



# Village of Winnetka

## Zoning Board of Appeals Regular Meeting

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April 13, 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. March 9, 2026, Regular Meeting Minutes
  - b. March 16, 2026, Special Meeting Minutes
3. **Community Development Report**
4. **New Cases**
  - a. **Case No. 26-07-V2: 286 Ridge Avenue:** An application seeking approval of a zoning variation to allow construction of a swimming pool at 286 Ridge Avenue. The requested variation would permit the proposed pool to provide less than the minimum required corner yard setback from the north property line along Mt. Pleasant Street. The Village Council has final jurisdiction on this request.
5. **Old Business**
  - a. **Case No. 25-09-APL: 314 Walnut Street:** Consideration of approval of amended written findings and determination to affirm the Zoning Administrator's determination that 314 Walnut Street has a front lot line along Wilson Street.
6. **New Business**
  - a. May 11, 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](mailto:planning@winnetka.org); or by sending a letter to Community Development, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093. All agenda materials are available at [www.villageofwinnetka.org/agendacenter](http://www.villageofwinnetka.org/agendacenter).

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

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES  
MARCH 9, 2026**

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

**Zoning Board Members Absent:** None

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

**Village Attorney:** Peter Friedman

**Call to Order & Roll Call:**

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

**Public Comment:**

No comments were made at this time.

**Approval of Meeting Minutes.**

Chairman Bradley asked for a motion to approve the February 9, 2026, meeting minutes. A motion to approve the February 9, 2026, meeting minutes was made by Ms. Hanley and seconded by Mr. Ritter. A vote was taken and the motion unanimously passed, 7 to 0:

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

NAYS: None

**Community Development Report.**

Mr. Mangum stated there is no Community Development Report.

**Continued 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. This item was continued from the February 9, 2026, Zoning Board of Appeals meeting.***

Ms. Klaassen provided a summary of the prior presentation of the matter as well as a detailed summary of the Village approval process. She stated due to the fact that the property is located along Lake Michigan, it is subject to the lakefront construction ordinance and the steep slope regulations. Ms. Klaassen noted the proposed fencing is not located within the steep slope zone; it is located east of the toe of the bluff with the lakefront construction regulations giving the Village the authority to review and approve improvements along, adjacent to and within the lake that require permits from the U.S. ACOE, IDNR, MWRD and the Illinois EPA. She then summarized the Public Trust Doctrine.

1 Ms. Klaassen then identified the property's location, zoning classification and explained that public parks  
2 and recreation facilities are allowed as a special use in the R-2 district. She also noted that given the  
3 property remained under public ownership, the Lakefront Preservation Overlay District regulations  
4 currently do not apply but would apply should the ownership of any part of the public park and beach  
5 become privately owned. Ms. Klaassen referred to images of the beach in illustrations taken during  
6 various times of the year.

7  
8 Ms. Klaassen stated in response to comments made at the January 28, 2026, Plan Commission meeting,  
9 the applicant submitted an amended plan and summarized its comparison to the prior plan with the  
10 purpose of the fencing to provide an enclosure to allow dogs to be off leash year round. She described  
11 the revised fencing plan and its access to the beach. Ms. Klaassen also summarized the linear footage of  
12 the proposed dog beach and the remaining portion of the beach being used as a passive beach, as well as  
13 the intended staffing of the passive beach. She then summarized the parking on site and the policies  
14 currently in place regarding parking and the possible restrictions the Park District has suggested. Ms.  
15 Klaassen summarized the amended plan which included the addition of a west fence 4 feet in height and  
16 a gate system located 12 feet from the existing sea wall to allow the public to traverse the beach without  
17 entering the dog area. She also summarized the south fence's length and location in detail. Ms. Klaassen  
18 referred to a detailed illustration of the north fence and the ordinary high water mark and the definition  
19 of the front yard setback and the requirements in that regard. She also referred to an illustration of the  
20 south fence.

21  
22 Ms. Klaassen summarized the January 28, 2026, Plan Commission's consideration of the special use permit  
23 and its recommendation of denial. She stated the DRB is tentatively scheduled to consider a Certificate of  
24 Appropriateness at its March 26, 2026, meeting and once all three advisory bodies have completed their  
25 reviews, the Village Council would then consider the request. Ms. Klaassen summarized the Board's role  
26 in reviewing the application with the standards included on page 22 of the agenda packet. She noted the  
27 additional public correspondence that was received was distributed by email this afternoon and hard  
28 copies are provided on the dais. Ms. Klaassen stated following the applicant's presentation, public  
29 comment and Board discussion, the Board may decide to act on a recommendation to direct the Village  
30 staff and Village Attorney to prepare a draft recommendation with or without conditions and written  
31 findings and determinations for consideration at a subsequent meeting or direct the applicant or Village  
32 staff to provide additional information. She then asked if there were any questions.

33  
34 Chairman Bradley also asked if there were any questions. Ms. Hanley asked since the applicant provided  
35 the amended application, would they have to go back before the Plan Commission. Ms. Klaassen  
36 responded the Plan Commission made a recommendation of denial on the original application and were  
37 not interested in seeing an amended plan. She stated the amended plan would be presented to the DRB  
38 unless there are further changes as a result of the Board's meeting. No additional questions were raised  
39 at this time.

40  
41 Chairman Bradley asked for the applicant's presentation and swore in those speaking to this matter. Hal  
42 Francke of Meltzer Purtill & Stelle began by summarizing the conversation with regard to the amended  
43 plan and the suggestion to the Plan Commission to allow the presentation of a revised plan. He referred  
44 to the PowerPoint presentation and identified their presentation outline which included a background  
45 review of the project, applicable laws and regulations, the history of the Centennial Dog Beach, the  
46 purpose of the current project and fencing, the state of additional permits for which they have applied,  
47 address the issues that arose as a result of the Public Trust Doctrine and why the special use standards  
48 have been satisfied by the current application.

1 Mr. Francke summarized the request to install fencing to create an off leash dog beach area with the goal  
2 to allow everyone to allow their dogs to run recreationally off leash and which did not involve the need  
3 for any zoning variations. He stated they are attempting to be in conformance with the Winnetka leash  
4 law with violators being subject to fines. Mr. Francke also stated Cook County regulations require dog  
5 parks to be fully enclosed as well as for the dog beach to have a security element.

6  
7 Costa Kutulas, Winnetka Park District Director of Parks and Maintenance, began by summarizing the  
8 project plan purpose and conformance with the regulations. Mr. Francke mentioned the various Village  
9 and governing body standards. He summarized the dog beach's history, leash law adoption and the fence  
10 installation which was done six years ago. Mr. Kutulas summarized the Master Plan adoption and the  
11 creation of the Dog Beach Advisory Committee and the steps taken with regard to the dog beach location  
12 and reopening of Centennial Beach. He summarized the prior plan's consideration and the amended plan  
13 which addressed the various concerns raised.

14  
15 Mr. Kutulas referred to an illustration which outlined the number of dog beach users over various periods  
16 of time, the number of passes sold and hours of operation. He then provided information with regard to  
17 the new fence addition which would allow beach users to access the beach without traversing through  
18 the dog beach. Mr. Kutulas stated there would be a stand-alone fence system which would utilize the  
19 existing infrastructure for the proposed fences and provide for its removal during the offseason in winter  
20 months. He then described how the electronic key fob system would function and their plans to update  
21 signage.

22  
23 Mr. Kutulas described how the site on the north portion was reduced in half with the beach set to be a  
24 passive human beach without swimming as it has operated in the past. He stated they still planned to  
25 maintain parking as previously proposed and noted the subject was brought up with their Park Board. Mr.  
26 Kutulas then referred to the suggestions of special conditions being imposed in terms of parking  
27 limitations if it is determined necessary after the proposed operation had begun. He referred to  
28 illustrations of the existing dog beach, the area to be fenced off, the northern passive beach and the 12-  
29 foot bypass as well as drone images.

30  
31 Mr. Kutulas then identified the Alternate Plan 1 approved by their Park Board and included in the packet.  
32 He confirmed that in the amended plan with regard to the north fence line, they attempted to maximize  
33 the views as much as possible by following the beach contour along with the fencing and referred to  
34 several illustrations which outlined the proposal in detail. Mr. Kutulas noted the survey would be updated  
35 in the near future. He then explained several illustrations of the improvements in significant detail. Mr.  
36 Kutulas also explained how the safety concerns were addressed, which allowed them to maintain all of  
37 the required standards.

38  
39 Mr. Francke stated with regard to the Public Trust Doctrine and permit conditions issued to the owner of  
40 205 Sheridan Road and the IDNR and Village permits for the 205 Sheridan Road improvements; he referred  
41 to the reference to allowing continual public access to the shoreline. He explained how the proposed  
42 route of access made the most sense in terms of public safety. Mr. Francke then summarized the manner  
43 in which the amended plan satisfactorily responded to the special use standards and asked for the Board  
44 to recommend approval of the plan.

45  
46 Chairman Bradley asked if there were any questions for the applicant. Ms. Hanley questioned peak season  
47 usage. Mr. Kutulas provided information with regard to entry/exit for pass usage. He stated currently, on  
48 leash is required and there is signage which is not currently enforced with them exploring enforcement

1 options. Ms. Hanley asked if most Winnetka parks are considered on leash dog parks. Mr. Kutulas  
2 responded any park site with a playground did not permit dogs on leash and provided additional  
3 information with regard to on leash and off leash dog parks. He also provided information with regard to  
4 three beach sites which were considered for dog beach parks and explained the location and its  
5 involvement in terms of their Master Plan.

6  
7 Mr. Haller asked if any statistics were maintained with regard to how long a person occupied the beach.  
8 Mr. Kutulas stated the average length of user time was not specifically obtained and estimated the usage  
9 to be 1-1.5 hrs. Mr. Haller asked once the fence is installed, would it be an exclusive area for pass owners.  
10 Mr. Kutulas confirmed that is correct and provided the percentages for resident and non-resident users.  
11 He explained how the gate at the top of the bluff would be electronically controlled and would not be  
12 staffed. Mr. Kutulas further explained how the controlled access gates would operate and how authorized  
13 fob owners would access the beach. Mr. Haller asked when the steel groin at the south end was created.  
14 Mr. Kutulas estimated it may have been installed in the 1950's. He also explained how access to the stairs  
15 needed to be permitted. Mr. Kutulas added all signage would be addressed and they would work with the  
16 Village in that regard.

17  
18 Mr. Ritter asked if a fob is needed to exit. Mr. Kutulas confirmed a fob is not needed for exit. Ms. Leister  
19 referred to the modular chain link fencing and if it would extend to the high water mark. Mr. Kutulas  
20 confirmed its location. Ms. Leister asked if they considered moving the fence portion to the high water  
21 mark as it changes to preserve the view. Mr. Kutulas responded their consideration was driven by Cook  
22 County regulations for fencing and that views were part of the consideration.

23  
24 Chairman Bradley asked when was the last time a formal survey was done by the Park District in terms of  
25 feedback. Mr. Kutulas explained how their Master Plan was recently completed which included surveys.  
26 Chairman Bradley asked if they had Village feedback that an off leash dog beach is a top priority for the  
27 Park District. Mr. Kutulas explained in detail how the feedback was obtained in terms of how the dog  
28 beach evolved with it being a consistent theme as a preference from the community to identify the best  
29 location for it. He also explained how beaches are categorized and considered as passive beaches.  
30 Chairman Bradley asked if the plan is considered to be temporary in connection with the Elder Beach  
31 development. Mr. Kutulas stated they received direction from their Park Board and are still working  
32 through that concept. Chairman Bradley referred to the stairway access point which he described as a  
33 choke point. Mr. Kutulas informed the Board they planned to have attendants to mitigate any concerns  
34 with the beach being accessed by a sole staircase. Chairman Bradley stated this situation of people and  
35 dogs using the same access point would create a public safety concern issue. Mr. Francke stated in  
36 response of the 2% of people who would want the dog park, he explained the amount of caucus  
37 participants and referred to the number of people who live in the Village. He also referred to the court  
38 case which stated park districts are subject to local zoning regulations and summarized their  
39 interpretation.

40  
41 Chairman Bradley referred to an illustration of the revised proposed fence placement. Mr. Kutulas  
42 explained the reasoning for the fence placement which related to safety, requirements and maintenance.  
43 Chairman Bradley stated a special use can't be approved that requires trespass. Mr. Francke stated with  
44 regard to any concerns relating to trespassing, the Board could require it be addressed with a condition  
45 that an easement be granted. He added the access issue had already been addressed by the Village and  
46 the IDNR.

