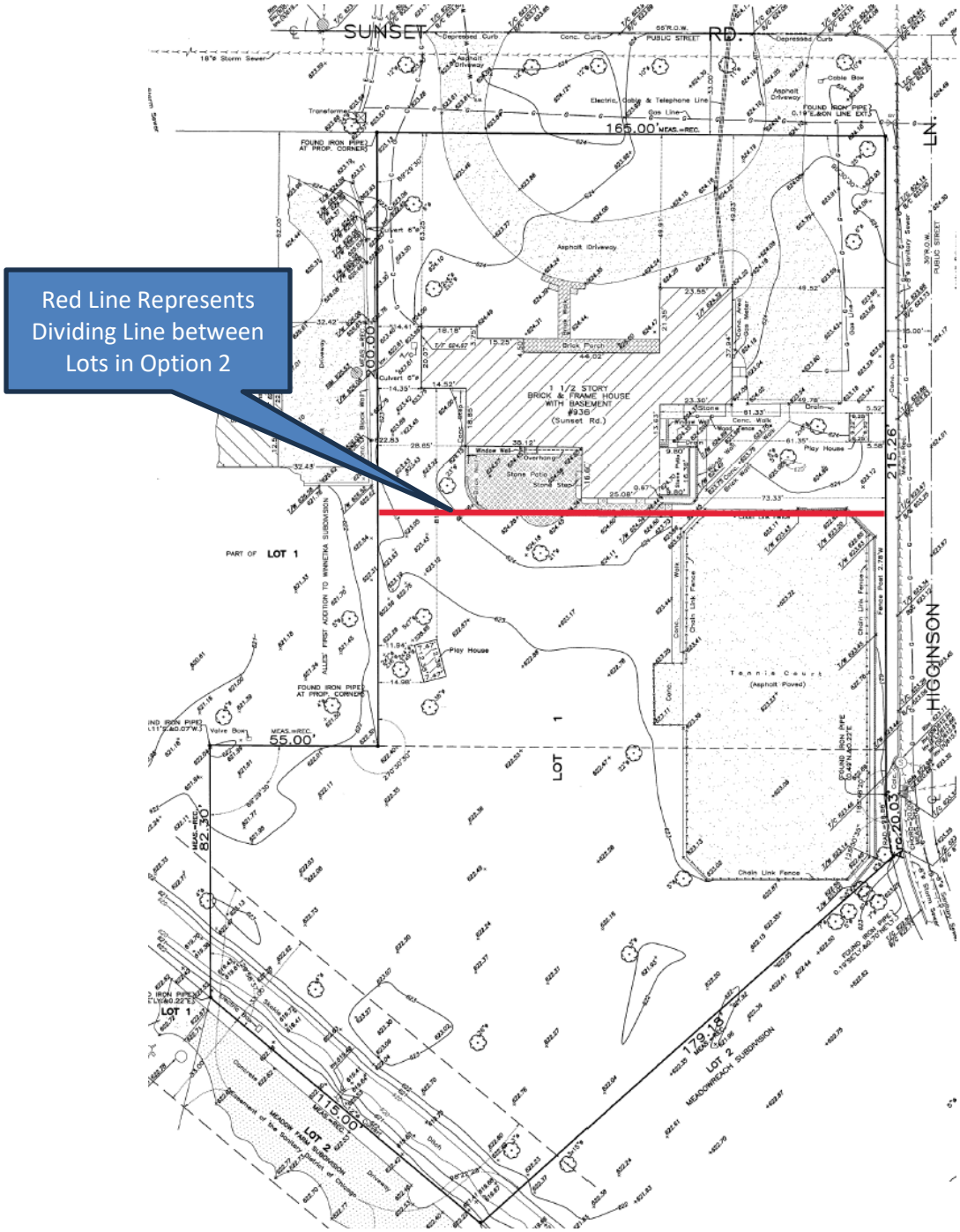


Figure 1E – Existing 936 Sunset Road Lot - Plat of Topography

REQUESTED ZONING RELIEF

As noted earlier in this report, the Applicant is not amending its request; it is proceeding with the proposed *Marren's Resubdivision* that was first considered by the ZBA on October 13. Therefore, 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). As noted in the October ZBA staff report (Attachment B1), on September 24, 2025, by a vote of 6-1, the PC **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.

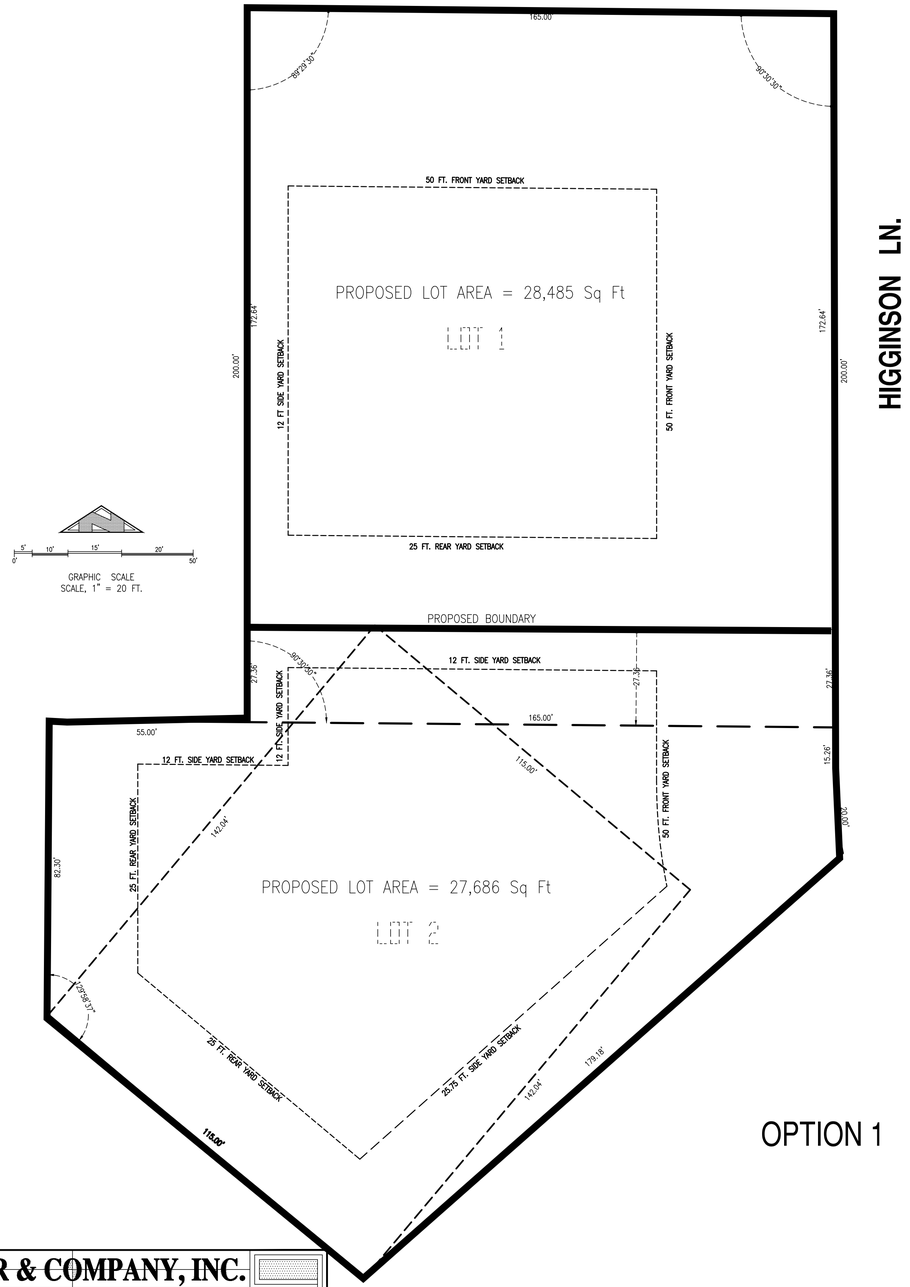
5. The hazard from fire and other damages to the property will not be increased.
6. The taxable value of the land and buildings throughout the Village will not diminish.
7. The congestion in the public street will not increase.
8. The public health, safety, comfort, morals, and welfare of the inhabitants of the Village will not otherwise be impaired.

ATTACHMENTS

Attachment A1: December 4, 2025, Exhibit Provided by Applicant
Attachment B1: October 13, 2025, ZBA Meeting Staff Report and Meeting Minutes Excerpt

EXHIBIT

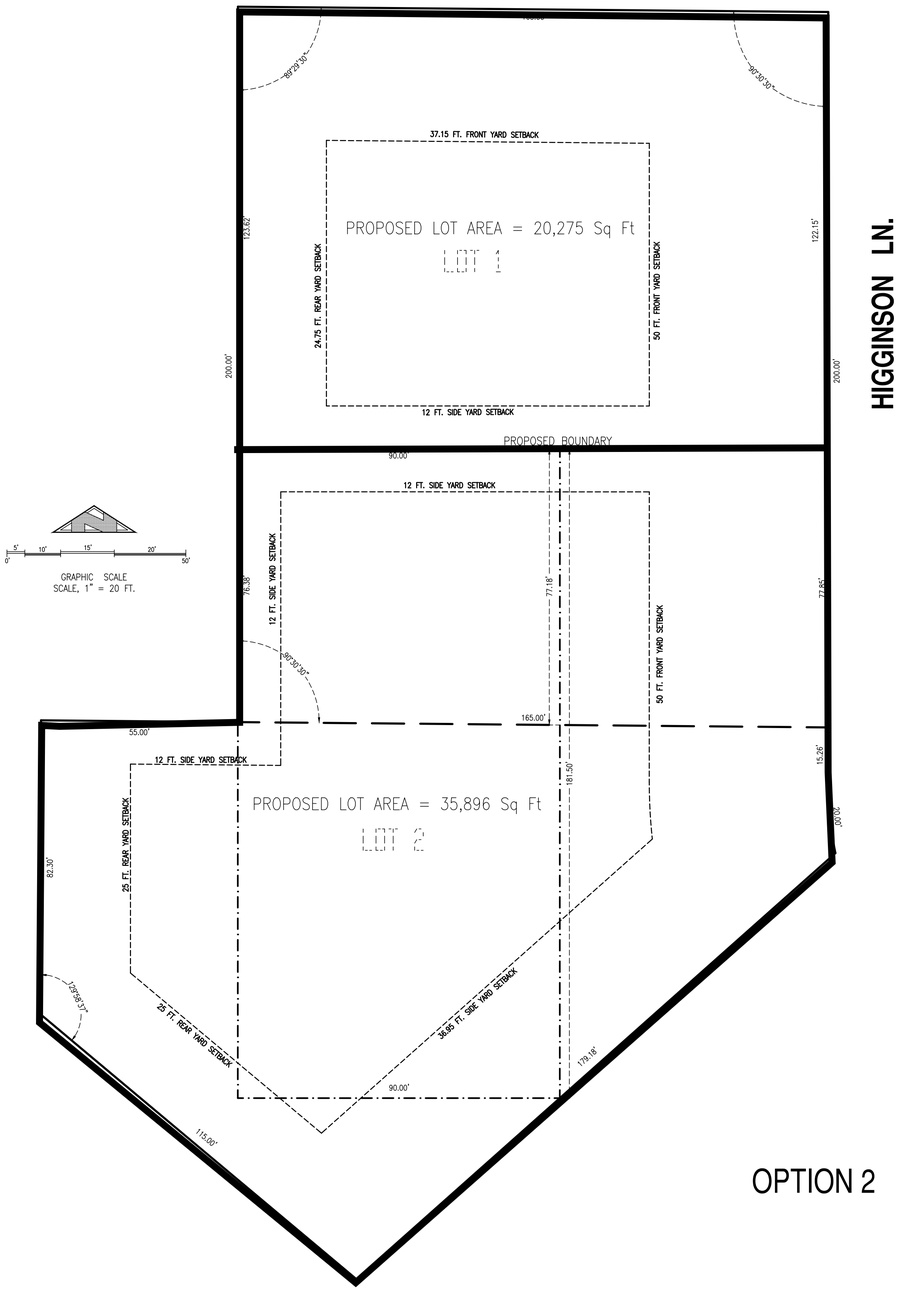
SUNSET ROAD



GRAPHIC SCALE
SCALE, 1" = 20 FT.

OPTION 1

SUNSET ROAD



GRAPHIC SCALE
SCALE, 1" = 20 FT.

OPTION 2

B.H. SUHR & COMPANY, INC.

SURVEYORS ESTABLISHED 1911
450 SKOKIE BLVD, SUITE 105, NORTHBROOK, ILLINOIS, 60062
TEL. (847) 864-4315 / FAX (847) 864-9341
E-MAIL: SURVEYOR@BHSUHR.COM
Professional Design Firm
License No.
184.008027-0008

LOCATION SUNSET RD. DATE. November 12 20 25
ORDER No. 25-103 ORDERED BY :

DRAFTER © 2023 B. H. Suhr & Company, Inc. All rights reserved.

REVISED 12/04/2025

File: J:\2025 Central Docs\2025\100-199\25-103\25-103 Exhibit 120320025.dwg, Plotted: 12/4/2025 10:31 AM,

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.

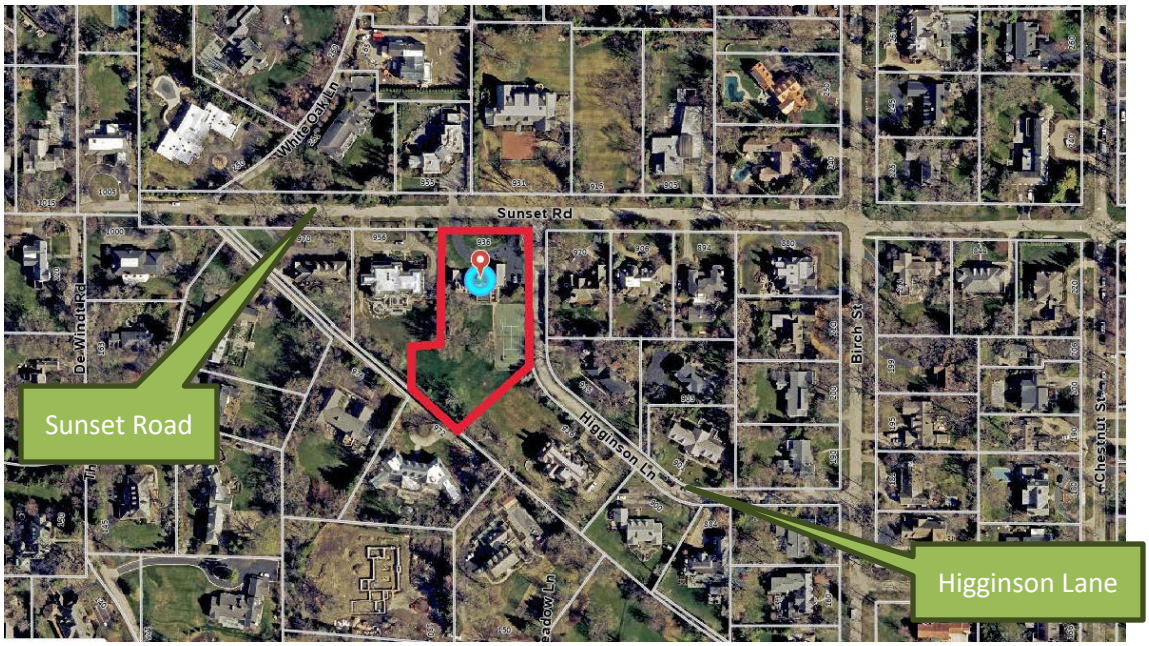


Figure 1 – Existing Lot

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 PREVOIUS 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.

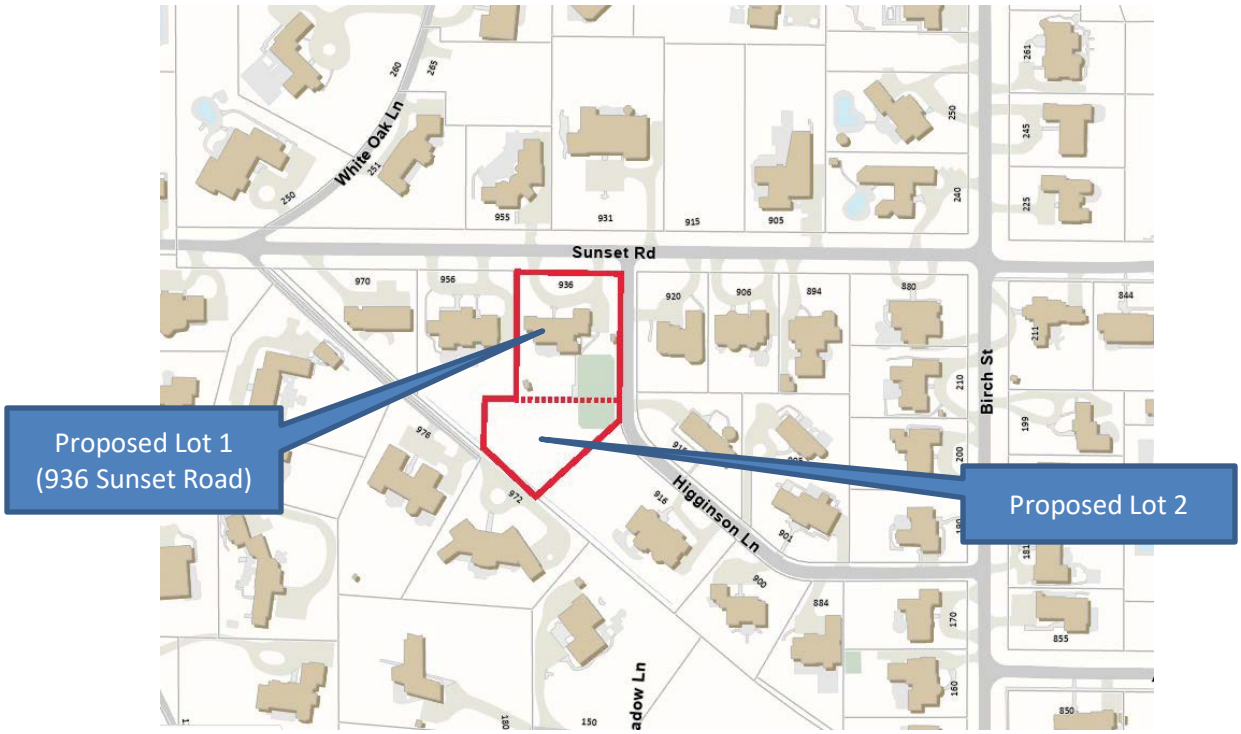


Figure 3 – Proposed Subdivision (Neighborhood Map View)

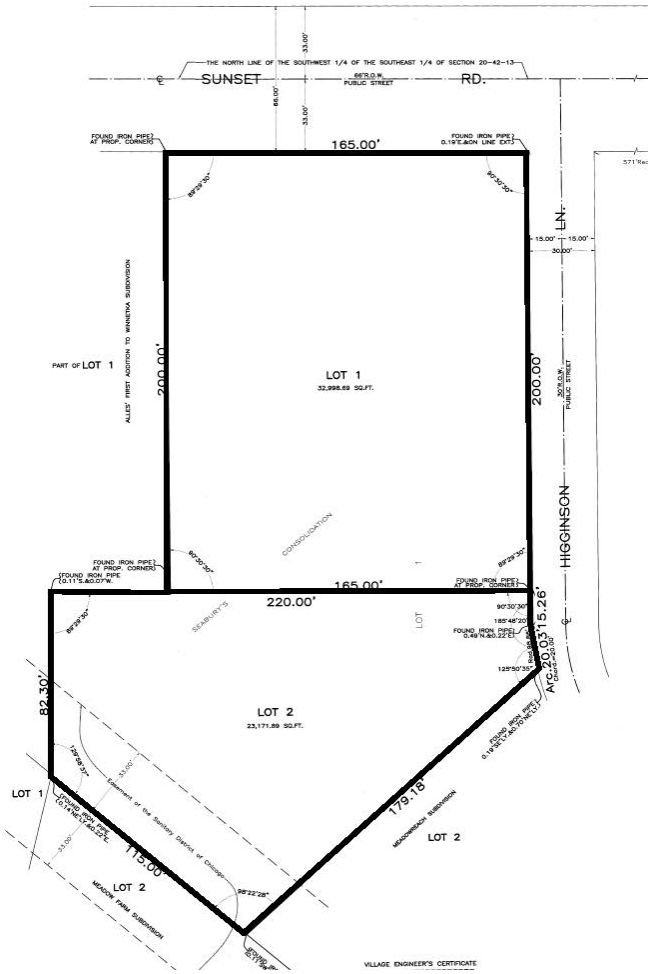


Figure 4 – Excerpt of Marren's Resubdivision Plat

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.

Table 1 Residential Zoning Hierarchy	R-1 ("estate" character)	R-2 ("small estate" character)	R-3 ("moderately intense" suburban character)	R-4 ("relatively intense" suburban character)	R-5 ("relatively intense" suburban character)
Minimum Lot Area	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)
Minimum Lot Width	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)
Minimum Front Setback	50 ft.	50 ft.	40 ft.	30 ft.	30 ft.
Minimum Rear Setback	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.

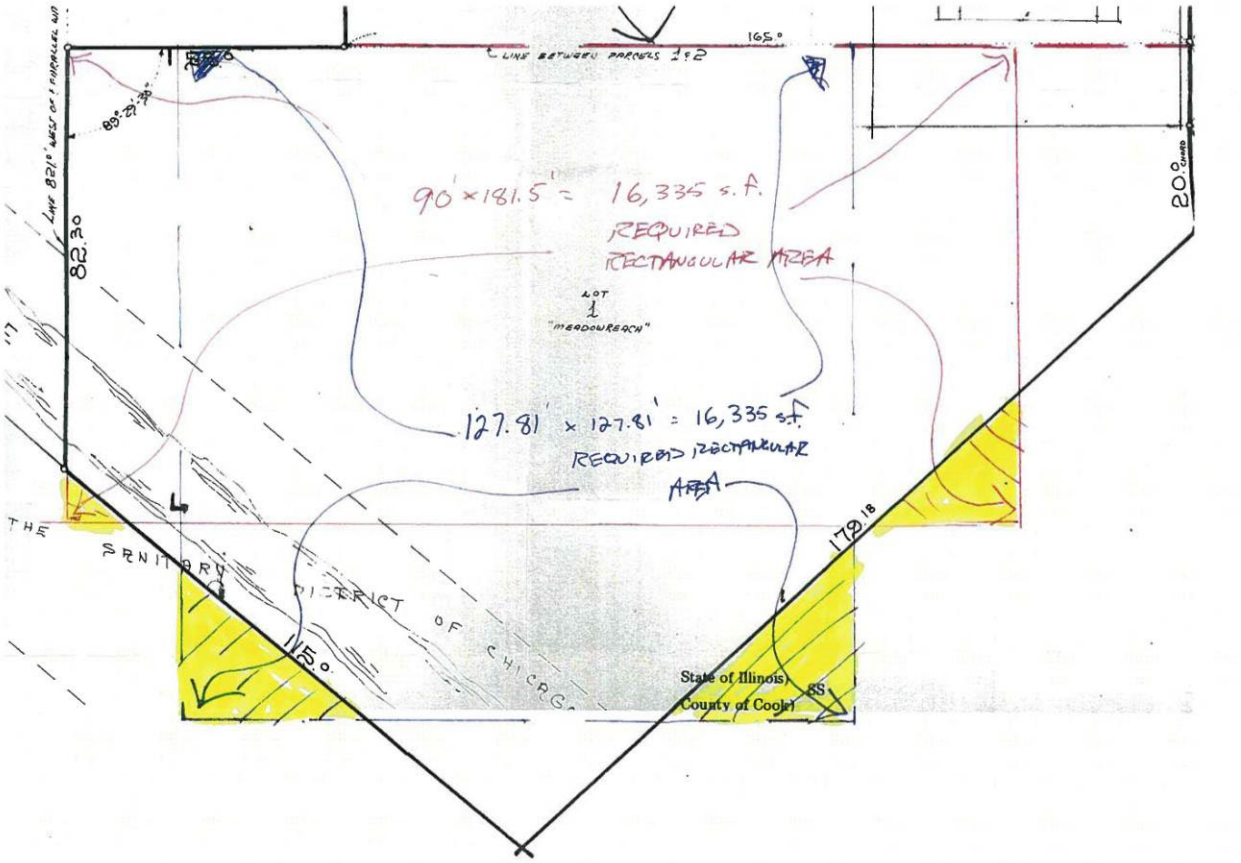


Figure 5 – Minimum Rectangular Area – Proposed Lot 2 (South Lot)

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.

Table 2 ***R-2 Zoning Standards***		***Proposed Lot 1*** ***936 Sunset***	***Proposed Lot 2*** ***South Lot***	***Existing Lot*** ***936 Sunset***
Minimum Lot Area	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
Minimum Lot Width (average)	100 feet 115 feet (corner lot)	165 feet COMPLIES	105.33 feet COMPLIES	158.67 feet COMPLIES
Minimum Lot Width (at front street line)	20 feet	165 feet COMPLIES	35.26 feet COMPLIES	165 feet COMPLIES
Minimum Lot Depth	200 feet	200 feet COMPLIES	220 feet COMPLIES	206.42 feet COMPLIES
Minimum Rectangular Area within Lot Boundaries	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.

Table 3 – Zoning Setback Requirements		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2 South Lot***	*Existing Lot 936 Sunset*
SETBACK REQUIREMENTS	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

Table 4 – Zoning Building Size Requirements		***Proposed Lot 1 936 Sunset***	***Proposed Lot 2*** *South Lot*	*Existing Lot 936 Sunset*
ALLOWABLE BUILDING SIZE	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.

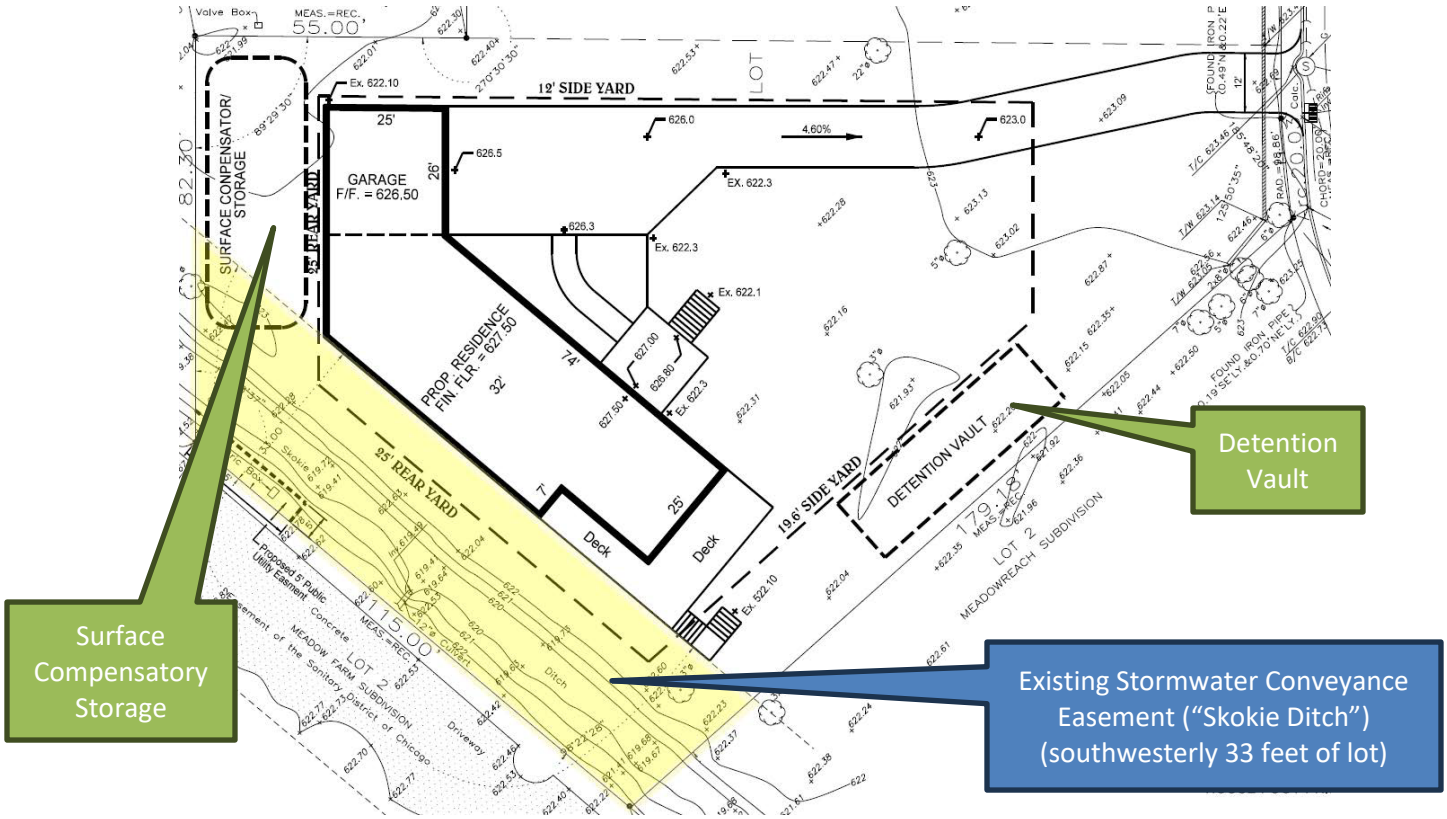


Figure 7 – Engineering Exhibit Provided by Applicant for Proposed Lot 2 (South Lot)

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]

Date: 07/16/2025

RECEIVED
JUL 17 2025
BY:

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

RECEIVED
JUL 17 2025
BY:

CHRISTOPHER S. CANNING
DIRECT DIAL NUMBER
(847) 853-7040
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

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

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,

[redacted]

Christopher S. Canning

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SUBDIVISION/CONSOLIDATION APPLICATION

Case No. 25-116-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

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

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

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

RECEIVED
JUL 17 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

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

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,



Christopher S. Canning

DANIEL CREANEY COMPANY
CIVIL ENGINEERING CONSULTANTS
Since 1976

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

PROFESSIONALS ASSOCIATED
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E-MAIL: pa@professionalsassociated.com
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PROFESSIONALS ASSOCIATED - MM SURVEY CO.

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

MM SURVEY
PHONE: (773) 282-5900
FAX: (773) 282-9424

www.mmsurveyingchicago.com
E-MAIL: info@MMSurveyingChicago.com

BOUNDARY & TOPOGRAPHIC SURVEY

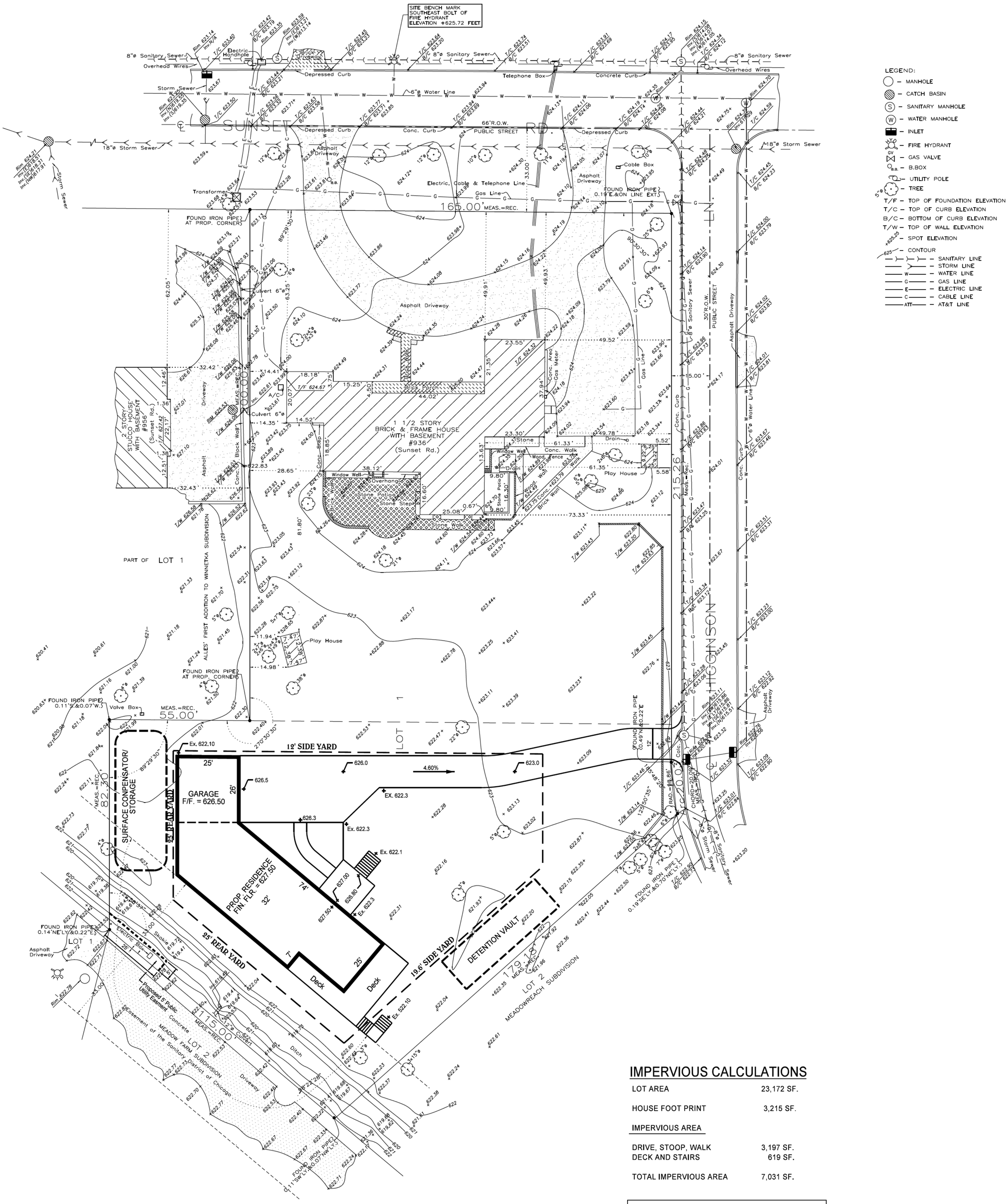
OF

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
- HYD – FIRE HYDRANT
- GV – GAS VALVE
- B.B. – B.BOX
- – UTILITY POLE
- 5"ø – 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
- +625.25 – SPOT ELEVATION
- 625 – CONTOUR
- SANITARY LINE
- STORM LINE
- W – WATER LINE
- G – GAS LINE
- E – ELECTRIC LINE
- C – CABLE LINE
- ATT – AT&T LINE

IMPERVIOUS CALCULATIONS

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

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

[redacted]

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

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

936 SUNSET ROAD

WINNETKA, ILLINOIS

EXHIBIT

DATE	BY	REVISION

SHEET 1 OF 1

DATE 8-25-2025

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

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NORTH

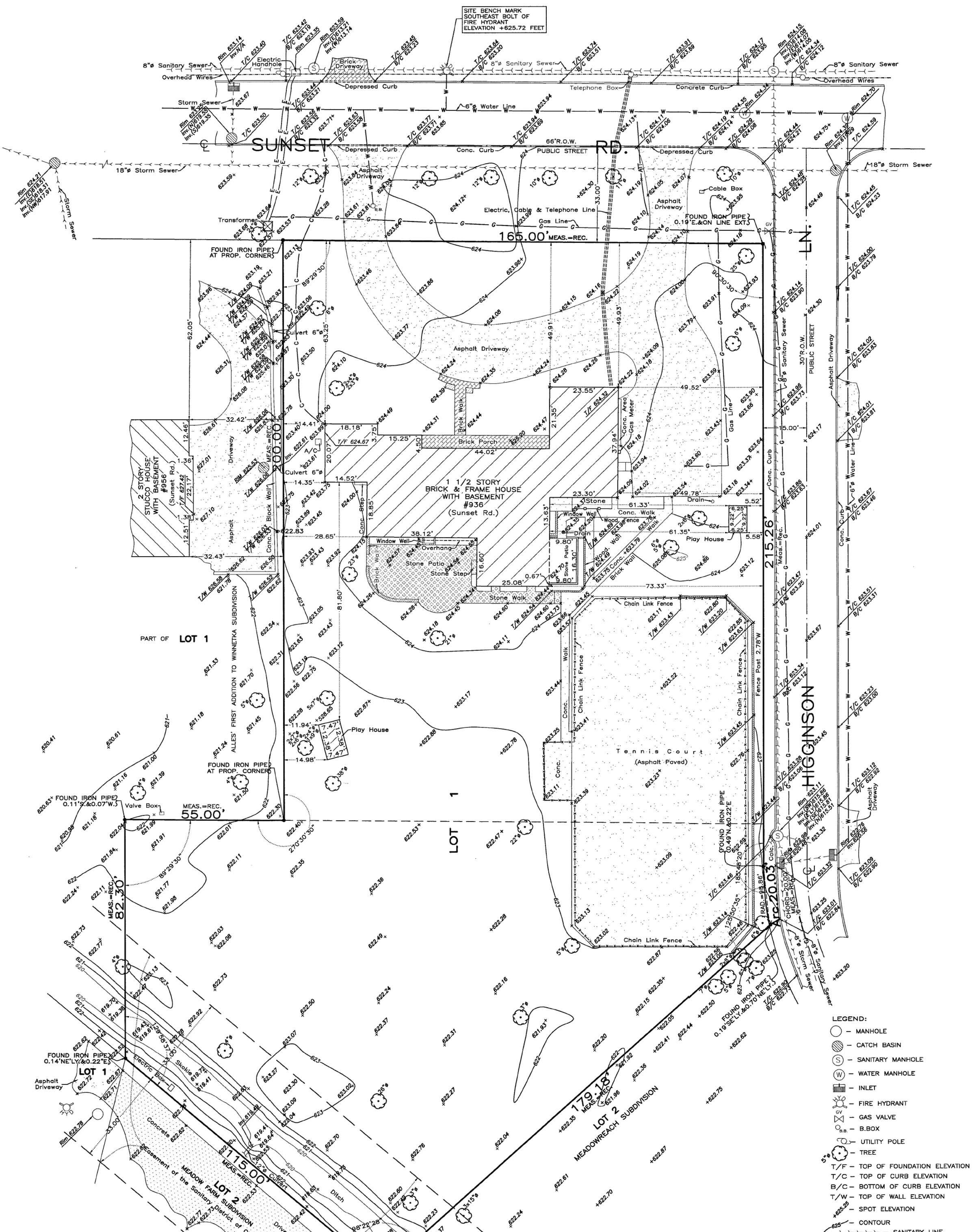
BOUNDARY & TOPOGRAPHIC SURVEY

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.


SITE BENCH MARK
SOUTHEAST BOLT OF
FIRE HYDRANT
ELEVATION +625.72 FEET
SUNSET RD.
66'R.O.W.
PUBLIC STREET
Conc. Curb
Depressed Curb
8"ø Sanitary Sewer
Overhead Wires
Electric Handhole
Brick Driveway
Depressed Curb
6"ø Water Line
Telephone Box
Concrete Curb
Storm Sewer
18"ø Storm Sewer
Asphalt Driveway
Transformer
Electric, Cable & Telephone Line
Gas Line
Cable Box
FOUND IRON PIPE
0.19'E.&ON LINE EXT.
165.00' MEAS.=REC.
FOUND IRON PIPE
AT PROP. CORNERS
89°29'30"
90°30'30"
Asphalt Driveway
Culvert 6"ø
Brick Walk
Brick Porch
Concrete Area
Gas Meter
Gas Line
30'R.O.W.
PUBLIC STREET
LN.
HIGGINSON
8"ø Sanitary Sewer
Concrete Curb
Asphalt Driveway
18"ø Water Line
1 1/2 STORY
BRICK & FRAME HOUSE
WITH BASEMENT
#936
(Sunset Rd.)
2 STORY
STUCCO HOUSE
WITH BASEMENT
#956
(Sunset Rd.)
Driveway
Asphalt
Block Wall
Conc. Step
Window Well
Overhang
Stone Patio
Stone Step
Stone Walk
Brick Wall
Wood Fence
Drain
Play House
Conc. Walk
Chain Link Fence
Fence Post 2.78'W
Tennis Court
(Asphalt Paved)
Conc.
Walk
Chain Link Fence
PART OF LOT 1
ALLES' FIRST ADDITION TO WINNETKA SUBDIVISION
LOT 1
LOT 2
MEADOWREACH SUBDIVISION
LOT 2
MEADOW FARM SUBDIVISION
FOUND IRON PIPE
AT PROP. CORNERS
FOUND IRON PIPE
0.11'S.&0.07'W.
Valve Box
MEAS.=REC.
55.00'
82.30'
115.00'
179.18'
215.26'
Arc=20.03'
Rad.=988.86'
Chord=20.03'
Chord Brg.=S 1°48'20"E
Meas.=Rec.
FOUND IRON PIPE
0.19'SE'LY.&0.70'NE'LY.
FOUND IRON PIPE
0.14'NE'LY.&0.22"E.
Electric Box
Skokie
Concrete
Easement of the Sanitary District of Chicago
Ditch
12"ø Culvert
Driveway
FOUND IRON PIPE
0.11'SW'LY.&0.07'NW'LY.
8"ø Storm Sewer
8"ø Sanitary Sewer
Asphalt Driveway
Rim 623.14
Inv.N/A
T/C 625.40
T/C 623.42
B/C 623.19
Rim 623.35
Rim 623.59
Inv.(E)613.27
Inv.(W)613.74
T/C 623.45
B/C 623.23
T/C 623.64
B/C 623.20
T/C 623.74
B/C 623.51
T/C 623.91
B/C 623.69
T/C 624.17
B/C 623.95
Rim 624.15
Inv.(S)614.09
Inv.(E)614.07
Inv.(W)614.05
T/C 624.34
B/C 624.12
Rim 624.21
Inv.(E)618.51
Inv.(SE)618.31
Inv.(NW)617.91
Rim 623.56
Inv.(N)619.56
Inv.(S)619.35
T/C 623.67
T/C 623.50
T/C 623.44
B/C 623.21
T/C 623.56
B/C 623.32
T/C 623.63
B/C 623.58
T/C 623.77
B/C 623.71
T/C 623.94
B/C 623.69
T/C 624.11
B/C 624.06
T/C 624.19
B/C 624.14
T/C 624.29
B/C 624.08
T/C 624.44
B/C 624.21
Rim 624.35
Rim 624.39
Inv.(E)619.29
Rim 624.70
T/C 624.59
T/C 624.48
B/C 624.25
T/C 624.45
B/C 624.23
T/C 624.00
B/C 623.79
T/C 624.14
B/C 623.90
T/C 623.98
B/C 623.73
T/C 624.02
B/C 623.83
T/C 624.01
B/C 623.81
T/C 623.67
B/C 623.46
T/C 623.86
B/C 623.63
T/C 623.47
B/C 623.25
T/C 623.51
B/C 623.31
T/C 623.23
B/C 623.00
T/C 623.12
B/C 622.92
T/C 623.09
B/C 622.90
Rim 623.11
Inv.(SW)615.86
Inv.(E'LY)615.86
Inv.(S)615.81
Inv.(N)615.51
Rim 622.76
Inv.620.56
T/C 623.46
T/C 623.32
T/C 623.25
T/C 623.01
B/C 622.84
T/C 623.28
B/C 623.06
T/C 623.34
B/C 623.12
T/C 623.45
T/C 623.41
T/C 623.44
T/C 623.43
T/C 623.39
T/C 623.37
T/C 623.36
T/C 623.33
T/C 623.31
T/C 623.30
T/C 623.27
T/C 623.24
T/C 623.22
T/C 623.20
T/C 623.17
T/C 623.15
T/C 623.13
T/C 623.11
T/C 623.09
T/C 623.07
T/C 623.05
T/C 623.03
T/C 623.01
T/C 622.99
T/C 622.97
T/C 622.95
T/C 622.93
T/C 622.91
T/C 622.89
T/C 622.87
T/C 622.85
T/C 622.83
T/C 622.81
T/C 622.79
T/C

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 1st Street
Highland Park, Illinois 60035

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.

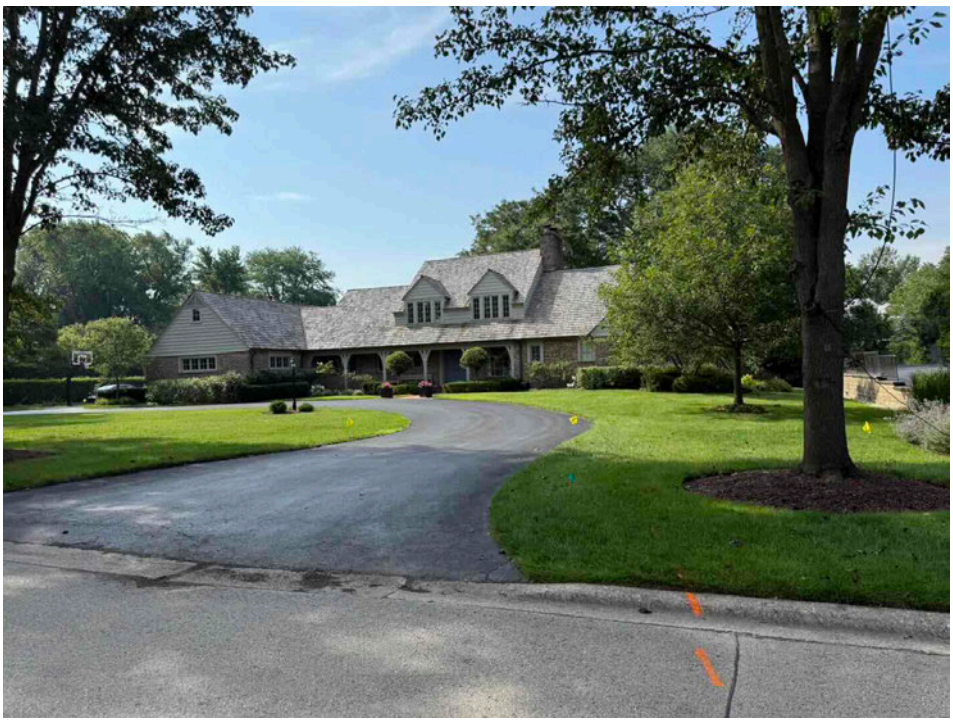
Thank you for the opportunity to provide appraisal services to assist in this matter. If you have any questions or comments regarding the appraisal, please contact me at (847) 877-9373.

Very truly,

[redacted]

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
Opinion of Market Value – Whole Marketing/Exposure Times:	**$2,600,000** 90-120 days
Opinion of Market Value – Front Marketing/Exposure Times:	**$2,300,000** 90-120 days
Opinion of Market Value – Rear Lot Marketing/Exposure Times:	**$1,200,000** 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." [1]

[1] 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.

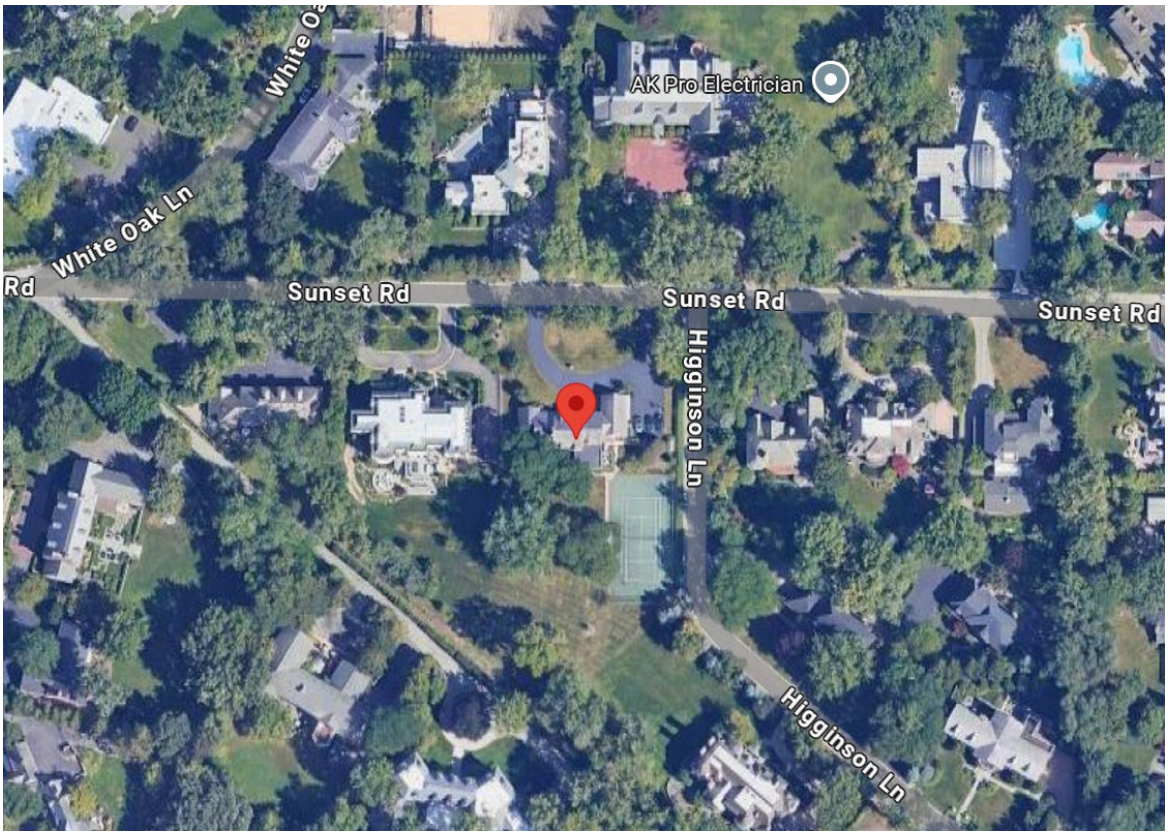
Personal Property

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

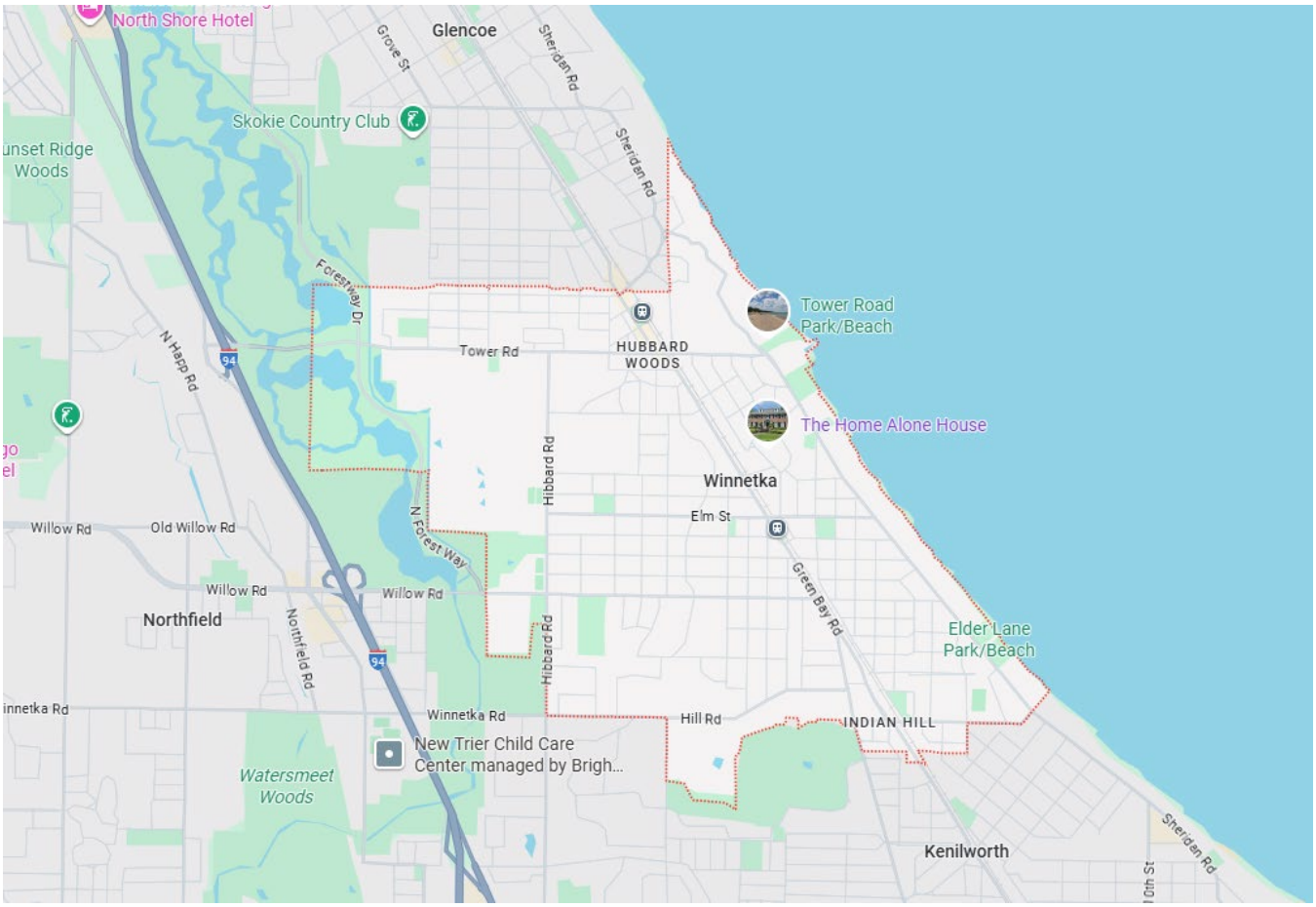


NEIGHBORHOOD DATA

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.

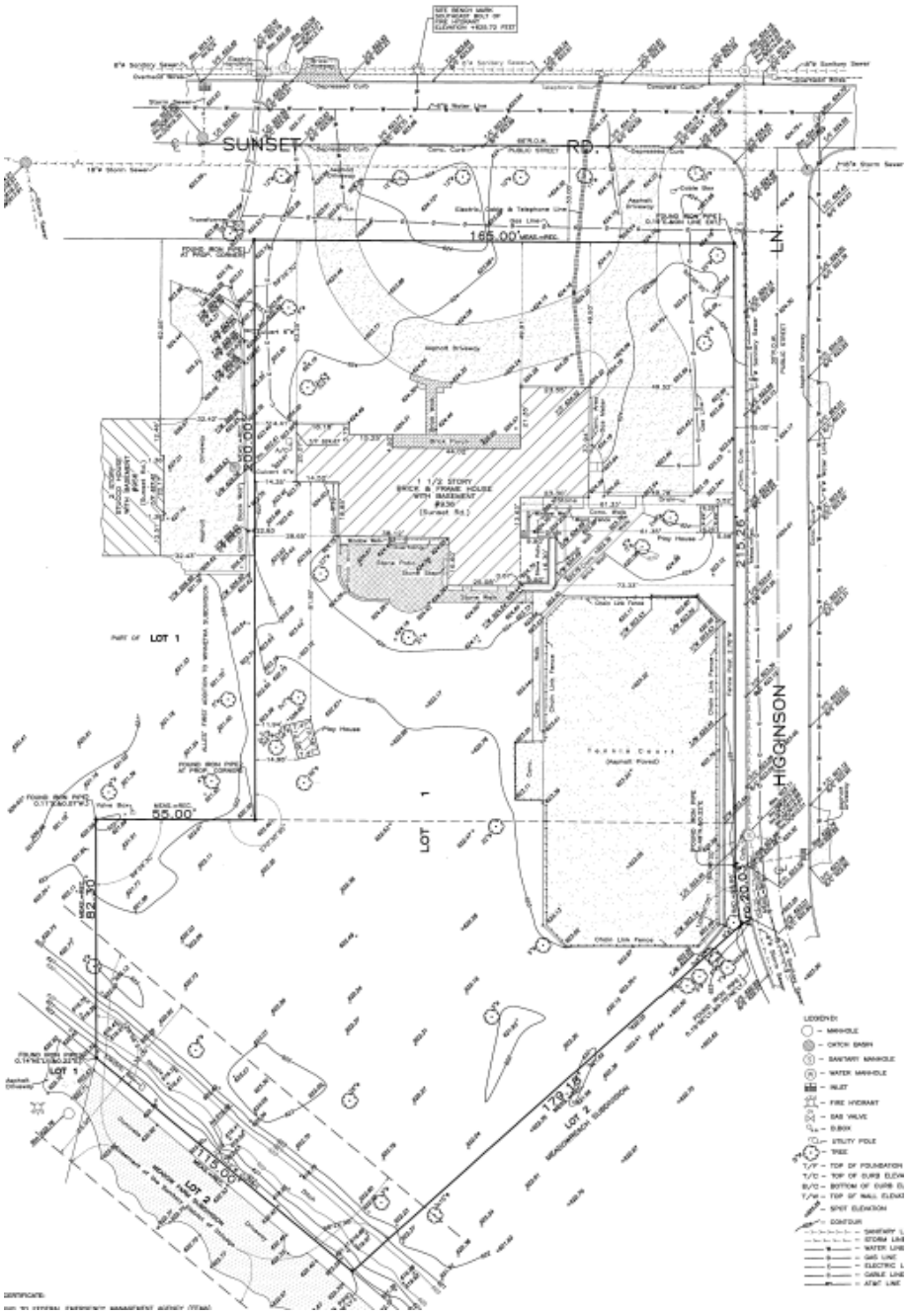
The local area will continue to enjoy good demand for housing units (attached and detached) as well as commercial space in the long term due to its proximate location and linkage to the CDB. The area's income levels will continue to support growth in the commercial base and turnover of the residential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



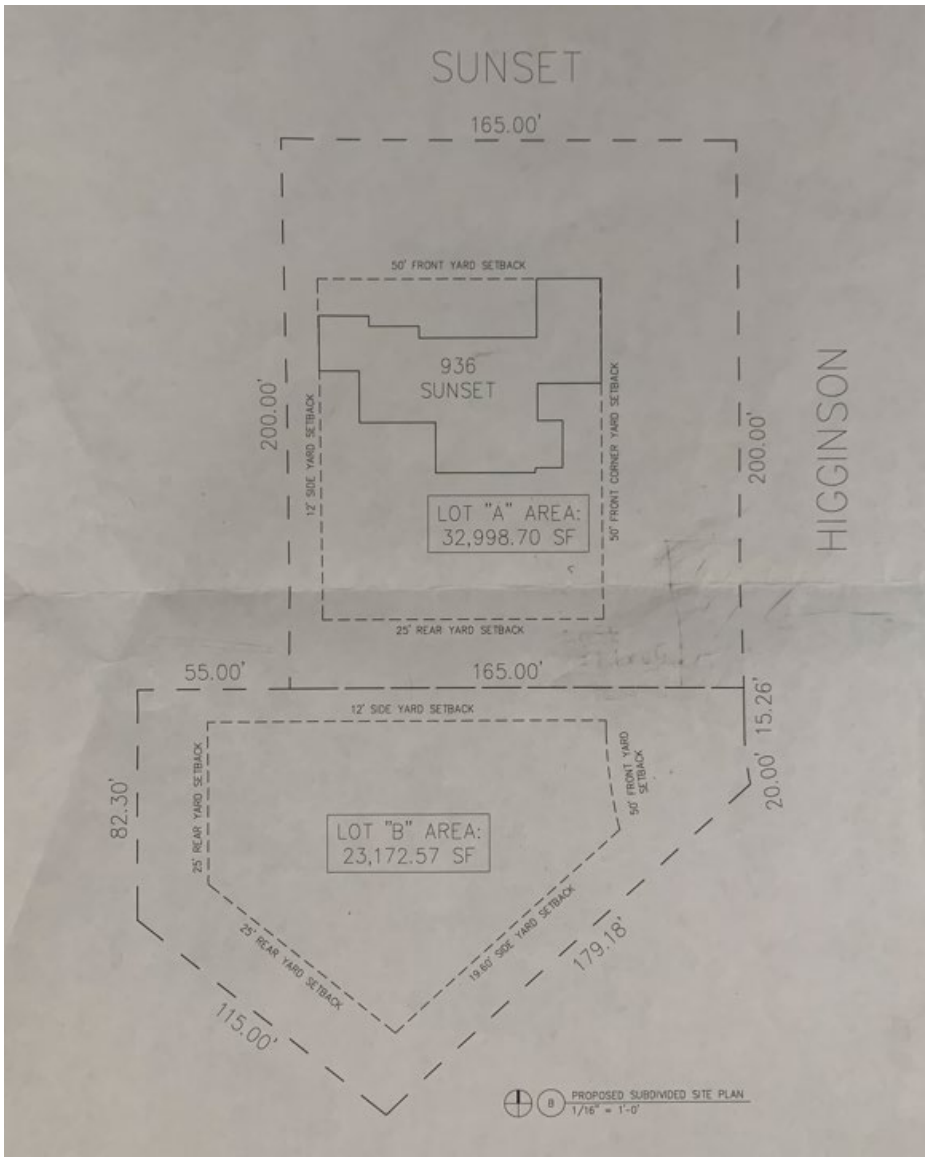
Sunset Road is a two-way, two lane public right of way and Higginson Lane is a two-way, two-lane public right that links Sunset Road with Birch Street. Street improvements including concrete curbs and sidewalks, street gutters and storm/sanitary drain lines, and overhead street lighting. Natural gas, 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.

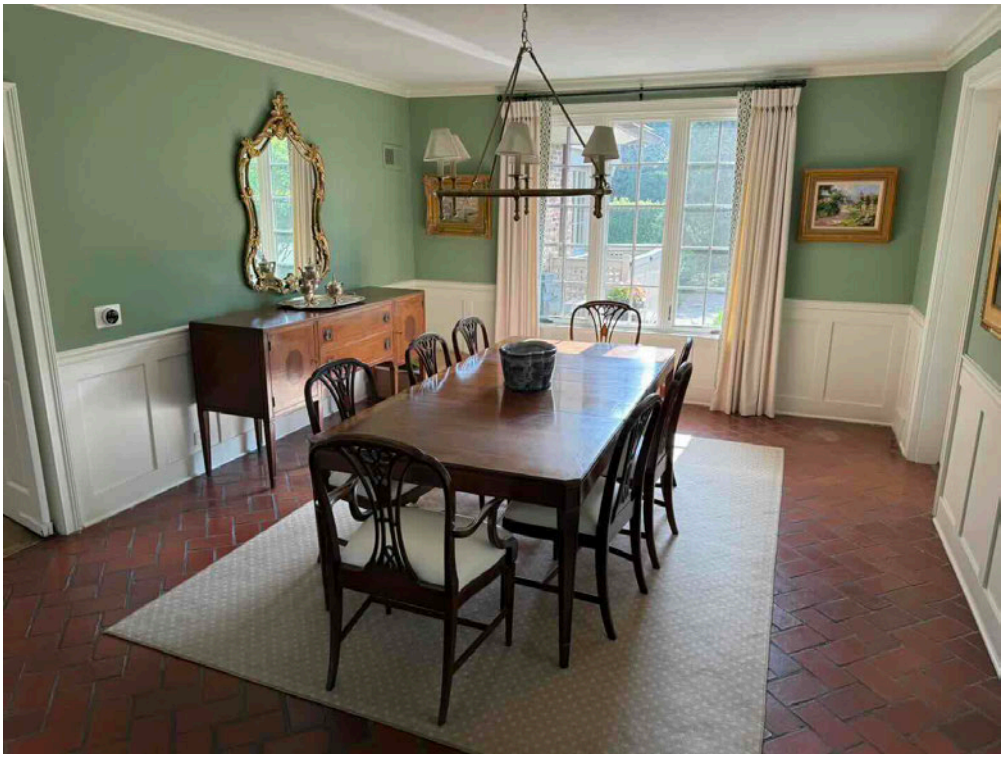
Site improvements include asphalt paved circular drive with two curb cuts off Sunset Road, brick entry walk, covered front porch, slate patio, tennis court with covered sitting area and landscaping with mature trees and bushes and flower beds, etc.

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

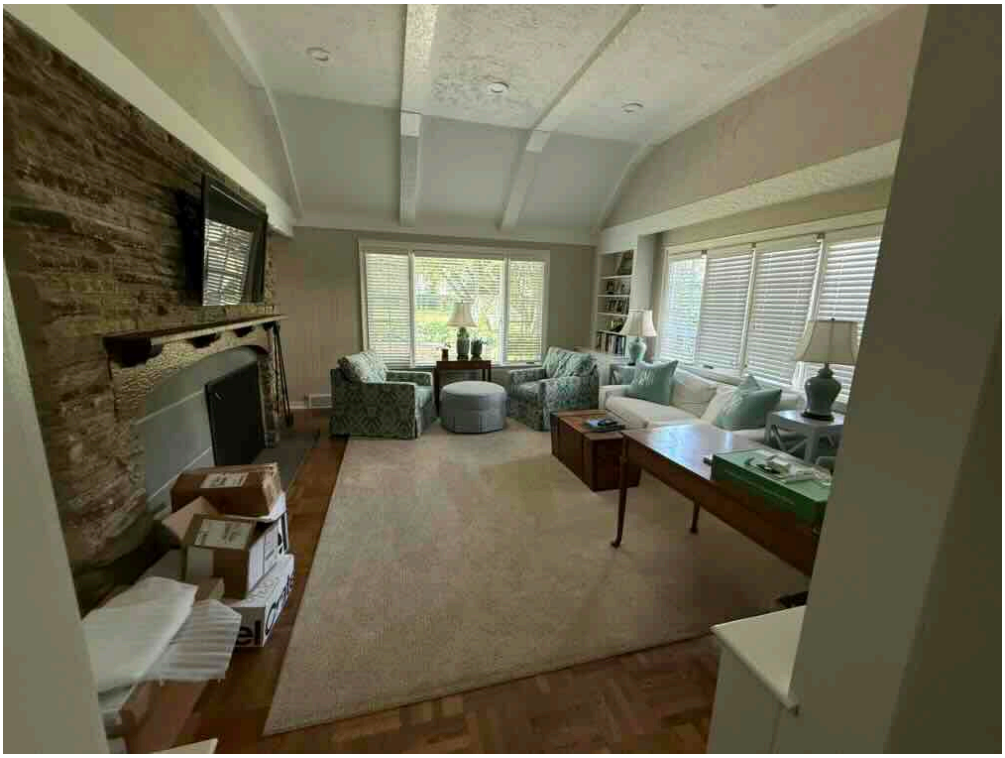


Kitchen



Family Room

DESCRIPTIVE PHOTOGRAPHS



Den



Primary Bedroom

DESCRIPTIVE PHOTOGRAPHS

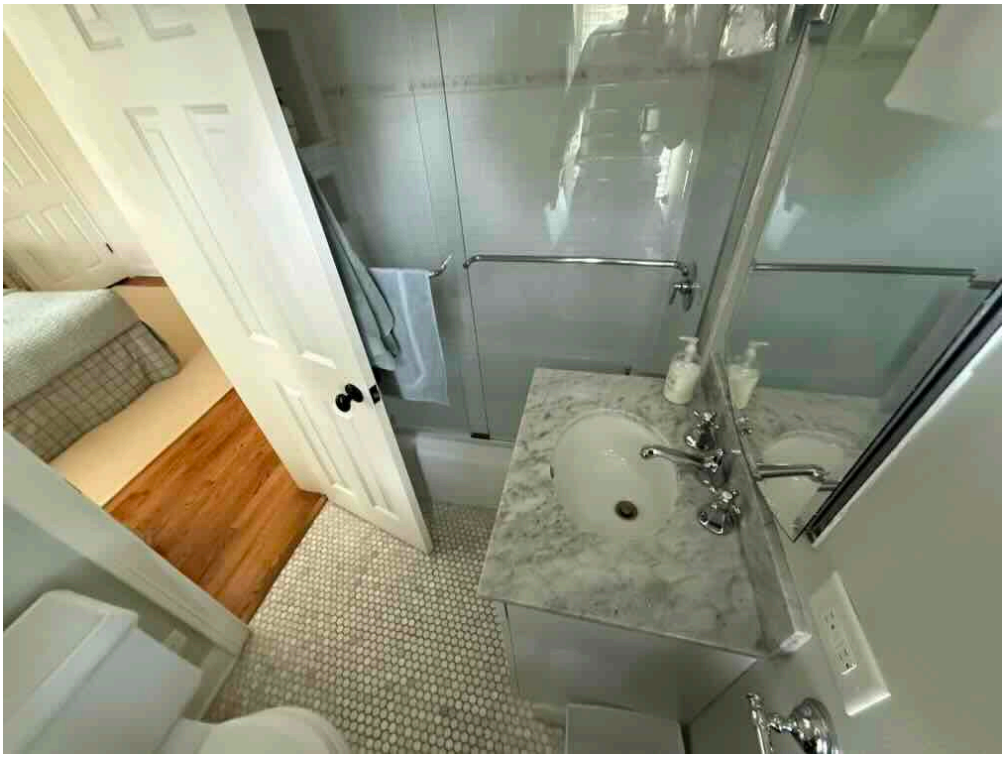


Primary Bathroom



Second Floor Hall Bedroom

DESCRIPTIVE PHOTOGRAPHS

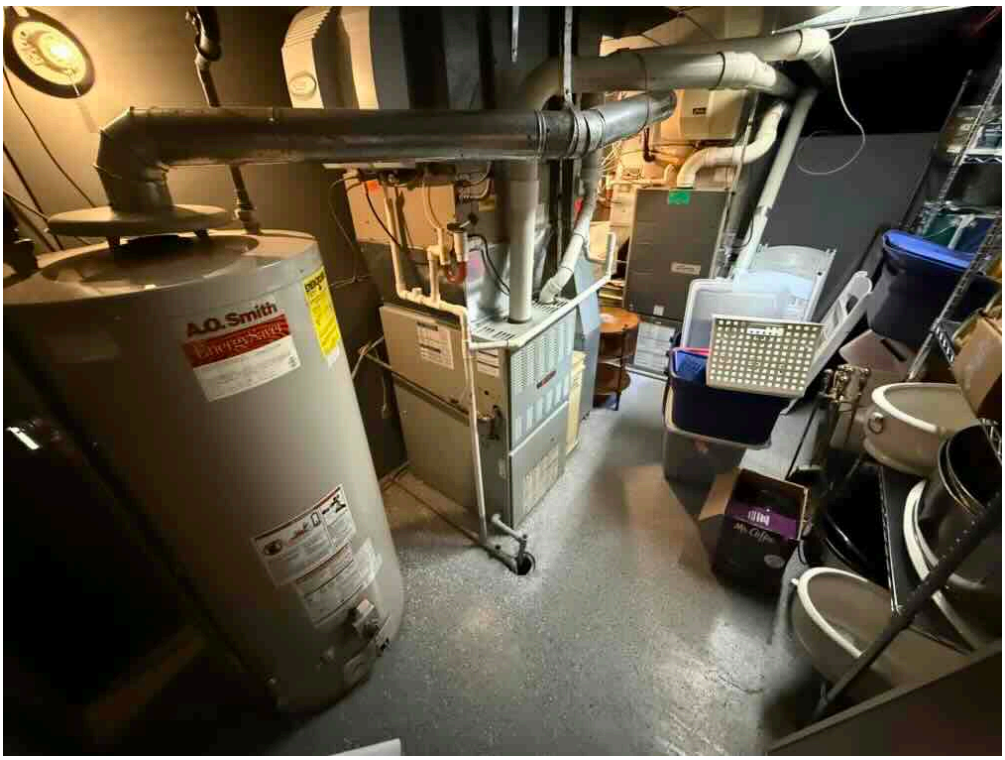


Private Bathroom



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”. [2]

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.

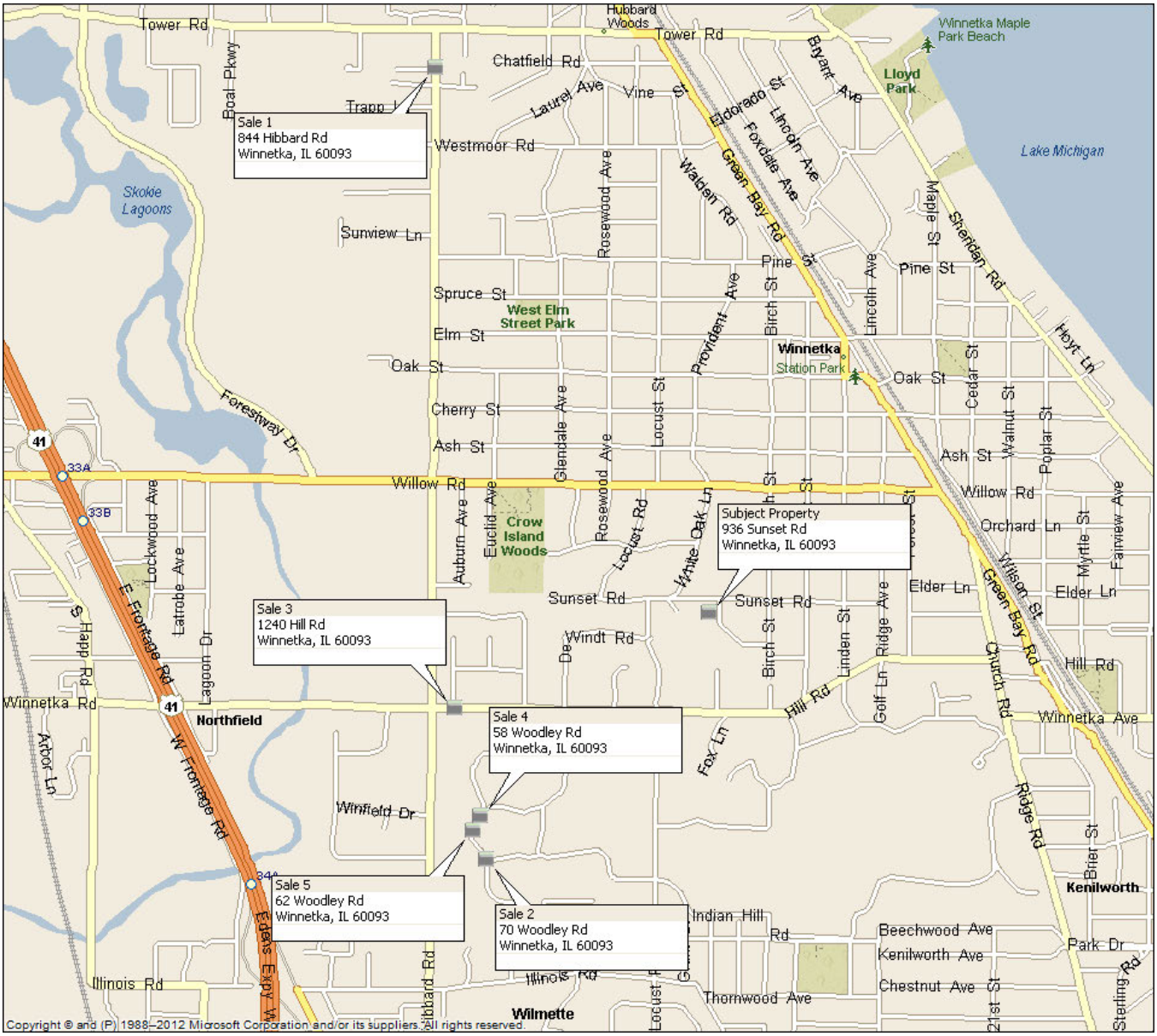
The ***Sales Comparison Approach*** is a set of procedures in which a value is derived by comparing the property being appraised to similar properties that have sold recently. Applying appropriate units of comparison and making adjustments to the sale prices of the comparable sales based on the elements 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. [3]

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.

[2] The Dictionary of Real Estate Appraisal, Seventh Edition, The Appraisal Institute 2022
[3] Ibid

LOCATION MAP WHOLE ANALYSIS



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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
Market Conditions / Sale-List Ratio		$0	$0	$0	$0	($142,500)
Location		$105,000	$0	$0	$0	$0
Site Area	$15.00	$258,555	$173,415	$272,805	$235,365	($158,040)
Design		$0	$0	$0	$0	$0
View		$0	$0	$0	$0	$0
Quality		$0	$0	($59,000)	$0	$0
Condition	$25.00	$0	$0	$0	$0	$0
Car Storage		$0	($25,000)	$0	$0	$0
Basement Area/Finish	$10/$20	$28,300	$54,730	$32,020	($27,280)	$31,980
Gross Living Area	$50.00	$13,300	$7,550	$40,700	($180,150)	$7,550
Kitchen Finish		$0	$0	$0	$0	$0
Number of Baths		($10,000)	($25,000)	$0	($25,000)	($5,000)
Bath Finishes		$0	$0	$0	$0	$0
Amenities		($25,000)	($25,000)	($25,000)	$0	$0
Overall Adjustment		$370,155	$160,695	$261,525	$2,935	($266,010)
Adjusted Sale Price		$2,470,155	$2,510,695	$2,621,525	$2,682,935	$2,583,990
% Net Adjustment		*17.6%*	*6.8%*	*11.1%*	*0.1%*	*-9.3%*
% Gross Adjustments		*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.

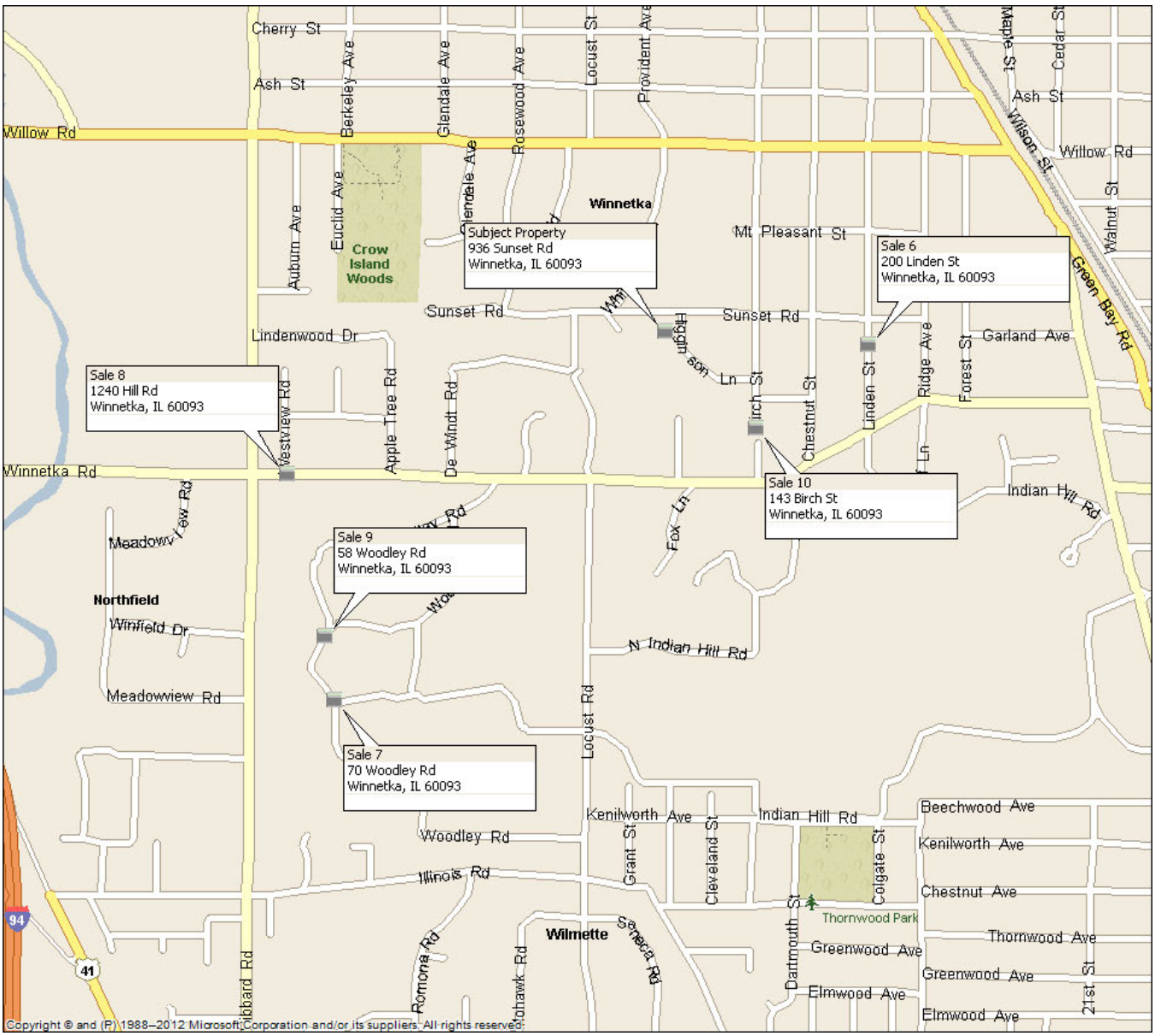
The adjustments are based on market data, contributory value based on replacement cost and our judgment and experience working in the market area. The sales have an adjusted price range of $2,470,155 to $2,682,935 with a median of $2,583,990 and an average of $2,573,860.

