



Village of Winnetka

Zoning Board of Appeals Regular Meeting

June 8, 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. April 13, 2026, Regular Meeting Minutes
 - b. May 11, 2026, Regular Meeting Minutes
3. **Community Development Report**
4. **Continued 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. *This item was continued from the April 13, 2026, and May 11, 2026, Zoning Board of Appeals meetings. The Applicant is requesting this item be continued to the July 13, 2026, Zoning Board of Appeals meeting.*
5. **New Cases**
 - a. **Case No. 26-12-V: 9 Warwick Road:** An application seeking approval of zoning variations to allow construction of an addition and work beyond ordinary repair and maintenance to the existing legally nonconforming residence at 9 Warwick Road. The requested variations would permit the proposed improvements to (i) provide less than the minimum required side yard setback from the north property line; and (ii) perform structural changes necessary to provide a new window opening in the legally nonconforming north side building wall. The Zoning Board of Appeals has final jurisdiction on this request.
 - b. **Case No. 26-13-V: 1252 Spruce Street:** An application seeking approval of zoning variations to allow construction of an addition and work beyond ordinary repair and maintenance to the existing legally nonconforming residence at 1252 Spruce Street. The requested variations would permit the proposed improvements to (i) provide less than the minimum required side yard setback; (ii) provide less than the minimum required total side yard setback; and (iii) perform structural changes necessary to provide new window openings in the legally nonconforming east and west side building walls. The Zoning Board of Appeals has final jurisdiction on this request.
 - c. **Case No. 26-14-V: 705 Oak Street:** An application seeking approval of a zoning variation to allow a fence along a portion of the west property line of 705 Oak

Street. The requested variation would permit the fence to exceed the maximum permitted height. The Zoning Board of Appeals has final jurisdiction on this request.

6. New Business

a. July 13, 2026, Regular Meeting - Quorum Check

7. Public Comments

8. Adjournment

NOTICE

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

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

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
APRIL 13, 2026**

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

Zoning Board Members Absent: Todd Vender

Village Staff: Scott Mangum, Director of Community Development
Ann Klaassen, Assistant Director of Community
Development
Christopher Marx, Associate Planner

Village Attorney: Peter Friedman
Caitlin Culbertson

Call to Order & Roll Call:

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

Public Comment:

No comments were made at this time.

Approval of Minutes:

Chairman Bradley asked for a motion to approve the March 9, 2026, regular meeting minutes and the March 16, 2026, special meeting minutes. A motion to approve the March 9, 2026, regular meeting minutes and the March 16, 2026, special meeting minutes was made by Ms. Hanley and seconded by Mr. Ritter. A vote was taken and the motion unanimously passed, 6 to 0:

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

NAYS: None

Community Development Report:

Mr. Mangum stated there is no Community Development Report.

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.**

Mr. Marx summarized the variation request for a swimming pool and identified the property's location and improvements, zoning classification and size. He also referred to site photos which he described for the Board. Mr. Marx summarized the minimum setback requirements and the major variation being requested for the swimming pool, which he noted is a permitted encroachment in the rear yard. He noted no written comments were received from the public and stated following the applicant's presentation and

1 public comment, the Board may decide to either continue the matter to a date certain to allow the Village
2 staff time to address questions or comments or to make a motion recommending approval or denial of
3 the variation with draft language included on page 24. Mr. Marx then asked if there were any questions.
4 No questions were raised at this time.

5
6 Chairman Bradley swore in those speaking to this matter. James Murphy described the request to add a
7 small swimming pool in the backyard which was originally drawn to be sited in the middle of the backyard
8 but due to a large tree's location, they decided to move it so as not to affect the tree's drip line.

9
10 Chairman Bradley asked if there were any questions. Ms. Leister asked if they considered relocating the
11 pool to the west or east of the tree. Mr. Murphy responded there would not be sufficient room in that
12 location and there were no other viable options. He stated the proposed location would be the most
13 favorable and reiterated their attempt to save the tree. Ms. Hanley questioned the tree's height. Mr.
14 Murphy estimated it to be 40 feet and age to be 30-35 years old.