47

1 Chairman Bradley then referred to parking and questioned how the proposal would drive the increased  
2 amount of users. Mr. Kutulas responded they previously provided data submitted by Kimley Horn and  
3 described how people would walk, bike, etc. to the site. He stated it may only be a big draw initially and  
4 they would monitor it moving forward with the imposition of a condition if the Board felt it necessary. Mr.  
5 Francke and Mr. Kutulas stated the implication of conditions could be imposed after the use has been  
6 operational. Chairman Bradley questioned the timeline for the dog beach operation. Mr. Kutulas  
7 responded enforcement would be discussed with the Park Board with the intent to allow it to operate as  
8 it currently did.  
9

10 Mr. Haller asked the applicant if they considered challenges in reopening other locations for a possible  
11 dog park and beach. Mr. Kutulas responded they were given direction by their Park Board in 2022 to  
12 proceed with the plan with no instruction to consider other beach or park locations. He also referred to  
13 existing beach impediments which function similarly to fences. Mr. Francke identified neighboring  
14 communities with dog beaches with fences and noted the original plan was not withdrawn and addressed  
15 the prior concerns relating to intermingling between beach goers and dogs.  
16

17 Chairman Bradley then asked for public comment and swore in those speaking to this matter.  
18

19 Kimberly Marsh, Forest Street, stated she is a daily dog beach user and referred to the fob in compliance  
20 with regulations. She then raised concerns with having her dog on a leash going down the stairs with  
21 others and also that she is against a fence on the beach. Ms. Marsh then stated the claim that Cook County  
22 Animal Control required a fence on the beach is not a truthful statement.  
23

24 John Root, a Winnetka resident, stated for the stairs going down to the beach, you cannot step off of them  
25 since they would have railings on both sides. He stated with regard to the trespass issue; he questioned  
26 how the plan can be approved which required trespass. Mr. Root also stated the easement was previously  
27 addressed with no action taken to obtain an easement at that time.  
28

29 Angie Dahl, a 40 year Winnetka resident, identified her previous roles in Village government and  
30 summarized the application the Board is being asked to consider which is a revised application to allow  
31 fencing at Centennial Beach. She stated the reason behind the continued application for the special use  
32 permit is because of a proposed donation agreement and restrictive covenant between a private property  
33 owner and the Park District. Ms. Dahl identified the issues created by the fence installation and read the  
34 remainder of her statement into the record. She concluded by asking for the application to be denied.  
35

36 Mary Garrison, a 40 year Winnetka resident, identified her previous roles in Village government and asked  
37 for her letter in opposition to the proposal be included in the record. She stated her three main points  
38 include: (i) no fence should be installed on the beach, (ii) fence installation in the water created safety  
39 risks and (iii) and that precedent mattered. Ms. Garrison asked for the application to be denied.  
40

41 Linda Welch, a 40 year Winnetka resident, stated she is a year round user of all of the beaches and  
42 commented the fence is unwanted by the Winnetka community which she described as unsightly. She  
43 also stated it would be extremely unsafe for the reasons stated and they are unsure as to whether it would  
44 be permanent.  
45

46 Allen Welch, Willow Road, stated he is an avid beach user and previous member of the Dog Park Selection  
47 Committee. He clarified the position that they chose Tower Beach over the proposed location which  
48 would not be good for people or dogs.

1 Susie Schreiber, a 40 plus year Village resident, identified her previous positions in Village government  
2 and her concerns with regard to water levels and sand accumulation. She stated there would be safety  
3 issues with regard to the fence and water conditions. Ms. Schreiber referred to the underwater fence piles  
4 which should have been removed and suggested there be an alternative solution to share with a  
5 neighboring community. She also referred to the signage wording limitations.

6  
7 Susan Curry, 375 Hawthorn, stated she is an active dog beach user, which she described as a happy place  
8 with not a lot of accidents. She referred to documentation which showed that parks, water and sand are  
9 the best places for dogs and humans. Ms. Curry also referred to the number of people who have used the  
10 amenity over the past 30 years effectively, which has not been a concern other than the issue in  
11 connection with one property line. She stated if suggestions can be made to make it better, those options  
12 should be explored to allow people to continue to enjoy the beach.

13  
14 Dave Robertson stated he grew up in the area and having seen the proposal, he asked the Board to deny  
15 the application to create the dog park which would only benefit the adjacent neighbor.

16  
17 Peggy Martay, a 50 year Winnetka resident, stated her concerns related to safety and water levels. She  
18 also referred to the amount of time and money spent on unacceptable plans and asked for the request to  
19 be denied.

20  
21 Steve Juliesson, a 20 year Hubbard Woods resident, referred to the five years the Park District has worked  
22 with one neighbor on a plan to keep people away from his beach and the numerous people, agencies and  
23 amount of money spent on the project. He offered t-shirts to the Board which depict the Park District's  
24 efforts.

25  
26 David Stevens, a 37 year resident, stated he appreciated the Park District's attempts to address the  
27 concerns raised. He referred to the reduction in the dog beach area and little gain to the use of the other  
28 beach. Mr. Stevens then stated a comprehensive plan needed to be done which is all inclusive and which  
29 did not only relate to one portion with a full plan needed in order to move forward with the project.

30  
31 Ted Wynnychenko commented the Park District presentation included lies and half-truths and is the same  
32 presentation which was denied last year which he summarized for the Board. He stated the property  
33 owner's allowance of an easement to allow access to the beach is unlikely. Mr. Wynnychenko also referred  
34 to the dog beach's prior removal and plans to move it to Tower Beach, which he described as a better  
35 location. He concluded by questioning the Park District's true agenda.

36  
37 Katie Stevens stated that she lives on the lake and this plan is worse than the previous plan. She said the  
38 cage would be underwater and dangerous. Ms. Stevens stated no fence should be in the lake and that  
39 this would be a private fence.

40  
41 Melissa Meizel stated the proposed plan did not achieve the goal of making dogs and their owners happy  
42 and the fundamental design principles for such a facility have been embraced which she outlined for the  
43 Board. She also referred to the riparian rights language on signage. Ms. Meizel urged the Board to  
44 discourage this manner of proceeding and to deny the request. No additional public comment was made  
45 at this time.

46  
47 Chairman Bradley offered the applicant the opportunity to respond. Mr. Francke stated he understood  
48 the number of concerns raised and the process they are undertaking worked which he described to the

1 Board. He then referred to the concern related to the dog leash law change. Mr. Francke also responded  
2 to the comment relating to the dog beach needing to be totally enclosed and referred to the regulation  
3 which required a dog beach to be completely enclosed. He stated they are attempting to accommodate  
4 everyone's concerns and asked the Board to find their response reasonable.

5  
6 Chairman Bradley closed public comment, called the matter in for discussion and referred to the standards  
7 on page 22. Mr. Ritter stated with regard to all of the concerns raised by various people regarding public  
8 safety and health, that standard has not been met. He also stated he is concerned with regard to potential  
9 danger in connection with the fencing particularly when the water rose. Mr. Ritter also described the  
10 fence as unsightly and would get worse as the fence deteriorated. He added he is in favor of having a dog  
11 beach and referred to the inordinate amount of time and money spent in an attempt to get the fence built  
12 when there would only be a limited amount of users. Mr. Ritter concluded for those reasons, he would  
13 recommend denial.

14  
15 Mr. Vender stated he would be curious to hear the reactions in that the alternative plans addressed the  
16 concerns previously discussed before and how the concerns were addressed with regard to the  
17 neighboring owner. He stated there would be a logical delineation in terms of the path and although the  
18 plan design is not within the Board's purview, the proposed plan appeared incomplete in that some of the  
19 proposed structures described as temporary plans appeared disjointed. Mr. Vender stated he would first  
20 like to hear the remaining Board Members' comments.

21  
22 Ms. Leister stated she appreciated the comments made and the presentation which she described as very  
23 helpful. She stated she would lean against recommending special use permit approval and agreed with  
24 the comments in connection with standard (a) which included concerns with dogs and people using the  
25 same set of stairs, fencing in the water during high water levels, and the tight area between the rock wall  
26 and the fence during high water periods. Ms. Leister stated with regard to standard (b), the fence would  
27 have a negative visual impact for beach users although the revised plan attempted to address that  
28 concern. She stated with regard to standard (f), the trespassing issue caused by not having an easement  
29 in place should have been addressed since the issue was raised at previous meetings. Ms. Leister stated  
30 she is also concerned relative to the number of dog park users compared to the number of Village  
31 residents.

32  
33 Ms. Hanley agreed with the comments made with regard to safety issues and described the request as  
34 the tail wagging the dog with an attempt to get the dog park done on a temporary basis. She questioned  
35 the priority of the dog beach and the attempt to shoehorn it on the beach which would create safety  
36 issues. Ms. Hanley described the plan as not well thought out as part of a larger effort to increase beach  
37 access as a community. She also stated it would not benefit the general welfare of the entire community  
38 in this location and the plan as presented did not meet the first standard.

39  
40 Mr. Nielsen stated the initial plan presented by the Park District contained great items and the revised  
41 plan removed everything except for the dog beach. He stated the request felt short of all of the standards  
42 except for standard (d). Mr. Nielsen stated he would not recommend approval.

43  
44 Mr. Haller agreed with the comments made and stated the request failed many of the standards the Board  
45 is tasked to evaluate and questioned by the continued efforts to make modifications necessary to stick  
46 with this exact plan as opposed to rethinking all of the other options to satisfy dog owners in a safe manner  
47 with no obstructions on the beach or in the water. He questioned the thought process between balancing  
48 the needs of rights and enjoyment of dog owners versus the remaining 98% of Village residents. He stated

1 the request failed straightforwardly against the standards and he would not recommend approval of the  
2 request. Mr. Haller also added he did not like the precedent the request would set.

3  
4 Chairman Bradley stated he agreed with the comments made and referred to the first standard and stated  
5 while the fence would create safety in terms of the lack of safety without it, the regression to a mixed use  
6 of Centennial Beach having a north and south beach with testimony made in that the stairway would  
7 cause additional concern which would cause issues for those using the stairs. He commented he was  
8 disappointed at the revised plan since it incorporated many of the concerns previously raised by the initial  
9 plan. Chairman Bradley also stated there would be parking issues although he appreciated the Park District  
10 testimony with regard to adjustments made to the fence siting. He also stated it is currently difficult to  
11 walk the shoreline with the fence installation serving to increase safety with regard to the cliff area which  
12 he described as a thoughtful adjustment.

13  
14 Chairman Bradley stated the Board is only to review plan merits and although other locations were  
15 considered, that would not be the basis that the standards are not met and specifically referred to  
16 standard nos. 1, 2 and 5. He referred to the parking issues in connection with beach users and dog park  
17 users. Chairman Bradley stated his biggest concern related to safety and the applicant would continue to  
18 operate an off leash dog beach together with opening Elder Beach. He commented he hoped the applicant  
19 would be able to come up with a compromise by the time the request is presented to the Village Council.  
20 Chairman Bradley also referred to the previous alternative discussed to provide access at differentiated  
21 times to the beach for dog owners.

22  
23 Chairman Bradley stated it appeared there were enough votes to vote against an approval  
24 recommendation and asked the applicant if they would like to continue the matter to a future meeting to  
25 make alterations or proceed to a final vote which would include the Village Attorney preparing Findings  
26 of Fact for vote at the next Board meeting or at a special meeting. Mr. Francke responded they would  
27 prefer the Board proceed to vote.

28  
29 Chairman Bradley first asked for a quorum check for the March 16, 2026, special meeting. The Board  
30 Members discussed their availability and it was confirmed there would be a quorum. Chairman Bradley  
31 then asked for a motion to direct the Village Attorney to prepare Findings of Fact and a recommendation  
32 against approval for consideration at the March 16, 2026, special meeting. A motion as stated by Chairman  
33 Bradley was made by Ms. Hanley and seconded by Mr. Haller. A vote was taken and the motion  
34 unanimously passed, 7 to 0:

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

36 NAYS: None

37  
38 **New Cases:**

39 a. **Case No. 25-29-SD: 829 Foxdale Avenue and 833 Foxdale Avenue: An application seeking**  
40 **approval of a Final Plat of Consolidation to consolidate the two existing lots into a single lot of record,**  
41 **which requires variations to allow the existing residence at 833 Foxdale Avenue to: (a) observe less than**  
42 **the minimum required side yard setback from the northerly property line, which is due to an increase**  
43 **in the minimum required side yard setback as a result of the proposed increase in total lot area and**  
44 **increase in average lot width; and (b) not provide the required building line articulation along the north**  
45 **side building walls. The Village Council has final jurisdiction on this request. *Due to the Zoning Board of***  
46 ***Appeals' scheduled consideration of Case No. 25-28-SU, 225 Sheridan Road, Centennial Beach, this item***  
47 ***will be continued to a special Zoning Board of Appeals meeting on March 16, 2026.***

48 The agenda item was continued to the March 16, 2026, special meeting.

1        b. **Case No. 25-24-SU: Winnetka Congregational Church - 725 Pine Street:** An application seeking  
2 approval of a Special Use Permit to allow a childcare center to operate in the existing church. The Village  
3 Council has final jurisdiction on this request. *Due to the Zoning Board of Appeals' scheduled*  
4 *consideration of Case No. 25-28-SU, 225 Sheridan Road, Centennial Beach, this item will be continued*  
5 *to a special Zoning Board of Appeals meeting on March 16, 2026.*

6 The agenda item was continued to the March 16, 2026, special meeting.  
7

8 **New Business:**

9        a. March 16, 2026, Special Meeting and April 13, 2026, Regular Meeting - Quorum Check.