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



COMPARABLE SALE SUMMARY AND ADJUSTMENT GRID - FRONT						
Property	**Subject**	**Sale 6**	**Sale 7**	**Sale 8**	**Sale 9**	**Sale 10**
Address	936 Sunset Road	200 Linden Street	70 Woodley Road	1240 Hill Road Rd	58 Woodley Road	143 Birch Street
City	Winnetka, IL	Winnetka	Winnetka	Winnetka	Winnetka	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
Market Conditions / Sale-List Ratio		$0	$0	$0	$0	$0
Location		$0	$0	$0	$0	$0
Site Area	$15.00	$202,065	($186,585)	($87,195)	($124,635)	$202,065
Design		$0	$0	$0	$0	$0
View		$0	$0	$0	$0	$0
Quality		($41,140)	$0	($47,200)	$0	$42,998
Condition	$25.00	$0	$0	$0	$0	$0
Car Storage		$0	($25,000)	$0	$0	$25,000
Basement Area/Finish	$10/$20	$28,730	$54,730	$32,020	($27,280)	$34,200
Gross Living Area	$50.00	$27,950	$7,550	$40,700	($180,150)	$41,650
Kitchen Finish		$0	$0	$0	$0	$0
Number of Baths		($10,000)	($25,000)	$0	$0	($5,000)
Bath Finishes		$0	$0	$0	$0	$0
Amenities		($25,000)	($25,000)	($25,000)	$0	$0
Overall Adjustment		$182,605	($199,305)	($86,675)	($332,065)	$340,913
Adjusted Sale Price		$2,239,605	$2,150,695	$2,273,325	$2,347,935	$2,490,813
% Net Adjustment		*8.9%*	*-8.5%*	*-3.7%*	*-12.4%*	*15.9%*
% Gross Adjustments		*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,

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.

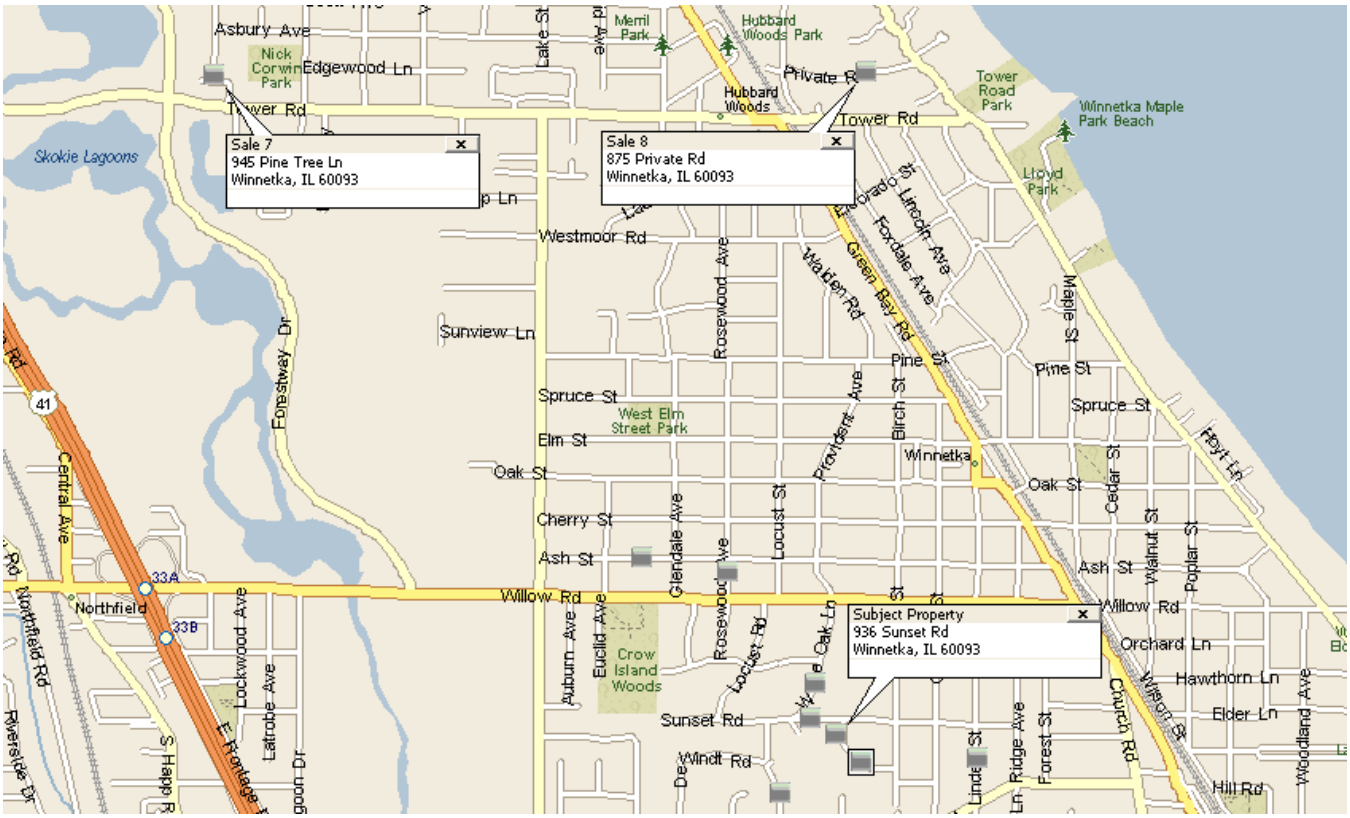
Conclusion

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

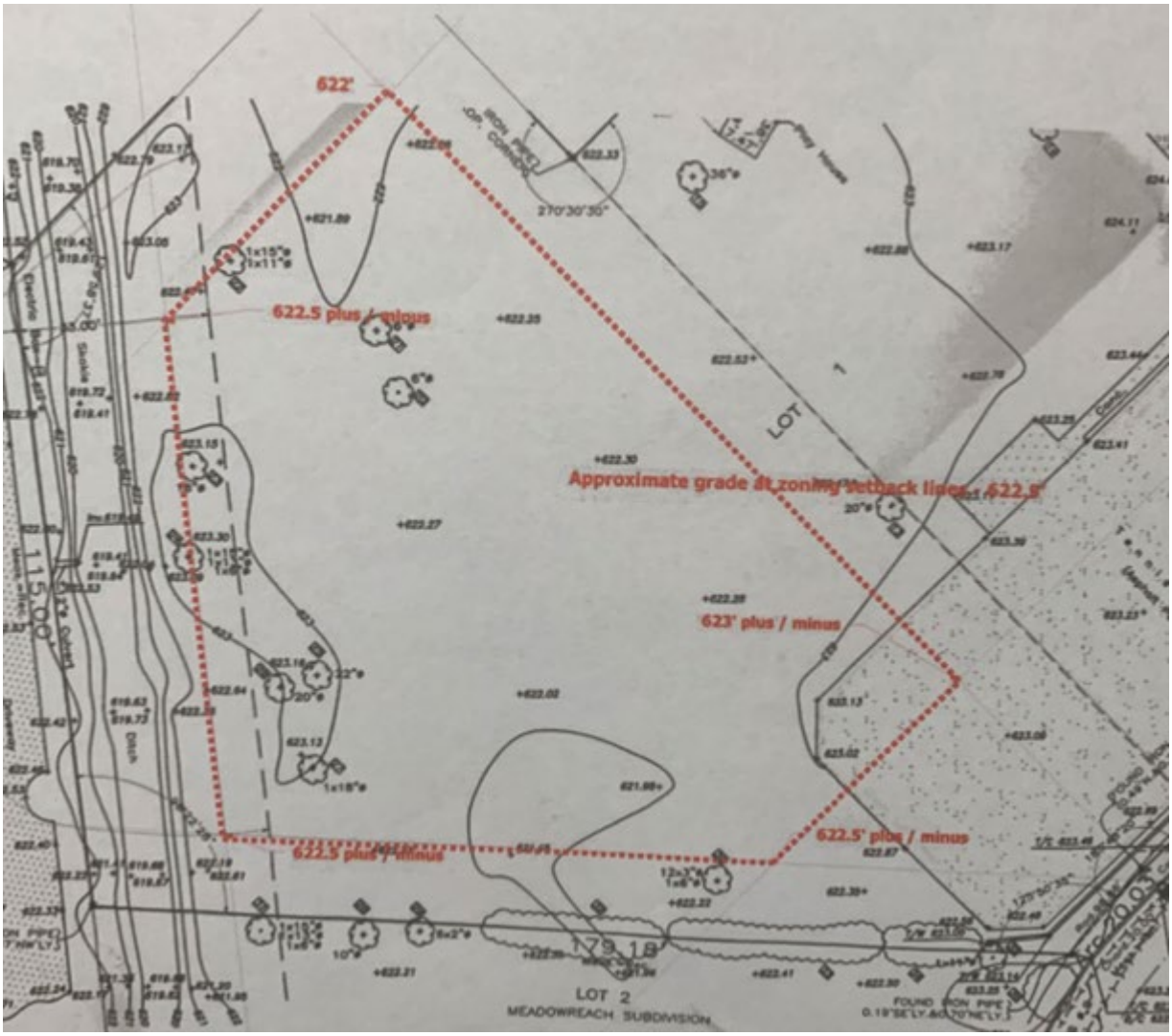
LOCATION MAP REAR LOT ANALYSIS





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 siters 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.

FLOOD PLAIN TEAR DOWN LAND SALES							
No	**Address**	**City, St**	**Flood Zone**	**Sale Date**	**Sale Price**	**Size - SF**	**$PSF**
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

Improved Comparable Sale # 1

Location Data		Transaction Data	
Street Address	844 Hibbard Road	Contract-Sale Date	7/30/2024
City	Winnetka	Sale Price	$2,100,000
State	IL	Property Rights	Fee Simple
County	Cook	Financing	Cash to Seller
Zip	60093	Conditions of Sale	Arm's-Length
		Marketing Period (days)	9

Improvement Data		Site Data	
Gross Living Area (SF)	4,885		
Year Built	1924	Acres (Gross)	0.89
Condition	Average	Square Feet (Gross)	38,934
Exterior Quality	Brick	Acres (Net)	0.89
Interior Quality	Good	Square Feet (Net)	38,934
Parking	2 Garage Space	Shape	Rectangle
Bedrooms	5	Topography/Elevation	Level
Bathrooms	5.1	Utilities	All available
Fireplace(s)	2	Zoning	R2
Amenities	Patio, Pool, Pool House		

Prior Sales

None in prior 3 Years



Analysis

Price/Sq Ft	$429.89

Source

MRED #12058179, Public Records, Listing Broker.

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

Analysis

Price/Sq Ft	$470.00

Source

MRED #12204141, Listing Broker, Public Records

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 is 3 years

Analysis

Price/Sq Ft	$544.15

Source

MRED #12349801, Public Records

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

Analysis	
Price/Sq Ft	$306.15

Source

MRED #12094231, Listing Broker, Public Records

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

Source

MRED #12429588, Listing Broker, Public Records

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.

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

Analysis

Price/Sq Ft	$470.00

Source

MRED #12204141, Listing Broker, Public Records

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 is 3 years

Analysis

Price/Sq Ft	$544.15

Source

MRED #12349801, Public Records

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

Improved Comparable Sale # 10

Location Data

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

Transaction Data

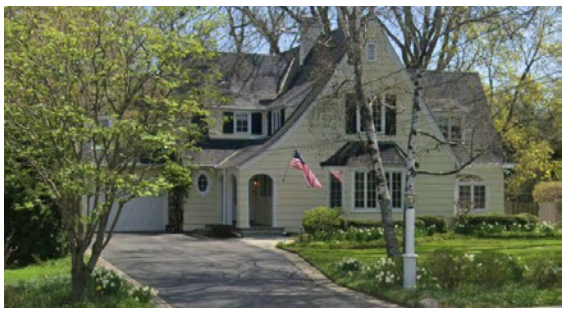
Sale Date	12/6/2024
Sale Price	$2,149,900
Property Rights	Fee Simple
Financing	Cash to Seller
Conditions of Sale	Arm's Length
Marketing Period (days)	4

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

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.
SECRETARY

LAURIE MURPHY
DIRECTOR

The official status of this license can be verified at 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:

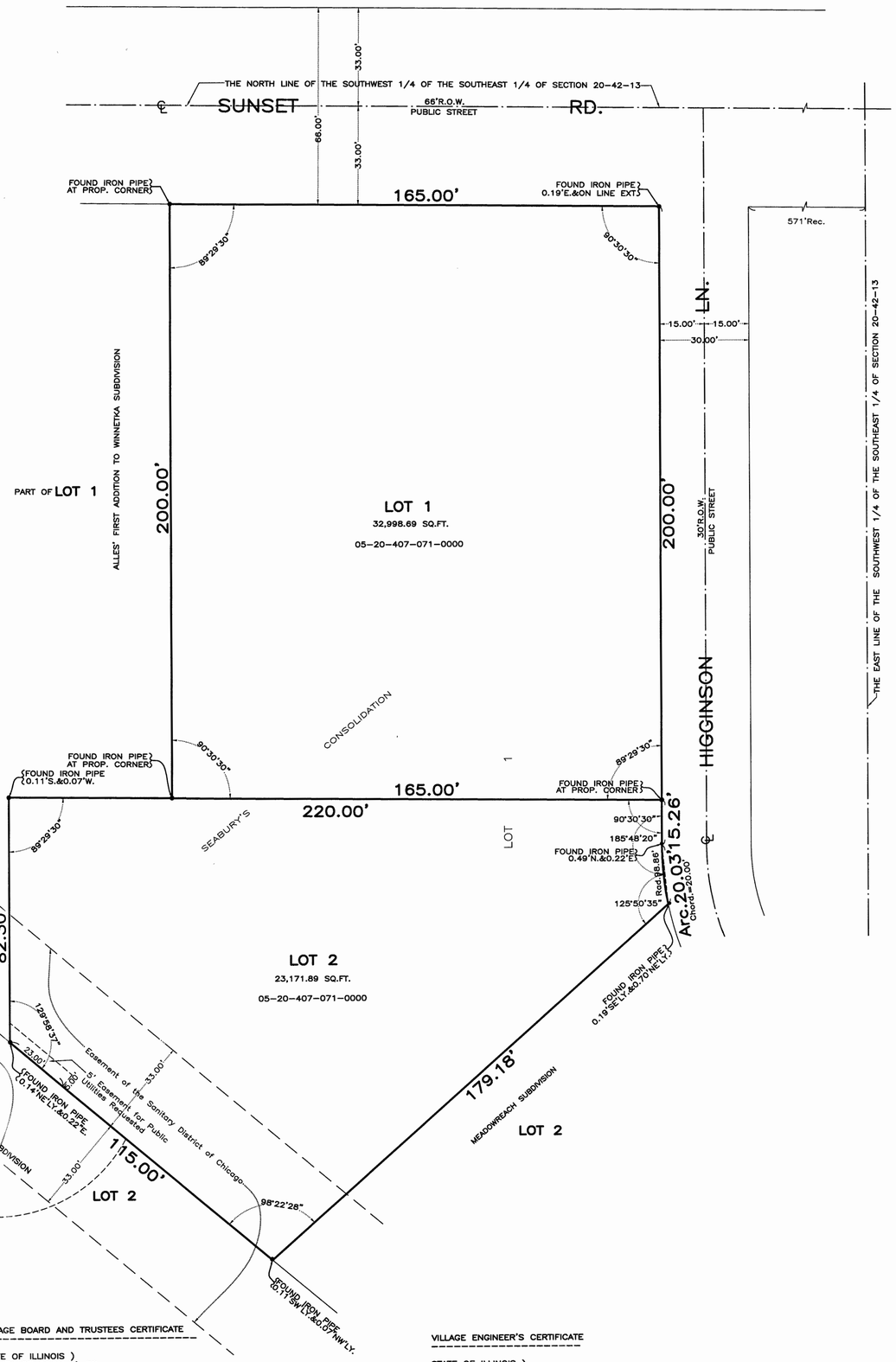
Appraisal Institute MAI #12452 (Awarded March 2007)
National Association of Realtors General Accredited Appraiser #4683 (Awarded January 2005)
IL Certified General Real Estate Appraiser
Illinois Coalition of Appraisal Professionals (ICAP)
Former Member of the Glencoe Zoning Board of Appeals and Liaison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



NORTH

GRAPHIC SCALE

25 20 15 10 5 0 25 50

(IN FEET)
1 Inch = 25 Ft.

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	
	ELEMENTARY	HIGH SCHOOL
1 & 2		

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_____ OF THE_____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

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 COMMISION 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

PREPARED BY:
PROFESSIONALS ASSOCIATED—MM SURVEY, CO.
PROFESSIONAL DESIGN FIRM NO. 184—003023
7100 N. TRIPP AVE, LINCOLNWOOD, ILLINOIS 60712
TEL. (847) 675—3000 FAX (847) 675—2167
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 ACKOWLEDGE AND ADOPT THE SAME UNDER THE STYLE AND TITLE HEREON INDICATED.

DATED THIS _____ DAY OF _____, A.D., 20_____.

_____AND_____
OWNERS

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 SOUTHEAST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING 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.

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

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,

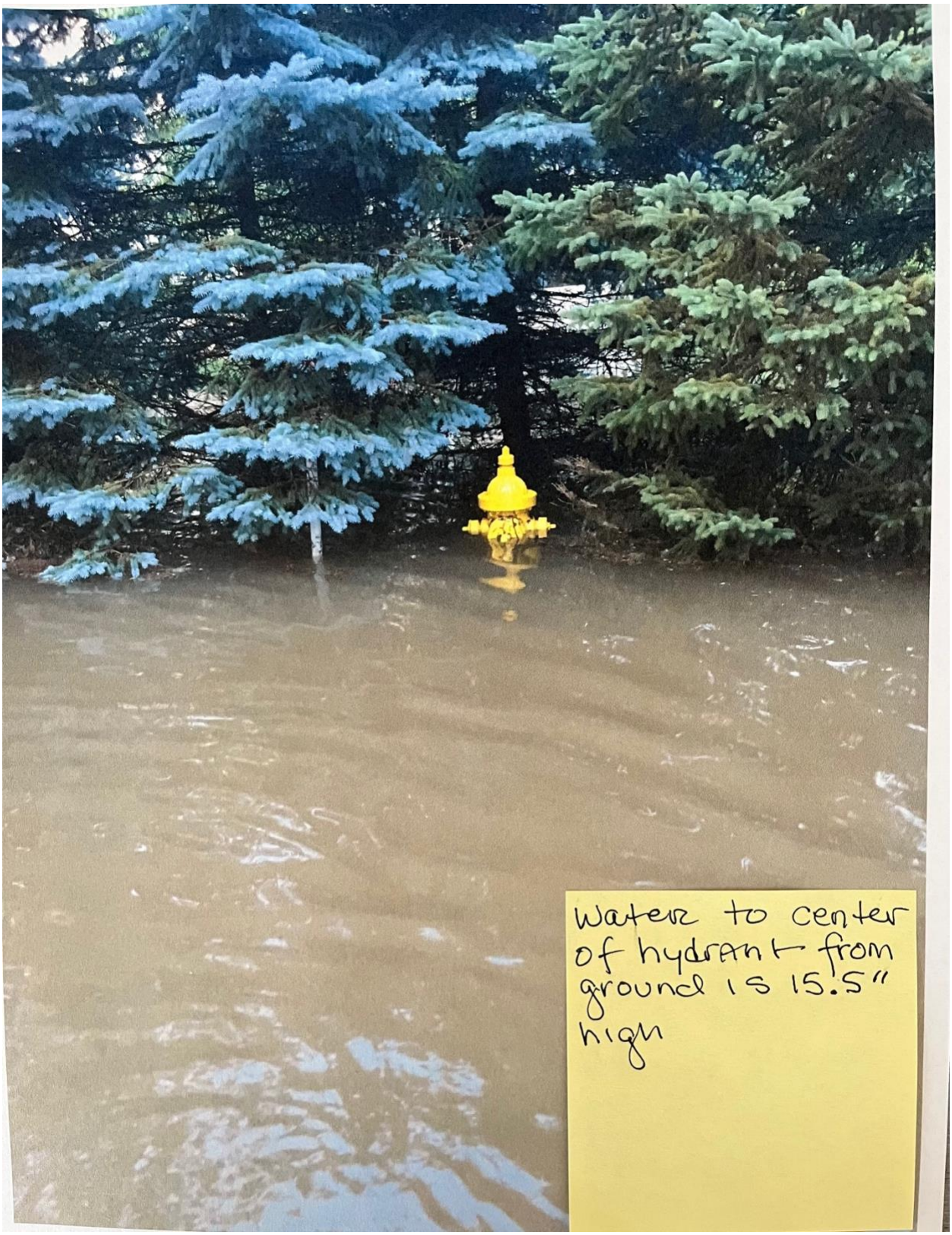
Githesh Ramamurthy
916 Higginson Lane

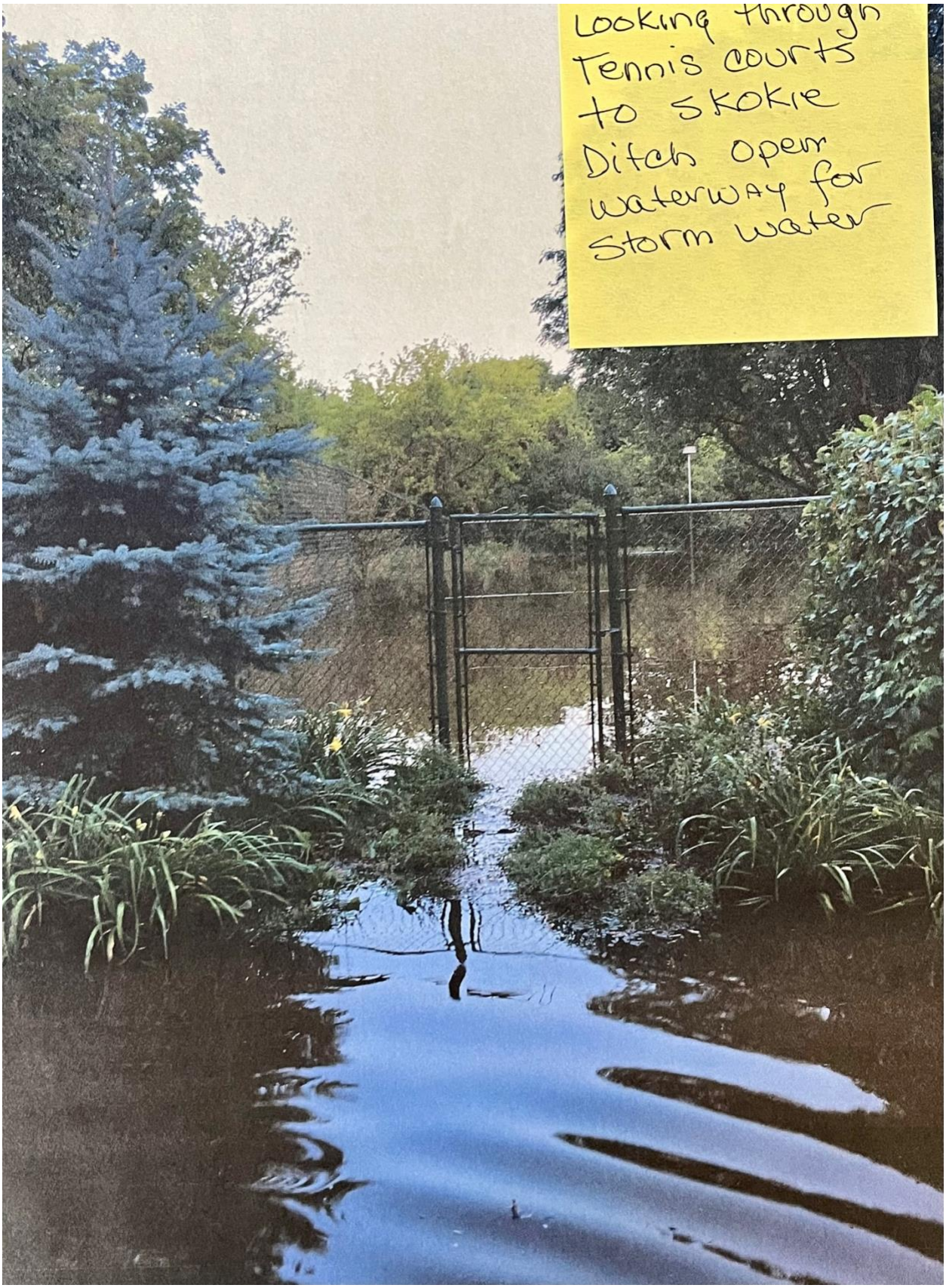
James and Cait Langer
956 Sunset Road

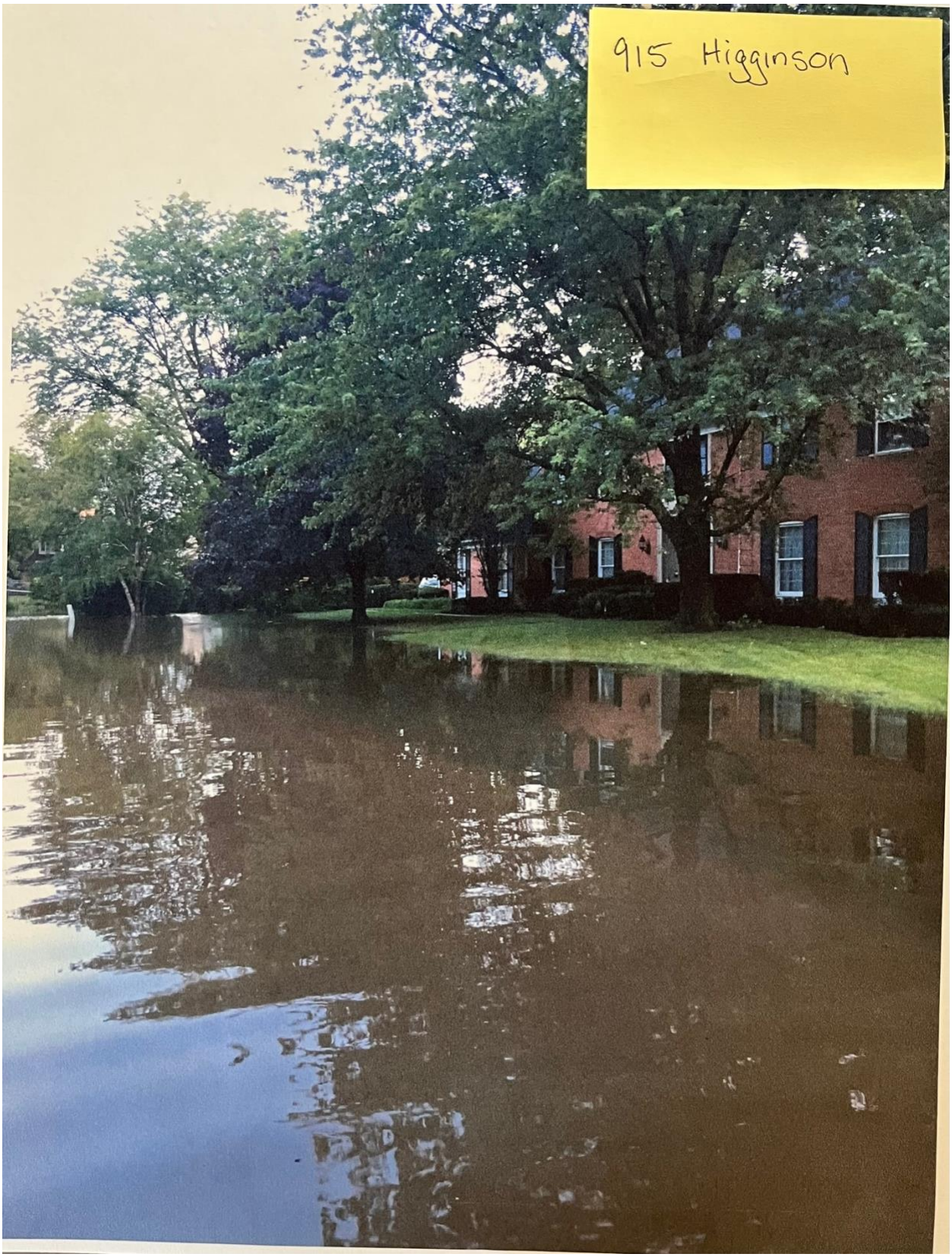
Nick and Jen Morse
150 Meadow Lane

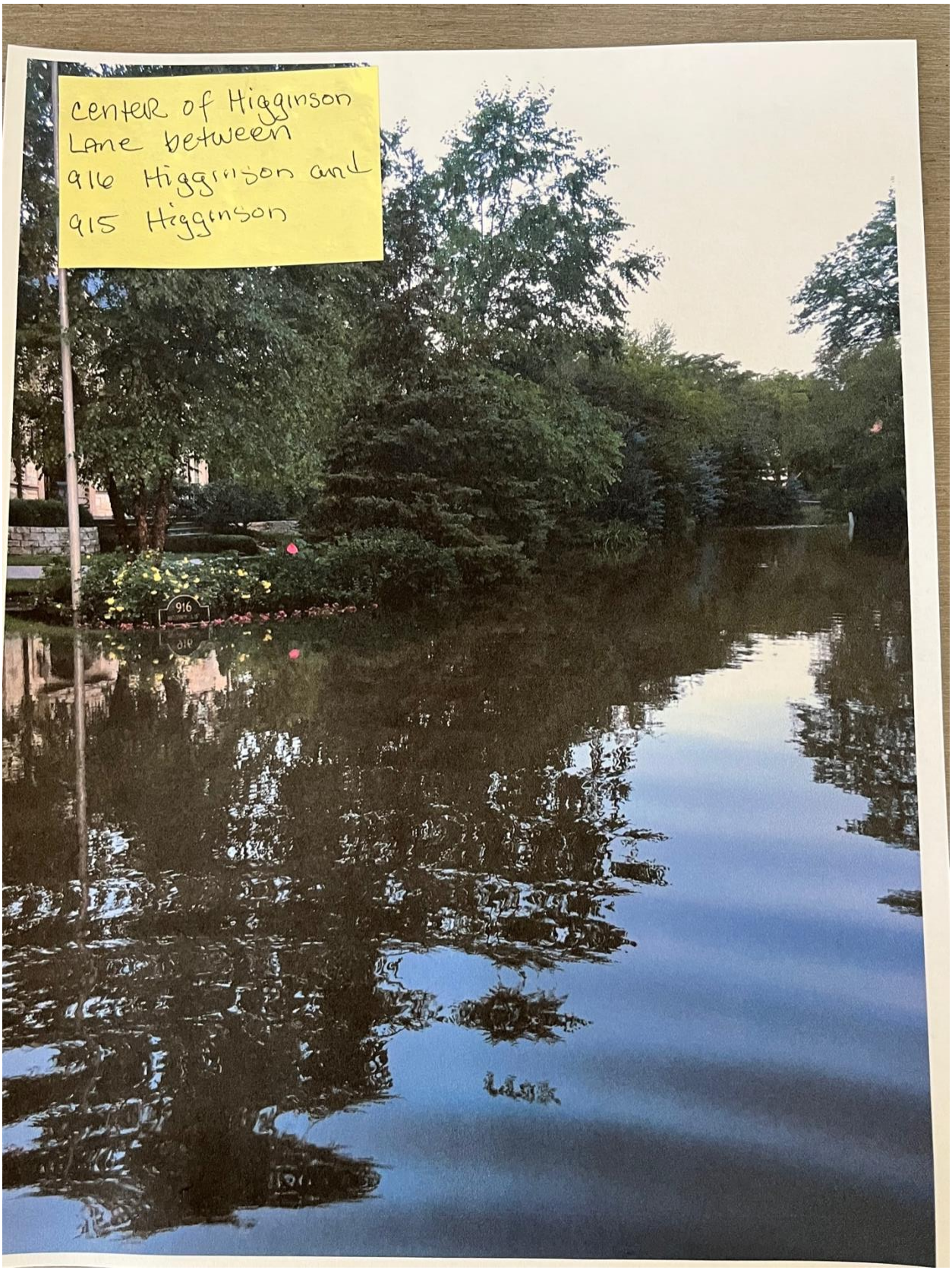
Higgwinn LLC
900 Higginson Lane

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


center of Higginson
Lane between
916 Higginson and
915 Higginson
916

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






HDR





From: [redacted]
To: Planning
Subject: Marren,s proposed lot subdivision in our neighbrhood Caso NO. 25-16-SD 936 Sunset rd
Date: Friday, October 3, 2025 6:35:58 AM

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 husbund and I own property at 972 Sunset rd across the open Skokie ditch.
Every time its raining on subject proprerty 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





WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES EXCERPT
OCTOBER 13, 2025

Zoning Board Members Present:	Matt Bradley, Chairman Mark Haller Lynn Hanley Kathryn Leister Mike Nielsen Michael Ritter
Zoning Board Members Absent:	Todd Vender
Village Staff:	Steve Mangum, Director of Community Development Ann Klaassen, Assistant Director of Community Development

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a. **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.** Ms. Klaassen noted the request being presented is limited to the proposed subdivision and existing site improvements with no proposed improvements being presented by the applicant. She then identified the property's location, existing improvements, zoning classification and size. Ms. Klaassen described the two buildable lots created by the proposed subdivision and how the original lot was platted as well as provided an explanation of the areas of compliance and noncompliance with the lot area and rectangular area requirements in detail. She also summarized the MWRD and Village requirements with regard to flood plain regulations, storm water detention, compensatory storage and requirements in detail. Ms. Klaassen then described the future improvements to the Skokie Ditch and reiterated any future development would be required to comply with flood plain and storm water regulations upon submittal of permits in connection with any site improvements.

Ms. Klaassen informed the Board the Plan Commission considered the final plat, zoning variations and subdivision code variation to allow a rear lot line to abut a side lot as well as a finding of no material increased adverse impact for the existing nonconforming front yard and corner yard setbacks as well as the front-facing attached garage door width. She advised the Board of the Plan Commission's consideration of the request and vote to recommend approval with the condition that the existing nonconforming playhouse be relocated to comply with zoning regulations or be removed. Ms. Klaassen stated the Board is to consider whether the two variations are in harmony with the general purpose and intent of the Zoning Ordinance and whether the eight standards for granting the variations have been met. She noted all public correspondence was provided to the Board and asked if there were any questions.

Chairman Bradley also asked if there were any questions. No questions were raised at this time. He then swore in those speaking to this matter.

Christopher Canning, 1000 Skokie Blvd., Wilmette, introduced himself, the property owners, Bob and Susan Marren, and Dan Creaney, the project engineer and author of the Exhibit presented to the Board and who is available to answer questions. He provided a summary of the Plan Commission's discussion including the history of the property and subdivision noting the existing conditions were not created by the applicants and they are attempting to undo the lot consolidation. Mr. Canning stated the request is similar to 860 Lamson that was approved by the Village Council.

Mr. Canning stated the Plan Commission made a positive recommendation with conditions to be addressed including variations for minimum lot area and referred to the discussion regarding moving the lot lines which would result in two conforming lots but would still require variations. Ms. Klaassen provided additional clarification for the Board following questions from the Board regarding a lot depth variation that would be required for proposed Lot 1 if the lot line between the two lots were to be shifted north. Mr. Canning agreed Lot 2 could be made conforming but they decided it was better to return the lot to its original condition. He referred to eight other lots of similar sizes in the area. Mr. Canning then referred to the Exhibit, which addressed the spirit of meeting the minimum rectangular area requirement and reiterated no new home is being proposed with the Exhibit being done in response to the Village Engineer's concerns.

Mr. Canning then stated with regard to the flood plain and storm water concerns raised by the neighbors, he summarized the Plan Commission's discussion relating to their prior application submitted in 2014 which addressed the compensatory story and storm water detention issues. He confirmed any future potential construction would have to meet the Village's engineering and storm water requirements. Mr. Canning then summarized their response to the eight standards and first referred to John Satter's appraisal and response in that the parcels were more valuable separately as opposed to the combined parcel in connection with the reasonable return standard. He stated they are available to answer any questions relating to storm water or zoning.

Chairman Bradley asked if there were any questions. Mr. Ritter asked if subdivision approval was granted, would the tennis court be removed. Mr. Canning confirmed that is correct and referred to the condition of removing the playhouse. Ms. Leister asked what the cost of engineering the potential home would be and its impact to the value of selling this parcel of land. Mr. Canning responded they did not consider that and stated their focus was on the land subdivision. Mr. Haller asked if there would be overall height restrictions for any new potential building due to it being raised to be out of the flood plain. Mr. Canning responded this engineering technique has been used on other homes in the neighborhood.

Dan Creaney, the civil engineer, stated with regard to the flood plain, he explained the standard flow through crawl space construction which is used and how roof angles could be modified to comply with potential height. Mr. Canning confirmed the height limit is 33 feet. No additional questions were raised at this time.

Chairman Bradley asked for public comment and swore in those speaking to this matter. James Langer, 956 Sunset, stated his concerns relate to the view of proposed Lot 2. He stated the request did not meet the standards and failed to specifically comply with Section 16.12.010 since a side lot abutting a rear lot line would be created. He noted they never received notification with regard to the neighborhood meeting held by the Marrens and described the water issues they experience on their property. Mr. Langer stated the proposal would definitely lower their property value with regard to reasonable return with flooding concerns representing their main issue. He then stated with regard to the 2014 findings; the exact same case was presented and rejected as not meeting the standards.

Githesh Ramamurphy,916 Higginson, identified his home for the Board and stated he has lived in his home since 2006 and described the substantial flooding issues they experienced. He stated in his line of business; he is very familiar with flooding issues and any potential new home would exacerbate the flooding issues even more and referred to the amount of water they currently experience. Mr. Ramamurphy stated the second issue is that the compliance standards are not being met as well as the amount of water in the Skokie Ditch which is located next to his home. He stated two neighboring homes would also be affected by them having severe property damage. Mr. Ramamurphy stated the only way the applicants would be able to realize reasonable return would be if a home is built on the subdivided lot. No additional comments were made at this time.

Chairman Bradley asked the applicants if they would like to respond. Mr. Canning identified the square footage of several surrounding lots which he outlined in his letter that are smaller or similarly sized to proposed Lot 2. He confirmed no decision was made on the 2014 application and the matter was continued and ultimately withdrawn. Mr. Canning then stated with regard to the neighbors' comments, the home's views are raised since they are located in the flood plain. He stated the Langers' home immediately to the west submitted photos which included compensatory storage which is being proposed for Lot 2. Mr. Creaney then described the Skokie Ditch improvements in detail and referred to the MWRD and Village engineering requirements. He also stated they have built several homes in the Village which he identified for the Board and which comply with MWRD and Village engineering standards. Chairman Bradley confirmed the Board is not voting on any potential new build for the proposed lot.

Chairman Bradley closed public comment and called the matter in for discussion. He reminded the Board of the items the Board is to consider. Ms. Klaassen confirmed the zoning variations the Board is to consider.

Mr. Ritter stated the standards for granting the variance have arguably been met and described the lot area variance as de minimus as well as the fact that the rectangular area variance did not seem significant either. He stated while he understood the neighbors' concerns with regard to flooding, if there is a residence built on the lot, there are lot of stringent requirements which would need to be met. Mr. Ritter then stated the tennis court removal would result in a significant impervious surface area being removed which would help both lots and concluded by stating he would be in favor of the request. Ms. Leister stated with regard to 1(a), she is fine with regard to where the lot line would be drawn with there being precedent for it. She also stated it would trigger the least amount of variances but she struggled with (b) and that there would be constraints in terms of building a home. Ms. Leister stated she would prefer for it to meet the rectangular requirements.

Ms. Hanley agreed with Ms. Leister's comments in that she is not sure it would be an ideal buildable lot as well as standard nos. 2 and 3 which would make Lot 2 more unique. She stated with regard to the essential character of the locality; there would be a ditch that ran through a significant portion of the lot and into the buildable area. Ms. Hanley stated it would ultimately require a variation for a home to be built on Lot 2. Chairman Bradley stated he would be in favor of the request and although he sympathized with the neighbors' concerns and if this request was not located in the flood plain, it would not have been an issue. He stated there are storm water regulations in place for new development to adhere to and the lots would be returned to their original condition. Chairman Bradley then stated if the applicants' home is sold, the home could be torn down with a new home conforming to the requirements of the consolidated lot. He stated the Board should not consider what is possible for the lot and also commented in detail the consideration of any new potential construction on the proposed irregularly shaped and

undersized lot with new construction being considered a clean slate which would be extremely difficult in terms of obtaining zoning relief.

Ms. Hanley clarified her comment in that the issue before the Board is that the code stated if a lot is subdivided, it had to result in two, clean lots without variances. She stated they have to apply the current zoning code in that the ditch created a unique circumstance which would alter the essential character of the locality and would create a unique circumstance which should prohibit the subdivision. Mr. Nielsen summarized Chairman Bradley's and Ms. Hanley's comments and referred to the 2014 previous review of the Board. He stated with the tennis court removal, the applicants could consider installing compensatory storage where the courts are currently to help mitigate everyone's concerns. He then stated he would recommend approval.

Mr. Haller shared Ms. Hanley's and Ms. Leister's concerns and stated he is less persuaded by what the lot would have been had it stayed the way it was. He stated they are being asked to create an irregular lot and he had difficulty with the idea of giving the applicants a pass on some elements of the lot. Mr. Nielsen stated he could be persuaded and reiterated he had difficulty with standard nos. 2 and 3 being troublesome to him. The Board Members discussed their positions at length.

Ms. Hanley suggested the matter be continued to allow the applicants time to resubmit the application with a conforming, buildable Lot 2 being perfected to be a buildable lot with the variation to be requested on Lot 1. Ms. Klaassen informed the Board that Lot 1 measured 165 feet in width and referred to an illustration. The Board Members discussed alternatives with regard to various lot line measurements.

Chairman Bradley stated in ordered to sway the undecided Board Members, he offered the applicants the opportunity to continue the matter to a date certain to come back before the Board with a nonconforming Lot 1 or proceed with a vote at this time. Ms. Leister and Mr. Haller stated they would like to see the alternative presented to the Board or the applicants can proceed at this time.

Chairman Bradley then presented the options to the applicants to either continue the request to a future meeting to consider the variances or proceed with a vote on the request with a negative recommendation to the Village Council. Mr. Canning stated it would be up to the Village staff and stated it may be a worthwhile exercise with the December 8, 2025, meeting date being a possibility. While the Board was discussing their availably for December 8, Mr. Mangum noted there is one Board Member absent from this meeting.

Mr. Canning asked for the request to be continued to the December 8, 2025, meeting. A motion was made by Ms. Hanley to continue the request to December 8, 2025, and seconded by Mr. Ritter. A vote was taken and the motion unanimously passed, 6 to 0:
AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter
NAYS: None

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Respectfully submitted,

Antionette Johnson
Recording Secretary

WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES EXCERPT
DECEMBER 8, 2025

Zoning Board Members Present:	Matt Bradley, Chairman Mark Haller Lynn Hanley Kathryn Leister Mike Nielsen Michael Ritter
Zoning Board Members Absent:	Todd Vender
Village Staff:	Scott Mangum, Director of Community Development

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Continued Cases:

a. 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. This item was continued from the October 13, 2025, Zoning Board of Appeals meeting.

Mr. Mangum confirmed the application being presented to the Board is the exact same application as previously presented and the applicant provided additional analysis in terms of options for dividing the property. He then summarized the application's prior presentation as well as summarized in detail the alternate options, zoning variations and subdivision code variations necessary for both options to divide the lot lines. Mr. Mangum confirmed the applicant planned to proceed with their original request. He advised the Board of the items they are required to consider and noted no additional public correspondence was received. Mr. Mangum then stated following the applicant's presentation, public comment and Board discussion, the Board may either continue the hearing to a specific date or consider a motion recommending approval or denial of the variations. He then asked if there were any questions.

Chairman Bradley also asked if there were any questions. Ms. Leister asked if variations were other examples of previously approved with regard to the rectangular lot constraint. Mr. Mangum responded he is not aware of any variations but would need to review. Chairman Bradley questioned the rationale to enforce the rectangular buildable lot requirements for non-rectangular lots. Mr. Mangum stated it is generally to demonstrate that the lot is still buildable even if it is large enough and met other requirements. Mr. Haller asked for clarification as to whether there would be additional nonconformities that would exist with regard to option 1. Mr. Mangum stated those would be the two new issues that would be created along with the variations being requested. No additional questions were raised at this time.

Chairman Bradley swore in those speaking to this matter. Christopher Canning, 1000 Skokie Road, Wilmette, introduced himself and Dan Creaney, the project engineer who created options 1 and 2. Mr. Canning referred to their prior presentation and Mr. Creaney's suggestion of what a possible home could look like on lot 2 as well as the concerns raised with regard to the Skokie Ditch. He also referred to the previous discussion with regard to homes flooding on Meadow. Mr. Canning stated the request is to

bring the lots back to the pre-1976 configuration. He referred to the PC's positive recommendation and summarized that discussion for the Board as well as the previous discussion of the request with this Board. Mr. Canning stated both options being presented are possible but have drawbacks which he described to the Board. He stated while they have shown that both options are possible and for a home to be built on lot 2 with the Village Engineer's approval, going back to the pre-1976 condition would be the best option and would be best for the neighborhood.

Dan Creaney, 450 Skokie Blvd., referred the Board to illustrations and identified the home's positioning on the lot for both options. He stated although both options are viable, they would result in trading variations. He noted they have successfully built several homes and have done renovations in the flood plain which he identified for the Board.

Chairman Bradley asked why not option 1 which would result in a conforming lot 2 and if it would make more sense to encumber lot 1 in terms of buildability. Mr. Canning responded they do not know if there would be construction on that lot or not. He stated if they went with option 1, it would result in the loss of 4,500 square feet on lot 1. Mr. Canning stated a lot depth variation would have to be granted for lot 2. He then asked for a recess for a discussion with the applicant.

Chairman Bradley called the meeting back to order. Mr. Canning asked for the request to be continued to the January 2026 meeting in order to perform calculations and address the Board's questions.

Chairman Bradley asked for a motion to continue the request to the January 12, 2026, meeting. A motion to continue the matter to the January 12, 2026, meeting was made by Ms. Hanley and seconded by Mr. Ritter. A vote was taken and the motion unanimously passed, 6 to 0:
AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter
NAYS: None

***

Respectfully submitted,

Antionette Johnson
Recording Secretary

MEMORANDUM
VILLAGEOF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS

FROM: SCOTT MANGUM, DIRECTOR
ANN KLAASSEN, ASSISTANT DIRECTOR

DATE: FEBRUARY 5, 2026

SUBJECT: CENTENNIAL BEACH FENCE – 225 SHERIDAN ROAD
SPECIAL USE PERMIT (CASE NO. 25-28-SU)

INTRODUCTION

On February 9, 2026, the Zoning Board of Appeals ("ZBA") is scheduled to commence a public hearing on an application submitted by the Winnetka Park District (the "Applicant"), as the owner of the property located at 225 Sheridan Road (the "Subject Property"). The Applicant is proposing installation of fencing on the existing beach located on the Subject Property and requests approval of the following relief:

1. Approval of a **Special Use Permit** to allow installation of fencing on the existing beach on the Subject Property, which is located in the R-2 Single-Family Residential Zoning District and the Lakefront Preservation Overlay District.

The Plan Commission ("PC") considered the special use permit at its January 28, 2026, meeting. By a vote of 7-0, the PC asked the Village Attorney to prepare a draft recommendation of denial with written findings and determinations based on the PC's discussion for consideration at the February 25, 2026, PC meeting. Details regarding the PC's consideration are provided later in this report.

A mail notice was sent to property owners within 250 feet of the Subject Property 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 January 22, 2026. Additionally, a public notice sign was posted on the Subject Property informing the public of the ZBA meeting. As of the date of this memo, staff has received several written comments from the public regarding this application. **Most of these comments were received by the Village for consideration by the PC. Others have been received since the Commission's consideration of the Applicant's request.** Comments previously included in the PC agenda packet are provided in **Attachment B**. Comments received since the posting of the January 28, 2026, PC agenda packet are provided in **Attachment C**.

The Village Council has final jurisdiction on this application, as the Council has sole authority to grant a Special Use Permit.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 5.3 acres (230,911.56 square feet) in size, is located on the east side of Sheridan Road generally between Fuller Lane and Elder Lane and contains Centennial Beach

and Park (see Figure 1). Under the Village Zoning Ordinance, the Subject Property has two front yards: (i) the street frontage along Sheridan Road to the west; and (ii) lake frontage along Lake Michigan to the east.

The Comprehensive Plan designates the Subject Property as appropriate for "Open Space" land uses, which includes public parks & recreation facilities, pocket parks/plazas, and Cook County Forest Preserve Land. The Comprehensive Plan also includes the following related goals:

> *Goal 1.7: The Village will continue to ensure that open space uses, such as Park District parks, beaches, and facilities, are compatible with the residential neighborhoods in which they are located.*
>
> > *Initiative 1.7.1: Study and consider establishing a specific zoning district for open space uses, or specific zoning standards for such uses within existing residential districts. This would allow more appropriate zoning standards for these uses.*
>
> *Goal 6.1: The Village will continue to promote and encourage partnerships with other units of government and agencies to conserve, restore, and enhance natural features and ecosystems, to ensure accessibility to natural areas, parks, and other open or public spaces, and to support recreational facilities and programs that support the health of residents of all ages and abilities.*
>
> > *Initiative 6.1.1. Continue to collaborate with the Park District, local school districts, Forest Preserves of Cook County, and others to create opportunities that enhance accessibility to the open spaces of Winnetka. (refer to initiative 8.3.5)*
> >
> > *Initiative 6.1.2. Continue to collaborate with the Park District, School District, Library District, Community House of Winnetka, and other community institutions to offer programs that maintain active and thriving Village recreation programs, offering a variety of sports, exercise, arts and crafts, cultural, life skills, educational, social, and leisure programs for residents of all ages and abilities.*
>
> *Goal 6.4: The Village will support health and wellness through innovative and diversified recreational, learning, and cultural opportunities in its public parks, plazas, trails, and open spaces.*
>
> > *Initiative 6.4.4. Support the efforts of the Park District and other community organizations to expand and/or modify Winnetka's recreational programming to fill gaps in services.*
>
> *Goal 6.5: The Village will support policies that preserve and protect the unique natural resources of and the recreational opportunities provided by the Lake Michigan shoreline and bluffs.*
>
> > *Initiative 6.5.1. Continue to study and consider establishing development regulations addressing construction of shoreline stabilization projects and specific recreational projects in and adjacent to Lake Michigan and its shoreline that will not cause environmental damage to or interfere with the greater recreational opportunities provided by the Lake and adjacent areas.* [Ordinance MC-05-2023 was adopted by the Village Council on March 21, 2023, which created a new chapter of Village Code – Chapter 15.78 Lakefront Construction.]

<u>Initiative 6.5.2.</u> Study and consider establishing development regulations that requires construction on and adjacent to the bluffs along the Lake Michigan shoreline that protects, restores, and manages the stability of the bluffs and natural shoreline and that are contextually sensitive to the natural features of the bluffs. [Ordinance MC-01-2024 was adopted by the Village Council on February 6, 2024, amending the Zoning Ordinance concerning establishing bluff regulations for development in the steep slope area along Lake Michigan.]

The Subject Property is zoned R-2 Single Family Residential and is in the Lakefront Preservation Overlay District, and it is bordered by R-2 Single Family Residential to the north and south, and R-4 Single Family Residential to the west (see Figure 2).

In addition to single-family residential uses, the R-2 District allows a limited range of additional uses by Special Use Permit. Allowed Special Uses in the R-2 District include (a) church or temple; (b) public school, elementary and high, or private school having a curriculum equivalent to a public elementary school, public high school or public institution of higher learning; and (c) library. In addition, the Zoning Ordinance allows park and recreational uses in any zoning district within the Village by special use permit approval.

The Applicant's current use of the Subject Property as a park and recreational facility is generally consistent with the Comprehensive Plan land use designation and the R-2 zoning district. The Applicant recently used the Subject Property as an off-leash dog area as well.



Figure 1 – GIS Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

Based upon documents provided by the Applicant, it appears that the Applicant has owned the Subject Property since 1969. There are six (6) previous zoning cases on file for the Subject Property, five of which occurred prior to the Applicant acquiring the Subject Property:

1. In 1923, ZBA Case No. 43 was approved to allow an addition to a nonconforming use for the North Shore Health Resort;
2. In 1945, ZBA Case No. 702 was approved to allow the alteration of a nonconforming use and building for the North Shore Health Resort;
3. In 1949, ZBA Case No. 751 was not approved to allow a building addition to the North Shore Health Resort;
4. In 1951, ZBA Case No. 776 was not approved to allow enclosure of the front entrance of the North Shore Health Resort;
5. In 1964, ZBA Case No. 935 was approved to allow the extension of a nonconforming use (North Shore Health Resort) with the construction of an accessory building; and
6. In December 2024, Case No. 24-08-SU received a recommendation of approval from the Zoning Board of Appeals for zoning variations and exceptions from the steep slope regulations, subject to approval by the Village Council of a special use permit, for which the ZBA recommended denial of, to allow improvements to the existing park and beach on the Subject Property. In May 2025, the Plan Commission (PC) recommended denial of the special use permit and steep slope exceptions. The application has been on hold at the Applicant's request, since the PC made its recommendation. The application still requires review by the Design Review Board before being considered by the Village Council. It is the Village's understanding that the Applicant is revising its previous plans and upon a revised submittal it is anticipated that the application will be considered first by the advisory bodies before it is considered by the Village Council.

Figures 3 and 4 on the following page are current photos of the Subject Property. Figures 5 through 8 were taken in the summer of 2024.



Figure 3 – Subject Property – Looking North at Centennial Beach (January 2026)



Figure 4 – Subject Property – Looking South at Existing Steel Groin on Centennial Beach & Stone Groin at 205 Sheridan Road Property (January 2026)



Figure 5 – Subject Property – Looking North at Centennial Beach (Summer 2024)



Figure 6 – Subject Property – Looking South at Centennial Beach (Summer 2024)



Figure 7 – Subject Property – Looking North from Centennial Beach (Summer 2024)

LAKEFRONT CONSTRUCTION AND STEEP SLOPE ORDINANCES

Given the Subject Property is located along Lake Michigan it is subject to the lakefront construction ordinance, Chapter 15.78 of the Village Code, and the steep slope regulations, Chapter 17.82 of the Village Code. However, it is important to note that the proposed fence is not located within the steep slope zone; it is located lakeward of the toe of the bluff.

The requirements of both chapters are administratively reviewed and approved by staff (in this case after zoning approval). However, an applicant may appeal the decision of staff regarding the application of the lakefront construction ordinance to the Village Council or may request exceptions from the steep slope requirements.

The **lakefront construction regulations** govern construction along, adjacent to, and within Lake Michigan. A permit pursuant to the lakefront construction ordinance is required for any construction activity within Lake Michigan regulated areas that requires a permit from any of the following governmental agencies ("Permitting Agencies"): the United States Army Corp of Engineers, the Illinois Department of Natural Resources, the Metropolitan Water Reclamation District of Greater Chicago, or the Illinois Environmental Protection Agency (collectively, "Covered Construction"). Typical construction activity relates to beach preservation, which consists of steel or stone groins, revetments/bulkheads/seawalls, or other means of lakefront stabilization and preservation. The Village's formal review and approval of such a permit occurs after the applicable zoning approvals and the regulatory agencies review and approve their respective permits. The Village's review and approval is conducted administratively by the Village Director of Engineering in consultation with the applicant and the Village's coastal engineering consultant. This review is based upon a set of criteria identified in the regulations.



Figure 8 - Existing Sea Wall on Subject Property (Summer 2024)

The technical review and approval of proposed plans set forth in the lakefront construction regulations and the steep slope regulations occurs during the building permit process, which occurs after the zoning entitlement process (e.g. special use, variations, etc.). That said, during Village staff's review of a zoning entitlement application, Village staff and consultants will conduct a preliminary review of the project for code requirements to determine if the development should be able to, in general terms, comply with administrative code requirements. Detailed construction plans are not required at this time, but the applicant is required to provide sufficient information so staff can determine whether the proposed site layout can be achieved and still comply with other Village regulations as noted above. If after the Village Council approves a special use permit and during the building permit process an applicant changes the design of the project to such an extent that it would be considered a major change, the applicant would be required to go through the full special use permit process again before staff issues a building permit. Regarding the Centennial Beach zoning relief application, the Applicant has submitted plans for the proposed fence that have been reviewed by the Village Director of Engineering and Village's coastal engineer. The Engineering Department has provided comments to the Applicant. The Village Director of Engineering has determined that the responses provided by the Applicant address the review comments. The Applicant is aware that all of the approved permits from the Permitting Agencies will need to be provided, and a special use permit granted before the Engineering Department can issue final approval.

Each advisory board and commission will review the application based upon the applicable standards for that advisory body. Their review is based upon these broad standards and not based upon a review of the ***technical*** code requirements for such items as the Village's stormwater requirements, building code requirements, lakefront construction approval criteria, or steep slope regulation development standards. Those technical items are reviewed in detail administratively by qualified engineering staff during the building permit process.

PUBLIC TRUST DOCTRINE

Given the proposed improvements are located along the lakefront, it is important to review the nature and extent of the "public trust doctrine". Generally, the "public trust doctrine" is a concept based upon an 1892 United States Supreme Court decision that held that lands under the navigable waters of Lake Michigan are held by the state in trust for the people of the state. This doctrine has since been codified by Illinois statue. Illinois courts have held that the boundary between private land and land owned by the state in public trust is "the line where the water usually [stands] when unaffected by storms or other disturbing causes." This line is variously referred to as the "water's edge," "still water shoreline," "calm waterline," "unaffected waterline," or the "normal waterline." Accordingly, in Illinois the boundary between private land and public land is the point at which the water normally stands (the "Normal Waterline").

A rule of thumb that generally applies in Illinois and other jurisdictions that rely on the Normal Waterline for the public-private property demarcation is that if your feet are wet, you are on public property, and if your feet are dry then you are on private property. Based on these principles, the demarcation line in Illinois between public and private land is the same demarcation line that identifies where land held in trust begins and ends – both lines are the Normal Waterline.

The Illinois Supreme Court has held that the public trust doctrine for Lake Michigan extends "to recreational uses, including bathing, swimming and other shore activities."

The Normal Waterline may change over time as a result of various processes, including accretion, reliction, and erosion. Gradual changes to the Normal Waterline over time resulting in either increases or decreases in the amount of dry land are an "inherent and essential attribute of the original property," and the property line changes with the Normal Waterline. However, if the addition or loss of property is sudden (i.e., caused by a violent storm), then the property line does not change The test of what change is gradual, as opposed to sudden, is "that though the witnesses may see from time to time that progress has been made, they could not perceive it while the process was going on". Although a riparian owner may protect his property from erosion, he has no right to affect an increase of his own land, the result of which is a corresponding loss of land owned by the state in trust for the public.

Under these principles, the owner of real estate fronting on Lake Michigan generally owns the property to the Normal Waterline, and the land east of the Normal Waterline is owned by the state in trust for the public.

PROPOSED PLAN

The Applicant is proposing installation of two rows of chain-link fencing, measuring 4 feet in height, set back 20 feet from both the north and south boundaries of Centennial Beach. The proposed fencing would be located at the base of the existing steel sheet pile wall and extend perpendicularly eastward across the beach into the lake. As described by the Applicant in the attached project narrative included in **Attachment A**, the purpose of the fencing is to provide an enclosure to allow off-leash dogs on the beach.

The existing beach has been utilized as a dog beach since 1995, according to the Applicant. Patrons are required to have a key fob to access the existing beach from the top of the bluff above. The proposed fencing would enclose the beach area for dogs to be off-leash. Both the north and south fence would have access gates to allow the public to traverse the beach. The Applicant indicates in its narrative that they are planning for the access gates to remain unlocked, with the current key fob controlled access gate to remain at the top of bluff.

North Fence. The north fence would extend a total of 91 feet from the existing steel sheet pile wall at the base of the bluff east towards the water (Figure 10). Approximately 40 feet of the fence would extend from the ordinary high water mark (OHWM) (581.5) into the lake. There would be a double access gate 10 feet in width to allow unleashing and leashing of dogs. The depth of the leashing and unleashing area would be 6 feet. The proposed access gate would be 24 feet east of the existing steel sheet pile wall, and approximately 17 feet west of the OHWM.

South Fence. The south fence would extend approximately 78 feet from the existing steel sheet pile wall east towards the water (Figure 11). Approximately 36 feet of the fence would extend from the OHWM into the lake. The double access gate would be located 16 feet east of the steel sheet pile and be 3'-3" in width. Similar to the north access, the depth of the leashing and unleashing area would be 6 feet.

In response to staff review comments, including the Village's coastal engineering consultant, the lakeward sections of fencing (east four or five sections) would be removable, so that these sections can be removed during late fall and winter and reinstalled in the spring.

The proposed site plan and up-close excerpts of both the north and south fences, as well as elevations of the proposed fencing and gates are provided below and on the following pages. The complete set of plans is provided in the application materials, which are included in **Attachment A**.

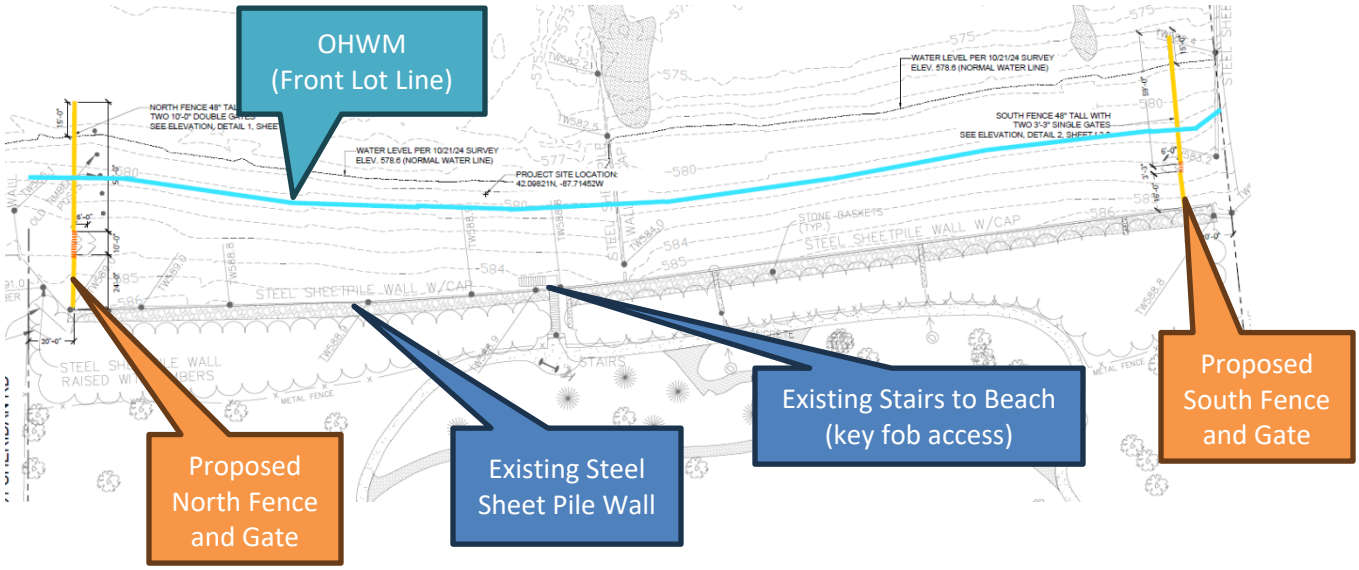


Figure 9 –Site Fencing Plan (Sheet L2.0)

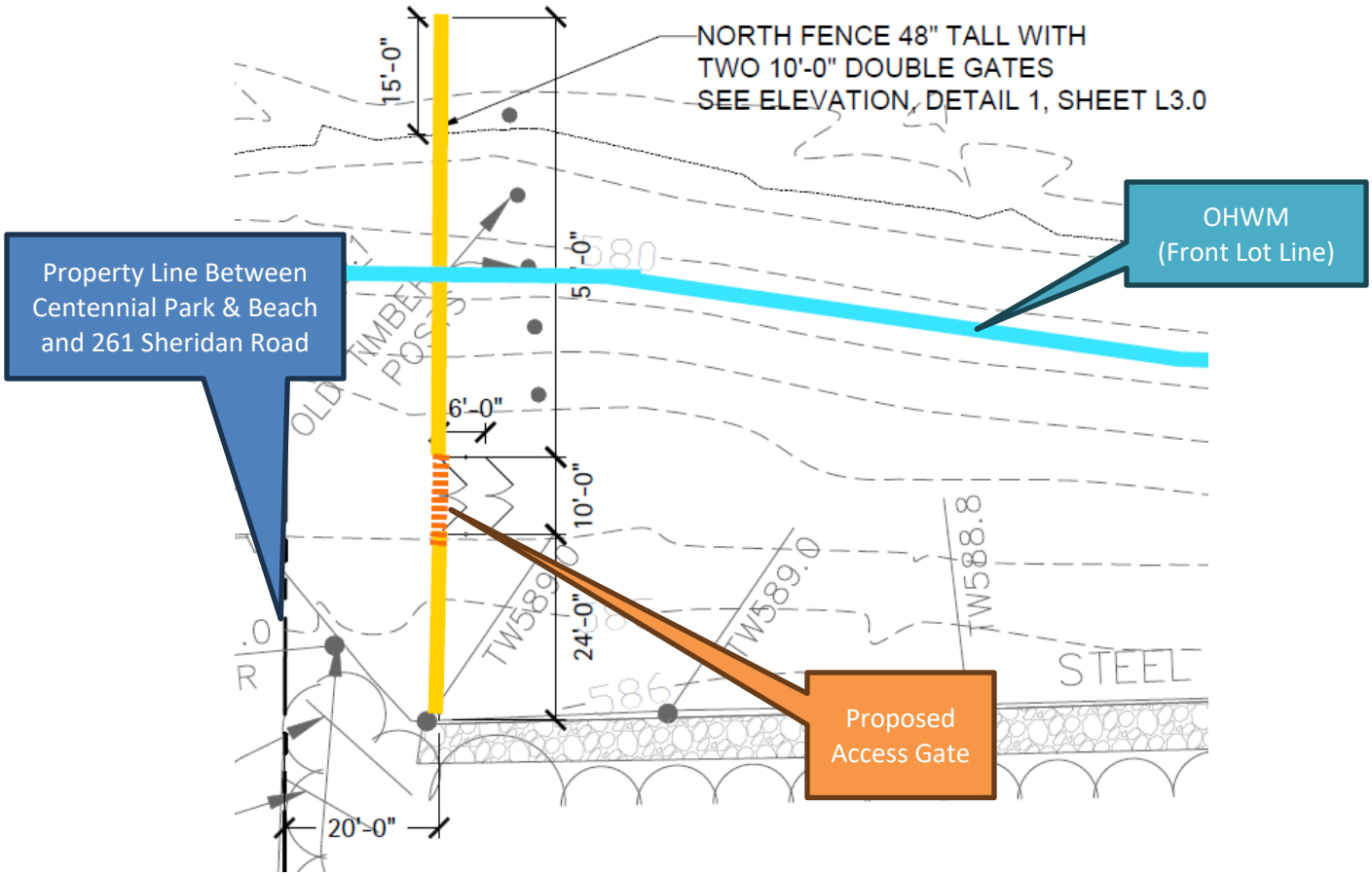


Figure 10 – Proposed North Fence (Excerpt of Sheet L2.0)

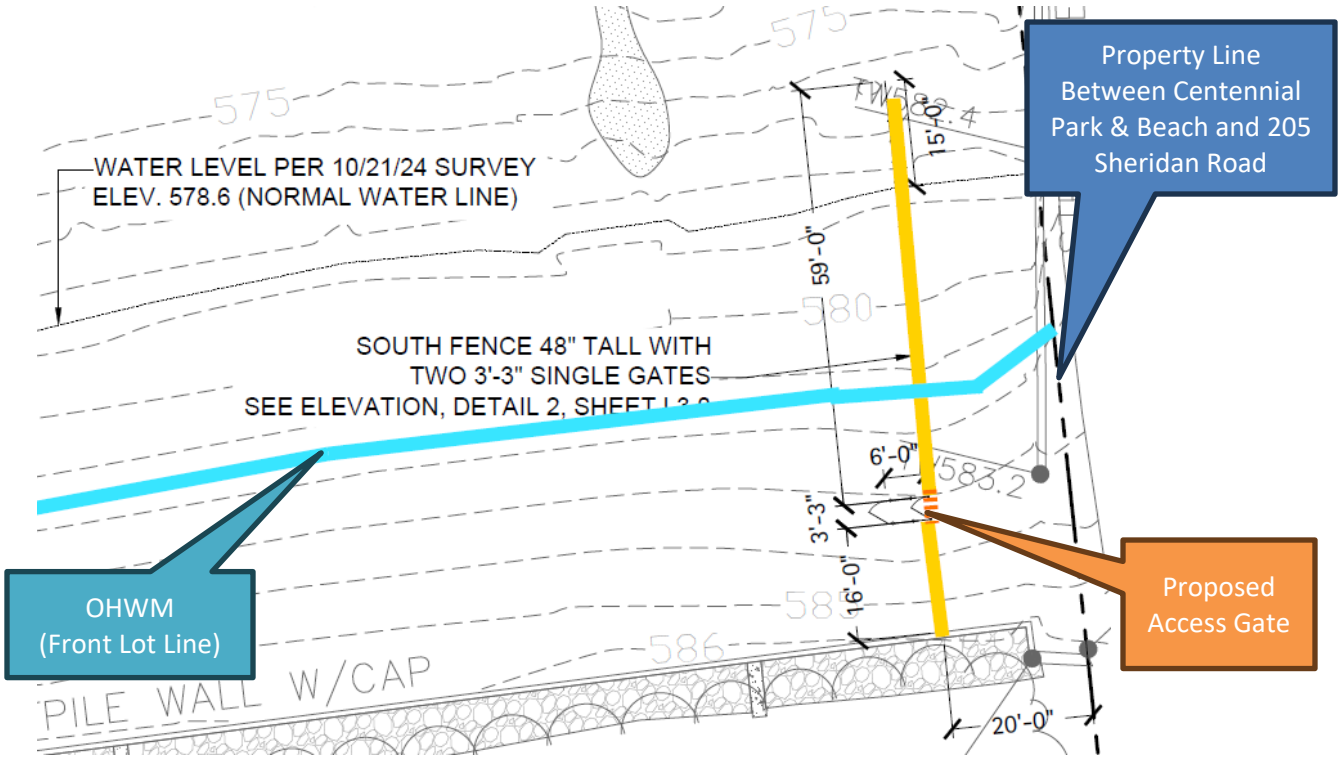


Figure 11 – Proposed South Fence (Excerpt of Sheet L2.0)

As proposed, to walk along the beach from the north end to the south end of the Subject Property, or vice versa, a member of the public would need to use the proposed access gates and walk through the dog beach. As noted earlier, both rows of fencing would be off-set from the north and south property lines by 20 feet, allowing for a pathway to access the stairs that go over the 205 Sheridan Road stone groin.

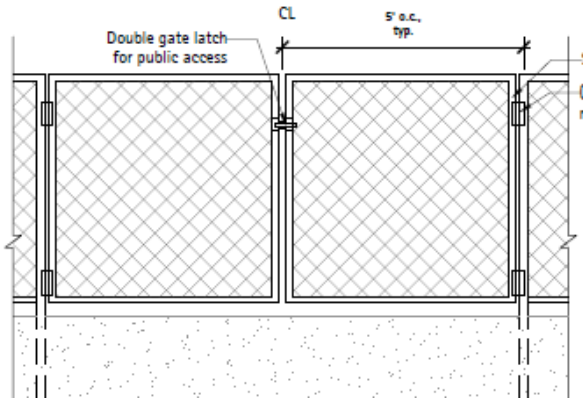


Figure 12 – Proposed North Access Gate

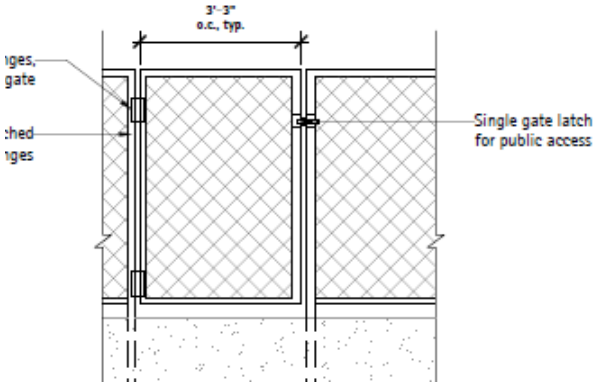


Figure 13 – Proposed South Access Gate

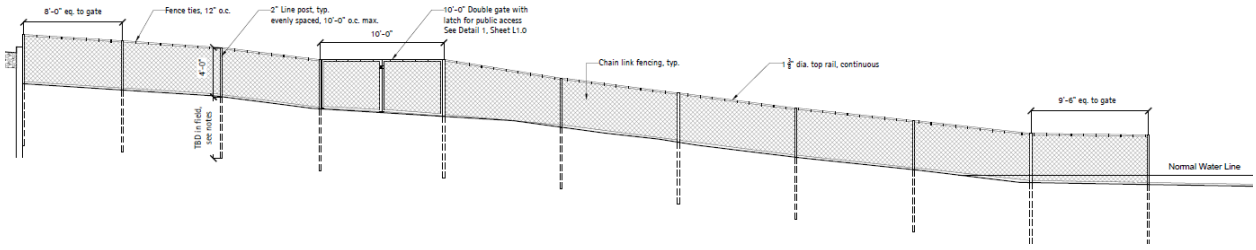


Figure 14 – Elevation of North Fence

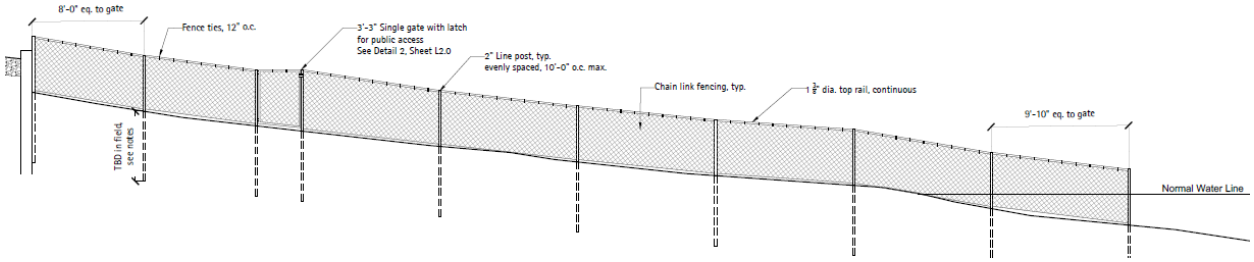


Figure 15 – Elevation of South Fence

Fence and wall height within required setbacks. With the adoption of the steep slope regulations, the Village also amended the Zoning Ordinance to redefine the front line along the lake as well as the front yard setback along the lake. The front lot line is now the ordinary high water mark (OHWM) and is defined as the line on the shore of Lake Michigan consistent with the U.S. Army Corps of Engineers' administrative benchmark, which is currently set at 581.5'. The front yard setback along the lake is now defined as the toe of the bluff or 50 feet from the OHWM, whichever results in the line farthest from the OHWM.

The Zoning Ordinance allows fences, walls, or a combination of a fence and wall within a required yard that is no taller than 6.5 feet from natural grade. While the proposed fence is located within the required front yard, at a height of 4 feet, it complies with the maximum permitted height. Therefore, the **proposed fence complies with the zoning regulations**.

CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

The Plan Commission ("PC") considered the special use permit on January 28, 2026. After hearing presentations by Village staff and by the Applicant, the PC heard from 16 members of the public. At least 15 of the speakers spoke in opposition to the proposed plan. The PC then discussed the request. Members expressed concerns regarding safety of the fencing in the water and people having to walk through an area designated for dogs to be off-leash in order to traverse the beach. Hence, the Commission found that the proposed use does not meet the standards for granting a special use permit. After hearing the comments of the PC, the Applicant asked if a plan was submitted that eliminated the fencing in the water and provided for a by-pass for public access around the dog beach would the PC reconsider its position. The PC was not receptive to an amended plan being presented to them at a future meeting. Therefore, by a vote of 7-0, the PC asked the Village Attorney to prepare a draft recommendation of denial with written findings and determinations based on the Commission's discussion for consideration at the next PC meeting on February 25, 2026. Draft minutes of the January PC meeting are included as **Attachment D**.

The Design Review Board is scheduled to consider a Certificate of Appropriateness for the proposed fencing on February 19, 2026.

FINDINGS & RECOMMENDATION

The ZBA is charged with evaluating Special Uses for consistency with the six standards for granting specials use permits. In the attached application materials submitted by the Applicant, the Applicant has provided a statement of justification regarding how the requested Special Use Permit meets the standards for granting the requested Special Use Permit.

After hearing from the Applicant and the public, the ZBA will have the following 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.

2) Consider a motion recommending approval or denial of the Special Use. If the ZBA is prepared to make a recommendation to the Village Council regarding the requested relief, a ZBA member should make a motion recommending approval or recommending denial based upon the following standards and direct staff and the Village Attorney to prepare written findings and determinations for the ZBA's consideration and final vote at a subsequent meeting:

    1. The proposed improvement **is consistent [is not consistent]** with the Standards for the granting of Special Use Permits, as follows:

        a. That the establishment, maintenance and operation of the special use and associated exceptions will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;

        b. That the special use and the associated exceptions will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;

        c. That the establishment of the special use and associated exceptions will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;

d. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;

e. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided; and

f. That the special use and associated exceptions in all other respects conforms to the applicable regulations of this and other Village ordinances and codes.

As noted above, any motion on a decision by the ZBA should direct the Village Attorney to prepare written findings and determinations for the ZBA to consider and vote on at a subsequent meeting.

ATTACHMENTS

Attachment A: Application Materials
Attachment B: Public Correspondence Previously Included in PC Agenda Packet
Attachment C: Public Correspondence Received Since Posting of January 28, 2026, PC Agenda Packet
Attachment D: January 28, 2026, PC Meeting Draft Minutes Excerpt

Costa Kutulas
Director of Parks and Maintenance
Winnetka Park District
1380 Willow Road
Winnetka Illinois 60093

October 21, 2025

Scott Mangum
Director of Community Development
Village of Winnetka
501 Green Bay Road
Winnetka Illinois 60093

Dear Scott,

I am submitting this letter in support of our application for a Special Use Permit to install temporary fencing at Centennial Beach, which is located at 225 Sheridan Road.

As previously discussed, and as noted in our fencing permit application submitted in May, the Winnetka Park District seeks to install temporary fencing to allow for the continued use of the Centennial Off-Leash Dog Beach, which has been in operation since 1995. The proposed temporary fencing consists of two rows of chain-link fencing along the northern and southern boundaries of the dog beach.

As you are aware, the Park District has submitted a formal Special Use Permit application (Case No. 24-08-50: 225 Sheridan Road – Centennial Park and Beach), which includes plans for a future permanent design. While planning for that long-term solution continues, we are requesting a separate Special Use Permit for the temporary fencing to allow the off-leash dog beach to reopen to the community.

The Park District has submitted plans to the Illinois Department of Natural Resources (IDNR), the U.S. Army Corps of Engineers (USACE), the Illinois Environmental Protection Agency (IEPA), and the Cook County Department of Animal and Rabies Control (CCDARC). We are currently awaiting responses from three of these four agencies. Enclosed is the IEPA's letter confirming that our proposed plan will have no adverse impact on the site. The public comment periods for the IDNR and USACE permits have concluded, and we are awaiting their final determinations. Discussions with CCDARC are ongoing, and we anticipate confirmation of their review soon.

The proposed enclosed area will provide a safer, more controlled off-leash environment for dog owners while ensuring continued shoreline access for non-dog beach users, as required by state and federal agencies.

Enclosed with this letter are the following materials:

- Completed Special Use Permit Application – Centennial Park and Beach, 225 Sheridan Road
- Project narrative, including evidence that the proposed temporary fencing conforms to the six special use standards
- Copy of the deed showing ownership/Photos of the Property Site
- Current plat of survey
- Proposed temporary fencing/site plan
- Certificate of Appropriateness application
- Copy of the Response Letter from the IEPA

Both Shannon Nazzal and I are available to meet or answer any questions you or your staff may have. If a site visit would be helpful, please let us know, and we will be happy to arrange it.

We appreciate your time and consideration of this request and look forward to your review.

Sincerely,

[redacted]

Costa Kutulas
Director of Parks and Maintenance
Winnetka Park District

CC: Shannon Nazzal, Executive Director of the Winnetka Park District

540 Hibbard Road, Winnetka, IL 60093
www.winpark.org

(847) 501-2040
Fax: (847) 501-5779

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION

Case No. _____

Property Information

Site Address: 225 Sheridan Road, Winnetka Illinois 60093

Applicant Information

Name: Winnetka Park District
Primary Contact: Costa Kutulas
Address: 540 Hibbard Road
City, State, ZIP: Winnetka, IL 60093
Phone No. 847-501-2052
Email: ckutulas@winpark.org

Owner Information

Name: Winnetka Park District
Primary Contact: Shannon Nazzal
Address: 540 Hibbard Road
City, State, ZIP: Winnetka, IL 60093
Phone No. 847-501-2074
Email: snazzal@winpark.org

Architect Information

Name: The Lakota Group
Primary Contact: Scott Freres
Address: 1. E. Wacker Dr. Suite 2700
City, State, ZIP: Chicago, IL 60601
Phone No. 312-467-5445
Email: sfreres@thelakotagroup.com

Attorney Information

Name: Meltzer, Purtill & Stelle LLC
Primary Contact: Harold W. Francke
Address: 1450 American Lane, 19th Floor
City, State, Zip: Schaumburg, IL 60173
Phone No. 847-330-6068
Email: hfrancke@mpslaw.com

Applicant Signature: [redacted] Date: 10/21/2025

Property Owner Signature: [redacted] Date: 10/21/2025

Printed Name of Owner: Shannon Nazzal

Application for Special Use Permit – Installation of Temporary Fencing at Centennial Beach

Project Narrative

The Winnetka Park District is requesting a Special Use Permit to install two rows of temporary fencing with access gates at Centennial Beach, which is located at 225 Sheridan Road. The proposed fencing will enhance the safety, compliance, and long-term sustainability of this popular recreational amenity, which has served Village residents and their pets for three decades.