15
16 Chairman Bradley referred to the standards the Board is to consider, specifically the reasonable return
17 standard which would be difficult to meet as well as the unique circumstances standard. He asked the
18 applicant to address those two standards and any mitigating steps they may have taken. Mr. Murphy
19 informed the Board they originally considered a larger pool and summarized their reasoning to request a
20 major vs. a minor variation. Mr. Marx provided additional information to the Board that was given to the
21 applicant with regard to the pool size. He also provided information from the Village Forester. No
22 additional questions were raised at this time.

23
24 Chairman Bradley asked for public comment. No comments were made at this time. He then called the
25 matter in for discussion.

26
27 Mr. Ritter stated that he is concerned with the first standard and that he had no issues with the remaining
28 standards. He stated there would be no problems for the neighbors and there would be no ramifications
29 for granting the variation and it would be punitive to not allow the variation. Mr. Ritter concluded he
30 would be in favor. Ms. Leister stated she would not be in favor of the request in connection with standard
31 no. 2. She suggested alternative locations for the pool or remove the tree. Mr. Haller agreed with Ms.
32 Leister's comments and stated there was not sufficient consideration for the south side of the property.
33 He then stated he had difficulty with the first two standards.

34
35 Mr. Nielsen described pool issues as difficult in terms of meeting the first two standards. He stated he
36 would not be in favor of the request. Ms. Hanley stated that the tree is not very large and would not
37 overcome the need for the variation with regard to the standards. She then stated she would rather
38 sacrifice the tree. Chairman Bradley inclined he would have been in favor of finding an option which would
39 work. He agreed with Ms. Leister's comments and stated the tree did not represent a unique hardship.
40 Chairman Bradley then stated he would lean toward voting against a positive recommendation since the
41 first two standards have not been met.

42
43 Chairman Bradley offered the applicant the opportunity to proceed to a vote with a negative
44 recommendation or continue the request to allow them the opportunity to revise their plans in order to
45 receive a favorable recommendation from the Board. Mr. Murphy stated they would consider taking the
46 tree down. Chairman Bradley suggested the matter be continued to a date certain. Mr. Murphy agreed.

1 Chairman Bradley asked for a motion to continue the item to the May 11, 2026, meeting. A motion to
2 continue the matter to the May 11, 2026, meeting was made by Ms. Hanley and seconded by Mr. Nielsen.
3 A vote was taken and the motion unanimously passed, 6 to 0:
4 AYES: Bradley, Haller, Hanley, Leister, Nielsen, Ritter
5 NAYS: None
6

7 **Old Business:**

8 a. **Case No. 25-09-APL: 314 Walnut Street: Consideration of approval of amended written findings**
9 **and determination to affirm the Zoning Administrator's determination that 314 Walnut Street has a**
10 **front lot line along Wilson Street.**

11 Peter Friedman referred to new information recently submitted by the applicant and summarized the
12 application's history in detail. He stated because of the timeline set by the court, he informed the Board
13 their office prepared Proposed Amended Findings and Determination along with a memo for
14 consideration by the Board. Mr. Friedman then advised the Board of their role in considering the matter.
15 He noted in response to the case; the Village Council has taken separate action to adopt a zoning text
16 amendment which made relatively minor text changes to the ordinance which he summarized for the
17 Board. He provided information on what the court's decision was based on and asked if there were any
18 questions.
19

20 Chairman Bradley asked the Board Members to confirm what they are tasked to consider. The Board
21 Members confirmed they understood. Ms. Hanley questioned the applicant's material, which is being
22 considered as part of the re-review of the zoning ordinance. Mr. Friedman confirmed that the Board is to
23 reconsider the decision and make a new decision based on the Zoning Ordinance text as it existed at the
24 time of the decision. No additional questions were raised at this time.
25

26 Chairman Bradley asked for the applicant's presentation. Mark Daniel introduced himself as a 30-year
27 land use attorney along with Nicole and Tyler Steel, the property owners and attorney Danielle Cassel. He
28 referred to the document identified by Mr. Friedman and specific language indicating that it is a final order
29 and modified the ruling which he outlined for the Board. He then summarized the language and their
30 position from the transcript in detail. Mr. Friedman refuted a statement made by Mr. Daniel and referred
31 to specific language on page 7, paragraph 29, which he read into the record.
32