10 The Board Members previously discussed their availability for the March 16, special meeting, so they  
11 discussed their availability for the April 13, 2026, regular meeting.  
12

13 **Public Comments:**

14 No comments were made at this time.  
15

16 **Adjournment:**

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

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

20 NAYS: None

21 The meeting adjourned at 10:06 p.m.  
22

23 Respectfully submitted,

24 Antionette Johnson

25 Recording Secretary  
26  
27

1 **WINNETKA ZONING BOARD OF APPEALS SPECIAL MEETING MINUTES**  
2 **MARCH 16, 2026**

3  
4 **Zoning Board Members Present:** Matt Bradley, Chairman  
5 Mark Haller  
6 Kathryn Leister  
7 Mike Nielsen  
8 Michael Ritter  
9

10 **Zoning Board Members Absent:** Lynn Hanley  
11 Todd Vender  
12

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

17 **Village Attorney:** Peter Friedman  
18

19 **Call to Order & Roll Call:**

20 Chairman Bradley called the meeting to order at 7:01 p.m. Roll call was taken of the Board Members  
21 present.  
22

23 **Community Development Report.**

24 Mr. Mangum informed the Board there were no actions taken on items by the Village Council since the  
25 last Board meeting. He provided an update on 1086 Fisher and 936 Sunset as well as for Village Council  
26 consideration regarding a zoning text amendment for corner lots with three frontages.  
27

28 **Public Comment:**

29 No comments were made at this time.  
30

31 **Recommendations and Determinations:**

32 a. **Case No. 25-28-SU: 225 Sheridan Road - Centennial Beach: Consideration of approval of**  
33 **findings and recommendation of the Zoning Board of Appeals on the Special Use Permit application to**  
34 **allow installation of fencing on the existing beach at 225 Sheridan Road.**

35 Chairman Bradley confirmed there would be no staff presentation and asked for clarification that the  
36 Board Members reviewed the Findings and Recommendations included in the agenda packet and asked  
37 if there were any questions. No questions were raised at this time. He then asked for a motion to  
38 approve.  
39

40 A motion to approve the Findings of Fact was made by Mr. Nielsen and seconded by Mr. Ritter. A vote  
41 was taken and the motion unanimously passed, 5 to 0:

42 AYES: Bradley, Haller, Leister, Nielsen, Ritter

43 NAYS: None  
44

45 **New Cases:**

46 a. **Case No. 25-29-SD: 829 Foxdale Avenue and 833 Foxdale Avenue: An application seeking**  
47 **approval of a Final Plat of Consolidation to consolidate the two existing lots into a single lot of record,**  
48 **which requires variations to allow the existing residence at 833 Foxdale Avenue to: (a) observe less**

1 **than the minimum required side yard setback from the northerly property line, which is due to an**  
2 **increase in the minimum required side yard setback as a result of the proposed increase in total lot**  
3 **area and increase in average lot width; and (b) not provide the required building line articulation**  
4 **along the north side building walls. The Village Council has final jurisdiction on this request.**

5 Ms. Klaassen summarized the application to request the consolidation of two existing lots into a single  
6 lot of record and identified the property's location, zoning classification and lot size of both lots as well  
7 as the existing improvements. She referred to photos of both lots noting the applicant resided at 833  
8 Foxdale which they acquired in 2005 with the adjacent parcel purchased in 2024. Ms. Klaassen noted a  
9 demolition permit was approved by the HPC for 829 Foxdale.

10  
11 Ms. Klaassen stated the consolidation would create a single buildable lot measuring nearly 15,000  
12 square feet and the applicant planned to build an addition on the south side of the existing residence at  
13 833 Foxdale and a detached garage. She identified plans to maintain both garages during construction  
14 for storage. She noted the consolidation complied with zoning lot size standards, which she identified  
15 for the Board and noted it would create one conforming lot. Ms. Klaassen also noted if a consolidation  
16 resulted in a lot measuring more than two times the minimum lot size or more than two times the  
17 minimum required average lot width, a special use permit would be required and confirmed the  
18 application did not require a special use permit.

19  
20 Ms. Klaassen described the two necessary zoning variations in detail as a result of the consolidation and  
21 the nonconformity which would be eliminated. She summarized the Plan Commission's (PC)  
22 consideration of the request and its recommendation of denial and noted the Board is to review the  
23 request with regard to eight zoning standards. Ms. Klaassen referred to emails received in connection  
24 with the request and stated following the applicant's presentation, public comment and Board  
25 discussion, the Board may decide to either continue the matter to a date certain to allow time to  
26 address questions or comments or make a motion to recommend approval or denial of the requested  
27 variations with draft language included on page no. 187. She then asked if there were any questions.

28  
29 Chairman Bradley also asked if there were any questions. He referred to the 2x the minimum lot area  
30 and average lot width provision requiring approval of a special use permit. No questions were raised at  
31 this time.

32  
33 Chairman Bradley swore in those speaking to this matter. Chip Hackley of Hackley & Associates  
34 Architects stated he represented Stephen and Deanna Nied and described the request as a technicality  
35 in terms of the application of zoning and lot consolidation. He stated the existing home is currently  
36 nonconforming and once the lots are consolidated, larger side yard setbacks are required. Mr. Hackley  
37 summarized the plan to maintain the existing home at 833 Foxdale, remove the 829 Foxdale home and  
38 expand the 833 Foxdale home which would also eliminate a narrow shared driveway. He stated their  
39 intent is to maintain the continuity on Foxdale and a new home could result in a very large home and  
40 affect the block contextually. Mr. Hackley referred to the home's front elevation illustration and  
41 preliminary plans and described the renovation to be done to the home.

42  
43 Chairman Bradley asked if there were any questions. Mr. Nielsen asked if the consolidation assumed any  
44 further variations. Mr. Hackley responded there would be none and described the relief obtained on the  
45 south side of the property once the home is taken down. Mr. Haller referred to the existing north side  
46 elevation and home design and asked if their intent is to mimic the character in terms of the home's  
47 design elements. Mr. Hackley confirmed that is correct as well as improve some of the home's details.  
48 He also described the distance between the home and the lot line.

1 Chairman Bradley referred to the first standard with regard to whether 833 Foxdale would be able to  
2 obtain a reasonable return as well as sizes of neighboring homes which are existing nonconforming. He  
3 asked why the home could not otherwise yield a reasonable return without consolidation. Mr. Hackley  
4 responded the most important consideration in connection with reasonable return related to how the  
5 lot is used and referred to the shared driveway removal which represented a dangerous and  
6 uncomfortable situation. He also stated it is not possible to have two driveways on both lots. Chairman  
7 Bradley stated the driveway situation was not sufficiently addressed at the PC meeting. He also referred  
8 to the third standard and precedent setting on Foxdale. Mr. Hackley responded it would not set a  
9 precedent and is dependent on how it would be handled. Chairman Bradley stated their attempt is to  
10 preserve 833 Foxdale with consolidation as opposed to removing the home at 829 Foxdale and a new  
11 home being built. Mr. Hackley confirmed that is correct.

12  
13 Deanna Nied stated they have lived at 833 Foxdale for over 20 years, which she described as historic.  
14 She stated they have lived with the shared driveway situation for quite some time and were fortunate to  
15 be able to purchase the home next door which was not in good shape. Mrs. Nied stated the request  
16 would allow them to resolve the driveway situation and asked if there were any questions. No questions  
17 were raised at this time.

18  
19 Chairman Bradley asked for public comment and swore in those speaking to this matter. Andy Cripe  
20 read his comments into the record. He noted he owned the home from 2005-2015 and summarized his  
21 position to recommend approval of the request. Mr. Cripe also described the structural issues in the  
22 home and stated the uniqueness of the situation related to more than the narrow shared driveway  
23 situation which he explained as the homes' proximity and driveway slope impeded views. He then  
24 stated renovating the home to make it viable would not be practical and asked for the consolidation  
25 request be granted to allow the applicants' home to remain. Mr. Cripe then asked if there were any  
26 questions.

27  
28 Jason Alcorn stated he lived to the north of the applicants' home and agreed the homes on Foxdale are  
29 tight and nonconforming. He stated as long as nothing else on the property changed, he had no problem  
30 with the home. Mr. Alcorn agreed with Mr. Cripe's analysis of the home and with regard to meeting the  
31 standards, otherwise allowing a new home to be built on 829 Foxdale would create an encumbrance  
32 with regard to the homes' proximity as opposed to allowing it to remain a vacant lot.

33  
34 Evan Meister, 825 Foxdale, stated he is a commercial builder in Chicago and with regard to preservation  
35 and neighborhood character, he described the applicants as neighborhood stewards. He referred to the  
36 street's character and described it as an eclectic street. Mr. Meister stated if the request is not  
37 approved, the lot would end up in the hands of a spec developer which would not contribute to  
38 neighborhood character. He stated the request would improve the neighborhood.

39  
40 Christina Cripe, former 829 Foxdale resident, stated she agreed with the comments made and the  
41 request would contribute to the town's overall aura and asked for the consolidation to be approved. No  
42 additional comments were made at this time.

43  
44 Chairman Bradley called the matter in for discussion and referred to the standards the Board is to  
45 consider. Mr. Haller stated after having reviewed the standards, he referred to the first two standards in  
46 particular and referred to the 829 Foxdale home which is in disrepair and requires substantial expense  
47 to repair. He stated if it is removed and a new home built, there would be a challenge in terms of the  
48 shared driveway. Mr. Haller stated there are unique circumstances with regard to both properties and

1 the consolidation would not otherwise physically change anything on the street. He stated the  
2 alternative to tear down both homes and build a new home would result in a risk to the neighborhood  
3 character and he would lean toward recommending approval.  
4

5 Mr. Ritter agreed with Mr. Haller's comments and added the home would be attractive with the  
6 addition of green space. He stated given the alternative and while the first two standards were not  
7 clearly met, he would be in favor of recommending approval. Ms. Leister stated her initial thought was  
8 not to recommend approval in connection with the second standard and that the addition would change  
9 the character of the locality. She stated after hearing the testimony, the 8-foot driveway is tighter than  
10 is more typically seen and with the plan to maintain the existing home's character and the neighbors'  
11 comments, she would be in favor of the request.  
12

13 Mr. Nielsen referred to three particular standards and the written comment received and determined  
14 there are three options including tearing down both homes which would result in one large home out of  
15 character for the neighborhood, tear down one home to allow 833 Foxdale to have a larger lot or the  
16 proposed plan. He stated the proposed plans for the home made a big difference for him and while the  
17 home would be larger, hearing the public comment with regard to the shared driveway and safety  
18 issues, he would be in favor of the request. Mr. Nielsen concluded the proposal is by far the best option.  
19 Chairman Bradley stated with regard to the zoning relief requested, he would be in support of the  
20 request although the reasonable return standard is difficult to meet and referred to the amount of  
21 homes which do not have driveways.  
22

23 Chairman Bradley then asked for a motion to recommend approval as noted on page 12. A motion as  
24 stated by Chairman Bradley was made by Mr. Nielsen and seconded by Ms. Leister. A vote was taken  
25 and the motion unanimously passed, 5 to 0:

26 AYES: Bradley, Haller, Leister, Nielsen, Ritter

27 NAYS: None  
28

29 **b. Case No. 25-24-SU: Winnetka Congregational Church - 725 Pine Street: An application seeking**  
30 **approval of a Special Use Permit to allow a childcare center to operate in the existing church. The**  
31 **Village Council has final jurisdiction on this request.**

32 Ms. Klaassen stated the request is for an amendment to a special use permit to lease space in the  
33 existing church to Jumpstart Early Learning Services to operate a childcare center. She noted the existing  
34 special use permit was granted in 1998 which she described to the Board. Ms. Klaassen identified the  
35 property's location, zoning classification and existing improvements as well as a limited range of  
36 additional uses. She then referred to existing site photos and employees and students which would  
37 occupy the space. Ms. Klaassen noted the proposed plan did not include any building or parking lot  
38 expansion or playground with an amendment needed to the special use if a playground is proposed in  
39 the future. She stated the applicant received preliminary DCFS approval and DCFS required final  
40 approval by the Village and minor facility modifications. Ms. Klaassen identified staff parking and noted  
41 a traffic impact study was prepared by Gewalt Hamilton and provided in the application materials. She  
42 then read the recommendations provided by the Village Engineer.  
43

44 Ms. Klaassen summarized the PC's consideration of the request with a recommendation of approval and  
45 conditions. She also identified the six special use standards the Board is to consider and stated following  
46 the applicant's presentation, public comment and Board discussion, the Board may decide to continue  
47 the matter to a date certain or provide a recommendation with draft language included on page nos.  
48 216 and 217. Ms. Klaassen then asked if there were any questions.

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

2  
3 Chairman Bradley swore in those speaking to this matter. Amy Falkowski presented the request on  
4 behalf of the applicant and clarified the special use application request is for a day care and not a pre-  
5 school. She summarized the church's history and how they have participated in the community. Ms.  
6 Falkowski stated they discussed the proposed plan with the neighbors and had a traffic study  
7 performed. She added they are prepared in terms of traffic with regard to the proposed use. She then  
8 stated the request is in response to the community's needs and is in response to the Comprehensive  
9 Plan.

10  
11 Ms. Falkowski stated in response to the questions raised, she explained the capacity in terms of children,  
12 teachers and size of the space. She referred to an illustration and described the entrance, security  
13 systems and traffic flow pattern. Ms. Falkowski also explained their hours of operation and noted a  
14 playground is not a DCFS requirement. She also explained the parking spaces which would be occupied  
15 by the minimal number of employees. Ms. Falkowski added the drop-off and pickup process is efficient  
16 and has been successfully implemented in their other locations. She outlined the minor interior changes  
17 to be done to accommodate the use. Ms. Falkowski stated the proposed use would bring neighborhood  
18 vitality, jobs and increased business patronage. She also informed the Board that DCFS reviewed the  
19 building and indicated once the minor modifications have been approved, they would provide their final  
20 approval.