The Centennial Dog Beach has operated since 1995 as an off-leash dog beach along the Lake Michigan shoreline. Due to Cook County Animal and Rabies Control requirements and feedback from the community, the Park District now seeks to formally enclose the dog area with durable, visually unobtrusive fencing that encourages dogs remain safely within the permitted zone while maintaining access for users and preserving the natural character of the lakefront. The proposed fencing will include double entry gates on both the north side and south side fence runs which are set 20' within the Park District's property lines. This design will allow continuous access for beach goers to traverse the beach with minimal impact to the beach user. The only impact would be the need for the beach user to walk through an access gate which is planned to remain unlocked for the duration of the year. As this is a public beach the beach goers have that ability to walk anywhere along Centennial Beach. The existing fencing at the top of the bluff is to remain with the current key fob controlled access gate.

The proposed new enclosed space will provide a safer, controlled dog beach area to allow for Centennial Beach users to enjoy the property with their four legged friends without needing a leash. As outlined in the drawings, our plan includes the installation of 48" high chain-link fencing running perpendicular to the shoreline. Double-entry gates are incorporated into both the north and south fence lines to satisfy leashing and unleashing requirements. This design also ensures shoreline access for non-dog beach users, as required by state and federal agencies.

The project includes:

- Installation of approximately 4-foot-high, chain-link fencing, set in from the Park District's property boundaries by 20' at both the north and south ends of the designated dog beach area;
- Gated access points that will make it possible for beach goers to walk the shoreline unimpeded;
- Double-gate systems at the beach level to prevent pets from escaping;

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- Signage and rule boards consistent with the Park District's dog-use policies, and Cook County Department of Animal & Rabies Control regulations; and
- Minor site work to install fence posts without altering existing drainage, topography, or lakefront views (note: posts are anticipated to be installed into the clay without the need for concrete footings)

The fence is designed to comply with the requirements of all regulatory agencies and will not encroach upon private property, utilities, or environmentally sensitive areas. The Park District has submitted permit applications to the Illinois Department of Natural Resources (IDNR), United States Army Corps of Engineers (USACE),Illinois Environmental Protection Agency (IEPA), and Village of Winnetka, and it has requested a review of the proposed design by the Cook County Department of Animal & Rabies Control (CCDARC), to ensure the design meets the requirements of all regulatory agencies.

To date, we have heard back from the IEPA and they have submitted a response that the proposed project will not have an adverse effect on water quality. We are currently awaiting determinations from both the IDNR and USACE, who have completed their public comment phase of the application. The Park District has also had many conversations with the CCDARC regarding its review of our plan. We are still awaiting formal responses from all four agencies.

This project represents a low-impact safety enhancement to an established community facility, maintaining the cherished dog beach experience while meeting current public safety and regulatory standards.

Purpose and Intent

The purpose of the proposed fencing is to:

- Comply with Cook County Department of Animal & Rabies Control requirements for enclosed off-leash dog areas;
- Protect public safety by preventing dogs from leaving the designated area;
- Enhance user comfort and enjoyment by defining clear boundaries for off-leash recreation;
- Preserve Winnetka's lakefront resources through responsible management of park use; and
- Support the Park District's mission to provide safe and high-quality recreational opportunities for all residents.

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The project aligns with the Village of Winnetka's Comprehensive Plan goals of maintaining and enhancing public open space, promoting environmental stewardship, and encouraging improvements that strengthen community amenities while protecting neighborhood character.

Special Use Permit Standards

In accordance with Section 17.56.010 of the Village of Winnetka Zoning Ordinance, the following responses confirm that the proposed special use meets each of the required standards for approval:

1. *"That the establishment, maintenance, and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;"*

The installation of fencing around the Centennial Dog Beach will enhance public safety and welfare by preventing dogs from straying outside the designated off-leash area. This measure supports compliance with Cook County animal control ordinances, reduces the potential for conflicts among park users, and improves supervision of dogs in a controlled, defined environment.

The fencing will be designed and maintained to ensure safety for all users. Signage will clearly communicate dog beach rules, hours, and requirements. These measures will promote responsible use of the dog beach and enhance the comfort and welfare of all visitors.

2. "That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;"

The proposed fencing will not be detrimental to adjacent properties or diminish property values. The improvement is modest in scale and limited to Park District land already dedicated to recreational use.

The open chain-link fence design minimizes visual impact, maintaining transparency and preserving lake views. The fencing will not generate noise, traffic, or visual clutter. By addressing prior concerns about dogs exiting the beach or entering non-dog areas, the project is expected to improve neighborhood satisfaction and the enjoyment of nearby public and private properties.

3. *"That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;"*

The fencing will not impede normal or orderly development of surrounding properties. The project is an enhancement to an existing, long-standing community amenity and does not alter land use patterns or development potential in the area.

All work will occur within the established beach and park footprint. The fence design will respect existing utilities, shoreline stabilization efforts, and access routes, ensuring that future improvements or maintenance activities along the lakefront can continue unimpeded.

4. *"That adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways;"*

Adequate ingress and egress already exist to serve Centennial Beach and the dog beach area. The proposed fencing will utilize existing pedestrian paths and beach access points, with no changes to vehicular circulation or parking.

Entry gates will be strategically located to provide safe, efficient user movement and will include double-gate systems where appropriate to prevent dogs from escaping. The proposed improvements will not cause pedestrian or vehicular congestion in public ways.

5. *"That adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the special use exists or are to be provided;"*

The site already includes adequate parking, utilities, access roads, and drainage to support its operation. The fencing installation requires no new utilities or structural facilities.

The permeable design will not alter natural drainage or stormwater flow, and no impervious surfaces will be added. All work will comply with applicable stormwater and bluff stability standards. Coordination with the Illinois Department of Natural Resources, Illinois Environmental Protection Agency and U.S. Army Corps of Engineers will ensure that shoreline and environmental considerations are fully addressed.

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6. *"That the special use in all other respects conforms to the applicable regulations of this and other village ordinances and codes."*

The proposed fencing will conform in all respects to all applicable Village of Winnetka ordinances, codes, and regulations regarding fence height, installation material, and setback requirements.

All required building and zoning permits will be obtained prior to installation (building permit for this work was already submitted to the Village earlier this year).

The Park District has coordinated with Village staff and outside regulatory agencies to ensure compliance with the Village's Lakefront and Bluff Ordinance, and to minimize environmental or visual impacts. The project will be executed in accordance with all construction, safety, and accessibility standards.

Conclusion

The Centennial Beach Dog Beach Fencing Project meets all six standards for Special Use approval under the Village of Winnetka Zoning Ordinance. It represents a thoughtful, low-impact improvement that will enhance public safety, maintain the integrity of the lakefront, and support the continued enjoyment of one of Winnetka's most beloved recreational amenities.

By granting the requested special use permit, with such conditions as the Village may deem necessary, the Village will be making it possible for the Park District to operate the dog beach and allow park users to use the dog beach without being deemed to be in violation of Section 6.08.020 of the Village Code, which requires dog owners to keep their dogs under control at all times by means of a leash, cord, chain or like device and prevent their dogs from running at large on property they don't own, including public property.

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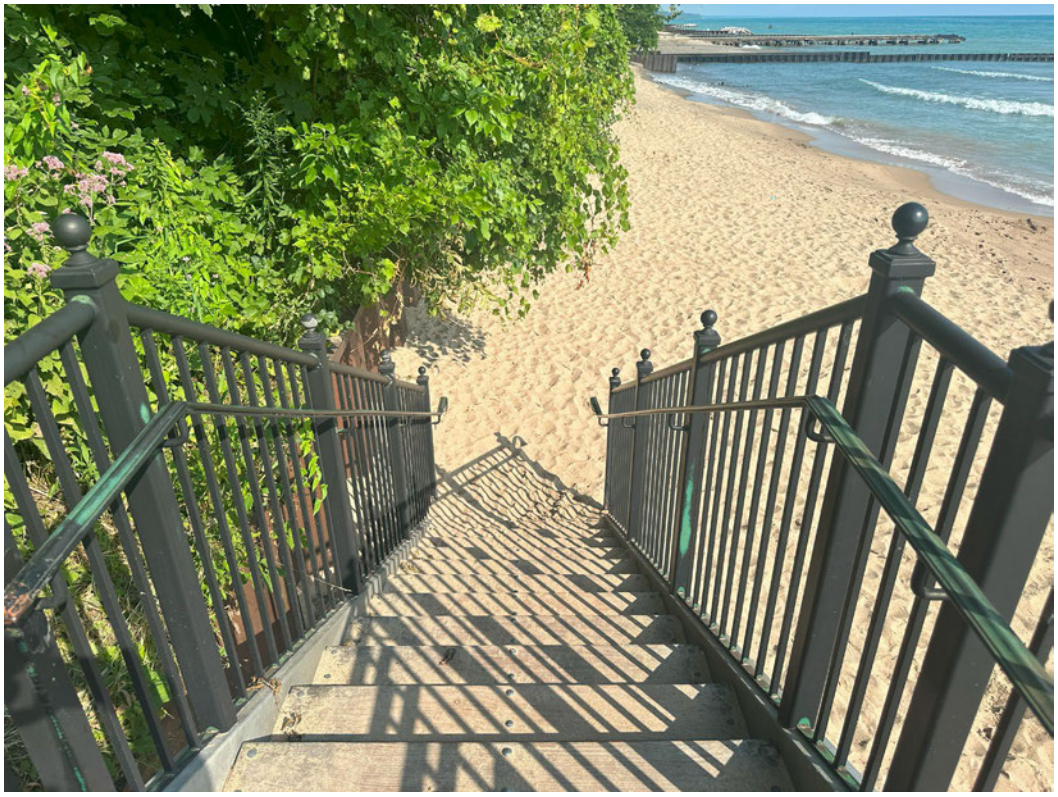
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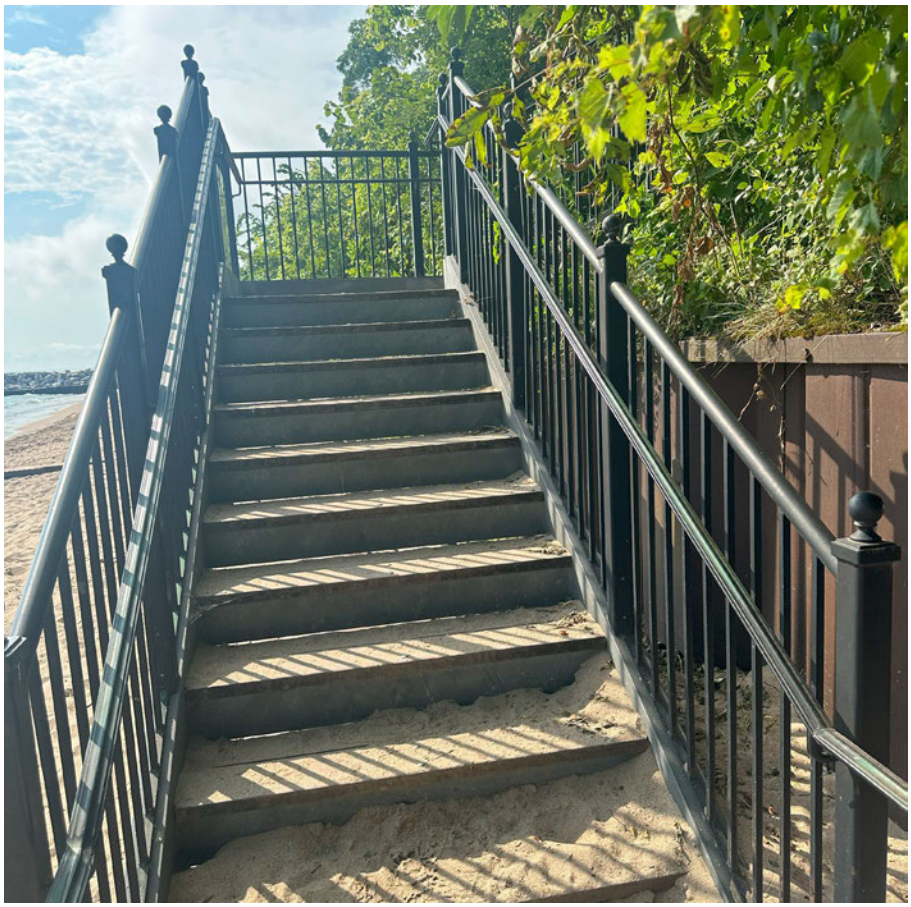
Dog Shower Amenities (Looking Northwest)



Dog Beach Access Gate (Looking East)



Dog Beach Access Stairs (Looking East)



Dog Beach Access Stairs Beach Level (Looking South)



Dog Beach Stairs Beach View (Looking West)



Dog Beach (Looking North)



North Seawall (Looking West)



North Seawall (Looking Northwest)



Dog Beach (Looking South)



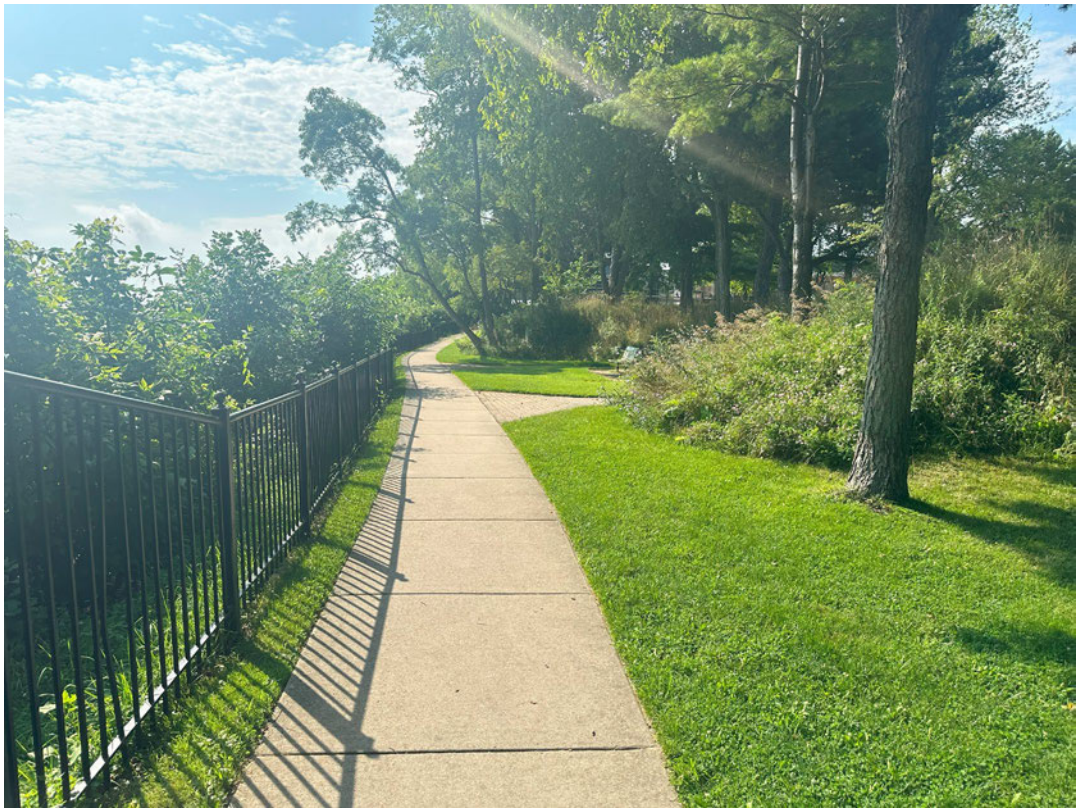
Bog Beach (Looking South)



Dog Beach South Property Line (Looking West)



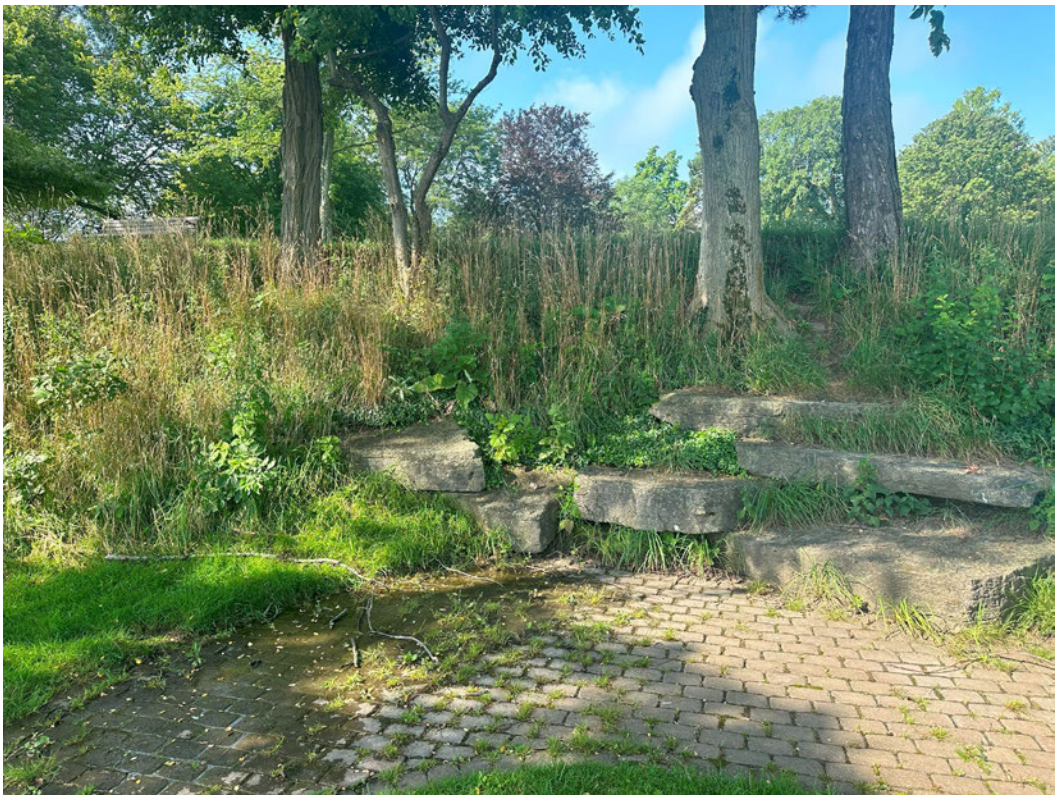
Dog Beach Seawall (Looking West)



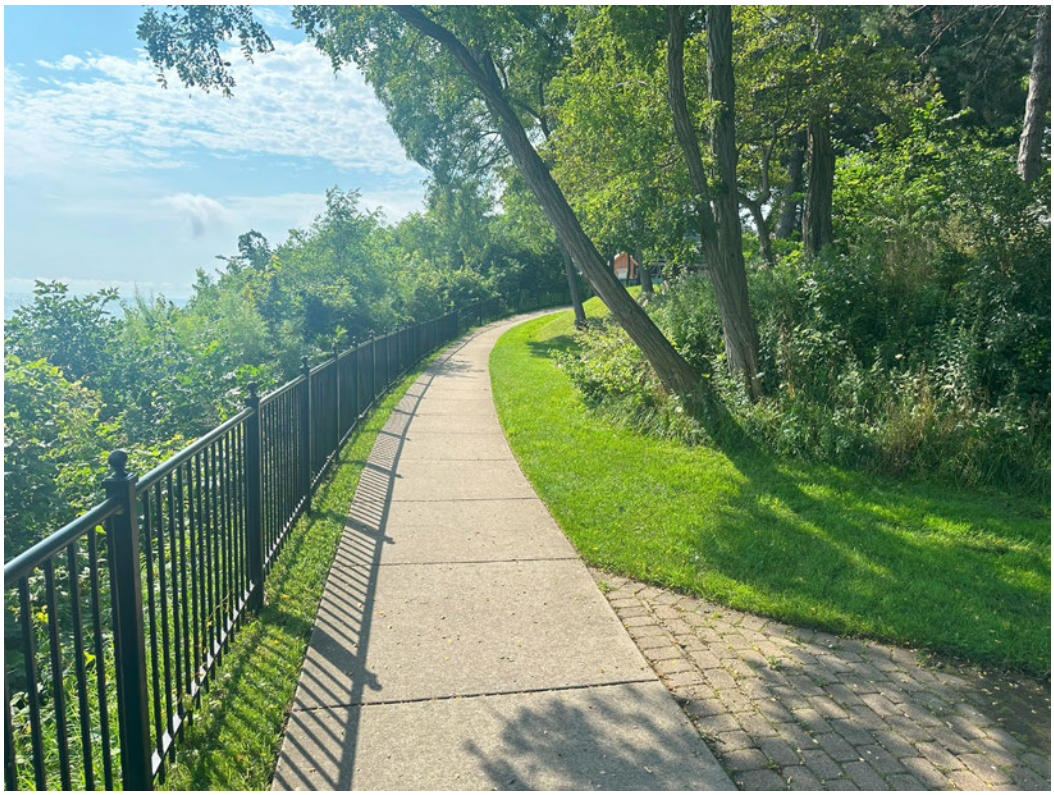
Mid-level Bluff Sidewalk (Looking South)



Mid-level Bluff Paver and Bench Area (Looking Southwest)



Mid-level Bluff Paver and Bench Area (Looking West)



Mid-level Bluff Sidewalk (Looking South)



Mid-level Bluff Sidewalk to Park Area (Looking West)



Upper Bench Southeast Section of Upper Parkland



Upper Park Sidewalk Southwest Corner of the Park (Looking East)



Upper Park Sidewalk South End (Looking East)



Upper Park (Looking South)



Upper Park (Looking East)



Upper Park Sidewalk (Looking North)



Upper Park Center East Side (Looking East)



Upper Park Center Overlooking Dog Entry Gate (Looking East)



Upper Park Sidewalk (Looking North)



Upper Park Area (Looking Southwest)



Upper Park Area (Looking Northeast)



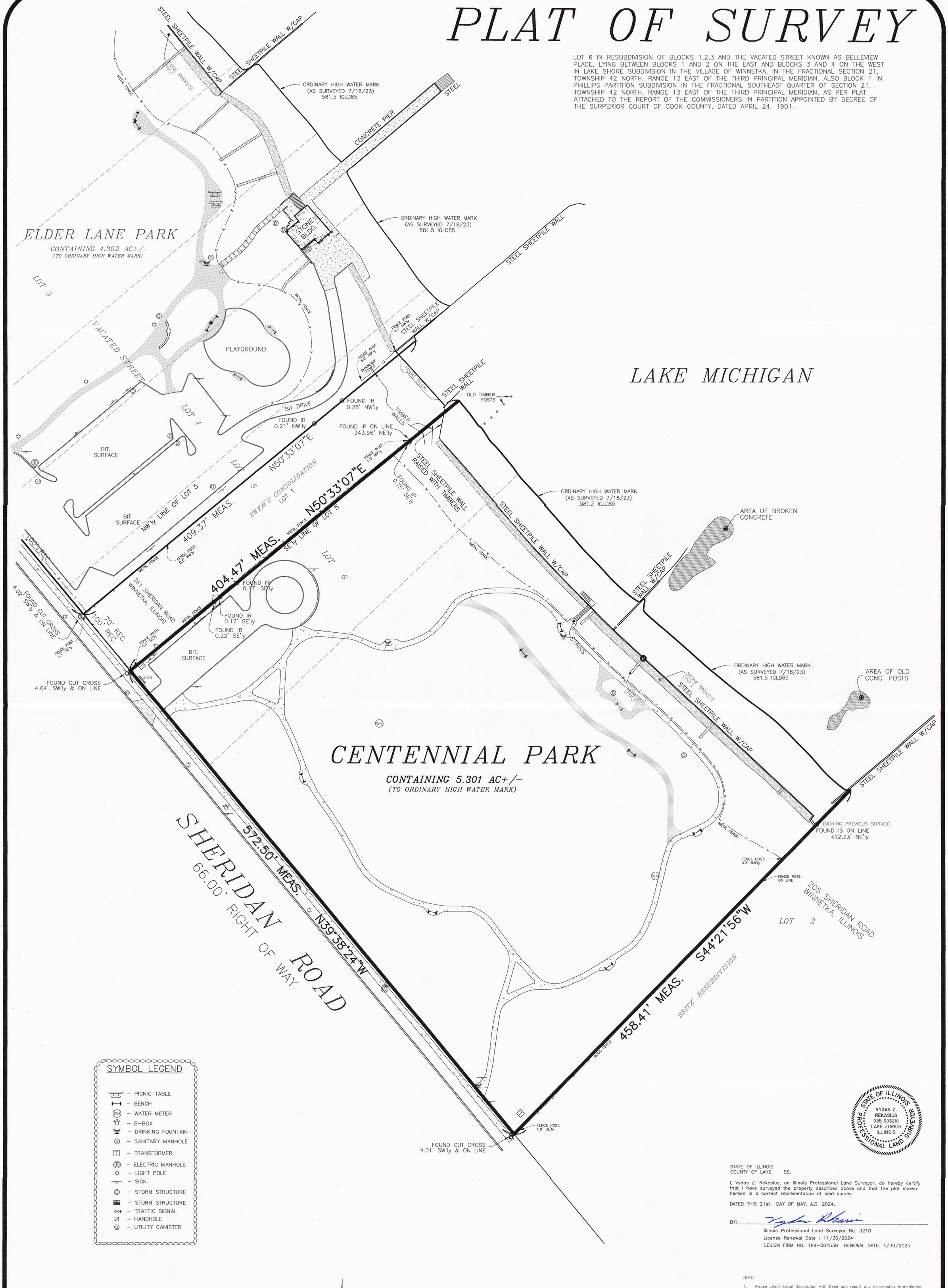
Upper Park Sidewalk (Looking Southwest)



Sheridan Road Sidewalk South side of Park (Looking North)

PLAT OF SURVEY

LOT 6 IN RESUBDIVISION OF BLOCKS 1,2,3 AND THE VACATED STREET KNOWN AS BELLEVIEW PLACE, LYING BETWEEN BLOCKS 1 AND 2 ON THE EAST AND BLOCKS 3 AND 4 ON THE WEST IN LAKE SHORE SUBDIVISION IN THE VILLAGE OF WINNETKA, IN THE FRACTIONAL SECTION 21, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN. ALSO BLOCK 1 IN PHILLIPS PARTITION SUBDIVISION IN THE FRACTIONAL SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, AS PER PLAT ATTACHED TO THE REPORT OF THE COMMISSIONERS IN PARTITION APPOINTED BY DECREE OF THE SURPERIOR COURT OF COOK COUNTY, DATED APRIL 24, 1901.



SYMBOL LEGEND

- PICNIC TABLE
- BENCH
- WATER METER
- B-BOX
- DRINKING FOUNTAIN
- SANITARY MANHOLE
- TRANSFORMER
- ELECTRIC MANHOLE
- LIGHT POLE
- SIGN
- STORM STRUCTURE
- STORM STRUCTURE
- TRAFFIC SIGNAL
- HANDHOLE
- UTILITY CANISTER

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)
1 inch = 40 ft.

SCALE: 1" = 40'

STATE OF ILLINOIS
COUNTY OF LAKE SS.

I, Vydas Z. Rekasius, an Illinois Professional Land Surveyor, do hereby certify that I have surveyed the property described above and that the plat shown hereon is a correct representation of said survey.

DATED THIS 21st DAY OF MAY, A.D. 2024.

BY: _____

Illinois Professional Land Surveyor No. 3210
License Renewal Date : 11/30/2024
DESIGN FIRM NO. 184-004538 RENEWAL DATE: 4/30/2025

STATE OF ILLINOIS
VYDAS Z. REKASIUS
035-003210
LAKE ZURICH
ILLINOIS
PROFESSIONAL LAND SURVEYOR

NOTE:

1. Please check Legal Description with Deed and report any discrepancy immediately.
2. Compare all points before building by same and report any discrepancies at once.
3. Building lines, if any, shown hereon are building lines shown on the recorded subdivision plat or called out in the title report.
4. Consult local authorities for building lines established by local ordinances.
5. This professional service conforms to the current Illinois minimum standards for a boundary survey.

TERRA TECHNOLOGY
LAND SURVEYING, INC.
24198 ROSE AVE. LAKE ZURICH, ILLINOIS 60047
PHONE: (847) 540-8606 E-MAIL: TTLS.1@SBCGLOBAL.NET

JOB NO. : 20-0078 SURVEY DATE : 7/18/2023
DWG FILE: JUNE2023/BOUNDARY2024/BOUNDARY-CENT.DWG



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THE LAKOTA GROUP.

1 East Wacker Drive
Suite 2700
Chicago, Illinois 60601
p 312.467.5445
f 312.467.5484
thelakotagroup.com

PREPARED FOR
Winnetka Park District
540 Hibbard Rd
Winnetka, IL 60093

CENTENNIAL DOG BEACH
Temporary Dog Beach Fencing

225 Sheridan Rd
Winnteka, IL 60093

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811

ISSUED FOR PERMIT
April 25, 2025

REVISIONS

No	Date	Issue

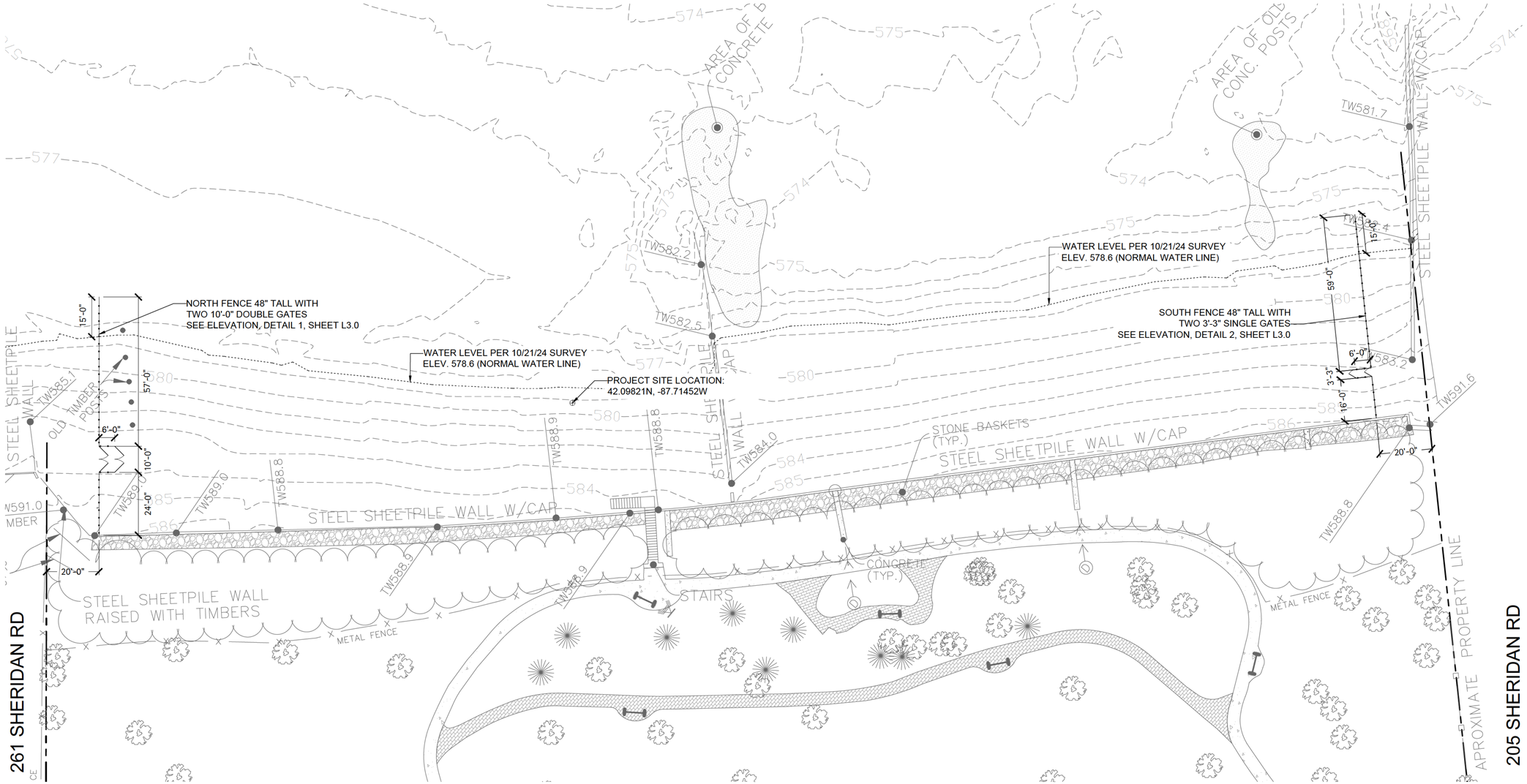
VICINITY MAP

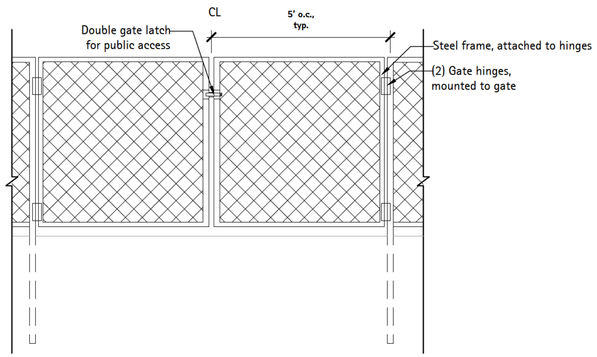
SCALE IN FEET
1" = 30'
0' 15' 30' 90'

NORTH

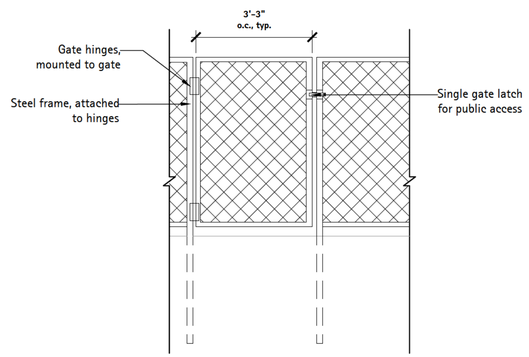
SHEET NUMBER
L1.0

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1 Double Access Gate at Dog Beach - Elevation
Scale: 1/2" = 1'-0"



2 Single Access Gate at Dog Beach - Elevation
Scale: 1/2" = 1'-0"

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f 312.467.5484
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No	Date	Issue

SITE FENCING PLAN

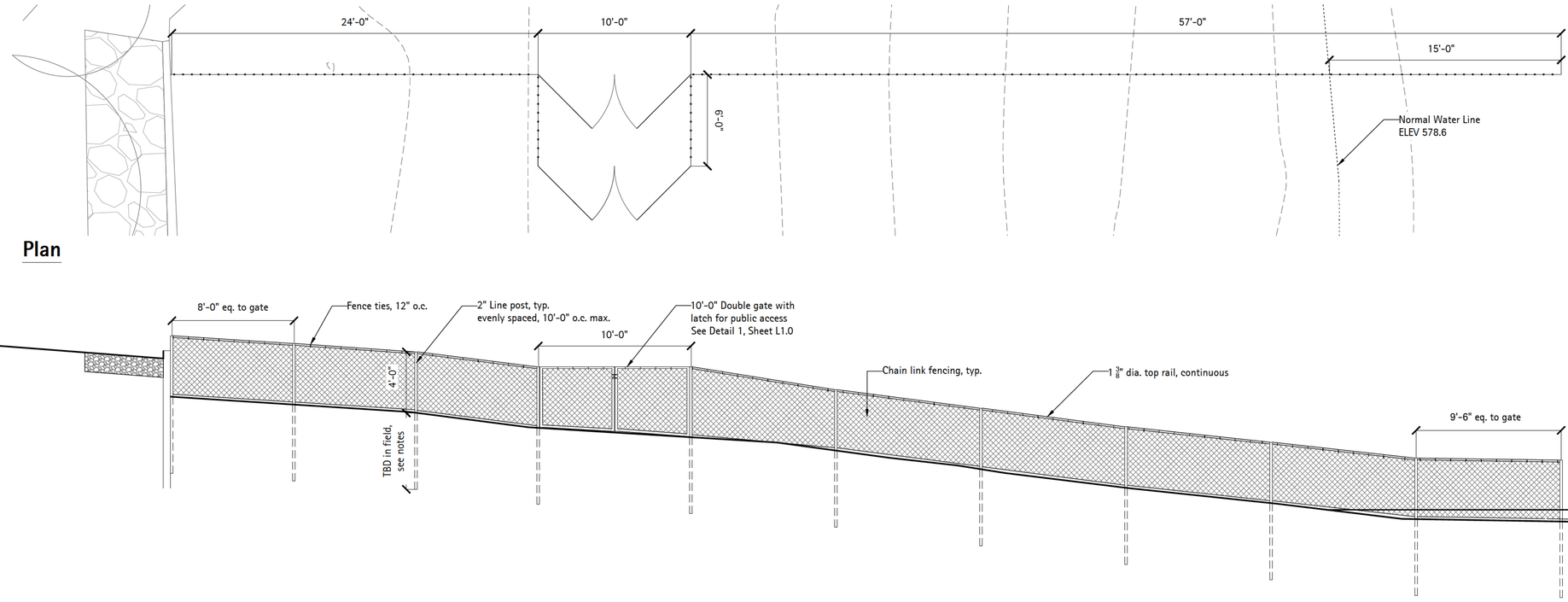
SCALE IN FEET
1" = 20'
0' 10' 20' 60'

NORTH

SHEET NUMBER
L2.0

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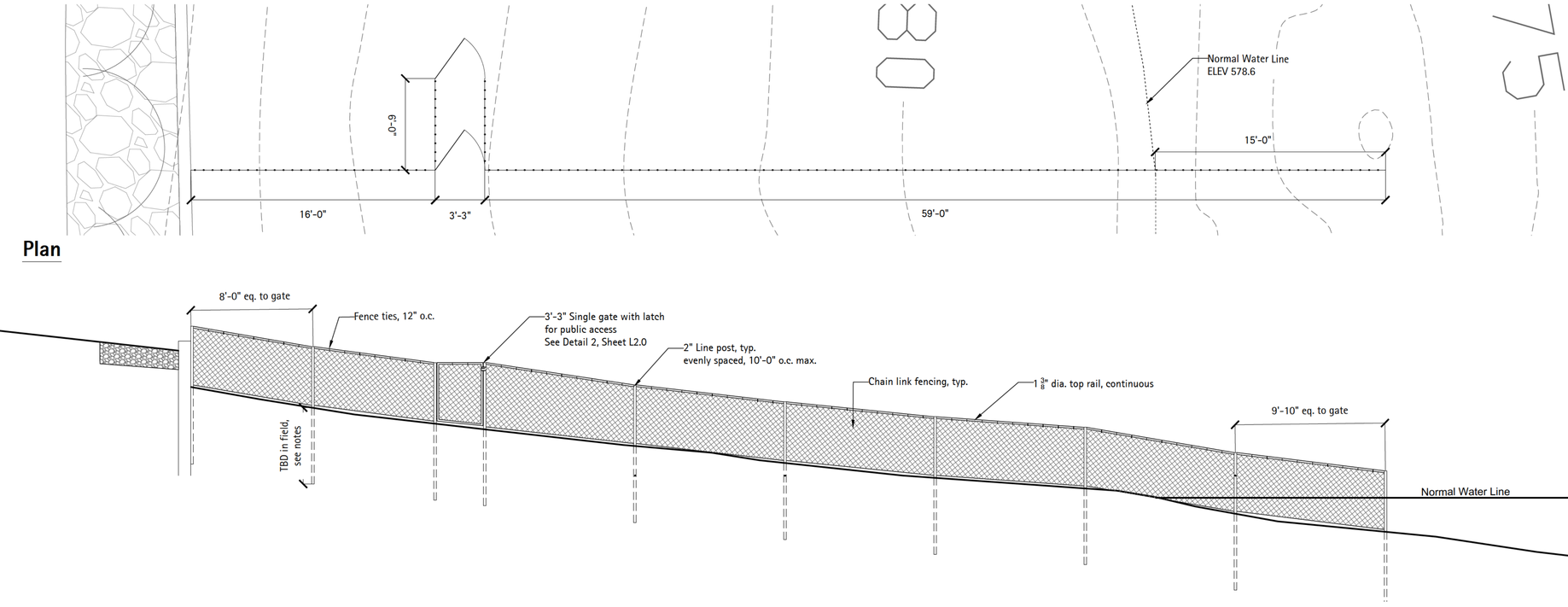
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Plan

1 Elevation - North Dog Beach Fence

Scale: 1/4" = 1'-0"



Plan

2 Elevation - South Dog Beach Fence

Scale: 1/4" = 1'-0"

Notes:

1. Steel top rail to run continuously over multiple posts.
2. Posts to be driven into the sand and underlying clay until refusal. Posts will then be cut 48" above the sand line

THE LAKOTA GROUP.

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Chicago, Illinois 60601
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Temporary Dog Beach Fencing

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April 25, 2025

REVISIONS

No	Date	Issue

FENCE ELEVATIONS

SCALE IN FEET
1/4" = 1'-0"
0' 2' 4' 12'

NORTH

SHEET NUMBER
L3.0

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ATTACHMENT B

From: [redacted]
To: "Snow, Renee"; Altman, Steve; Hall, Soren G CIV USARMY CELRC (US); Robert Dearborn
Cc: Ann Klaassen; Otto, Eric L.; Sophia R CIV Morgan
Subject: Please include this message and attached documents in SUP request for Centennial Park fencing and in IDNR permit files LM2023004 and C20250015
Date: Wednesday, December 17, 2025 6:36:52 PM
Attachments: Orchard 2020 behind the scenes instructions for Centennial Park Fence.pdf

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.

Dear Ms. Snow and President Dearborn:

Please consider the attached e-mail correspondence between a team of consultants and lawyers employed by Justin Ishbia or his proxies, and Commissioners and executives of the Winnetka Park District regarding Winnetka's Centennial Beach development. I ask the attached communication be included in your IDNR permit application files (LM2023004 and C20250015) and in the Village's file for the Winnetka Park District's current request for a Special Use Permit (SUP) to develop Centennial Park and beach.

You already have in the public record copies of the Ishbia Family Foundation/Winnetka Park District January 2024 restrictive covenant involving a $3 million donation. The restrictive covenant agreement allows the Ishbia Foundation control over every detail of the proposed Centennial Fence design and gives the Foundation control over the proposed fenced area at Centennial Beach for half a century. Many see this agreement as a way for the Ishbia family to pay others to do something the IDNR forbids --- privatize a public beach built using an IDNR shore protection permit. Ms. Snow has received an enforcement request asking the IDNR to prevent the WPD from building a fence funded by Ishbia that would prohibit access to the new 205 beach. The attached below demonstrates direct and early involvement by Ishbia's team and their efforts to use the Park Board to gain a private beach.

The attached communication pre-dates the 2024 donor agreement, but has the same flavor. The e-mail exchange is dated March 25, 2022. Warren James, a prominent Winnetka citizen and in 2022 an elected Commissioner of the Winnetka Park District, has received a long message from Tricia Charbonneau, a PR consultant and project manager for Seiler Consulting, the firm employed by Ishbia interests to guide the Winnetka Park Board toward a grand Centennial Beach development design that would effectively cut off public access across the beach below Centennial and the beach below 205 Sheridan. At the time there was one flat continuous beach interrupted only by a few small iron groins. A large new public beach was recently completed below 205 Sheridan using IDNR permit #LM2023. The Justin Ishbia residence continues under construction on the upland.

Mr. James promises to respond fully to Ms. Chabonneau. You will not find his response in Park District records. I'm told, but can't confirm, the e-mail conversation shifted to a private messaging platform.

Mr. Jame's e-mail is copied to John Peterson, former elected Commissioner and then the Executive Director of the Winnetka Park District. (Mr. Peterson continues to be Arbiter of the Ishbia Foundation Centennial Beach restrictive covenant agreement); WPD legal Counsel Steven Adams of Ancel Glink; Ishbia attorneys David Williams and Andrew Aron, both

principals of Williams, Bax and Saltzman; and Charbonneau's boss Gregg Seiler.

In her e-mail Ms. Charbonneau critiques the performance of tax payer- funded consultants as they presented the Centennial Beach development plan to the public and elected Commissioners for the the first time during a March 24, 2022 Park Board special meeting. (Which I attended).

Ms. Charbonneau chides Jon Shabica for speaking about public access over and around lakeward structures. ("no reason to write or publicly discuss unless specifically asked" she says). During subsequent open houses re Centennial Beach Jon's slide re the IDNR's public access requirements isn't included.

Ms. Charbonneau continues "Nor is there any reason for him ever to mention again the idea of permitting the Centennial project *without the fence.*" (emphasis added). Here you see a team of lawyers and consultants in the employ of the neighboring private owner and IDNR fill permittee directing an elected Commissioner and the WPD's senior paid staff to steer their own consultants away from any word or drawing that might inform the public or keep the 205 neighbor from getting a private beach. No one in this conversation is protecting the public interest.

Scott Freres, the WPD's landscape architect, is criticized for not using language "consistent" with their goals, and for unfolding design views that actually show everyone how massive a proposed stone pier will be. And then the Ishbia consultant objects other slides communicating the height of the project to the public.

Skip down to item 5. of the e-mail, where Ms. Charbonneau plans another meeting for the Park District attorneys, staff and Mr. James to strategize how to "get ahead of the public" on the beach development push.

If there was ever any doubt the WPD has lost control of the Centennial Development plans, the proof is here, where we see it early in the process. And it continues, as Ishbia's team pummels a minor Cook County veterinary office with dog beach complaints and WPD staff nfind reasons (rabies control?) to justify a fence that doesn't belong on a beach. Its sad, but I don't think the Village or the IDNR can or should regard the Centennial Fence applications as products of an independent and public-facing Park District.

I hope the attached and above is useful to State and Federal Beach regulators and the Village staff tasked with reviewing the SUP application. In a separate e-mail I will send a photo of the entire beach area under discussion. Please let me know if you are not able to open this attachment.

Best regards,

Laurie Morse

[redacted]

Sent: 3/25/2022 12:00:00 AM
From: Warren James <WJames@winpark.org
To: "Tricia Charbonneau" "Costa Kutulas"
Cc: "John Peterson" "Steven Adams" williams@wbs-law.com "Andrew Arons" "Gregg Seiler"
Bcc:
Importance: Normal
Subject: Re: Orchard - notes on last night's presentation

Thanks for the feedback Tricia. Very helpful. Will respond more fully before Tuesday.

Warren James
Commissioner

P: (847) 501-2040
E: wjames@winpark.org

Winnetka Park District | winpark.org

From: Tricia Charbonneau <tc@seilerconsulting.com>
Sent: Friday, March 25, 2022 1:26:42 PM
To: Costa Kutulas
Cc: Warren James; John Peterson; Steven Adams; williams@wbs-law.com; Andrew Arons; Gregg Seiler
Subject: Orchard - notes on last night's presentation

Team,

Thank you again for the prep and presentation last night. Below please find some feedback, being shared to supplement the content and strategies for the future open houses and successful public comment period.

1. Shabica
    a. Take out the language in his slides that note the IDNR and Corps guidance about access up and over lakeward structures. No reason to write this or publicly discuss the grey area unless asked.
    b. Nor is there any reason for him to ever mention again the idea of permitting the project without the fence. It's not helpful to anyone except the opposition.
    c. Please coach Jon on what topics to address in future forums. It would likely be best if answers only questions directed to him.

2. Scott Freres
    a. His opening comments about "this conversation happening in communities all up and down the lake" and "looking for creative solutions, new ideas, greater community benefit" and "focus on access - for more residents, for seniors, more with alternative abilities" is fantastic.
    b. However, as discussed with Warren, he was not in top form last night. For the future, please make sure he is more versed in the technical details of the project and nomenclature (use 'planting pocket' and other terms correctly).
    c. Graphics
        i. Change all language about "louvered air screens" to "louvers". All presentations need to speak the same language.
        ii. The new elevation diagrams shown - the unfolded breakwater views - were not helpful in my opinion. First, they did not show the water line (they just showed the beach/lakebed) and this made the breakwater look super tall when further out in the lake. Furthermore, the louvers look 100% monolithic in this view and don't help the cause. Oblique views that show the water line through and the horizon are much more effective. Is this new drawing conveying something essential?
        iii. One graphic showed a dimension string of 169'-9" as the length of the louvers (I think). This dimension relates to nothing else we show - does that drawing and dimension have a specific purpose?

3. When Colleen asked last night if the planting pockets (and she implied fences) had been installed anywhere else, I was dying for someone to mention Lee Street Beach - and that it's similar to what's proposed here, but this project will be so much better (this kind of came up). Lee Street doesn't have planting pocket but is one of many precedents for fence on a breakwater structure. And we keep saying that other municipalities have this, but I don't think this has actually been shown much to the public. Slides that show a photo of Lee Street on the left, and they this project on the right - will demonstrate how much better this project is. And roll through all the cities - show the beat up Kenilworth stuff, yucky Lake Bluff, etc. to pound it home. Armed with the right script, this could be a good thing for Jon to speak to.

4. I was thinking more about the questions that Colleen Root raised last night and how to get in front of those and expose them rather than feel like they need to be defended against. Would it make sense to build a portion of the presentation to somehow say no plan is perfect, and thousands of hours of work have gone into building the best and current plan possible, and the Board won't let "perfect the enemy of good".
    a. Therefore, the PD has thoughtfully addressed some of the parts that aren't perfect and here's how:
        i. Make a slide that shows the pros versus cons in a side by side table; and then present that data.
    b. Write a one page "Frequently Asked Questions" document to answer some of these questions (*I'm offering sample answers for a couple of them*).
        i. Is beach and lake access being improved or reduced by this project?
        ii. What new or improved amenities are made possible by this project?
        iii. Why isn't there access up and over the breakwaters?
        iv. Why are the louvers needed and why are they so tall?
        v. Why is there a planting pocket in the project?
        vi. Do structures or barriers like this exist anywhere else on the north shore? *Yes, other municipalities in the north shore have barriers*

installed at the edges of their lakefront parts for a variety of reasons. Examples can be found in Glencoe, Kenilworth, multiple places in Evanston, Lake Bluff.

vii. Is the ability to look up and down the shoreline being lost? S*ome shoreline views will be lost simply by the installation of the breakwater itself and the dimensions it must be to perform correctly. So yes, some shoreline views will be lost, mostly those closest to the toe of the bluff. To minimize this, the proposed project offers two strategies. First, the height of the stone breakwater is being lowered, and that material replaced with angled louvers. When past the planting pocket, most users will be able to see over the top of the stone and through the louvers. The louvers are angled so users can look through them to the shoreline and the lake horizon. Second, the proposed project will provide brand new shoreline vistas for thousands of users (including seniors and persons with disabilities) at the new middle pier, which is situated in the center of the new park and located 300' into the lake. This vantage point exists in no other north shore community and is only made possible by the consolidation of Elder and Centennial.*

5. In the continued push to reach more groups to get their support now and before public opinion - we'd like to discuss the strategy for this next Tuesday. What groups does WPD have access to and what's the strategy to contact them to garner support? The time before public comment is likely to go by quickly, people will be out of town, etc. so getting going now with after school groups, kid's groups, special ed groups, senior citizen groups, etc. is critical.

Best regards,
Tricia

TRICIA CHARBONNEAU
PROJECT EXECUTIVE
C 312.438.0005
O 312.836.0540
tc@seilerconsulting.com

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Chicago, IL 60654
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From: [redacted]
To: Ann Klaassen; Scott Mangum; Kristin Kazenas; Christopher Marx
Cc: [redacted]
Subject: WPD October 2025 SUP Application
Date: Tuesday, January 20, 2026 1:42:47 PM
Attachments: 02C2CD02-CAC7-4D80-88B4-3E5425875182.png
EF61C7C1-28CE-4A92-85F5-6669FC016A48.png
IDNR MemoLM2025011.pdf
OneDogBeachMustBeADAEvanston.pdf
60"MinimumWidthBAR.pdf
BernahlGroinMap1623.pdf
IDNRMemoPage1ExhibitA.pdf

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.

Hello:
Would you please include this email dated 1/20/26 in the packet for Plan's 1/28/26 meeting and also send it to the Trustees?
This is my only comment and submission for Plan and the Trustees,
Thank you.
Kristine Schriesheim
Winnetka taxpayer

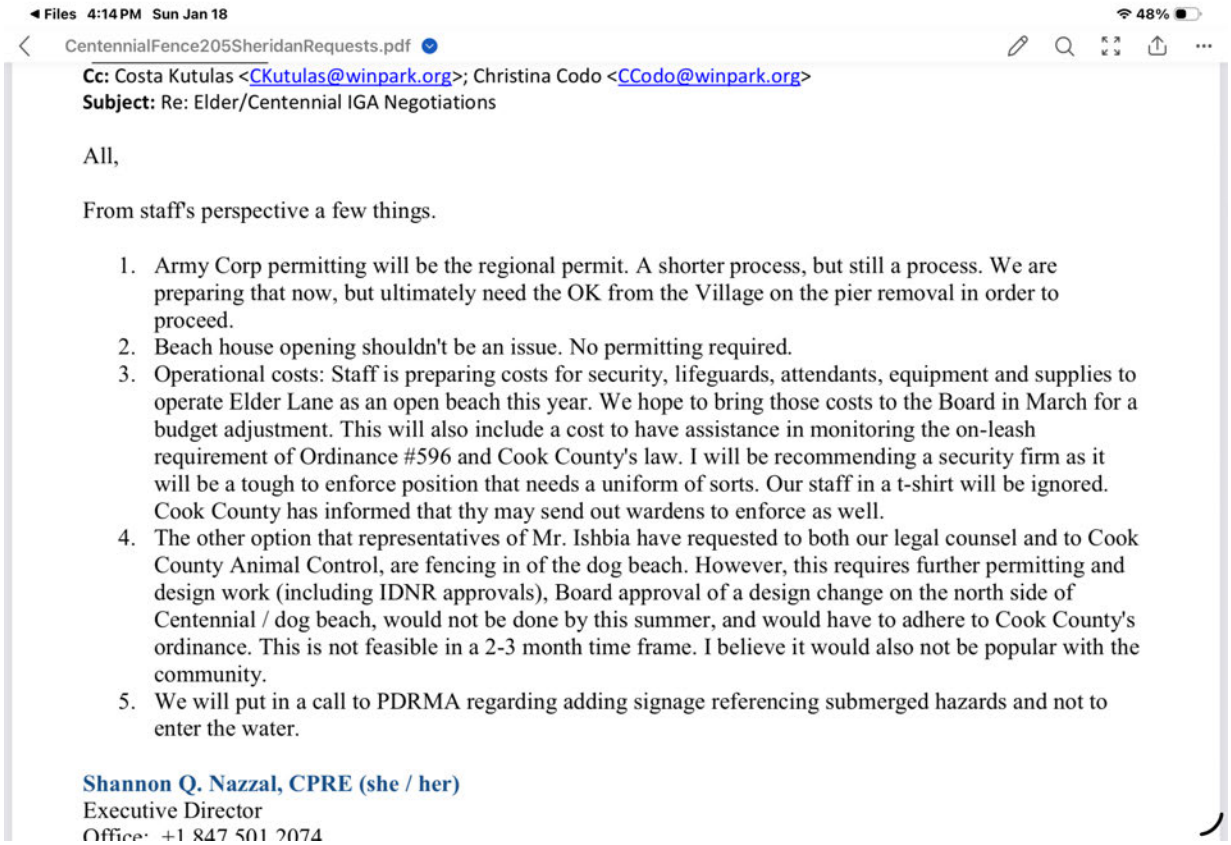
To: Village Trustees And Plan Commission
From: Kristine Schriesheim
Re: Comments Dated January 20, 2026 on WPD October 2025 SUP Application for Lake Michigan Fencing

TOPIC ONE: WPD's 8/27/25 NON-PUBLIC MEETING WITH IDNR AND USACE

I respectfully request that the Trustees and Plan Commission members listen to this meeting recording. It is illuminating in terms of understanding WPD's true fencing purpose and ultimate goal—executing WPD's 2020 Exchange Agreement with Orchard 2020 Trust.

https://winparkdistrict-my.sharepoint.com/:u:/g/personal/snazzal_winpark_org/Ea_fE4tEGE5DkrL6Voe0ikABGWtk0Ku6xS2ju5VEu5ZJOA

Background: 2025 WPD MEMO REPORTING FENCING REQUEST



TOPIC TWO: WPD'S OCTOBER 2025 SUP APPLICATION MISREPRESENTS ITS DESIGNS, MISREPRESENTS DOG BEACH LEASH REQUIREMENT, VIOLATES THE VILLAGE CODE, FAILS TO MEET 2040 FUTURES PLAN GUIDELINES, VIOLATES VILLAGE DESIGN STANDARDS, CONFUSES THE PROJECT AREA, VIOLATES ADA, VIOLATES PUBLIC TRUST DOCTRINE

Background: WPD October 2025 SUP application to Village

winpark.org — Private

Application for Special Use Permit – Installation of Temporary Fencing at Centennial Beach

Project Narrative

The Winnetka Park District is requesting a Special Use Permit to install two rows of temporary fencing with access gates at Centennial Beach, which is located at 225 Sheridan Road. The proposed fencing will enhance the safety, compliance, and long-term sustainability of this popular recreational amenity, which has served Village residents and their pets for three decades.

The Centennial Dog Beach has operated since 1995 as an off-leash dog beach along the Lake Michigan shoreline. Due to Cook County Animal and Rabies Control requirements and feedback from the community, the Park District now seeks to formally enclose the dog area with durable, visually unobtrusive fencing that encourages dogs remain safely within the permitted zone while maintaining access for users and preserving the natural character of the lakefront. The proposed fencing will include double entry gates on both the north side and south side fence runs which are set 20' within the Park District's property lines. This design will allow continuous access for beach goers to traverse the beach with minimal impact to the beach user. The only impact would be the need for the beach user to walk through an access gate which is planned to remain unlocked for the duration of the year. As this is a public beach the beach goers have that ability to walk anywhere along Centennial Beach. The existing fencing at the top of the bluff is to remain with the current key fob controlled access gate.

The proposed new enclosed space will provide a safer, controlled dog beach area to allow for Centennial Beach users to enjoy the property with their four legged friends without needing a leash. As outlined in the drawings, our plan includes the installation of 48" high chain-link fencing running perpendicular to the shoreline. Double-entry gates are incorporated into both the north and south fence lines to satisfy leashing and unleashing requirements. This design also ensures shoreline access for non-dog beach users, as required by state and federal agencies.

The project includes:

- Installation of approximately 4-foot-high, chain-link fencing, set in from the Park District's property boundaries by 20' at both the north and south ends of the designated dog beach area;
- Gated access points that will make it possible for beach goers to walk the shoreline unimpeded;
- Double-gate systems at the beach level to prevent pets from escaping;

540 Hibbard Road, Winnetka, IL 60093
www.winpark.org
(847) 501-2040
Fax: (847) 501-5779

WPD'S OCTOBER 2025 SUP APPLICATION IS INCONSISTENT, MISLEADING AND UNRELIABLE

Background: WPD's permit applications and IDNR's December 11, 2025 memorandum (attached) set forth WPD's claims: (1) that Centennial is an off-leash dog beach (it is an on-leash dog beach); (2) that its fencing would extend 15' lakeward from the toe of Centennial's bluffs—in fact, it would extend 106' lakeward on the park's northern end and 93'3" lakeward on the park's southern end, understating the fencing's length by over 80%; (3) that its fencing

has two sets of double gates, which it does not; and (4) that WPD-owned Centennial Park's southern lot line falls on, rather than south of, its southernmost steel groin.

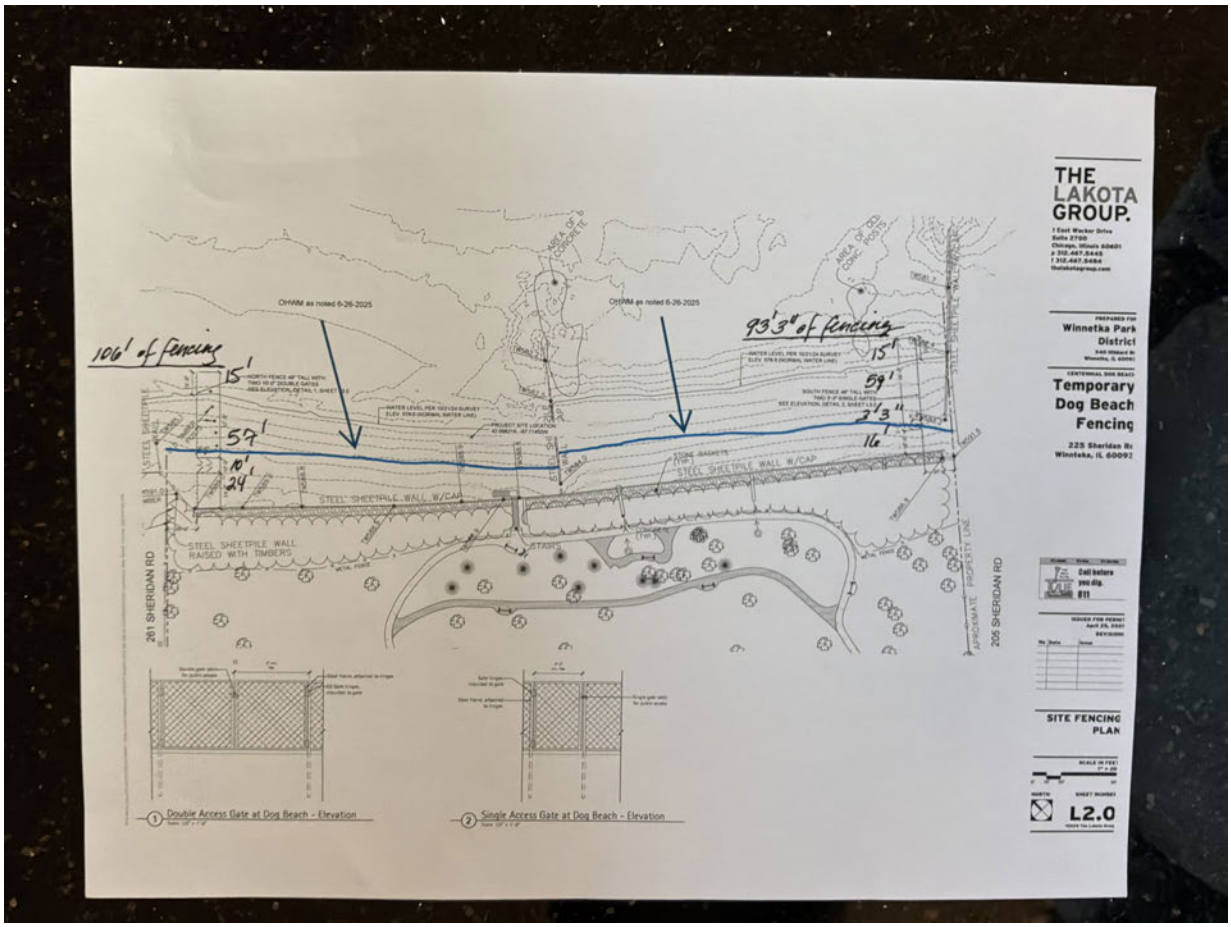
Background: Centennial dog beach is an on-leash area



VILLAGE CODE VIOLATION: WPD'S Centennial fencing would unlawfully extend far beyond Village front lot line/OHWM limits and into Lake Michigan, unlawfully blocking a "public street." Fencing that ends at Centennial's front lot line/OHWM would extend 34' on the northern end, and 16' on the southern end.

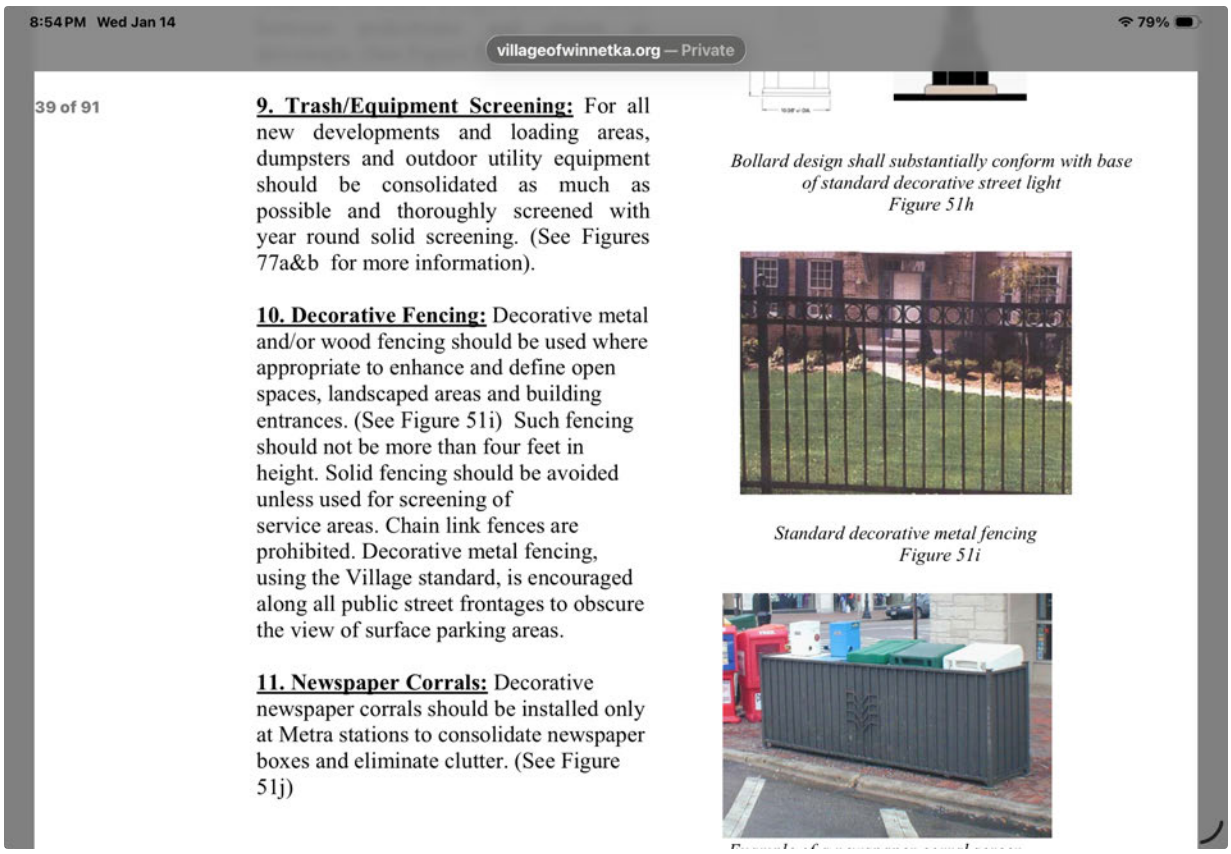
DELIBERATE PERMIT MISREPRESENTATION: WPD'S fence permit misrepresents that the plans include double gates at Centennial's southern end leading to 205 Sheridan.

Background: U.S. Army Corps of Engineers required WPD to provide detailed project rendering with proposed fencing's length and location relative to the bluffs and OHWM. Note also there are no double gates depicted on the project's southern end.



WPD'S CHAIN LINK FENCING IS INCONSISTENT WITH 2040 FUTURES PLAN, VIOLATES VOW DESIGN GUIDELINES' PROHIBITION AGAINST CHAIN LINK FENCING, AND DENIGRATES SHERIDAN ROAD NEIGHBORHOOD'S GRACIOUS CHARACTER

Background: Village Design Guidelines



Background: WPD Centennial SUP Testimony to Plan in 2025

FENCE CHARACTER IMAGES



BLACK VINYL COATED CHAINLINK FENCE

Background: VOW Design Guidelines were enforced when WPD applied for Elder Park SUP, prohibiting the use of chain-link fencing.

WPD PERMIT SUBMISSIONS CONTAIN INEXPLICABLY CONFLICTING PROJECT AREAS

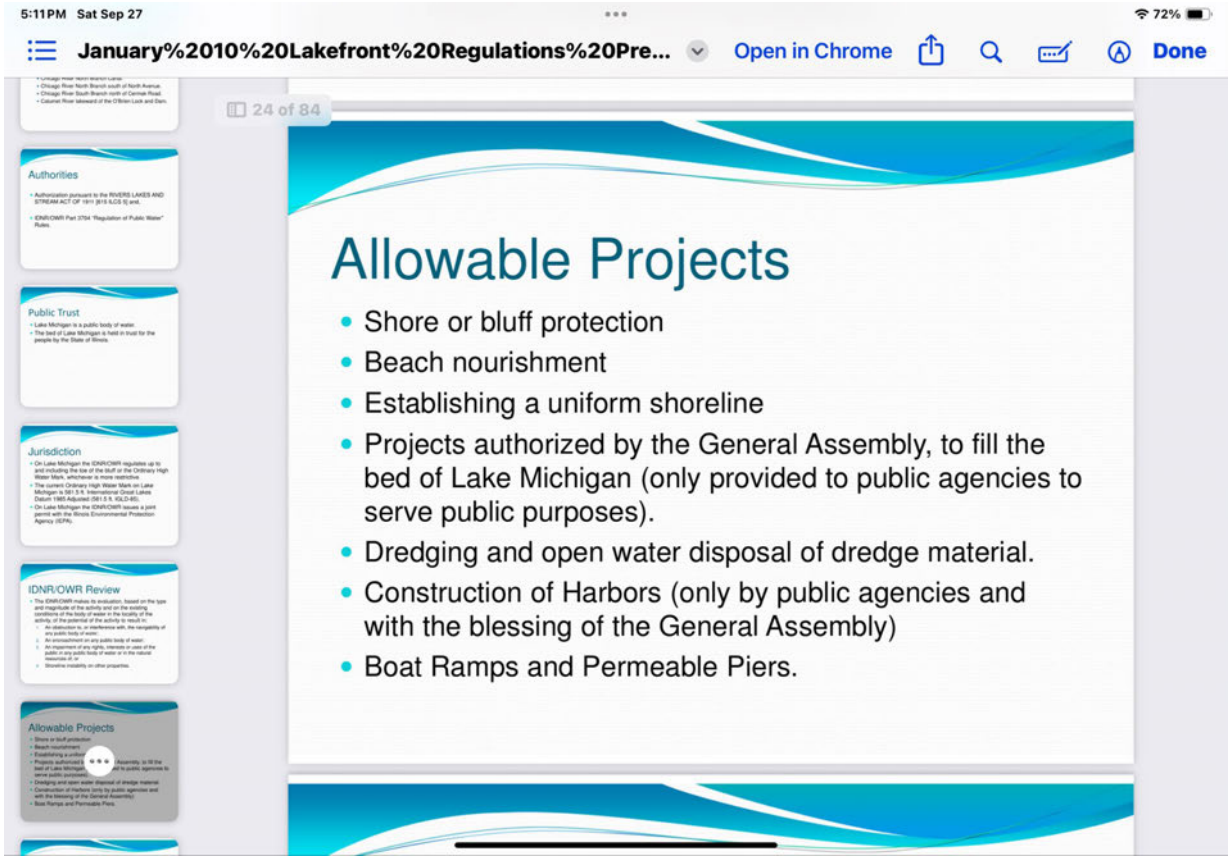
Background:
In connection with its Public Trust Doctrine presentation, WPD's 2024 Centennial SUP testimony to the Village said that the park's southern lot line falls south of the steel groin closest to 205 Sheridan. Despite this, IDNR's December 11, 2025 permit review memorandum seems to state that Centennial's southern lot line/205 Sheridan's northern lot line is the steel groin. This is at odds with WPD's 2024-2025 sworn testimony that fencing on the same steel groin would not violate the Public Trust Doctrine given WPD's ownership of sandy beach south of that groin. It also conflicts with Village Engineer Bernahl's map of groin locations in Winnetka.

Background: See IDNR Memorandum Page One and Village Engineer Bernahl's groin map attached as pdfs at bottom.

TOPIC THREE: FURTHER UNLAWFULNESS

1. IL Rivers and Streams Act Section 3704, which is the sole source of IDNR's permit authority here, does not allow permit issuance for a non-shoreline structure such as a local dog fence.

From IDNR's January 2023 presentation to the Village Council:



2. IL Park District Code Section 1205/11-2 does not grant IDNR shoreline permit issuance authority, nor does it grant park districts the authority to claim state land under false pretenses—namely, WPD's specious claim that Centennial's shoreline is shoal-ridden and "nonnavigable," which it is not.

From IDNR's December 11, 2025 permit review memorandum:

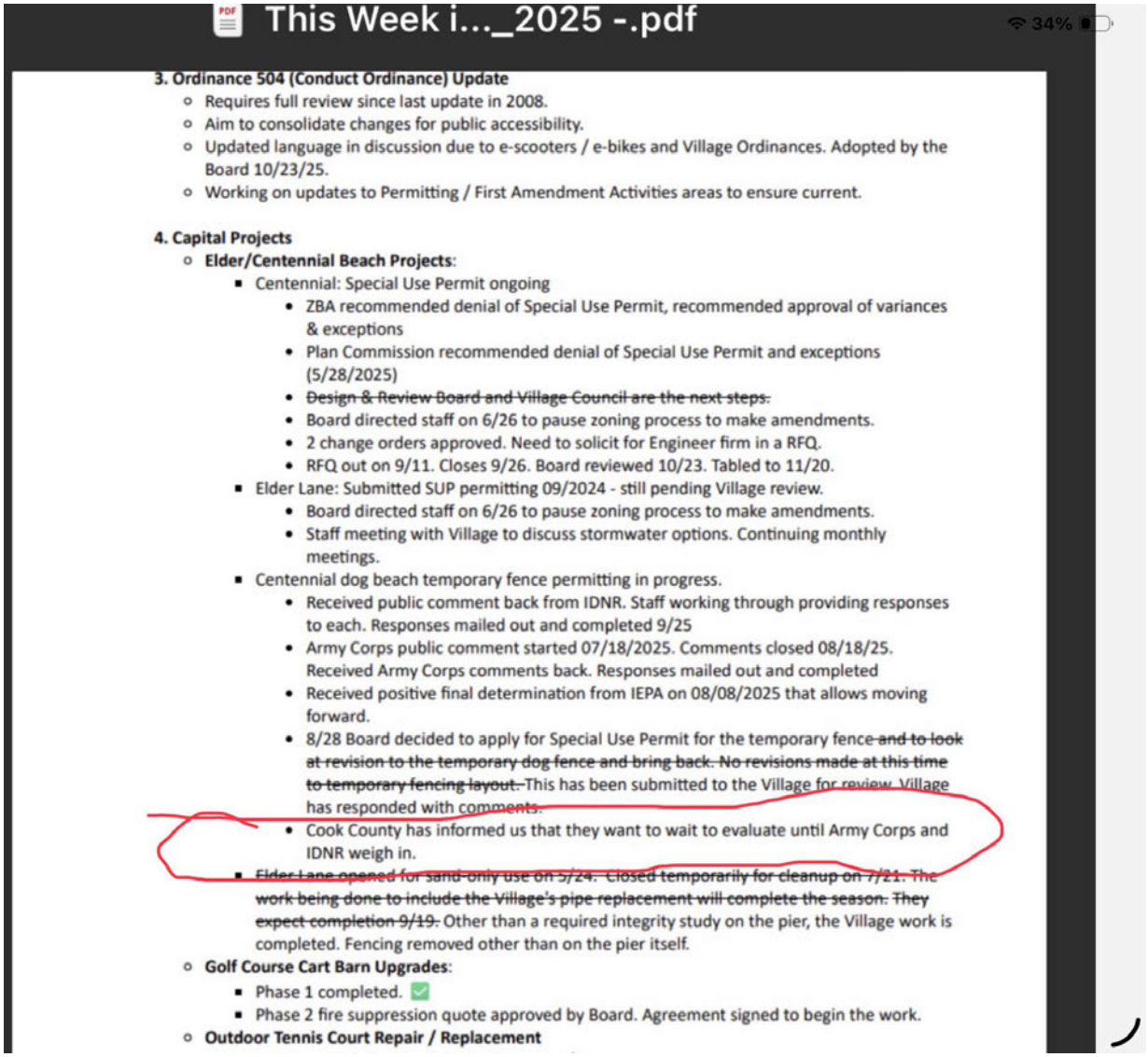
> It is important to acknowledge Section 1205/11-2 Reclamation, of the Park District Code [70 ILCS 1205/11-2], which states that park districts that border upon any navigable body of water, the title to the bed or submerged land of which is vested in the State of Illinois, said district may take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation and shall have the power to establish, construct and maintain parks and boulevards over and upon the same, and all right, title and interest of the State of Illinois in and to the bed or submerged land of such body of water so taken possession of, enclosed, filled in and reclaimed is hereby granted and ceded to such park district and the title thereto shall vest in such park district to be held for the use and benefit of the public as a part of said park district for park and boulevard purposes exclusively, and said district shall have power for the purpose of reclaiming such submerged land and protecting the same thereafter, to construct all necessary break-waters, or protection for the building and maintenance of such parks and boulevards, and the enclosing or reclamation of such submerged lands.

Lake Michigan is now and for centuries has been a "navigable" body of water. IDNR's website links to a GIS waterways map and the Code of Federal Regulations, both designating Lake Michigan as a navigable body of public water. Locally, WPD's 2030 Waterfront Plan designated Winnetka's anticipated continuous, 1000' beach as both a BOATING BEACH and a swimming beach. The beach is navigable, and would not lose its status as a place of historic, commercial navigation simply because WPD wants to put up a local dog fence to impede the public's right to traverse the shoreline.

3. 510 ILCS 5, IL Animal Control Act, ONLY provides the local Animal Control Administrator and Deputy Administrator with statutory authority pursuant to which the Cook County Code regulates dog friendly areas and dog parks. It does not allow non-Administrators to order the creation of fenced in dog parks without complying with the Cook County Code's requirement that land-based dog parks be completely enclosed with a contiguous fence. Actions

to the contrary would constitute misdemeanor violations of the law. SEE 510 ILCS 5/26 and the Cook County Code.

4. Under 510 ILCS 5, CCDARC has enacted animal control-related fencing authority that is jurisdictionally limited to the land. Accordingly, CCDARC informed WPD of its lack of interest in acting outside of its established regulatory framework, stating it will not evaluate WPD's fencing scheme until after IDNR and USACE make their decisions. Building a dog beach fence that extends beyond the land, past the OHWM, onto submerged lands and/or into the public waters, exceeds the scope of CCDARC's regulatory framework.



5. 510 ILCS 5, 5/9–The IL Animal Control Act was amended by P.A. 102-329, effective 1-1-22, to provide that: "A dog that is in a dog-friendly area or a dog park is NOT CONSIDERED TO BE RUNNING AT LARGE IF THE DOG IS MONITORED OR SUPERVISED BY A PERSON." CCDARC, which solely and exclusively possesses Animal Control Act authority under 510 ILCS 5, wrote to WPD Executive Director Nazzal in 2024 categorizing Centennial beach as a "dog friendly area." CCDARC has not mandated fencing barriers at dog friendly areas to broadly contain dogs that would otherwise be "running at large," and lacks waiver authority over its four-sided fencing rules for dog parks.

6. 510 ILCS 5/9 provides that a dog may train for hunting in a dog friendly area, which is an area of land that the Cook County Code does not require to be fenced. The Cook County Code simply requires proof of proper vaccination and health records to enter a dog friendly area. A person can bring a dog to Centennial beach to engage in training for hunting by swimming, fetching sticks, balls, decoys and the like. By matter of right, 510 ILCS 5/9 allows canines using dog friendly areas to train in proximity to Lake Michigan's waters, as well as without

restriction on the lakebed or in the lake.

7. There is no state law that grants jurisdictional authority to any governmental body that would build fencing to restrict dogs from swimming or otherwise using public waters and the lakebed via access from the water—for example, from a boat, jet ski, paddleboard or otherwise. I believe WPD's fencing project represents a potential effort to unlawfully limit this access.

8. ILLINOIS ACCESSIBILITY CODE VIOLATION: The Illinois Accessibility Code ("IAC") requires public improvement projects to be accessible unless an exception is met. Violating ADA requirements is considered a civil rights violation, subject to enforcement by the Illinois Attorney General's Office as well as by other government bodies. Interpreting the IAC requires "erring" on the side of more accessibility because: 1-Winnetka, the Winnetka Park District, Cook County, and the State of Illinois are or should be fully committed to being welcoming and inclusive communities with access to public facilities; and 2-the penalties for failing to comply with the IAC are severe and impact all parties, including the permitting authority.
Because the construction project at issue involves a public accommodation—Winnetka's only dog beach—yet makes no effort to add ADA accessibility to the designs, it violates the Illinois Accessibility Code and the 2040 Futures Plan. It is obvious that WPD's single 39" beach gates at either end of a confined 6' southern passageway are too narrow for an ADA-compliant turning radius. There are neither lights nor flashing signals for low vision persons, let alone for safety. A potential WPD appeal in opposition to complying with IAC must be made to the Illinois Capital Development Board.

Background: WPD'S 2024 Centennial breakwater SUP "Project Elements" would similarly unlawfully prevent ADA access to the dog beach—for half a century. From Village staff questions about WPD's 2024 Centennial SUP application—

20. Is there a way for someone to walk along the lake from the north edge of the beach to the south edge of the beach, or vice versa, without using stairs?

Response: No. Ramps are only provided to the swimming beach area to the north, but a public access staircase is provided on the south of the boardwalk to accommodate the public traversing the beach. As someone walks off of WPD property south, they would need to use stairs installed per the approved State and Federal permits for residents south of Centennial Park.



Page 23 of 30

boardwalk covers the beach and blocks sight lines along the beach, degrading the environment of the lakeshore. Furthermore, the Special Use Permit Standards require that the special use conforms to all other Village ordinances and the boardwalk violates **Section 15.78.080 (D)'s** requirement that only designs that are minimally necessary to achieve their intended proper purpose are permissible on the Lakefront.

The elevated boardwalk (Figure 20) is 330' in length and is 12' wide and will cover 3,960 square feet of Centennial beach.