33 Mr. Daniel then referred to the opinion and Exhibit B along with additional documentation and further
34 summarized their position in significant detail. Chairman Bradley and Mr. Daniel debated item no. 5 with
35 regard to the singular corner lot. Mr. Daniel continued on to state that the issue that was argued was how
36 do you determine the front lot line on a corner lot which he explained in detail. He then referred to finding
37 nos. 6 and 7 which are uncontested. Mr. Daniel then stated with regard to finding no. 8, he referred to
38 paragraph 8 which he described as an issue. He then stated finding nos. 9, 10, 11, 12, 13 are not contested.
39

40 Mr. Daniel referred to the Board's authorization and specific language on which he expounded and
41 described as not accurate in that evidence was not provided. Chairman Bradley asked Mr. Daniel for
42 clarification that they found finding nos. 14, 15 and 16 are not correct. Mr. Friedman asked for clarification
43 as to what language is relevant with regard to the decision. The Board determined that they would come
44 back to further discuss finding no. 14. Mr. Daniel confirmed finding nos. 17, 18 are not contested. He
45 noted with regard to finding no. 19, the final order incorporated the transcript they included as Exhibit B.
46 Mr. Friedman disputed Mr. Daniel's statement to which Mr. Daniel referred to specific language which he
47 summarized in detail. Several Board Members disagreed with the interpretation. Chairman Bradley
48 clarified that they are not in agreement with finding no. 19.

1 Mr. Daniel referred to finding no. 20 which is in dispute. Chairman Bradley confirmed they are in
2 agreement with finding no. 21. Mr. Daniel referred to finding no. 22 and explained their position which
3 they contest. He then referred to finding no. 24. Mr. Friedman asked Mr. Daniel to not misinterpret the
4 ruling. Mr. Daniel further summarized their position with regard to the front, rear and side lot lines. Mr.
5 Daniel identified his specific dispute in connection with finding no. 25. He then stated Exhibits A, B, G, H
6 and I should definitely be part of the record. Chairman Bradley confirmed Exhibit B is not part of the
7 Board's packet. Mr. Friedman then read specific language from the Order into the record. Chairman
8 Bradley confirmed finding no. 26 is called into question with finding no. 27 being disputed.

9
10 Chairman Bradley asked for a five-minute recess.

11
12 Chairman Bradley called the meeting back to order and noted for the record the Board Members were
13 conversing but were not discussing the matter before the Board. He then referred to finding no. 28 which
14 he described as substantive and outlined certain definitions which guided the Board's independent review
15 of the property. Mr. Daniel referred to line 1 in finding no. 28 which they dispute and confirmed there is
16 no contest with regard to item nos. (a), (b), (d), (f), (g), (h) and (i).

17
18 Danielle Cassel referred to her 2025 testimony and provision of the ordinance that stated, "through lots
19 can have two front lot lines" and explained her position in detail. Ms. Hanley stated that nowhere in the
20 ordinance did it state that every lot can only have one front lot line. Mr. Daniel explained the applicant's
21 position again in detail.

22
23 Chairman Bradley then referred to item (l) and clarified the language construed as ambiguous. He then
24 referred to item (m) which Mr. Daniel stated is contested and identified the specific language. Mr. Daniel
25 stated items (n) and (o) are disputed and specific language in item (p) which did not apply to the property.
26 He confirmed item (q) is disputed.

27
28 Mr. Daniel then referred to paragraph 30 and the statement that the Board would not apply the
29 "confirming ordinance." Chairman Bradley confirmed it would not be a factor in the Board's deliberations.
30 Mr. Friedman clarified what the Board would consider and that the Board would rely on the pre-
31 amendment zoning code. Mr. Daniel elaborated on their position in detail.

32
33 Ms. Cassel referred back to the initial principle of the applicants wanting to establish the Wilson side as
34 their rear yard and also referred to two definitions from the code which she read into the record. She also
35 referred to other aspects of the code which did not apply. Mr. Daniel then asked if there were any
36 questions.

37
38 Chairman Bradley also asked if there were any questions. No questions were raised at this time. He
39 confirmed there is no one in the audience to comment and called the matter in for discussion.

40
41 Chairman Bradley stated the purpose of the meeting is for the Board to review the relevant ordinances to
42 make the determination on 314 Walnut and described the materials provided today by the applicant as a
43 curveball. He stated they are considering those materials on the appellant's remarks in terms of its
44 veracity and persuasiveness. Chairman Bradley asked the Board Members if they felt comfortable
45 proceeding on the Findings of Fact as an output of tonight's deliberations without having read the
46 materials in depth. He also stated they are to discuss the matter in the context of the judge's order.