21  
22 Ms. Falkowski explained the traffic study conducted in the neighborhood which determined there would  
23 be no significant impact during heavy traffic hours. She outlined how the circular driveway would be  
24 used and that signage would be installed to direct traffic with directions also provided to parents. Ms.  
25 Falkowski referred to the findings that there would be very little change in terms of traffic and provided  
26 additional information in terms of staging and preparation in terms of pickup and drop-off. She stated  
27 there would be no issues in terms of utility usage and confirmed there would be no changes outside.  
28 Ms. Falkowski reiterated the need for daycare in the Village and asked if there were any questions.

29  
30 Chairman Bradley also asked if there were any questions. Mr. Haller asked if they anticipated if at  
31 capacity whether they would be able to transition vehicles without a queue. Ms. Falkowski confirmed  
32 that is correct and explained how the queue would operate as well as the anticipated traffic pattern. Mr.  
33 Nielsen questioned the increase in the number of children from 8 to 64. Ms. Falkowski confirmed the 64  
34 figure represented DCFS capacity. She also explained their response to Lincoln Avenue which was not  
35 addressed in the traffic study as well as the traffic flow from Green Bay Road. Ms. Falkowski confirmed  
36 they would address any issues that arise and confirmed there have been no complaints in terms of  
37 Sunday traffic.

38  
39 Victor Cuebas explained the admission and application process to the Board and noted the application  
40 included preferred drop-off and pickup times. Chairman Bradley referred to the first standard and  
41 questioned the applicant's background and verification process which Mr. Cuebas explained in detail to  
42 the Board. Mr. Haller questioned the involvement of those higher in the organization than the applicant.  
43 Mr. Cuebas explained they have a corporate office to which they report. No additional questions were  
44 raised at this time.

45  
46 Chairman Bradley asked for public comment and swore in those speaking to this matter. Dave  
47 Robertson stated he is a church member and is familiar with the parking lot, the lots which were built

1 and their usage. He stated double parking may be the only issue with the main issue related to the  
2 existing parking lot off Prospect.

3  
4 Colleen Root stated she is also a church member and described her route to the church used several  
5 times daily. She stated the traffic patterns can be managed and commented on her pleasure in terms of  
6 how the special use application was handled. No additional comments were made at this time.

7  
8 Chairman Bradley called the matter in for discussion. Mr. Ritter stated the primary impediment to him  
9 with regard to the standards related to the traffic and parking issue and referred to the applicant's  
10 attempts to address the issues. He stated he had no problem with the request. Ms. Leister agreed with  
11 Mr. Ritter's comments and stated her only concern related to traffic and parking. She stated the correct  
12 analysis had been done and the situation would not be made worse than it is currently. Mr. Nielsen  
13 referred to the standards related to parking, access roads and properties in the immediate vicinity and  
14 the access off Prospect and Lincoln that he is fine with. He stated with regard to standard (d) relating to  
15 parking and congestion, he referred to the Community House and nursery school and the number of  
16 children and drop-off. Mr. Nielsen also referred to the existing amount of traffic from Pine off of Green  
17 Bay Road and questioned the impact of both schools doing drop-offs at the same time.

18  
19 Mr. Haller stated he is also familiar with the church and its activities. He referred to difficulties with the  
20 circular driveway and the ability of users to navigate the circumstances. Mr. Haller stated he is minimally  
21 concerned with the amount of traffic from Pine to Green Bay Road and the ability of the church to deal  
22 with issues as they come up. He stated the use would definitely benefit the community and concluded  
23 he would be in favor of the request. Chairman Bradley informed the Board of the PC's discussion with  
24 regard to the need for additional daycare solutions and collaboration. He stated he is also concerned  
25 with regard to the traffic chokepoint and referred to traffic flow requirements being addressed prior to  
26 Village Council approval in terms of how traffic flow and communication with parents would be  
27 navigated. Chairman Bradley concluded that otherwise the standards have been met and asked for a  
28 motion to recommend approval of the special use request as indicated on page 216.

29  
30 A motion as stated by Chairman Bradley was made by Mr. Haller and seconded by Mr. Nielsen. A vote  
31 was taken and the motion unanimously passed, 5 to 0:

32 AYES: Bradley, Haller, Leister, Nielsen, Ritter

33 NAYS: None

34  
35 **New Business:**

36 a. April 13, 2026, Meeting - Quorum Check

37 The Board Members discussed their availability.

38  
39 **Adjournment:**

40 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Mr. Ritter and  
41 seconded by Ms. Leister. A vote was taken and the motion unanimously passed, 5 to 0:

42 AYES: Bradley, Haller, Leister, Nielsen, Ritter

43 NAYS: None

44 The meeting adjourned at 8:58 p.m.

45  
46 Respectfully submitted,

47 Antionette Johnson

48 Recording Secretary



# MEMORANDUM VILLAGE OF WINNETKA

## COMMUNITY DEVELOPMENT DEPARTMENT

**TO:** ZONING BOARD OF APPEALS  
**FROM:** CHRISTOPHER MARX, ACIP - ASSOCIATE PLANNER  
**DATE:** APRIL 9, 2026  
**SUBJECT:** 286 RIDGE AVENUE - VARIATION (CASE NO. 26-07-V2)

### INTRODUCTION

On April 13, 2026, the Zoning Board of Appeals ("ZBA") is scheduled to hold a public hearing on an application submitted by Jim and Julie Murphy (collectively, the "Applicant"), as the owners of the property located at 286 Ridge Avenue (the "Subject Property"). The Applicant requests approval of the following zoning variation to allow construction of a swimming pool on the Subject Property:

1. **Corner Yard Setback** of 13 feet from the north property line along Mt. Pleasant Street, whereas a minimum of 28.12 feet is required, a variation of 15.12 feet (53.77%) [Section 17.30.050 – Front and Corner Yard Setbacks].

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 March 26, 2026. As of the date of this memo, staff has not received any written comments from the public regarding this application.

***The Village Council has final jurisdiction on this request, as only the Council has the authority to grant a variation to reduce a corner yard setback for a swimming pool.***

### PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.43 acres in size, is located on the southwest corner of the intersection of Ridge Avenue and Mount Pleasant Street and contains an existing two-and-a-half-story residence with an attached garage (see Figure 1). The property is zoned R-4 Single Family Residential and is bordered by R-3 Single Family Residential to the west, R-4 Single Family Residential to the north and south, and R-5 Single Family Residential to the east, on the other side of Ridge Avenue (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The R-4 zoning of the property is consistent with the Comprehensive Plan.

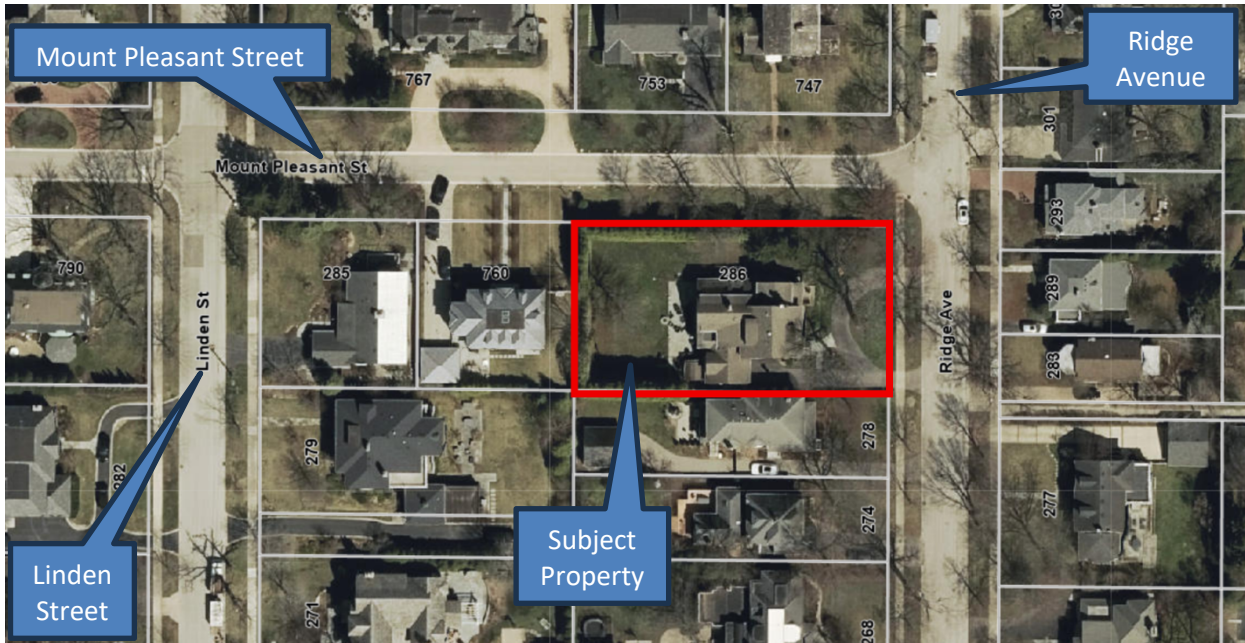


Figure 1 – GIS Aerial Map

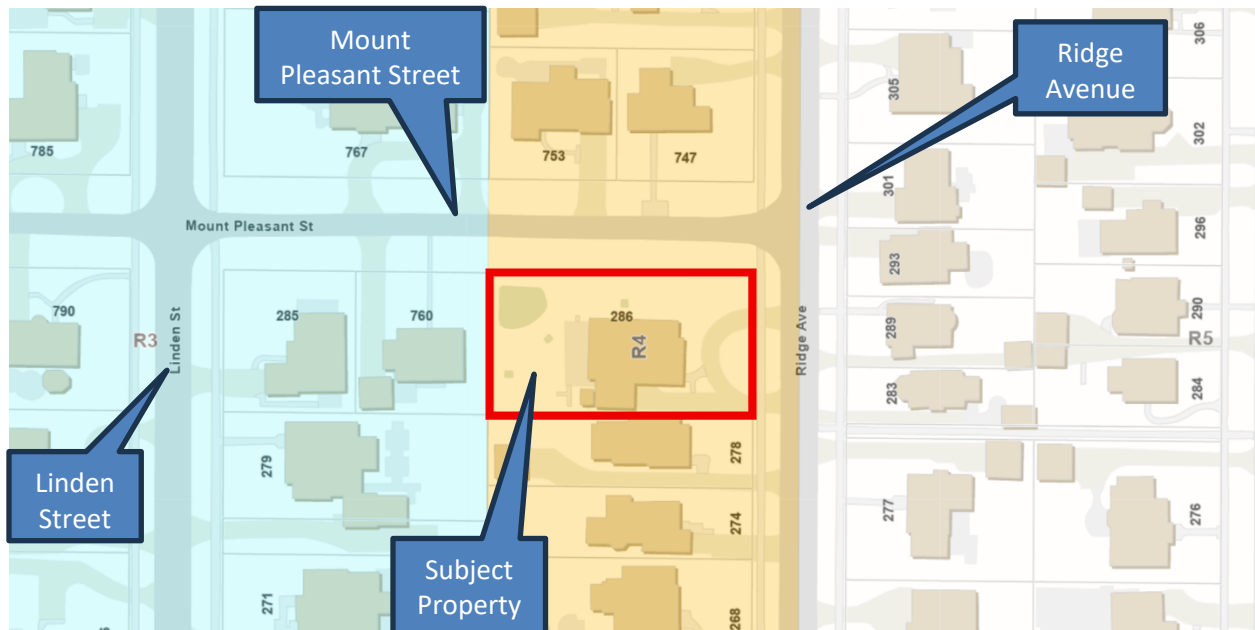


Figure 2 – Zoning Map

**PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS**

The existing residence was constructed in 1897. Subsequent building permits were issued in:

1. 1922 – Construct an attached garage;
2. 1925 – Alter a two-story residence;
3. 1941 – Alter and add to residence;
4. 1954 – Alter, move and repair a one-story tool house;
5. 1968 – Remodel interior of residence;
6. 1986 – Remodel room and add two small additions to existing residence;
7. 1992 – Build addition and interior remodel of residence;
8. 2001 – Build circle driveway; and

9. 2021 – Build a deck;

Other minor permits have also been issued over the last several years. The Applicant acquired the property in 1998. There is one previous zoning case on file for the Subject Property. In 1987, ZBA Case No. 1373 was denied by the Village Council; the requested variation would have allowed a fence to encroach into the required 25-foot setback from a street intersection.

Figures 3 through 6, below and on the following page, are current photos of the Subject Property.



**Figure 3 – Subject Property - Northeast Corner Elevation**



**Figure 4 – Subject Property – North Elevation Along Mount Pleasant Street**



**Figure 5 – Subject Property - North Elevation Along Mount Pleasant Street**



**Figure 6 – Subject Property - Northwest Corner Along Mount Pleasant Street**

#### **PROPOSED PLAN**

The variation is being requested in order to install an in-ground swimming pool on the Subject Property. The Applicant intends to construct a pool that is approximately 609 square feet in area on the northeast corner of the property that would encroach into the required corner yard setback along Mount Pleasant

Street. The pool equipment would be located along the north face of the residence in a location that complies with the required corner yard setback. The proposed pool and equipment pad would increase the property's impermeable lot coverage by approximately 649 square feet.