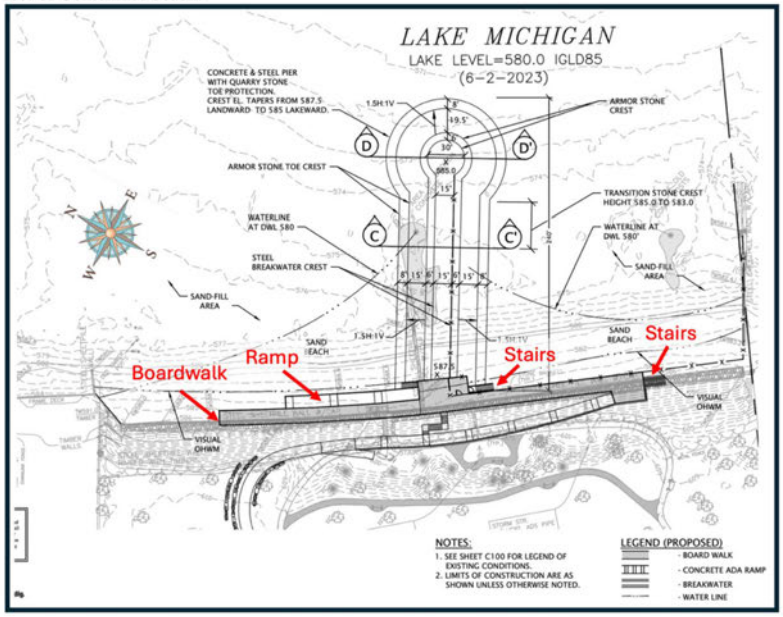


Figure 20: WPD's Centennial elevated boardwalk

9. WPD's 2025 memorandum at the top of this email documents that Centennial's southern neighbor requested dog beach fencing for which WPD now seeks a Special Use Permit. Private efforts to support "public" fencing that would restrict the public's right to traverse the shoreline violates Illinois law. Building an unlawful dog fence as discussed in paragraphs 1-8, above, would violate the Public Trust Doctrine ("PTD") by effectively privatizing the lakebed to the benefit of an adjacent property owner. See Lake Michigan Federation v. U.S. Army Corps of Engineers, 742 F. Support 441 (N.D. Ill. 1990), stating that (1) courts should be critical of attempts by the state to surrender valuable public resources to a private entity; (2) the public trust is violated when the primary purpose of a legislative grant is to benefit a private interest; and (3) any attempt by the state to relinquish power over a public resource should be invalidated under the doctrine. Furthermore, state/local units of government cannot permit violations of the public trust in advancement of WPD's efforts. If and when WPD receives permits to build its grand breakwater scheme using public and private funds, that same neighbor will have a half-century long interest in major "Project Elements," including fixtures on the beach and lakebed. The Environmental Law and Policy Center has stated that using the Lake Michigan lakebed and/or waters for construction of an offshore project by a private entity directly or indirectly, would likely violate the applicable public trust and the State of Illinois's legal responsibilities.

OTHER: Building unlawful fencing to keep out anyone who cannot pay $100s of dollars on veterinary fees and exams, and/or purchasing an expensive dog beach fob from WPD during limited office hours Monday through Friday, is wrong. Despite requests to WPD for public access codes to allow beachwalkers to use Centennial beach, which the Park District of Highland Park and other park districts allow, WPD is attempting to make Centennial Park as inaccessible as possible, harming the public to maximum effect, and violating our rights.

Please vote to deny recommending WPD's October 2025 SUP application.

Sincerely,
Kristine Schriesheim
Winnetka Taxpayer

Office of Water Resources, Michael A. Bilandic Building, 160 N. LaSalle St., S-703, Chicago, IL 60601

Memorandum

Date: December 11, 2025
To: Steve Altman
From: Eric Otto
RE: IDNR/OWR application-for-permit C20250015 by the Winnetka Park District for the construction of fencing, in Lake Michigan, at 225 Sheridan Road, Winnetka, IL 60093

Authority

The application for permit (application) was reviewed using the Illinois Department of Natural Resources, Office of Water Resources (Department) Part 3704 rules "REGULATION OF PUBLIC WATERS" which implement and are authorized by the Rivers, Lakes and Streams Act [615 ILCS 5]. The application was also reviewed using the Park District Code [70 ILCS 1205/11-2] (Exhibit PDC).

Existing Conditions (Exhibit A)

The applicant has three contiguous littoral lots, north to south, 260, 250, and 246 Sheridan Road, which form Centennial Park, on Lake Michigan. The beach is used as an off-leash dog swimming beach. The property is located immediately south of 261 Sheridan Road and immediately north of 205 Sheridan Road. Existing structures consist of:

1. A shore-parallel steel sheetpile seawall at the toe of the bluff
2. A shore-perpendicular steel sheetpile groin at the approximate center of the site
3. A shore-perpendicular steel sheetpile groin at the south property line

Proposed Project (Exhibit B)

The applicant proposes to install two shore-perpendicular rows of fencing (North and South), beginning at the existing steel sheetpile seawall, and extending 15 ft. into Lake Michigan. Both fences will consist of 4 ft. high chain link fence without concrete footings. The fence posts will be directly driven into clay substrate to the point of refusal. The North fence will be 91 ft. long and will be located 20 ft. south of the north property line. The South fence will be 78.25 ft. long and will be located 20 ft. north of the south property line. Gates will be installed in both rows of fencing to allow public access along the shoreline.

Department Application Review History

An application-for-permit was received on April 25, 2025. A permit application review fee of $3,360 was received on May 20, 2025. The Department issued a 30-day public notice on May 12, 2025. The public notice expired on June 13, 2025. Comments from 34 individuals were received in response to the notice. These comments were forwarded to the applicant for response on June 16, 2025. The applicant's responses were received on September 30, 2025. IDNR/DEE's sign off was received on April 29, 2025. The IEPA's Final Determination Letter was received on August 8, 2025. The U.S. Army Corps of Engineers is currently reviewing the proposed project for authorization by an Individual Permit.

Recommendation

Department staff reviewed the proposed project and concluded that the applicant has shown that the proposed work:

- will not obstruct or interfere with navigation.
- is an acceptable encroachment per the Park District Code [70 ILCS 1205/11-2].
- will not impair any rights, interests or uses of the public.
- is not likely to cause bank or shoreline instability on other littoral properties.

Based on a detailed review of the application, comments received in response to the Public Notice, and the applicant's response to the Public Notice comments, the project is permissible under the Department's Part 3704 rules and issuance of a Department permit is recommended. Approvals have been received from the Illinois Environmental Protection Agency (IEPA) and the Illinois Department of Natural Resources, Division of Ecosystems and Environment (DEE). Department Permit No. LM2025011 is attached for your approval and signature upon concurrence with this recommendation.

It is important to acknowledge Section 1205/11-2 Reclamation, of the Park District Code [70 ILCS 1205/11-2], which states that park districts that border upon any navigable body of water, the title to the bed or submerged land of which is vested in the State of Illinois, said district may take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation and shall have the power to establish, construct and maintain parks and boulevards over and upon the same, and all right, title and interest of the State of Illinois in and to the bed or submerged land of such body of water so taken possession of, enclosed, filled in and reclaimed is hereby granted and ceded to such park district and the title thereto shall vest in such park district to be held for the use and benefit of the public as a part of said park district for park and boulevard purposes exclusively, and said district shall have power for the purpose of reclaiming such submerged land and protecting the same thereafter, to construct all necessary break-waters, or protection for the building and maintenance of such parks and boulevards, and the enclosing or reclamation of such submerged lands.

Department Review

Section 3704.55 Permit Application Fee requires the Department to charge permit application review fees. It was determined that the review of this application fell under 3704.55 a) 1) C) and required a $3,360 review fee. The applicant submitted a check for that amount.

The application has been reviewed for compliance with the requirements of Section 3704.70, Land Conversion and Fill Material Placement. Subsection a) prohibits the conversion of public waters to private land by filling. The applicant does not propose to convert public waters to private land by filling. Subsection b, allows for the placement of fill, in public waters, for the listed purposes. The applicant does not propose the placement of fill material.

The project has been evaluated using Section 3704.80 a) for its potential to result in:

1. **An obstruction to, or interference with, the navigability of any public body of water.** The term navigability as used in the Department's Part 3704 Rules refers to commercial navigation. The proposed fencing will be constructed close to shore in relatively shallow water and will not extend lakeward of the existing groin located along the southern property line of Centennial Park (i.e., the northern property line of 205 Sheridan Road) or the existing groin located along the southern property line of Elder Lane Park (i.e., the northern property line of 261 Sheridan Road), and as such should not interfere with commercial navigation. This, along with the fact that the proposed fencing will be easily visible to all small watercraft and swimmers, addresses concerns that the proposed project will be a hazard to recreational users of Lake Michigan.

2. **An encroachment on any public body of water.** The fencing is an encroachment into Lake Michigan. However, the Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to

the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation. Therefore, it is an acceptable encroachment.

3. **An impairment of any rights, interests, or uses of the public in any public body of water or in the natural resources thereof.** The proposed fencing will be constructed within the shadow of the existing steel groins to the north and south. Therefore, the public's ability to use the waters of Lake Michigan for recreation will not be diminished. The proposed fencing will include gates to allow continued public access along the shoreline. Therefore, the public's ability to use the shoreline for recreation will not be diminished.

4. **Bank or shoreline instability on other properties.** The proposed fencing will be permeable, and as such will not trap sand from the littoral drift. Therefore, the proposed fencing is unlikely to cause bank or shoreline instability on other properties.

The fencing is an encroachment into Lake Michigan. However, the Park District Code provides broad rights and powers related to, title to, and interest in, the bed or submerged land of Lake Michigan that was vested in the State. Therefore, the applicant is not required to submit the supplemental information stated in Section 3704.80 b).

Public Notice Comments

The Department issued a 30-day public notice on May 12, 2025, with an expiration date of June 13, 2025. The public notice was mailed via U.S. Mail and posted on the Department's website with the complete application-for-permit package.

The Department received comments in response to the public notice, from 34 individuals (Exhibit C). The applicant was given the opportunity to response, in writing, to the commentors (Exhibit D).

The comments from the 30 commentors, listed below, were almost identical, with only minor variations, and had no references or relation to the Part 3704 rules. Those comments are not summarized in this memo but are included in the Exhibits.

Raheela Gill Anwar	Steve Juliusson
Vicki Apatoff	Lina Lubbat
Jeff Axelrod	Kim Marsh
Anne M. Coladarci	Mark D. Mitchell
Debbie Creigh	Patricia Mitchell
Charles H Dowding	Sherry Molitor
Jennifer Duboc	David Mulligan
Neva Egan	Kim Mulligan
Dian Eller	Alexandra C. Nichols
Lisa Fogt	J. A. Offerle
Mary Garrison	Irene Smith
Gina Gooden	Katie Stevens
Nina D. Gray	Linda Welch
Dr. Garry and Michele Grygotis	Constance & Kenneth Yonan
Stephanie Heraty	Nancy Yurek

The comments from the four commentors, listed below, contained references or relation to the Part 3704 rules. Those comments, and the applicant's and Department staff responses are summarized below.

Laurie Morse (PH)	Robert A. Schriesheim (PH)
Kristine Schriesheim	Ted Wynnychenko (PH)

PH: Comments that included a request for a public hearing.

Laurie Morse (comments dated 06/10/25, 06/13/25)

1. Remove the word "temporary" from all correspondence. The IDNR does not impose "temporary" conditions on its permits. We must take care the WPD does not succeed in misleading the public with this language.
    a. Applicant response: The Park District confirms the permit request language referring to "temporary" reflects the intended nature of the installation as low-impact and adjustable, although we recognize the IDNR's terminology and will comply accordingly.
    b. Department staff response: Staff are reviewing an application for fencing. If and when an IDNR/OWR permit is issued there will be no special conditions concerning the duration of time the fencing will be in place.
2. The application isn't signed.
    a. Applicant response: We are working closely with the IDNR to address any application deficiencies, including signatures and authorizations.
    b. Department staff response: Signatures are redacted from the public notice that is posted to the Department web site.
3. There is no name or signature on the application's "STATEMENT OF AUTHORIZATION" page 1.
    a. Applicant response: We are working closely with the IDNR to address any application deficiencies, including signatures and authorizations.
    b. Department staff response: Signatures are redacted from the public notice that is posted to the Department web site.
4. The application's (page 2, section 9) need statement lacks veracity. The applicant says the fences are needed to allow Centennial Beach to continue operating as an off-leash dog area. Centennial Beach is a leashed dog area and has been for years.
    a. Applicant response: It is currently designated as a leashed dog area, consistent with Park Board policy. The fence proposal is intended to allow the Park District to change this use to an off-leashed dog beach area and will provide additional safety and operational clarity in compliance with evolving recommendations.
    b. Department staff response: The comment has no reference or relation to the Part 3704 rules.
5. The application is frivolous. This applicant doesn't need fences and gates to maintain the status quo.
    a. Applicant response: It is currently designated as a leashed dog area, consistent with Park Board policy. The fence proposal is intended to allow the Park District to change this use to a off-leashed dog beach area and will provide additional safety and operational clarity in compliance with evolving recommendations.
    b. Department staff response: The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.
6. Veracity and the consequences of errors and omissions. The errors and omissions in this application are grave.
    a. Applicant response: We are working closely with the IDNR to address any application deficiencies, including signatures and authorizations.
    b. Department staff response: Staff find no errors or omissions in the application materials.
7. It is the IDNR's responsibility to identify, among other things, the responsible parties for and beneficiaries of the structures built using State permits. This application fails to mention, and the Public isn't told, that getting an IDNR permit to install rows of shore-perpendicular chain link fences across Centennial beach and into the water on the boundary of the donor's beach at 205 Sheridan Road is a triggering factor for a donor agreement

between the Winnetka Park District and the Ishbia Family Foundation. The controlling partes of the Foundation are in the public record as demanding privacy along this boundary, despite having agreed to the terms and conditions of their own IDNR permit for shore protection that forbids privatization of the new artificial beach below 205 Sheridan Road. It is easy for anyone to conclude the real purpose of WPD's application for Centennial fences is to privatize the donor's beachfront, while keeping the donor at arm's length from the process.
    a. Applicant response: Please note the Park District retains full management responsibility for Centennial Beach. We are committed to ensuring public access remains open and unimpeded, and any funding partnership supports these goals without transferring control or privatizing public lands.
    b. Department staff response: The Winnetka Park District is the property owner and applicant. Any relationship or agreement between the Park District and another entity is outside the authority of the IDNR/OWR.
8. Public Benefit. Since the WPD currently operates a leashed dog area on Centennial Beach and no regulatory authority has asked them to stop, there is no public benefit to the project proposed in this application.
    a. Applicant response: It is currently designated as a leashed dog area, consistent with Park Board policy. The fence proposal is intended to allow the Park District to change this use to a off-leashed dog beach area and will provide additional safety and operational clarity in compliance with evolving recommendations.
    b. Department staff response: The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.
9. Minimum Size. We don't have to spend much time asking ourselves if this proposal meets Section 17 of the Illinois Administrative code 3704.90 C requiring a design with minimal impairment to public rights while achieving its purpose.
    a. Department staff response: The fencing is an encroachment into Lake Michigan. However, the Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.
10. Controlling Parties. Can the applicant please supply the IDNR and the Public with all correspondence, including but not limited to meeting (in person, telephonic, electronic remote) notes, phone call notes; e-mails, records, and other communications between representatives of the Winnetka Park District (Staff, elected officials, appointed committee members, etc.) and the Ishbia Family Foundation, Orchard 2020, Justin Ishbia and all representatives of these entities that address or involve the design, planning, positioning, size and boundary selection for the proposed project?
    a. Applicant response: Please note the Park District retains full management responsibility for Centennial Beach. We are committed to ensuring public access remains open and unimpeded, and any funding partnership supports these goals without transferring control or privatizing public lands.
    b. Department staff response: The Winnetka Park District is the property owner and applicant. Any relationship or agreement between the Park District and another entity is outside the authority of the IDNR/OWR.
11. Similar Structures. IDNR requires proposed development along a Lake Michigan beach be similar or "like" other nearby structures.
    a. Department staff response: The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.
12. Safety. The applicant, in their April 25, 2025, cover letter says "The proposed fencing installation is intended to enhance safety…for beach users." The Department's Part 3704 rules do not permit fences on beaches or barriers atop fill on the Illinois shore based on safety, for dogs or for humans.

a. Department staff response: There is nothing in the Part 3704 rules that explicitly prohibits fencing. The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.

13. Harm. The fences as proposed extend into deep water, 15 feet under current conditions, and much further under high-water conditions. The fence posts, once under water, pose fatal danger to people who swim or paddle along the shoreline. Water pollution is also an issue. Please ask the applicant to explain why they haven't considered Federal ADA beach access requirements when planning and submitting this design. These fences will collect trash, ice in winter, and limit the public's ability to escape through or beyond the enclosed area should there be lightning, storms, or other danger or accident.
    a. Applicant response: Please note the Park District retains full management responsibility for Centennial Beach. We are committed to ensuring public access remains open and unimpeded, and any funding partnership supports these goals without transferring control or privatizing public lands.
    b. Department staff response: The fencing is proposed to be installed in shallow, nearshore water, and the fact that the proposed fencing will be easily visible to all small watercraft and swimmers, addresses concerns that the proposed project will be a hazard to recreational users of Lake Michigan. There is nothing in the Part 3704 rules related to water pollution or ADA requirements. The fencing may catch debris and ice, the removal of which is considered operation and maintenance, and is outside the authority of the IDNR/OWR. The proposed fencing will include gates to allow continued public access along the shoreline.
14. What other options has the applicant considered?
    a. Department staff response: There is nothing in the Part 3704 rules that requires an alternatives analysis.
15. Exclusivity. The IDNR should consider the applicant's restrictive beach access policies when thinking of awarding WPD extra privileges.
    a. Applicant response: We are committed to ensuring public access remains open and unimpeded, and any funding partnership supports these goals without transferring control or privatizing public lands.
    b. Department staff response: The proposed fencing will include gates with latches (not locks) to allow continued public access along the shoreline.
16. Politics and local authorities. Your rules and the terms and conditions of your Lake Michigan permits require an applicant to obtain approvals from local authorities before starting work on a Lake Michigan project.
    a. Applicant response: We continue to collaborate with all stakeholders and regulatory agencies to ensure the project preserves the natural beauty and public use of this cherished community resource.
    b. Department staff response: Condition #4 of IDNR/OWR permits states that "this permit does not relieve the permittee of the responsibility to obtain other federal, state or local authorizations required for the construction of the permitted activity; and if the permittee is required by law to obtain approvals from any federal or other state agency to do the work, this permit is not effective until the federal and state approvals are obtained".

Kristine Schriesheim (comments dated 06/09/25, 06/10/25, 06/12/25; only comments that contained references or relations to the Part 3704 rules are summarized below)

1. WPD's unsigned Joint Permit Application misrepresents to IDNR that the fence will have double entry gates on Centennial's northern and southern ends. It will not. WPD's attached schematics show that the northern end will have a set of 10-foot double entry gates. The southern end will have a stacked set of single 39 inch entry gates —not double entry gates. There is no valid justification for making the public maneuver through two narrow gates stacked one in front of the other, on a public beach. Also, it is important to note that 39 inches is barely wider than a yardstick.
    a. Department staff response: Signatures are redacted from the public notice that is posted to the Department web site. The proposed fencing will include gates to allow continued public access along the shoreline. The number and orientation of the gates is outside the authority of the IDNR/OWR.
2. After stating the obvious—that the fencing will serve as a barrier for dogs—WPD's Joint Permit Application misrepresents that its fencing designs will not create barriers for people. Because the fencing will extend 15 feet

into the lake, even with gates it will obviously create barriers that prevent people from navigating along the actual shoreline—for no valid reason, as I laid out in detail yesterday. Furthermore, both WPD and IDNR are aware that in times of high water the gates may be underwater. Fencing that runs from steel sheet piling at the toe of the bluffs all the way out into the lake will block people from traversing the public shoreline. Also, swimmers will be hard-pressed to see chain-link fencing in Lake Michigan's waters, even with goggles or masks on. I predict there will be numerous instances of people cracking their heads and/or cutting themselves on unnecessary lake-based fencing that is hard to see. If and when that happens, WPD's fencing going from the toe of the bluffs all the way into Lake Michigan, will impede rescues, whether or not the fencing is submerged. Lake-based fencing may also incite people to climb up and jump from 15 feet out into the water onto whatever rocks or other items may exist at that depth. The fencing will also trap debris and make the overall lakefront area look even worse than it does now—see recent photo.

   a. Department staff response: The term navigation in the Department's 3704 Rules refers to commercial navigation. The fencing is proposed to be installed in shallow, nearshore water, and the fact that the proposed fencing will be easily visible to all small watercraft and swimmers, addresses concerns that the proposed project will be a hazard to recreational users of Lake Michigan. The fencing may catch debris and ice, the removal of which is considered operation and maintenance, and is outside the authority of the IDNR/OWR. The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.

3. IDNR's Public Comment Notice presents an unsigned application. Why is the permit application unsigned?
   a. Department staff response: Signatures are redacted from the public notice that is posted to the Department web site.
4. WPD's proposed narrow, 39" stacked set of single gates framing a 6-foot-long corridor, would unlawfully create an impassable barrier to challenged individuals' ability to traverse the beach. As you and the other government officials on this email can see, 39 inches is too narrow to meet beach access standards, even for temporary structures.
   a. Department staff response: There is nothing in the Part 3704 rules related to ADA requirements.

Robert A. Schriesheim (comments dated 06/13/25)

1. Generally, I am concerned that the installation of the proposed fencing at Centennial Dog Beach, in Lake Michigan at 225 Sheridan Road, Winnetka, Illinois 60093, would encroach upon a public body of water and impair the rights, interests, and uses of the public in using a public body of water and the natural resources thereof. See Department's Part 3704 Rules, Section 3704.10. Specifically, the proposed fence would have the effect of limiting public access to Lake Michigan and its historically submerged lakebed, which is held in trust for the public. This encroachment and impairment would be in violation of the Department's Part 3704 Rules. As such, the permit application should be denied. See Sections 3704.80(a), 3704.90.
   a. Applicant response: The proposed temporary fencing is intended to support safe and responsible operation of Centennial Dog Beach and is not designed to restrict public access to Lake Michigan.
   b. Department staff response: The fencing is an encroachment into Lake Michigan. However, the Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation. The proposed fencing will include gates to allow continued public access along the shoreline.
2. The proposed fence has been inconsistently described in various materials made public by the permit applicant. For example, the Public Notice issued by the Department describes the southerly fence line as including gates and being "located 20 ft. north of the south property line." However, in materials submitted for consideration by zoning authorities at the municipal level, the fence does not appear to include gates and abuts (and crosses) the southern property line. This latter configuration certainly impairs the rights, interests, and uses of the public in using Lake Michigan and its historic lakebed.

a. Applicant response: We acknowledge that previous plan submissions may contain slight differences. However, the IDNR application reflects the most current design intent. The southern fence line will remain on park property, and gates on both ends are being designed to allow public access and operational flexibility.
b. Department staff response: The submitted application materials include gates to allow continued public access along the shoreline, and does not include work on adjacent properties.

3. The permit application is ambiguous regarding the type of gate latch to be used for the access gates in the north and south fence. See Detail 1 and Detail 2, Sheet L2.0. The Project Description notes that certain aspects of the Centennial Dog Beach are subject to a "fob-controlled gate", which inherently limits access to public land. Given the permit applicant's history in controlling access to this space, it is unclear whether the proposed gates will be lockable or locked, thereby inhibiting the public's ability to access, use, and enjoy public land.
    a. Applicant response: The project will not enclose or privatize public land, and any gates or latches will remain unlocked for public access. The current electric fob gate at the top of the bluff is existing and helps manage usage to ensure safe use of the dog beach.
    b. Department staff response: The submitted application materials describe the proposed gates as including latches for public access and make no mention of locks. The existing steel seawall at the base of the bluff will define the western boundary, with beach access maintained through the current stairway and fob-controlled gate.
4. No explanation is provided by the permit applicant as to why the north fence line has a double gate (at 10' wide) and the south fence has a single gate (approximately 3' wide). See Detail 1 and Detail 2, Sheet L2.0. The public should be able to equally access and traverse public land from the north and south.
    a. Applicant response: The differing gate sizes (north: 10', south: 3') reflect maintenance needs and site constraints, not an intent to limit access from one side.
    b. Department staff response: The number and orientation of the gates is outside the authority of the IDNR/OWR.

Ted Wynnychenko (comments dated 06/02/25)

1. I believe it is important to note that, while the WPD describes the fencing as "temporary," there is no provision within Part 3704 Rules for "temporary" structures. As such, and, apparently, as the Department has already noted, the permit application is for a "permanent" structure across the beach/lakeshore below the bluff and within the waters of the Lake.
    a. Applicant response: Regarding the characterization of the fencing as "temporary," we understand the IDNR reviews all structures within its permitting jurisdiction based on their location, intended use, and potential environmental impact, regardless of duration. The fencing described in our proposal is not intended to be permanent infrastructure, but rather a management tool to clearly delineate the off-leash dog area, minimize conflicts, and support the safe, continued operation of the dog beach in a responsible manner.
    b. Department staff response: Staff are reviewing an application for fencing. If and when an IDNR/OWR permit is issued there will be no special conditions concerning the duration of time the fencing will be in place.
2. I believe it is importation to correct the WPD's misstatement of fact. In its application, the WPD states that the purpose of the fencing is "to be compliant with Illinois Cook County Animal Control Ordinance." The proposed fencing will not make the proposed site for an "off-leash" dog park/area "compliant" with any County Ordinance. It appears the WPD is referring to Cook County Animal and Rabies Control Ordinance, Part II, Regulation VIII, which considers "Dog Parks and Areas," as the WPD's stated purpose for this area of public trust land along the shore, and into the waters, of the Lake is for its use as an "Off-Leash Dog Park." Furthermore, it appears that the WPD is asserting that "two shore perpendicular rows of fencing ... being[ing] at the existing sheetpile seawall and extend[ing] 15 ft. into Lake Michigan" will be compliant the County's Ordinance. This is not true. Regulation VIII requires that any off-leash "Dog Park must be completely enclosed by a contiguous fence." [Emphasis added.] As such the proposed 3 sided "fencing," where one side is the sheetpile seawall, for this area does not meet requirements of the County's Ordinance, and the WPD's assertion that it does is misleading and deceptive. As it is not entirely relevant to this application, I will conclude by simply stating that the Cook County

Department of Animal Control has not, at any time, explicitly endorsed that any incompletely, or non-contiguously, enclosed area would meet the requirements of Regulation VIII, and that the Department of Animal Control has no procedures, processes, or authority which allows it to issue any waivers or other exemptions to Regulation VIII. As such, the stated purpose of the permit application will not be accomplished by the requested fencing.

   a. Applicant response: With respect to regulatory requirements, the Park District has remained in regular communication with Cook County Animal and Rabies Control (CCARC). According to their current ordinance, all dog parks (or dog friendly areas) must be fully enclosed and include a gated entry system. The Park District has submitted the plans for the temporary fencing at Centennial Dog Beach to CCARC and is currently awaiting their review and confirmation that the proposed design meets all applicable requirements.
   b. Department staff response: The comment has no reference or relation to the Part 3704 rules. The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation.

3. The permit application does not provide any benefit to the general public, represents a direct encroachment on the Lake, is an obstruction to navigation along the Lake's shore, and impairs the rights of the public.
   a. Applicant response: Importantly, the fencing will not restrict public access to the beach or the lake. As clearly stated in our application, double entry gates are planned at both the north and south ends of the designated dog beach area to allow for continuous shoreline passage. This configuration aims to balance secure, off-leash use by dogs with the broader community's ability to traverse the shoreline. The design does not create a privatized or exclusive zone, but rather continues the decades-long management of this space as a designated dog-friendly area.
   b. Department staff response: While the fencing is an encroachment into Lake Michigan, the Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation. IDNR/OWR's concern is for commercial navigation; the fencing is proposed to be installed in shallow, nearshore water. The proposed fencing will include gates to allow continued public access along the shoreline.
4. As this application appears to be a "first of its kind," where a municipal entity is requesting the right to seize control of public trust land for the benefit of a select few at the expense, and to the detriment, of the people of the State, I am concerned that there may be further attempts to "privatize" the Lake's shore with the installation of fencing expressly designed to bar or limit public entry to public land for the benefit of private parties.
   a. Applicant response: The Winnetka Park District is not acting on behalf of a small group of private individuals. This proposal stems from ongoing operational evaluations and a desire to responsibly manage high-use recreational areas that involve dogs, which inherently carry added safety and compliance considerations. The proposed approach reflects feedback received from residents, staff assessments, and a continued commitment to provide access while minimizing risks. Finally, we recognize the importance of preserving access to public lands and waters. We will continue to work closely with regulatory agencies, including IDNR, to ensure that any activities undertaken are legal, appropriate, and aligned with the values of this community.
   b. Department staff response: The Winnetka Park District is the property owner and applicant. The Park District Code [70 ILCS 1205/11-2] gives park districts bordering upon any navigable water, the title to the bed or submerged land of which is vested in the State of Illinois, and allows said districts the right to take possession of, enclose, fill in, reclaim and protect any portion of such submerged land bordering thereon, over which there shall be shoal and shallow water not fit for navigation. The proposed fencing will include gates to allow continued public access along the shoreline.

Public Hearing
Of the 34 individuals, agencies, and local governments that responded to the public notice, issued for this project, three requested a public hearing. At this time, it is the opinion of Department staff that no additional relevant information can be obtained by holding a public hearing and therefore, do not recommend a public hearing be held.

As a result of comments received in response to the public notice, issued for this project, no changes were made to the project as originally proposed.

EVANSTON ROUNDTABLE

Letter to the Editor: The Dog Beach and lakefront accessibility

July 22nd, 2024

*Editor's note: This is the City of Evanston's response to resident John Kennedy's **recent letter** that brought up concerns about accessibility at city beaches.*

While there are definitely additional steps that the city can take to increase accessibility on the lakefront, there are many steps that the city has already taken to make the lakefront accessible for individuals with disabilities. Please know that it is difficult to compare the other beaches and their accessibility to the Dog Beach. As the city only has one dog beach, the ADA requires that it must be accessible.

Please take a look at what the city has currently done to increase accessibility on all of its beaches:

- In 2022, the city developed the **ADA Transition Plan** to remove barriers to city services and make it easier for community members with disabilities to participate. The plan places ADA access at the forefront of city planning, construction and policies.
- In early 2023, the city installed **Mobi Mats** at each of the city's six beaches, providing a path to closer proximity to the water for those in wheelchairs.

- Later, during the 2023 beach season, the city purchased **accessible beach wheelchairs** to increase accessibility even further.
- This beach season, the city implemented "No Throw Zones" at Lee and Clark Street beaches so community members with disabilities and families with young children will feel more comfortable in a less active space.
- In 2024, lakefront signage was updated with contrasting colors between the background and fonts. Additionally, color-coded flags with written words were printed on them to assist community members with low vision and individuals with color vision deficiencies.

The city's most accessible beach is Clark Street because it has accessible parking, restrooms and beach wheelchairs. It also has a no-throw zone and color-coded flags with written words to assist community members with low vision and color deficiencies.

Cynthia Vargas, communications and engagement manager for the City of Evanston

Paula McKendry

July 24th, 2024 at 10:34 AM

I question the need for a handicapped accessible dog beach. Service dogs do not run freely. How would a wheel chair user clean up after their pet or intervene in the case that their dog needed to be handled (not all dogs are perfectly behaved) ?
A few years ago there was no dog beach due to lake levels. By the time a special gate and pathway is designed, funded, and implemented, the beach could be washed away.
There are other parks and amenities in our community that could be made accessible and would serve a greater number of people.

WT Group
Engineering • Design • Consulting

August 24, 2023

Steve Wilson
Executive Director
Wilmette Park District
1200 Wilmette Avenue
Wilmette, IL 60091

Review for Langdon Park Beach

Dear Steve:

Thanks for the opportunity to provide feedback for the two new SmithGroup options for access to Langdon Park Beach. The first is an at grade option that is a hybrid of plans II and IV that were shared in the August board meeting, using the name Concept ORA 2. The second is a newer boardwalk option than what was presented at the August board meeting, using the name Concept ORA 3. Tanya Scheibe reviewed these plans. Tanya, one of our Project Managers, has a degree in architecture and is a Registered Accessibility Specialist. I also reviewed her work. The following are our remarks.

Connection of Permeable Pavers to New Path

Limited information is shown on these options regarding the pavers. Although this portion of the paver surface may be part of the outdoor recreation access route, we recommend the paver section comply with the requirements of a typical accessible route as the existing portions of this surface type are a typical accessible route. As a reminder, the requirements of a typical accessible route are:

- minimum width of 36” wide;
- gaps no greater than .5”;
- changes in level no greater than .5”;
- running slope maximum 5%; and
- cross slope maximum 2.08%.

This surface can follow all requirements for the outdoor recreation access route instead and have higher slopes with resting intervals as required for this path type.

At Grade Outdoor Recreation Access Route Design (Concept ORA 2)

In the design shown, the portions of the path that will begin beyond the permeable paver path extension will meet requirements for running slopes of an outdoor recreation access route as well as the requirements for resting intervals necessary. As a reminder, with a typical running slope of 9.8% specified for each section, resting intervals are needed every 30’ and these resting intervals must be a minimum of 60” wide and 60” long with slopes not greater than 2.08% for a paved surface. This is met in the design presented.

Handrails are not required on an outdoor recreation access route and are not included in this current design, but may be desirable with these steeper slopes. Should handrails be provided at the final stage, they must meet all requirements for handrails typical of ramps. This includes:

- a mounting height of 34" to 38" to the top of the gripping surface;
- a diameter of 1.25" to 2";
- have extensions at the top and bottom of each run, and
- continue to a floor, post, or wall at the ends.

Boardwalk Outdoor Recreation Access Route Design (Concept ORA 3)

The same requirements mentioned above apply to this boardwalk design as well. This design uses two different surface types. It is important to ensure that the transitions between surface types have a maximum of .5" change in elevation. As shown in the plans, the running slopes of the outdoor recreation access route and the boardwalk will meet requirements and will include the necessary resting intervals.

As noted earlier, handrails are not required on an outdoor recreation access route. Should handrails be provided, they must meet all requirements for handrails typical of ramps as described earlier.

Beach Access Route Requirements (applies to all plans)

When work is underway at an Illinois beach, beach access routes must be part of the project. A beach access route (BAR) must meet certain requirements for access and connect to an appropriate water level based on the type of beach. Authorities consider Lake Michigan and the other Great Lakes non-tidal lakes. Therefore, the Park District must provide access to the normal recreation water level. This is not defined within the 2018 Illinois Accessibility Code nor does there appear to be a definition for normal recreation water level in other texts. We believe that the long-term average data provided by the Army Corps of Engineers may be the best benchmark here. We are not experts in the determination of normal recreation water level in this environment and encourage the Park District to identify this water level or a means of determining it should that level fluctuate over the years.

A BAR can be a permanent surface like the path that is being added or can be removable, being rolled out or set up during hours the beach is open and stored when the beach is closed. Regardless of surface type, the beach access route must be a minimum of 60" wide, have changes in level or obstacles maximum .5", have gaps maximum .5", and must be free of protruding objects. If the beach access route is a permanent surface, it must also meet requirements for slopes and resting intervals. The cross slope of a beach access route must not exceed 2.08%. The running slope can be:

- Up to 5% for any length of the beach access route without requiring resting intervals;
- Between 5% and 8.33% for a maximum length of 50' with resting intervals at each end of the segment; and
- Between 8.33% and 10% for a maximum length of 30' with resting intervals at each end of the segment.

These running slopes match the requirements of an Outdoor Recreation Access Route and are not as generous as the allowances for trails which can reach 12.5% for a maximum of 10'.

It is important that if a removable surface is used for this purpose, it is adjusted to meet the normal recreation water level should that level fluctuate. We emphasize here that this surfacing should be out at all hours and on all days the beach is open to the public for water access. If there are times of the year when the District prohibits access to or use of the water at this location, it is not expected that a removable surface would be deployed.

Any type of surface that is used for the BAR must be maintained. It should be swept clear of debris or sand accumulation daily regardless of surface type. The District must also maintain a removable surface for compliance with gaps and obstacles on a regular basis, and adjust if necessary if the removable surface is not stored away each evening.

Conclusion

That concludes our remarks. If there are questions, or you would like us to review additional plans as they become available, please contact us.

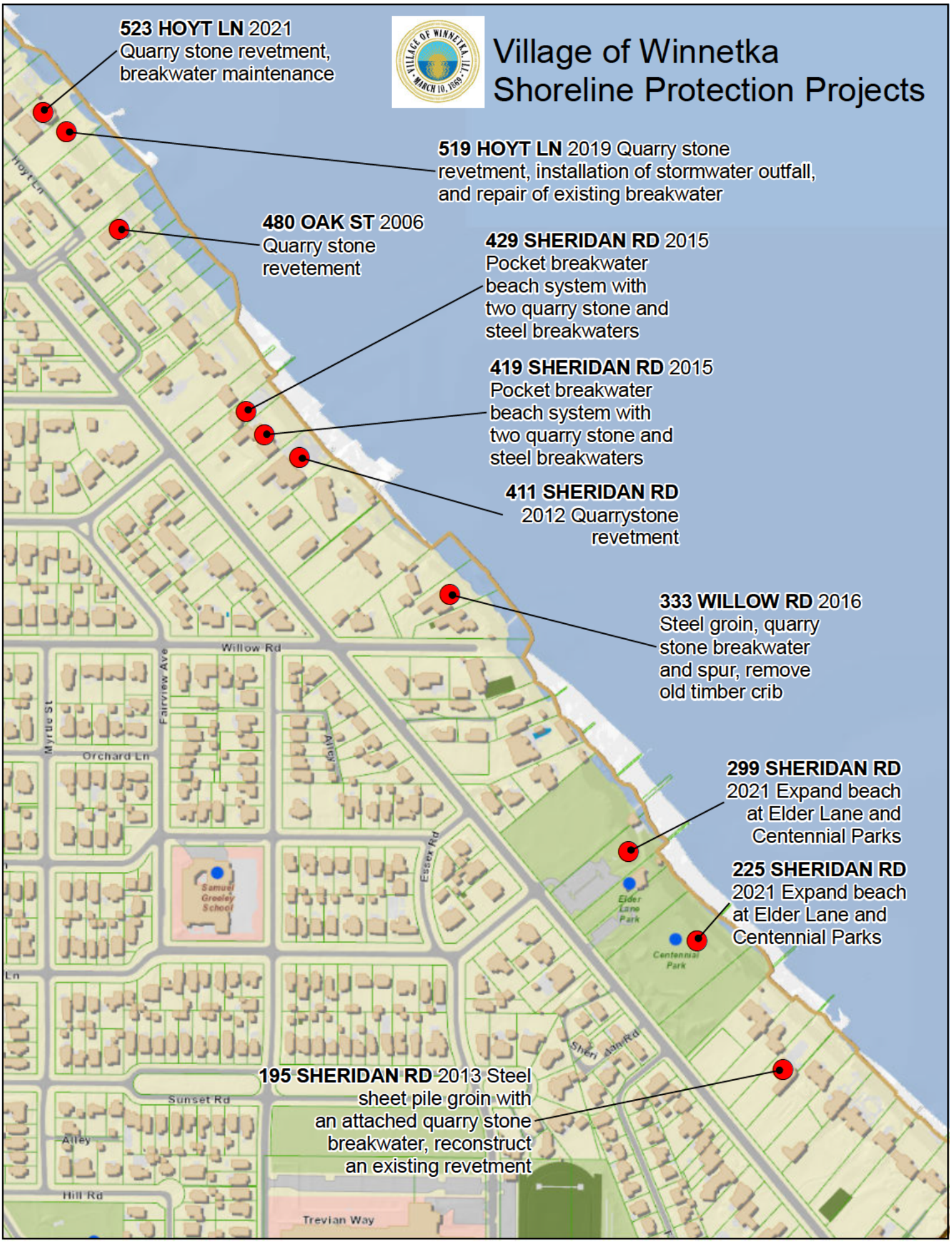
Sincerely,



John N. McGovern, J.D.
Partner, Principal-in-Charge
The WT Group, LLC Accessibility Practice

TRS/JNM/WILMETTE PARK DISTRICT LANGDON BEACH PLAN REVIEW 202302


1175 WHITEBRIDGE HILL RD 2011 Stone revetment removal and replacement
1175 WHITEBRIDGE HILL RD 2014 Groin and breakwater for shoreline protection
Village of Winnetka Shoreline Protection Projects
799 SHERIDAN RD 2019 Breakwater protected beach system comprised of the three quarry stone breakwaters
771 SHERIDAN RD 2017 Breakwater construction
667 SHERIDAN RD 2016 Remove existing concrete pier, construct quarry stone breakwater
703 SHERIDAN RD 2017 To construct a concrete pier on steel piles, quarrystone breakwater
627 SHERIDAN RD 2015 breakwater construction
609 SHERIDAN RD 2014 Quarry stone breakwater
595 SHERIDAN RD 2021 Raise the crest elevation of the existing south breakwater
609 SHERIDAN RD 2015 Quarry stone breakwater
565 SHERIDAN RD 2018 Quarry stone breakwater, rasing an exisitng groin
Tower Road Park
Water And Electric Plant
Tower Rd
Lamson Dr
Glen Oak Dr
Ravine Dr
Fisher Ln
Eldorado St
Foxdale Ave
Prospect Ave
Lloyd Pl
Summit St
Green Bay Rd
Humboldt
Church On The Hill
Maple Street Park
Lake Michigan
Blackthorn Rd
Winnetka Mews
Community House
Winnetka Congregational Church
Winnetka-northfield-glencoe Chamber Of Commerce
Spruce St
Lincoln Ave


Village of Winnetka
Shoreline Protection Projects
523 HOYT LN 2021
Quarry stone revetment, breakwater maintenance
519 HOYT LN 2019 Quarry stone revetment, installation of stormwater outfall, and repair of existing breakwater
480 OAK ST 2006
Quarry stone revetement
429 SHERIDAN RD 2015
Pocket breakwater beach system with two quarry stone and steel breakwaters
419 SHERIDAN RD 2015
Pocket breakwater beach system with two quarry stone and steel breakwaters
411 SHERIDAN RD
2012 Quarrystone revetment
333 WILLOW RD 2016
Steel groin, quarry stone breakwater and spur, remove old timber crib
299 SHERIDAN RD
2021 Expand beach at Elder Lane and Centennial Parks
225 SHERIDAN RD
2021 Expand beach at Elder Lane and Centennial Parks
195 SHERIDAN RD 2013 Steel sheet pile groin with an attached quarry stone breakwater, reconstruct an existing revetment
Hoyt Ln
Willow Rd
Fairview Ave
Myrtle St
Orchard Ln
Alley
Essex Rd
Samuel Greeley School
Elder Lane Park
Centennial Park
Sheridan Rd
Sunset Rd
Alley
Hill Rd
Trevian Way

Office of Water Resources, Michael A. Bilandic Building, 160 N. LaSalle St., S-703, Chicago, IL 60601

Memorandum

Date: December 11, 2025
To: Steve Altman
From: Eric Otto
RE: IDNR/OWR application-for-permit C20250015 by the Winnetka Park District for the construction of fencing, in Lake Michigan, at 225 Sheridan Road, Winnetka, IL 60093

Authority

The application for permit (application) was reviewed using the Illinois Department of Natural Resources, Office of Water Resources (Department) Part 3704 rules "REGULATION OF PUBLIC WATERS" which implement and are authorized by the Rivers, Lakes and Streams Act [615 ILCS 5]. The application was also reviewed using the Park District Code [70 ILCS 1205/11-2] (Exhibit PDC).

Existing Conditions (Exhibit A)

The applicant has three contiguous littoral lots, north to south, 260, 250, and 246 Sheridan Road, which form Centennial Park, on Lake Michigan. The beach is used as an off-leash dog swimming beach. The property is located immediately south of 261 Sheridan Road and immediately north of 205 Sheridan Road. Existing structures consist of:

1. A shore-parallel steel sheetpile seawall at the toe of the bluff
2. A shore-perpendicular steel sheetpile groin at the approximate center of the site
3. A shore-perpendicular steel sheetpile groin at the south property line

Proposed Project (Exhibit B)

The applicant proposes to install two shore-perpendicular rows of fencing (North and South), beginning at the existing steel sheetpile seawall, and extending 15 ft. into Lake Michigan. Both fences will consist of 4 ft. high chain link fence without concrete footings. The fence posts will be directly driven into clay substrate to the point of refusal. The North fence will be 91 ft. long and will be located 20 ft. south of the north property line. The South fence will be 78.25 ft. long and will be located 20 ft. north of the south property line. Gates will be installed in both rows of fencing to allow public access along the shoreline.

Department Application Review History

An application-for-permit was received on April 25, 2025. A permit application review fee of $3,360 was received on May 20, 2025. The Department issued a 30-day public notice on May 12, 2025. The public notice expired on June 13, 2025. Comments from 34 individuals were received in response to the notice. These comments were forwarded to the applicant for response on June 16, 2025. The applicant's responses were received on September 30, 2025. IDNR/DEE's sign off was received on April 29, 2025. The IEPA's Final Determination Letter was received on August 8, 2025. The U.S. Army Corps of Engineers is currently reviewing the proposed project for authorization by an Individual Permit.

From: [redacted]
To: Scott Mangum; Ann Klaassen
Subject: Support for Centennial Beach fence and public safety issues
Date: Tuesday, January 20, 2026 8:29:38 PM
Attachments: Army Corp Letter 8.25 signed.pdf
Talking points-temp fencing 8.2025.docx

Some people who received this message don't often get email from [redacted]. Learn why this is important

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.

Dear Mr. Mangum and Ms. Klaassen,

I am writing this email in support of the Winnetka Park District's application to install fencing at the Centennial Park dog beach. My husband and I reside at 301 Sheridan Rd in Winnetka, adjacent to Elder Lane Park and part of the contiguous stretch of beach that includes Centennial Beach.

I have included the following communications regarding public safety issues we have encountered in our neighborhood relating to unleashed dogs, which explain my reasons for supporting the Park District's application:

1. August 2025 email to the Presidents of the Winnetka Village Council and Winnetka Park District (set forth below), which includes as an attachment a copy of my letter to the Army Corps of Engineers in support of the Park District's application for fencing.
2. Transcript of my remarks during the public comment portion of an August 2025 Village Council meeting.

I will be out of town for the upcoming Plan Commission and ZBA hearings, and request that this email and attachments be included in the agenda packets for both the January 28 Plan Commission public hearing and the February 9 ZBA public hearing.

For the safety of our children and neighboring residents, I urge the various Village entities to provide all requisite approvals to install the requested fencing as soon as possible.

Thank you. Fran Edwardson

From: Fran Edwardson <[redacted]>
Sent: Friday, August 8, 2025 2:50 PM
To: rdearborn@winnetka.org <rdearborn@winnetka.org>; egibson@winpark.org <egibson@winpark.org>
Cc: [redacted]>
Subject: Temporary dog fence and public safety issues

Dear Presidents Dearborn and Gibson,

I am attaching a copy of a letter to the Army Corps of Engineers that I also mailed to each of you today. I'm sending it to you by email as well because of my significant public safety concerns involving an unfenced dog beach reopening at Centennial Park when repairs are complete. By way of this email, my husband and I are asking three things:

1. Act together to clear the hurdles to the temporary fencing for the dog beach, and get it erected, as soon as possible.
2. Do not reopen the dog beach until the fencing is up.
3. Direct our police department to enforce the Village's and the Park District's leash laws, especially in our local parks.

As you will see in the letter, in early July we had two instances of dogs in our backyard coming off the unfenced dog beach. In one case, it was a pair of them traveling together. These dogs have no business roaming free in our community, and I am deeply disappointed that the Village, the Park District, and local law enforcement all continue to look the other way on unleashed dogs on the beach and in Centennial and Elder Lane parks. This situation is of particular concern regarding Elder Lane Park, which prohibits dogs altogether, on or off leash. This park teems with children daily, ranging from the toddlers at the tot lot, to the primary school children with their flag football and soccer practices, to the teens with the parking for New Trier, and to all kinds of families who regularly picnic in the park.

I do not understand the failure of our local government to enforce our leash laws in these two parks and their beaches. As you will see in the letter, my own experience with a vicious dog attack in Elder Lane Park has shaped my views on this. I apologize for the graphic nature of the attached photos, but I think they illustrate well just what a dog is capable of doing in a very short period of time. The four photos were taken by the vet after Toby's attack. The largest wound was five inches long and an inch wide, the other very deep wound was approximately an inch deep into his tissue. Can you imagine if the Elder Lane victim had been a child in the park instead?

My husband and I are happy to discuss this further. Besides contacting us by email, you can reach us on our landline, [redacted] Thank you.

Fran and John Edwardson

August 8, 2025

U.S. Army Corps of Engineers, Chicago District
ATTN: Sophia Morgan
231 S. LaSalle Street, Suite 1500
Chicago, IL 60604

RE: Public Comment on Permit Application No. LRC-2023-082

Dear Ms. Morgan,

As a long-time resident of the Village of Winnetka, I write to express my strong support for the Winnetka Park District's permit application to install a temporary dog fence at Centennial Park Dog Beach in Winnetka.

This summer, I have watched on a daily basis numerous unleashed dogs run up and down Centennial and Elder Beaches and the private property at 261 Sheridan Road. Frequently, because they are off leash, they enter onto parts of the beach that are not supposed to be part of the dog beach.

A few weeks ago, two large dogs from the dog beach crossed all three of these properties, came up the stairs from the beach at our home at 301 Sheridan Rd (immediately North of Elder Lane Beach) and began to explore our (street-level) backyard while I was in the backyard. My husband had a similar experience around the same time frame, when one dog had come up the stairs and the owner drove into our driveway looking for it. These incidents are deeply disturbing, though more than anything we are grateful that none of our grandchildren were playing in our yard or on the beach in either incident. At the same time, it was fortuitous for the Park District and the Village that the dogs went up to our yard rather than to Elder Lane Park, where the entry point from the beach is immediately adjacent to a tot lot. The morning of the two dog-incursion there were numerous toddlers playing in the tot lot who could have been endangered by the dogs.

The Park District's efforts to re-install a dog fence are long overdue. I understand that the Park District, the Village of Winnetka, and Cook County Animal Control each have ordinances that require the leashing of dogs in unfenced areas. I have personally observed, however, that those ordinances are not being enforced along this stretch of beach and parkland by the local police or any other governmental entity. Prior to the recent construction closures, dogs continued to roam this entire beachfront unleashed. If the beach remains unfenced, a serious injury to a neighbor, child, or another dog is inevitable. The absence of enforcement and fencing is, in my opinion, reckless and unconscionable by our local officials.

The risk of injury, property damage, and disease is why the Cook County Department of Animal and Rabies Control requires that a dog park be "completely enclosed by a contiguous fence with each entrance designed in such a manner as to secure against accidental opening." This is an important public safety issue.

Unfortunately, five years ago I personally experienced an attack in Winnetka by an uncontrolled dog and know the injuries that can be inflicted. While walking my dog, Toby, on a leash, Toby was tackled and dragged into Elder Lane Park by a large, unleashed, uncollared dog. The dog pinned Toby down, and proceeded to eat Toby alive until the owner was able to pull the dog off Toby. It was a horrifying experience. If we are to have a dog beach, for the safety and benefit of all beachgoers and park visitors, it should be enclosed. An enclosure will create a safe and enjoyable environment for dogs and their owners, as well as for the children and everyone else in these parks at the same time, and mitigate the risks of unnecessary encounters between dogs and human beings.

I ask that you endorse the Park District's efforts to install a fence by approving their permit application as soon as possible. I also ask that you allow or require them to keep the current construction fencing in place if the Centennial dog beach is to be reopened before the temporary, permitted fence has been erected.

Sincerely,



Francesca Edwardson, Winnetka resident

cc: Winnetka Park District
Winnetka Village Council
Cook County Department of Animal and Rabies Control









TALKING POINTS—FENCING FOR DOG BEACH

My name is Fran Edwardson, and I live at 301 Sheridan Rd, next to Elder Lane Park.

Since the dog beach at Centennial reopened with a supposed "leash" requirement, lower lake levels, and no fencing, we have had multiple dogs coming into our yard from the dog beach.

They are traveling nearly a quarter mile from Centennial: across the 261 Sheridan and Elder Lane beaches, then onto our property, up our stairs, and into our yard. They have neither leashes nor owners with them. I'm grateful that our grandchildren weren't outside as this could have put them in harm's way.

Worse yet, the dogs could have easily come up at Elder Lane Park next to the tot lot, or at an adjacent home where young children live and play in their yard often. Elder Lane Park is used by lots of kids, including the toddlers at the playground, Jr Trevians at sports practices, and the teenagers who park there to attend New Trier. Elder Lane is a "people park" and all dogs, whether on or off leash, are specifically prohibited in it by Park District ordinance.

I have firsthand experience with an attacking dog, and know the serious injuries they can cause. In 2020, while I was walking my leashed dog Toby, he was tackled and dragged into Elder Lane Park by a very large, unleashed, uncollared German shepherd. He pinned Toby down, and began to eat my dog alive until the owner was able to pull the attacking dog off. It was horrifying. But, it could have been worse. What if the dog had attacked me instead? Or worse yet, a child playing in the park?

While we love our dogs, they can be dangerous animals. That's why we have laws that regulate them. Whether on the beach, in the parks, or on our streets, dogs should not be roaming unleashed in Winnetka. It presents an important public safety risk, which should be given the highest priority.

Not just the law, but common sense, dictates that a dog beach must be fenced. This is not the Park District's problem alone. The Village's own leash laws specifically declare that unleashed dogs off the owner's property are a "public nuisance." Our zoning ordinances put this squarely in front of the Village, too. The plastic

construction fencing that's up at Elder Lane beach right now isn't going keep dogs from roaming for long.

Two recent surveys done by the Park District and the Caucus indicate that the full reopening of Elder Lane beach is one of our community's highest priorities. Our beaches should be safe for all beach goers and park visitors. Resilient fencing can create a safe and enjoyable environment for everyone, and mitigate the risks of unintended encounters between dogs and human beings.

The Army Corps' and IDNR's review of the Park District's temporary dog beach fence application is nearly complete. I urge the Village to cooperate with its fellow government agencies and grant all necessary approvals for the temporary dog fence as quickly as you possibly can.

Thank you.

To: Village of Winnetka Plan Commission

From: Kimberley Marsh, 360 Forest Street, Winnetka, IL

Re: Winnetka Park District Centennial Fence SUP Application Violates Design Standards, Conflicts with the 2040 Futures Plan & Misrepresents Facts and the Law

Date: January 21, 2026

Please vote against recommending the Winnetka Park District's ("WPD") Village Code-violating, SUP standard breaching, unlawful and 2040 Futures Plan-indifferent permanent fencing permit application.

1. Design Standards prohibit chain-link fencing. WPD's proposed black chain-link animal cage on the shores of Lake Michigan would violate this prohibition. It cannot be recommended to the Village Council.

2. VOW 2040 Futures Plan promotes open space and the preservation of Winnetka's graceful character, neighborhood design standards, and the environment. WPD's SUP application clearly violates all of these tenets. There is no standalone black chain link fencing along any neighboring Centennial Park property owner's lakefront front lot line, nor along any Sheridan Road front lawn. There is no standalone chain link fencing in the neighborhood that extends into Lake Michigan. WPD's SUP permit application cannot be recommended to the Village Council.

3. When the Village approved WPD's 2001 Elder Lane and Beach SUP application, it required WPD to install Code-compliant non-chain link fencing. Despite this, WPD seeks to install Code non-compliant, design standard violating, 2040 Futures Plan -inconsistent chain link fencing on Centennial beach.

4. WPD's proposed black chain link animal cage is not minimally necessary nor consistent with Code Section 15.78.010. WPD's fencing is designed to stretch106′ from the toe of the bluffs into Lake Michigan on the north, and 93′3″ into Lake Michigan to the south. The fencing extends 72 feet beyond the OHWM--WPD's front lot line—on the north, and 77′3″ beyond WPD's front lot line to the south. Fencing that extends beyond a property owner's front lot line is prohibited.
5. The Village Code prohibits nuisances, which it defines as fencing or other barriers that would extend into the public way, including Lake Michigan and its submerged lands.

6. Village Code Section 15.78.080 prohibits the creation of nuisances, such as fencing that would create Public Safety Hazards, including by impairing police and other first responder access to Centennial beach/Lake Michigan. WPD's animal cage would have 10" double gates on the northern side of Centennial. On Centennial's southern end, WPD designed two barely passable, stacked, single gates that form a 6' long, 39" wide corridor in the lake east of the OHWM. WPD's unsafe designs would unreasonably obstruct and interfere with ingress/egress to the adjacent public beach south of its animal cage. The cage would force first responders and other rescuers either into the lake through a yardstick wide corridor to try to reach emergency situations on the 20' area south of the fencing and north of 205 Sheridan's northern breakwater, or 77'3" past the OHWM into Lake Michigan to attempt to render aid to persons/dogs/boats/paddlers.

7. The 2040 Futures Plan contemplates ADA access. For local governmental bodies such as WPD, compliance is mandatory. Despite this, WPD designed an ADA non-compliant beach corridor that is too narrow for a wheelchair to use, with an insufficient turning radius that would trap people and dogs inside the chain link fencing, possibly in the waters of Lake Michigan. This dangerous and unlawful design violates the Village Code as well as the 2040 Futures Plan and cannot be recommended for approval.

8. WPD misrepresents the permanent nature of its black chain-link fenced in animal cage extending along and well past its front lot line on the shores of Lake Michigan. The fencing would be permanent, with no time constraints or removal requirement.

9. WPD claims its ADA-violating, public nuisance creating, Design Code abrogating, 39" wide, 6' corridor will never be used for maintenance south of the black chain-link fencing. This is out of line with the realities of known debris that washes up from Lake Michigan, as well as boats that may crash into 205 Sheridan's armored stone breakwaters, possibly stranding boaters/boats on a narrow 20' strip of inaccessible public beach, or beyond. A 34' long boat was stranded after encountering heavy waves

at Lloyd in October 2025. WPD also recently described finding a large section of wide rubber pipe washed up onto the Elder-Centennial beach, which required removal efforts by both the Village and WPD. That belies WPD's false statement that no maintenance will ever be required south of its unlawful black chain-link lakefront animal cage.

10. Cook County Animal Control ("CCAC") has refused to evaluate WPD's animal cage until after IDNR and USACE make their determinations, despite repeated entreaties not only from WPD, but also via email and phone calls from Orchard 2020 Trust's attorneys. In 2024, CCAC Administrator Dr. Diakhate informed Shannon Nazzal that Centennial beach is a "dog friendly area." Cook County does not require four-sided or any other specific fencing for Lake Michigan dog friendly areas, WPD can produce no documentation supporting its specious claims.

11. The Village Code prohibits dog owners from allowing their pets to "run at large." The IL Animal Control Act, 510 ILCS 5, 5/9, provides that: "A dog that is in a dog-friendly area or a dog park is NOT CONSIDERED TO BE RUNNING AT LARGE IF THE DOG IS MONITORED OR SUPERVISED BY A PERSON." There is no lawful justification for WPD's attempted usurpation of CCAC's sole and exclusive Animal Control Act authority. WPD is deliberately mis-defining what constitutes "running at large" to force the Village of Winnetka to violate the 2040 Futures Plan, its Design Standards, the Lakefront Preservation Ordinance, and the Village Code's nuisance provisions.

12. CCAC regulations require fully enclosed four-sided fencing for "dog parks" on land. Even if the IL Animal Control Act were amended to exclude dog friendly areas from its definition of places where canines are NOT "running at large," WPD's two-sided fencing would be out of compliance with the rules. As WPD knows, CCAC's Administrator lacks waiver authority for the four-sided fencing requirement.

Please vote to deny recommending WPD's grant of a SUP for its unlawful, specious and misleading fencing permit application.

Friends -

What a surprise to receive an email from Eric Otto on Christmas Eve saying that the IDNR had issued Permit LM2025011 allowing the Winnetka Park District to put fencing into Lake Michigan around Centennial Park!

This is a terrible idea for so many reasons. First of all, this fence defies Illinois law (615 ILCS 5/27). This is a beach for public use.

I understand that the Park District application described the fencing as going into the lake 15 feet. Take a look at the WPD's own drawings. They want to have a fence which would go 106 feet lakeward from the seawall to the north, and 93 feet 3 inches lakeward from the seawall to the south.

Think of the hazards these fences will present to swimmers, boaters, and even dogs!

Mr. Otto mentions that the area where the Park District wants to put its fences is made up of shoals and water not fit for navigation. That's simply not true. According to USACE, all of Lake Michigan's waters are navigable.

Finally, this really is moot since a public notice was not posted to inform the Winnetka residents about the Park District's plans and application.

I believe Laurie Morse's comments, which you have, sum up our problems here:

Mr. Otto's permit of multiple fences on Centennial Beach is a precedent-setting decision with consequences leadership at the Corps and the IDNR
have not considered, and which are far-reaching. The IDNR failed to hold a public hearing that included all managers of waterside state and county
recreational areas in Illinois prior to making this permit decision.

Please reconsider your decision and rescind Permit LM2025011.

Please keep me updated. Thank you.

Irene Smith
1087 Elm Street
Winnetka, IL 60093

ATTACHMENT C

From: [redacted]
To: Kristin Kazenas; ContactCouncil; Planning
Cc: Shannon Nazzal; [redacted]; Christina Codo; scorley@winpark.org; dseaman@winpark.org; cyrapp@winpark.org; jtyson@winpark.org; Kutulas Costa
Subject: Winnetka Dog Beach Fencing
Date: Friday, January 23, 2026 10:52:57 AM
Attachments: Exhibit 2 - Dog Park and Beach - History and Consideration of Alternatives.pdf

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 Village of Winnetka Board of Trustees, Staff and Plan Commissioners,

As you prepare for the upcoming Plan Commission Hearing regarding the dog beach, I thought if would be helpful to list some salient facts regarding the Winnetka Dog Beach and attach the exhibit that was included in the prior plan commission submittal regarding the history of the Winnetka Dog Beach.

- The dog beach at Winnetka's Centennial Park opened in 1995.
- The Village of Winnetka adopted leash laws in 2007, requiring dogs to be on leash in public spaces
- Cook County Animal Control Ordinance has detailed requirements for operating off-leash dog parks including fences and controlled access.
- A chain link fence was in place at the near the north end of Centennial beach extending into the water for the better part of a decade before it was obliterated by wave action accompanying rising water levels peaking in 2020.
- The Winnetka Park District developed thoughtful plans that meet the various requirements to keep the dog beach in compliance with governing regulations and be consistent with the public trust doctrine.
- The Park District studied all other locations and determined Centennial is best suited for the purpose of the dog beach (see attached document included in prior public submittals to the Village of Winnetka).
- Centennial Beach, with 520 feet of shoreline represents more than 21% of the publicly accessible shoreline in Winnetka.
- The number of Winnetka households with dog beach passes averages less than 7% of the households.
- The Park District voted UNANIMOUSLY in October of 2022, to keep the dog beach at Centennial but reduce the size to not less than 170 and not more than 270 feet of shoreline and to provide public access to the balance of Centennial Park.
- ANY other proposed dog beach in Winnetka would require the granting of a special use permit before it could be used as an off-leash dog park and it would have to meet the same requirements.

The Village of Winnetka requires a Special Use Permit for ALL: Parks, Schools, Churches and other Institutional uses because it does not have a land use category in its zoning ordinance for such uses.

- But for the lack of proper zoning classification this request would be a simple administrative process requiring a building permit.
- Despite the fact that the dog beach has been in the same location for the past 30 years, the Village of Winnetka is insisting upon a *new* special use permit for a temporary fence to allow dogs to run off leash at Centennial Beach.
- The Winnetka Park District is obligated to follow the ordinances enacted by the Village of Winnetka, County of Cook and State of Illinois; its not an option.

The Village should explain to its constituents who made the decision to require a special use permit and why it is required for a statutorily required fence. It's been more than 3 years since the Park District agreed to modify the lakefront master plan to keep the dog beach at Centennial and people are still arguing over a simple plan to meet the basic code requirements for an off-leash dog park.

Politics involves compromise. Operating a dog beach requires compliance with governing regulations. The proposed interim fencing solution properly secures the dog beach while affording the public access to the balance of Centennial Park and Beach. The plan should be approved without further delay.

Warren James

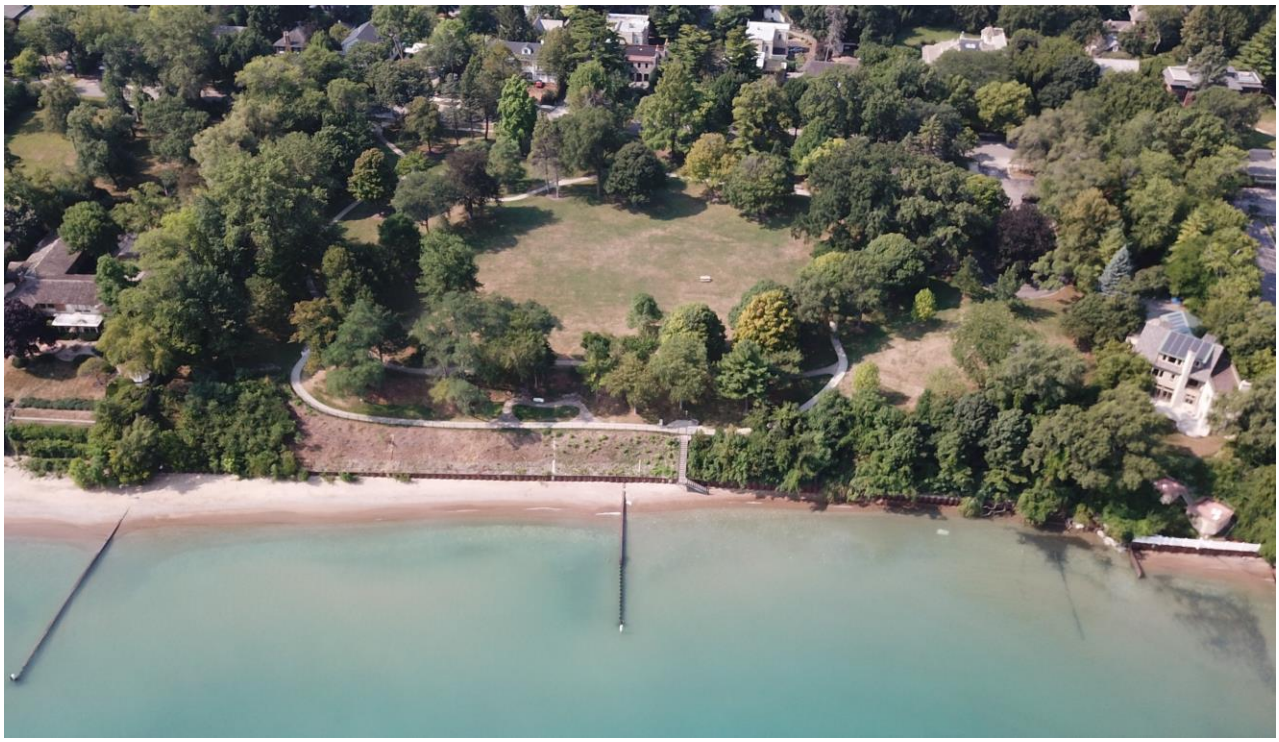
Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives

Centennial Park was established in 1969 with the acquisition of the former North Shore Health Resort Property. Park features are largely the same today as when it was first developed, with the notable exceptions of the bluff and shoreline repairs in 1987 and the formation of the Centennial Park off-leash "Dog Beach" in 1995.



Above: Drone image dated 2020-09-29

Below: Drone image dated 2020-08-26



Prepared by Park District Commissioner, Warren James, last updated February 2025

Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives

Publicly owned shoreline in Winnetka is detailed below:

Publicly Owned Lakefront Property – Village of Winnetka & Winnetka Park District

Description	Shore frontage (feet)	Shore frontage (% of total)	Beach Access Allowed (feet)	Beach Access Allowed (% of total)	WPD Managed Beach (feet)	WPD Managed with Beach Access Allowed (%)
Sheridan Rd – Ravines	100	3.3%	100	3.9%	0	0.0%
Tower Rd Beach (WPD)	200	6.6%	200	7.9%	200	8.3%
Tower Rd Beach (VofW)	320	10.6%	320	12.6%	320	13.3%
Tower Rd Power Plant	215	7.1%	0	28.3%	0	0.0%
Lloyd Beach	720	23.8%	720	9.2%	720	29.9%
Maple Beach	235	7.8%	235	0.0%	235	9.8%
Spruce Street ROW	66	2.2%	0	0.0%	0	0.0%
Elm Street ROW	66	2.2%	0	0.0%	0	0.0%
Oak Street ROW	66	2.2%	0	0.0%	0	0.0%
Cherry Street ROW	40	1.3%	40	1.6%	0	0.0%
Willow Road ROW	66	2.2%	0	0.0%	0	0.0%
Elder Lane Beach	410	13.6%	410	16.1%	410	17.0%
Centennial Beach	520	17.2%	520	20.4%	520	**21.6%**
TOTALS:	3024	100.0%	2545	100.0%	2405	100.0%

Note: Centennial Beach represents 21.6% of the total usable beachfront managed by the WPD.

Winnetka Park District – Dog Beach Pass Holders – Summary Report: 2010-2022

Year	Resident	Non-Resident
2010	351	75
2011	311	73
2012	320	89
2013	275	71
2014	285	65
2015	267	63
2016	315	70
2017	333	80
2018	371	94
2019	356	105
2020	245	56
2021	300	86
2022	232	54
AVERAGE:	**305**	**75**

Approx. 4500 Households within the WPD (includes parts of Northfield, Glencoe, Kenilworth)

The 13 year average of 305 resident dog beach passes represents only 6.8% of WPD households.

Prepared by Park District Commissioner, Warren James, last updated February 2025

Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives

DOG BEACH TIMELINE

- 1995 – Dog Beach Created at Centennial Park by Winnetka Park District
- 2007 – Village of Winnetka adopts leash ordinance
- 2015 – Lakefront Advisory Committee recommends relocating dog park in the event Elder and Centennial are unified, recognizing that Elder and Centennial combined with 261 Sheridan would result in a 1000-foot public beach.
- April 2016 - Lakefront Master Plan Adopted
- May 2016 – Community needs assessment survey identified dog park as top 5 priority
- Dec 2018 – Residents approach WPD Board to advocate for an off-leash (land based) dog park
- Jan 2019 – Board directs staff to prioritize dry land dog park assessment
- Mar 2019 – Staff evaluated 33 sites and identifies 4 as meeting minimum requirements
- Jun 2019 – WPD host meeting to present findings from community engagement
- Aug 2019 – WPD Board reviews information regarding dog park locations
    - During the board meeting, the need to find a suitable alternative location for a dog park was highlighted, noting that the Lakefront Master Plan called for relocating the dog park away from Centennial Beach in the event the parks were unified.
    - WPD identifies West Elm Park and Crow Island Woods best suited locations for off-leash dog park.
    - West Elm area residents mobilize to oppose dog park at portion of West Elm Park
    - Euclid Avenue residents mobilize to oppose dog park at portion of Crow Island Woods
    - WPD Board drops proposal for dog beach at West Elm or Crow Island due to community opposition and focuses on off leash park on portion of the Village municipal yard south of Willow Road.
- March 2020 – Covid Outbreak
    - WPD meetings to go to zoom only
    - Caucus participation plummets to low 20's total participation
    - Randy Whitchurch and Bill Murphy – both residents of Fuller Lane volunteer to serve on Winnetka Caucus Council Park District commissioner selection committee
- August 19, 2020 – Caucus zoom interviews of candidates for WPD Commissioner; conducted by Randy Whitchurch and Bill Murphy; seven candidates for one open seat; Eric Lussen and Warren James, both incumbents interviewed for second term.
- October 10, 2020 – Winnetka Park District enters into Exchange Agreement to acquire 261 Sheridan.
- November 11, 2020, Caucus Town Hall, presentation of Candidates via zoom:
    - Candidate Colleen Root was recommended by the Winnetka Caucus Council as nominee for park board commissioner.
    - Candidate Root introduces herself as an attorney from Houston, TX, who moved to Winnetka in 2018, is familiar with the Army Corps of Engineers by virtue of the fact her home was flooded and destroyed by a hurricane, stated one of the reasons she moved to Winnetka was for its dog beach.
- March 10, 2021, Caucus Spring Town Hall – question regarding dog beach/parks directed to candidate Colleen Root in lieu of board President Mickey Archambault.

Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives

- May 27, 2021, Commissioner Root sworn in as newly elected Commissioner
- Jun 24, 2021, first Regular Board meeting with new board members, including Commissioner Root (in attendance.)
- Aug 26, 2021, WPD Board meeting: 50+ attendees demanding reinstatement of dog beach in lakefront master plan – led by Commissioner Colleen Root & Randy Whitchurch
- WPD Board responded to community input and established Dog Beach Committee which included volunteer time/board liaison from Village President Chris Rintz.
- Village of Winnetka reiterated its offer to allocate land for off leash dog park at Village Municipal Yard, for which specific plans were prepared by WPD. However, the Village noted that off leash park on municipal yard would not be able to be constructed until after the completion of the stormwater project in SW Winnetka.
- Village of Winnetka offered to establish dog beach on a portion of Tower Road Beach owned by the Village of Winnetka immediately adjacent and north of Tower Road pier.
- As detailed above, the total usable publicly owned shoreline at Tower Road Beach is approximately 520 feet. Comprised of 320 feet owned by the Village of Winnetka, leased to the WPD and the 200-foot-wide lot owned by the WPD.

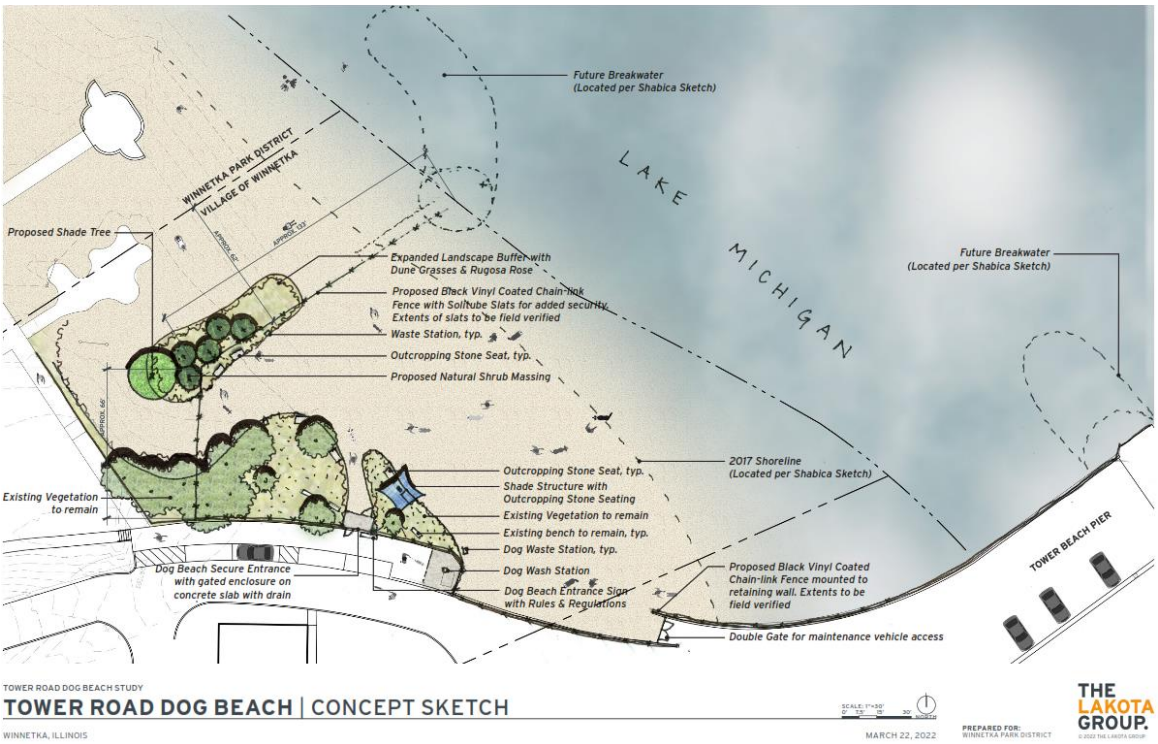


Cook County Viewer – GIS Image – Village of Winnetka Owned Property



Cook County Viewer – GIS Image – Winnetka Park District owned property

- Spring 2022 - Dog Beach Committee developed specific plans for dog beach at Tower Road.
- Spring 2022 - Dog Beach Committee worked with staff and consultants to prepare plans for dog beach on the southern portion of Tower Road Beach, including a fence surrounding the dog beach extending to the waterline.



- WPD Board of Directors reviewed proposed plan for Tower prepared by Dog Beach Committee. The WPD Board made the following observations:
    - With 520' total available shoreline, proposed dog park at 258' wide as depicted on the proposed plan would result in swimming beach of only 262 feet.
    - The exposure to waves from the North-northeast would require more substantial barrier than a temporary chain link fence to properly separate dog beach users from swimmers – likely sheet pile groin and stone breakwater that would add significant expense to the project.
    - Wave action and riptide adjacent to Tower Road pier presents hazard to dogs.



- Randy Whitchurch public comment to WPD Board during Tower Road location consideration: Mr. Whitchurch objected to relocation of dog beach to Tower Road citing steep slope of access drive and parking limitations.
    - Note: given that most dog beach users arrive on foot, moving the dog beach to Tower would result in potential conflicts between dogs, automobiles, pedestrians and cyclists on the steeply sloping access drive at Tower Road Beach, 15'-6" wide.



- June 9, 2022, WPD Board votes 3-2 with (Commissioners Codo and Lussen absent) to withdraw permit applications for Elder and Centennial beaches from the IDNR & ACOE.
- July 8, 2022, Orchard 2020 (Ishbia) acquires 195 Sheridan Road and informs WPD of their intent to move house plans south of Centennial Park, excluding Exchange parcel.
- October 24, 2022; Winnetka homeowner Robert Schriesheim files lawsuit against Winnetka Park District, challenging the Property Exchange Agreement
    - Note: Shriesheim v. Winnetka Park District was settled on January 16, 2025. The Settlement Agreement contains the following provisions: "*the Parties have agreed to the terms herein for the sole purpose of settlement, and nothing herein may be taken as or construed to be an admission or concession of any violation of law, rule, or regulation, or of any other matter of fact or law, or of any liability or wrongdoing or lack thereof*" AND "*The WPD agrees not to transfer title to the beach property at Centennial Park which lies east (or lakeward) of the current steel sheet piling at the toe of the bluff to any non-governmental entity.*"
    - The Settlement Agreement assures that the southern end of Centennial Beach will remain part of the WPD owned shoreline and the proposed dog beach will not be altered.
- October 27, 2022, WPD Board UNANIMOUSLY approves a motion to maintain dog beach at south end of Centennial Park (present location) with several conditions as detailed below.

- **Excerpts from Board Meeting Minutes of October 27, 2022, read as follows:**

Commissioner Lussen made a motion to amend the Waterfront 2030 Lakefront Master Plan to Include a Dog Beach at the south end of Centennial Beach subject to the following conditions:

a. *Shore frontage allocated to dog beach use shall not be less than 170 feet and not be greater than 270 feet;*
b. *The dog beach area must include a secure boundary to prevent dogs from straying beyond the borders of the dog beach while off leash;*
c. *The electric gate system be relocated to the beach or boardwalk level to afford public access to the remainder of Centennial Beach; and*
d. *Dog beach boundaries shall accommodate public passage along the lakefront in keeping with the IDNR guidelines*.

Commissioner Archambault seconded the motion.

Commissioner Lussen acknowledged a Cook County law which requires a fenced in dog beach. *Commissioner Root commented it appears the Park District is tying design to the desires of Orchard 2020. Commissioner Lussen commented the dog beach provides an important element to our community. Commission Codo stated keeping the dog beach at the south end is a neutral location. The IDNR phrasing in the motion allows the Park District to control what happens on its property and the IDNR to control what happens on adjacent property. Following discussion, item "d" of the motion was amended as follows: "Dog beach boundaries shall accommodate public passage along the lakefront".*

- *A roll call vote was taken*.
- *Ayes: Archambault, Codo, James, Lussen, Rapp, Root, Seaman*
- *Nays: None*
- *Motion carried as amended*

ADDITIONAL BACKGROUND INFORMATION:

The Illinois Department of Natural Resources, Office of Water Resources, published Guidelines for the submittal of applications for Illinois Department of Natural Resources, Office of Water Resources Permits for Shore Protection Projects in Lake Michigan in November 2015.

The Guidelines contain the following provisions:

"Where possible, notably in areas where existing access along the lakeshore is available, the project should provide some type of reasonable access over or around it on the landward side."

The WPD proposed plans for the Centennial dog beach comply with the IDNR guidelines by providing a bypass around the dog beach on the landward side of the proposed dog beach.

Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives

The Foreword to the Cook County Animal Control Act reads in part as follows:

The Cook County Animal and Rabies Control Ordinance was developed and passed to establish guidelines in the development of harmonious relationships between animals and man. This Ordinance is the law in all municipalities within Cook County. Any municipality regardless of its population may pass an ordinance effective within its jurisdiction more strict than the County Ordinance.

No person including a municipal corporation, forest preserve district or park district shall designate within the County an outdoor area, even if fenced, as an area where dogs may run off leash unless such person, municipal corporation forest preserve district or park district complies with such regulation as may be issued by the Administrator of the operation of outdoor off leash areas.

Computer Generated scaled image of proposed Dog Beach with perimeter fence and bypass along landward side as required by Cook County and IDNR.