1 Ms. Hanley stated they have been ordered to redo their review of Mr. Schoon's assessment based on the
2 testimony and evidence they had prior but to leave out any historical references to the 2005 ordinance.
3 She stated they should not consider anything else, and the materials provided by the applicant are not
4 relevant to the discussion.
5

6 Mr. Friedman stated the transcript should be part of the record and is only relevant due to the ordinance
7 amending it. He noted the final order made clear that the "ruling" made as reflected in that transcript is
8 modified by this order. The Board Members confirmed they had no issue with regard to the materials
9 presented today.
10

11 Chairman Bradley asked Ms. Culbertson to summarize certain Findings of Fact called into question or
12 disputed by the appellants as instructed by the order which Ms. Culbertson provided to the Board.
13 Chairman Bradley asked if 314 Walnut met the definition of (c)(3) such that "the buildable area shall be
14 situated on the lot so that equal setbacks shall be required from the opposite street lines." Ms. Culbertson
15 confirmed that is correct and clarified the distinct criteria that needed to be met and expanded on the
16 meaning of "or" in the language.
17

18 Ms. Hanley stated this section was created specifically for properties like this and it assumed that a
19 property with three street frontages would be missing a side or rear yard. Ms. Culbertson confirmed that
20 is correct. Mr. Friedman stated there is no need to hypothesize whether this applied to other properties
21 and the focus is only on this property.
22

23 Chairman Bradley referred to the facts of the Village Council's adoption of an ordinance amending the
24 code began with Nos. 22, 23, 24 and 25 and recommended no. 30 be stricken. He then referred to item
25 (m) which should be included. The Board Members confirmed it should be included. Chairman Bradley
26 asked if the Board Members accepted no. 14 which was called into question. He also referred to the May
27 8, 2025, appeal for which the appellants want to be expanded to include comments made by the
28 appellants at that meeting. Chairman Bradley noted that is already included as part of the record and
29 asked the Board Members if there was any objection to no. 8. Mr. Friedman suggested language to read
30 as follows: "The appellants filed an appeal challenging the Zoning Administrator's determination with
31 regard to, among other things, ..." The Board Members confirmed the language change is fine.
32

33 Chairman Bradley then referred to item no. 16 which represented the same concerns. The Board Members
34 confirmed no. 16 is fine as drafted. Chairman Bradley stated the parties agreed with the final orders
35 instruction as provided in item nos. 26 and 19. Mr. Friedman confirmed the final order is in the record as
36 well as the transcript. Chairman Bradley stated item no. 20 is also included. The Board Members agreed
37 with item nos. 19 and 20 as written. Mr. Friedman confirmed no language changes to those items need
38 to be made. Ms. Hanley referred to item no. 28(p) to include the full definition of 50(c)(3). Chairman
39 Bradley identified that item as being an abbreviation of Section (c)(3) which is part of the record and also
40 in the Findings of Fact 17(L), as well as item no. 28(q). Chairman Bradley then referred to item no. 5 and
41 the Board Members agreed with the item as drafted. Mr. Friedman clarified under the Subject at the
42 beginning of page 1, the wording should be clarified to indicate "...as amended as of the date of the Zoning
43 Administrator's decision..." to confirm it did not include the text amendment. Mr. Daniel referred to the
44 language in Paragraph 19 of the Findings and noted the briefs are part of what the appellants submitted
45 tonight and explained their position. Ms. Culbertson responded that the various code sections are listed.
46

47 Chairman Bradley asked if there were any other aspects of the Findings or record that needed to be
48 discussed. No additional comments were made at this time. He then asked the Board Members for their

1 comments with regard to whether the Findings of Fact should be accepted or if there is further discussion
2 on the code (c)(3) as to whether Wilson should be treated as a front lot line for 314 Wilson. Ms. Hanley
3 commented that Ms. Culbertson did an excellent job identifying the different code sections in the
4 ordinance and explaining how they work together to arrive at the conclusion to define the side, front and
5 corner lot lines and the various yards based on the definitions of the Zoning Ordinance. She also stated
6 she agreed with the findings that the Zoning Administrator's decision was the appropriate decision based
7 on what they have and a comprehensive understanding of the Zoning Ordinance that his determination
8 was correct and the Findings as amended.
9