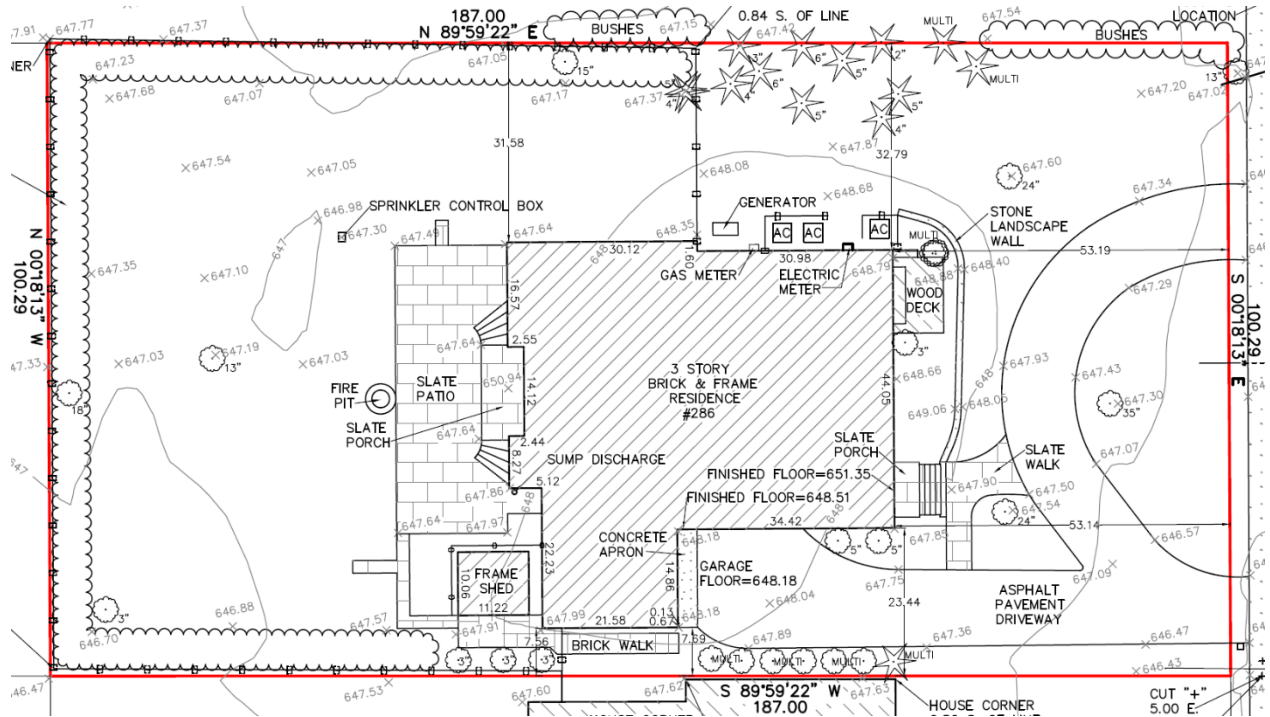
In the application materials provided in **Attachment C**, the Applicant explains that locating the proposed swimming pool further north, and encroaching into the required corner yard setback, would allow for the preservation of a mature tree located in the center of the home's rear yard. The Applicant explains that locating the pool further south, in compliance with the required corner yard setback, would require the tree's removal. After reviewing the application materials, the Village Forester commented that the tree is a semi-mature oak tree in good condition and that based on the proposed plan it appears the pool would be approximately 18-20 feet from the base of the tree, which is an adequate distance to preserve the tree. The Village Forester also noted that he would not recommend the pool be any closer than approximately 15 feet from the tree to account for over-dig.



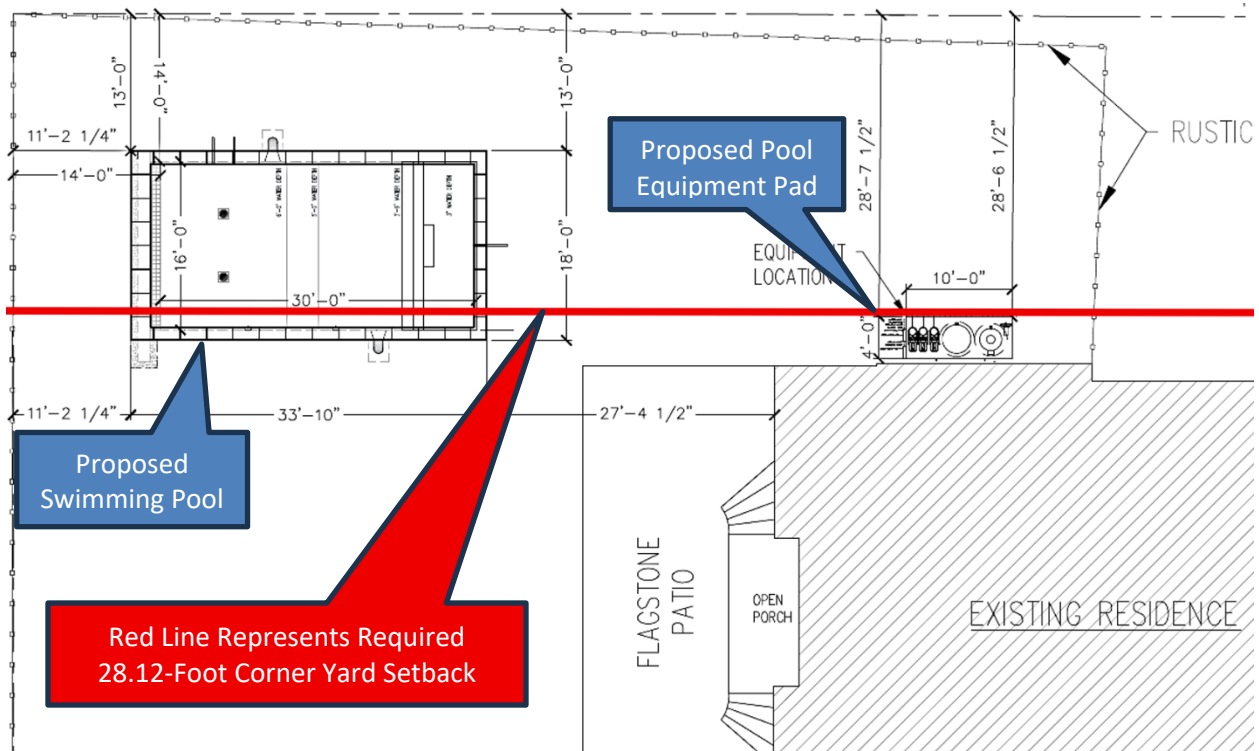
**Figure 7 – Subject Property - Northwest Corner with Proposed Pool Location and Existing Oak Tree**

With the exception of the requested variation, the proposed improvements would comply with the Village's zoning requirements. Any approved building permit would need to include plans for the required fence enclosure of a swimming pool.

A current plat-of-survey is provided on the following page as Figure 8 and an excerpt of the proposed site plan is provided as Figure 9. The complete set of plans is provided in the application materials (**Attachment C**).



**Figure 8 – Subject Property – 2025 Plat-of-Survey Showing Existing Conditions**



**Figure 9 – Proposed Site Plan Excerpt**

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (**Attachment B**). Based on the proposed plan it appears additional stormwater detention would not be required. However, a final determination will be made by Village Engineering staff upon submittal of the permits necessary for the proposed improvements, which are required to comply with the Village stormwater regulations. Figure

10 below represents the Subject Property's proximity to the floodplain; the cyan represents the 100-year floodplain and the orange represents the 500-year floodplain.

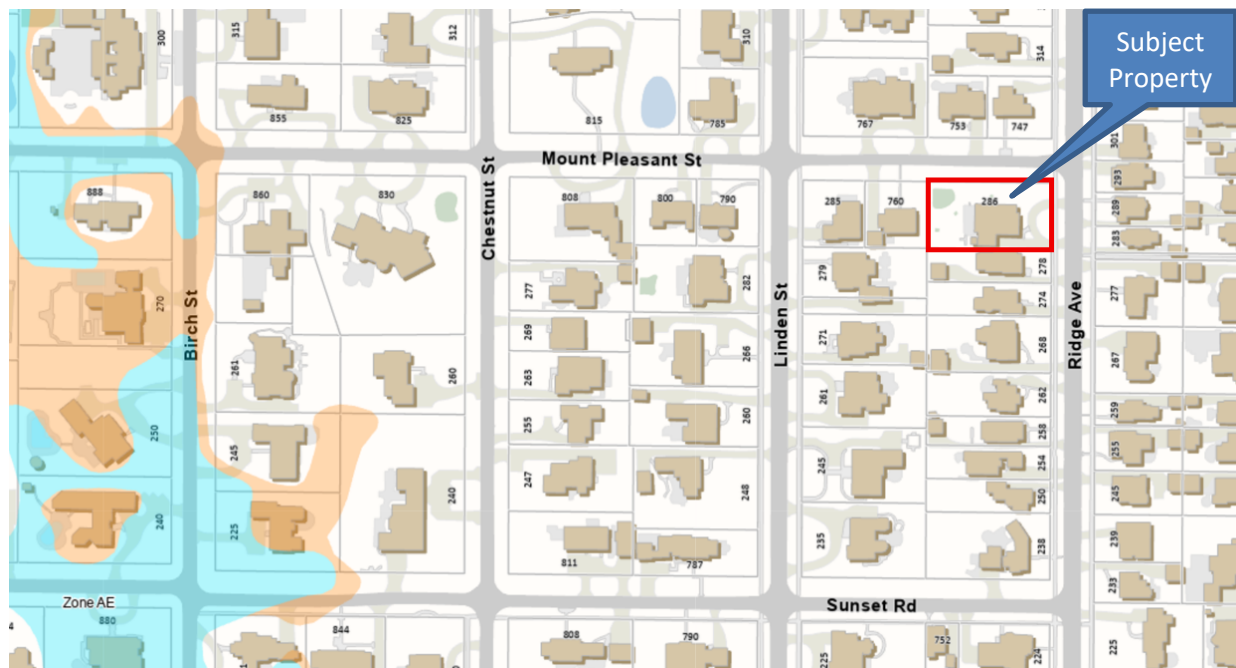


Figure 10 - GIS Floodplain Map

#### REQUESTED ZONING RELIEF

The attached Zoning Matrix highlights the existing lot and the proposed improvement's compliance with the R-4 zoning district (**Attachment A**). One variation is being requested to allow the proposed swimming pool to provide a corner yard setback of 13 feet, whereas a minimum of 28.12 feet is required, a variation of 15.12 feet (53.77%).

For reference, the Zoning Ordinance does allow swimming pools to encroach into the required rear yard, and there is no minimum required rear yard setback. In this instance the rear yard consists of the west 25 feet of the property. The proposed pool would be located 11.19 feet from the west property line.

#### 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 13 feet, whereas a minimum of 28.12 feet is required, a variation of 15.12 feet (53.77%) [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 A

<b>ZONING MATRIX</b>					
<b>ADDRESS: 286 Ridge Avenue</b>					
<b>CASE NO: 26-07-V2</b>					
<b>ZONING: R-4</b>					
<b>ITEM</b>	<b>MIN/MAX REQUIREMENT</b>	<b>EXISTING</b>	<b>PROPOSED</b>	<b>DIFFERENCE BETWEEN PROPOSED &amp; EXISTING</b>	<b>ZONING CODE COMPLIANCE (5)</b>
Min. Lot Size	13,300 SF	18,754 SF	N/A	N/A	OK
Min. Average Lot Width	70 FT	100.29 FT	N/A	N/A	OK
Min. Lot Depth	120 FT	187 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	5,063.58 SF (1)	3,101.29 SF	3,101.29 SF	0 SF	OK
Max. Gross Floor Area	5,824.04 SF (1)	N/A	N/A	0 SF	OK
Max. Impermeable Lot Coverage	9,377 SF (1)	6,565.29 SF	7,214.23 SF	648.94 SF	OK
Min. Front Yard (East - Ridge Avenue)	30 FT	45.36 FT (3)	45.36 FT (3)	0 FT	OK
Min. Corner Yard (North - Mount Pleasant Street)	28.12 FT (2)	31.58 (3)	13 FT	-18.58 FT	<b>15.12 FT (53.77%) VARIATION</b>
Min. Side Yard (South)	12 FT	7.56 FT (3)	7.56 FT (3)	0 FT	EXISTING NONCONFORMING
Min. Rear Yard (West)	25 FT	72.69 FT (3)	72.69 FT (4)	0 FT	OK
<b>NOTES:</b>	(1) Based on lot area of 18,754 square feet.				
	(2) Based on average lot width of 100.29 feet and minimum side yard setback of 12 feet.				
	(3) Setback to existing residence.				
	(4) Proposed rear yard setback to pool is 11.19 feet. A pool is a permitted encroachment into the rear yard.				
	(5) Variation amount is the difference between proposed and requirement.				

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

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

	<b>Storm Water Detention Volume Requirements</b>	<b>Applicable Requirement</b>
<b>A. New Home Construction - Previously Developed Lot</b>	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
<b>B. New Home Construction - Previously <u>Undeveloped</u> Site</b>	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
<b>C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)</b>	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
<b>D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.</b>	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<b><i>Applies to 286 Ridge Avenue. Based upon preliminary review of information to date, it appears that 286 Ridge Avenue <u>would not</u> have to provide additional storm water detention volume. However, a final determination will not occur until engineering plans are submitted with a building permit application.</i></b>
<b>E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multi-family sites)</b>	The amount of additional required storm water detention volume is based upon: 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.	