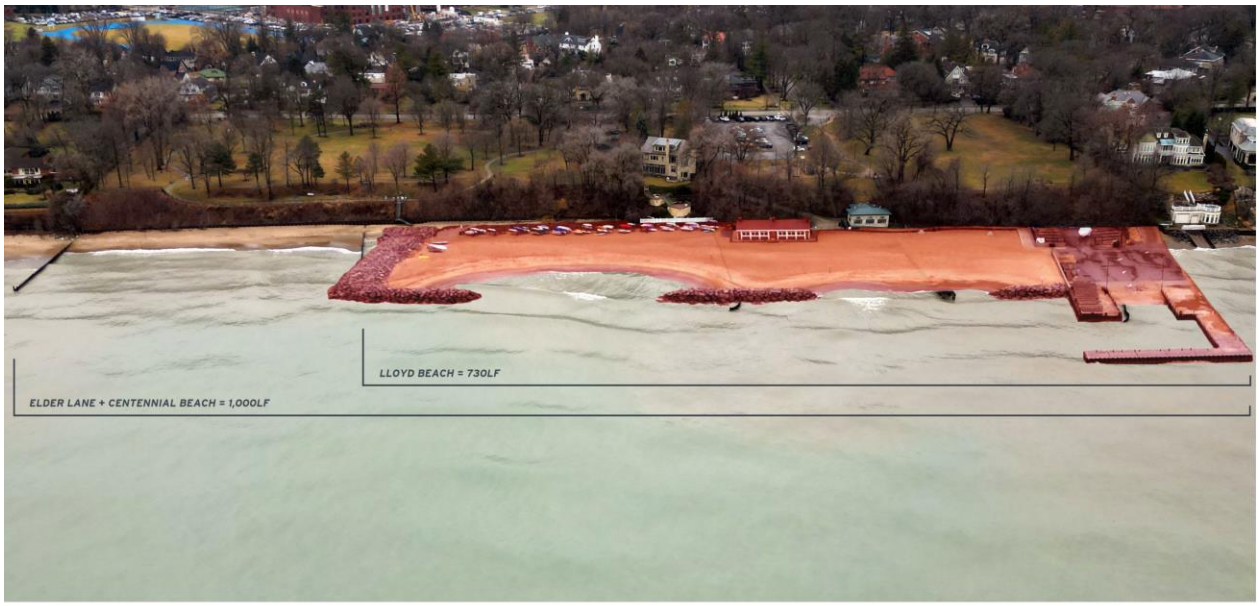
The shoreline frontage dedicated to the proposed dog beach is approximately 240 feet, slightly less than 10% of the WPD managed shoreline in Winnetka, which is a more appropriate allocation of shoreline than the entire Centennial beach which is 520 feet of shoreline, representing 21.6% of the total usable shoreline managed by the WPD.

The proposed pier provides robust protection from waves coming from the northeast and proper separation between the dog beach and the swimming beach to the north.

Prepared by Park District Commissioner, Warren James, last updated February 2025

Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives

In January 2023, at the Elder-Centennial Open House, the WPD presented the following images to demonstrate the relative size of the combined Elder-Centennial to the existing Lloyd Beach.

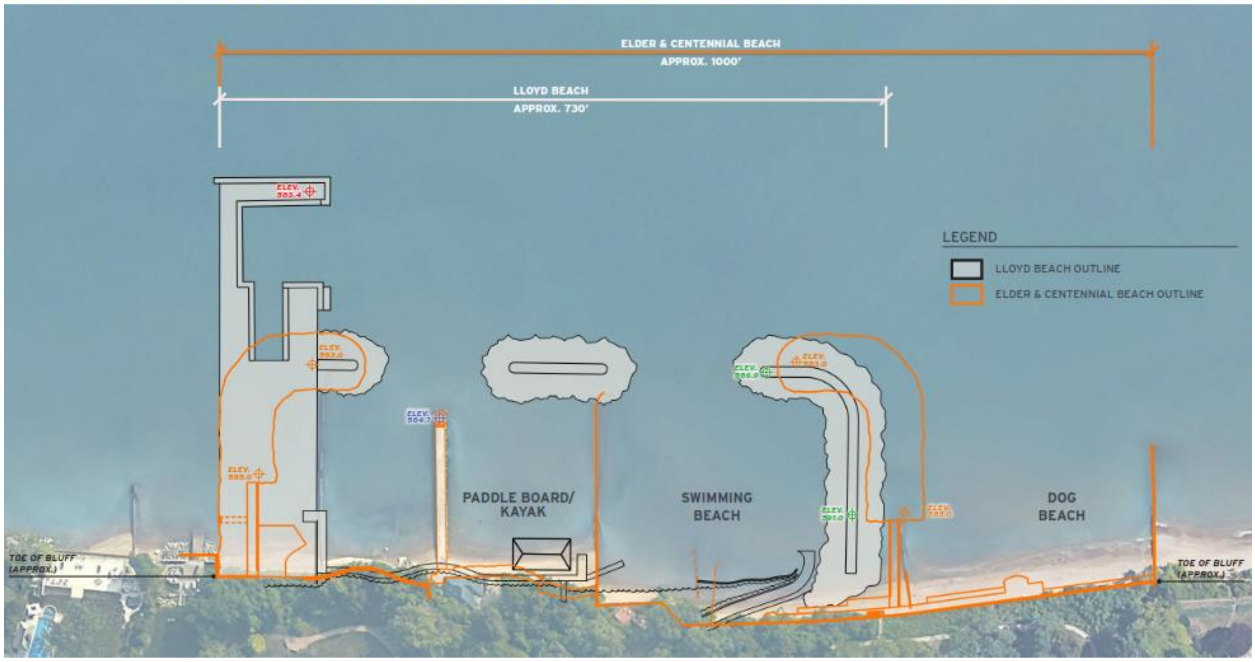


ELDER LANE + CENTENNIAL BEACH
JANUARY 2023

LLOYD BEACH
JANUARY 2023

The picture above demonstrates that the entire 730 feet of Lloyd Beach and Stepan Boat launch easily fits within the 1000-foot combined Elder-Centennial Beach with 270 feet remaining at the south end.

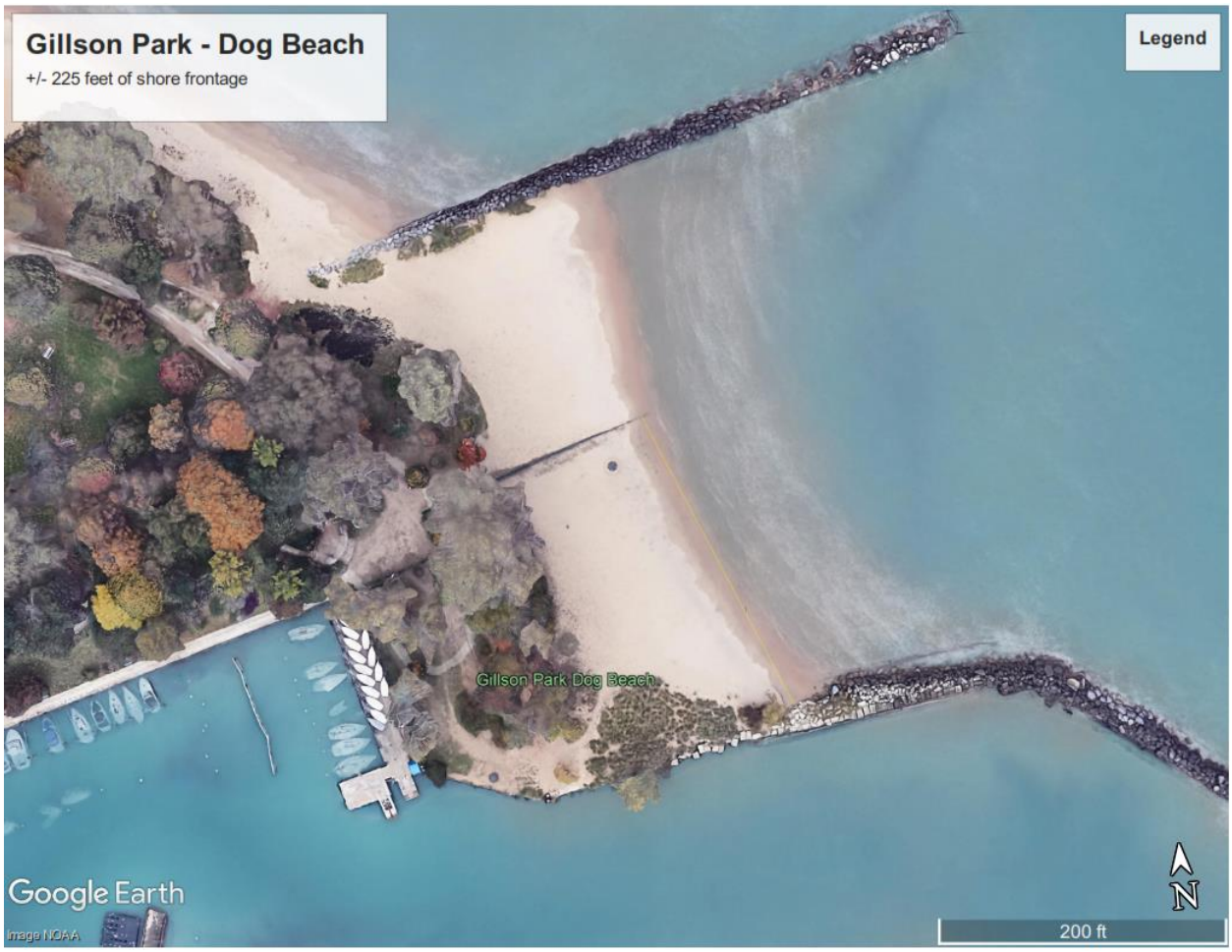
Boat Ramp & Breakwater Systems | Lloyd Beach vs. Elder & Centennial



This image above, also from January 2023, depicts the plan view of Lloyd (in gray) with the contemplated headland beach system and adjacent dog beach planned for Centennial and Elder (in orange). Note that the Lloyd breakwaters project the same distance into the lake as the proposed improvements at Centennial and Elder, while the Stepan boat launch extends further into the lake.

Prepared by Park District Commissioner, Warren James, last updated February 2025

For comparison purposes, the WPD notes the following attributes of the Gillson Park Dog Beach in Wilmette.

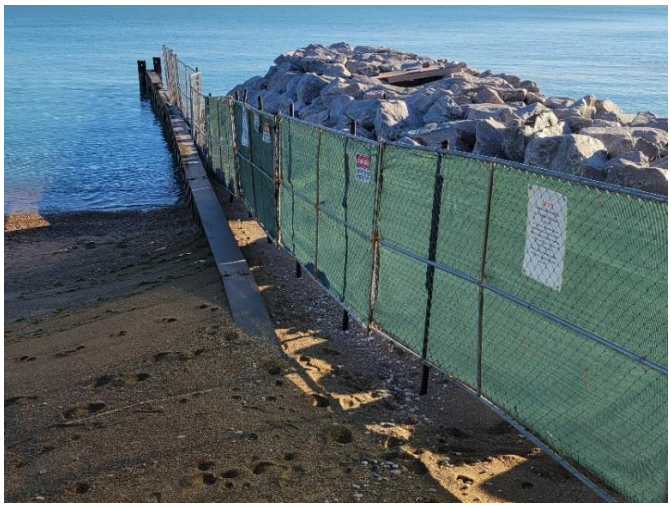


- The shoreline dedicated to the dog beach is approximately 225 feet.
- The dog beach is oriented in an easterly direction and it is protected by a 475-foot long stone breakwater to the north.
- A chain link fence as seen near the middle of the beach area which defines the northerly edge of the dog beach is protected from waves from the northeast by the stone breakwater.

The following page provides and update on the proposed bypass of the dog beach and access to the steps up and over the stone breakwater at 205 Sheridan.

Prepared by Park District Commissioner, Warren James, last updated February 2025

Winnetka Park District – Centennial Park Dog Beach
History and Consideration of Off Leash Dog Park & Dog Beach Alternatives



Sand level at Centennial South Groin, Oct-17-2024



Sand level at Centennial South Groin, Feb-9- 2025

The steel groin (jetty) is located near the south property line of Centennial Dog Beach. The temporary construction fence is located along the northerly property line of 205 Sheridan. The convergence of the fence and steel jetty is the approximate location of where the extended property line of 205 Sheridan intersects the pre-existing steel groin. As of Oct-24, the sand on both sides of the steel extended afforded easy passage over the steel groin. As of Feb-25, the vertical drop on the north side has increased due to the loss of sand. Accumulated sand between the steel groin and the newly constructed stone groin provides dry passage to the steps leading over the stone groin at 205 Sheridan. Proposed dog beach fence to be secured to existing steel groin.

Note: Sand trapped between stone & steel provides 6-foot wide pathway to the steps over the stone groin



Accreted sand between steel & stone groin, Feb-9-2025



Steps over stone groin at 205 Sheridan, Feb-9-2025

There are three options to ensure safe, legal passage for pedestrians desiring to transit the shoreline:

1) Secure legal determination that accumulated sand between steel and stone groin is public land.
2) Secure easement agreement to ensure legal passage to reach steps up and over stone groin.
3) Relocate steel sheet pile to provide pedestrian pathway on the north side of the extended property line between Centennial Dog Beach and 205 Sheridan.

Prepared by Park District Commissioner, Warren James, last updated February 2025

From: [redacted]
To: Ann Klaassen
Subject: Beach Fence
Date: Saturday, January 24, 2026 3:51:55 PM

You don't often get email from [redacted]. Learn why this is important

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.

To: Village of Winnetka Plan
From: Linda Welch
890 Willow Rd
Date: 1/24/26

Re: Winnetka Park District Centennial Fence Special Use Permit (SUP) Application Violates Design Standards, Conflicts with the 2040 Futures Plan & Misrepresents Facts and the Law

Please vote against recommending the Winnetka Park District's ("WPD") Village Code-violating, SUP standard breaching, unlawful and 2040 Futures Plan-indifferent permanent fencing permit application.

1. Design Standards prohibit chain-link fencing. WPD's proposed black chain-link animal cage on the shores of Lake Michigan would violate this prohibition. It cannot be recommended to the Village Council.

2. The Village of Winnetka 2040 Futures Plan promotes open space and the preservation of Winnetka's graceful character, neighborhood design standards, and the environment. WPD's SUP application clearly violates all these tenets. There is no standalone black chain link fencing along any neighboring Centennial Park property owner's lakefront front lot line, nor along any Sheridan Road front lawn. There is no standalone chain link fencing in the neighborhood that extends into Lake Michigan. WPD's SUP permit application cannot be recommended to the Village Council.

3. When the Village approved WPD's 2001 Elder Lane and Beach SUP application, it required WPD to install Code-compliant non-chain link fencing. Despite this, WPD seeks to install Code non-compliant, design standard violating, 2040 Futures Plan-inconsistent chain link fencing on Centennial beach.

4. WPD's proposed black chain link animal cage is not minimally necessary nor consistent with Code Section 15.78.010. WPD's fencing is designed to stretch 106' from the toe of the bluffs into Lake Michigan on the north, and 93'3" into Lake Michigan to the south. The fencing extends 72 feet beyond the ordinary high-water mark (OHWM)--WPD's front lot line —on the north, and 77'3" beyond WPD's front lot line to the south. Fencing that extends beyond a property owner's front lot line is prohibited.

5. The Village Code prohibits nuisances, which it defines as fencing or other barriers that would extend into the public way, including Lake Michigan and its submerged lands.

6. Village Code Section 15.78.080 prohibits the creation of nuisances, such as fencing that would create Public Safety Hazards, including by impairing police and other first responder access to Centennial beach/Lake Michigan. WPD's animal cage would have 10" double gates on the northern side of Centennial. On Centennial's southern end, WPD designed two barely passable, stacked, single gates that form a 6' long, 39" wide corridor in the lake east of the OHWM. WPD's unsafe designs would unreasonably obstruct and interfere with ingress/egress to the adjacent public beach south of its animal cage. The cage would force first responders and other rescuers either into the lake through a yardstick wide corridor to try to reach emergency situations on the 20' area south of the fencing and north of 205 Sheridan's northern breakwater, or 77'3" past the OHWM into Lake Michigan to attempt to render aid to persons/dogs/boats/paddlers.

7. The 2040 Futures Plan contemplates ADA access. For local governmental bodies such as WPD, compliance is mandatory. Despite this, WPD designed an ADA non-compliant beach corridor that is too narrow for a wheelchair to use, with an insufficient turning radius that would trap people and dogs inside the chain link fencing, possibly in the waters of Lake Michigan. This dangerous and unlawful design violates the Village Code as well as the 2040 Futures Plan and cannot be recommended for approval.

From: [redacted]
To: Ann Klaassen
Subject: Fwd: I opposse chain link fence at Centennial Beach
Date: Sunday, January 25, 2026 11:20:36 AM

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Just to make sure my note below gets to the right folks...

Thanks!

Best, Mack

Instagram
Facebook

Enjoy hearing new music?
Please check out my new singles. Share 'em, if you like 'em!
"We Need More Santas"
"One Step Ahead of the Law"
"No Words"
"You're My Everything (Alexa!)"
"Second Chances"

- *Second place Grand Prize Winner, 2024 Dallas Songwriters Association Contest;*
- *Outstanding Achievement in Songwriting, 2024 Great American Song Contest;*
- *Nashville Songwriters Association Bob Kingsley 2024 "Top 10"*

Spotify/AppleMusic: MackSongs: First Cuts
https://soundcloud.com/macksongs

---------- Forwarded message ---------
From: **Mack Reynolds** <[redacted]>
Date: Sun, Jan 25, 2026 at 9:18 AM
Subject: I opposse chain link fence at Centennial Beach
To: <contactmanager@winnetka.org>
Cc: Scott Myers <[redacted]>, <[redacted]>

All,

I understand that the WPD has applied for a Special Use Permit to install chain link fencing into Lake Michigan. As a 35+ year resident of Winnetka (though I moved to Fox Meadow in 2021) and a frequent visitor to our lovely beaches, I think that fence would be a hazard to all. Besides being an eyesore, it would prevent -- or greatly impede -- my walks along the water line at Centennial.

Please deny the Park District's application for an SUP.

Thanks for considering!

Best, Mack

Instagram
Facebook

Enjoy hearing new music?
Please check out my new singles. Share 'em, if you like 'em!
"We Need More Santas"
"One Step Ahead of the Law"
"No Words"
"You're My Everything (Alexa!)"
"Second Chances"

- *Second place Grand Prize Winner, 2024 Dallas Songwriters Association Contest;*
- *Outstanding Achievement in Songwriting, 2024 Great American Song Contest;*
- *Nashville Songwriters Association Bob Kingsley 2024 "Top 10"*

Spotify/AppleMusic: **M**ack**S**ongs: First Cuts
https://soundcloud.com/macksongs

From: [redacted]
To: Ann Klaassen
Subject: Letter re: Fencing
Date: Monday, January 26, 2026 2:46:05 PM

You don't often get email from [redacted] Learn why this is important

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To the Village Planning Commission,

Here we are again... talking about fences on beaches. Where else do we see fences on beaches? Not only is it unnecessary and unnatural. It is a safety issue for sightline, EMS worker, mothers who are watching their children at the Beach. Please do NOT vote for fencing on the beach.

Please vote against recommending the Winnetka Park District's ("WPD") Village Code-violating, SUP standard breaching, unlawful and 2040 Futures Plan-indifferent permanent fencing permit application.

1. VOW Design Standards prohibit chain-link fencing. WPD's proposed black chain-link animal cage on the shores of Lake Michigan would violate this prohibition. It cannot be recommended to the Village Council.
2. VOW 2040 Futures Plan promotes open space and the preservation of Winnetka's graceful character, neighborhood design standards, and the environment. WPD's SUP application clearly violates all of these tenets. There is no standalone black chain link fencing along any neighboring Centennial Park property owner's lakefront front lot line, nor along any Sheridan Road front lawn. There is no standalone chain link fencing in the neighborhood that extends into Lake Michigan. WPD's SUP permit application cannot be recommended to the Village Council.
3. When the Village approved WPD's 2001 Elder Lane and Beach SUP application, it required WPD to install Code-compliant non-chain link fencing. Despite this, WPD seeks to install Code non-compliant, design standard violating, 2040 Futures Plan -inconsistent chain link fencing on Centennial beach.
4. WPD's proposed black chain link animal cage is not minimally necessary nor consistent with Code Section 15.78.010. WPD's fencing is designed to stretch106' from the toe of the bluffs into Lake Michigan on the north, and 93'3" into Lake Michigan to the south. The fencing extends 72 feet beyond the OHWM--WPD's front lot line—on the north, and 77'3" beyond WPD's front lot line to the south. Fencing that extends beyond a property owner's front lot line is prohibited.
5. The Village Code prohibits nuisances, which it defines as fencing or other barriers that would extend into the public way, including Lake Michigan and its submerged lands.
6. Village Code Section 15.78.080 prohibits the creation of nuisances, such as fencing that would create Public Safety Hazards, including by impairing police and other first responder access to Centennial beach/Lake Michigan. WPD's animal cage would have 10" double gates on the northern side of Centennial. On Centennial's southern end, WPD designed two barely passable, stacked, single gates that form a 6' long, 39" wide corridor in the lake east of the OHWM. WPD's unsafe designs would unreasonably obstruct and interfere with ingress/egress to the adjacent public beach south of its animal cage. The cage would force first responders and other rescuers either into the lake through a yardstick wide corridor to try to reach emergency situations on the 20' area south of the fencing and north of 205 Sheridan's northern breakwater, or 77'3" past the OHWM into Lake Michigan to attempt to render aid to persons/dogs/boats/paddlers.
7. The 2040 Futures Plan contemplates ADA access. For local governmental bodies such as WPD, compliance is mandatory. Despite this, WPD designed an ADA non-compliant beach corridor that is too narrow for a wheelchair to use, with an insufficient turning radius that would trap people and dogs inside

the chain link fencing, possibly in the waters of Lake Michigan. This dangerous and unlawful design violates the Village Code as well as the 2040 Futures Plan, and cannot be recommended for approval.

8. WPD misrepresents the permanent nature of its black chain-link fenced in animal cage extending along and well past its front lot line on the shores of Lake Michigan. The fencing would be permanent, with no time constraints or removal requirement.
9. WPD claims its ADA-violating, public nuisance creating, Design Code abrogating, 39" wide, 6' corridor will never be used for maintenance south of the black chain-link fencing. This is out of line with the realities of known debris that washes up from Lake Michigan, as well as boats that may crash into 205 Sheridan's armored stone breakwaters, possibly stranding boaters/boats on a narrow 20' strip of inaccessible public beach, or beyond. A 34' long boat was stranded after encountering heavy waves at Lloyd in October 2025. WPD also recently described finding a large section of wide rubber pipe washed up onto the Elder-Centennial beach, which required removal efforts by both the Village and WPD. That belies WPD's false statement that no maintenance will ever be required south of its unlawful black chain-link lakefront animal cage.
10. Cook County Animal Control ("CCAC") has refused to evaluate WPD's animal cage until after IDNR and USACE make their determinations, despite repeated entreaties not only from WPD, but also via email and phone calls from Orchard 2020 Trust's attorneys. In 2024, CCAC Administrator Dr. Diakhate informed Shannon Nazzal that Centennial beach is a "dog friendly area." Cook County does not require four-sided or any other specific fencing for Lake Michigan dog friendly areas, WPD can produce no documentation supporting its specious claims.
11. The Village Code prohibits dog owners from allowing their pets to "run at large." The IL Animal Control Act, 510 ILCS 5, 5/9, provides that: "A dog that is in a dog-friendly area or a dog park is NOT CONSIDERED TO BE RUNNING AT LARGE IF THE DOG IS MONITORED OR SUPERVISED BY A PERSON." There is no lawful justification for WPD's attempted usurpation of CCAC's sole and exclusive Animal Control Act authority. WPD is deliberately misdefining what constitutes "running at large" in an effort to force the Village of Winnetka to violate the 2040 Futures Plan, its Design Standards, the Lakefront Preservation Ordinance, and the Village Code's nuisance provisions.
12. CCAC regulations require fully enclosed four-sided fencing for "dog parks" on land. Even if the IL Animal Control Act were amended to exclude dog friendly areas from its definition of places where canines are NOT "running at large," WPD's two-sided fencing would be out of compliance with the rules. As WPD knows, CCAC's Administrator lacks waiver authority for the four-sided fencing requirement.

Please vote to deny recommending WPD's grant of a SUP for its unlawful, specious and misleading fencing permit application.

Stephanie Heraty

195 Fuller Lane

Winnetka IL

From: [redacted]
To: Ann Klaassen
Subject: Comments for Plan Commission Meeting January 28, 2026
Date: Monday, January 26, 2026 3:41:05 PM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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January 26, 2026

Re: Special Use Permit for Dog Fence

Plan Commissioners:

Thank you for your attention to this matter.

The plans for the off-leash dog beach, as drawn on April 2025 and submitted as part of tonight's agenda packet (January 28, 2026 meeting,) are vague and therefore misleading. The drawings fail to inform the plan committee and the public of the breakwater now existing at the north boundary of 205 Sheridan Rd. or the south boundary of Centennial Park. Had the breakwater been included, the benign looking gap between the thin line representing the fence and the property line of 205 Sheridan Rd. would seem entirely redundant and hazardous. The proposed fence is 93 ft. 3in. long from the toe of the bluff to its eastern terminus in Lake Michigan. It runs into the lake at a distance of 16-19ft. from the ordinary water line, but that stretch would increase to 40 plus ft. should the lake rise to the high water mark of 581.5 ft. At best the proposed 20 ft. gap will be an unsightly debris collector and at worst it would be a trap endangering the lives of people and dogs that might get stuck and battered between jagged rocks and an ungiving fence. Yes, the lake can get choppy and wavy.

The need to provide a fence when there is already a pile of rocks at that property line is questionable. Dogs aren't going to pick their way over rocks in favor of running and playing on the beach.

Drawings are a powerful tool of communication. They should be comprehensive and describe adjacency. In this case they fail to do so. Therefore, please deny this Special Use Permit.

Joanna Karatzas
Winnetka Resident

Sent from my iPhone

From: [redacted]
To: Planning
Subject: Urging denial of SUP for chain link fencing in Lake Michigan
Date: Monday, January 26, 2026 4:31:42 PM

[Some people who received this message don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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To the members of the Winnetka Planning Commission:

We are respectfully urging the Commission to deny the requested special use permit to place chain link fencing into Lake Michigan for a dog beach at Centennial Park. Such a fence has not been necessary previously, is an obvious eyesore on a natural beach scape thereby impairing use and enjoyment and creates risks to swimmers, boaters, and dogs being caught in the fencing. Further, such fencing has the potential to obstruct public use of the shoreline as protected under IL law.

Thank you for your time and consideration. Please vote to deny the special use permit request for the chain link fencing into Lake Michigan at Centennial Park.

Sincerely,

Kim and David Mulligan
Pelham Road

John William Root
326 Woodland Avenue
Winnetka, IL 60093
Telephone: [redacted]
Email: [redacted]

Sent by electronic mail: smangum@winnetka.org

Mr. Scott Mangum
Village of Winnetka
Director of Community Development
510 Green Bay Road
Winnetka, IL 60093

January 26, 2026

Re: Case No. 25-28-SU
225 Sheridan Road – Centennial Park & Beach
Comments for 10/14/24 Hearing

Dear Mr. Mangum:

I have reviewed the Winnetka Park District's (Park's) Special Use Permit Application (SUP) for Centennial Park, dated October 10, 2025. My following comments summarize my concerns about the proposed WPD Centennial dog fence and how that design conflicts with Village ordinances, particularly the Village zoning ordinances. I would appreciate your assistance in sharing my comments as part of the official packet to be delivered to the members of the Village of Winnetka Plan Commission.

Design Concerns

I have reviewed the SUP, and I believe that WPD's design violates provisions in the Lakefront Construction ordinances and violates Village dog ordinances. WPD has offered inadequate reasons or justification for exceptions from these regulations.

Village Dog Ordinances

The Park's SUP seeks to establish an off-leash dog beach where dogs run at large in the same space with the general public. Village Ordinance **Section 6.08.020 "Responsibilities of dog owners"** states the following:

> A. It shall be the responsibility of the owner of any dog in the Village to keep such dog or to cause such dog to be kept under control at all times and to prevent such dog from doing any of the following prohibited acts, each of which is declared to be a public nuisance:

> 1. Running at Large. "Running at large" means being unconfined on or in property not owned or lawfully possessed by the owner of the dog, including public property, without being under immediate control by the owner of the dog or a responsible member of his or her family or by a responsible agent of the family, by means of a leash, cord, chain or like device.

This ordinance is unambiguous and the Park's SUP for an off-leash dog park clearly violates the ordinance. **Section 6.08.020** is designed to protect the public from loose dogs and is designed to keep the public safe during interactions with dogs. Members of the public who dislike or fear dogs should not have share a public beach with loose dogs in an off-leash dog beach. The public should not be forced into a dog pen to cross a public beach. By violating **Section 6.08.020 A. 1.** The Park also violates Section 17.56.010:

> 1. "That the establishment, maintenance, and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;"
>
> 6. "That the special use in all other respects conforms to the applicable regulations of this and other village ordinances and codes."

Fencing on Lake Michigan Dog Beaches

The proposed design of the Park's Centennial dog fence violates Lakefront Construction ordinance:

> Section 15.78.080(D). Project Scope. The covered construction and any related structures include only what is minimally necessary to achieve the intended and proper purpose of the project and to be consistent with the purposes set forth in Section 15.78.010 of this chapter.

The WPD proposed fences extend further into the lake than is necessary to keep dogs confined to the dog beach. The Park's current design would extend the northern and southern fences 15' into the lake at current lake levels (see figures 1 & 2) (*highlighting for emphasis*).

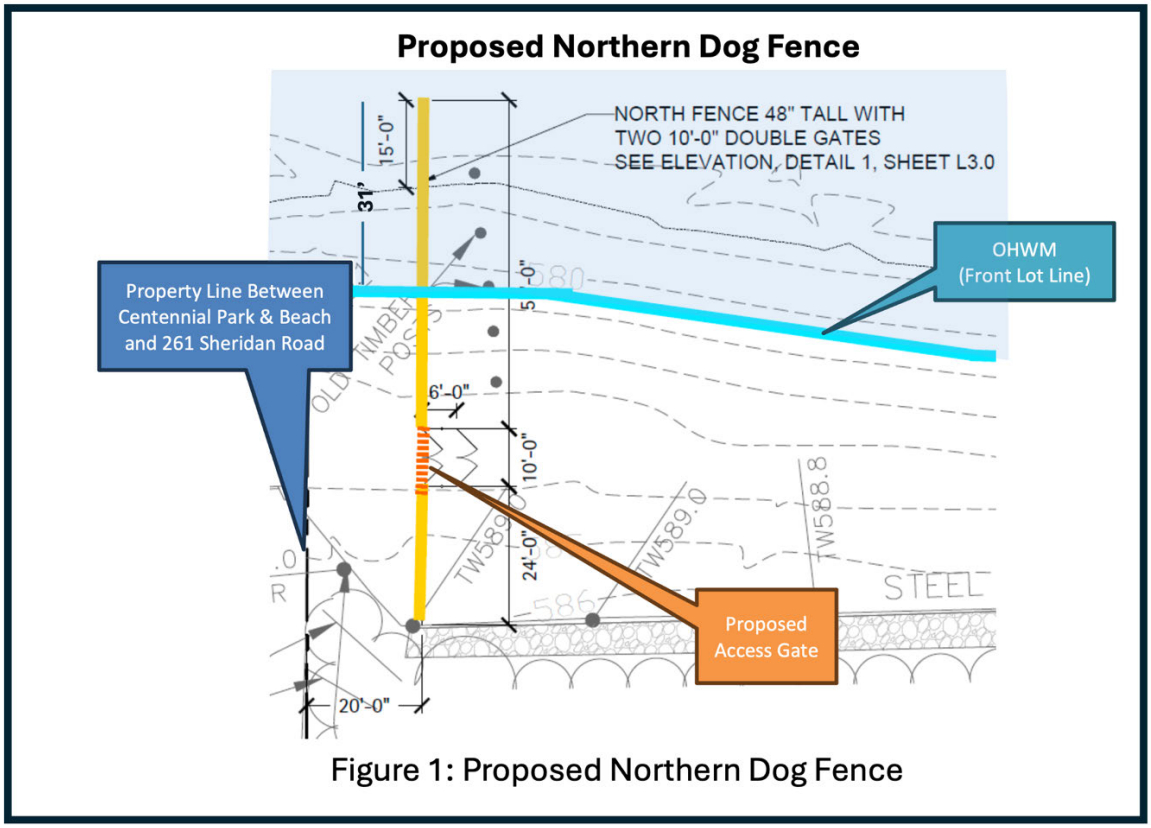


Figure 1: Proposed Northern Dog Fence

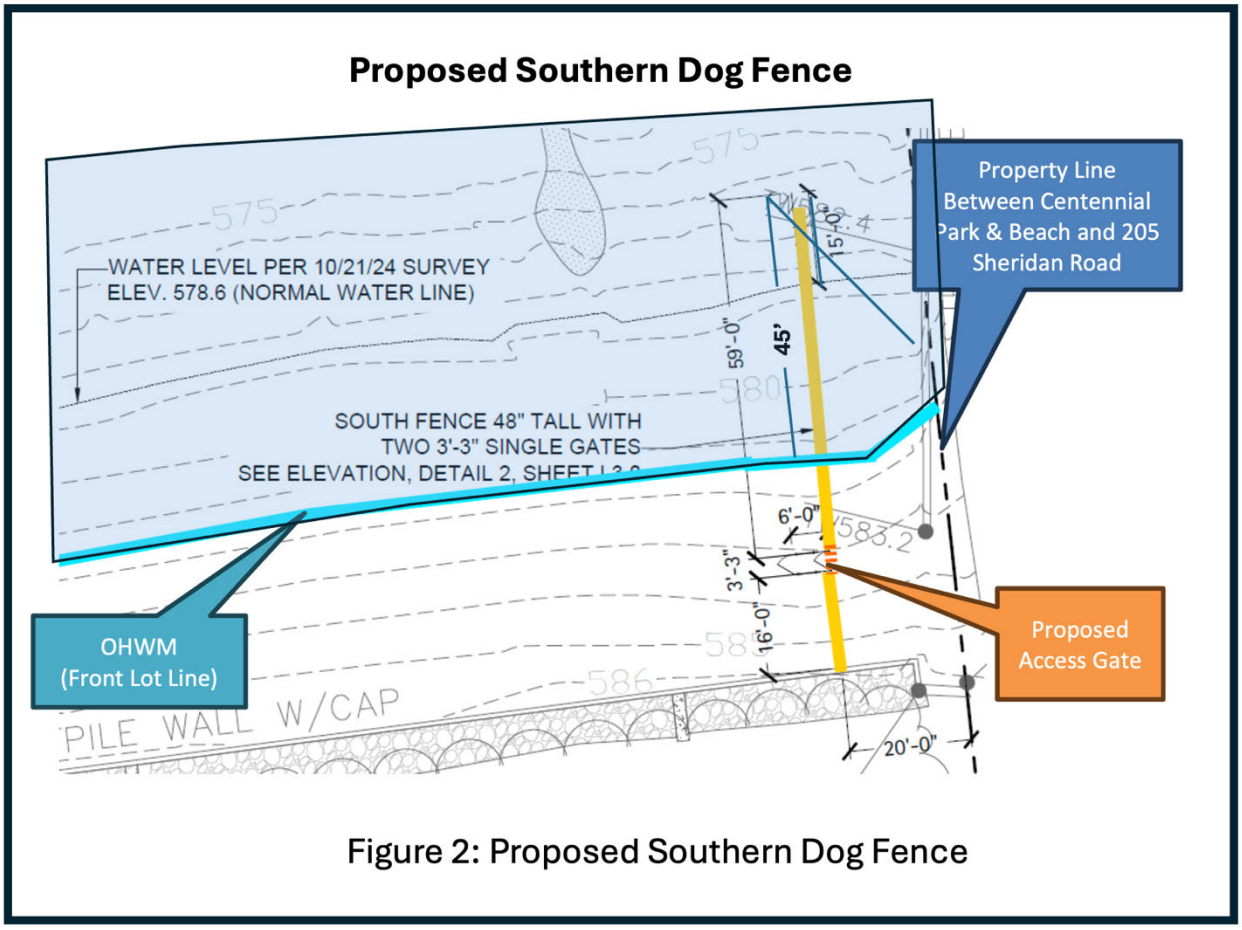


Figure 2: Proposed Southern Dog Fence

However, lake levels vary and the lake reached the Ordinary High Water Mark in late 2019. In 2019 the Park's northern fence would have extended 31' (figure 1) into the lake and 45'of the southern fence (figure 2) would have extended into the lake. Neither fence needs to be extended into the lake. Dogs are accompanied by their owners and owners keep their dogs confined to the dog beach. If the fence stops at the water's edge and a dog goes around the fence, then the owner would be able to quickly follow the dog and return the dog to the enclosed area. Fences that run from the toe of the bluff to the water line are sufficient to demark the dog beach. The fact that no other lake Michigan dog beach operator has seen the need to extend a standalone chain link fence into the lake shows that such extensions are not needed.

Lake Michigan Dog Beaches

There are six dog beaches other than Centennial on Lake Michigan in Illinois: Sunrise Dog Beach in Lake Bluff, Moraine Dog Beach in Highland Park, Gillson Dog Beach in Wilmette, Evanston Dog Beach in Evanston, Montrose Dog Beach in Chicago, and Belmont Dog Beach in Chicago. Please note that four of these dog beaches are located in Cook County. None of these beaches have a free-standing chain-link fence that extends into the lake.

Sunset Dog Beach & Adjacent Swimming Beach

Sunset Dog Beach is bounded on the north by private property and on the south by a public swimming beach (figure 3).

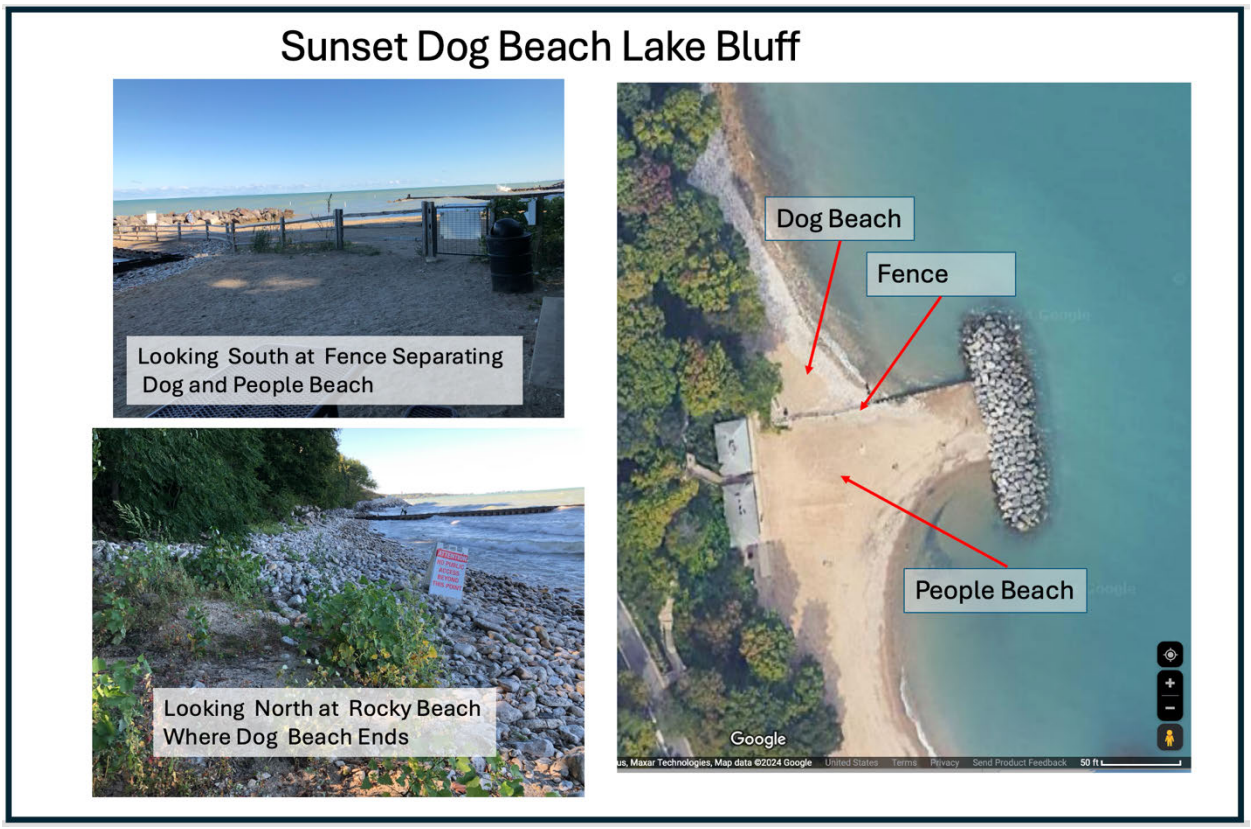


Figure 3: Sunset dog beach Lake Bluff

There is a 4’ high split rail fence covered in wire mesh on the southern boundary of the dog beach that separates the dog beach form the people swimming beach and a rocky shore to the north keeps the dogs confined to the beach. The split rail fence is located behind a metal groin and is not located in the water.

Gillson Dog Beach & Adjacent Swimming Beach

Gillson Dog Beach is bounded on the north by Gillson Swimming Beach and bounded to the south by Wilmette Harbor. (figure 4).



Figure 4: Gillson dog beach Wilmette

The chain link fence 4'-5' high on the northern boundary separates the dog beach from the people swimming beach. You can see that the northern chain link fence stops at the water's edge. In fact, the chain link fence is made of panels that are removed from the park upon the conclusion of the Summer swimming season. The Wilmette Harbor to the south also keeps the dogs confined to the dog beach. A plastic safety barrier fence keeps dogs off the rubble stone lining the harbor.

Evanston Dog Beach & Adjacent Swimming Beach

Evanston Dog Beach is bounded on the north by Clark Street Swimming Beach and bounded to the south by Church Street Power Boat Ramp (figure 5).



Figure 5: Evanston dog beach Evanston

There is a 4’ high chain link fence welded to a preexisting 4’ high steel groin on the northern boundary separating human swimmers from dogs and the Church Street Power Boat Ramp to the south keeps the dogs confined to the dog beach. The chain link fence serves a primary purpose of fall prevention for beach goers on Clark Street beach and also separates dogs from swimmers. However, the chain link fence is not directly installed in the lake.

Montrose Dog Beach & Adjacent Swimming Beach

Montrose Dog Beach is bounded on the north by a concrete revetment and bounded to the south by a chain link fence that separates it from Montrose Swimming Beach (figure 6).



Figure 6: Montrose dog beach Chicago

The chain link fence is 4’ to 5’ high on the southern boundary. The fence separates swimmers from dogs and terminates at the water’s edge. The revetment to the north keeps the dogs confined to the dog beach.

Belmont Dog Beach

Belmont Dog Beach, located in Belmont Harbor in Chicago, does not border a public swim beach or private property. The western boundary of the dog park is an iron fence 4' high separating a public sidewalk from the dog beach and the remaining three sides of the beach are bordered by the harbor (figure 7).



Figure 7: Belmont dog beach Chicago

Moraine Dog Beach

Moraine Dog Beach is located in Highland Park. A ravine confines the dogs to the north and a 4' high wooden slat snow fence confines the dogs to the south**.** The snow fence is attached to posts driven into the beach adjacent to a steel groin. The snow fence does not extend into the water.

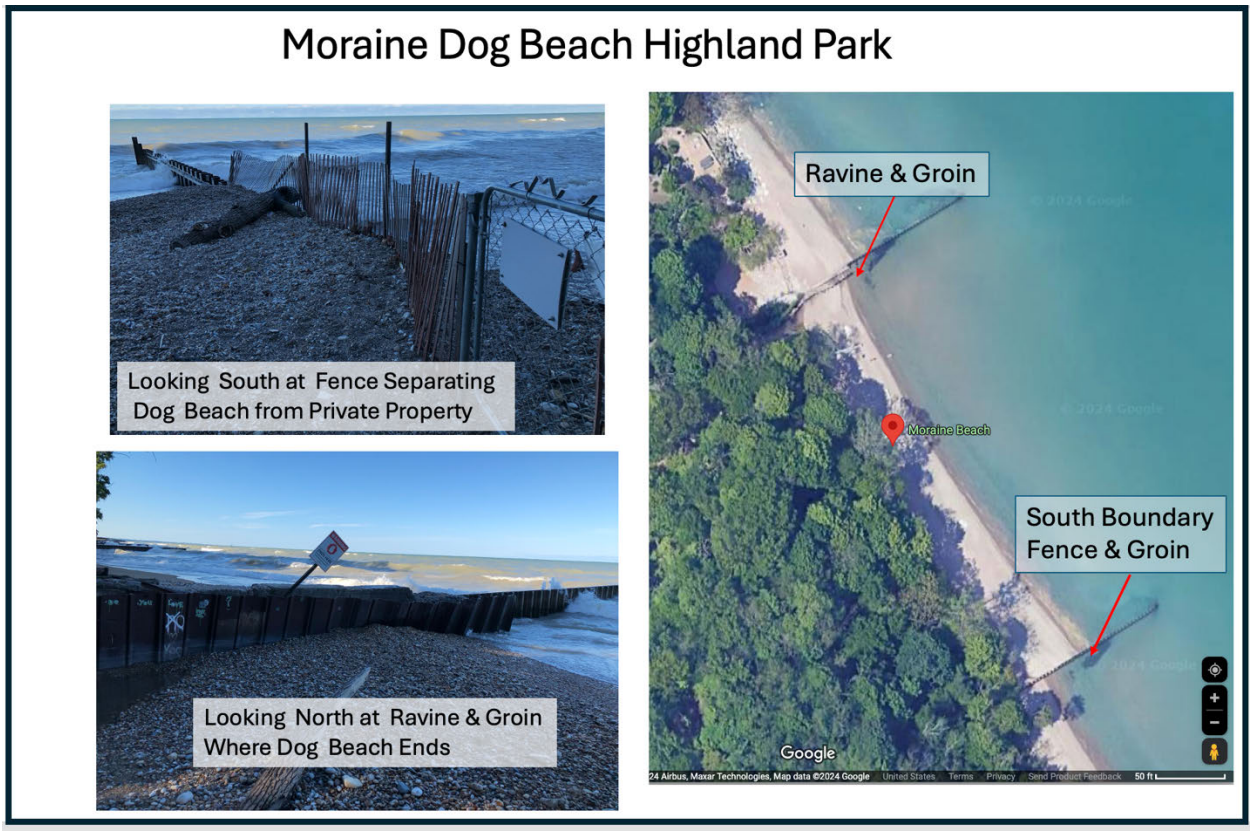


Figure 8: Moraine dog beach Highland Park

This review of the North Shore Lake Michigan dog beaches in Illinois shows that fencing is the most popular method used to separate, confine, and "delineate" dog beaches from human beaches. Municipalities also use natural boundaries such as ravines and rocky shorelines to confine the dogs and separate them from people. Artificial structures such as stone lined harbors, steel groins, and boat launches also serve a secondary purpose of confining dogs and separating them from humans on the beaches. This survey also shows that no municipality has installed a standalone fence into the lake and that installed standalone fences terminate at the water's edge. One can conclude that fences terminating along the water's edge are adequate for separating dogs from humans

"Temporary Dog Fence"

The Park's SUP calls for a "temporary" dog fence while not specifying a date certain for when the fence would be removed or replaced. A fence that can remain indefinitely is not temporary. Village Counsel should require the Park to remove the fence should Centennial Park cease to be operated as an off-leash dog park by the Park or for that portion of the dog beach that is subsequently transferred to a private entity. These limitation requirements should be a condition of issuance of the permit.

Conclusion

For all the reasons enumerated above, I respectfully request that Plan Commission recommend against the granting of Park's SUP. Thank you and member of the Village of Winnetka Plan Commission for your consideration of these comments.

cc: Members of the Village of Winnetka Plan Commission

Ms. Kristin Kazenas, Village Manager
By Email: KKazenas@winnetka.org

Ms. Ann Klaassen
Assistant Director
By Email: AKlaassen@winnetka.org

From: [redacted]
To: Ann Klaassen
Subject: Winnetka Park District Centennial Fence SUP Application Violates Design Standards, Conflicts with the 2040 Futures Plan, Misrepresents Facts and the Law
Date: Monday, January 26, 2026 4:58:41 PM

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To Village of Winnetka Plan Commission

From: Stephanie Tokarczyk, 303 Sheridan Road, Winnetka

Re: Winnetka Park District Centennial Fence SUP Application Violates Design Standards, Conflicts with the 2040 Futures Plan, Misrepresents Facts and the Law

Date: January 26, 2026

Please vote against recommending the Winnetka Park District's ("WPD") Village Code-violating, SUP standard breaching, unlawful and 2040 Futures Plan-indifferent permanent fencing permit application.

1. 2. 3. 4. 5. 6. VOW Design Standards prohibit chain-link fencing. WPD's proposed black chain-link animal cage on the shores of Lake Michigan would violate this prohibition. It cannot be recommended to the Village Council.

VOW 2040 Futures Plan promotes open space and the preservation of Winnetka's graceful character, neighborhood design standards, and the environment. WPD's SUP application clearly violates all of these tenets. There is no standalone black chain link fencing along any neighboring Centennial Park property owner's lakefront front lot line, nor along any Sheridan Road front lawn.

There is no standalone chain link fencing in the neighborhood that extends into Lake Michigan. WPD's SUP permit application cannot be recommended to the Village Council.

When the Village approved WPD's 2001 Elder Lane and Beach SUP application, it required WPD to install Code-compliant non-chain link fencing. Despite this, WPD seeks to install Code non-compliant, design standard violating, 2040 Futures Plan - inconsistent chain link fencing on Centennial beach.

WPD's proposed black chain link animal cage is not minimally necessary nor consistent with Code Section 15.78.010. WPD's fencing is designed to stretch 106' from the toe of the bluffs into Lake Michigan on the north, and 93'3" into Lake Michigan to the south. The fencing extends 72 feet beyond the OHWM--WPD's front lot line—on the north, and 77'3" beyond WPD's front lot line to the south. Fencing that extends beyond a property owner's front lot line is prohibited.

The Village Code prohibits nuisances, which it defines as fencing or other barriers that would extend into the public way, including Lake Michigan and its submerged lands.

Village Code Section 15.78.080 prohibits the creation of nuisances, such as fencing that would create Public Safety Hazards, including by impairing police7. 8. 9. and other first responder access to Centennial beach/Lake Michigan. WPD's animal cage would have 10" double gates on the northern side of Centennial. On Centennial's southern end, WPD designed two barely passable, stacked, single gates that form a 6' long, 39" wide corridor in the lake east of the OHWM. WPD's unsafe designs would unreasonably obstruct and interfere with ingress/egress to the adjacent public beach south of its animal cage. The cage would force first responders and other rescuers either into the lake through a yardstick wide corridor to try to reach emergency situations on the 20' area south of the fencing and north of 205 Sheridan's northern breakwater, or 77'3" past the OHWM into Lake Michigan to attempt to render aid to persons/dogs/boats/paddlers.

The 2040 Futures Plan contemplates ADA access. For local governmental bodies such as WPD, compliance is mandatory. Despite this, WPD designed an ADA non-compliant beach corridor that is too narrow for a wheelchair to use, with an insufficient turning radius that would trap people and dogs inside the chain link fencing, possibly in the waters of Lake Michigan. This dangerous and unlawful design violates the Village Code as well as the 2040 Futures Plan, and cannot be recommended for approval.

WPD misrepresents the permanent nature of its black chain-link fenced in animal cage extending along and well past its front lot line on the shores of Lake Michigan. The fencing would be permanent, with no time constraints or removal requirement.

WPD claims its ADA-violating, public nuisance creating, Design Code abrogating, 39" wide, 6' corridor will never be used for maintenance south of the black chain-link fencing. This is out of line with the realities of known debris that washes up from Lake Michigan, as well as boats that may crash into 205 Sheridan's armored stone breakwaters, possibly stranding boaters/boats on a narrow 20' strip of inaccessible public beach, or beyond. A 34' long boat was stranded after encountering heavy waves at Lloyd in October 2025. WPD also recently described finding a large section of wide rubber pipe washed up onto the Elder-Centennial beach, which required removal efforts by both the Village and WPD.

That belies WPD's false statement that no maintenance will ever be required south of its unlawful black chain-link lakefront animal cage.

10.Cook County Animal Control ("CCAC") has refused to evaluate WPD's animal cage until after IDNR and USACE make their determinations, despite repeated entreaties not only from WPD, but also via email and phone calls from Orchard 2020 Trust's attorneys. In 2024, CCAC Administrator Dr. Diakhate informed Shannon Nazzal that Centennial beach is a "dog friendly area." Cook County does not require four-sided or any other specific fencing for Lake Michigan dogfriendly areas, WPD can produce no documentation supporting its specious claims.

11. The Village Code prohibits dog owners from allowing their pets to "run at large." The IL Animal Control Act, 510 ILCS 5, 5/9, provides that: "A dog that is in a dog-friendly area or a dog park is NOT CONSIDERED TO BE RUNNING AT LARGE IF THE DOG IS MONITORED OR SUPERVISED BY A PERSON." There is no lawful justification for WPD's attempted usurpation of CCAC's sole and exclusive Animal Control Act authority. WPD is deliberately misdefining what constitutes "running at large" in an effort to force the Village of Winnetka to violate the 2040 Futures Plan, its Design Standards, the Lakefront Preservation Ordinance, and the Village Code's nuisance provisions.

12.CCAC regulations require fully enclosed four-sided fencing for "dog parks" on land. Even if the IL Animal Control Act were amended to exclude dog friendly areas from its definition of places where canines are NOT "running at large," WPD's two-sided fencing would be out of compliance with the rules. As WPD knows, CCAC's Administrator lacks waiver authority for the four-sided fencing requirement.

Please vote to deny recommending WPD's grant of a SUP for its unlawful, specious and

misleading fencing permit application.

Best regards,

Stephanie Tokarczyk

From: [redacted]
To: Ann Klaassen
Cc: [redacted]
Subject: 1/28/26 Plan Commission meeting, WPD Centennial Fence SUP
Date: Monday, January 26, 2026 5:24:08 PM
Attachments: January2026CookCountyFOIAExcerpt.pdf

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Hello Ann:

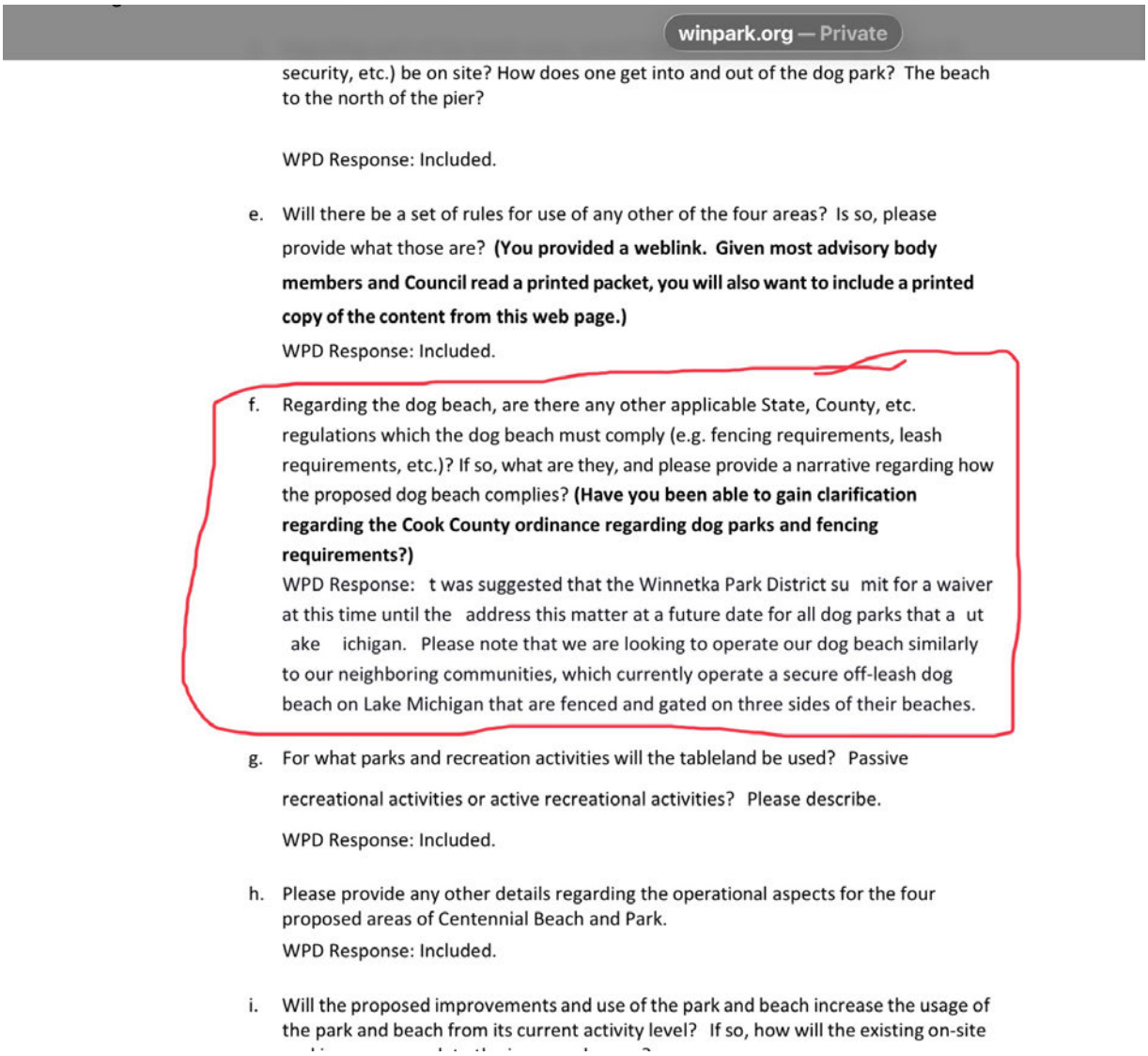
Would you please share this email dated 1/26/26 with the Plan Commission?

The attached pdf consists of communications related to WPD's ongoing efforts to leverage Cook County's Animal Control Ordinance/Regulations to the advantage of certain interests. Cook County expresses disinterest in a matter outside of its jurisdiction: Lake Michigan-based, non-contiguous dog beach fencing extending across public lands and waters.

As background, beginning in 2022-2023 (post-withdrawal of controversial lakefront joint permit designs featuring louvered steel walls) WPD began to claim Centennial dog beach was an unlawfully unfenced "dog park" that required four-sided contiguous fencing . . . despite its status as an on-leash Lake Michigan beach area for which Cook County requires no fencing at all.

During the Plan Commission's and ZBA's 2024-2025 permit reviews, WPD shifted to calling Centennial dog beach a "dog friendly area" ("DFA") requiring fencing despite the fact that the Cook County Code does not proscribe this for Lake Michigan DFAs. CCAC's lack of interest in WPD's scheme consisted of telling Ms. Nazzal that Centennial is a "DFA"—not subject to CCAC's four-sided "dog park" fencing rules.

Subsequent WPD permit applications and narratives in 2025 continue to misrepresent that Cook County requires "dog park" fencing at Centennial. All of this conflicts with WPD's response to the Village in its final 8-4-25 Centennial Breakwater SUP (excerpt below) in which WPD acknowledges the Cook County Code fails to require fencing for dog beaches, spuriously suggesting that at some point in the future it might.*



Please do not recommend WPD's untruthful, misleading fencing SUP for approval. Cook County's Animal Control Ordinance does not require it. Veracity should be required for WPD, as it is for the Village's homeowners, business owners, and our other units of local government.
Thank you.

Kris Schriesheim
Winnetka taxpayer

*ATTACHMENT: WPD's Final 8-4-25 SUP application to the Village. Village staff's question is: "Regarding the dog beach, are there any other applicable State, County, etc. regulations which the dog beach must comply (e.g. fencing requirements, leash requirements, etc.)? . . . WPD's answer stating that there are not is as follows: "It was suggested that the Winnetka Park District submit for a waiver at this time until they address this matter at a future date for all dog parks that abut Lake Michigan. []"
As a reminder, CCAC ordinance/regulations do not provide the Administrator with waiver authority.

From: Megan Carolan (Animal Control)
To: Allison Davidson (Bureau of Administration)
Cc: Mamadou Diakhate (Animal Control); Mark Rosenthal (Animal Control)
Subject: Fw: Dog Beach Signage
Date: Monday, December 1, 2025 3:40:06 PM
Attachments: Outlook-qaznkqxm.png
Outlook-bahvbo3q.png
Outlook-tsvqlqhq.jpg
Outlook-qs4ic4va.png
Outlook-q2bnkcpl.png
Outlook-fhhdpblt.png
Outlook-uxqpanhv.png
Outlook-zzlkm1td.png
Outlook-m52qqis1.jpg
Outlook-ts0cihqr.png

Hi Allison do you have any guidance on responding to these questions from Winnetka Park District?

Megan Carolan, DVM
Deputy Administrator
Cook County Animal & Rabies Control
M: (773) 520-5753

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From: Shannon Nazzal <snazzal@winpark.org>
Sent: Monday, December 1, 2025 10:37 AM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Cc: Simon, Adam <ASimon@ancelglink.com>; Harold W. Francke <hfrancke@mpslaw.com>; Costa Kutulas <CKutulas@winpark.org>
Subject: Re: Dog Beach Signage

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Megan,

Thank you for your response. As we continue to coordinate with IDNR and USACE, it is important for the District to clearly understand Cook County's role and obligations in this matter. I have copied our legal counsel on this matter as you referred to legalities that you are

looking in to.

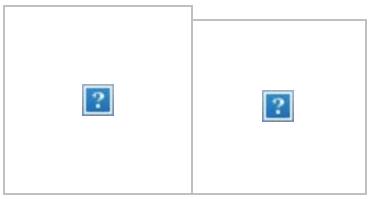
Because Cook County does not issue a permit for this type of temporary set up and instead relies on the applicable provisions of the Cook County Animal and Rabies Control Ordinance and Regulation VIII. Dog Parks and Areas, we respectfully request clarification regarding the scope and substance of the County's review. Specifically, it would be helpful to understand:

1. What statutory or administrative authority governs Cook County's evaluation in circumstances such as this;
2. What criteria or standards you intends to apply once the other agencies have issued their determinations;
3. What documentation or findings Cook County requires in order to complete its review; and
4. Any prior instances, case examples, or determinations in which Cook County has applied this type of review process to an off-leash area, dog beach, or comparable recreational facility.

As you can appreciate, we must provide our Board with a clear and accurate explanation of each agency's jurisdictional role, review process, and the basis for any deferral. Receiving the above information will ensure that we are fully aligned with the County's expectations and able to plan appropriately as the external reviews proceed.

We will continue to keep Cook County informed as we receive updates from IDNR and USACE. Thank you in advance for your assistance in providing these clarifications.

Shannon Q. Nazzal, CPRE (she / her)
Executive Director
Office: +1.847.501.2074
Email: snazzal@winpark.org
Winnetka Park District | winpark.org



From: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Sent: Monday, November 10, 2025 9:17 AM
To: Shannon Nazzal <snazzal@winpark.org>; Costa Kutulas <CKutulas@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>

Cc: Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Subject: Re: Dog Beach Signage

Shannon,

While our ordinance does not speak directly to this unique situation, we do feel it is important to allow the other relevant agencies to make their determinations before moving forward. In the meantime, our bureau is still reviewing the legalities.

Thanks,

Megan Carolan, DVM
Deputy Administrator
Cook County Animal & Rabies Control
M: (773) 520-5753

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From: Shannon Nazzal <snazzal@winpark.org>
Sent: Thursday, November 6, 2025 10:09 AM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Costa Kutulas <CKutulas@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Cc: Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Subject: Re: Dog Beach Signage

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Hi Megan,

Can you point to Cook County regulations, ordinances, resolutions, etc that shows where this is the practice for review? I'm curious as this is this first time this information has been relayed to us. We will need to provide our Board an update. Thank you.

Shannon Nazzal
Executive Director

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From: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Sent: Thursday, November 6, 2025 9:54 AM
To: Costa Kutulas <CKutulas@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Cc: Shannon Nazzal <snazzal@winpark.org>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Subject: Re: Dog Beach Signage

Good morning Costa,

Thank you for reaching out. Please be advised that Cook County will complete its evaluation once determinations have been made by DNR and the Army Corps of Engineers. We trust that you will keep us informed on the permitting progress, and we remain available should you have any questions or need clarification in the meantime.

Thank you,

Megan Carolan, DVM

Deputy Administrator

Cook County Animal and Rabies Control

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From: Costa Kutulas <CKutulas@winpark.org>
Sent: Thursday, October 23, 2025 11:03:49 AM
To: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Cc: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Shannon Nazzal <snazzal@winpark.org>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Rola-Podczaski (Animal Control) <Megan.Rola-Podczaski@cookcountyil.gov>
Subject: Re: Dog Beach Signage

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Good Morning Mamadou,

I hope that you're doing well and enjoy the cooler weather. I wanted to check in regarding the status of CCDARC's final determination. We are in the process of advancing the project's design and permitting, and confirmation of compliance with the Cook County Department of Animal and Rabies Control requirements is an important step in that process.

When you have a moment, could you please provide an update on the review or let us know if any additional information is needed to complete your determination?

Thank you again for your time and assistance, we appreciate your help in keeping this moving forward.

Regards,

Costa Kutulas
Director of Parks and Maintenance

P: (847) 501-2052
E: ckutulas@winpark.org

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From: Costa Kutulas <CKutulas@winpark.org>
Sent: Friday, October 17, 2025 11:42 AM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Cc: Shannon Nazzal <snazzal@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Rola-Podczaski (Animal Control) <Megan.Rola-Podczaski@cookcountyil.gov>
Subject: Re: Dog Beach Signage

Good Morning Megan, (and CCDARC Team),

I wanted to follow up on our last Teams meeting from a few weeks ago. As I recall, it was my understanding that your team had all the materials needed to make a final determination regarding our request on whether our proposed Centennial Beach Fencing Plan meets the Cook County Department of Animal and Rabies Control regulations.

We're continuing to move forward with project permitting and would greatly appreciate confirmation that our proposed plan satisfies the CCDARC requirements.

I also left a voicemail for you and Mark R., but I wanted to reach out via email as well to close

the loop. If someone from your team could please provide an update or an anticipated timeline for the final determination, I'd greatly appreciate it.

Thank you for your time and effort on this matter. I look forward to hearing back from a member of your team soon.

Regards,

Costa Kutulas
Director of Parks and Maintenance

P: (847) 501-2052
E: ckutulas@winpark.org

Winnetka Park District **|** winpark.org

From: Costa Kutulas <CKutulas@winpark.org>
Sent: Tuesday, September 30, 2025 12:29 PM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Cc: Shannon Nazzal <snazzal@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Rola-Podczaski (Animal Control) <Megan.Rola-Podczaski@cookcountyil.gov>
Subject: Re: Dog Beach Signage

Megan,

I have some availability this afternoon between 1:00–2:00 PM. I realize that's short notice, but let me know if that works for you. Otherwise, we can find a time later this week that's more convenient.

Thanks,

Costa Kutulas
Director of Parks and Maintenance

P: (847) 501-2052
E: ckutulas@winpark.org

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From: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Sent: Monday, September 29, 2025 4:08 PM
To: Costa Kutulas <CKutulas@winpark.org>
Cc: Shannon Nazzal <snazzal@winpark.org>; Mamadou Diakhate (Animal Control)

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Good Afternoon Megan,

Thank you again for taking the time to speak with me this afternoon regarding the items noted in your earlier email exchange with Shannon.

As we discussed, I appreciate your confirmation that no formal application has been submitted to CCDAC from the WPD regarding the Centennial Beach Dog Park. Rather, your comments were based on your review of the Park District's signage and the Dog Beach Users submission to CCDAC, in response to the District's request to ensure our proposed Temporary Dog Fencing Plan meets CCDAC requirements.

Regarding the signage statement, *"Check with your veterinarian before bringing a puppy under the age of four months to the park",* you noted that, in your opinion, the four-month reference could be reconsidered due to variations in vaccination schedules across breeders and veterinary offices. This is a point the Park District may want to consider in future planning. We'll keep that in mind as we move forward with your future planning for dog run sites.

I believe this summarizes our conversation accurately, but please feel free to follow up if I've misunderstood or misstated anything.

Thank you again for your time, and I hope you enjoy the rest of your evening.

Best regards,

Costa Kutulas
Director of Parks and Maintenance

P: (847) 501-2052
E: ckutulas@winpark.org

Winnetka Park District **|** winpark.org

From: Shannon Nazzal <snazzal@winpark.org>
Sent: Monday, August 18, 2025 10:19 AM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Cc: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Rola-Podczaski (Animal Control) <Megan.Rola-Podczaski@cookcountyil.gov>; Costa Kutulas <CKutulas@winpark.org>
Subject: Re: Dog Beach Signage

Ms. Carolan,

Thank you for the email. Is the requirement from Cook County to remove that line on proposed signage? I'm also curious about it being considered an application review as we didn't submit an application per say, but a request for review. Is it now considered an application for approval or permit?

Thank you for any clarification you can offer.

Shannon Q. Nazzal, CPRE (she / her)
Executive Director
Office: +1.847.501.2074
Email: snazzal@winpark.org
Winnetka Park District | winpark.org



From: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Sent: Monday, August 18, 2025 9:59 AM
To: Shannon Nazzal <snazzal@winpark.org>
Cc: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Rola-Podczaski (Animal Control) <Megan.Rola-Podczaski@cookcountyil.gov>
Subject: Dog Beach Signage

Good morning Shannon,

Our department is reviewing the Centennial Dog Beach application, and we wanted to check in regarding one point on the suggested signage-

"Check with your veterinarian before bringing a puppy under the age of four months to the park."

Puppies are generally not considered fully vaccinated until they reach four months of age. Verifying the pet's vaccination status via the application process would probably be more suitable than this statement.

Please send an updated version of the new signage, and once received, our department can proceed with the application review and make a decision.

Thank you,

Megan Carolan, DVM
Deputy Administrator
Cook County Animal & Rabies Control
M: (773) 520-5753

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From: Megan Carolan (Animal Control)
To: Allison Davidson (Bureau of Administration)
Cc: Mamadou Diakhate (Animal Control); Mark Rosenthal (Animal Control)
Subject: Fw: Dog Beach Signage
Date: Thursday, November 6, 2025 10:58:21 AM
Attachments: Outlook-qaznkqxm.png
Outlook-bahvbo3q.png
Outlook-tsvqlghq.jpg
Outlook-qs4ic4va.png
Outlook-q2bnkcpl.png
Outlook-fhhdpblt.png
Outlook-lt11llqu.png

Hi Alison would you have a few minutes to discuss tomorrow?

Thanks,

Megan Carolan, DVM
Deputy Administrator
Cook County Animal & Rabies Control
M: (773) 520-5753

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From: Shannon Nazzal <snazzal@winpark.org>
Sent: Thursday, November 6, 2025 10:09 AM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Costa Kutulas <CKutulas@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Cc: Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Subject: Re: Dog Beach Signage

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Hi Megan,

Can you point to Cook County regulations, ordinances, resolutions, etc that shows where this is the practice for review? I'm curious as this is this first time this information has been relayed to us. We will need to provide our Board an update. Thank you.

Shannon Nazzal

Executive Director

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From: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Sent: Thursday, November 6, 2025 9:54 AM
To: Costa Kutulas <CKutulas@winpark.org>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Cc: Shannon Nazzal <snazzal@winpark.org>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Subject: Re: Dog Beach Signage

Good morning Costa,

Thank you for reaching out. Please be advised that Cook County will complete its evaluation once determinations have been made by DNR and the Army Corps of Engineers. We trust that you will keep us informed on the permitting progress, and we remain available should you have any questions or need clarification in the meantime.

Thank you,

Megan Carolan, DVM

Deputy Administrator

Cook County Animal and Rabies Control

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From: Costa Kutulas <CKutulas@winpark.org>
Sent: Thursday, October 23, 2025 11:03:49 AM
To: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Cc: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Shannon Nazzal <snazzal@winpark.org>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Rola-Podczaski (Animal Control) <Megan.Rola-Podczaski@cookcountyil.gov>
Subject: Re: Dog Beach Signage

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From: Todd Moore (Bureau of Administration)
To: Mamadou Diakhate (Animal Control); Allison Davidson (Bureau of Administration)
Cc: Mark Rosenthal (Animal Control); Megan Carolan (Animal Control)
Subject: RE: Winnetka Park Dristrict Dog Beach
Date: Wednesday, November 12, 2025 10:34:33 AM
Attachments: image001.png

Thanks Mamadou, Allison is out this week. In the meantime, could you forward the attachment Mr. Wynnychenko sent in on 15 Sept?

Thanks,

Todd

Todd Moore
Deputy Chief Administrative Officer
Bureau of Administration
O: (312) 603-4905

From: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Sent: Monday, November 10, 2025 9:23 AM
To: Allison Davidson (Bureau of Administration) <Allison.Davidson@cookcountyil.gov>
Cc: Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Todd Moore (Bureau of Administration) <Todd.Moore@cookcountyil.gov>
Subject: Fw: Winnetka Park Dristrict Dog Beach

Hi Allison,
Any advise you could share with us on how to properly respond to this email?

Mamadou Diakhate, D.V.M.
Administrator
Cook County Animal and Rabies Control
P: 708-974-6147 / M: 773-965-5852
mamadou.diakhate@cookcountyil.gov

www.cookcountyil.gov

From: Ted Wynnychenko <[redacted]>
Sent: Sunday, November 9, 2025 5:50 PM
To: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>

Cc: Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>
Subject: RE: Winnetka Park Dristrict Dog Beach

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Dr. Diakhate:

I was wondering if there was any updated information about the Winnetka Park District's attempts to authorize a off-leash dog park that lacks the "contiguous" fencing required by regulations.

I am attaching a letter from the Park District to the Village of Winnetka, it which the District asserts that they "anticipate confirmation of [CCARC] review soon." (page 1, paragraph 5)

While I am uncertain what to make of this statement, I would like to ask, once again, what the published process and/or rules are for your department to grant variations or waivers of the regulations, and how public participation/comment in such a waiver is allowed.

As I previously stated, I can find no regulations or guidance, or, in fact, any authority, that would allow any variation to the fencing requirement in the regulation.

Thank you for your assistance.
Ted Wynnychenko

> -----Original Message-----
> From: Mamadou Diakhate (Animal Control)
> [mailto:Mamadou.Diakhate@cookcountyil.gov]
> Sent: Monday, September 22, 2025 1:00 PM
> To: t[redacted]
> Cc: Mark Rosenthal (Animal Control); Megan Carolan (Animal Control)
> Subject: Re: Winnetka Park Dristrict Dog Beach
>
> Dear Mr. Wynnychenko,
>
> I am in receipt of your email, and I am grateful that you reach out to my
> department for information.
>
> The Winnetka Park District has submitted plans for a dog park and Cook County

> Animal & Rabies Control is still evaluating it.
>
> Should more information become available, I would be happy to share them.
>
> Sincerely,
>
>
> Mamadou Diakhate, D.V.M.
> Administrator
> Cook County Animal and Rabies Control
> P: 708-974-6147 / M: 773-965-5852
> mamadou.diakhate@cookcountyil.gov
>
> www.cookcountyil.gov <http://www.cookcountyil.gov/>
> _____
>
> From: Ted Wynnychenko [redacted]>
> Sent: Saturday, September 20, 2025 8:01 AM
> To: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
> Cc: Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>; Natalia
> Derevyanny (Bureau of Administration) <Natalia.Derevyanny@cookcountyil.gov>
> Subject: RE: Winnetka Park Dristrict Dog Beach
>
>
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> email.
>
> Dr. Diakhate:
>
> I would appreciate an acknowledgement that my prior email message was
> received, and, if possible, any information on how your Department will
> consider variations from published regulations and your Department's
> authority to effect such variations on a case-by-case basis.
>
> Thank you
> Ted Wynnychenko
>
> > -----Original Message-----
> > From: Ted Wynnychenko[redacted]
> > Sent: Monday, September 15, 2025 6:34 PM

> > To: 'Mamadou Diakhate (Animal Control)'
> > Subject: Winnetka Park Dristrict Dog Beach
> >
> > Dr. Diakhate:
> >
> > I previously contacted your office to ask whether an incompletely fenced
> > area could be considered an off-leash dog park by your Department.
> >
> > I have attached a copy of my letter and your response from
> > October-November 2024.
> >
> > I have now been led to believe that your Department is "considering" a
> > request from the Winnetka Park District to approve an incompletely fenced
> > area as acceptable, under your published regulations, as an off-leash dog
> > park.\
> >
> > If my belief is incorrect, I am sorry for troubling you.
> >
> > However, if your Department is considering "approving" any incompletely
> > fenced area as allowable under Regulation VIII, despite the clear and
> > unambiguous language of the regulation which demands that an off-leash dog
> > park be "completely enclosed by ... a fence," then I request that you
> > provide answers to the questions I posed in 2024, as I am not aware of any
> > published process for the granting of any "waiver" to the requirements of
> > Regulation VIII.
> >
> > Furthermore, I would appreciate being advised on how the public will be
> > permitted to comment on any requests for waivers that may be submitted to
> > your Department.
> >
> > Thank you for your assistance.
> >
> > Ted Wynnychenko

From:	Mamadou Diakhate (Animal Control)
To:	Scott Britton (Board of Commissioners)
Cc:	Allison Davidson (Bureau of Administration); Alexis Jenkins (Bureau of Administration); Zahra Ali (Bureau of Administration)
Subject:	Re: Centennial Dog Beach Follow Up
Date:	Thursday, November 6, 2025 10:53:16 AM
Attachments:	Outlook-Cook Color.png Outlook-4vgbdcah.png Outlook-ngp314wa.png Outlook-3rlfqp2b.png Outlook-n3wxlqse.png

Dear Commissioner Britton,

Thank you for reaching out to ARC, your continuous support is dearly appreciated.

Animal and Rabies Control has decided not to issue any decision until Illinois Department of Natural Resources and Army Corps of Engineers have given approval, as they will be looking at whether the plans provide sufficient access to the water under the law.

Assuming they approve, the plan appears to meet the requirements of our regulations, but BOA is still reviewing the legalities.

Should you have further questions, feel free to reach out to our BOA Senior Legal Counsel Allison Davidson here copied.

Sincerely,

Mamadou Diakhate, D.V.M.
Administrator
Cook County Animal and Rabies Control
P: 708-974-6147 / M: 773-965-5852
mamadou.diakhate@cookcountyil.gov

www.cookcountyil.gov

From: Scott Britton (Board of Commissioners) <Scott.Britton@cookcountyil.gov>
Sent: Wednesday, November 5, 2025 10:41 AM
To: Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>
Subject: Centennial Dog Beach Follow Up

Dear Administrator Diakhate,

Thank you for your thoughtful compliance review of Winnetka Park District's plan for a

special use permit for an off-leash dog beach at Centennial Park.

I understand that a review by the Cook County Animal and Rabies Control (CCARC) has been completed and is now under review by the Bureau of Administration. Would it be possible to view the preliminary findings?

With gratitude,
Commissioner Britton

--

Scott Britton
Commissioner | 14th District
(O): (312) 603-4932 | (F): (312)603-3686
www.CommissionerScottBritton.com
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Mark Rosenthal (Animal Control)

From: Megan Carolan (Animal Control)
Sent: Tuesday, January 6, 2026 8:47 AM
To: Allison Davidson (Bureau of Administration)
Cc: Mamadou Diakhate (Animal Control); Mark Rosenthal (Animal Control); Ebonie Taylor (Animal Control)
Subject: Fw: Dog Beach Signage
Attachments: LM2025011.pdf

Hi Allison, an update from Winnetka FYI

COOK COUNTY BUREAU OF ADMINISTRATION

Megan Carolan, DVM
Deputy Administrator
Cook County Animal & Rabies Control
M: (773) 520-5753

From: Costa Kutulas

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<CKutulas@winpark.org>
Sent: Monday, January 5, 2026 4:23 PM
To: Megan Carolan (Animal Control) <Megan.Carolan@cookcountyil.gov>; Mamadou Diakhate (Animal Control) <Mamadou.Diakhate@cookcountyil.gov>; Mark Rosenthal (Animal Control) <Mark.Rosenthal@cookcountyil.gov>
Cc: Shannon Nazzal <snazzal@winpark.org>
Subject: Re: Dog Beach Signage

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Good Afternoon All,

I hope everyone had a relaxing holiday break and was able to enjoy time with family and friends as we welcomed the new year.

I wanted to share some positive news received from the Illinois Department of Natural Resources (IDNR). On December 24, Shannon and I received confirmation from Eric Otto at the IDNR that our permit application for the dog fencing project has been approved for construction (see attached).

We are still awaiting a determination from the U.S. Army Corps of Engineers (USACE), which we anticipate by the end of the month. In the meantime, we wanted to share this update and keep you informed as you continue reviewing our request to ensure the project aligns with your respective regulations and processes.

To Village of Winnetka Plan Commission

From: The Cacciatore Family @ 140 Sheridan Rd

Re: Winnetka Park District Centennial Fence SUP Application Violates Design Standards, Conflicts with the 2040 Futures Plan, Misrepresents Facts and the Law

Date: January 26, 2026

Please vote against recommending the Winnetka Park District's ("WPD") Village Code-violating, SUP standard breaching, unlawful and 2040 Futures Plan-indifferent permanent fencing permit application.