10 Mr. Ritter, Mr. Nielsen and Mr. Haller agreed with Ms. Hanley's comments. Ms. Leister added (c)(3) is very
11 applicable to the lot and referred to the definition of a rear lot line with (c)(3) addressing that. She agreed
12 with the Board Members' position. Chairman Bradley agreed that as they considered the zoning code at
13 the time and the definitions therein, the Zoning Administrator at that time properly found 314 Walnut to
14 fit the code Section (c)(3) as the necessary relief on such a unique property. He stated he did not find in
15 the code that their application of the code to be anything other than the outcome reached. Chairman
16 Bradley stated he had no issue with the Findings of Fact presented with all of the edits they discussed
17 recognizing there is a different opinion noted by the appellants.
18

19 Chairman Bradley confirmed there are enough votes to proceed with the motion to approve the amended
20 Findings of Determination of the Board as included in the packet modified to include the changes
21 discussed. Mr. Friedman clarified for the record the appellants' Appearance, the appellants' the
22 Statement on Remand Following Reversal and Administrative Review and its attachment would be in the
23 record, as well as the March 19, 2026, Final Order, the March 13, 2026, Transcript of Proceedings, the
24 Ordinances in effect, Resolution R-35-2026 and Ordinance MC-01-2026 would be in the record but the
25 Complaint and Briefs would not be in the record.
26

27 Chairman Bradley asked for a motion to approve the amended Findings of Determination of the Board as
28 included in the packet modified to include the changes discussed. A motion as stated by Chairman Bradley
29 was made by Ms. Hanley and seconded by Mr. Nielsen. A vote was taken and the motion unanimously
30 passed, 6 to 0:

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

32 NAYS: None
33

34 **New Business:**

35 a. May 11, 2026, Meeting - Quorum Check.

36 The Board Members discussed their availability.
37

38 **Public Comment.**

39 Mr. Daniel thanked the Board for their consideration and advised the Board Members they would petition
40 the Circuit Court for a Rule to Show Cause which may include a discussion of the nature of the amendment
41 and these proceedings. He stated they strongly disagreed that the Board complied with the order and
42 encouraged the Village Council to consider aspects in the Athenian Oath. Mr. Daniel also stated they
43 disagreed with Ms. Culbertson's analysis and apologized for the process they have to pursue.
44

45 **Adjournment:**

46 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley and
47 seconded by Ms. Leister. A vote was taken and the motion unanimously passed, 6 to 0:

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

1 NAYS: None
2 The meeting adjourned at 10:28 p.m.
3
4 Respectfully submitted,
5
6 Antionette Johnson
7 Recording Secretary
8

DRAFT

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
MAY 11, 2026**

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

Zoning Board Members Absent: Michael Ritter

Village Staff: Scott Mangum, Director of Community Development
Christopher Marx, Associate Planner

Call to Order & Roll Call:

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

Community Development Report.

Mr. Mangum provided an update on the 829-833 Foxdale lot consolidation application.

Continued 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. This item was continued from the April 13, 2026, Zoning Board of Appeals meeting. The Applicant is requesting this item be continued to the June 8, 2026 Zoning Board of Appeals meeting.

Jim Murphy informed the Board after reviewing the zoning ordinances, he could not find where a pool would cause any setback issues which primarily related to buildings and site lines. Chairman Bradley stated the Board did not have the applicant's materials in front of them and the Village officials would help him understand why setback standards are being applied to the pool.

Chairman Bradley then asked for a motion to continue the 286 Ridge Avenue matter to the June 8, 2026 meeting. A motion as stated by Chairman Bradley was made by Mr. Haller and seconded by Ms. Hanley. A vote was taken and the motion unanimously passed, 6 to 0:

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

NAYS: None

New Cases:

a. **Case No. 26-10-V2: 1412 Scott Avenue:** An application seeking approval of a zoning variation to allow expansion of the driveway at 1412 Scott Avenue. The requested variation would permit the driveway to exceed the maximum permitted front yard lot coverage. The Village Council has final jurisdiction on this request.