ATTACHMENT C

Village of Winnetka  
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 26-07-V2

Property Information

Site Address: 286 Ridge Ave

ZAM-VA 20250-122

Owner Information

Name: Jim & Julie Murphy

Primary Contact: Jim Murphy

Address: 286 Ridge Ave

Phone No. [REDACTED]

City, State, ZIP: Winnetka, IL 60093

Email: [REDACTED]

Date property acquired by owner: 12/7/1998

Architect Information

Name: Boilini Company

Attorney Information

Name: N/A

Primary Contact: Patrick Boilini

Primary Contact:

Address: 342 N. Fourth St

Address:

City, State, ZIP: Libertyville, IL 60048

City, State, Zip:

Phone No. 847-680-8800

Phone No.:

Email: pnb@boilini.com

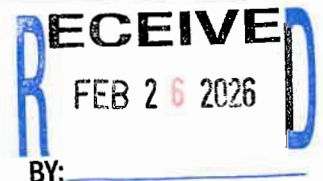
Email:

Nature of any restrictions on property: While we would prefer, from an ascetics standpoint, to build our pool centered on our house, there is a beautiful oak tree that we are trying to preserve. This location puts the pool just outside that trees drip line.

Brief explanation of variation(s) requested (attach separate sheet providing additional details): Hope is to try to preserve a beautiful oak tree. To point 1 in the standards, the tree would have to go if we could not make this move to the north. 2. The tree preservation is the unique circumstance. 3 through 8, no issues whatsoever.

Property Owner Signature: [REDACTED]

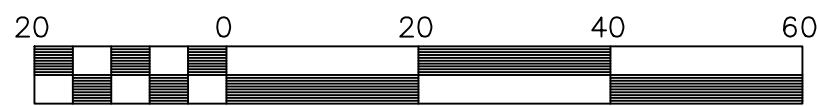
Date: 2/4/2025



**VILLAGE OF WINNETKA, ILLINOIS**  
**DEPARTMENT OF COMMUNITY DEVELOPMENT**  
**STANDARDS FOR GRANTING OF ZONING VARIATIONS**

Applications must provide evidence and explain in detail the manner wherein the strict application of the provisions of the zoning regulations would result in a clearly demonstrated practical difficulty or particular hardship. In demonstrating the existence of a particular hardship, please direct your comments and evidence to each of the following standards:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allow by regulations in that district; **From a pure aesthetics standpoint, placing the pool in the center of the yard is probably more appealing to those who might not appreciate the beautiful oak tree. More value to them, less value to us and our fellow tree lovers. Overall, we think neutral.**
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; **We are trying to preserve a beautiful Oak Tree that is centered on the middle of the back yard. Moving the pool to the north will allow us to do that.**
3. The variation, if granted, will not alter the essential character of the locality; **The variation will not alter the character of the yard, rather it will preserve it by allowing us to keep the tree. The entire yard is lined with 30' plus Green Giant Arborvitae so not visible, at all, by neighbors or Mount Pleasant.**
4. An adequate supply of light and air to adjacent property will not be impaired; **The in-ground pool will not impair light or air flow in any way.**
5. The hazard from fire and other damages to the property will not be increased; **The in-ground pool will not create any type of hazard or cause damages in any way.**
6. The taxable value of the land and buildings throughout the Village will not diminish; **Pool will not diminish values.**
7. The congestion in the public street will not increase; **Because of the 30' plus Green Giant Arborvitae, the pool will not be visible from the street.**
8. The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired. **Once completed, we don't think the rest of the community will even know it's there.**

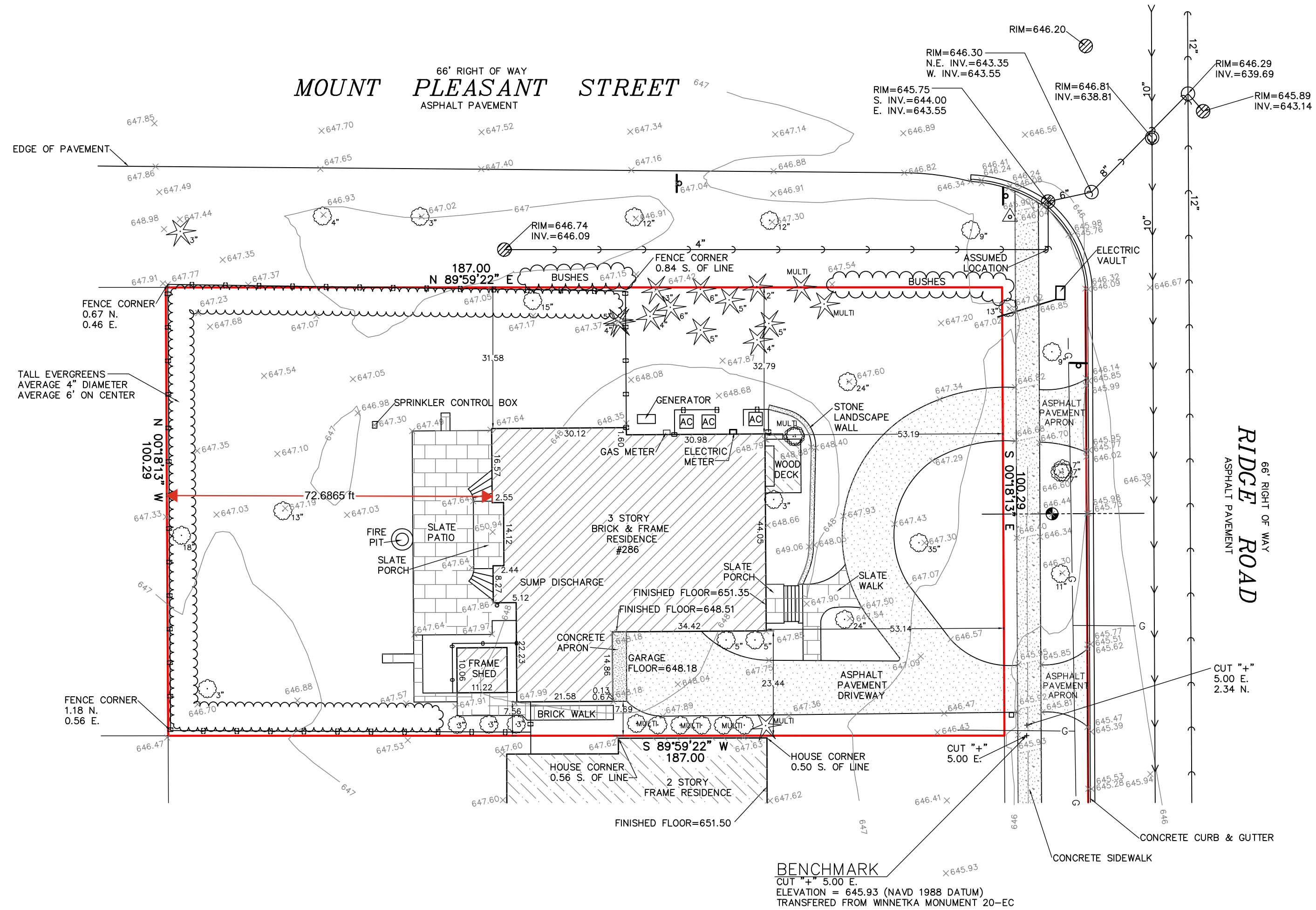
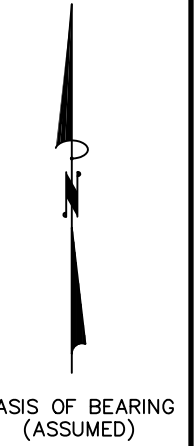


Scale 1" = 20'

# PLAT OF SURVEY

OF  
 LOT 1 IN BLOCK 5 IN DALE'S THIRD ADDITION TO WINNETKA, A SUBDIVISION OF THE NORTHEAST QUARTER (EXCEPT THE NORTHEAST QUARTER THEREOF) OF THE SOUTHEAST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN THE VILLAGE OF WINNETKA, IN COOK COUNTY, ILLINOIS.

T.K.D. Land Surveyors, Inc.  
 P.O. Box 212, South Elgin, Illinois 60177  
 Phone: (847) 997-9292  
 tkdlandsurveyors@att.net



### LEGEND

- STORM SEWER
- SANITARY SEWER
- WATERMAIN
- ⊕ WATER SERVICE B-BOX
- ⊙ SANITARY MANHOLE
- STORM MANHOLE
- ⊗ STORM INLET
- ~ CONTOUR ELEVATION
- x SPOT ELEVATION
- x TOP OF CURB & FLOW LINE ELEVATION
- △ GAS VALVE
- G GAS LINE
- OHU OVERHEAD UTILITIES
- ⊙ UTILITY POLE
- ⊔ SIGNAGE
- AC AIR CONDITIONING UNIT
- === CONCRETE CURB & GUTTER
- ⊙ DECIDUOUS TREE & DIAMETER
- ★ CONIFEROUS TREE & DIAMETER
- ⊔ WOOD FENCE
- ⊔ WOOD LATTICE FENCE

NOTE:  
 LOCATION AND SIZE OF UNDERGROUND UTILITIES SHOWN ARE FROM OBSERVED EVIDENCE AND MARKINGS IN FIELD.

MEASURED LOT AREA = 18,754 SQ. FT. (0.431 ACRES)

- \* All dimensions shown are given in feet & decimal parts thereof
- \* No angles or distances are to be assumed by scaling
- \* Legal description, building lines and easements are taken from recorded subdivision plat and/or other available documentation. Refer to title policy, deed or local jurisdiction for building setbacks and easements not shown hereon and report any discrepancies.

Scale: 1"=20'  
 Order # 25-324  
 Address: 286 Ridge Ave.  
 Winnetka, IL 60093  
 P.I.N. 05-20-406-008-0000  
 Ordered by: Jim Murphy

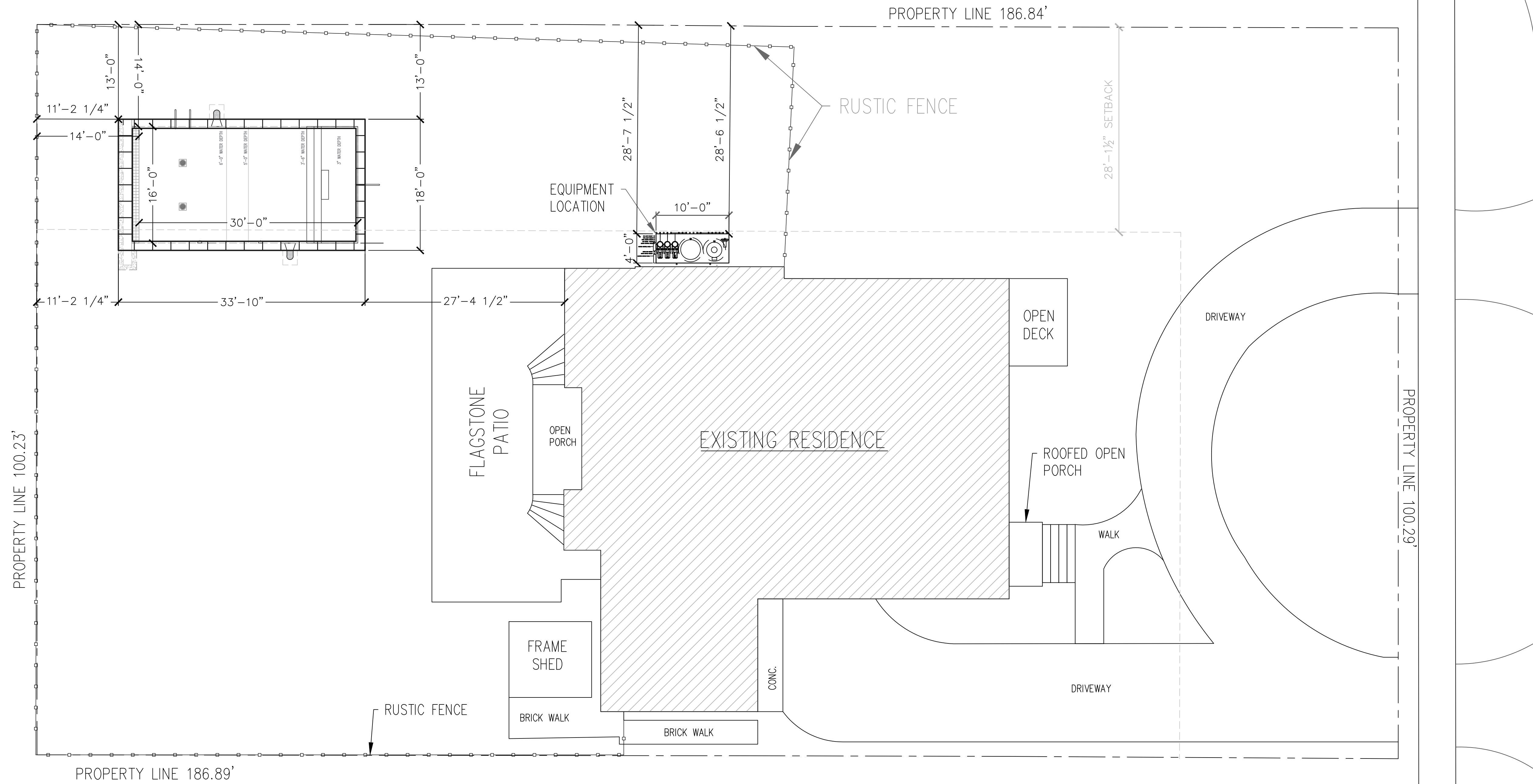
BENCHMARK  
 CUT "+", 5.00 E.  
 ELEVATION = 645.93 (NAVD 1988 DATUM)  
 TRANSFERRED FROM WINNETKA MONUMENT 20-EC