1. VOW Design Standards prohibit chain-link fencing. WPD's proposed black chain-link animal cage on the shores of Lake Michigan would violate this prohibition. It cannot be recommended to the Village Council.
2. VOW 2040 Futures Plan promotes open space and the preservation of Winnetka's graceful character, neighborhood design standards, and the environment. WPD's SUP application clearly violates all of these tenets. There is no standalone black chain link fencing along any neighboring Centennial Park property owner's lakefront front lot line, nor along any Sheridan Road front lawn. There is no standalone chain link fencing in the neighborhood that extends into Lake Michigan. WPD's SUP permit application cannot be recommended to the Village Council.
3. When the Village approved WPD's 2001 Elder Lane and Beach SUP application, it required WPD to install Code-compliant non-chain link fencing. Despite this, WPD seeks to install Code non-compliant, design standard violating, 2040 Futures Plan -inconsistent chain link fencing on Centennial beach.
4. WPD's proposed black chain link animal cage is not minimally necessary nor consistent with Code Section 15.78.010. WPD's fencing is designed to stretch106' from the toe of the bluffs into Lake Michigan on the north, and 93'3" into Lake Michigan to the south. The fencing extends 72 feet beyond the OHWM--WPD's front lot line—on the north, and 77'3" beyond WPD's front lot line to the south. Fencing that extends beyond a property owner's front lot line is prohibited.
5. The Village Code prohibits nuisances, which it defines as fencing or other barriers that would extend into the public way, including Lake Michigan and its submerged lands.
6. Village Code Section 15.78.080 prohibits the creation of nuisances, such as fencing that would create Public Safety Hazards, including by impairing police

and other first responder access to Centennial beach/Lake Michigan. WPD's animal cage would have 10" double gates on the northern side of Centennial. On Centennial's southern end, WPD designed two barely passable, stacked, single gates that form a 6' long, 39" wide corridor in the lake east of the OHWM. WPD's unsafe designs would unreasonably obstruct and interfere with ingress/egress to the adjacent public beach south of its animal cage. The cage would force first responders and other rescuers either into the lake through a yardstick wide corridor to try to reach emergency situations on the 20' area south of the fencing and north of 205 Sheridan's northern breakwater, or 77'3" past the OHWM into Lake Michigan to attempt to render aid to persons/dogs/boats/paddlers.

7. The 2040 Futures Plan contemplates ADA access. For local governmental bodies such as WPD, compliance is mandatory. Despite this, WPD designed an ADA non-compliant beach corridor that is too narrow for a wheelchair to use, with an insufficient turning radius that would trap people and dogs inside the chain link fencing, possibly in the waters of Lake Michigan. This dangerous and unlawful design violates the Village Code as well as the 2040 Futures Plan, and cannot be recommended for approval.

8. WPD misrepresents the permanent nature of its black chain-link fenced in animal cage extending along and well past its front lot line on the shores of Lake Michigan. The fencing would be permanent, with no time constraints or removal requirement.

9. WPD claims its ADA-violating, public nuisance creating, Design Code abrogating, 39" wide, 6' corridor will never be used for maintenance south of the black chain-link fencing. This is out of line with the realities of known debris that washes up from Lake Michigan, as well as boats that may crash into 205 Sheridan's armored stone breakwaters, possibly stranding boaters/boats on a narrow 20' strip of inaccessible public beach, or beyond. A 34' long boat was stranded after encountering heavy waves at Lloyd in October 2025. WPD also recently described finding a large section of wide rubber pipe washed up onto the Elder-Centennial beach, which required removal efforts by both the Village and WPD. That belies WPD's false statement that no maintenance will ever be required south of its unlawful black chain-link lakefront animal cage.

10. Cook County Animal Control ("CCAC") has refused to evaluate WPD's animal cage until after IDNR and USACE make their determinations, despite repeated entreaties not only from WPD, but also via email and phone calls from Orchard 2020 Trust's attorneys. In 2024, CCAC Administrator Dr. Diakhate informed Shannon Nazzal that Centennial beach is a "dog friendly area." Cook County does not require four-sided or any other specific fencing for Lake Michigan dog

friendly areas, WPD can produce no documentation supporting its specious claims.

11. The Village Code prohibits dog owners from allowing their pets to “run at large.” The IL Animal Control Act, 510 ILCS 5, 5/9, provides that: “A dog that is in a dog-friendly area or a dog park is NOT CONSIDERED TO BE RUNNING AT LARGE IF THE DOG IS MONITORED OR SUPERVISED BY A PERSON.” There is no lawful justification for WPD’s attempted usurpation of CCAC’s sole and exclusive Animal Control Act authority. WPD is deliberately misdefining what constitutes “running at large” in an effort to force the Village of Winnetka to violate the 2040 Futures Plan, its Design Standards, the Lakefront Preservation Ordinance, and the Village Code’s nuisance provisions.
12. CCAC regulations require fully enclosed four-sided fencing for “dog parks” on land. Even if the IL Animal Control Act were amended to exclude dog friendly areas from its definition of places where canines are NOT “running at large,” WPD’s two-sided fencing would be out of compliance with the rules. As WPD knows, CCAC’s Administrator lacks waiver authority for the four-sided fencing requirement.

Please vote to deny recommending WPD’s grant of a SUP for its unlawful, specious and misleading fencing permit application.

Centennial Beach Temporary Dog Beach Fence **January 28, 2026**
To: Members of the Village of Winnetka Plan Commission

The Winnetka Park District (WPD) is requesting a special use permit (SUP) for a chain link fence on the Centennial Park Beach. Currently, the purpose of this Beach is mainly a dog beach. The WPD is planning major restrictions for this Beach. The Beach belongs to all the people for the enjoyment of each and everyone who desire to walk, run, or just spend time gazing at the beauty of the Centennial Beach. The WPD is absolutely ignoring the people's rights, which is not a smart action for a Park District. Winnetka Park District's duty is to listen to all citizens and not a select group with special requests.

The WPD is requesting a permit for a fence which will flat outright stop this Beach being in compliance with what it is meant to be - by law - in the State of Illinois, a Beach for public use. The WPD is not obeying an existing law in the State of Illinois. A fence, temporary or permanent, is defying the law. (615 ILCS 5/27).

The proposed fence is a safety hazard, as it extends into Lake Michigan near extremely large boulders in the water. The proposed fence, next to the huge boulders that exist in the waters, is an accident waiting to happen when the water is wavy or when a person, dog or boater is in distress. Fencing extending into the water is hinderance to safety. Safety must be a top priority for our Village.

The WPD request for a SUP clearly defies (615 ILCS 5/27). The Beach is for the public. This Beach is not to be blocked from the public. The Beaches are for all citizens and not for one citizen or entity.

The biggest violation for the Winnetka Park District, aside from the public's rights by law, to enjoy all beaches, is the creation of an unnecessary safety hazard. This proposal defies the safety standards that the elected officials on the Winnetka Park Board are ignoring. This proposal is NOT safe for the public, for a paddle boarder, for the boaters, or anyone enjoying Lake Michigan. The fence is definitely unsightly, creates an unnecessary hazard, and without a doubt goes against the high standards and principles that have always been a top priority for the elected commissioners and the staff at the Winnetka Park District.

Please review this SUP knowing there are many stumbling blocks ahead. People's rights to walk this Beach are violated, and the proposed fencing is a major safety issue. Any design for a proposed fence on Centennial Beach is a safety hazard, is costly, is unsightly and is a violation of the rights of our citizens.

I request that the Plan Commission of the Village of Winnetka, deny
the requested special use permit (SUP) for any type of fence on the Beach and waters at Centennial Park.
Thank you for your dedication to our Village,

Mary Garrison [redacted]

Past President of the WPD Board of Commissioners
Past Member, Plan Commission

From: [redacted]
To: Ann Klaassen
Subject: Proposed Fence at Elder/Centennial Beaches
Date: Monday, January 26, 2026 9:35:38 PM

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To Village of Winnetka Plan Commission

From:

Re: Winnetka Park District Centennial Fence SUP Application Violates Design Standards, Conflicts with the 2040 Futures Plan, Misrepresents Facts and the Law

Date: January 26, 2026

Please vote against recommending the Winnetka Park District's ("WPD") Village Code-violating, SUP standard breaching, unlawful and 2040 Futures Plan-indifferent permanent fencing permit application.

1. VOW Design Standards prohibit chain-link fencing. WPD's proposed black chain-link animal cage on the shores of Lake Michigan would violate this prohibition. It cannot be recommended to the Village Council.
2. VOW 2040 Futures Plan promotes open space and the preservation of Winnetka's graceful character, neighborhood design standards, and the environment. WPD's SUP application clearly violates all of these tenets. There is no standalone black chain link fencing along any neighboring Centennial Park property owner's lakefront front lot line, nor along any Sheridan Road front lawn. There is no standalone chain link fencing in the neighborhood that extends into Lake Michigan. WPD's SUP permit application cannot be recommended to the Village Council.
3. When the Village approved WPD's 2001 Elder Lane and Beach SUP application, it required WPD to install Code-compliant non-chain link fencing. Despite this, WPD seeks to install Code non-compliant, design standard violating, 2040 Futures Plan - inconsistent chain link fencing on Centennial beach.
4. WPD's proposed black chain link animal cage is not minimally necessary nor consistent with Code Section 15.78.010. WPD's fencing is designed to stretch106' from the toe of the bluffs into Lake Michigan on the north, and 93'3" into Lake Michigan to the south. The fencing extends 72 feet beyond the OHWM--WPD's front lot line—on the north, and 77'3" beyond WPD's front lot line to the south. Fencing that extends beyond a property owner's front lot line is prohibited.
5. The Village Code prohibits nuisances, which it defines as fencing or other barriers that would extend into the public way, including Lake Michigan and its submerged lands.
6. Village Code Section 15.78.080 prohibits the creation of nuisances, such as fencing that would create Public Safety Hazards, including by impairing police and other first responder access to Centennial beach/Lake Michigan. WPD's animal cage would have 10" double gates on the northern side of Centennial. On Centennial's southern end,

WPD designed two barely passable, stacked, single gates that form a 6' long, 39" wide corridor in the lake east of the OHWM. WPD's unsafe designs would unreasonably obstruct and interfere with ingress/egress to the adjacent public beach south of its animal cage. The cage would force first responders and other rescuers either into the lake through a yardstick wide corridor to try to reach emergency situations on the 20' area south of the fencing and north of 205 Sheridan's northern breakwater, or 77'3" past the OHWM into Lake Michigan to attempt to render aid to persons/dogs/boats/paddlers.

7. The 2040 Futures Plan contemplates ADA access. For local governmental bodies such as WPD, compliance is mandatory. Despite this, WPD designed an ADA non-compliant beach corridor that is too narrow for a wheelchair to use, with an insufficient turning radius that would trap people and dogs inside the chain link fencing, possibly in the waters of Lake Michigan. This dangerous and unlawful design violates the Village Code as well as the 2040 Futures Plan, and cannot be recommended for approval.
8. WPD misrepresents the permanent nature of its black chain-link fenced in animal cage extending along and well past its front lot line on the shores of Lake Michigan. The fencing would be permanent, with no time constraints or removal requirement.
9. WPD claims its ADA-violating, public nuisance creating, Design Code abrogating, 39" wide, 6' corridor will never be used for maintenance south of the black chain-link fencing. This is out of line with the realities of known debris that washes up from Lake Michigan, as well as boats that may crash into 205 Sheridan's armored stone breakwaters, possibly stranding boaters/boats on a narrow 20' strip of inaccessible public beach, or beyond. A 34' long boat was stranded after encountering heavy waves at Lloyd in October 2025. WPD also recently described finding a large section of wide rubber pipe washed up onto the Elder-Centennial beach, which required removal efforts by both the Village and WPD. That belies WPD's false statement that no maintenance will ever be required south of its unlawful black chain-link lakefront animal cage.
10. Cook County Animal Control ("CCAC") has refused to evaluate WPD's animal cage until after IDNR and USACE make their determinations, despite repeated entreaties not only from WPD, but also via email and phone calls from Orchard 2020 Trust's attorneys. In 2024, CCAC Administrator Dr. Diakhate informed Shannon Nazzal that Centennial beach is a "dog friendly area." Cook County does not require four-sided or any other specific fencing for Lake Michigan dog friendly areas, WPD can produce no documentation supporting its specious claims.
11. The Village Code prohibits dog owners from allowing their pets to "run at large." The IL Animal Control Act, 510 ILCS 5, 5/9, provides that: "A dog that is in a dog-friendly area or a dog park is NOT CONSIDERED TO BE RUNNING AT LARGE IF THE DOG IS MONITORED OR SUPERVISED BY A PERSON." There is no lawful justification for WPD's attempted usurpation of CCAC's sole and exclusive Animal Control Act authority. WPD is deliberately misdefining what constitutes "running at large" in an effort to force the Village of Winnetka to violate the 2040 Futures Plan, its Design Standards, the Lakefront Preservation Ordinance, and the Village Code's nuisance provisions.
12. CCAC regulations require fully enclosed four-sided fencing for "dog parks" on land. Even if the IL Animal Control Act were amended to exclude dog friendly areas from its definition of places where canines are NOT "running at large," WPD's two-sided fencing would be out of compliance with the rules. As WPD knows, CCAC's Administrator lacks waiver authority for the four-sided fencing requirement.

Please vote to deny recommending WPD's grant of a SUP for its unlawful, specious and misleading fencing permit application.

Thank you,

Laura Sorensen

173 Fuller Lane

Winnetka

From: [redacted]
To: Ann Klaassen
Subject: Fencing dog beach
Date: Tuesday, January 27, 2026 7:00:15 AM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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.

Dear Ann,

I'm currently not able to attend the meeting Thursday and would like my letter read at this weeks meeting.
I've been a Winnetka resident for most of my life, and have spent a portion of that time living on Sheridan enjoying the privilege of seeing the majestic Lake Michigan during all 4 seasons .
Our family uses the beaches often,
including Centennial and find this proposal for a chain link fence to be unnecessary , dangerous, improper use of funds and catering to one wealthy individual who has never lived in Winnetka .
The park district should represent the village,
not one individual and what a shame to ruin the view and potentially cause harm in our most important resource .
Lake Michigan cannot be tamed by an ugly chain link fence.
Please listen.

Thank you,

Iretta Brennan

Sent from my iPhone

RECEIVED
JAN 27 2026

Dear Winnetka Plan Commission,

The WPD is once again asking the Village of Winnetka to review the Elder Centennial beach plan in bits and pieces, in spite of the fact that both the Plan Commission and the Zoning Board stated very clearly that it was nearly impossible to approve any special use permit without seeing the entire plan at once.

Just as an architect would not be allowed to show only a small portion of house plans when seeking approval for a permit, this situation is no different. One has to ask: why is the WPD ignoring the prior recommendations of both boards if it is truly interested in getting the Elder and Centennial beach plan approved?

The beaches have been unavailable to the public for over 5 years. Years of caucus surveys, countless letters and hundreds of comments at public meetings have continually shown the community is unhappy with the course the WPD is pushing. The board has previously heard all of the terrible stories about water safety and the dangers of any structures, but particularly fences, along the waterfront. Why is the WPD spending the valuable time of our governing bodies and concerned taxpayers to concentrate on a large, unsightly, unsafe and unwanted cage made out of chain link for what the WPD itself has called the most beautiful beach in Winnetka?

We know it is not for the dog owners. Only a little over 100 Winnetka residents out of more than13,000 are dog pass holders. Prior to the disastrous attempt to give away public land to a private homeowner, the WPD was trying to close the dog beach. They led a public campaign to say the prime jewel of the beachfront should not be used just for dogs and spent precious taxpayer dollars to develop an approved plan to move the dog beach to a different location.

However, once the behind the scenes "land giveaway" started, all of a sudden the dog beach "needed" to be back on Centennial. It is not hard to understand that only one person benefits from a fenced in dog beach directly north of their property. The neighbor to the south of Centennial, with apparent support of several WPD board and staff members, has been trying to put up a fence in that same location since the ill-fated louvered wall introduced in 2020. Contrary to its mission statement of protecting assets, natural resources, and open space to benefit present and future generations, the WPD appears to have been working feverishly with the same owner to develop a way to create an ugly offensive cage on a coveted public beach owned by the taxpayers.

Thank goodness there are other governing bodies in our community who understand the real motivation behind this request and will work to protect the most important natural resource in Winnetka. Your job is to prevent the destruction of a pristine beach and not cede it over to a private landowner who already has the largest beach in Winnetka. The fence is just the beginning. If you approve this chain link special use permit, which is better suited for a garbage dump location or factory setting, it will open the flood gates to more of the same.

On the last review of the Elder Centennial plan, some of the most consistent comments from your board was your concern for the lack of safety found in much of the plan. The fence was mentioned many times as a non-starter. The fact that the WPD has come back with a request for a special use permit just for this feature alone shows a true lack of respect for our community, our beaches, our governing bodies and the WPD's own mission statement. There are no conditions that would ever make this steel cage on the beach appropriate. Please deny this request.

Respectfully submitted,

Peggy Martay
583 Sunset Road

January 27, 2026

To the Winnetka Village Planning Commission,

I strongly disapprove of the Winnetka Park District's application to install two chain link fences into Lake Michigan at Centennial Park. The fences present a great danger to swimmers, boaters, and dogs. Such an installation completely ignores the Doctrine of Public Trust.

This is nothing more than a backdoor attempt on spurious grounds for de facto approval of the Winnetka Park District's Master Plan!
Therefore, please deny the Park District's request for a Special Use Permit!

Most sincerely,
Carol Rasmus
175 Sheridan Road
Winnetka, IL 60093

From: [redacted]
To: Ann Klaassen; Scott Mangum
Subject: Dog Beach Fence Supporters - March 20, 2025 WPD Meeting Speak-Citizens and Commissioners
Date: Tuesday, January 27, 2026 6:23:02 PM
Attachments: Handout 42425 Root Shares Confidential Draft Board Materials..pdf

You don't often get email from [redacted] Learn why this is important

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.

Please include this message in PUBLIC COMMENT regarding 1/28/26 Plan Commission Hearing regarding Centennial Dog Beach Fence Permit.

I am writing with meeting links wherein broad support for a Temporary Dog Beach Fence was discussed by both residents in Public Comment and Winnetka Park District Commissioners in a consensus recommendation to pursue and support permitting.

The March 2025 Regular Meeting of the WPD is linked below.

March 20, 2025 Meeting Time Minute 37 through hour 1:08.
Dog Beach Temporary Fence Discussion-Public Comment Offering Help with Village Permitting and Commissioners reach Consensus (Root at 1:02 in favor)
https://www.youtube.com/live/WHihBQ_77CY?si=9a6lS7zbYBR8mtuF

I add the following link and attachment only because there appears to have been a change of heart by one Commissioner. Page 3 of this handout is the 3/16/25 email from Commissioner Root carrying the confidential draft information that contains this quote on line 16:

"3. Install Fencing to contain dogs (cost $6,000, materials already in-house) - if we want to keep the beach open probably the most practical choice and we can argue about the appropriate final dog beach location and whether fencing is required and how installed at a later date."

April 24, 2025 Meeting at Time 2:33-Discussion of Confidential Information
https://www.youtube.com/live/MvADWnvDe-8?si=UYRIqYMLsk4_UBfq

Thank you,
Eric Lussen

Eric Lussen
[redacted]

THE DOG BEACH IS CLOSING

UNLESS YOU TAKE ACTION

Winnetka Park Board Meeting Thursday, March 20th

Public Comment opportunity at 6:00 p.m.

540 Hibbard Road, Winnetka

HELP PREVENT ANOTHER VALUABLE PARK ASSET FROM PRIVATE INTEREST INFLUENCE/TAKEOVER!

FAILURE TO NOTIFY PASSHOLDERS OF THIS UNJUSTIFIED PLAN IS YOUR FIRST CLUE THAT LEADERSHIP OF THE CURRENT BOARD IS NOT RESPONSIVE OR TRANSPARENT

Copies of the placard shown above were posted at three locations within Centennial Park *in advance of the April 1, 2025, municipal election. The placard references false and* misleading information, obviously inciting a call to action.





WINNETKA PARK DISTRICT – REGULAR BOARD MEETING – APRIL 24, 2025
Discussion of the Ethics of Campaigning as an Elected Official

On March 16, 2025, Commissioner Colleen Root sent the following email to constituents:

From: Colleen Root <[redacted].com>
Date: March 16, 2025 at 4:10:31 PM CDT
To: Root <[redacted].com>
Cc: Mary Garrison <[redacted]>, Steve Juliusson <[redacted]>, Kay Whitchurch <[redacted]>
Subject: Urgent: Centennial Dog Beach's Future – Your Voice Matters - Winnetka Park District Board Meeting - Thursday March 20th @ 6 pm

Dear Dog Beach Supporters,

You're receiving this email thanks to Kay Whitchurch, who believes this is her father's Dog Beach contact list—thank you, Kay!

Centennial Dog Beach is once again in jeopardy - AND up for review and vote at the Winnetka Park District Board meeting this Thursday, March 20, at 6 PM. With the Board's new once-a-month meeting schedule, and, with only public comment received one-time at the beginning of the meeting, if you wish to speak, **you must be in a seat in the room by 6 PM.**

What's at Stake?

Last week, the Village and Park District agreed in principle to repair Elder Beach and open it for the 2025 season—a win for **Open Beaches, Open Land, Open Government** (https://www.openourparks.org/) for which our campaign will take some credit. However, Park Staff now insists that dog containment at Centennial Dog Beach must be addressed. The Board will consider three options on Thursday evening:

1. **Close Centennial Dog Beach permanently** - call me a cynic, but I fear the Board majority may prefer this conclusion.
2. **Enforce an on-leash rule** with security onsite and issuing citations.
3. **Install fencing to contain dogs** (cost: ~$6,000, materials already in-house) - if we want to keep the beach open probably the most practical choice and we can argue about the appropriate final dog beach location and whether fencing is required and how installed at a later date.

The Board Packet detailing these options will be available by 6 PM on **Tuesday, March 18.** If you care about keeping a dog beach in Winnetka, I urge you to review the packet https://winpark.diligent.community/portal/ and **show up Thursday night to make your voice heard.**

Election & The Future of Our Parks

I am the Caucus endorsed incumbent running for re-election alongside Mary Garrison and Steve Juliusson.. We're committed to **transparency, a community-directed District, fiscal responsibility** and preserving **public access to our parks.** Our focus is what you the community want. We have no business entanglements - no conflicts of interest. If you share our vision, I hope you'll vote for us—#93, 95, and 97 on the ballot. **To change the direction and majority of this Board we need victory for all three of us.**

Early Voting starts Tomorrow, March 17 at Centennial Park, Wilmette
Election Day is April 1

If you have any questions about any of the subjects of this email, feel free to reach out. I hope to see you at Thursday's meeting—in my opinion, Centennial Dog Beach's future will depend upon your presence and your comments. I also would be honored to have your vote this election.

Best,
Colleen Root
Current Commissioner & Candidate for Winnetka Park Commissioner

openourparks.org

WINNETKA PARK DISTRICT – REGULAR BOARD MEETING – APRIL 24, 2025
Discussion of the Ethics of Campaigning as an Elected Official

The question of "how and why" Commissioner Root would come up with such a false and misleading narrative is answered by understanding the board meeting agenda preparation process.

WPD Staff prepares a *DRAFT* copy of the Board Agenda for review by the Commissioners in advance of each board meeting. On Friday, March 14, 2025, WPD Staff sent out the non-public, *draft* agenda which included a memorandum regarding Centennial Dog Beach. The memo prepared by staff included three options to address the matter of the dog beach not being in compliance with Cook County Animal Control Regulations.

1. Install a temporary fence
2. Enforce the current "on leash" requirement
3. Close the dog beach and convert it to a swimming beach

Option three (closing the dog beach) is contrary to at least three separate resolutions of the Winnetka Park District Board of Commissioners, Oct-2022, May-2023, Oct-2023, and the PERMIT PLANS pending before the Village of Winnetka. While a theoretical possibility, the notion that the Board would vote to close the dog beach is highly unlikely. Given the Board of Commissioners' demonstrated commitment to maintaining the dog beach at Centennial Park, two commissioners individually objected to the memorandum as initially drafted (after hearing complaints from concerned constituents who had received a copy of the referenced email from Commissioner Root) and requested an amendment to remove "option 3" (closing the dog beach) prior to releasing the final draft of the dog beach memorandum.

The final board agenda packet was published on Tuesday, March 18, 2025, more than 48 hours in advance of the regular board meeting held on Thursday, March 20, 2025. The discussion of the Centennial Dog beach was moved to top of the agenda due to the false, misleading and incendiary email issued by Commissioner Root, which led to a spike in attendance from members of the public fearing that the Centennial Dog Beach might in fact be at risk of closure.

Copies of the initial and final drafts of the memorandum follow.

Additional topics for discussion and "fact-checking":

1. Winnetka Park District Bond Rating
2. False and misleading narratives promoted in "Why We are Running"

WINNETKA PARK DISTRICT – REGULAR BOARD MEETING – APRIL 24, 2025
Discussion of the Ethics of Campaigning as an Elected Official

PRELIMINARY DRAFT - NON-PUBLIC - Distributed to Commissioners for review on Friday, March 14, 2025, prior to finalizing board packet for release to the general public on Tuesday, March 18, 2025

WINNETKA PARK DISTRICT
PARKS AND MAINTENANCE DEPARTMENT
INTEROFFICE MEMORANDUM

TO: Board of Park Commissioners
VIA: Shannon Q. Nazzal, Executive Director
FROM: Costa Kutulas, Director of Parks and Maintenance
DATE: March 20, 2025
SUBJECT: Centennial Dog Beach Review

Background:
Centennial Dog Beach operated as an off-leash dog beach since its inception in 1995. During that time, the Park District managed the facility with a secured single gate at the western entrance at the top of the bluff. The community self-managed the boundaries of the beach on the north and south edges. In 2010, the Park District installed a single row of four-foot fencing along the northern edge of the beach to prevent dogs from wandering beyond the designated area and onto the public swimming beach at Elder Lane, located just north of Centennial Park. This fence remained in place for many years, serving as a barrier to Elder Lane's swimming beach. Over the years, due to damage from the lake environment, the fencing was removed. At that time, no directive was given to reinstall the fence, as the Park District was in the early stages of implementing the Winnetka Waterfront 2030 Master Plan. It was assumed that the off-leash dog beach would not be part of the future design.

In the winter of 2023, the Park District installed temporary fencing. Two single rows of four-foot fencing were placed along the northern and southern property lines, each with a double gate entry. However, this effort was halted due to the lack of permitting approval. As a result, the fencing was removed, and the project was tabled. Following this, the Park Board voted to convert Centennial Beach from an off-leash to an on-leash dog beach (Ordinance 596), and it has operated in this way since that time.

Discussion:
Despite the change, some community members continue to use the beach as an off-leash area. Based on recent complaints and communications with the Cook County Department of Animal Control, staff have been advised to review the operation of the On-Leash Dog Beach. If users continue to violate, Cook County may begin issuing citations to those in violation. In light of this, staff have evaluated several options (Appendix A) to address the concerns to include:

1. Install fencing to comply with the current Cook County Animal Control Ordinance.
2. Code enforcement to continue operating the facility as it currently exists and enforcement of the leash ordinance.
3. Remove the dog beach entirely and convert it into a public beach.

Fiscal Impact:
The estimated cost for each option is noted in the Appendix A. Depending on which option is selected, the corresponding cost is requested to be added to the budget to fulfill the approved board action.

Conclusion/Recommendation:
Staff recommends that the Park Board provide direction on the preferred option for a temporary solution to

My name is Angie Dahl. I have been a resident of Winnetka for over 40 years. During that time I served as President of the Winnetka Park District as well as a member of several Village advisory boards.

Historically, the Winnetka shoreline was beautiful and accessible—you could walk, swim, kayak, and paddleboard unimpeded from Glencoe to Kenilworth. The water and sand levels fluctuated naturally, as they should.

However, in the past 25 years, that same stretch has become dangerous and in some places impassable. Massive rock walls have been erected which hinder safe passage, exacerbate bluff destruction, and cause unchecked ecosystem damage. These changes were made under IDNR and Army Corps oversight, or the lack thereof. I do not hesitate to say that saying that something has been approved by the IDNR is not a positive.

Until quite recently the Village of Winnetka mistakenly believed that it had no control or standing to protect the beaches and the bluffs. However, when the public recently went to the IDNR to express concerns and request clarification on several lakefront matters, the response from Jim Casey was that the Village of Winnetka could have denied all of it as they have final jurisdiction over the lakefront. It was shocking to learn that all of the other north shore communities had been exercising this control for years making Winnetka a magnet for over-building along the beach and lack of adherence to the public trust doctrine.

Although there are countless pictures to show what has happened to the formerly pristine beaches along the Winnetka shoreline, I share with you two pictures directly related to the special use permit you are considering now: a huge chain link fence in front of an already massive stone structure which totally obstructs the previously priceless view of the shoreline all the way to Evanston and creates a significant safety hazard.

You continue to hear from the large amount of letters sent to you and through the turnout of residents protesting the Elder Centennial plan. One of the biggest complaints from them, your own board and the Zoning board, was about the fence and disregard for the safety of the public. Now the WPD is asking you to ignore all of that and approve the fence without seeing the rest of what they plan to do to our beaches.

What do Winnetka residents want? Residents want access to their lakefront and the ability to walk along it's beautiful shores. Residents of Winnetka want their voices to be heard as they continuously and strongly object to the desecration of the lakefront ~ a design and changes, including this fencing which only became an issue due to recent interactions between former Winnetka Park District board members and officials and a singular property owner. Winnetka deserves so much better than this and it is imperative the Plan Commission deny this request.


THE BEFORE VIEW
May 30, 2022
Evanston
Centennial
Elder Beach


THE AFTER VIEW
July 10, 2024
View South after construction of 205 rock wall -
WPD walls will be bigger

From: [redacted]
To: Ann Klaassen
Subject: January 26, 2026
Date: Wednesday, January 28, 2026 9:00:34 PM

[You don't often get email from [redacted]. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

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January 28, 2026

Re: Special Use Permit for Dog Fence

Plan Commissioners:

Thank you for your attention to this matter.

The plans for the off-leash dog beach, submitted as part of tonight's agenda packet are vague and therefore misleading. The drawings fail to inform the plan committee and the public of the breakwater now existing at the north boundary of 205 Sheridan (South Centennial boundary) or highlight the existing sheet pile. Furthermore the fence elevations are not presented in the context. Had the sheet pile and the breakwater been boldly drawn, the benign looking gap between the thin line representing the fence and the property line of 205 Sheridan Rd. would seem entirely hazardous and redundant. The proposed fence is 93 ft. 3in. long from the toe of the bluff to its eastern terminus in Lake Michigan. It runs into the lake at a distance of about 15 ft. from the ordinary water line, but that stretch would increase to 40 plus ft. should the lake rise to the high water mark. At best, the proposed 20 ft. gap will be an unsightly debris collector and at worst it would be a trap endangering the lives of people and dogs that might get stuck and battered between jagged rocks, a corroded sheet pile and an ungiving fence. Yes, the lake can get choppy and wavy.

The need to provide a fence when there is already a pile of rocks at that property line is questionable. Dogs aren't likely to pick their way over rocks in favor of running and playing on the beach.

Drawings are a powerful tool of communication. They should be comprehensive and describe adjacency. In this case they fail to do so. Therefore, please deny this Special Use Permit.

Joanna Karatzas
Winnetka Resident

Sent from my iPhone

From: [redacted]
To: Planning
Subject: In support of dog beach fence
Date: Thursday, January 29, 2026 10:48:12 AM

> Some people who received this message don't often get email from [redacted]. Learn why this is important

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

Hi. This is Christine Casper. I live at 226 Sheridan Road. I can't make it to the public hearing due to travel, but as avid and grateful users of the dog beach, my family would like to record our support for the fence plan (Case no. 25-28- SU). We would be glad for the beach to be in compliance with Cook County animal control regulations so we can enjoy off-leash beach fun and exercise with no hassle.

From: [redacted]
To: Ann Klaassen
Cc: [redacted]
Subject: SUP Condition One: Protecting the Public"s General Welfare
Date: Monday, February 2, 2026 9:48:14 AM
Attachments: 84873FB4-55E3-4619-B884-F87243E1E88A.png
5D0B060A-04EE-493E-994C-7ACE4E0C34A5.png
5FF65C27-B208-4173-9487-781E85A6832A.png
01F18412-4280-40C5-B55E-0209643B9AEC.png
BEEB76DD-1FC7-4F2D-8ECE-D5B846ECEB0A.png
7F94034E-27D5-4836-8CB3-A4E6B1D16190.png
261 Sheridan Property Exchange - Path Forward(5) copy.pdf
AnonymousDonorHemmingsRomanoff.pdf
Final Signed Donation Agreement.pdf

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.

Hello Ann:
Would you please share this email with ZBA for its 2/9/26 meeting? Thank you.

To: Village of Winnetka Zoning Board of Appeals

Winnetka Park District's ("WPD") Centennial fencing application does not meet the Village's conditions for granting a Special Use Permit ("SUP") because it violates Village Zoning Code Section 17.56.010 Condition One: that the special use not be detrimental to or endanger the public's general welfare. Embarking on a massive project with no cost caps or inflation factors, including a dog beach fencing project initiated for spurious reasons, would be detrimental to the public's general welfare. Unusually generous indemnification provisions, egregiously one-sided terms, and a framework more closely resembling a privately-oriented control agreement than a donation would endanger the public's general welfare for over fifty years. While benefitting the park's neighbor, Centennial Park's diminution would permanently harm the public. It is contrary to the public's general welfare and against the public interest to benefit a private landowner at Winnetka residents' expense.

CENTENNIAL PROJECT'S PRIVATE ORIENTATION AND FINANCIAL BURDEN IS DETRIMENTAL TO THE PUBLIC'S GENERAL WELFARE

WPD's 2020 Exchange Agreement and 2024 Donation Agreement with Restrictive Covenant (the "Agreements") impose significant burdens upon 12,400 Winnetkans. WPD's fencing SUP is part of the scheme. This violates Village Code Section 17.56.010 SUP Condition One, which states that a SUP may not operate to the public's detriment.

1. WPD's 8/27/25 Zoom meeting with IDNR and USACE was primarily focused on advancing its swap agreement and breakwater projects. WPD's discussion of this dog beach fencing can only be understood as a next-step in achieving WPD's property exchange, as well as launching WPD's $15,588,815 Elder-Centennial plan—the cost estimates for which contain neither an inflation factor nor caps. It is against the public interest to recommend granting a SUP for this plan.

https://winparkdistrict-my.sharepoint.com/:u:/g/personal/snazzal_winpark_org/Ea_fE4tEGE5DkrL6Voe0ikABGWtk0Ku6xS2ju5VEu5ZJOA

WPD2026RevisedBudget.pdf

Fund 37: Capital Projects Fund

Fund Overview

	2024 Actual	2025 Budget	2025 Year End Estimate	2026 Proposed Budget	$ Variance 2025 Budget to 2026 Budget	% Variance 2025 Budget to 2026 Budget
Beginning Reserves	$ 6,319,972	$ 5,710,365	$ 5,710,365	$ 3,745,843	$ (1,964,522)	-34.4%
Interest Income + Donations	$ 237,625	$ 3,000,000	$ 26,404	$ 3,000,000	$ -	0.0%
Operating Expenses	$ -	$ -	$ -	$ -	$ -	0.0%
NOI (before capitals)	$ 237,625	$ 3,000,000	$ 26,404	$ 3,000,000	$ -	0.0%
Capital Expenses	$ 847,232	$ 17,636,354	$ 1,990,926	$ 16,038,815	$ (1,597,539)	-9.1%
Transfers (In) / Out	$ -	$ (1,000,000)	$ -	$ -	$ 1,000,000	-100.0%
Total Expenses	$ 847,232	$ 16,636,354	$ 1,990,926	$ 16,038,815	$ (597,539)	-3.6%
Net Fund Income	$ (609,607)	$ (13,636,354)	$ (1,964,522)	$ (13,038,815)	$ 597,539	-4.4%
Ending Reserves	$ 5,710,365	$ (7,925,989)	$ 3,745,843	$ (9,292,972)	$ (1,366,983)	17.2%
25% Restricted	$ -	$ -	$ -	$ -		

* $15,588,815 of the 2026 Capital Budget is designated for Elder and Centennial projects, to be spent 2026-2028. Budget based on 2026 construction costs.

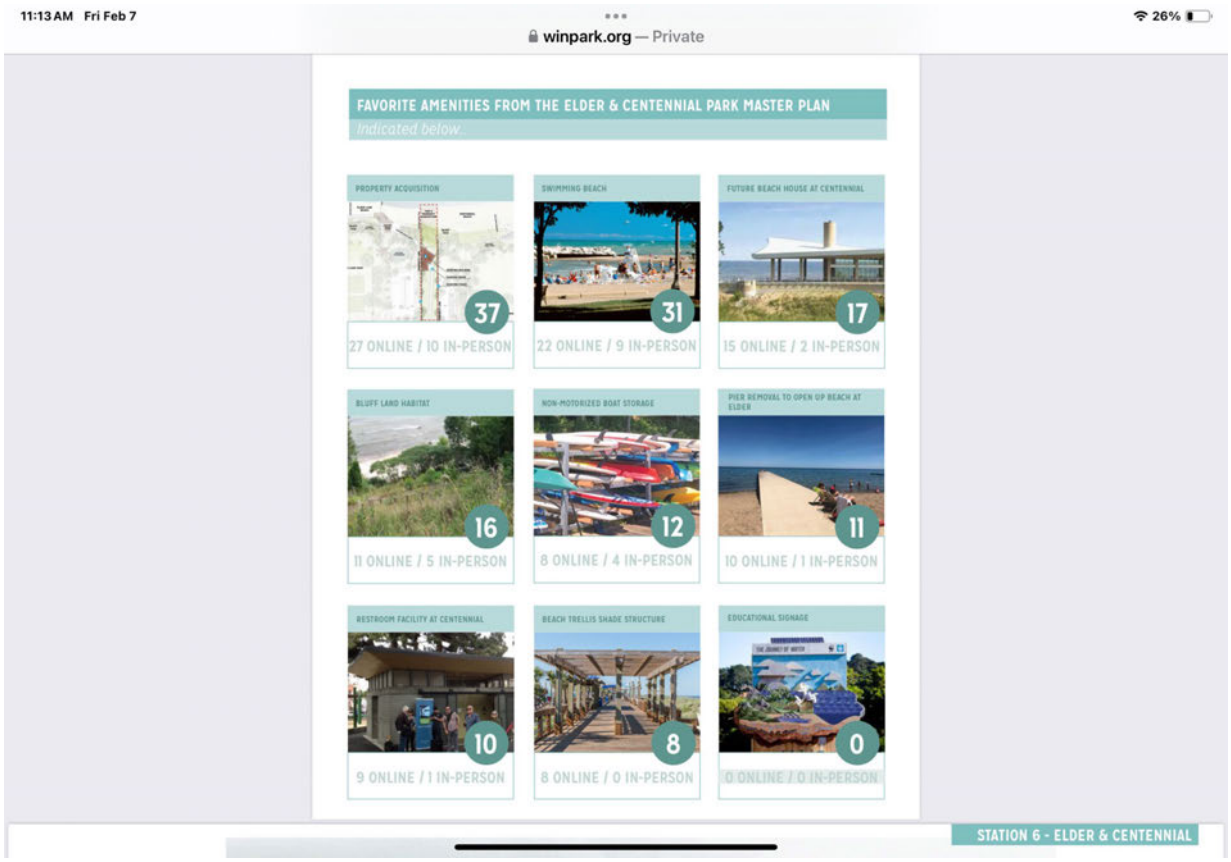
31

2. ZBA Commissioners should know that in 2020 WPD issued $9 million in G.O. Bonds to finance its lakefront projects—after which the Exchange Agreement fell apart. WPD has not drawn down the 2020 G.O. bonds' remaining balance and had to make a $258,653.02 bond arbitrage rebate payment to the U.S. Treasury in 2025. According to Commissioner David Seaman, WPD cannot issue more debt without going to referendum, which WPD refuses to do because the public will not approve it.

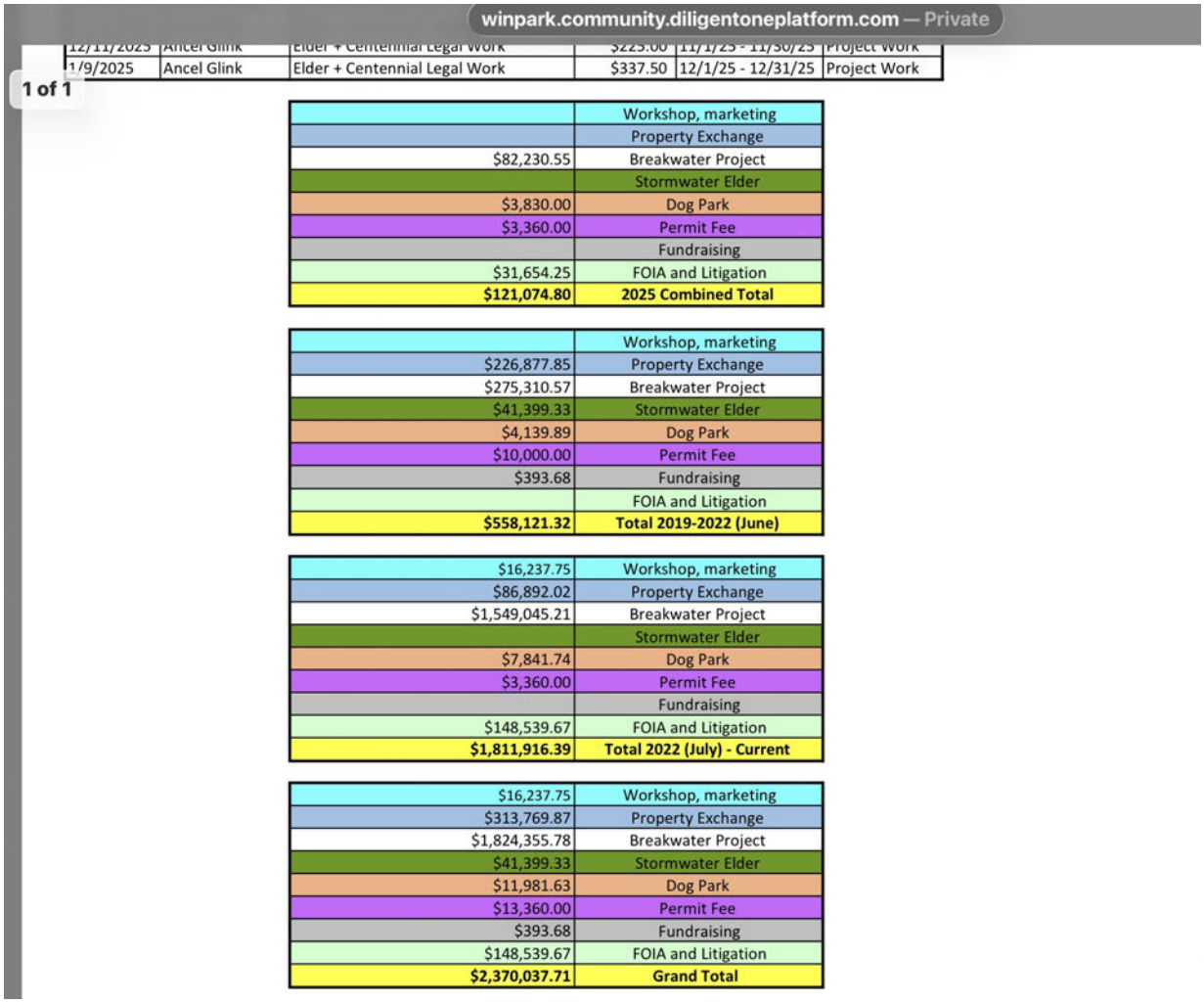
Expense Approval Report — **Payment Dates: 08/22/2025 - 09/18/2025**

Vendor Name	Payable Number	Post Date	Item Description	Account Number	Amount
ULINE, INC	196446103	08/28/2025	TREE PROTECTION BURLAP	01-0400-0000-52545	152.90
				Vendor ULINE, INC Total:	**243.07**
Vendor: UNITED STATES TREASURY					
UNITED STATES TREASURY	INV0015756	09/11/2025	2020 Bond arbitrage rebate	37-3700-0000-60122	258,653.02
				Vendor UNITED STATES TREASURY Total:	**258,653.02**

The lack of public support dates back to 2014-2015. WPD's 2030 Lakefront Master Plan is speciously based on a statistically invalid survey that tallied only 37 votes in support of acquiring 261 Sheridan. This raises further suspicions about WPD's fencing SUP and what is behind its effort to build barriers across public lands and waters.



3. Over the past several years WPD has been levying taxes at the maximum rate, plus a surtax related to separately issued 2014 debt. Unlike other park districts, WPD has declined to adjust the tax rate downward when Cook County's Equalized Assessed Values skyrocket. WPD has run up at least $2.3 million in fees related to the Elder-Centennial project. Its repulsion of an anonymous donor's $3 million minimum donation offer in 2023-2024—based on an exaggerated fear of litigation, which WPD elevated above the public's interest in saving Centennial Park—brings out-of-pocket and economic costs up to nearly $6 million. WPD's lack of desire to contain the project's costs and to protect Centennial Park will continue until WPD's plans are voted down—at ZBA, at the Design Review Board, and ultimately at the Village Council.



12/11/2025	Ancel Glink	Elder + Centennial Legal Work	$225.00	11/1/25 - 11/30/25	Project Work
1/9/2025	Ancel Glink	Elder + Centennial Legal Work	$337.50	12/1/25 - 12/31/25	Project Work

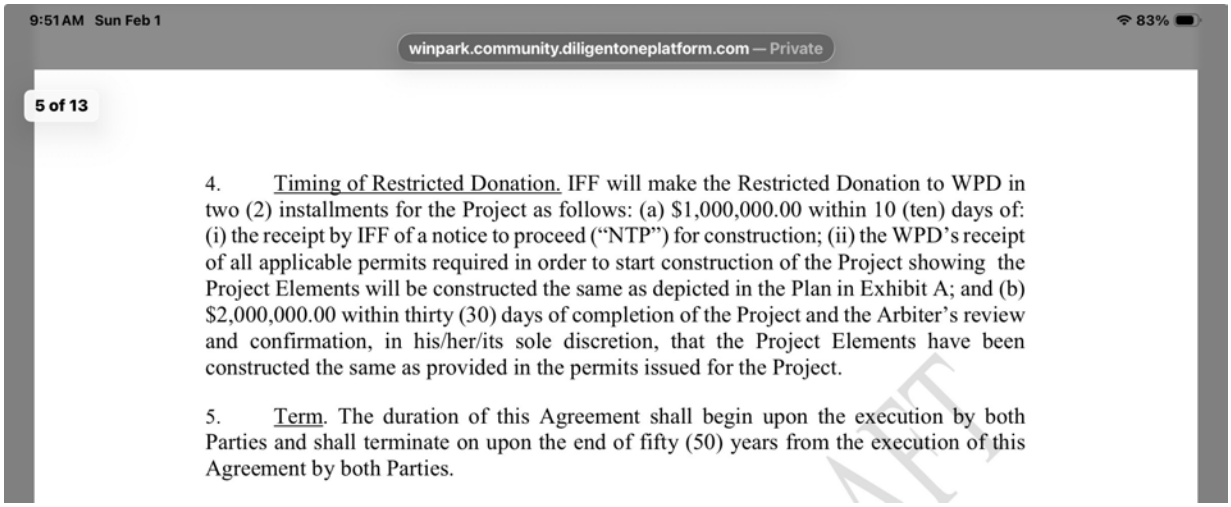
	Workshop, marketing
	Property Exchange
$82,230.55	Breakwater Project
	Stormwater Elder
$3,830.00	Dog Park
$3,360.00	Permit Fee
	Fundraising
$31,654.25	FOIA and Litigation
$121,074.80	**2025 Combined Total**

	Workshop, marketing
$226,877.85	Property Exchange
$275,310.57	Breakwater Project
$41,399.33	Stormwater Elder
$4,139.89	Dog Park
$10,000.00	Permit Fee
$393.68	Fundraising
	FOIA and Litigation
$558,121.32	**Total 2019-2022 (June)**

$16,237.75	Workshop, marketing
$86,892.02	Property Exchange
$1,549,045.21	Breakwater Project
	Stormwater Elder
$7,841.74	Dog Park
$3,360.00	Permit Fee
	Fundraising
$148,539.67	FOIA and Litigation
$1,811,916.39	**Total 2022 (July) - Current**

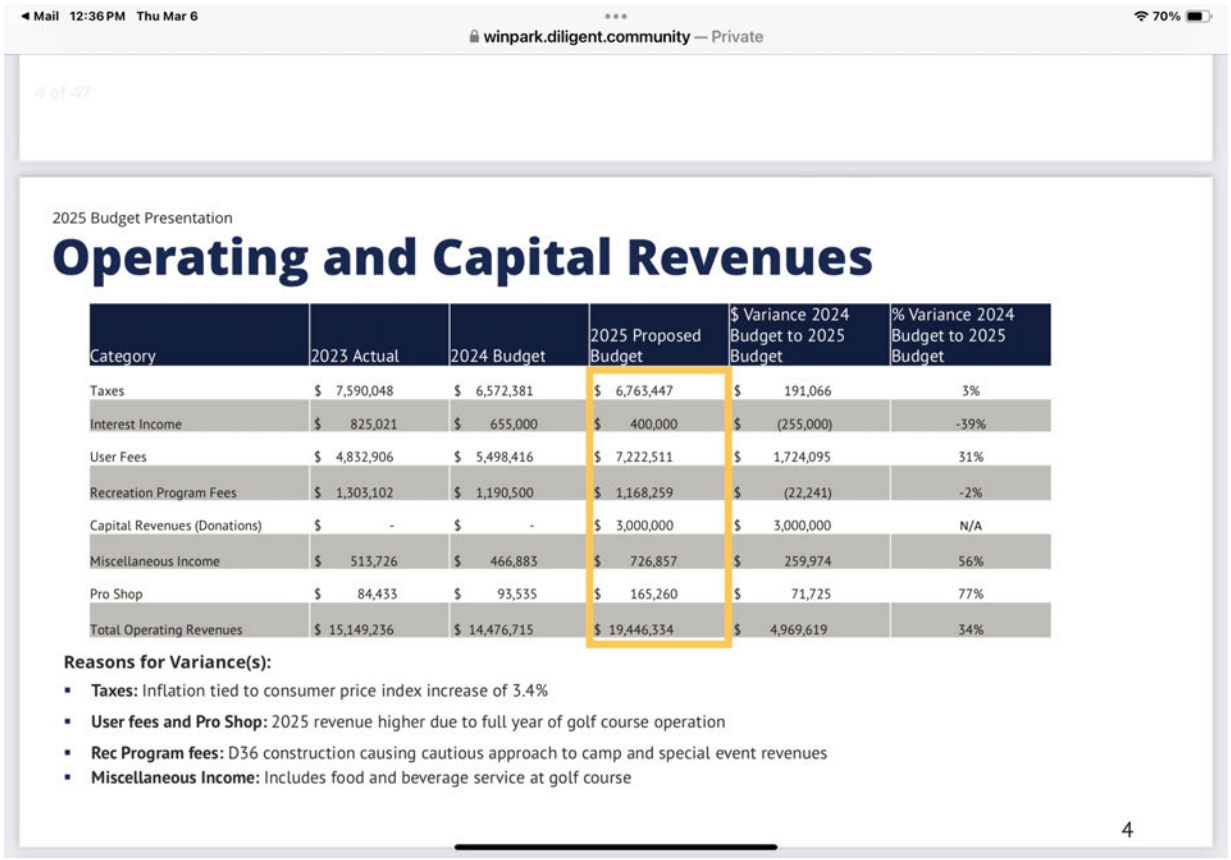
$16,237.75	Workshop, marketing
$313,769.87	Property Exchange
$1,824,355.78	Breakwater Project
$41,399.33	Stormwater Elder
$11,981.63	Dog Park
$13,360.00	Permit Fee
$393.68	Fundraising
$148,539.67	FOIA and Litigation
$2,370,037.71	**Grand Total**

4. Donation Agreement Paragraph 4 contemplates payment of the $3 million in two parts: $1 million when a notice to proceed to construction is issued, and $2 million within 30 days of the project's completion. Despite this, WPD included the entire conditional $3 million payment as revenue in its 2024, 2025 and 2026 budgets. At best, it should have been included as a footnote.

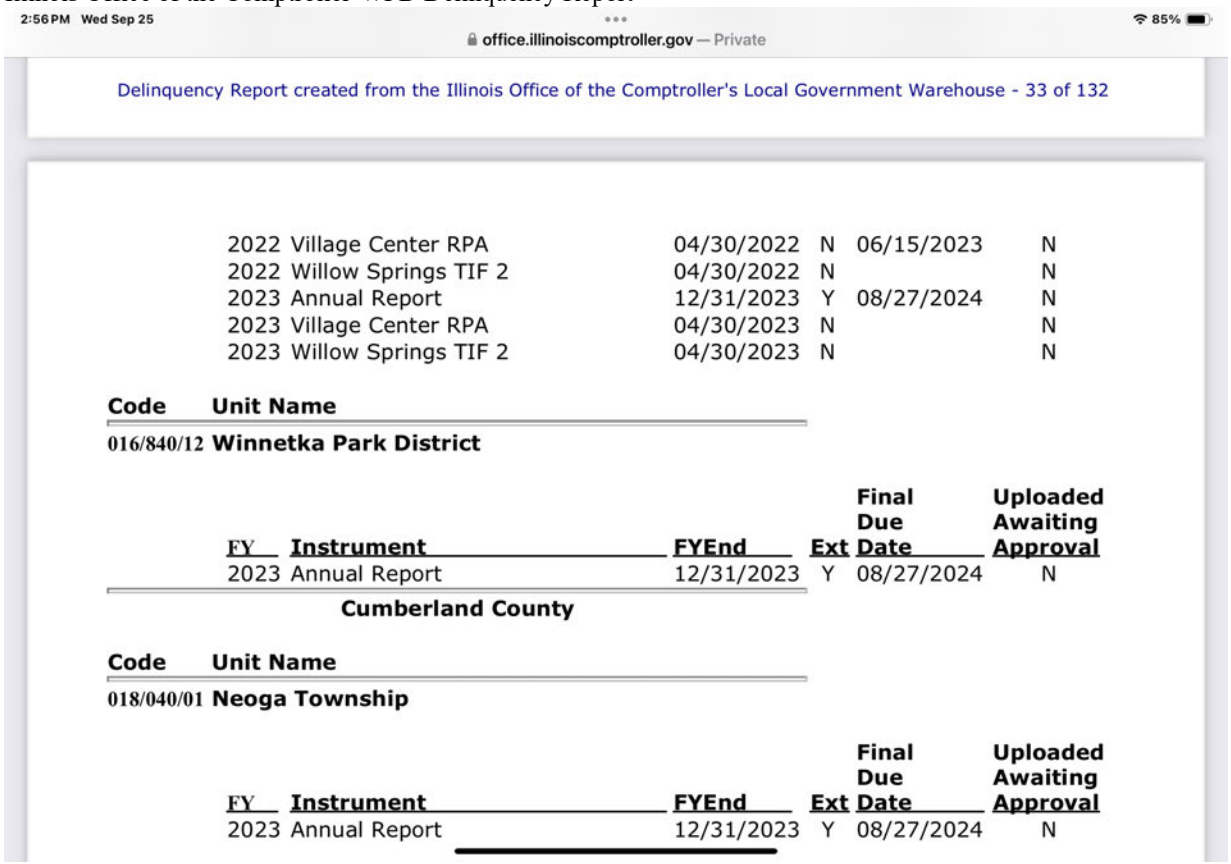


4. Timing of Restricted Donation. IFF will make the Restricted Donation to WPD in two (2) installments for the Project as follows: (a) $1,000,000.00 within 10 (ten) days of: (i) the receipt by IFF of a notice to proceed ("NTP") for construction; (ii) the WPD's receipt of all applicable permits required in order to start construction of the Project showing the Project Elements will be constructed the same as depicted in the Plan in Exhibit A; and (b) $2,000,000.00 within thirty (30) days of completion of the Project and the Arbiter's review and confirmation, in his/her/its sole discretion, that the Project Elements have been constructed the same as provided in the permits issued for the Project.

5. Term. The duration of this Agreement shall begin upon the execution by both Parties and shall terminate on upon the end of fifty (50) years from the execution of this Agreement by both Parties.



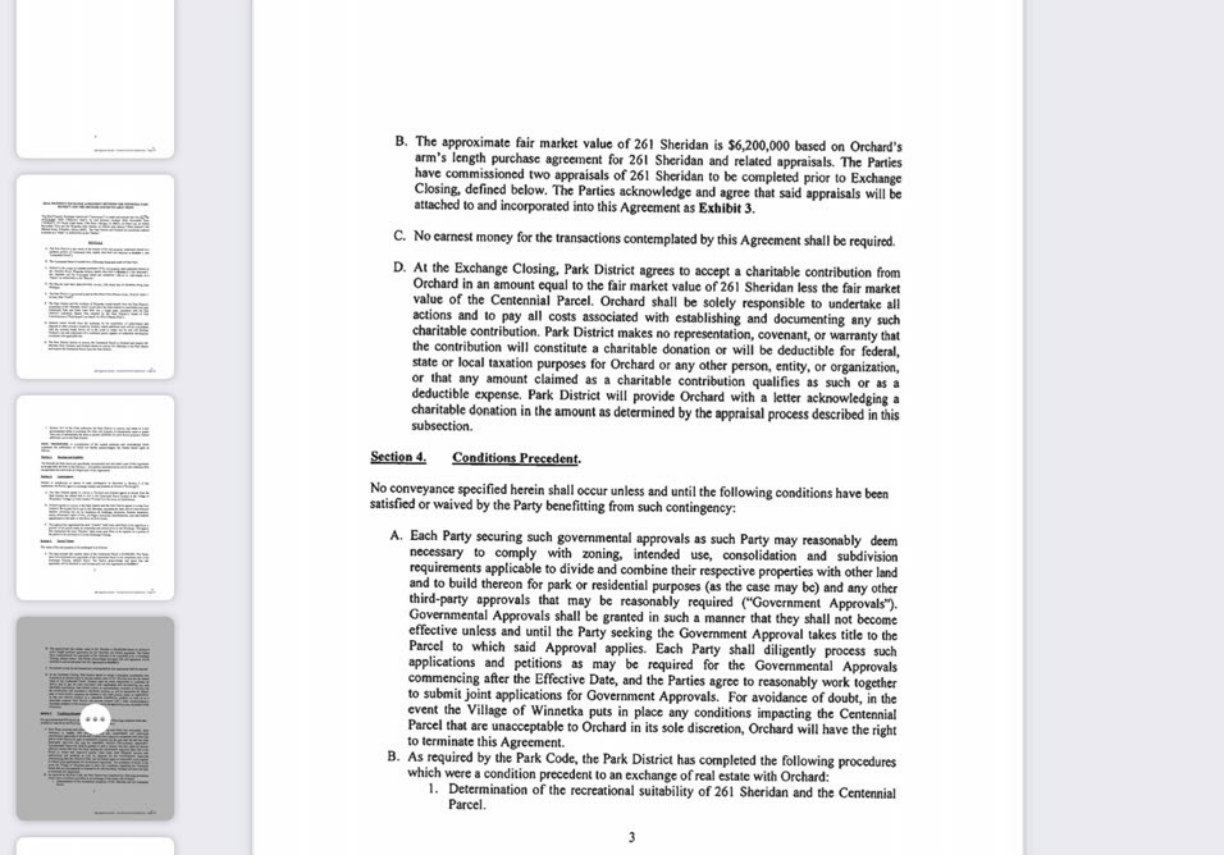
Illinois Office of the Comptroller-WPD Delinquency Report



5. The Agreements contemplate issuing charitable deduction letters. The Exchange Agreement relies

upon coordinated appraisals that are outdated. The target value of the Exchange Agreement's charitable deduction letter is the figure that carried over into 2024's Donation Agreement and Restrictive Covenant. In either case, WPD's issuance of a charitable deduction letter for $3 million would almost certainly be regarded by tax authorities as a "quid pro quo." The offsetting value of getting adjacent parkland that would increase 205 Sheridan's value while keeping the public further at bay, and/or the value of a fifty year restrictive covenant over "Project Elements" spanning North-South and East-West across a neighboring 5.3 acre public park and lakebed, could exceed $3 million. These values have not been appraised, which is detrimental to the public's general welfare.

Exchange Agreement



B. The approximate fair market value of 261 Sheridan is $6,200,000 based on Orchard's arm's length purchase agreement for 261 Sheridan and related appraisals. The Parties have commissioned two appraisals of 261 Sheridan to be completed prior to Exchange Closing, defined below. The Parties acknowledge and agree that said appraisals will be attached to and incorporated into this Agreement as **Exhibit 3**.

C. No earnest money for the transactions contemplated by this Agreement shall be required.

D. At the Exchange Closing, Park District agrees to accept a charitable contribution from Orchard in an amount equal to the fair market value of 261 Sheridan less the fair market value of the Centennial Parcel. Orchard shall be solely responsible to undertake all actions and to pay all costs associated with establishing and documenting any such charitable contribution. Park District makes no representation, covenant, or warranty that the contribution will constitute a charitable donation or will be deductible for federal, state or local taxation purposes for Orchard or any other person, entity, or organization, or that any amount claimed as a charitable contribution qualifies as such or as a deductible expense. Park District will provide Orchard with a letter acknowledging a charitable donation in the amount as determined by the appraisal process described in this subsection.

Section 4. Conditions Precedent.

No conveyance specified herein shall occur unless and until the following conditions have been satisfied or waived by the Party benefitting from such contingency:

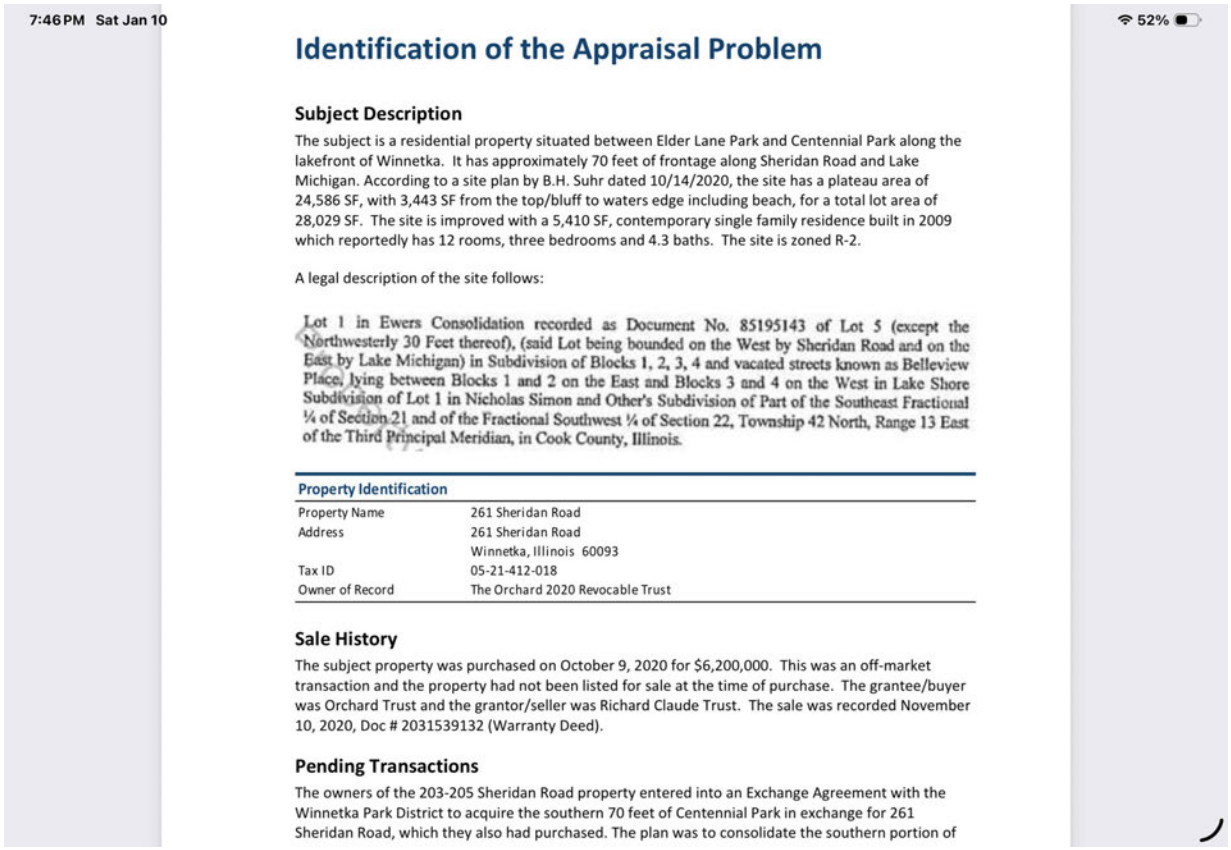
A. Each Party securing such governmental approvals as such Party may reasonably deem necessary to comply with zoning, intended use, consolidation and subdivision requirements applicable to divide and combine their respective properties with other land and to build thereon for park or residential purposes (as the case may be) and any other third-party approvals that may be reasonably required ("Government Approvals"). Governmental Approvals shall be granted in such a manner that they shall not become effective unless and until the Party seeking the Government Approval takes title to the Parcel to which said Approval applies. Each Party shall diligently process such applications and petitions as may be required for the Governmental Approvals commencing after the Effective Date, and the Parties agree to reasonably work together to submit joint applications for Government Approvals. For avoidance of doubt, in the event the Village of Winnetka puts in place any conditions impacting the Centennial Parcel that are unacceptable to Orchard in its sole discretion, Orchard will have the right to terminate this Agreement.

B. As required by the Park Code, the Park District has completed the following procedures which were a condition precedent to an exchange of real estate with Orchard:
   1. Determination of the recreational suitability of 261 Sheridan and the Centennial Parcel.

3

WPD seems to discuss coordinating appraisal values to arrive at the desired charitable deduction.

"The Appraisal Problem"
261 Sheridan was acquired in an off-the-market transaction



7:46 PM Sat Jan 10

52%

Identification of the Appraisal Problem

Subject Description

The subject is a residential property situated between Elder Lane Park and Centennial Park along the lakefront of Winnetka. It has approximately 70 feet of frontage along Sheridan Road and Lake Michigan. According to a site plan by B.H. Suhr dated 10/14/2020, the site has a plateau area of 24,586 SF, with 3,443 SF from the top/bluff to waters edge including beach, for a total lot area of 28,029 SF. The site is improved with a 5,410 SF, contemporary single family residence built in 2009 which reportedly has 12 rooms, three bedrooms and 4.3 baths. The site is zoned R-2.

A legal description of the site follows:

Lot 1 in Ewers Consolidation recorded as Document No. 85195143 of Lot 5 (except the Northwesterly 30 Feet thereof), (said Lot being bounded on the West by Sheridan Road and on the East by Lake Michigan) in Subdivision of Blocks 1, 2, 3, 4 and vacated streets known as Belleview Place, lying between Blocks 1 and 2 on the East and Blocks 3 and 4 on the West in Lake Shore Subdivision of Lot 1 in Nicholas Simon and Other's Subdivision of Part of the Southeast Fractional ¼ of Section 21 and of the Fractional Southwest ¼ of Section 22, Township 42 North, Range 13 East of the Third Principal Meridian, in Cook County, Illinois.

Property Identification	
Property Name	261 Sheridan Road
Address	261 Sheridan Road Winnetka, Illinois 60093
Tax ID	05-21-412-018
Owner of Record	The Orchard 2020 Revocable Trust

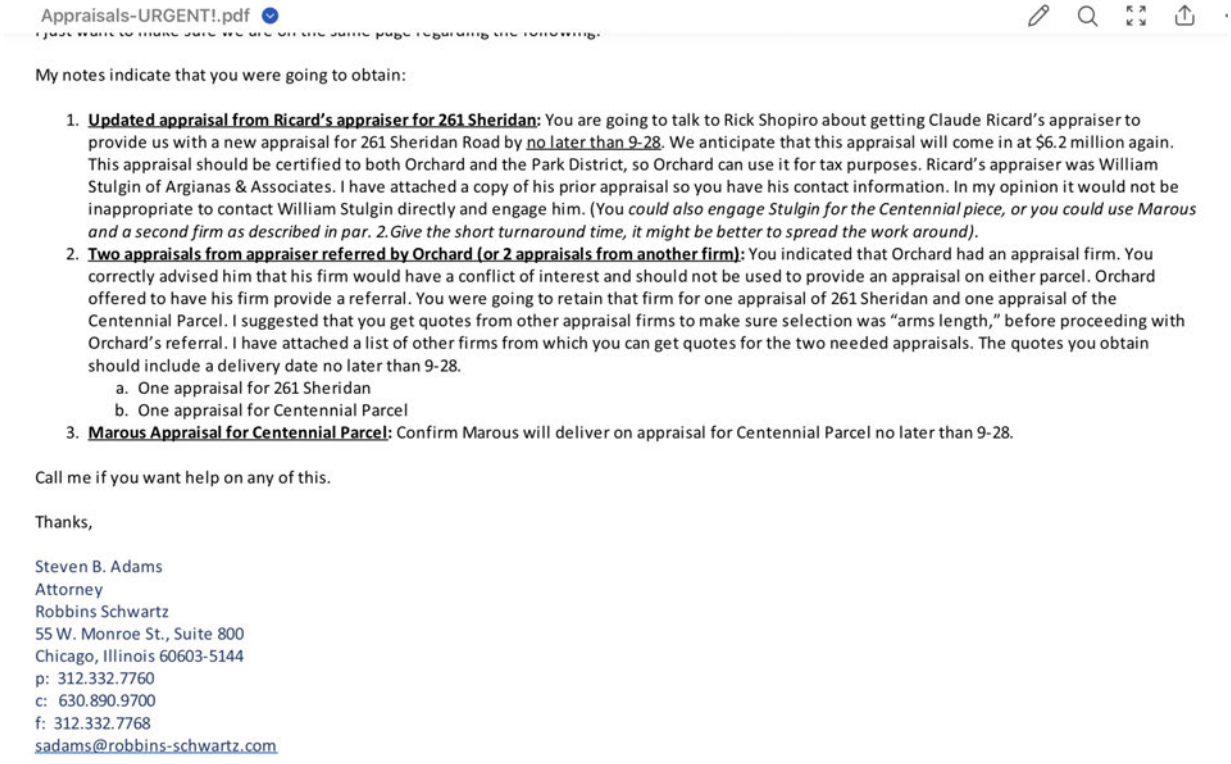
Sale History

The subject property was purchased on October 9, 2020 for $6,200,000. This was an off-market transaction and the property had not been listed for sale at the time of purchase. The grantee/buyer was Orchard Trust and the grantor/seller was Richard Claude Trust. The sale was recorded November 10, 2020, Doc # 2031539132 (Warranty Deed).

Pending Transactions

The owners of the 203-205 Sheridan Road property entered into an Exchange Agreement with the Winnetka Park District to acquire the southern 70 feet of Centennial Park in exchange for 261 Sheridan Road, which they also had purchased. The plan was to consolidate the southern portion of

Appraisals appear to be coordinated



Appraisals-URGENT!.pdf

My notes indicate that you were going to obtain:

1. **Updated appraisal from Ricard's appraiser for 261 Sheridan:** You are going to talk to Rick Shopiro about getting Claude Ricard's appraiser to provide us with a new appraisal for 261 Sheridan Road by no later than 9-28. We anticipate that this appraisal will come in at $6.2 million again. This appraisal should be certified to both Orchard and the Park District, so Orchard can use it for tax purposes. Ricard's appraiser was William Stulgin of Argianas & Associates. I have attached a copy of his prior appraisal so you have his contact information. In my opinion it would not be inappropriate to contact William Stulgin directly and engage him. (You *could also engage Stulgin for the Centennial piece, or you could use Marous and a second firm as described in par. 2.Give the short turnaround time, it might be better to spread the work around).*
2. **Two appraisals from appraiser referred by Orchard (or 2 appraisals from another firm):** You indicated that Orchard had an appraisal firm. You correctly advised him that his firm would have a conflict of interest and should not be used to provide an appraisal on either parcel. Orchard offered to have his firm provide a referral. You were going to retain that firm for one appraisal of 261 Sheridan and one appraisal of the Centennial Parcel. I suggested that you get quotes from other appraisal firms to make sure selection was "arms length," before proceeding with Orchard's referral. I have attached a list of other firms from which you can get quotes for the two needed appraisals. The quotes you obtain should include a delivery date no later than 9-28.
    a. One appraisal for 261 Sheridan
    b. One appraisal for Centennial Parcel
3. **Marous Appraisal for Centennial Parcel:** Confirm Marous will deliver on appraisal for Centennial Parcel no later than 9-28.

Call me if you want help on any of this.

Thanks,

Steven B. Adams
Attorney
Robbins Schwartz
55 W. Monroe St., Suite 800
Chicago, Illinois 60603-5144
p: 312.332.7760
c: 630.890.9700
f: 312.332.7768
sadams@robbins-schwartz.com

Broader Issue of Concern: WPD suggests moving conversations to phone calls and WhatsApp

John Peterson
Execut ve D rector
W nnetka Park D str ct
+1.847.501.2074
jpeterson@w npark.org

Sent from my Ver zon, Samsung Ga axy smartphone

-------- Original message --------
From: 8477700829@vzwpix.com
Date: 6/25/22 10:03 AM (GMT-06:00)
To: John Peterson
Subject:

Either Costa or I will send you all remaining items - - four-page application, narrative, exhibits - - for your final review and approval and seek your instructions to send the materials to the agencies.

Thanks.

Thank you

Good morning, Mister James! With the responses and related documents now submitted to the regulatory agencies, can I please work with you today or tomorrow to identify the exact documents you'd like posted on the WPD website as part of our resolution? Anxious to post the documents at the most appropriate time. Thanks.

Yes indeed.

Hate to bother you. Open to chat? United States Army Corps of Engineers called Krchard 2020. Positive news.

Try calling me or let's use whatsapp.

Am standing by for formal notice in writing to notify others. Got to see to believe.

From Orchard 2020 = "I spoke to army corp yesterday and got good news let me know if you have a minute to catch up"

Agree... no news until we see it in writing.. news must come from agencies

Yes.

Tricia Charbonneau telephone with an update regarding the UnitedStates Army Corps of Engineers. Essentially, she echoed Orchard 2020's communication Saturday. Still nothing in writing from the USACOE.

Tricia wants to ensure the WPD begins focusing efforts on a one-page FAQ document, slides and related content for the open house sessions, communications to the promoters of the design from 6-8 months ago (asking them to once again communicate their support for the project), a marketing table at the A.C. Nielsen Tennis Center to secure signatures regarding the project, and a form letter that expresses support for the design = to be signed by Orchard 2020's Winnetka friends and their community networks. She also suggested we keep an eye out for social media communications in favor of and opposed to the project.

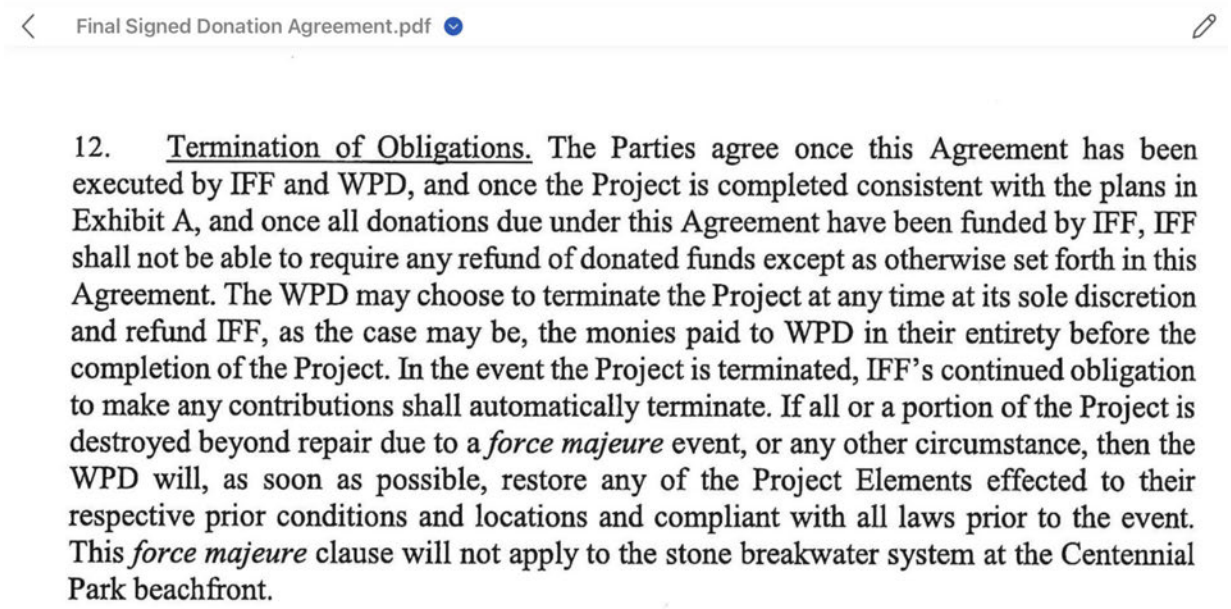
Happy to discuss whenever it's best for you.

Next Zoom session has been moved to April 27 = FYI.

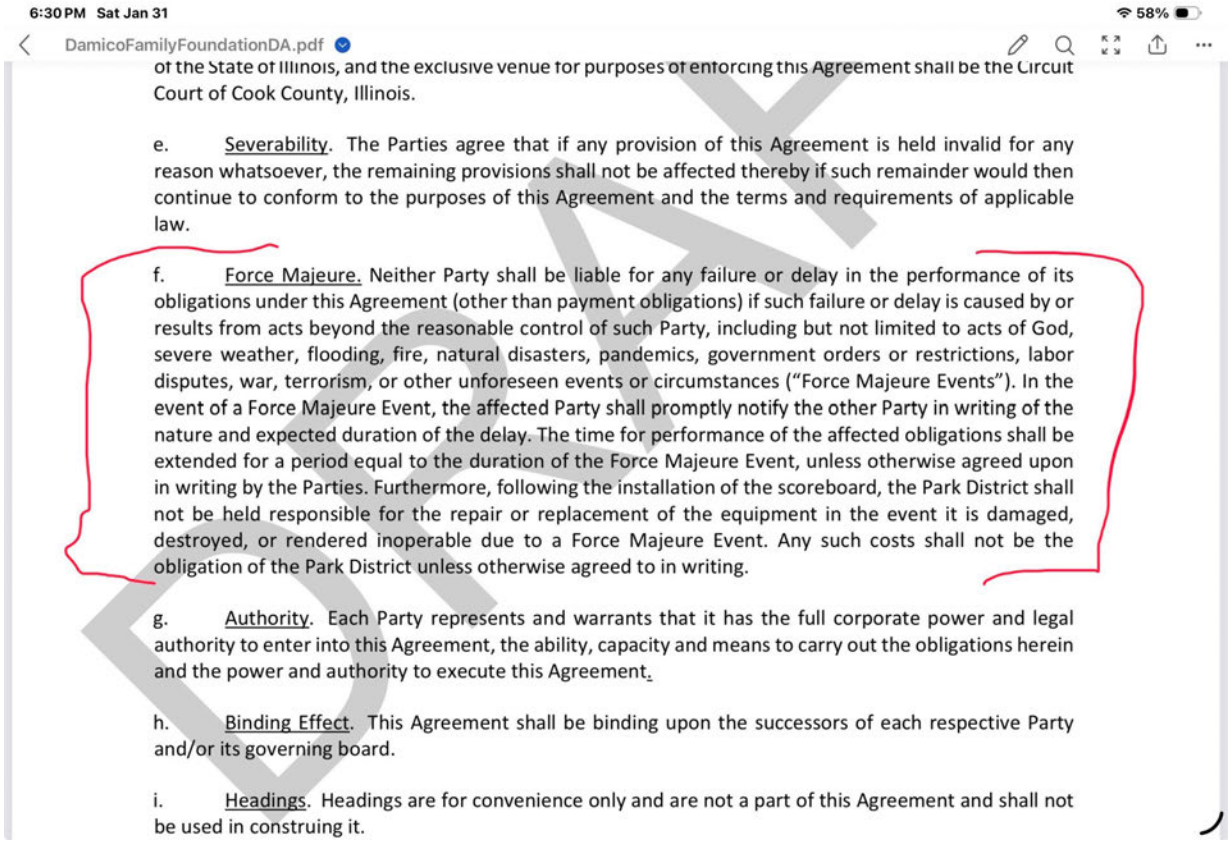
Please reread your message to me and lmk what's wrong with the message

6. WPD's civil design engineer estimated the useful life of WPD's proposed Centennial breakwater at 20 years, see winpark.org. USACE estimates the typical armored stone breakwater's useful life at 25 years. The Donation Agreement and Restrictive Covenant impose maintenance obligations upon taxpayers for 50 years—including Centennial's armored stone breakwater, which will be subject to shoreline conditions and Lake Michigan storms for twice as long as its useful life. WPD's open-ended maintenance obligations beyond the Project Elements' useful lives impose unreasonable burdens that benefit a private landowner. They are detrimental to the public's general welfare.

7. WPD-IFF's Donation Agreement with Restrictive Covenant fails to define an essential term: Force Majeure:



WPD's 2025 agreement with the Damico Family Foundation defines Force Majeure Events for a playfield scoreboard.



WPD's Stormwater IGA with the Village also defines force majeure:

policies that are substantially the same as their respective Insurance Policies) during the term of this Agreement.

V. Miscellaneous Provisions.

A. Force Majeure. For purposes of this Agreement, "***Force Majeure***" means a strike, lockout, act of God, or other factor beyond a party's reasonable control and reasonable ability to remedy; provided, however, that Force Majeure will not include delays caused by weather conditions, unless those conditions are unusually severe or abnormal considering the time of year and the particular location of the Property. For any delay under this Agreement caused by a Force Majeure, the Party delayed will, upon timely written notice to the other Party, be entitled to an

WPD's 2024 agreement with IFF leaves an entire universe of taxpayer-borne expenses wide open, imposing maintenance, repair and replacement costs related to Project Elements, including the stone breakwater if it is damaged other than by some undefined Force Majeure Event. The omission benefits IFF. It is detrimental to the public's general welfare.

8. The Donation Agreement with Restrictive Covenant has other objectionable language as well, such as unusually broad taxpayer indemnifications to the benefit of a private landowner for half a century. Nonspecific tax indemnification language does not exclude increased property taxes. Inadequate non-reciprocal insurance coverage language also exists.

Indemnification Concerns
(a) IFF Has Approval Authority Over WPD Counsel
(b) Conditions Do Not Have An Expiration Date

> WPD shall be responsible for the payment of all taxes, if and as applicable, associated with the Project initiative and the Donation by IFF hereunder, and shall indemnify and hold IFF and its affiliates harmless therefrom. WPD shall also be responsible for ensuring all work is in full compliance with all legal standards. So long as WPD is the owner of the property on which the respective Project Element is located, WPD shall indemnify, defend and hold harmless IFF and his/her respective employees, agents and representatives from and against any and all claims of any nature arising from or related to the Project initiative or use of the Project (including but not limited to any personal injury, property damage, activity, work or things done, or permitted by WPD or its agents) or arising from or related to any negligence of WPD or any of WPD's agents; and in case any action or proceeding be brought against IFF by reason of any such claim, WPD shall defend the same at WPD's expense by counsel reasonably satisfactory to IFF, which approval will not be unreasonably conditions, denied or delayed. WPD, as a material part of the consideration to IFF, hereby assumes all risk of damage to property or injury to persons in, on or about the Project arising from any cause attributable to WPD and WPD hereby waives all claims in respect thereof against IFF.
>
> This Section 11 shall survive the expiration or termination of this Agreement and the expiration or termination of any obligation owing to any Party under this agreement.

WPD Appraisal Process Activity Could Result in Tax Liability.
Potential State or Local Tax Liability is Not Carved Out from Indemnification and Hold Harmless Language.

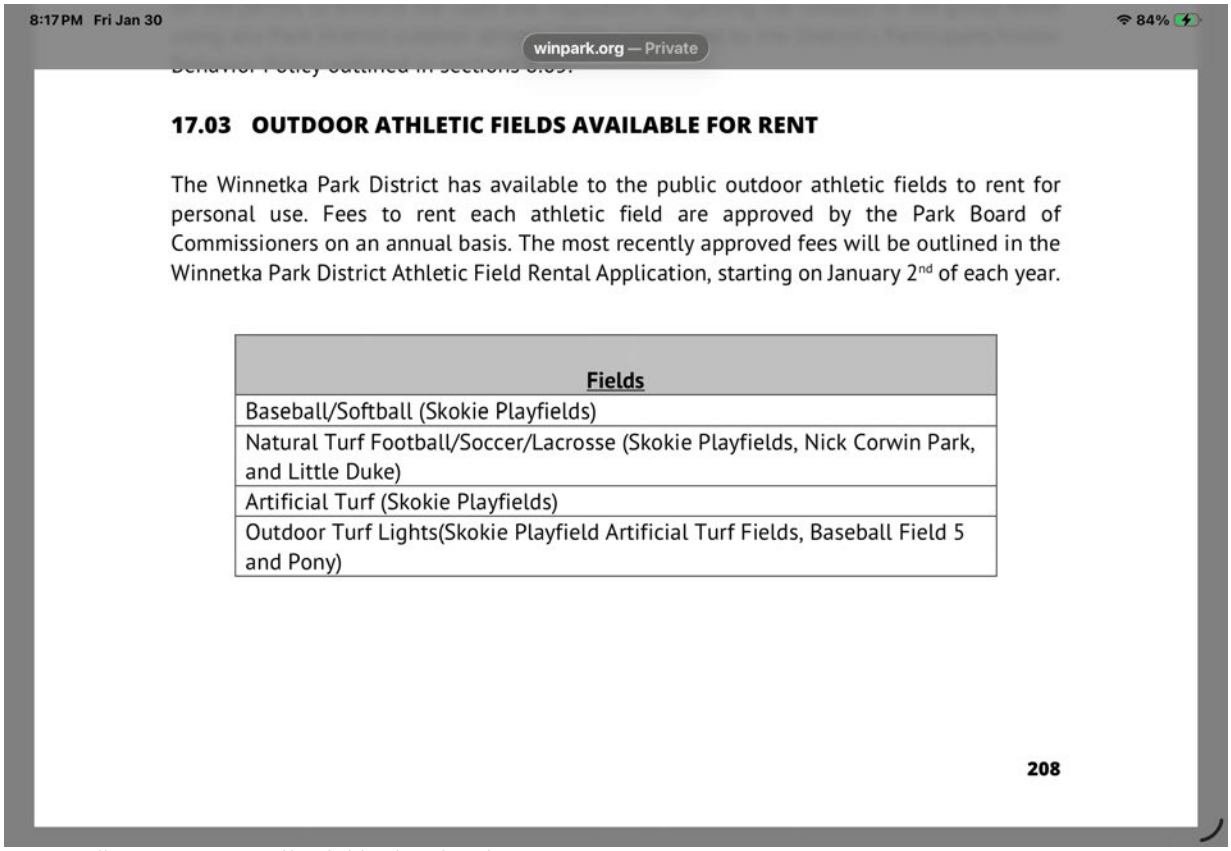
13. Acknowledgement of Donation. WPD shall complete and sign a charitable contribution receipt acknowledgement as required under the tax law in form and substance satisfactory to IFF. WPD does not warrant any tax consequence as a result of the Donation and this Agreement shall not be subject to termination as a result of any particular tax consequence. WPD shall not indemnify, defend or hold harmless IFF from any orders, decisions or rulings made by the IRS related to the Donation except to the extent caused solely by reason of the WPD's acts or omissions.

9. The Restrictive Covenant contains a $3 million liquidated damages clause— a huge potential liability. It explicitly permits IFF to file a specific performance claim and to receive WPD's general ledger of project expenses. Additionally, WPD agrees to retain its project-related records for at least seven years. These terms are more characteristic of a control agreement than a donation.

b. The WPD confirms any funds received by it from IFF under this agreement will be used exclusively for governmental purposes and will not be used for any activities that would cause the donation not to qualify as a charitable contribution under 26 USC 170(c)(1). Each of the IFF and the WPD agree it will comply with all applicable federal, state, and local laws. The WPD further agrees it is responsible for the proper expenditure of the Restricted Donation and for the maintenance of adequate supporting records consistent with generally accepted accounting principles. WPD shall provide IFF a general ledger describing the Project expenses within ninety (90) days after the Project is completed. WPD shall retain all records related to the Project for not less than seven (7) years.

The Restrictive Covenant gives the payor rights to have an arbiter—former WPD Executive Director John Peterson, who was intimately involved in the Agreements—determine if the five defined Project Elements satisfy IFF's expectations for half a century. This time period is measured not from the date of the agreement, but after Centennial's "grand opening." If IFF raises questions about the Project Elements' conformance to agreed upon designs, current and future taxpayers would have to pay half of the costs for employing "design experts" over the course of 50 years. This burden is unreasonable. It ties future boards' hands and prevents community members' input into flexible, alternative designs and future uses of Centennial Park—again, a matter of significant public interest because it is more consistent with a control agreement that benefits private interests than a donation.

10. Beginning in 2025 WPD began to discuss financial pressures publicly, ascribing them to increased salaries relative to its revenue streams. It had already proposed adjustments to and increases in fees and program costs. WPD also moved money between various funds. Because that was not enough to address WPD's financial challenges, in January 2026 WPD voted 5-2 to begin advertising more of its parks as rental space-athletic facilities. This changes WPD's existing Policy Manual, which had listed only the four rentable categories that we are familiar with:



Say goodbye to our tranquil neighborhood parks.
WPD's next step may be selling off more public parkland, which WPD has already done under guise of labeling certain parks "underperforming assets." WPD forced the Winnetka-Northfield Library District's purchase of Library Park to pay for its Elder-Centennial plans. WPD threatened to sell this so-called "underperforming asset" to a real estate developer, mentioning its zoning influence with the Village. Winnetka Caucus Council survey results confirm that the public broadly opposes getting rid of parkland. All of this violates SUP Condition One's prohibition against issuing a permit to the detriment of the public's general welfare. Excerpts from WNPLD's forced purchase presentation are attached at bottom.

CONCLUSION: WPD's Centennial fencing project is an overall disaster in the making. This is a matter of great public interest. Please protect our welfare and decline to recommend WPD's permit application for approval. Thank you.

Kristine Schriesheim
Winnetka taxpayer

Sent: 5/24/2021 12:00:00 AM
From: David Seaman <DSeaman@winpark.org
To: "John Peterson"
Cc:
Bcc:
Importance: Normal
Subject: 261 Sheridan Property Exchange - Path Forward

John,

As discussed. I'll be sending this each Commissioner later today. I would like to enter into record/discuss at next Board meeting.

Thank you,

David

Director Peterson, Board President Archambault and fellow Commissioners,

I respectfully request the Board reconsider the decision to pursue litigation after the 10-day notice of default has expired with Orchard 2020 in order to force performance of terms in the Property Exchange. My request for reconsideration is based upon the following:

1. **Considerable Litigation "Unknown Knowns"**

    a. Unknown knowns = things you think you know but later you determine you didn't know. There are many unknown knowns in litigation.

    b. It is unclear what legal and non-legal consequences WPD Staff and Board are underwriting by pursuing litigation against Orchard 2020.

    c. A "good" or "strong" case does not equate to an "easy" , "inexpensive" , or "right" case.

    d. It will be very difficult to turn back after initiating litigation, this is the inertia of litigation.

2. **Legal Services Expense**

    a. In 2016 WPD spent approximately 25k for legal services, in 2020 nearly 100k, and in March of 2021 alone (billed in April) $21k in legal services. April/May?

    b. It is logical to conclude that litigation will be an expensive endeavor. 250k? 500k?

    c. Orchard 2020 is an extremely well-resourced entity which could lead to a very long litigation timeline. Think potentially years not months.

    d. WPD needs every dollar for capitals over the next several years.

3. **Future Relationship with Orchard 2020**

    a. If we move forward with litigation, WPD will permanently impair any chance of a respectful and functional relationship with Orchard 2020.

    b. Regardless of "win" or "lose", Orchard 2020 could prove to be an extremely challenging neighbor and will present roadblocks on the development or use of 261 Sheridan and Elder/Centennial Beach.

4. **Significant Business to Manage**

    a. As we all know, WPD has 5 beaches, 27 parks/properties (own or maintain), tennis facility, hockey rink, golf facility, and paddle facility. It's a lot!

    b. WPD needs all resources focused on managing these assets.

5. **Existing Financial Challenges**

    a. WPD has $7.5mm in Elder/Centennial Beach budgeted improvements, but only $5mm remaining proceeds from the most recent debt financing.

    b. WPD has nearly $5.3mm of budgeted operating capitals in the next three years, not major but operating. This is an unusually large amount.

    c. There will also be considerable losses due to golf course closure in 2022 and 2023. The Golf Fund is budgeted to lose $1mm in 2022. Will 2023 be any better?

    d. WPD has very limited forecasted unrestricted reserves, approximately $2.5mm.

    e. WPD has no current ability to service additional non-referendum debt.

    f. It is fair to assume there will be no contribution as previously budgeted to help defer the costs of the south breakwater.

6. **Moving Forward**

    a. Initiating litigation will only slow down the improvements to Elder/Centennial Beach, we can move forward more expeditiously without litigation.

b. There could be another devastating weather event that may cause additional damage to Elder/Centennial Beach. To delay improvements = increasing our financial exposure.

c. WPD has flourished without owning 261 Sheridan. WPD has great assets, fantastic programming and a wonderful reputation within the community.

d. Importantly, Director Peterson should maintain informal contact with Orchard 2020 as needed.

It has been said, “possession is 9/10 of the law”. Orchard 2020 owns 261 Sheridan, unfortunately WPD does not. Yes, we have the right to pursue litigation to attempt to enforce performance of the Property Exchange. However, litigation comes with risks, uncertainties, and costs, both financial and non-financial, that I believe outweigh our right to pursue litigation with Orchard 2020.

Thank you for your consideration.

Respectfully,

David Seaman

John Peterson

Subject: FW: Confidential circulation to Board only-Following up [LP-ACTIVE.38463.38463-86858.FID1345222]

From: Robert A. Romanoff <[redacted]>
Sent: Friday, January 12, 2024 3:14 PM
To: Robert A. Romanoff <[redacted]>; James Hemmings <jhemmings@winpark.org>
Cc: Christina Codo <CCodo@winpark.org>; Shannon Nazzal <snazzal@winpark.org>; Simon, Adam <ASimon@ancelglink.com>
Subject: RE: Following up [LP-ACTIVE.38463.38463-86858.FID1345222]

James –

Thanks for your message from earlier this week. I have copied your questions, with our client's response to the questions. Prior to responding to your individual questions, I wanted to share that the donors' only criteria are that WPD must "refund" the donation (in a manner described below) if WPD transfers any portion of the Centennial or Elder Lane park property to a private party or enters into an agreement, easement or similar restriction with a private party that restricts the design, modification or operation of the park. The goal is to provide funds to support the parks free and clear of such private restrictions.

- One of the conditions you expressed on behalf of your client is that funds should not be used toward a project that would inure to the benefit of an individual. There are many public projects that have a primary public purpose that also have an incidental private benefit. Would the WPD be forbidden from using the donation in a way that results in any incidental private benefit? **No.** How would you propose such a condition be worded in a donation agreement?

Answer - TBD, based on points above.

- One of the concerns you mentioned the donor articulating is the existence of plans to build a fence that the donor believes will provide a benefit to an individual, in this case the neighboring property owner to the south. This feature is set out in the current permit drawings that were developed by the WPD independent of any land swap or donation agreement. Are there concerns that the donor has with the current permit drawings, a change to which would be required as a condition of the donation?

Answer - The donors do not seek to impose their own design requirements on WPD. The donors do not love the fencing design, but as long as WPD is not building the fence because it is bound by an agreement to a private party to build or maintain the fence in a certain way, there is no impact on the donation.

- One of the conditions of the proposed donation is that the WPD cancel the land swap agreement relating to 261 Sheridan Avenue. Would your client be willing to indemnify, defend and hold the WPD harmless from any litigation or other legal proceedings resulting from the cancellation of that agreement?

Answer - The funds are unrestricted and could be used for any purpose, including responding to any lawsuit. If there is a need for more money, please advise how much and the donors will consider.

- You expressed that the desire of the donor is to maintain Elder and Centennial as free and clear for the public. Can you please confirm that free and clear is in reference to the existence of easements, encumbrances, etc., rather than placing a restriction on the WPD should it elect to charge for access to those parks (for example, through the requirement of a beach pass)? Assuming that free and clear is limited to the non-existence of easements, encumbrances, etc., can you also please confirm that the desire to ensure free and clear applies only to Elder and Centennial parks, and not other WPD property? How would you propose a condition to this end be written for purposes of a donation agreement?

Answer – The restrictions are limited to Elder and Centennial and are not intended to limit the WPD from imposing beach pass requirements.

- Are there other conditions to the proposed donation beyond those identified in the questions above? If so, what are they?

Answer - Not that we can think of at this time.

- The donation is characterized as unrestricted as to the use of the funds. Can you confirm that WPD may use these funds for any purpose, and not just for any purpose associated with either Elder or Centennial parks?

Answer – Yes

- You have mentioned that you can provide references to the creditworthiness of the donor. Can you please provide those references?

Answer - Yes, if we have an understanding in principle, we will provide a letter from bank holding funds.

- What remedy would the donor have if the donor believes the Park District has violated the conditions of the donation?

Answer - Refund of donation (by transferring the donation to another 501(c)(3) organization to be identified in agreement).

- What is your client's timeframe for negotiating this donation agreement to completion?

Answer - 45 days seems reasonable once we reach an understanding.

Please let me know if you have any additional questions.

Best regards,

Rob

Robert A. Romanoff
(he/him/his)
Past Managing Partner
[redacted]

Levenfeld Pearlstein, LLC
120 S Riverside Plaza
Suite 1800
Chicago, IL 60606 USA
lplegal.com

Are you prepared for the Corporate Transparency Act that goes into effect January 1, 2024?
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RESTRICTED DONATION AGREEMENT BETWEEN THE WINNETKA PARK DISTRICT AND ISHBIA FAMILY FOUNDATION, INC. FOR THE CENTENNIAL PARK IMPROVEMENT PLAN

THIS AGREEMENT ("**Agreement**") is entered into as of the 19th day of January 2024, by and between the Winnetka Park District ("**WPD**"), an Illinois municipal corporation and Ishbia Family Foundation, Inc. ("**IFF**") (each a "Party" and collectively the "Parties").

RECITALS

WHEREAS, the purpose of this restricted Donation is to create access for citizens of all abilities to Winnetka's Centennial Beach and to improve and re-establish a long-term dog beach at the southernmost portion of Centennial Park's beachfront;

WHEREAS, the WPD owns, operates, controls and maintains properties covering nearly five square miles, consisting of twenty-six parks, five beaches, a boat launch, two golf courses, a tennis center, an ice arena, platform tennis courts, and athletic fields;

WHEREAS, the WPD provides a full range of year-round recreation programs, including athletics, fitness programs, education programs, summer camps, and special events;

WHEREAS, specific among these properties the WPD owns and operates is Centennial Park and Beach located at 225 Sheridan Rd, Winnetka, IL 60093 (**"Centennial Park"**);

WHEREAS, the WPD is a municipal corporation and a unit of local government organized, established and existing under the laws of the State of Illinois, 70 ILCS 1505 *et. seq.;*

WHEREAS, in conjunction with Winnetka residents and lakefront experts, the WPD developed and adopted the Winnetka Waterfront 2030 plan in 2016. This plan was and continues to serve as a conceptual guide for future projects that preserve and enhance WPD's five beaches;

WHEREAS, pursuant to, in keeping with and consistent with its core mission, the WPD desires to renovate Centennial Park to provide high quality recreational opportunities, and will do so per the Centennial Park renovation plan approved by the WPD Board on October 19, 2023, as depicted on **Exhibit A** and referred to herein as either **"Exhibit A" or** the "**Plan**", and fully incorporated into this Agreement;

WHEREAS, at the May 25, 2023, WPD Board Meeting, the WPD Board passed Resolution 23-5-25, which included Findings of Fact Concerning Elder Lane + Centennial

Park Beaches and Authorization and Direction for Preparation of Permit Plans and Specifications for Elder + Centennial Lakefront Improvements and Permit Applications to Permitting Authorities;

WHEREAS, between May 25, 2023 and October 19, 2023, the WPD refined its plans for the Elder + Centennial Lakefront Improvements, and this Plan is embodied in Exhibit A;

WHEREAS, because of age, deterioration and weather-related damage to local improvements and infrastructure, the beaches at Elder Lane and Centennial Parks have not been fully open and available for residents and their families to enjoy since 2020;

WHEREAS, residents of the Winnetka community have repeatedly voiced their desire for the Park District to accelerate the execution of the Elder and Centennial improvement plans so they and their families can enjoy the lakefront;

WHEREAS, IFF has had the opportunity to review the Plan;

WHEREAS, the WPD's current budgeting would only allow for the execution of a portion of the approved Plan in Exhibit A and capital restraints would hinder the completion of all the WPD approved Plan in Exhibit A;

WHEREAS, executing the entire Plan concurrently would save taxpayer dollars in a meaningful way and expedite the completion of the Plan in Exhibit A;

WHEREAS, IFF wishes to make a restricted donation to the WPD for the express and sole purpose of helping to fund the following WPD Board approved beach improvements in the Plan, as set forth in Exhibit A: (1) the ADA-accessible pathway from the Centennial parking lot to the beach (the "ADA Pathway"); (2) the off-leash dog park on the southernmost portion Centennial Beach, compliant with all laws and regulations (the "Dog Beach"); (3) with the fences extending into Lake Michigan a distance of 112 feet, as measured from the toe of the bluff as depicted in Exhibit A (the "Dog Beach Perimeter Safety Fence"); (4) a pedestrian bypass around the dog beach to permit transit north and south (the "Bypass"); and (5) the stone breakwater system at the Centennial Park beachfront located approximately 200 feet north of the Centennial Park's southern-most property line (collectively, the "Project" and the five elements described above are collectively the "Project Elements");

WHEREAS, creating an environment where people of all abilities can enjoy the lakefront has been a long-time priority for the WPD and the Winnetka community, which the IFF is pleased to support;

WHEREAS, improving and re-establishing a Dog Beach, Dog Beach Perimeter Safety Fence and Bypass has been a long-time priority for the WPD and the Winnetka community, which the IFF is pleased to support;

WHEREAS, the IFF agrees to donate the restricted funds described herein for the Project as described in Section 6 herein and the WPD agrees to complete the Project subject

to the terms and conditions of this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants contained herein and of the above recitals which are made a contractual part of this Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties, intending to be legally bound, hereto agree as follows:

TERMS AND CONDITIONS

1. Description of Contribution. IFF will donate Three Million Dollars ($3,000,000.00) (the "**Restricted Donation**" or "**Donation**") to WPD, as set forth herein, solely for the purpose of paying for the costs of the WPD's construction of the Project, as described in Section 6 herein. As described in Section 6, this Restricted Donation will be used solely for the construction of the Project, and if used for any other purpose, IFF in its discretion may require the WPD to return all or a portion of the funds which are used for any purpose other than the construction of the Project.

2. Representations and Warranties.

a. WPD hereby makes the following representations and warranties as of the date hereof and as of each date WPD endorses and deposits any check or accepts the wire transfer of any Donation installment from IFF:

1) WPD is a political subdivision of the State of Illinois which is eligible to receive tax-deductible, charitable donations.

2) The Donation shall be used exclusively in furtherance of WPD's government purposes and shall not be used for lobbying, political contributions or to support political campaigns.

3) The Donation will serve a public purpose.

4) No tangible benefit, goods or services will be provided to IFF or any individuals or entities connected with the IFF as a condition of the Donation.

5) This Agreement has been duly authorized, executed and delivered by WPD, and the representatives executing this Agreement on behalf of WPD are duly authorized to execute this Agreement.

6) There is no pending or threatened claim, action, suit, proceeding, investigation or criminal proceeding, the outcome of which could have a material adverse effect on the ability of WPD to perform the Project.

7) WPD does not and will not knowingly provide financial support or other resources to any individual or entity to further unlawful acts including acts of violence or terrorism, and WPD is in compliance with all laws, statutes, and regulations restricting U.S. persons from dealing with any individuals,

entities, groups, or countries subject to Office of Foreign Assets Control sanctions.

8) WPD is in compliance with all applicable federal, state and local laws and regulations.

9) WPD represents the Donation is not being used to satisfy the payment of a pledge or any other personal or corporate financial obligation on behalf of IFF.

b. IFF hereby makes the following representations and warranties as of the date hereof and as of each date IFF presents any check or wire transfers any Donation installments to WPD:

1) This Agreement has been duly authorized, executed and delivered by IFF and the representatives executing this Agreement on behalf of IFF are duly authorized to execute this Agreement.
2) At all times during the Term of this Agreement, IFF shall have lawful access to sufficient funds for IFF to make all installment payments required by this Agreement and no approvals or consents from any third parties are necessary as a condition for IFF to make the Donation.
3) IFF does not and will not knowingly provide financial support or other resources to any individual or entity to further unlawful acts including acts of violence or terrorism, and IFF is in compliance with all laws, statutes, and regulations restricting U.S. persons from dealing with any individuals, entities, groups, or countries subject to Office of Foreign Assets Control sanctions.
4) IFF is not barred from contracting with any unit of local government by reason of Article 33E of the Illinois Criminal Code.
5) IFF is in compliance with all applicable federal, state and local laws and regulations.
6) IFF is recognized by the Internal Revenue Service as a tax-exempt organization and has filed all relevant applications and returns for its most recently completed fiscal year for which such applications or returns are due.

3. Arbiter. John Peterson is appointed as a third-party decision maker for the reasons herein described (the "Arbiter"). The Arbiter shall base its opinions and decisions on its independent, judgment. In the event of a vacancy in the role of Arbiter, or if the Arbiter has a Conflict of Interest, decisions and dispute resolution authority otherwise delegated to the Arbiter will be delegated to an arbitrator under the Uniform Arbitration Act, 710 ILCS 5/1, et seq. A "Conflict of Interest" exists when the Arbiter's pecuniary interests compromise the Arbiter's judgment, actions or decisions. The Arbiter is granted authority to engage design professionals to the extent reasonably necessary for the Arbiter to make an informed judgment about the issues herein described. IFF and WPD shall evenly share the cost for any third-party design professionals engaged by the Arbiter in its reasonable discretion. The WPD and IFF shall hold harmless the Arbiter from all claims arising from this Agreement except to the extent arising from the Arbiter's gross negligence or intentional misconduct.

4. Timing of Restricted Donation. IFF will make the Restricted Donation to WPD in two (2) installments for the Project as follows: (a) $1,000,000.00 within 10 (ten) days of: (i) the receipt by IFF of a notice to proceed ("NTP") for construction; (ii) the WPD's receipt of all applicable permits required in order to start construction of the Project showing the Project Elements will be constructed the same as depicted in the Plan in Exhibit A; and (b) $2,000,000.00 within thirty (30) days of completion of the Project and the Arbiter's review and confirmation, in his/her/its sole discretion, that the Project Elements have been constructed the same as provided in the permits issued for the Project.

5. Term. The duration of this Agreement shall begin upon the execution by both Parties and shall terminate on upon the end of fifty (50) years from the execution of this Agreement by both Parties.

6. Restricted Donation.

a. WPD agrees the amount contributed to WPD pursuant to Sections 1 and 4 shall be a restricted donation that shall not be repayable to IFF except as otherwise provided herein. All Parties expressly agree and acknowledge the donated funds shall be used exclusively toward funding the Project and this Restricted Donation will be used to help make possible the Project, as set forth in Exhibit A. The Parties agree the plans attached as Exhibit A may be modified to the extent necessary to conform to regulatory requirements and permit conditions enforced by applicable Federal, State and local agencies, but if any of the Project Elements are modified from Exhibit A in any manner without IFF's written consent, IFF will not be obligated to make any portion of the donation contemplated by this Agreement. Before any portion of the Restricted Donation is funded, the Parties will review the final Project construction drawings for which permits have been issued to ensure only that the each of the foregoing approved Project Elements are included the same as depicted in the final plans to be constructed as set forth in Exhibit A. For avoidance of doubt, IFF's ability to elect not to fund the donation if the Plan is modified will supersede any other provision in this Agreement.

b. The WPD confirms any funds received by it from IFF under this agreement will be used exclusively for governmental purposes and will not be used for any activities that would cause the donation not to qualify as a charitable contribution under 26 USC 170(c)(1). Each of the IFF and the WPD agree it will comply with all applicable federal, state, and local laws. The WPD further agrees it is responsible for the proper expenditure of the Restricted Donation and for the maintenance of adequate supporting records consistent with generally accepted accounting principles. WPD shall provide IFF a general ledger describing the Project expenses within ninety (90) days after the Project is completed. WPD shall retain all records related to the Project for not less than seven (7) years.

c. IFF reserves the right to refuse a request for disbursement of funds to the WPD and to require the refund of expended funds used for any purpose other than the construction of the Project as specified in this Agreement, or both, in the event the Arbiter, in his/her/its sole discretion, finds WPD has used any funds for a purpose other than

specified in paragraph 6 of this Agreement.

7. Restrictive Covenant. The Parties agree this Restricted Donation is to be used to make possible the construction of the Project, as described in Exhibit A. It is the intention of the Parties the Project remains in place in the same location where the Project Elements are located on Exhibit A and, except for ordinary wear and tear, will remain there for fifty (50) years from the execution of this Agreement by both Parties, regardless of the ownership of the underlying property. (the "Restricted Period"). A Restrictive Covenant (attached as Exhibit B) will be recorded against the land to ensure the Project Elements remain in their as-built locations for the Restricted Period. The WPD, or its successor owner, will not be violation of this Agreement or the Restrictive Covenant so long as it performs ordinary and usual maintenance on the Project Elements and does not move or destroy, or instruct or permit any third party to move or destroy, any Project Elements during the Restricted Period.

WPD and IFF agree that it is their desire to efficiently and quickly resolve any disputes that arise, and that any Dispute (as hereinafter defined) shall be submitted to the Arbiter, who will make a determination with respect to the Dispute, in his sole discretion or, if the Arbiter does not still exist, to binding arbitration pursuant to the Uniform Arbitration Act, 710 ILCS 5/1, et seq., and except for a claim for specific performance not a court of law or equity. For purposes hereof, "Disputes" shall include any and all controversies, disputes or claims arising out of or relating to the enforcement of the provisions of the Restrictive Covenant.

The Parties agree the restrictive covenant shall not result in and shall disclaim any express or implied limitation on the WPD's discretion with respect to the use or improvement of any part of Centennial Park which does not comprise a Project Element. The Parties further agree the restrictive covenant is not intended to convey any interest in property whatsoever. IFF agrees to record a release of the Restrictive Covenant within thirty (30) days following the occurrence of any of the following events: (a) the Restricted Donation is not paid in full after the Arbiter finds it fully due and payable, or (b) the expiration of the Restricted Period.

If: (a) the WPD is in breach of this Restrictive Covenant; (b) the WPD fails to cure such violation with the application of diligent and continuous effort; and (c) the WPD has moved or destroyed, or instructed or permitted any third party to move or destroy the stone breakwater system at the Centennial Park beachfront, the WPD's liability shall be liquidated damages in the sum of Three Millions Dollars ($3,000,000.00). If, for any reason, the Arbiter, in his/her/its sole discretion, finds the ADA Pathway, Dog Beach, or Dog Beach Perimeter Safety Fence do not remain in their as-built locations for the Restricted Period, IFF may file a specific performance claim in order to have the WPD restore them to their respective, as-built locations.

8. IFF Recognition. Intentionally omitted.

9. Coordination of Events. The WPD and IFF shall coordinate mutually agreeable schedules and activities in connection with groundbreaking and ribbon cutting ceremonies for the Project as well as the announcement and any publicity concerning the Project. WPD shall either own, or be assigned an irrevocable license to use, any intellectual property created related to the Project or publicity therefor.

10. Coordination of Publicity. Neither IFF nor WPD shall use the name or marks of the other party, or any related party, in any publicity or news release without the prior approval of the other party or any related party whose name will be used.

11. Responsibility. At all times, the WPD, or its successor property owner, will assume all responsibility for the operation, maintenance and repair of any Project Element owned by such party under the same standards of care applicable to other WPD facilities to ensure that the Project will serve its intended purpose. Except as provided in the preceding sentence, in no event shall IFF be responsible for any payments of any type other than its contributions described in Section 1 and 4.

WPD shall not act as or be an agent of IFF nor shall IFF act or be an agent of WPD. All of WPD's activities will be at WPD's own risk and liability, and WPD shall not be entitled to insurance protection from IFF for WPD's own acts or omissions. WPD will have no authority, and will not represent to any person it has any authority, to bind IFF to any agreement with any third party, or to otherwise commit IFF to any proposal. Nor shall IFF have any authority or represent to any person it has any authority to bind the WPD to any agreement. In no event shall IFF at any time be construed as an expert in, knowledgeable about, or engaged in the business of constructing Projects.

WPD shall be responsible for the payment of all taxes, if and as applicable, associated with the Project initiative and the Donation by IFF hereunder, and shall indemnify and hold IFF and its affiliates harmless therefrom. WPD shall also be responsible for ensuring all work is in full compliance with all legal standards. So long as WPD is the owner of the property on which the respective Project Element is located, WPD shall indemnify, defend and hold harmless IFF and his/her respective employees, agents and representatives from and against any and all claims of any nature arising from or related to the Project initiative or use of the Project (including but not limited to any personal injury, property damage, activity, work or things done, or permitted by WPD or its agents) or arising from or related to any negligence of WPD or any of WPD's agents; and in case any action or proceeding be brought against IFF by reason of any such claim, WPD shall defend the same at WPD's expense by counsel reasonably satisfactory to IFF, which approval will not be unreasonably conditions, denied or delayed. WPD, as a material part of the consideration to IFF, hereby assumes all risk of damage to property or injury to persons in, on or about the Project arising from any cause attributable to WPD and WPD hereby waives all claims in respect thereof against IFF.

This Section 11 shall survive the expiration or termination of this Agreement and the expiration or termination of any obligation owing to any Party under this agreement.

12. Termination of Obligations. The Parties agree once this Agreement has been executed by IFF and WPD, and once the Project is completed consistent with the plans in Exhibit A, and once all donations due under this Agreement have been funded by IFF, IFF shall not be able to require any refund of donated funds except as otherwise set forth in this Agreement. The WPD may choose to terminate the Project at any time at its sole discretion and refund IFF, as the case may be, the monies paid to WPD in their entirety before the completion of the Project. In the event the Project is terminated, IFF's continued obligation to make any contributions shall automatically terminate. If all or a portion of the Project is destroyed beyond repair due to a *force majeure* event, or any other circumstance, then the WPD will, as soon as possible, restore any of the Project Elements effected to their respective prior conditions and locations and compliant with all laws prior to the event. This *force majeure* clause will not apply to the stone breakwater system at the Centennial Park beachfront.

13. Acknowledgement of Donation. WPD shall complete and sign a charitable contribution receipt acknowledgement as required under the tax law in form and substance satisfactory to IFF. WPD does not warrant any tax consequence as a result of the Donation and this Agreement shall not be subject to termination as a result of any particular tax consequence. WPD shall not indemnify, defend or hold harmless IFF from any orders, decisions or rulings made by the IRS related to the Donation except to the extent caused solely by reason of the WPD's acts or omissions.

14. Miscellaneous.

a. Notices. Unless otherwise specified, any notice, demand or request required under this Agreement must be given in writing at the addresses set forth below by any of the following means: personal service, overnight courier or first-class mail.

If to Winnetka Park District:	Winnetka Park District 540 Hibbard Rd Winnetka, Illinois 60093 Attn: Executive Director
With Copies to:	Adam B. Simon Ancel Glink 175 East Hawthorn Parkway, Suite 145 Vernon Hills, IL 60061 Attn: WPD General Counsel
If to IFF:	David B.H. Williams Williams, Bax & Saltzman, PC 221 N. LaSalle St., Suite 3700 Chicago, IL 60601

15. Governing Law. This Agreement will be governed by and construed in accordance with the internal laws of the State of Illinois, without regard to the principles of conflicts of law thereof. If there is a lawsuit under this Agreement, each Party hereto agrees to submit

to the jurisdiction of the courts of Cook County in the State of Illinois.

16. Severability. In the event any provision of this Agreement is deemed to be invalid by reason of the operation of any law or by reason of the interpretation placed thereon by any court or any other governmental body, this Agreement shall be construed as not containing such provision and any and all other provisions hereof which otherwise are lawful and valid shall remain in full force and effect.

17. Integration. All exhibits to this Agreement are expressly incorporated herein by this reference thereto. This Agreement constitutes the entire agreement between the Parties, merges all discussions between them and supersedes and replaces any and every other prior or contemporaneous agreement, negotiation, understanding, commitments and writing with respect to the subject matter hereof.

18. Assignment. This Agreement, or any portion thereof, shall not be assigned by any Party without the prior written consent of the others.

19. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which when taken together shall be deemed to be one and the same instrument.

20. Parties' Interest/No Third-Party Beneficiaries. This Agreement shall be binding upon the Parties and their respective successors and permitted assigns and shall inure to the benefit of the Parties, and their respective successors and permitted assigns. This Agreement shall not run to the benefit of, or be enforceable by, any person or entity other than a Party and its successors and permitted assigns. This Agreement should not be deemed to confer upon third parties any remedy, claim, right of reimbursement or other right. Nothing contained in this Agreement, nor any act of the Parties, shall be deemed or construed by any of the Parties hereto or by third parties, to create any relationship of third party beneficiary, principal, agent, limited or general partnership, joint venture, or any association or relationship involving any of the Parties.

21. Modification or Amendment. This Agreement may not be altered, modified or amended except by a written instrument signed by all the Parties.

22. No Implied Waivers. No waiver by any Party of any breach of any provision of this Agreement will be a waiver of any continuing or succeeding breach of the breached provision, a waiver of the breached provision itself, or a waiver of any right, power or remedy under this Agreement. No notice to, or demand on, any Party in any case will, of itself, entitle that Party to any further notice or demand in similar or other circumstances.

23. Titles and Headings. Titles and headings to paragraphs contained in this Agreement are for convenience only and are not limited to limit, vary, define or expand the content of this Agreement.

24. No Personal Liability. IFF expressly agrees no member, Commissioner, official, employee or agent of the WPD, and the WPD expressly agrees no officer, director, employee or contractor of IFF, will be individually or personally liable to it, its successors

or assigns under any term or provision of this Agreement or because of his or her execution of this Agreement or in the event of any default or breach by any party under this Agreement. The limitations on liability in this Section 24 shall survive the expiration or termination of this Agreement and the expiration or termination of any obligation owing to any Party under this Agreement.

25. Ethics. IFF hereby represents and affirms its decision to contribute to the WPD pursuant to this Agreement is entirely voluntary and is completely unrelated to any past or future government decision relating to the award of contracts or any other action. IFF further represents and affirms no representative of IFF has had any conversation with any representative of the WPD, or with any government official or employee in any way links this contribution to any past or future government decision relating to the award of contracts or any other matter.

26. Attorneys' Fees. In the event of a Dispute arising under this Agreement or the Restrictive Covenant, the party which receives an arbitration award or judgment will be awarded, as part of such award or judgment, its reasonable fees and costs of obtaining such award or judgment, including reasonable attorneys' fees, witness fees and court costs.

Signature page to follow

IN WITNESS WHEREOF, the WPD and IFF have caused this Agreement to be executed as of the date first written above.

WINNETKA PARK DISTRICT

By: [redacted]
Christina Codo
President, Board of Commissioners

Attest: [redacted]
Secretary to the Board

ISHBIA FAMILY FOUNDATION, INC.

By: _____

Name: Justin R. Ishbia. Vice President

IN WITNESS WHEREOF, the WPD and IFF have caused this Agreement to be executed as of the date first written above.

WINNETKA PARK DISTRICT

By: _____
Christina Codo
President, Board of Commissioners

Attest: _____
Secretary to the Board

ISHBIA FAMILY FOUNDATION, INC.

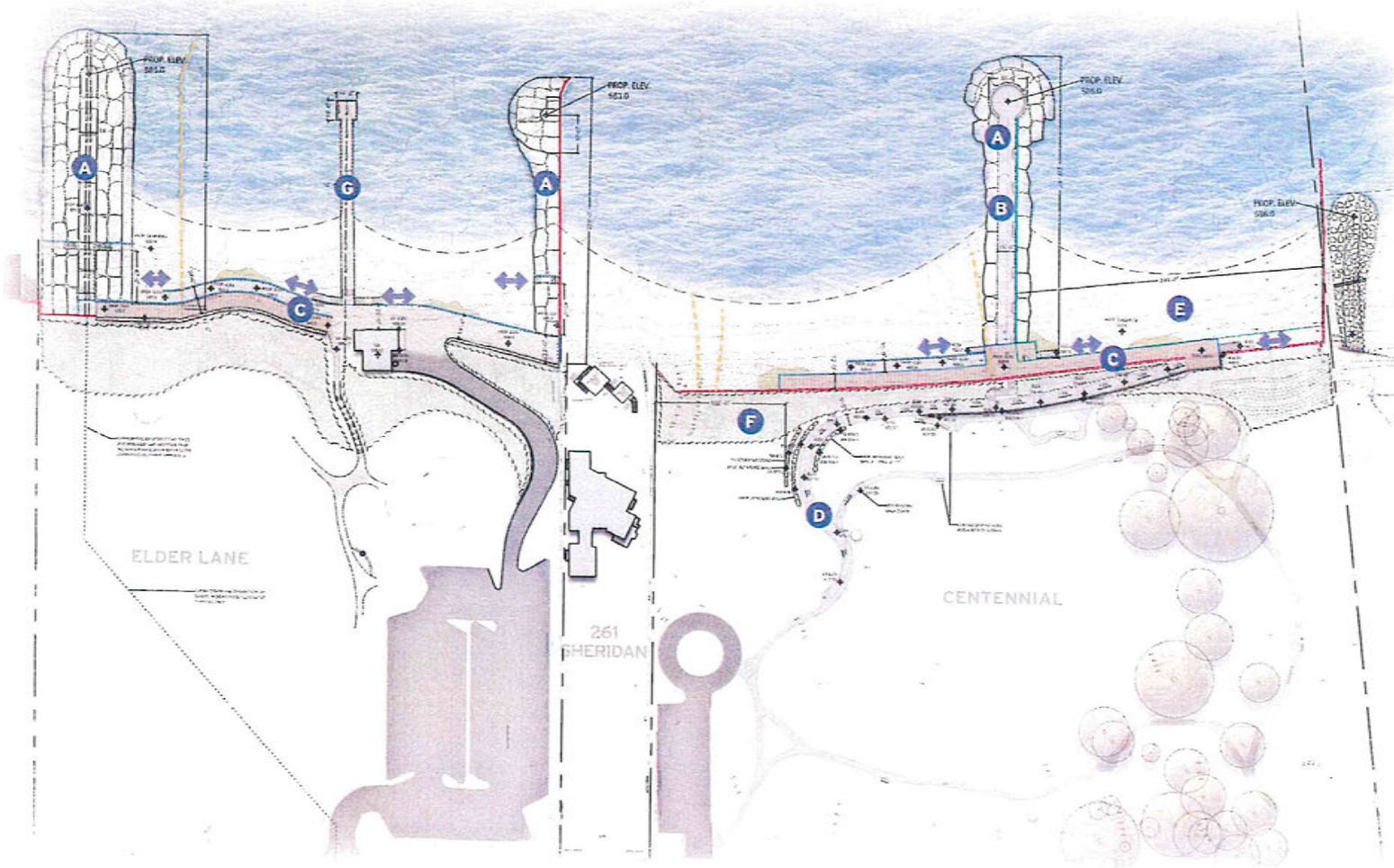
By: [redacted]

Name: Justin R. Ishbia. Vice President

Exhibit A
Centennial Park Renovation Plan

Elder + Centennial | Schematic Design

ELDER | CENTENNIAL
BEACH FEASIBILITY STUDY



LEGEND

- PROPOSED BLUFF RESTORATION
- ACCESS TO BEACH
- SHEET PILE (PROPOSED)
- SHEET PILE (EXISTING)
- ELEMENT TO BE REMOVED
- ORNAMENTAL FENCE

A. RUBBLE MOUND BREAKWATER SHORELINE PROTECTION
B. ACCESSIBLE VIEWING PIER WITH BENCH SEATING
C. ADA ACCESSIBLE BOARDWALK & CONCRETE RAMP BEACH ACCESS
D. ACCESSIBLE PEDESTRIAN PATH TO BEACH
E. PROPOSED CENTENNIAL DOG BEACH
F. BLUFF RESTORATION ZONE
G. REPAIRED EXISTING CONCRETE PIER

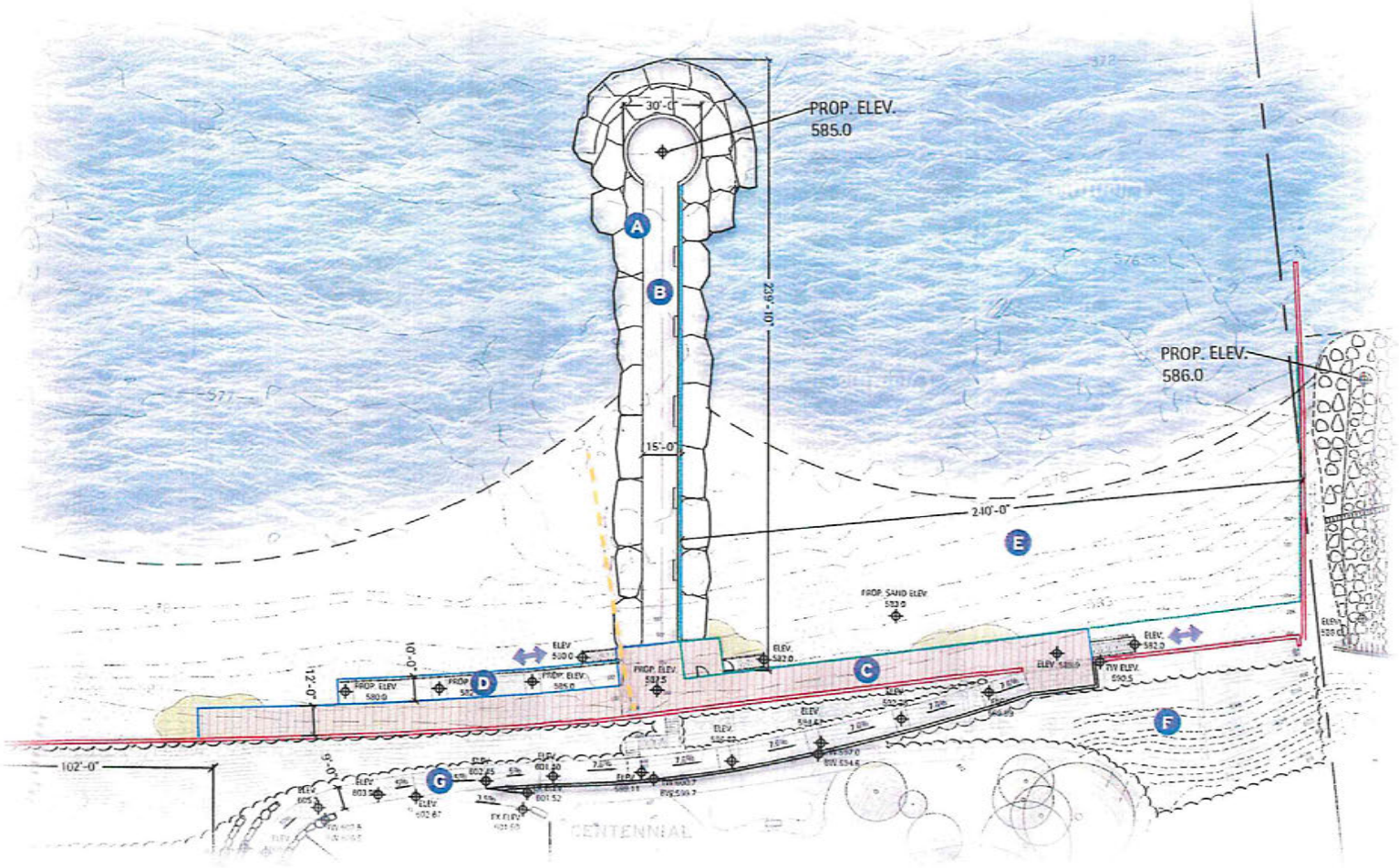
Elder + Centennial | Final Schematic Design

10/19/2023

THE LAKOTA GROUP.

Elder + Centennial | Schematic Design

ELDER | CENTENNIAL
BEACH FEASIBILITY STUDY



LEGEND

- PROPOSED BLUFF RESTORATION
- ACCESS TO BEACH
- SHEET PILE (PROPOSED)
- SHEET PILE (EXISTING)
- ELEMENT TO BE REMOVED
- ORNAMENTAL FENCE

A. RUBBLE MOUND BREAKWATER SHORELINE PROTECTION
B. ACCESSIBLE VIEWING PIER WITH BENCH SEATING
C. ADA ACCESSIBLE BOARDWALK
D. ADA ACCESSIBLE CONCRETE RAMP BEACH ACCESS
E. PROPOSED CENTENNIAL DOG BEACH
F. BLUFF RESTORATION ZONE
G. ACCESIBLE PEDESTRIAN PATH & RAMP TO BEACH

Centennial Enlargement | Final Schematic Design

10/19/2023

THE LAKOTA GROUP.

Exhibit B
Form of Restrictive Covenant

After recording, mail to:

Adam B. Simon
Ancel Glink
175 East Hawthorn Parkway, Suite 145
Vernon Hills, IL 60061
Attn: WPD General Counsel

Property Identification Numbers:
05-21-412-004-0000
05-21-412-005-0000
05-21-412-006-0000

Common addresses:
225 Sheridan Road
Winnetka, Illinois 60093

FOR RECORDER'S USE

DECLARATION OF RESTRICTIVE COVENANT

THIS DECLARATION OF RESTRICTIVE COVENANT (**"Restrictive Covenant"**) is made this 19th day of January, 2024 (the "**Effective Date**") by Winnetka Park District, an Illinois park district and unit of local government (**"WPD"**).

WHEREAS, the WPD is a political subdivision and a unit of local government organized, established and existing under the laws of the State of Illinois, 70 ILCS 1205 *et. seq.;*

WHEREAS, WPD is the sole owner in fee simple of certain real property known as Centennial Park and Beach, located at 225 Sheridan Road, Winnetka, Illinois, identified as of the Effective Date as Cook County Parcel Identification Numbers 05-21-412-004-0000, 05-21-412-005-0000, and 05-21-412-006-0000 and legally described in **Schedule A** (**"Centennial Park"**);

WHEREAS, Centennial Park currently is partially improved for lawful passive and active recreational uses;

WHEREAS, pursuant to, in keeping with and consistent with its core mission, the WPD desires to renovate Centennial Park to provide high quality recreational opportunities, and will do so per the Centennial Park renovation plan for which all necessary permits have been issued as depicted on **Schedule B** and referred to herein as either "**Schedule B" or** the "**Plan**", and fully incorporated into this Agreement;

WHEREAS, the WPD executed a Restricted Donation Agreement between the WPD and the Ishbia Family Foundation, Inc. (the "**IFF**") for the Centennial Park

Improvements Plan, (the "**Restricted Donation Agreement**") pursuant to which the IFF agreed to make a restricted donation to the WPD for the express and sole purpose of helping to fund the following WPD Board approved lakefront improvements, as set forth in Schedule B: (1) the ADA-accessible pathway from the Centennial Park parking lot to the beach (the "**ADA Pathway**"); (2) the off-leash dog park located at the southernmost portion of Centennial Beach, compliant with all laws and regulations (the "**Dog Beach**"); (3) Dog Beach fences extending 112 feet into Lake Michigan (measured from the toe of the bluff) as depicted in Schedule B (the "**Dog Beach Perimeter Safety Fence**"); (4) a pedestrian bypass around the Dog Beach and Dog Beach Perimeter Fence to permit transit north and south (the "**Bypass**"), and (5) the stone breakwater system at the Centennial Park beachfront located approximately 200 feet north of the Centennial Park's southern-most property line (the "**Park Breakwater**" and together with the ADA Pathway, the Dog Beach, the Dog Beach Perimeter Safety Fence and the Bypass, collectively the "**Project Elements**");

WHEREAS, the WPD agreed to be bound by certain obligations and restrictions related to the Project Elements in accordance with the Restricted Donation Agreement;

WHEREAS, the WPD desires to place a restrictive covenant on Centennial Park to evidence the obligations and restrictions pursuant to the Restricted Donation Agreement to ensure the long-term recreational use and enjoyment of the Project Elements;

WHEREAS, WPD intends this Restrictive Covenant shall be recorded as a covenant running with the land and shall be binding on WPD and all future owners of all or any part of Centennial Park where the Project Elements are located; and

NOW, THEREFORE, in consideration of the above recitals and the covenants, terms, conditions and restrictions contained herein, WPD does hereby establish a restrictive covenant on Centennial Park as follows:

1. Purpose. The purpose of this Restrictive Covenant is to preserve the Project Elements for public recreational uses consistent with applicable law.

2. Continued Existence of Project Elements. Regardless of the owner of the underlying property, the Project Elements shall remain in place in the same location where the Project Elements are located in Schedule B and, except for ordinary wear and tear, will remain there for fifty (50) years after the grand opening of Centennial Beach (the "Restricted Period"). The WPD, or its successor owner, will not be in violation of this Restrictive Covenant so long as the WPD, or its successor owner, performs ordinary and usual maintenance on the Project Elements and does not move or destroy, nor instruct or permit any third party to move or destroy, any Project Elements during the Restricted Period. IFF and WPD agree to record a release of the Restrictive Covenant within thirty (30) days following the expiration of the Restricted Period.

3. Park District Reservation of Rights. The WPD expresses this restrictive covenant shall not result in and disclaims any express or implied limitation to the WPD's

discretion with respect to the use or improvement of any part of Centennial Park which does not comprise a Project Element. The WPD further expresses nothing herein is intended to convey any interest in real property whatsoever.

4. Covenant Running with the Land. The restrictions and covenants contained in this Restrictive Covenant shall run with the land defined herein as Centennial Park, and are binding upon and inure to the benefit of the IFF, WPD and its successor landowners, and their respective heirs, executors, administrators, successors, assigns, agents, licensees, invitees, and representatives. This restrictive covenant shall be recorded against Centennial Park.

5. WPD Breach. If, for any reason (a) the WPD violates this Restrictive Covenant; and (b) the WPD fails to cure such violation with the application of diligent and continuous effort, the WPD will be in breach of this Restrictive Covenant.

If (a) the WPD is found to be in breach of this Restrictive Covenant; (b) the WPD fails to cure such violation with the application of diligent and continuous effort; and (c) the WPD has moved or destroyed, or instructed or permitted any third party to move or destroy the stone breakwater system at the Centennial Park beachfront, the WPD's liability shall be liquidated damages to IFF in the sum of Three Millions Dollars ($3,000,000.00). If, for any reason, the Arbiter, in his sole discretion, determines the ADA Pathway, Dog Beach, or Dog Beach Perimeter Safety Fence do not remain in their as-built locations for the Restricted Period, IFF may file a specific performance claim in order to have the WPD restore them to their respective, as-built locations.

WPD and IFF agree that it is their desire to efficiently and quickly resolve any disputes that arise, and that any Dispute (as hereinafter defined) shall be submitted to the Arbiter, who will make a determination with respect to the Dispute, in his sole discretion, or, if the Arbiter does not still exist, to binding arbitration pursuant to the Uniform Arbitration Act, 710 ILCS 5/1, et seq., and except for a claim for specific performance not a court of law or equity. For purposes hereof, "Disputes" shall include any and all controversies, disputes or claims arising out of or relating to the enforcement of the provisions of this Restrictive Covenant.

6. Miscellaneous.

A. Promptly after IFF's payment of the second installment of the Restricted Donation, this Restrictive Covenant shall be recorded against title to Centennial Park and shall run with the land and bind Centennial Park and all future owners of all or any part of Centennial Park during the Restricted Period, but only with respect to the Project Elements.

B. This Restrictive Covenant shall be binding on the WPD, and its respective successors, assignees, and heirs, including any successor owners of all or any part of Centennial Park.

C. If any provision of this Restrictive Covenant is found to be invalid, illegal or unenforceable by a court of competent jurisdiction, that finding shall not affect the validity, legality, or enforceability of the remaining provisions.

IN WITNESS WHEREOF, the WPD has executed this Restrictive Covenant on the date first written above.

WINNETKA PARK DISTRICT

[redacted]

By: _____
President, Board of Park Commissioners
Winnetka Park District

ATTEST:

[redacted]

By: _____
Secretary, Board of Park Commissioners
Winnetka Park District

Prepared by:
David B.H. Williams
Williams, Bax & Saltzman, P.C.
221 N. LaSalle St., Suite 3700
Chicago, IL 60601

WINNETKA PARK DISTRICT ACKNOWLEDGMENT

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

I, the undersigned, a Notary Public in and for said County, in the State aforesaid, DO HEREBY CERTIFY THAT Christina Codo and John Peterson, personally known to me to be the same persons whose names are subscribed to the foregoing instrument, appeared before me this day in person, and acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act, for the uses and purposes therein set forth.

Given under my hand and official seal, this 9th day of January, 2024.

[redacted]

Notary Public

OFFICIAL SEAL
DENISE L KAUFFMAN
NOTARY PUBLIC, STATE OF ILLINOIS
My Commission Expires 12/9/25

My Commission expires: 12/9/25

SCHEDULE A

Centennial Park Legal Description

LOT 6 IN THE RESUBDIVISION OF BLOCKS 1 THROUGH 4 AND VACATED STREET KNOWN AS BELLVIEW PLACE, LYING BETWEEN BLOCKS 1 AND 2 ON THE EAST AND BLOCKS 3 AND 4 ON THE WEST IN LAKE SHORE SUBDIVISION OF LOT 1 IN NICHOLAS SIMON AND OTHERS' SUBDIVISION OF PART OF THE SOUTHEAST FRACTIONAL QUARTER OF SECTION 21 AND FRACTIONAL SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

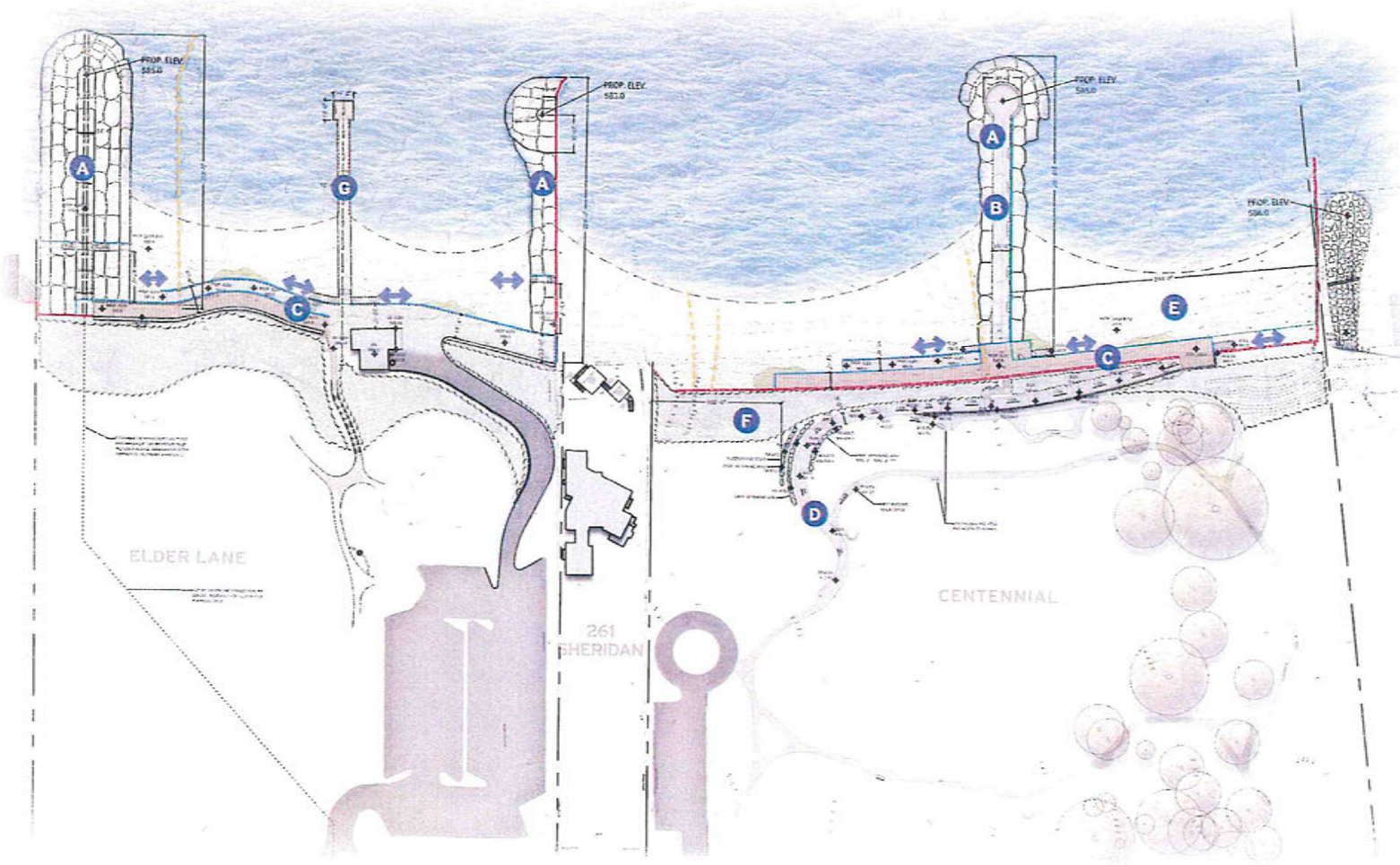
P.I.N.: 05-21-412-004-0000, 05-21-412-005-0000, and 05-21-412-006-0000

SCHEDULE B

Plan of Project Elements

Elder + Centennial | Schematic Design

ELDER | CENTENNIAL
BEACH FEASIBILITY STUDY



LEGEND

- PROPOSED BLUFF RESTORATION
- ACCESS TO BEACH
- SHEET PILE (PROPOSED)
- SHEET PILE (EXISTING)
- ELEMENT TO BE REMOVED
- ORNAMENTAL FENCE

A. RUBBLE MOUND BREAKWATER SHORELINE PROTECTION
B. ACCESSIBLE VIEWING PIER WITH BENCH SEATING
C. ADA ACCESSIBLE BOARDWALK & CONCRETE RAMP BEACH ACCESS
D. ACCESSIBLE PEDESTRIAN PATH TO BEACH
E. PROPOSED CENTENNIAL DOG BEACH
F. BLUFF RESTORATION ZONE
G. REPAIRED EXISTING CONCRETE PIER

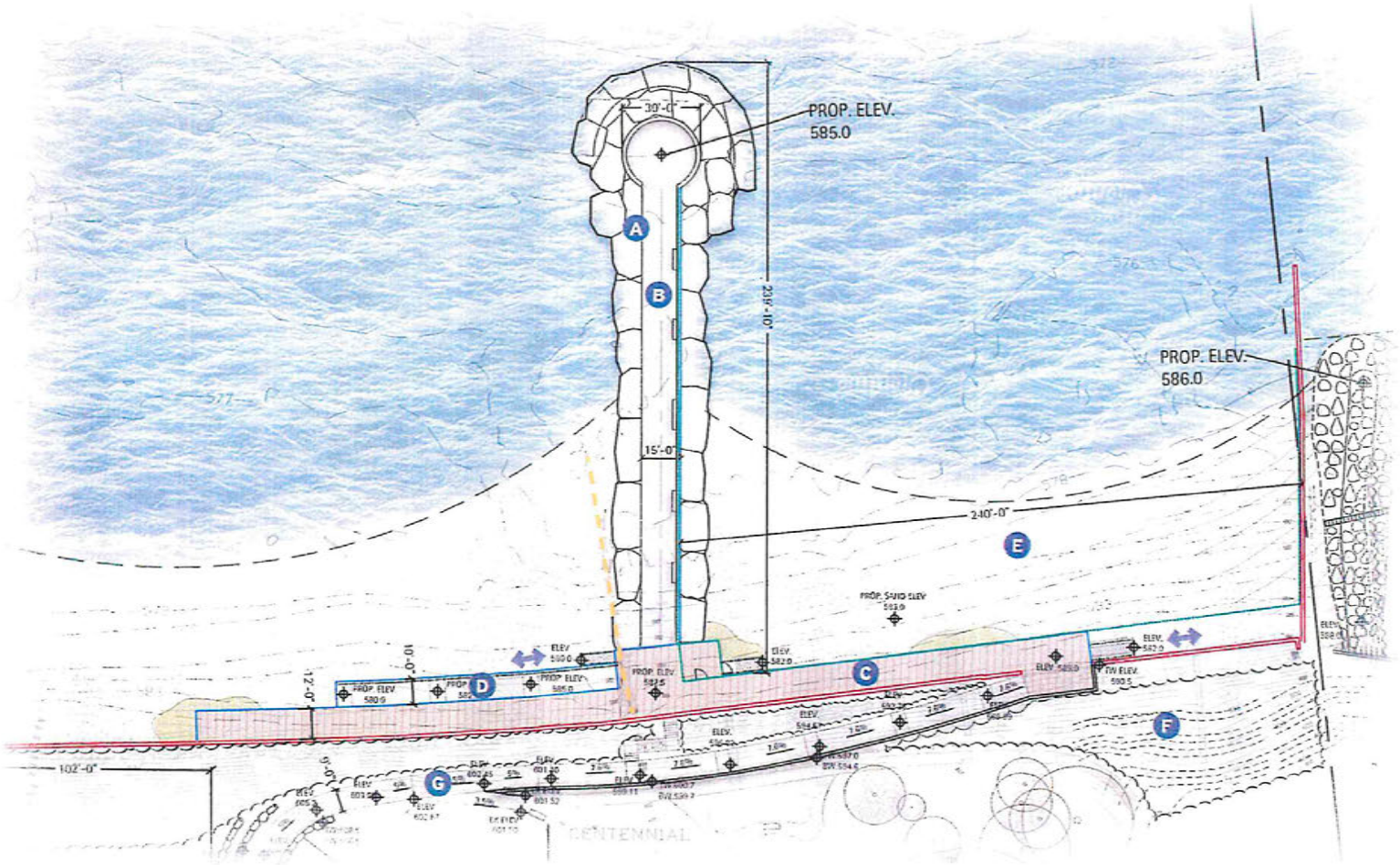
Elder + Centennial | Final Schematic Design

10/19/2023

THE LAKOTA GROUP.

Elder + Centennial | Schematic Design

ELDER | CENTENNIAL
BEACH FEASIBILITY STUDY



LEGEND

- PROPOSED BLUFF RESTORATION
- ACCESS TO BEACH
- SHEET PILE (PROPOSED)
- SHEET PILE (EXISTING)
- ELEMENT TO BE REMOVED
- ORNAMENTAL FENCE

A. RUBBLE MOUND BREAKWATER SHORELINE PROTECTION
B. ACCESSIBLE VIEWING PIER WITH BENCH SEATING
C. ADA ACCESSIBLE BOARDWALK
D. ADA ACCESSIBLE CONCRETE RAMP BEACH ACCESS
E. PROPOSED CENTENNIAL DOG BEACH
F. BLUFF RESTORATION ZONE
G. ACCESIBLE PEDESTRIAN PATH & RAMP TO BEACH

Centennial Enlargement | Final Schematic Design

10/19/2023

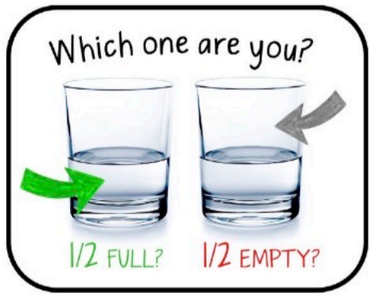
THE LAKOTA GROUP.

Considerations

- Green Bay Rd. = State Highway
- Appraisal value as residential lot vs. commercial lot
- Park District plans to sell it to us or someone else

PROS IF WE BUY

- More useable space
- Provides flexibility for the future
- Keeps land free from other development
- Public may be excited
- Helps with larger community effort & park district relationship
- Have reserves to fund



CONS IF WE BUY

- Additional upkeep costs (grass, trees, snow removal)
- Would need approval of special use permits to develop the land
- Public may be resistant

The Situation

- Park District needs to raise funds to make improvements to Elder/Centennial Beach
- Library Park is an underperforming asset
- Library is the Park District's preferred buyer for Library Park



From: [redacted]
To: Ann Klaassen; [redacted]
Subject: Fwd: Special Use Permit Concerns
Date: Monday, February 2, 2026 10:09:16 AM

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.

Hello Ann:
Would you please send my email with attachments to the ZBA ahead of its 2/9/26 meeting? Thank you.

To the Zoning Board of Appeals:

Given WPD's multiple misrepresentations in connection with its Centennial SUP applications, please use strict scrutiny in your permit review. WPD's fencing would stretch far beyond the Ordinary High Water Mark, ending 91' from Centennial's bluffs to the north and 78' from the bluffs to the south. Plan has already considered the dangerous and unnecessary nature of this fencing application and declined to recommend approval. I ask ZBA to do the same.

WPD will attempt to direct ZBA's safety concerns toward the dog beach under pretext of protecting people who use Elder Lane Beach for a very short summer swim season. This makes no sense. I respectfully suggest that rather than putting dogs before people, attention to beach safety should be more focused on Elder—an important but lightly used swimming beach. It is the most polluted of Winnetka's beaches, and for that reason is likely to be open fewer days each summer than Tower or Maple.

For your information, using WPD's "rainout line" in 2024 I made a good faith effort to track beach closures. Based on WPD information, I tallied approximately 50 total open days for Maple Beach. Some days were half open-half closed, depending on weather and water conditions. Some days the beach was fully closed because of weather, water conditions or high bacteria counts. Beginning with Memorial Day and ending in mid-August, Maple was opened and closed depending on whether it could be staffed. Before New Trier adjourned in June, it was open on a limited basis. By mid-August it had closed for the summer—only Tower Road Beach was staffed intermittently at that point before closing over Labor Day weekend. In my opinion, staffing shortages will also cause Elder Beach to be open less than the full season.

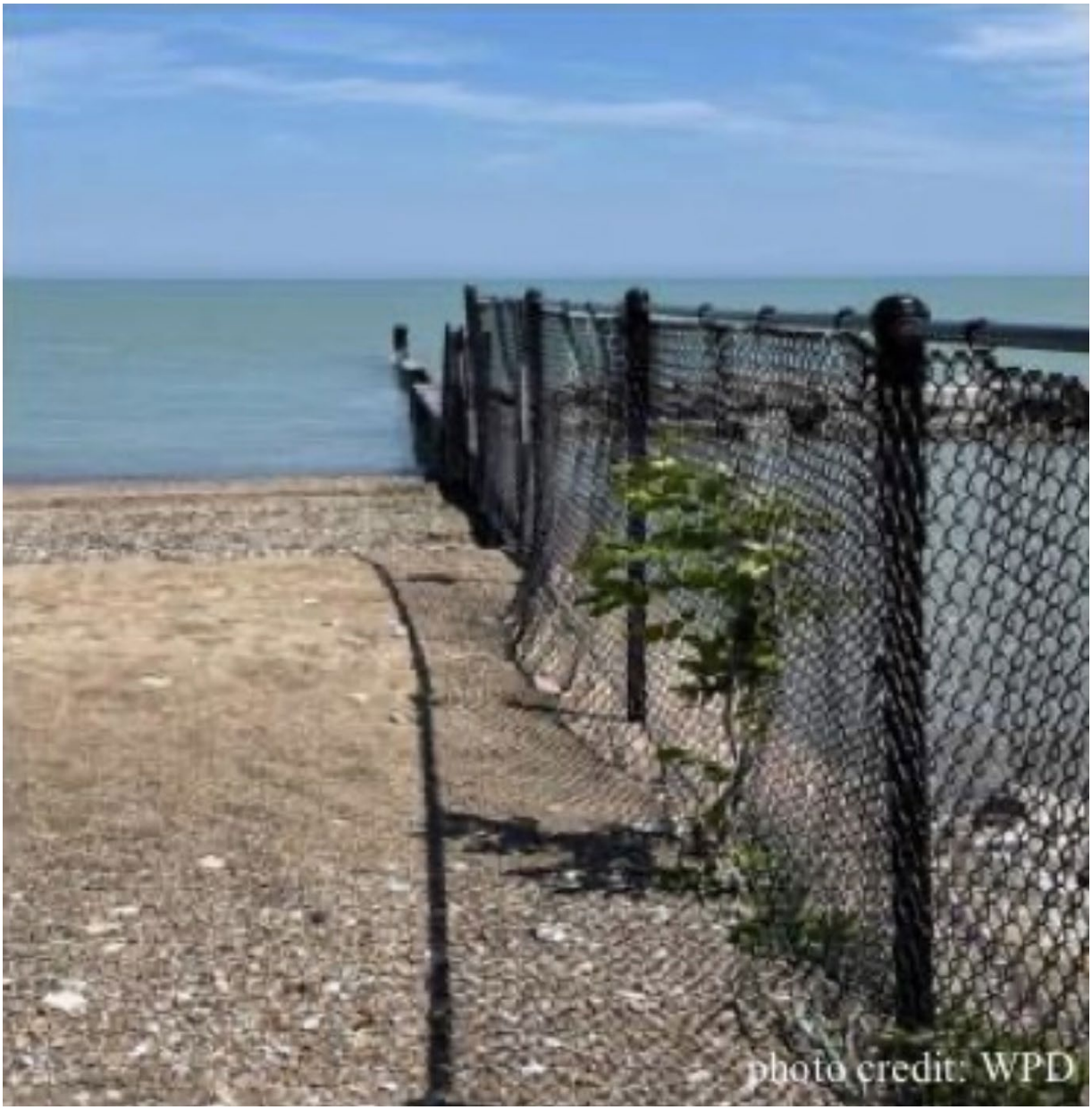
https://www.idph.state.il.us/envhealth/ilbeaches/public/BeachDetail.aspx?BeachID=381

My suggestion is to ask the beach-going community itself to come up with sensible measures for the young families/kids who bike or walk to Elder on the days it is open. Take a look at this already-ADA accessible beach and find a way to delineate its southern boundary. One option could be a simple row of rocks. Or, fully removable, truly temporary, summer-only ropes or block-mounted posts with ropes ending at or above the OHWM—without obstructing the use of beach wheelchairs. The materials should not obstruct sight lines for first responders, lifeguards, parents, or other beachgoers. They should not make it harder to run across the sandy beach, within or past any seasonal beach boundaries, or into lake for a water rescue. Consideration should also be given to changing waterlines. Today's lake levels are at or below

normal. Once the water rises again, whatever is used should be moveable so as not to create a submerged threat.

Community efforts could include obtaining advice from recognized safety experts. Neutral community members should also ask (1) the lifeguards if ropes or removable posts would be helpful or a hindrance to their duties, (2) if they feel they are necessary, and (3) Elder Beach users themselves if they feel barriers would enhance their safety. As an aside, I am not aware of any dog-related incidents at Elder Beach over multiple years when three of my kids were WPD Lake Michigan lifeguards. I do know that every minute counts when making a water rescue.

WPD's REPRESENTATIVE IMAGE OF LAKEFRONT CHAIN-LINK FENCING



I appreciate the Plan Commission's decision to decline recommending WPD's dog beach fencing plans and I hope ZBA will do the same. There is no reason to pound metal poles all the way to what WPD describes as the "point of resistance" to install dog beach fencing that is

neither required nor safe. IDNR has described standalone lakefront fencing as an obstacle to be navigated around. The further out a person ventures to avoid a fence, the bigger the waves and the colder the water well into the summer months (July-August). Water-based fencing increases the likelihood of drowning for this reason. I believe low lake water temperatures were responsible for at least one of the drownings in Winnetka within the past few years. Please take this into account and decline recommending approval of WPD's fencing SUP.

Thank you.
Sincerely,
Kristine Schriesheim
Winnetka taxpayer

Philip Enquist
476 Provident Ave.
Winnetka, Illinois 60093
[redacted]

February 3, 2026

Dear Zoning Board of Appeals, and
Design Review Board….

Last week, at the January 28th Plan Commission meeting, the Winnetka community learned further details about the proposed beach fences which would define the future dog beach as proposed by the Winnetka Park District.

The proposed design is for two, 4' high fences, that will run into the lake waters for approximately 15' to a water depth of 1.5' to 2'. Four gates will create entrances, a pair at the north and a pair at the south.

As I listened to this presentation, I wondered who is representing child safety concerns? Shallow water (1.5 – 2 feet) allows easy wading around these fences and children potentially meandering behind fences and become vulnerable to separation from families and potential water related accidents. A dog owner also spoke that obstructions like fences can create unsafe conditions for the dogs. Centennial Beach, perhaps Winnetka's most beautiful beach, is today, open and free of physical obstacles across its shoreline.

Residents at the January 28th meeting suggested rational strategies that would avoid fences extending into the water. These alternative concepts should be explored. The community also showed research of what other Illinois communities are doing, especially the letter (dated January 26, 2026) from John Root. The WPD admitted that they had not gone to see these other beaches.

The proposal is a bad idea.

These fences would fragment Winnetka's open, unobstructed beach, but more importantly, I believe they would create significant safety issues. The Winnetka Park District's proposal is full of issues and is poorly conceived. Please do not approve this fence special use permit proposal, but rather recommend further research and alternative concepts that may not require fencing on the actual beach.

Thank you for your diligence and time related to these issues.

Phil Enquist
Fellow, American Institute of Architects

PLANNING COMMISSION MEETING
WEDNESDAY, January 28th **2026**

DOCTRINE OF PUBLIC TRUST

WHILE THERE ARE VERY SERIOUS SAFETY CONCERNS WITH THE FENCES AT THE DOG BEACH,

I AM ALSO CONCERNED ABOUT THE VIOLATION OF THE DOCTRINE OF PUBLIC TRUST IF FENCES ARE INSTALLED.THE DOCTRINE OF PUBLIC USE, WHICH HAS BEEN IN EFFECT SINCE 1842, IS ONE OF THE UNDERPINNINGS OF ENVIRONMENTAL LAW. THERE IS NO EVIDENCE OF CHANGED LAW OR REGULATION SINCE THAT TIME – ONLY THE CONTINUED INTERNAL ASSERTION FROM WPD STAFF THAT FENCING IS "REQUIRERD", DESPITE REPEATED DOCUMENTATION TO THE CONTRARY. THIS DOCTRINE MANDATES THAT THE BEACHES IN THE STATE OF ILLINOIS, AND IN OTHER STATES, REMAIN OPEN AND AVAILABLE FOR THE USE OF THE PUBLIC. NO PRIVATE BEACH OR DOG BEACH MAY PREVENT PEOPLE FROM PASSING OVER IT BECAUSE OF THIS DOCTRINE.

THE INSTALLATION OF FENCING AT CENTENNIAL BEACH WOLD BE AN UNNECESSARY AND DAMAGING INTRUSION ON PUBLIC LAKEFRONT ACCESS. IT WOULD UNDERMINE THE NATURAL AESTHETIC AND CHARACTER OF THE BEACH WHILE IMPLYING A LEGAL NECESSITY THAT SIMPLY DOES NOT EXIST.

THIS PROP0SED FENCE AROUND THE DOG BEACH IS A VIOLATION OF THE DOCTRINE OF PUBLIC TRUST. THEREFORE, I ASK THAT YOU DENY THE PARK DISTRICT'S REQUEST FOR A SPECIAL USE PERMIT. THANK YOU.

ALEXANDRA C. NICHOLS

From: [redacted]
To: Planning
Subject: Comments on Case No. 25-28-SU - Please deny
Date: Tuesday, February 3, 2026 4:15:08 PM

Some people who received this message don't often get email from [redacted]. Learn why this is important

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.

Dear Zoning Board,

Please do not allow a special use permit to install fencing on the existing beach on the subject property. What we and many of our neighbors would consider an eyesore.

We live directly across the street. This house has already torn down four incredible homes in the area, and created constant churn among the community for personal gain.

It was known that their property bordered the park from the day it was purchased.

We would welcome them in the community if they would begin acting like they would like to participate in the community. We should not continue to push for more and more relief of rules and regulations that benefit our community and the beauty of it in an effort to build a walled off fortress like compound within our community.

The property owner purchased near the beach I hope to take in the beauty of the beach. That same beauty is also to be shared among the community at Centennial park.

The overlay is there for a reason, please continue to protect our park lands and the beauty they offer regardless of the efforts of this individual to destroy them and set precedents for others that may seek the same.

Best Regards,

The Woodwards
209 Fuller Lane

WINNETKA PLAN COMMISSION MEETING MINUTES EXCERPT
JANUARY 28, 2026

Members Present:	Layla Danley, Chairperson Jonathan Alt Christopher Blum Matthew Bradley Mamie Case Chris Enck King Poor Kate Van Vlack
Members Absent:	Cyrus Subawalla
Non-Voting Members Present:	Bridget Orsic
Village Staff:	Scott Mangum, Community Development Director Ann Klaassen, Assistant Director of Community Development Christopher Marx, Associate Planner
Village Attorney:	Peter Friedman Courtney Trefil

***

New Applications:

a. **Case No. 25-28-SU: 225 Sheridan Road - Centennial Beach: An application seeking approval of a Special Use Permit to allow installation of fencing on the existing beach. The Village Council has final jurisdiction on this request.**

Peter Friedman outlined the public hearing requirements and procedures to be followed in connection with the Centennial Beach agenda item.

Ms. Klaassen summarized the Park District's proposal to install two chain link fences to provide an enclosed area for off leashed dogs for review by the Commission with the applicant seeking a recommendation of approval for a special use permit. She identified the Commission's role in the review and summarized the administrative and public review processes and referred to a table for the Commission's review. Ms. Klaassen noted the proposed fences' appearance is not within the Commission's purview and would be reviewed by the Design Review Board ("DRB").

Ms. Klaassen stated since the property is located on Lake Michigan, it would be subject to lakefront construction and steep slope regulations and noted the proposed fencing is not located within the steep slope zone. She then summarized the lakefront construction regulations and the review and permit approval procedures as well as the public trust doctrine. Ms. Klaassen then identified the property's location and zoning classification which is located in the lakefront preservation overlay district. She stated public parks and recreational facilities are allowed as a special use in the R-2 district and summarized the appropriate Comprehensive Plan and land use designations.

Ms. Klaassen referred to beach images in an illustration and identified the existing improvements with the

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applicant to provide additional detail relating to the proposed two rows of chain link fencing which she described in detail to the Commission as well as the existing dog beach use and its access. She also summarized the Zoning Ordinance amendment relating to the refinement of the front lot line along the lake. Ms. Klaassen noted that at 4 feet in height the proposed fences comply with the maximum permitted height of 6.5 feet. She then informed the Commission the ZBA is scheduled to consider the special use permit at its February 9, 2026, meeting and the DRB is scheduled to consider a Certificate of Appropriateness for the design of the proposed fencing on February 19, 2026, with the Village Council having final jurisdiction.