STATE OF ILLINOIS } ss.  
 COUNTY OF KANE }  
 I, Keith E. DeLaney, an Illinois Professional Land Surveyor do hereby certify that I have surveyed the above described property, and that the above plat is a correct representation of said survey.  
 Keith E. DeLaney Illinois P.L.S. #035-003385  
 Dated: March 31, 2014, November 3, 2025  
 Field work completed: March 31, 2014, November 3, 2025  
 Professional Design Firm Lic. No. 184.005204  
 This professional service conforms to the current Illinois minimum standards for a boundary survey.  
 Lic. Exp. 11-30-26

THIS SURVEY IS VALID ONLY WITH EMBOSSED SEAL

# MOUNT PLEASANT STREET



BOILINI COMPANY, INC.  
**Pool & Spa Construction**  
 847.650.8030  
 342 N. Fourth Street  
 Libertyville, Illinois 60048  
 Fax: 847.650.8898  
 www.boilini.com

PROJECT NAME:  
**MURPHY RESIDENCE**

DESCRIPTION:  
**POOL CONSTRUCTION**

ADDRESS:  
**286 RIDGE AVE  
 WINNETKA, IL 60093**

CLIENT:

THIS SEAL APPLIES TO THE FOLLOWING DOCUMENTS  
 SHEET NUMBER: \_\_\_\_\_ THRU \_\_\_\_\_  
 ALL DOCUMENTS UNDER THIS STAMP BEAR THE SAME  
 ISSUE DATE AS THE SEALED COPY.

THESE DRAWINGS MAY HAVE BEEN REPRODUCED AT A  
 SCALE DIFFERENT THAN ORIGINALLY DRAWN. OWNER AND  
 ARCHITECT ASSUME NO RESPONSIBILITY FOR USE OF  
 INCORRECT SCALE.

CONTRACTOR SHALL VERIFY ALL EXISTING CONDITIONS  
 PRIOR TO PROCEEDING WITH CONSTRUCTION AND NOTIFY  
 ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES OR  
 CONFLICTS. DO NOT SCALE DRAWINGS.

Revision	03-06-26
Previous Issues	Date
Date	08-27-25
Drawn By	BP
Checked By	PNB, MB

1 POOL SITE PLAN  
 SCALE: 1/8" = 1'-0"



Sheet:  
**C1**  
 01 of 03







## Memorandum

Date: April 13, 2026

To: Matthew Bradley, Chair  
Zoning Board of Appeals

Cc: Kristin Kazenas, Village Manager  
Scott Mangum, Director of Community Development  
Ann Klaassen, Assistant Director of Community Development

From: Village Attorney

Re: 314 Walnut Street Appeal

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As you are aware, in May 2025, Nicole and Tyler Steel (collectively, “**Owners**”) as the owners of 314 Walnut Street in the Village (“**Property**”), appealed the determination of the Zoning Administrator relating to the front lot line designations on the Property. Following the Owners’ administrative review action filed in the Circuit Court of Cook County (Case No. 2025 CH 9530) and as required by the March 19 Final Order in that litigation, this matter is being brought back to the ZBA for further consideration.

### I. Summary of 2025 ZBA Proceedings

On March 5, 2025, the Owners emailed the Village requesting a zoning interpretation on the Property’s three street frontages. On March 24, 2025, the Zoning Administrator issued a determination that the Property contains (1) a front yard on Wilson Street; (2) a front yard on Walnut Street; (3) a corner yard on Orchard Lane; and (4) a side yard along the south line of the Property based on the definitions of “corner lot,” “corner lot line,” and “front lot line,” as set forth in the Zoning Ordinance regarding front and corner yard setbacks in the R-5 District (“**Zoning Administrator Determination**”).

On June 9, 2025, the ZBA considered the Owners’ appeal of the Zoning Administrator Determination that the Property has a front yard along Wilson Street. During the hearing, the ZBA received evidence including two zoning analyses, a plat of survey, photographs of the Property, and correspondence with Village staff, and heard extensive arguments from the Owners. The ZBA also received evidence from Assistant Director of Community Development Ann Klaassen and the Director of Community Development Scott Mangum. At the conclusion of the hearing, the ZBA voted unanimously to affirm the Zoning Administrator Determination by a vote of 5-0.

On August 11, 2025, the ZBA unanimously approved written findings and a determination by a vote of 7-0, affirming the Zoning Administrator Determination, finding it was reasonable, based on the evidence at the hearing and the entire record, for the Zoning Administrator to

conclude that the Property contains a front lot line on Wilson Street (“**Original Findings and Determination**”).

## **II. Administrative Review**

On September 16, 2025, the Owners filed an administrative review action (Case No. 2025 CH 9530) challenging the ZBA’s Original Findings and Determination (“**Administrative Review**”). The matter was fully briefed and a hearing before the court was held. On March 19, 2026, the court entered its “Final Order On Administrative Review” (“**Final Order**”), pursuant to which the court found and held as follows:

- a. The ZBA erred in affirming the final decision of the Zoning Administrator. The Court found error in application of Section 17.30.050.C(3) without consideration of Section 17.30.060 and/or other appropriate code section(s) in determination of whether a side or rear yard line exists from which to measure the width or depth of the buildable area;
- b. The Court found the applicable sections of the Winnetka Zoning Ordinance are not vague or ambiguous, including Sections 17.04.030.C(10) (defining “Corner lot”), 17.04.030.C(11) (defining “Corner lot line”), 17.04.030.C(12) (defining “Corner yard”), 17.04.030.T(4) (defining “Through lot”), 17.04.030.F(8) (defining “Front lot line”), 17.04.030.F(9) (defining “Front yard”), 17.04.030.R(1) (defining “Rear lot line”), 17.30.030.R(2) (defining “Rear yard”), 17.04.030.S(3) (defining “Side lot lines”), 17.04.030.S(4) defining “Side yard”), 17.04.030.S(8) (defining “Street line”), 17.30.050.C(3) (setting forth determination of maximum setbacks on corner lots with three street frontages), and 17.30.060A (setting forth determination of side yard setbacks); and
- c. The Court found the ZBA erred in relying on historical zoning analyses and a 2005 ordinance granting a variance for the Property.

A copy of the Final Order is enclosed with this memo.

For the reasons stated in the Final Order, the court reversed and remanded the Original Findings and Determination and instructed the ZBA to consider this matter again and review whether Section 17.30.050.C(3) properly applies to the Property with reference to other applicable Zoning Ordinance sections, and without reference to historical interpretation or other interpretive aids. The court further required that the ZBA provide a final decision to the Property Owners setting forth reasoning and a factual basis for its decision within 30 days of the date of the Final Order.

## **III. April 13, 2026 ZBA Meeting**

Based on the direction from the court in the Final Order, at the April 13, 2026 meeting of the ZBA, the ZBA will re-consider the appeal, including the evidence and testimony provided at the June 9 hearing (but not including historical zoning analyses and the 2005 ordinance granting a variance for the Property), and the Final Order and adopt amended Findings and Determination with respect to the Owners’ appeal of the Zoning Administrator Determination that the Property has a front yard along Wilson Street. Specifically, the ZBA will consider whether Section 17.30.050.C(3) of the Zoning Ordinance properly applies to the Property with reference to other applicable Zoning Ordinance sections, but without consideration of historical interpretation of the Zoning Ordinance, the history of the Property, or other interpretive aids.

A proposed Amended Findings and Determination is included with this memo for consideration by the ZBA. The proposed Amended Findings and Determination follow the court's direction to consider whether Section 17.30.050.C(3) of the Zoning Ordinance properly applies to the Property with reference to other applicable Zoning Ordinance sections. The proposed Amended Findings and Determination concludes, as the Original Findings and Determination also concluded, that based on a review of all applicable definitions and provisions of the Zoning Ordinance, the Zoning Administrator correctly determined that the Property contains a Front lot line on Wilson Street.

#### **IV. Confirming Amendments**

In response to Case No. 2025 CH 9530, on April 7, 2026, the Village Council held a public hearing and adopted an ordinance amending the Village's Zoning Ordinance to confirm lot line designations on lots with more than two street frontages ("**Confirming Ordinance**"). A copy of the Confirming Ordinance is enclosed with this memo for reference. The Village provided advance notice to the Owners of the proposed Confirming Ordinance and the Village Council's consideration of the Confirming Ordinance. As clearly set forth in the text of the ordinance, the Confirming Ordinance was a declaration of existing law, did not constitute a change in the law, and did not change the designation of any front lot line or front and rear yard in the Village. The Confirming Ordinance aligns with the conclusions and determinations made by the ZBA in both the Original Findings and Determination and proposed Amended Findings and Determination.

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

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

**FACTS AND FINDINGS:**

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

6. On March 5, 2025, the Property Owners sent an email to the Village requesting an official zoning interpretation confirming the yard designations for the Property.
7. On March 24, 2025, the Zoning Administrator issued a determination that the Property contains (1) a Front yard on Wilson Street; (2) a Front yard on Walnut Street; (3) a Corner yard on Orchard Lane; and (4) a Side yard along the south line of the Property based on the definitions of “Corner lot,” “Corner lot line,” “Front lot line,” as set forth in Chapter 17.04 and Section 17.30.050.C3 of the Zoning Ordinance regarding Front and Corner yard setbacks for properties in the R-5 District (“**Zoning Administrator Determination**”).
8. On May 8, 2025, the Appellants filed an Appeal challenging the Zoning Administrator Determination with regard to the determination that Wilson Street is a Front lot line and, thus, the Property has a Front yard along Wilson Street and a Front yard along Walnut Street.
9. Section 17.72.010 of the Zoning Ordinance allows any person aggrieved by a determination made by the Zoning Administrator to appeal that determination.
10. Appellants reside at the Property and are the Property Owners.
11. The Appeal is properly brought by the Appellants, who are considered “aggrieved” for the purposes of this Appeal.
12. Section 17.72.010(A) allows appeals to be taken within 45 days of the determination made by the Zoning Administrator.
13. The Appeal was timely filed on May 8, 2025.
14. Section 17.72.010(A)(3) authorizes the ZBA, in hearing the Appeal, to reverse or affirm in whole or in part, or modify the Zoning Administrator Determination.
15. On June 9, 2025, the ZBA held a public hearing on the Appeal.
16. During the hearing, the ZBA received evidence including two zoning analyses, a plat of survey, photographs of the Property, and correspondence with Village staff, and heard extensive arguments from the Appellants. The ZBA also received evidence from Assistant Director of Community Development Ann Klaassen and the Director of Community Development Scott Mangum.
17. The evidence received at the hearing before the ZBA also included the following information concerning the relevant provisions of the Zoning Ordinance:
  - a. Section 17.04.030.C(10) defines “Corner lot” as “a lot situated at the junction of two or more streets.”

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

- j. Section 17.04.030.S(8) defines “Street line” as “the outermost limits of a public or private street. The ordinary high water mark of Lake Michigan shall be deemed the outermost limits of that public street.”
  - k. Section 17.04.030.T(4) defines “Through lot” as “a lot having two opposite lot lines along two more or less parallel streets, or along one street and the ordinary high water mark of Lake Michigan or some other both of water, and which is not a corner lot.”
  - l. Section 17.30.050.C(3) sets forth regulations for front and corner yard setbacks for properties in the R-5 District and provides, “Where a lot has three street frontages and where a side or rear yard line does not exist from which to measure the width or depth of the buildable area, the buildable area shall be situated on the lot so that equal setbacks shall be required from the opposite street lines.”
18. On August 11, 2025, the ZBA approved Findings and Determination upholding the Zoning Administrator Determination, finding it was reasonable, based on the evidence at the hearing and the entire record, for the Zoning Administrator to conclude that the Property contains a Front lot line on Wilson Street (“**Original Findings and Determination**”).
19. On September 16, 2025, the Property Owners filed an administrative review action (Case No. 2025 CH 9530) challenging the ZBA’s Original Findings and Determination (“**Administrative Review**”). The matter was fully briefed and a hearing before the court was held. On March 19, 2026, the court entered its “Final Order On Administrative Review” (“**Final Order**”), pursuant to which the court found and held as follows:
- a. The ZBA erred in affirming the final decision of the Zoning Administrator. The Court found error in application of Section 17.30.050.C(3) without consideration of Section 17.30.060 and/or other appropriate code section(s) in determination of whether a side or rear yard line exists from which to measure the width or depth of the buildable area;
  - b. The Court found the applicable sections of the Winnetka Zoning Ordinance are not vague or ambiguous, including Sections 17.04.030.C(10) (defining “Corner lot”), 17.04.030.C(11) (defining “Corner lot line”), 17.04.030.C(12) (defining “Corner yard”), 17.04.030.T(4) (defining “Through lot”), 17.04.030.F(8) (defining “Front lot line”), 17.04.030.F(9) (defining “Front yard”), 17.04.030.R(1) (defining “Rear lot line”), 17.30.030.R(2) (defining “Rear yard”), 17.04.030.S(3) (defining “Side lot lines”), 17.04.030.S(4) defining “Side yard”), 17.04.030.S(8) (defining “Street line”), 17.30.050.C(3) (setting forth determination of maximum setbacks on corner lots with three street frontages), and 17.30.060A (setting forth determination of side yard setbacks); and

- c. The Court found the ZBA erred in relying on historical zoning analyses and a 2005 ordinance granting a variance for the Property.
20. For the reasons stated in the Final Order, the court reversed and remanded the Original Findings and Determination and instructed the ZBA to consider this matter again and to review whether Section 17.30.050.C(3) properly applies to the Property with reference to other applicable zoning ordinance sections, and without reference to historical interpretation or other interpretive aids.
21. The court further required that the ZBA provide a final decision to the Property Owners setting forth reasoning and a factual basis for its decision within 30 days of the date of the Final Order.
22. In response to Cases No. 2025 CH 9530, on April 7, 2026, the Village Council held a public hearing and adopted an ordinance amending the Village’s Zoning Ordinance to confirm lot line designations on lots with more than two street frontages in light of the Final Order (“**Confirming Ordinance**”).
23. The Property Owners were provided notice of the proposed Confirming Ordinance and the Village Council’s consideration of the Confirming Ordinance.
24. As explicitly set forth in its text, the Confirming Ordinance was a declaration of existing law, did not constitute a change in the law, and did not change the designation of any Front lot line or Front and Rear yard in the Village.
25. The Confirming Ordinance confirms that there can be two front yards on corner lots having frontages on more than two streets. Specifically, the Zoning Ordinance requires a second lot line to be deemed a second Front lot line, if the lot line that is, or is most nearly, parallel to the shortest street frontage, is a street line.
26. On April 13, 2026, at an open, public meeting, the ZBA further considered the Appeal, the entire record (but not including historical zoning analyses and the 2005 ordinance granting a variance for the Property), and the Final Order.
27. The Property Owners were provided notice of the April 13, 2026 ZBA meeting.
28. The ZBA finds that Section 17.30.050(C)(3) of the Zoning Ordinance properly applies to this Property for the following reasons and based on the application of the following sections of the Zoning Ordinance:
  - a. The Property has three street frontages;
  - b. The Property is a “Corner lot” as defined in Section 17.04.030.C(10);

- c. As a “Corner lot” is “a lot situated at the junction of two or more streets,” the Property can be considered a “Corner lot” at two locations: the junction of Orchard Lane and Wilson Street and the junction of Orchard Lane and Walnut Street;
- d. Pursuant to Section 17.04.030.C(11), Orchard Lane is the “Corner lot line” as it is the longest street line of a corner lot;
- e. Pursuant to Section 17.04.030.C(12), the Property has a Corner yard along Orchard Lane;
- f. Under the definition of Front lot line in Section 17.04.030.F(8), the shortest street line of a corner lot shall be a “front lot line.”
- g. The shortest street line on the Property is Walnut Street, making Walnut Street a “Front lot line” pursuant to Section 17.04.030.F(8);
- h. Wilson Street is the lot line that is, or is most nearly, parallel to the Front lot line;
- i. Wilson Street is also a “Street line” pursuant to Section 17.04.030.S(8);
- j. As Wilson Street is a street line, the Village does not consider it a “Rear lot line” under Section 17.04.030.R(1) as it abuts to a street frontage;
- k. It is reasonable to not consider a “street line” a “rear lot line” as it does not abut another property, but rather abuts a street frontage, and therefore should have the same setback and other bulk requirements as front lot lines and front yards to ensure adequate site lines and visibility and protect the property rights and interests of the adjacent properties;
- l. There is no provision in the Zoning Ordinance that provides that a property can only have one Front lot line;
- m. As Wilson Street is: (1) a Street line, (2) the lot line that is, or is most nearly, parallel to Walnut Street - a Front lot line, (3) the junction of a “Corner lot” with Orchard Lane, and (4) shorter than Orchard Lane, it is deemed a Front lot line under the definitions of the Zoning Ordinance, as confirmed by the Confirming Ordinance;
- n. The Property has an interior side yard but no exterior side yard that is subject to the setback requirements in Section 17.30.060, as Orchard Lane is a Corner lot line and creates a Corner yard;

- o. The Property does not have a rear lot line;
  - p. Section 17.30.050.C(3) applies to a property that (1) has three street frontages and (2) where a side **OR** rear yard line does not exist; and
  - q. As the Property has three street frontages and no rear yard line, Section 17.30.050.C(3) properly applies to this Property.
29. Based on the evidence at the hearing, the entire record (but not including historical zoning analyses and the 2005 ordinance granting a variance for the Property), and the direction provided in the Final Order, the ZBA finds that the Zoning Administrator correctly determined in the Zoning Administrator Determination that the Property contains a Front lot line on Wilson Street and, thus, a Front yard along Wilson Street and a Front yard along Walnut Street, pursuant to the Zoning Ordinance as it existed at the time of the Zoning Administrator Determination.
30. The ZBA also finds that the Confirming Ordinance demonstrates further that the Zoning Administrator Determination correctly determined that the Property contains a Front lot line on Wilson Street and, thus, a Front yard along Wilson Street and a Front yard along Walnut Street.

**DETERMINATION**

The ZBA, having reviewed and discussed the Appeal as required by the court in its Final Order, confirms the Zoning Administrator Determination in its entirety. Accordingly, the Appeal is denied.

This report is adopted by a \_\_\_ to \_\_\_ vote of the Zoning Board of Appeals, this 13th day of April, 2026.

AYES:  
NAYS:  
ABSENT:

VILLAGE OF WINNETKA ZONING BOARD OF APPEALS

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Matthew Bradley, Chairman

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



Section 17.30.060 and/or other appropriate code section(s) in determination of whether a side or rear yard line exists from which to measure the width or depth of the buildable area.

4. The Court finds the applicable sections of the Winnetka Zoning Ordinance are not vague or ambiguous, including Sections 17.04.030.C(10) (defining "Corner lot"), 17.04.030.C(11) (defining "Corner lot line"), 17.04.030.C(12) (defining "Corner yard"), 17.04.030.T(4) (defining "Through lot"), 17.04.030.F(8) (defining "Front lot line"), 17.04.030.F(9) (defining "Front yard"), 17.04.030.R(1) (defining "Rear lot line"), 17.30.030.R(2) (defining "Rear yard"), 17.04.030.S(3) (defining "Side lot lines"), 17.04.030.S(4) defining "Side yard"), 17.04.030.S(8) (defining "Street line"), 17.30.050.C(3) (setting forth determination of maximum setbacks on corner lots with three street frontages), and 17.30.060A (setting forth determination of side yard setbacks).
5. The Court further finds the ZBA erred in relying on historical zoning analyses and a 2005 ordinance granting a variance for the subject property. A reviewing court may not rely on historical interpretation or other interpretive aids in construing a statute that is clear and unambiguous. *City of Countryside v. City of Countryside Police Pension Bd. of Trs.*, 2018 IL App (1st) 171029, ¶ 35.
6. For these reasons, the determination of the ZBA as set forth in the August 11, 2025, Findings and Determination Order is reversed and remanded. The ZBA is instructed to review whether Section 17.30.050.C(3) properly applies to this property with reference to other applicable zoning ordinance sections, and without reference to historical interpretation or other interpretive aids. If it determines Section 17.30.050.C(3) does not apply to the subject property, it shall determine what code section(s) properly apply, and perform an analysis of the issue applying the proper code sections. In either event, the

ZBA shall provide a final decision to petitioners in writing setting forth reasoning and a factual basis for the decision within 30 days of the date of this order.

7. The Parties are granted leave to file the official transcript of proceedings on March 13, 2026, and the Court, *sua sponte*, modifies its ruling as set forth in this order in accordance with 735 ILCS 5/3-111(a)(6).
8. THIS IS A FINAL ORDER.

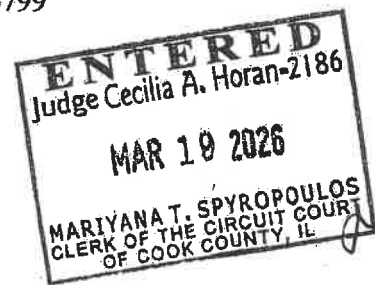
ENTER:

/s/ Cecilia A. Horan Judge No. 2186

Meeting ID: 956 5899 1093

Password: 129359

Dial In: 312-626-6799



**AN ORDINANCE AMENDING THE WINNETKA ZONING ORDINANCE TO CONFIRM LOT LINE DESIGNATIONS ON LOTS WITH MORE THAN TWO STREET FRONTAGES**

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

**WHEREAS**, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs; and

**WHEREAS**, the Winnetka Zoning Ordinance, as amended ("*Zoning Ordinance*"), governs how the Village designates and calculates lot lines and yards, including the designation of front lot lines and front and rear yards on corner lots; and

**WHEREAS**, the Village Zoning Ordinance has historically and consistently required that the two most nearly parallel frontages be designated as "front lot lines" on properties with more than two street frontages, including, without limitation, for purposes of calculating and granting required setback variations; and

**WHEREAS**, in light of the final order in Case No. 2025 CH 9530 (Circuit Court of Cook County), the Village Council has determined that it is necessary to amend the Zoning Ordinance to confirm that the Zoning Ordinance requires that the two most nearly parallel frontages be designated as "front lot lines" on properties with more than two street frontages ("*Confirming Amendments*"); and

**WHEREAS**, the Confirming Amendments are a declaration of existing law and do not constitute a change in the law; and

**WHEREAS**, the Confirming Amendments will not change the designation of any front lot line or front and rear yard in the Village, as the Confirming Amendments merely confirm the existing Village designations of front lot lines on properties with more than two street frontages; and

**WHEREAS**, the Village Council has determined that amending the Zoning Ordinance as set forth in this Ordinance and pursuant to the Village's home rule authority is in the best interests of the Village;

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

**SECTION 1: RECITALS.** The recitals in this Ordinance are incorporated into this Section as the findings of the Village Council.

**SECTION 2: AMENDMENT TO SECTION 17.04.030 OF THE ZONING ORDINANCE.** Section 17.04.030, titled "Definitions," of Chapter 17.04, titled "Introductory

Additions are bold and double-underlined; deletions are struck through

Provisions and Definitions,” of Title 17, titled “Zoning,” of the Village Zoning Ordinance is amended to read as follows:

**“Section 17.04.030 Definitions.**

\* \* \*

F.

\* \* \*

8. Front Lot Line. “Front lot line” means the front street line. If the front street line is less than fifty (50) feet long and if the lot is at least seventy-five (75) feet wide at its widest point, then the front lot line shall be the lot line from which the front setback is measured, as determined by the Zoning Administrator. The shortest street line of a corner lot shall be the “front lot line.” **On corner lots having frontages on more than two streets, if the lot line that is, or is most nearly, parallel to the “front lot line,” as determined by this section, is a street line, it shall also be deemed a “front lot line.”** On through lots, both street lines shall be deemed “front lot lines,” except where no setback requirement is applicable. For lots abutting Lake Michigan, the ordinary high water mark of the lake shall be deemed a “front lot line.”

\* \* \*

R.

1. Rear Lot Line. “Rear lot line” means the lot line that is most distant from and that is, or is most nearly, parallel to the front lot line; provided that, there shall be no rear lot line on a through lot **or a corner lot with frontages on more than two streets and two front lot lines.**

2. Rear Yard. “Rear yard” means a yard extending along the full length of the rear lot line between that line and a line drawn parallel to the rear lot line at a distance equal to the distance between the rear lot line and the nearest point of the building. For purposes of this title, there shall be no rear yard on any through lot **or corner lots with frontages on more than two streets and two front lot lines.**

\* \* \*

**SECTION 3: DECLARATION OF EXISTING LAW.** The amendments to the Zoning Ordinance made by this Ordinance are declaratory of existing law and do not constitute a change in the law.

**SECTION 4: SEVERABILITY.** If any provision of this Ordinance or part of this Ordinance is held invalid by a court of competent jurisdiction, the remaining provisions of this

Additions are bold and double-underlined; deletions are struck through

Ordinance will remain in full force and effect, and will be interpreted, applied, and enforced to achieve, as near as may be possible, the purpose and intent of this Ordinance to the greatest extent permitted by applicable law.

**SECTION 5: EFFECTIVE DATE.** This Ordinance will be in full force and effect upon its passage and approval in the manner provided by law.

[signature page follows]

PASSED this 7th of April, 2026, pursuant to the following roll call vote:

AYES: Trustees Apatoff, Dalman, Handler, Myers, and Orsic

NAYS: \_\_\_\_\_

ABSENT: Trustee Albinson

**APPROVED** this 7th day of April, 2026.

Signed:



Village President

Countersigned:



Village Clerk

Published by authority of the  
President and Board of Trustees of  
the Village of Winnetka, Illinois,  
this 7th day of April  
2026.

Introduced: April 7, 2026

Passed and Approved: April 7, 2026