Ms. Klaassen stated the Commission is to consider the six special use standards included on page 19 of the agenda packet and following the applicant's presentation, public comment and Commission discussion, the Commission may decide to: (i) act on the application with a recommendation, (ii) direct Village staff and the Village Attorney to prepare a draft recommendation with or without conditions and written findings and determinations for consideration at a subsequent meeting, (iii) direct the applicant or Village staff to provide new or additional information in connection with the application or (iv) take such other action as may be permitted by law. She then asked if there were any questions.

Chairperson Danley also asked if there were any questions. Ms. Van Vlack asked if dogs have ever been allowed off leash on the property before there was a fence. Ms. Klaassen responded there has not been a special use permit approved for that and there are leash laws. She then stated she could not answer as to whether Cook County considered it a dog park or a dog friendly area. Mr. Blum referred to recreation as a permitted use and asked if the request had to be approved or meet those qualifications. Ms. Klaassen confirmed the request for the proposed improvements had to meet the six special use standards. No additional questions were raised at this time.

Chairperson Danley swore in those speaking to this matter. Hal Francke of Meltzer Purtill and Stelle introduced himself as the Park District's attorney and provided an overview of their presentation to the Commission. He noted they attempted to address in their presentation the public comment already received with the expectation of more public comment to be made. Mr. Francke then described the dog beach as a community amenity and that the request would allow the Park District to continue to operate the dog beach in accordance with law and the legal regulations as well as allow users of the dog beach in compliance with the law. He stated the proposed fencing would further public safety and maintain shoreline access and connectivity along the lakefront and would not require any zoning variation requests.

Mr. Francke then provided an overview of the Winnetka leash law as well as a detailed summary of the Cook County regulations. He also referred to Illinois state law and language in the Illinois Animal Control Act. Mr. Francke stated Costa Kutulas, Director of Parks and Maintenance for the Park District, would now provide the Commission with a history of the Centennial dog beach.

Costa Kutulas stated he would provide a history of the dog beach which was established in 1995. He noted the Park District installed temporary chain link fencing from 2009-2015 similar in design to the proposal which did not require permits. Mr. Kutulas stated the Winnetka Master Plan for the lakefront was then undertaken from 2014-2016 with the decision to remove the deteriorating fence. He outlined the creation of the dog beach committee to review other beach locations to relocate the Centennial dog beach and its findings. Mr. Kutulas stated in 2023, their staff was directed by the Executive Director to install the temporary fencing which was pulled due to improper permitting. He noted the Park District board adopted the ordinance requiring leashes at the beach. Submittals to the IDNR and the Army Corp of Engineers ("ACOE") for the permit request were made in April 2025. Mr. Kutulas stated following the fence and

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debris cleanup, he referred to approvals received from the IDNR and other agencies for their permit process with the ACOE and Cook County approvals to follow shortly.

Mr. Kutulas then described the project overview which included delineation between a temporary Centennial dog beach versus Centennial dog beach fencing. He also described the proposed fencing in detail which would have a 4 foot height and extend approximately 15 feet into the lake. Mr. Kutulas then referred to illustrations of the prior fencing from 2010 as well as illustrations of the proposed fencing which he described in detail. Mr. Kutulas then outlined the existing parking conditions with no change in use being proposed and described the dog season timeline and timeline of average use. He also described neighboring dog beaches and their uses in detail. He then summarized the project's regulatory review process as well as their responses to the first round of review comments. Mr. Kutulas stated Mr. Francke would now address the public trust doctrine and additional finer project points.

Mr. Francke stated in response to the public concerns raised, he referred to the public trust doctrine summary and provided additional information in that regard. He noted it stated that the state cannot sell submerged land to a private party, but it can permit its improvement with structures such as wharfs, docks and piers that improve the use of the lake for public purposes without impairment of the public's interests. He stated based on its provisions, the IDNR issued the permit previously referenced and reviewed the Park District's application and concluded that allowing the proposed fencing would not obstruct or interfere with navigation, is an acceptable encroachment per the Park District code, it would not impair the rights, interests or uses of the public and is not likely to cause bank or shoreline instability or other littoral properties. Mr. Francke further described additional provisions from the doctrine and summarized in detail the applicant's response that the special use standards have been satisfied. He asked for the Commission to recommend approval of the fencing and for the entire application to be concluded quickly so that the fencing can be installed. Mr. Francke then asked if there were any questions.

Chairperson Danley asked the Commission Members if they had any questions. Ms. Van Vlack asked if there is any record of unintended interactions between dogs and humans in the event additional security measures are needed. Mr. Francke responded there have been no concerns at the Park District level although there may have been testimony in the public comments received. Ms. Van Vlack asked what the depth of the water is where the 15 feet of fence is in the water. Mr. Kutulas stated there have been no documented records of interactions with dogs or citations although there were concerns which led to the fence being installed in 2009 at Elder Lane Park, which has been closed for the last five years. He added the water depth at the end of the 15 feet would range from 1 to 1.5 feet.

Ms. Van Vlack noted dog park regulations require four enclosed walls and water is not a barrier. She stated to call the area a dog park would not then be accurate in terms of Cook County regulations. Mr. Francke stated the word "enclosed" is used in the Cook County regulations but is not defined and the question related to the lake being considered as part of the enclosure. He then identified several similar examples of other dog beaches having the fourth side barrier being the lake. Ms. Van Vlack questioned whether it would need to be redefined as a dog friendly park. Mr. Francke stated the term "dog friendly park" is not clearly defined and having the fence extend across the length of the shoreline to serve as the fourth barrier is not desirable. Ms. Van Vlack stated they have to determine which rules need to be defined and applied.

Trustee Orsic referred to the 2010 photo and fence and asked if the new fence would be in the same exact location. Mr. Kutulas explained that the fence in the photo is approximately 20-30 feet south of the proposed fence location. He noted to enlarge it and keep it more close to what it is or what it was originally to go further to the north. Mr. Kutulas stated by design that it is very similar. He noted it would

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be smaller than the previous dog park by approximately 40 feet.

Mr. Blum asked if the proposal is for a dog park or for a dog friendly area. Mr. Francke explained the differences in the language between the Cook County ordinance for a dog park and the Village ordinance which did not distinguish between the two terms of off leash dogs or a dog friendly area. He confirmed the Park District wanted to be in compliance with the law. Mr. Blum then referred to the second and fifth standards and whether the lake is considered as a second property. Mr. Francke responded the application of special uses standards for adjoining properties are those that are used, occupied and enjoyed by neighbors. He confirmed there is fencing in the Lake Bluff example which is not a chain link fence with the remaining examples to have at least one chain link portion. Mr. Kutulas explained how the dog beach operated seasonally. He also summarized in detail the survey response for the dog beach location.

Ms. Case asked if other municipalities have gates in terms of traversing the beach. Mr. Kutulas referred to Lake Bluff and identified a gate on the southbound side and described security procedures in other locations. Mr. Bradley asked when the Cook County regulation was passed. Mr. Kutulas responded the Park District was made aware in 2021 or 2022 that they were out of compliance with the county. Mr. Bradley asked why the Park District put their ordinance into effect to disregard it, and for over 30 years there has been negligence by multiple entities in terms of being aware of Cook County regulations that required dog beaches to operate. Mr. Kutulas explained how they sought to become compliant in 2009 when the fence was put in place to have a north safety boundary and to ensure they are following the proper permitting and procedures. Mr. Francke added the dog beach had already been operating after the ordinance went into effect in 2010 and could be perceived as being grandfathered in. Mr. Bradley asked why two gates are needed. Mr. Kutulas explained the reasoning for the off-leashing and on-leashing area in a secured area. He also explained the rationale for the distance of the 15 feet of fencing into the water and the rationale for having 240 linear feet of shoreline as opposed to the 170 feet decided on the Park District Master Plan. He then explained how the request complied with the first two standards although residents are required to pass through two gates to gain access to the beach through the dog beach with compliance including the installation of signage. He referred to the number of obstructions which prevent people from walking along the shoreline. Mr. Francke also stated the Commission has the ability to recommend conditions relating to this concern.

Mr. Poor referred to other chain link fences at other dog beaches and to a letter submitted which stated that none of them protrude 15 feet into the water. Mr. Francke confirmed they all have fencing at some level and the Gillson Beach photo was taken at a time of year when the fence was not in the water. No additional questions were raised at this time.

Chairperson Danley asked for public comment and for the comments to focus on issues which have not been raised. She then swore in those speaking to this matter.

John Root referred to Section 6.8.20 of the Village ordinance prohibiting dogs from running at large. He stated an exception to the ordinance would be approved to have this fence and referred to a photo of Gillson Beach which showed a fence at the water line. Mr. Root also referred to photos of other beaches where the fences do not extend into the lake.

Joanna Karatzas from Winnetka described the plans for the off leash dog beach as vague and misleading and she read her statement into the record. She asked for the special use permit to be denied.

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Laurie Peterson read Mary Garrison's letter into the record who asked for the special use permit request to be denied.

Mark Hecht from Winnetka described the proposed plan as an ill-conceived use of Village and Park District property with there being better ways to handle the issue. He suggested entirely prohibiting dogs from all lakefront property during regular swimming hours and allow everyone to freely use the entire lakefront. Mr. Hecht also suggested the use of stone jetties with the suggestion that these alternatives be used for a couple of years to determine if they are effective.

Jude Overly, a 33 year Fuller Lane resident, stated she has never seen any aggressive behaviors over her years of using the beach and there is no need to have a fence to protect dogs and residents. She described incidents of dogs having issues with fences. Ms. Overly referred to one particular non-Winnetka resident who hoped for the fence and asked for the application to be denied and for the dog beach to be left open for all residents and their dogs.

Susie Schreiber, past Park District commissioner and a past member of this Commission, read a statement into the record which referred to the numerous amount of accidents and deaths in Illinois beach state parks and along the shorelines as well as the lack of Illinois shoreline safety regulations. She concluded by asking for the terminology of shoals not to be used in reference to Centennial beach.

Irene Smith, a 40 year Winnetka resident, referred the Commission to a photo of Centennial Beach and described the Park District's convoluted proposal to have a fence in the lake. She stated creating a cage for the limited number of Winnetka pass holders did not make sense. Ms. Smith stated the waters are navigable and did not contain shoals and asked for the special use permit be denied.

Angie Dahl, a 40 year Winnetka resident, stated she has served as a Park District President and on several Village advisory boards. She described the unsafe and impassable condition of the beach which has occurred over the years. Ms. Dahl stated when the public went to the IDNR to ask for clarification with regard to several lakefront matters, the response was that the Village could have denied all of the approvals since the Village has final jurisdiction over the lakefront. She then referred to the amount of complaints with regard to the proposal and asked the Commission to deny the request.

Alexandra Nichols, 900 Mt. Pleasant, stated there are serious safety concerns with fences at the dog beach and there has been a violation of the doctrine of public use. She then read her statement into the record and asked for the special use permit be denied.

Peggy Martay, a 50 year Winnetka resident, read her statement into the record and asked for the special use permit to be denied.

Steve Juliusson, a 20 year Winnetka resident, read his statement into the record and asked for the special use permit to be denied.

Susan Curry, 375 Hawthorn, stated the dog beach and park are important to the community and the described discussions relating to moving some of those facilities to other parts of the area as off. She described the dog beach as a family beach and stated they can all come together find a way for everyone to enjoy the beach. Ms. Curry also stated she had not heard of any issues regarding safety or security with there being diversity across the waterfront and concluded nothing needed to be changed.

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Katie Stevens referred to the restrictive covenant signed between Orchard 2020 and the Park District which did not include a fence permit at that time and would freeze Centennial Beach's use for 50 years. She stated the fencing may become permanent and may end up on private land with a land swap. Ms. Stevens also referred to access limitations with fencing becoming a nuisance and referred to specific code requirements.

David Stevens, Winnetka resident, referred to the referenced water depth which would be well over 3 feet and would present a restriction in terms of those who want to use the beach.

Ted Wynnychenko asked for the special use permit to not be approved and referred to the half-truths being presented at this meeting. He also referred to fences and restrictions at other beaches, the lack of shoals, etc. Mr. Wynnychenko questioned the Park District's right to put a fence across the high water mark area and referred to the binding exchange agreement in place with regard to the overlay district requirements which would result in private land ownership.

Melissa Meizel, a 30 year Winnetka resident, referred to the 460 linear foot proposal and contemplated use by dog owners which she described as an excessive allocation of resources. She also referred to whether it would be a dog beach, dog park and that "temporary" would result in "until further notice." Ms. Meizel stated there has been no investigation in connection with fences at other beaches other than the one which supported the applicant's position. She concluded they are being treated with ambiguity, obfuscation, distortion, etc. and asked for the special use permit to be denied. No additional comments were made at this time.

Chairperson Danley closed public comment and asked the applicant if they would like to respond at this time.

Mr. Francke clarified the reason as to why Mr. Kutulas explained the term "temporary fencing" in some places and not others. He also stated with regard to the plan being presented in bits and pieces, the Park District is working on plans for Elder and Centennial Beaches following the Commission's consideration of the prior plan in 2025 which is what was intended by the term "temporary." Mr. Francke also referred to the written comment relating to guidelines with regard to temporary approval which the Park District would not be opposed to. He stated with regard to the dog beach size, if these concerns are shared and recognizing the shared beach and making it a condition that the Park District explore alternatives including a design which did not require pass through. Mr. Francke stated there are alternatives to address a number of responses made.

Chairperson Danley called the matter in for discussion and summarized the issue presented to the Commission as to whether the fencing met the standards. Mr. Alt stated he would not be in favor for a number of reasons and referred to the waste of time and money the Park District continued to bring to the Commission and others. He stated while the presentation was strong, he asked the applicant to put together a plan that is safe and would work for the community. Ms. Van Vlack stated the Commission should not decide what the dog beach should be called and although delineation would have been helpful, she identified the tasks the Commission is to consider. She stated based on the presentation, it is not clear that the proposal met that documented necessity and she also had an issue of approving an item categorized as temporary. Ms. Van Vlack concluded she would not vote in favor of the request.

Mr. Enck agreed with the comments made and stated generally, if a fence is needed for use separation but it is only three sided, it did not meet that requirement and no one wants a four sided fence. He stated

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extending the fence an arbitrary distance into the lake did not solve the issue. Ms. Case agreed with the comments made and stated standards (a) and (b) have not been met. She stated she is concerned with regard to safety in terms of the fence in the water and having to go through four air locks to get to the beach. Ms. Case stated the Commission is being asked to approve something in a vacuum when they do not know what the rest of the proposal would be. Mr. Blum agreed with the comments made and indicated the ZBA may address the issue of increased parking. He then referred to the restrictive covenant issue and asked that they find a path forward to get the beaches open. Mr. Blum concluded most of the standards have not been met and asked the Village Attorney to draft language which outlined the Commission's opposition.

Mr. Poor stated he came to the similar conclusion as the rest of the Commission Members and described his use of the dog beach. He stated a 15-foot fence in the lake would present security issues for dogs who love the water. Mr. Poor stated the dog beach existed prior to 2010 and worked well. He described the risks and safety issues a 15-foot fence presented and the request did not satisfy the first two standards and he would vote against the request. Mr. Bradley stated there may be a call for everyone to work towards a temporary condition and viable path which would bide some time in connection with the issues between the prior plan and future plans for Centennial and Elder Beaches. He stated a strict standard interpretation of the standards would put a zero sum solution on the table. Mr. Bradley stated the beaches cannot be left alone and littoral drift among other issues needed to be addressed. He concluded by stating a short term solution needed to be reached while a longer term plan can be achieved. The Commission Members agreed a solution is needed.

Trustee Orsic informed the Commission dog beach pass owners came to a Village Council meeting and stated they are not in favor of fences or wedded to this location. She stated while there has not been a fence there for a period of time, she referred to the dangers of having children and dogs play in the water with a submerged fence. Trustee Orsic referred to the wood slat temporary fence at Highland Park and agreed a solution needed to be reached for Elder Beach to be opened. Chairperson Danley agreed with Mr. Bradley's comments and reiterated her statement at the time the entire plan was presented to the Commission is that in making a decision, they all want the beaches to be open. She stated she is concerned with the first two standards and referred to the safety concerns raised with regard to children and dogs. Chairperson Danley stated having a fence in the water would not serve to address the safety concerns. She also referred to the difficulty if they were to impose conditions which would be numerous as well as the interaction between those beach goers and dog owners with a solution being made that took that into account with the posted sign being insufficient. Chairperson Danley concluded she is not in favor of the request.

Mr. Francke stated while he appreciated the Commission's comments, he asked if for two of the primary concerns raised, he suggested a bypass and no fence in the lake as opposed to having conditions and whether that would that be acceptable to the Commission. Chairperson Danley suggested the applicant can present those options to the ZBA. She then asked for a motion.

Mr. Blum moved to recommend denial of the special use request permit and to direct the Village Attorney and Village staff to prepare written findings and determinations consistent with the Commission's comments and the record from this public hearing for proposed consideration at the Commission's next meeting. Ms. Case seconded the motion. A vote was taken and the motion unanimously passed, 7 to 0:

AYES: Alt, Blum, Case, Danley, Enck, Poor, Van Vlack
NAYS: None
NON-VOTING: Bradley, Orsic

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MEMORANDUM
VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS

FROM: CHRISTOPHER MARX, AICP – ASSOCIATE PLANNER

DATE: FEBRUARY 5, 2026

SUBJECT: 1086 FISHER CRESCENT LANE – VARIATION (CASE NO. 26-04-V2)

INTRODUCTION

On February 9, 2026, the Zoning Board of Appeals ("ZBA") is scheduled to hold a public hearing on an application submitted by ROG29 Gift Trust (the "Applicant"), as the owner of the property located at 1086 Fisher Crescent Lane (the "Subject Property"). The Applicant requests approval of the following zoning variation to allow construction of a new single-family residence on the Subject Property:

1. **Corner Yard Setback** of 24.67 feet from Fisher Crescent Lane, whereas a minimum of 32.92 feet is required, a variation of 8.25 feet (25.06%) [Section 17.30.050 – Front and Corner Yard Setbacks].

The Applicant has also submitted a demolition application for the existing residence on the Subject Property, which was considered by the Historic Preservation Commission (HPC) on September 15, 2025. By a vote of 4-0, the HPC approved the demolition without delay.

A mail notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on January 22, 2026. As of the date of this memo, staff has received one written comment from the public regarding this application, which is included as **Attachment D**.

The Village Council has final jurisdiction on this request, as only the Council has the authority to grant any variation for any new principal building.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.45 acres in size, is generally located on the west side of Fisher Crescent Lane between Fisher Lane and Scott Avenue and contains an existing two-story residence and a detached garage (see Figure 1). The property is wedge shaped with a front lot line along a westerly private road easement, a curvilinear corner lot line along the eastern and north portions of the property, a side yard along the south property line, and no rear yard. The property is considered a corner lot due to the existence of a private road easement, as recorded in 1906 on the Plat of Subdivision of Lots 7 and 8 in Hubbard Estate Subdivision, along the west property line. Even though a roadway has never been improved within the easement, the recorded easement is still in effect and as such the area of the easement is excluded from the lot area for zoning purposes. The Zoning Ordinance defines the shortest street line of a corner lot as the "front lot line." In this instance, the shortest street line is the outermost limits of the private unimproved street along the western portion of the lot. Therefore, the front lot line is along the west private road easement and the corner lot line is along Fisher Crescent Lane.

The property is zoned R-2 Single Family Residential, and it is surrounded by the same (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

The existing lot is a legally nonconforming corner lot that is 19,652 square feet in net lot area, while the minimum required lot area for a corner lot in the R-2 District is 25,200 square feet. Also, the lot is 175 feet in depth, while the minimum required lot depth for a lot in the R-2 District is 200 feet. Lastly, the lot has an average lot width of 112.29 feet, while the minimum required average lot width for a corner lot in the R-2 District is 115 feet.



Figure 1 – GIS Aerial Map

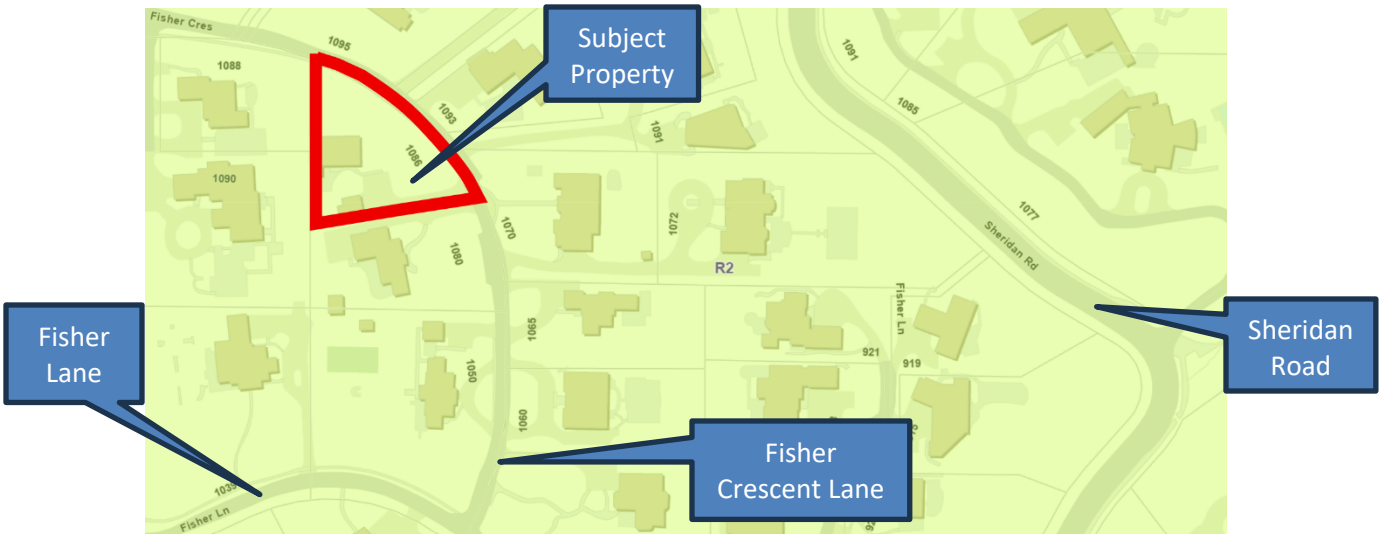


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The existing residence was constructed in approximately 1910. Subsequent building permits were issued in:

1. 1931 - Alter residence;
2. 1950 - Remodel and repair residence
3. 1951 - Construct one-and-a-half story accessory building; and
4. 1966 - Addition to residence.

Other minor permits have been issued over the last several years. In 1962, ZBA Case No. 892 was referred by the Village Council to the ZBA for a side yard variation for the west property line that was ultimately withdrawn. The Applicant acquired the property in 2024.

Figures 3 through 5, below and on the following page, are current photos of the Subject Property. Please keep in mind the existing residence seen in the photos will be removed. The photos are intended to give the ZBA an understanding of the site itself, not the existing residence that is planned for demolition.



Figure 3 – Subject Property – East and South Building Elevations (Fisher Crescent Lane Looking West)



Figure 4 – Subject Property – North Building Elevation (Fisher Crescent Lane Looking South)



Figure 5 – Subject Property – North Building Elevation (Fisher Crescent Lane Looking Southeast)

PROPOSED PLAN

The variation is being requested in order to construct a new single-family residence on the Subject Property. The Applicant intends to demolish the existing single-family residence and detached garage to accommodate construction of a new single-family residence that would encroach into the minimum required corner yard setback from Fisher Crescent Lane. Two corners of the residence would encroach the required setback. As represented in Figure 6 on the following page, the existing residence and detached garage are legally nonconforming with respect to the minimum required front yard setback from the private road easement along the west side of the Subject Property. The existing detached garage is

also legally nonconforming with respect to the minimum required side yard setback from the south property line. With the exception of the corner yard setback, the proposed improvements would comply with all other zoning regulations.

Excerpts of a current plat-of-survey, the proposed site plan, and proposed building elevations are provided below and on the following pages as Figures 6 through 11. The complete set of plans is provided in the application materials (**Attachment C**).

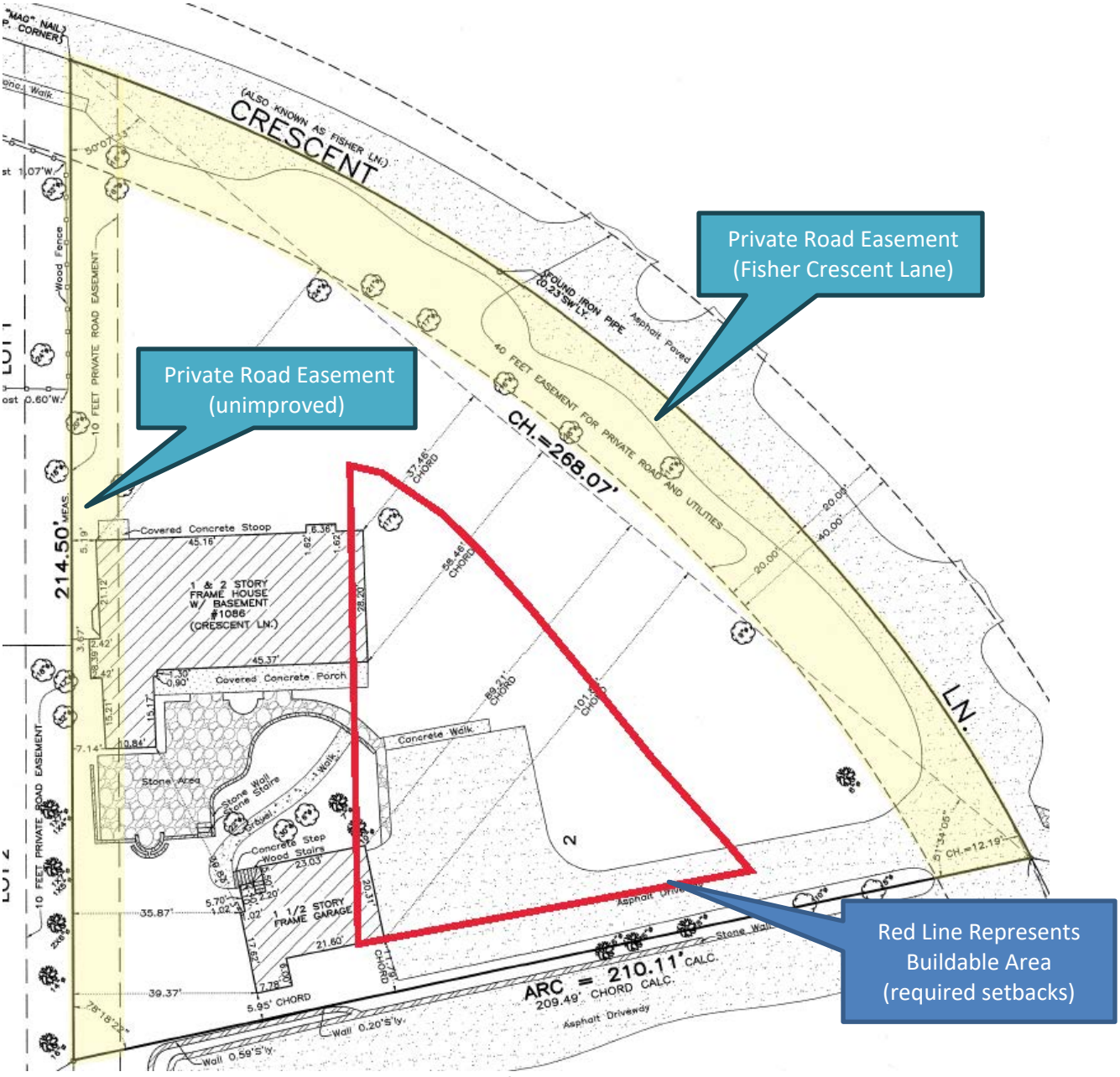


Figure 6 – Subject Property – 2025 Plat of Survey Excerpt Showing Existing Conditions

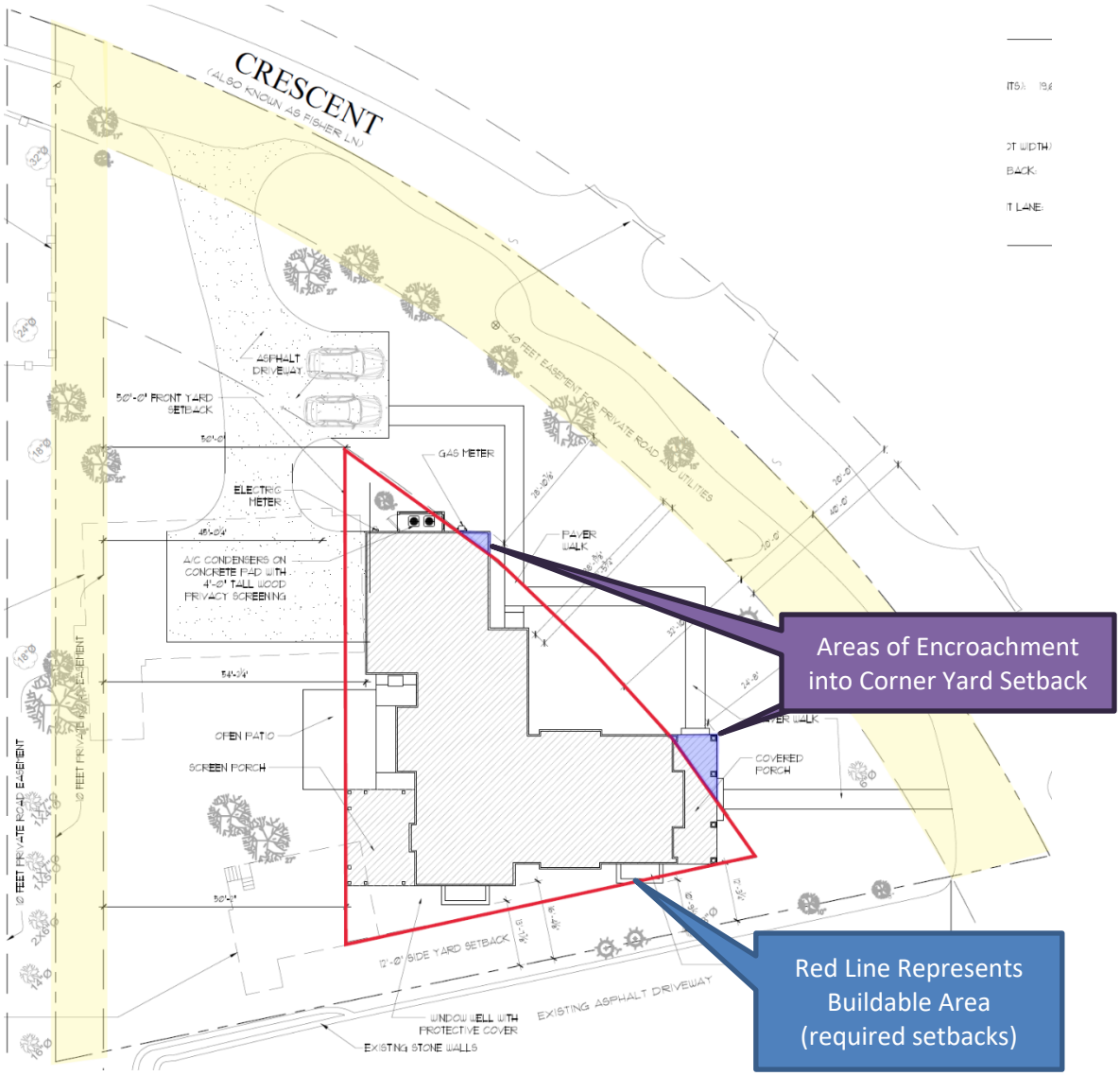


Figure 7 – Proposed Site Plan



Figure 8 – Proposed East Building Elevation (Fisher Crescent Lane)



Figure 9 – Proposed North Building Elevation (Fisher Crescent Lane)



Figure 10 – Proposed West Building Elevation



Figure 11 – Proposed South Elevation

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (**Attachment B**). Based on the proposed plan, and the Subject Property currently being developed, the site would likely be required to provide additional stormwater detention volume. However, a final determination will be made by Village Engineering staff upon submittal of the permits necessary for the proposed improvements, which are required to comply with Village stormwater regulations. Figure 12 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain.



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 (**Attachment A**). One variation is being requested to allow the proposed residence to provide a corner yard setback from the eastern private road easement (Fisher Crescent Lane) of 24.67 feet, whereas a minimum setback of 32.92 feet is required. As noted earlier in this report, the property contains an unimproved 10-foot private road easement, the outermost limits of which is defined as the front lot line. As a result, the Subject Property is a corner lot.

FINDINGS & RECOMMENDATION

Section 17.60.040 of the Zoning Ordinance lists eight variation standards that the ZBA 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 variation. 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 variation granting:

A. **Corner Yard Setback** of 24.67 feet, whereas a minimum of 32.92 feet is required, a variation of 8.25 feet (25.06%) [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 variation requested is **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required pursuant to Section 17.60.050 of this Code **have been met [have not been met]** in connection with this variation application **[subject to the following conditions…]**

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

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

ATTACHMENTS

Attachment A: Zoning Matrix
Attachment B: Stormwater Matrix
Attachment C: Application Materials
Attachment D: Public Correspondence

ZONING MATRIX					
ADDRESS: 1086 Fisher Crescent					
CASE NO: 26-04-V2					
ZONING: R-2					
ITEM	**MIN/MAX REQUIREMENT**	**EXISTING**	**PROPOSED**	**DIFFERENCE BETWEEN PROPOSED & EXISTING**	**ZONING CODE COMPLIANCE (3)**
Min. Lot Size	25,200 SF	19, 652 SF (1)	N/A	N/A	EXISTING NONCONFORMITY
Min. Average Lot Width	115 FT	112.29 FT	N/A	N/A	EXISTING NONCONFORMITY
Min. Lot Depth	200 FT	175 FT	N/A	N/A	EXISTING NONCONFORMITY
Max. Roofed Lot Coverage	4,913 SF (1)	N/A	3,200.33 SF	N/A	OK
Max. Gross Floor Area	6,104.25 SF (1)	N/A	5,342.7 SF	N/A	OK
Max. Impermeable Lot Coverage	9,826 SF (1)	N/A	6,886.33 SF	N/A	OK
Min. Front Yard (West) (2)	50 FT (2)	N/A	50.17 FT (2)	N/A	OK
Min. Corner Yard (East)	32.92 FT	N/A	24.68 FT	N/A	**8.25 FT (25.06%) VARIATION**
Min. Side Yard (South)	12 FT	N/A	12.27 FT	N/A	OK
NOTES					
(1) Based on net lot area of 19,652 square feet. Gross Lot Area is 26,775 sq.ft., cumulative private road easement area of 7,123 sq.ft. is excluded for zoning lot purposes.					
(2) Setback to proposed residence from unused 10-foot private road easement on west side of property that serves as Front Yard.					
(3) Variation amount is the difference between proposed and requirement.					

ATTACHMENT B
Stormwater Volume Requirements for Development Sites

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

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year stormevent for both.	***Applies to 1086 Fisher Crescent.*** *The site is currently developed. Based upon preliminary review of information to date, the site would likely be required to provide additional storm water detention volume.* ***However, a final determination will not occur until engineering plans are submitted with a building permit application.***
B. New Home Construction - Previously Undeveloped Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage greater or equal to 25%.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If increase in impermeable lot coverage is less than 25%, additional storm water detention volume is not required.)	
E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)	The amount of additional required storm water detention volume is based upon: a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed by zoning that will be removed and replaced, and/or b) The amount of ILC in addition to what currently exists on the lot. The amount of required detention volume is then determined using the run- off coefficient for 100-year storm event.	

RECEIVED
DEC 0 8 2025
BY:

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. _____

Property Information

Site Address: 1086 Crescent Lane

Owner Information

Name: ROG 29 Gift Trust
Primary Contact: Brian T. O'Gara
Address: [redacted]
Phone No. [redacted]
City, State, ZIP: Winnetka, IL, 60093
Email: [redacted]
Date property acquired by owner: 05/13/2024

Architect Information

Name: WMA Studio P.L.L.C.
Primary Contact: Eamon Murphy
Address: [redacted]
City, State, ZIP: Kenilworth, IL, 60043
Phone No. [redacted]
Email: [redacted]

Attorney Information

Name: _____
Primary Contact: _____
Address: _____
City, State, Zip: _____
Phone No. _____
Email: _____

Nature of any restrictions on property: There are existing private road easements on the west side and along the boundary with Crescent Lane that curves along the east and north sides.

Brief explanation of variation(s) requested (attach separate sheet providing additional details): We are requesting a variation to reduce the front yard setback from 50' to 40.5' feet along the west side of the property - a reduction of approximately 19%.

Property Owner Signature: [redacted]
Date: 12.5.25

WMA
STUDIO

Revised 1/13/2025

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

Re: Variation Application, 1086 Crescent Lane

The applicant seeks a variation to allow a modest encroachment into the 32.8-foot setback along the private road easement that curves along the north and east sides of the property. The unusual lot geometry and easements around nearly the entire perimeter result in a significantly limited buildable area, far more restrictive than a typical lot of this size. Granting this relief will allow a reasonably scaled home to be centrally located on the site while maintaining as many existing heritage trees as possible, replacing the current structure that encroaches into the easement and sits less than 4 feet from the lot line. The outcome will provide greater light, air, and separation for neighboring properties. Supporting analysis demonstrating compliance with all required standards for a zoning variation is provided below.

1. ***The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by regulation in that zone.***

1086 Crescent Lane is a uniquely shaped parcel bounded by two private road easements. The Crescent Lane easement runs along the north and east property lines, while an undeveloped private drive easement runs along the west. Although the western easement was originally intended to serve multiple lots, no driveway was ever constructed and the area has long functioned as open yard space. Notably, the existing residence on the property—already approved for demolition—currently encroaches more than halfway into this western easement.

When the required 50-foot front yard setback is applied from both easement edges, less than 3,000 square feet of the lot remains buildable, representing approximately 15% of the total lot area after deducting easements. Even after extensive coordination with the zoning department, designating the western boundary as the front yard, and applying a combined side/corner yard setback based on average lot width, only 24.6% of the lot remains buildable. These conditions create an atypically restrictive buildable envelope for a lot of this size.

We have made every effort to design a fully compliant residence within the permitted buildable area; however, the cumulative constraints have proven too limiting, even for a modestly sized home. We are therefore requesting relief to allow the northeast corner of the front porch and the northeast corner of the proposed garage to encroach into the corner yard setback.

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

The hardship is directly attributable to the unique geometry of the lot and the private road easements that define nearly its entire perimeter. As noted, the western private road easement was never constructed and functions solely as yard area. The existing residence currently extends into this easement, further underscoring its nonfunctional and historically disregarded nature.

We are requesting approximately 8 feet, 2 inches of relief along the eastern boundary, which fronts the Crescent Lane private road easement, to allow limited projections of the front entry porch and the garage. This request represents an approximately 24.8% reduction from the required 32.8-foot corner yard setback and constitutes a reasonable and measured accommodation in light of the site's unusual, easement-driven constraints. The requested relief also enables preservation of the existing White Oak trees adjacent to the current detached garage, which are significant, healthy trees and an important natural feature of the property.

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

If granted, the requested variation will allow the new residence to be positioned more appropriately on the site. The existing structure is located deep in the western corner of the lot and encroaches into the undeveloped private road easement. Granting this relief will enable construction of a suitably scaled home that is more naturally centered on the parcel, resulting in greater separation from neighboring properties than exists today.

In addition, significant effort has been made to design and site the residence to preserve as many existing heritage trees as possible, further minimizing site disturbance and maintaining the established character of the property.

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

As noted, granting the requested variation will improve the supply of light and air to neighboring properties. The existing home is situated less than 4 feet from the western lot line, while the proposed residence will be positioned significantly farther from adjoining parcels. This relocation meaningfully increases openness, light, and visual relief for surrounding properties compared to existing conditions.

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

The hazard from fire and other damages to the property will only be decreased, because we will be able to site the new house much further from the lot line.

6. ***The taxable value of the land and building throughout the Village will not diminish.***

The variation will not affect the taxable value of the land and buildings throughout the Village.

7. ***The congestion to the public street will not increase.***

The congestion to the public street will not increase in any way, because the use is not changing. It will continue to function as a single-family residence.

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

None of these factors will be affected by the proposed variation.

Please feel free to reach out if you have any questions or require any additional information to review the requested variation.

[redacted]

Eamon Murphy
Principal, Owner
WMA Studio P.L.L.C.
[redacted]

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

PROFESSIONALS ASSOCIATED - MM SURVEY CO.

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

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

PLAT OF SURVEY

OF

THAT PART OF LOT 2 IN SUBDIVISION OF LOTS 7 AND 8 IN HUBBARD ESTATE SUBDIVISION IN THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF A LINE DRAWN FROM A POINT IN THE WEST LINE OF SAID LOT 2, 100 FEET NORTH OF THE SOUTHWEST CORNER OF SAID LOT 2 TO A POINT IN THE EASTERLY LINE OF SAID LOT 2, 101.9 FEET AS MEASURED IN A STRAIGHT LINE FROM A POINT IN SAID EASTERLY LINE OF SAID LOT 2, WHICH IS 48.1 FEET NORTH OF THE SOUTHEAST CORNER OF SAID LOT 2, IN COOK COUNTY, ILLINOIS.

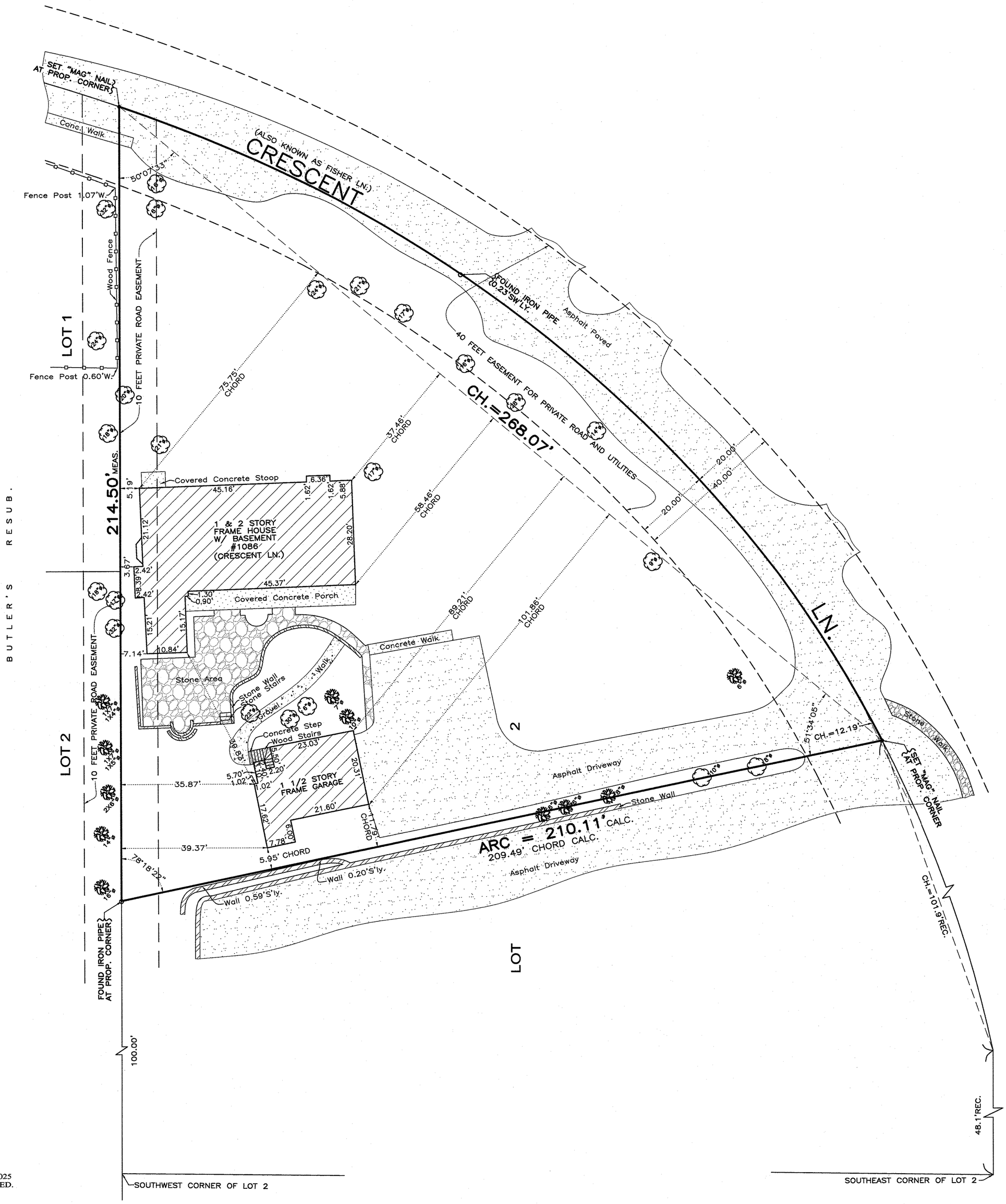
LAND TOTAL AREA (INCLUDING EASEMENT AREAS): 26,775 SQ. FT. = 0.62 ACRES.

LAND TOTAL AREA (EXCLUDING EASEMENT AREAS): 19,652 SQ. FT. = 0.45 ACRES.

COMMONLY KNOWN AS: 1086 CRESCENT LANE, WINNETKA, ILLINOIS.

NORTH

GRAPHIC SCALE
0 20
(IN FEET)
1 inch = 20 ft.



REVISION: DECEMBER 5, 2025
LAND TOTAL AREA UPDATED.

REVISION: JULY 24, 2024
TREES LOCATED ON SITE AND ADDED TO PLAT.

REVISION: JULY 12, 2024
SQUARE FOOTAGE FOR TWO EASEMENT ON SITE ADDED.

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. 24-102381

SCALE: 1 INCH = 20 FEET.

DATE OF FIELD WORK: APRIL 5, 2024

ORDERED BY: PADGITT, PADGITT & PEPPEY LTD.
ATTORNEYS AT LAW

LEGEND:
— TREE
— CONIFEROUS TREE

PROFESSIONAL LAND SURVEYOR
HYLTON E. DONALDSON
035-002819
LINCOLNWOOD ILLINOIS
STATE OF ILLINOIS

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 } 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: DECEMBER 5, 2025

[redacted]
IL. PROF. LAND SURVEYOR - LICENSE EXP. DATE: NOV. 30, 2026.
DRAWN BY: S.Z.

A New Construction for a Private Residence

1086 Crescent Ln

Winnetka, IL

DRAWING CONTENTS:

Plat of Survey
Prepared by: Professionals Associated - MM Survey Co
Contact Info: pa@professionalsassociated.com
License #:184-003023

Architectural Drawings:

Prepared by: WMA Studio P.L.L.C.
Contact info: William E. Murphy
P: [redacted]
License #: 001.024932

⚠ A 0.0 Cover Page & Site Plan
A 1.0 Basement Plan
A 1.1 First Floor Plan
A 1.2 Second Floor Plan
A 1.3 Roof Plan
A 2.0 Elevations
A 2.1 Elevations

SITE DATA:

1086 Crescent Ln, Winnetka, IL

Zoning District:	R-2
Certified Lot Area:	19,652 S.F.

Allowable Building R.L.C.:	4,913 S.F.
Total Proposed R.L.C.	3,200.33 S.F.
Allowable Building G.F.A:	6,105.75 S.F.
Total Proposed G.F.A.	5,342.7 S.F.
Allowable Impervious Surface:	9,826 S.F.
Total Proposed Impervious Surface:	6,886.33 S.F. ⚠

NOTE: Refer to sheet Z1.0-Z1.3 for detailed Gross Floor Area (G.F.A.), Roofed Lot Coverage (R.L.C.), diagrams and tabulations, and Impermeable Lot Coverage calculations.

CONTRACTOR NOTES:

SITE NOTES:

S1. The Contractor shall immediatley remove surplus excavated soil from the site upon excavation. Any and all soil needed to be retained for back fill shall be temporarily stored in stockpile areas as indicated on the plans.

S2. Contractor shall provide temporary tree protection fence as shown on plans and/or as required to control limits of construction.

S3. The Contractor shall provide a 6'-0" high chain link fence with locking gates as per the International Residential Code. The fence shall be installed around the entire perimeter of the site prior to the start of demolition work and remain in place until finished grading and landscaping begins. The gate shall be closed and locked when construction personnel are not on site.

GENERAL NOTES: BIDDERS

A. The Bidders shall thoroughly examine all drawings and specifications as required to have an understanding of the proposed project's scope of work.

B. The Bidders shall visit and examine the project site and make all necessary investigations required to inform themselves fully as to all conditions and difficulties that may be encountered in the complete execution of all work in accordance with the contract documents (drawings and specifications).

C. The General Contractor shall layout the proposed work and be responsible for all lines, elevations and measurements. The General Contractor shall exercise proper precations to verify property lines and setback lines when the proposed work abuts property lines and minimum yard setbacks.

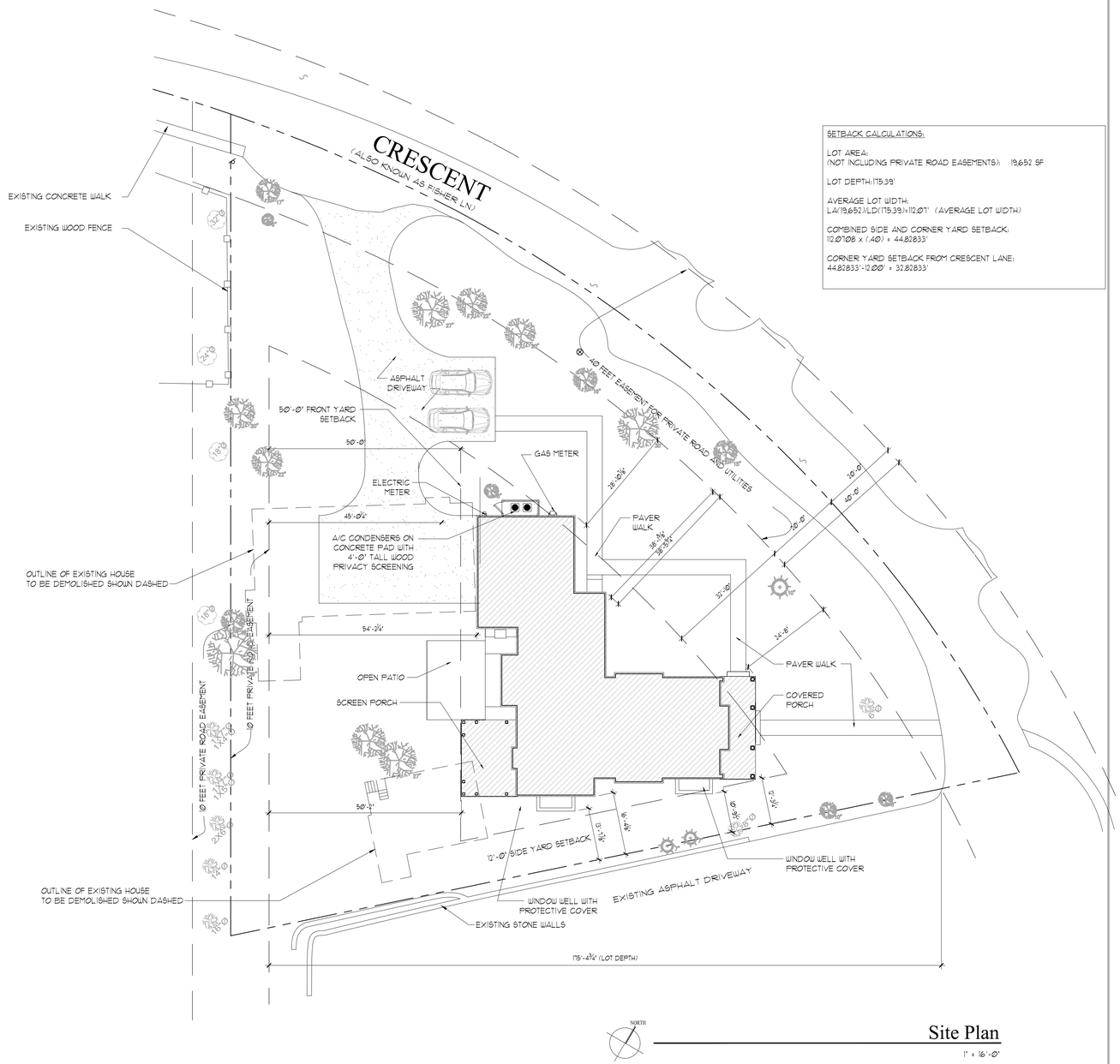
D. The General Contractor shall field verify all dimensions before and during construction and notify the Architect of all discrepancies.

E. The General Contractor shall be responsible for locating any/all underground utilities prior to the start of excavation and make good all items damaged during construction.

F. The Contractor shall provide temporary tree protection fences as required to control the limits of construction.

BUILDING CODES:

2021 International Residential Code for One and Two-Family Dwellings w/ Winnetka Amendments
2021 International Existing Building Code (IEBC) w/ Winnetka Amendments
2021 International Building Codes w/ Winnetka Amendments
2015 International Property Maintenance Code
2021 International Energy Conservation Codes w/ Illinois Amendments
2020 National Electric Code, NFPA 70
2014 State of Illinois Plumbing Code
2021 International Mechanical Codes
Radon Resistant Construction Act 420 ILCS 52
2021 International Fire Codes
2024 NFPA Life Safety Codes
2022 NFPA Publications 13, 13R, 13D, 14, 72, 855
Village of Winnetka Building Codes - September 3, 2024



Site Plan
1" = 16'-0"

SETBACK CALCULATIONS:

LOT AREA:
(NOT INCLUDING PRIVATE ROAD EASEMENTS) 19,652 SF

LOT DEPTH: 175.39'

AVERAGE LOT WIDTH:
LA/(19,652)/LD/(175.39)=112.07' (AVERAGE LOT WIDTH)

COMBINED SIDE AND CORNER YARD SETBACK:
112.0708 x (.40) = 44.82833'

CORNER YARD SETBACK FROM CRESCENT LANE:
44.82833 -12.00 = 32.82833'

DATE:

12/5/2025
VARIATION APPLICATION

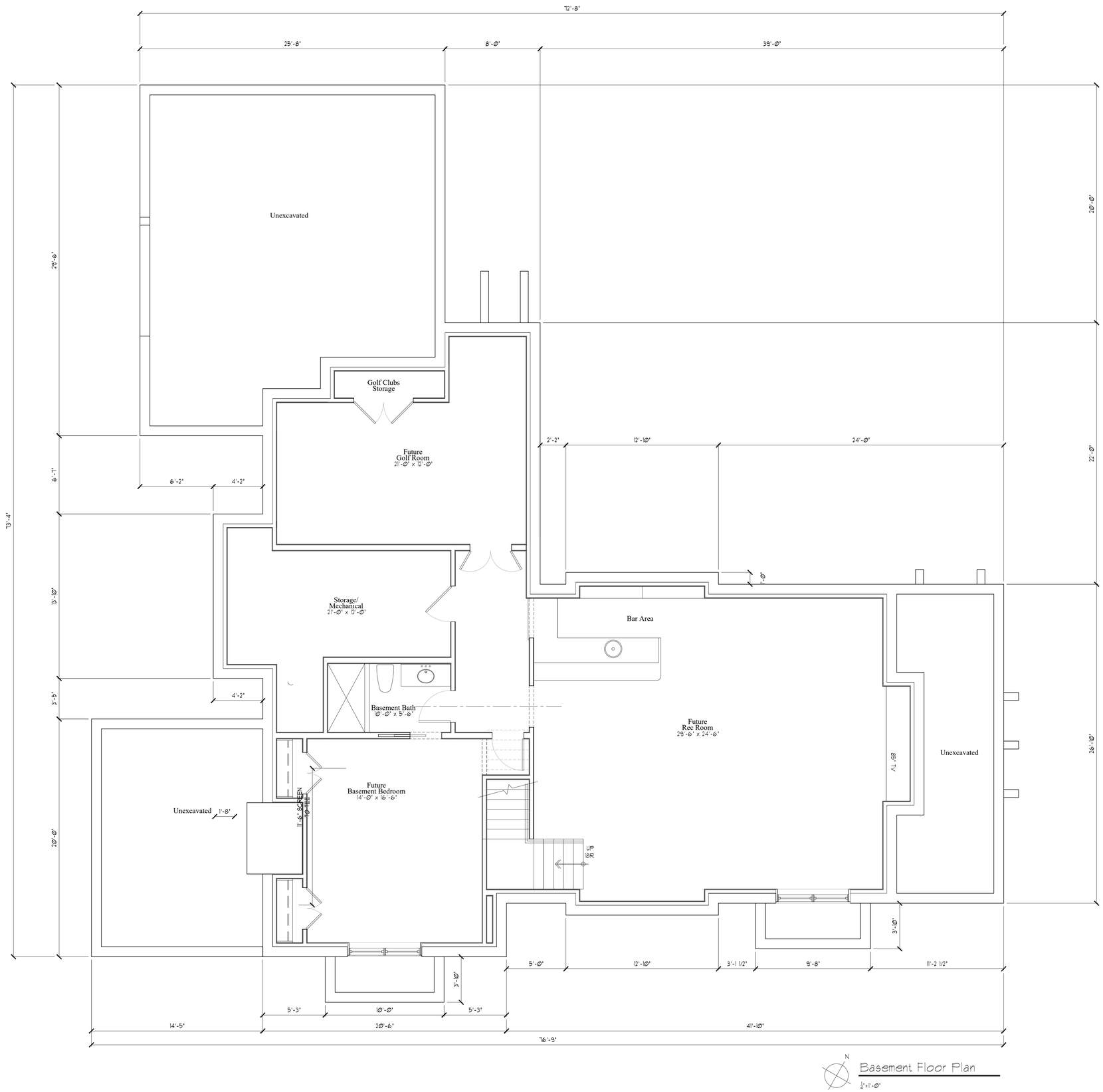
⚠ 1/13/2025
VARIATION REV. 1

WMA STUDIO P.L.L.C.
WINNETKA, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO. [redacted]

O'Gara Residence
1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:
A0.0
JOB NO.
2506



Basement Floor Plan

1/4"=1'-Ø"

DATE:

12/5/2025
VARIATION
APPLICATION

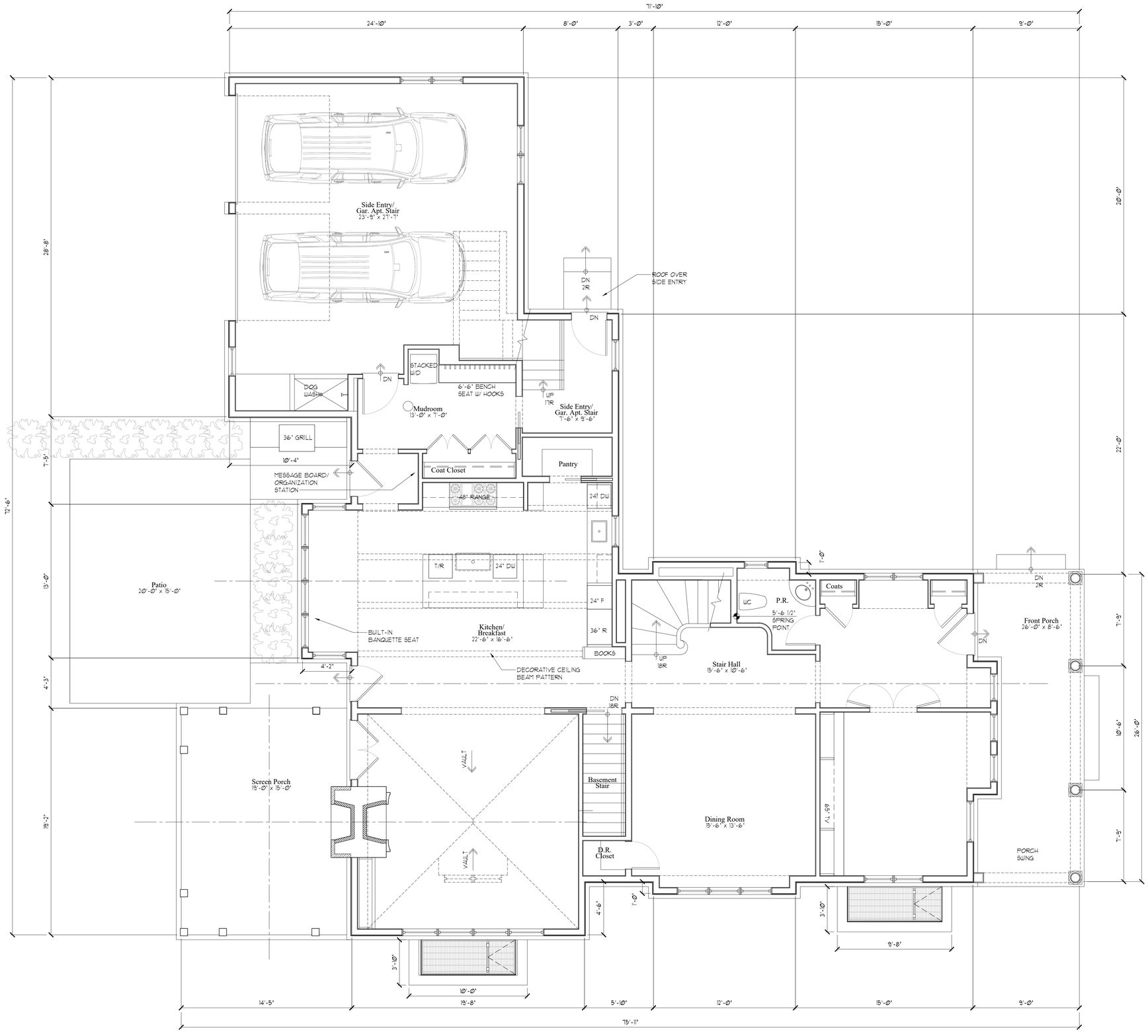
W M A S T U D I O P. L. L. C.
KENILWORTH, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO.

O'Gara Residence

1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:
A1.0
JOB NO.
2506



DATE:

12/5/2025
VARIATION
APPLICATION

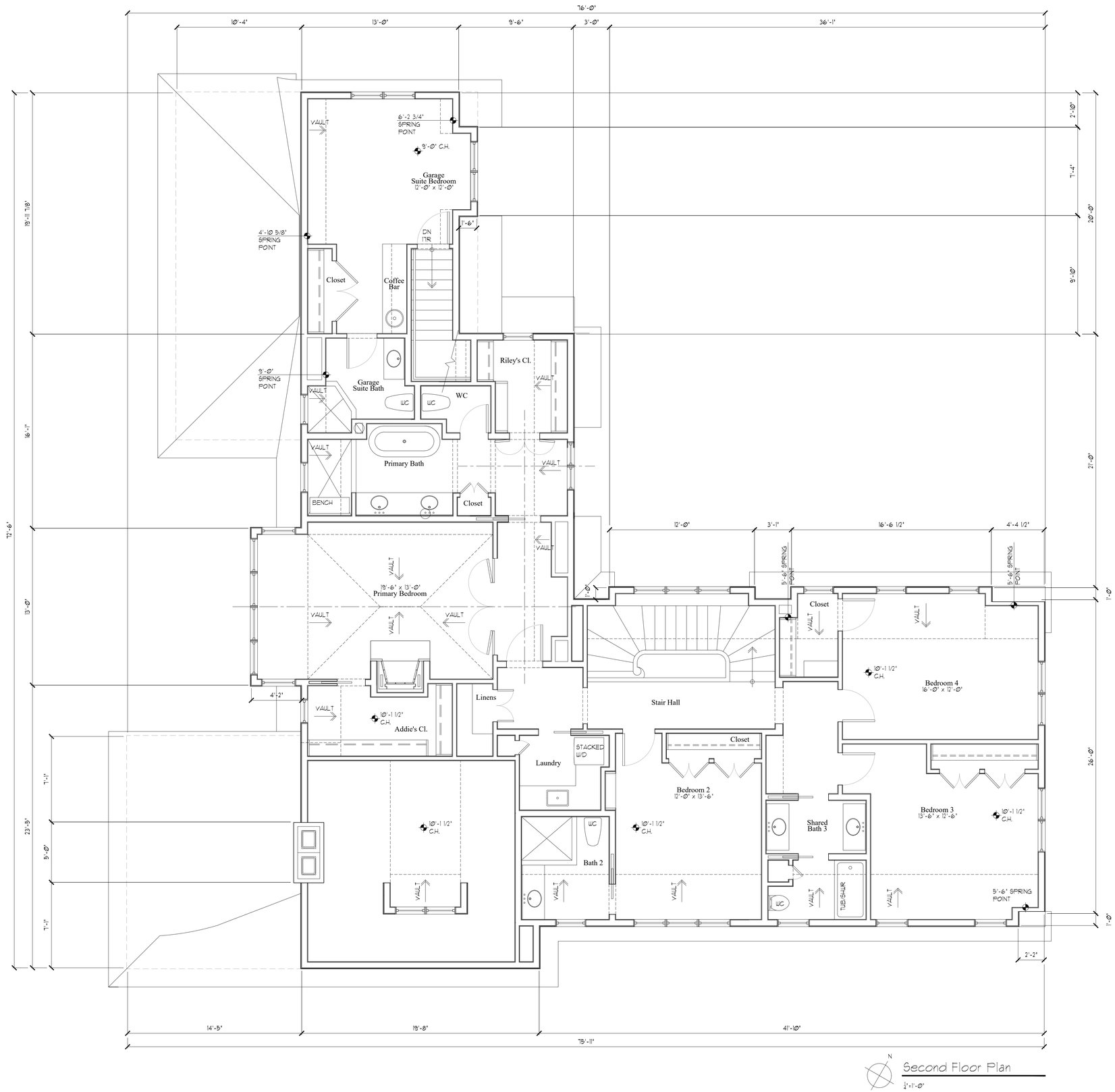
W M A S T U D I O P.L.L.C.
KENILWORTH, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO.

O'Gara Residence

1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:
A1.1
JOB NO.
2506



Second Floor Plan

1/4"=1'-0"

DATE:

12/5/2025
VARIATION
APPLICATION

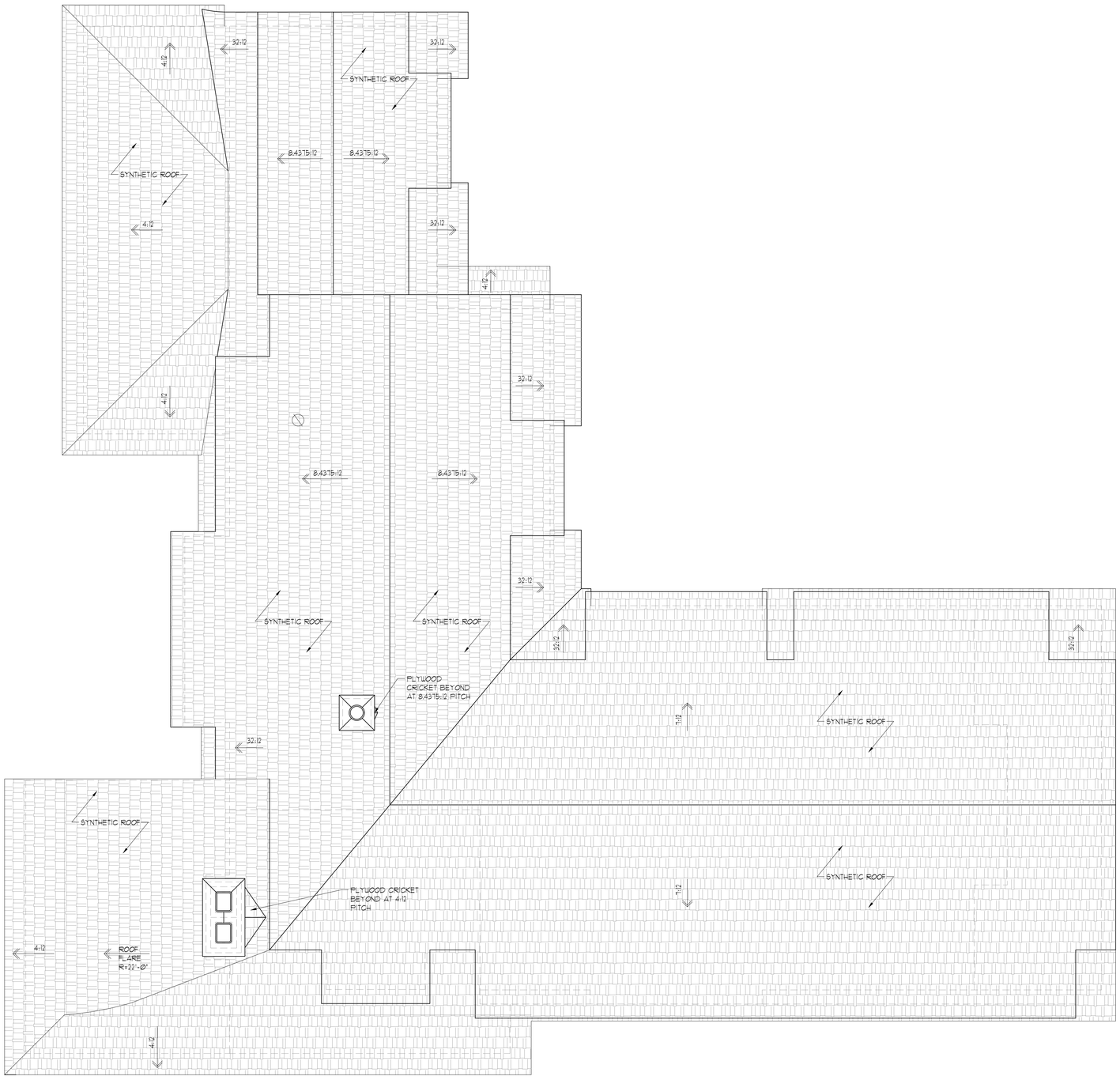
WMA STUDIO P.L.L.C.
KENILWORTH, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO.

O'Gara Residence

1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:
A1.2
JOB NO.
2506



N

Roof Construction Plan

1/4"=1'-0"

DATE:

12/5/2025
VARIATION
APPLICATION

W M A S T U D I O P. L. L. C.
KENILWORTH, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO.

O'Gara Residence

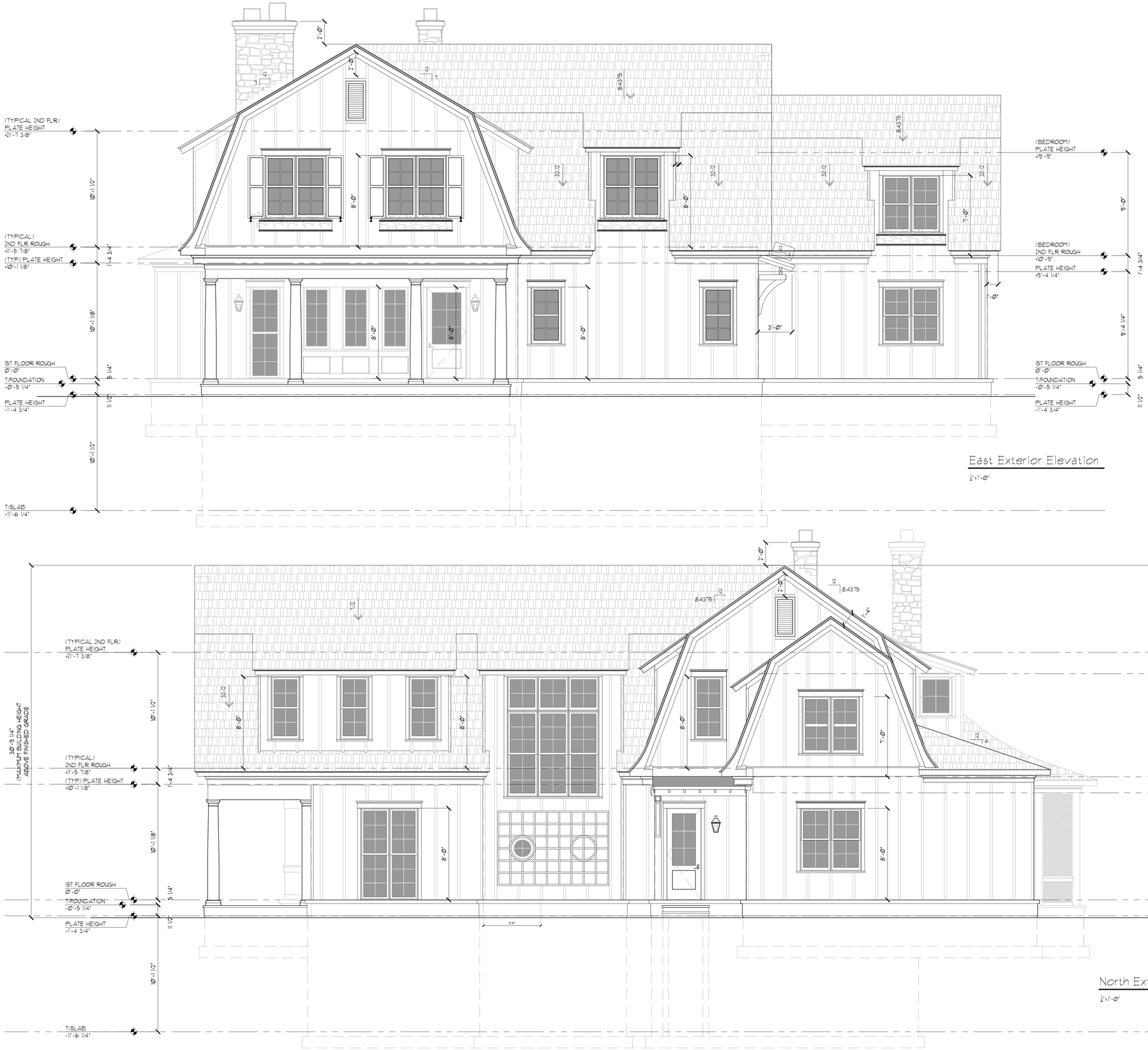
1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:

A1.3

JOB NO.
2506



DATE:

12/5/2025
VARIATION
APPLICATION

W M A S T U D I O, P. L. L. C.
KENILWORTH, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO.

O'Gara Residence
1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:
A2.0
JOB NO.
2506



West Exterior Elevation

1/4"=1'-Ø"



South Exterior Elevation

1/4"=1'-Ø"

DATE:

12/5/2025
VARIATION
APPLICATION

W M A S T U D I O P. L. L. C.
KENILWORTH, IL 60043 • (847) 420-1535 • ILLINOIS DESIGN FIRM NO.

O'Gara Residence

1086 Crescent Lane, Winnetka, IL

WMA STUDIO

SHEET:
A2.1
JOB NO.
2506

WMA STUDIO

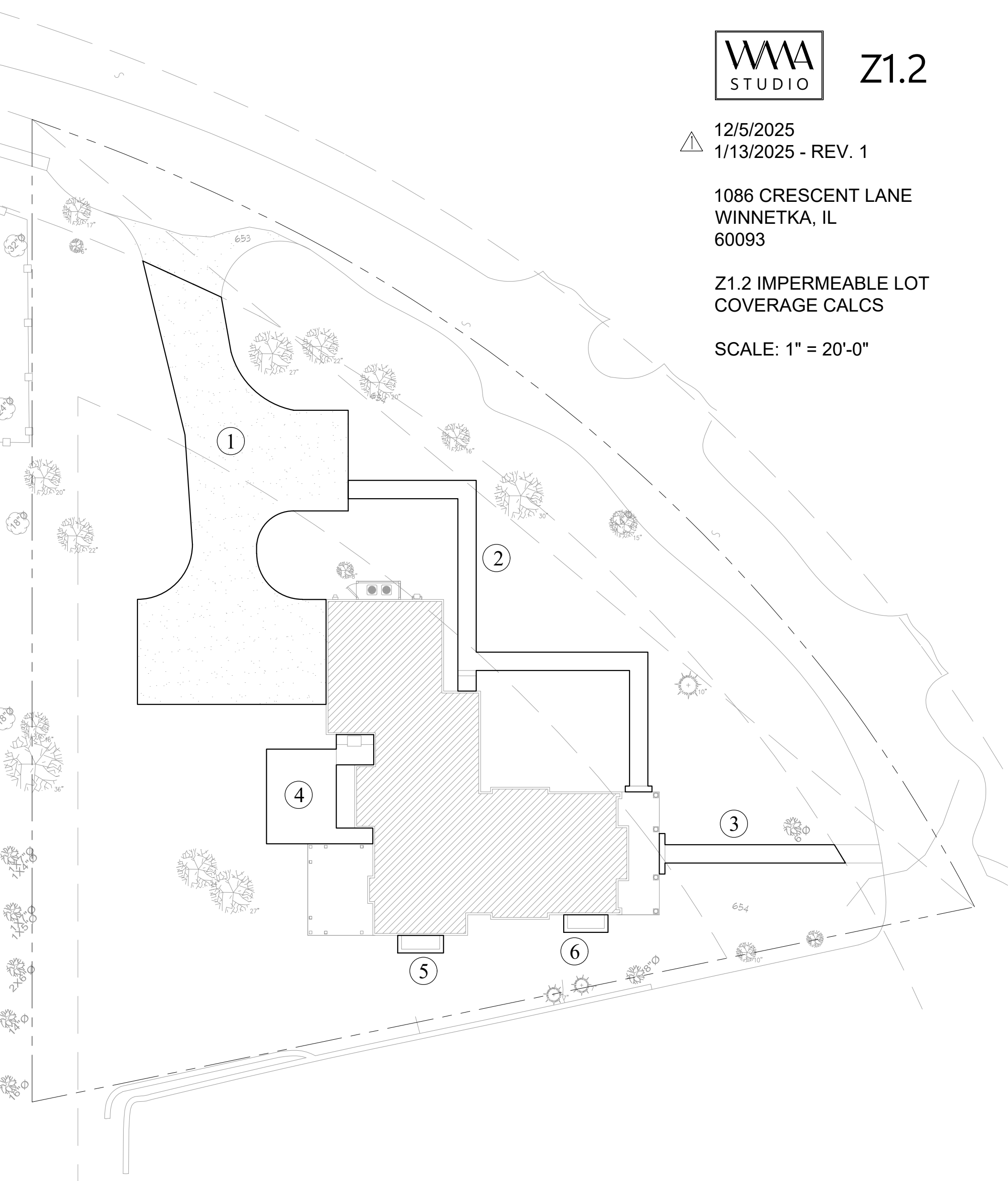
Z1.2

⚠ 12/5/2025
1/13/2025 - REV. 1

1086 CRESCENT LANE
WINNETKA, IL
60093

Z1.2 IMPERMEABLE LOT COVERAGE CALCS

SCALE: 1" = 20'-0"



⚠

IMPERMEABLE SURFACE CALCULATIONS		
KEY	DESCRIPTION	AREA
1	DRIVEWAY	2513
2	STONE PATH, STOOP	538
3	STONE PATH, STOOP	164
4	STONE PATIO	396
5	WINDOW WELL	37
6	WINDOW WELL	38
	TOTAL:	3686.00
TOTAL BUILDING LOT COVERAGE: 3,200.33		
FINAL PROPOSED IMPERMEABLE LOT COVERAGE: 6,886.33		
ALLOWABLE IMPERMEABLE LOT COVERAGE = 9,828.38		

From: [redacted]
To: Planning
Subject: comment on 1086 Crescent Lane new home construction (case #26-04-V2)
Date: Tuesday, February 3, 2026 3:21:13 PM

Some people who received this message don't often get email from [redacted] Learn why this is important

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.

Dear Winnetka Zoning Board of Appeals,

Although I believe I am, and intend to continue to be a very good neighbor, I am nevertheless writing to express my strong opposition to the “variation to provide less than the minimum required corner yard setback.... along Crescent Lane” and “any other zoning relief necessary for approval of the proposed residence” for the 1086 Crescent Lane new home construction, for reasons stemming from my deep love for the beautiful esthetic of this lovely Fisher-Crescent community and my hope that no one will ever be given permission to tarnish that beauty.

I have enjoyed residency on Fisher-Crescent Lane for 29 years. My favorite walk is around the “crescent” many times on pleasant days, and each time I marvel at the special beauty of this little section of the world, made so particularly because the homes are SET BACK from the roadway sufficiently to maintain an amazing overall feeling of openness, stillness and peacefulness that is quite unique among communities of private homes, many of which feel crowded with houses inching toward the street so they are “in your face.” Guests of mine often comment that the ambiance on my street is almost pastoral, always calming, settled, with lots of sunlight on wide front lawns. **The setback regulation is critical for creating this very wonderful effect.**

New homes must help preserve the special character of this community, not diminish it. This special character is a big part of what keeps our property values what they are in addition to contributing to the peace and quiet my neighbors and I have chosen by living here. There is plenty of space on the lot in question to contain the home within the existing required setback. I have built homes myself and I know very well that this can be accomplished if one has the willingness to do so...adjustments can always be made to fit the zoning requirements. **Furthermore, giving variances to one home builder sets a clear precedent for all builders to follow;** it would be a tragedy to have to give subsequent architects permission to disregard the regulations that have kept the character of Fisher-Crescent Lane absolutely special and beautiful for many years because a precedent had been set.

Please do not grant the requested variances and zoning relief for the 1086 Crescent Lane home construction as it is proposed. I will look forward to welcoming new neighbors warmly if they come into this community wanting to maintain its

specialness, but I will not feel kindly if they choose to immediately disregard one of its most desireable qualities...its beautiful esthetic.

Sincerely,
Lenore Blum

Lenore S. Blum, Ph.D.
Clinical Associate Professor
Northwestern University Weinberg College of Arts and Sciences
Program Director Emerita
Masters Program in Counseling Psychology
The Family Institute at Northwestern University