Mr. Marx summarized the application for the driveway expansion and variation for maximum front yard lot coverage. He identified the property's location, existing improvements, zoning classification as well as site photos of the property. Mr. Marx noted the home was constructed in 1997 with a legally

1 nonconforming front-facing garage that would not be permitted under the current zoning code. He
2 summarized the front yard lot coverage variation being requested and the existing driveway easement
3 for the neighboring property in detail.
4

5 Mr. Marx stated no comments were received regarding the application and following the applicant's
6 presentation, public comment and Board discussion, the Board may decide to either continue the
7 matter to a date certain to allow time to address questions or comments or make a motion to
8 recommend approval or denial of the requested variation with draft language included on page nos. 8
9 and 9. He asked if there were any questions.
10

11 Mr. Haller asked for the calculation covered by the easement for the west neighbor. Mr. Marx
12 responded it was measured to be 153.06 square feet. No additional questions were raised at this time.
13

14 Chairman Bradley swore in those speaking to this matter. Adam Rothschild, the applicant and
15 homeowner, stated that the home was purchased in July, 2024, after which time they realized there
16 were driveway issues. He described the three front facing garage doors and stated that due to the
17 driveway's narrowness, it is difficult to maneuver into the outer garage bays which also created
18 landscaping issues. Mr. Rothschild stated the issue created major safety concerns for the motorist and
19 pedestrians which he described to the Board. He also described his background in terms of evaluating
20 property safety issues and referred to a 2007 photo from Google Maps Streetview which depicted a
21 larger driveway. Mr. Rothschild stated the request would serve to restore the previously existing
22 functionality of the driveway which is smaller than the previous condition. He added that the neighbors
23 have no concerns with the request and asked the Board to recommend approval of the request. Mr.
24 Rothschild then provided photos to the Board for their review.
25

26 Ms. Hanley referred to the east side of the driveway and asked if consideration was given to installing
27 less pervious material to offset the amount of impervious being requested. Mr. Rothschild responded
28 that area related to the first 30 feet. Mr. Marx noted any surface material which would allow for walking
29 access or a vehicle to be driven over is counted toward impervious lot coverage and front yard lot
30 coverage, even if the material was capable of being pervious. Mr. Nielsen asked if the applicant had
31 three vehicles and Mr. Rothschild responded they have two vehicles. No additional questions were
32 raised at this time.
33

34 Chairman Bradley asked for public comment. No comments were made at this time. He then called the
35 matter in for discussion.
36

37 Ms. Hanley stated she had no problem with the request since it represented a safety issue as opposed to
38 an aesthetic issue. She also stated there is a hardship with regard to the west easement. Mr. Haller
39 stated after viewing the property and the amount of overage, he referred to the easement offset
40 compared to what is allowed. Mr. Haller then stated in considering the difficulty in terms of access, he
41 would recommend approval. Mr. Nielsen stated he is against the request and referred to the fact that
42 the house was constructed with a three-car garage. He also referred to the reasonable return standard
43 and described a three-car garage as a luxury item which did not meet that standard. Mr. Nielsen
44 concluded he would be against the request. Ms. Leister stated she leaned toward approval and viewed
45 the easement as a hardship. She agreed with the difficulty in maneuvering and stated the safety
46 concerns raised were a legitimate concern. Mr. Vender agreed with Mr. Nielsen with regard to the three
47 car garage concerns. He also referred to the safety concerns raised. Chairman Bradley agreed with the
48 safety concerns and stated easements did not make a property unique. He also described the existing

1 driveway as nonfunctional. Chairman Bradley stated the first two standards are difficult to meet and for
2 the easement and the ability to use the garage in the manner expected, he suggested the Board
3 recognize the opportunity to correct what was designed. He concluded the standards have largely been
4 met.

5
6 Chairman Bradley then asked for a motion to recommend approval as noted on page nos. 8 and 9. A
7 motion to recommend approval of the variation request was made by Ms. Hanley and seconded by Mr.
8 Haller. A vote was taken and the motion passed, 5 to 1:

9 AYES: Bradley, Haller, Hanley, Leister, Vender

10 NAYS: Nielsen

11
12 **b. Case No. 26-11-V: 1287 Scott Avenue: An application seeking approval of a zoning variation to**
13 **allow construction of a second-floor addition to the existing residence at 1287 Scott Avenue. The**
14 **requested variation would permit the addition to exceed the maximum permitted gross floor area.**
15 **The Zoning Board of Appeals has final jurisdiction on this request.**

16 Mr. Marx summarized the variations requested and identified the property's location, zoning
17 classification and site photos. He stated the request is to add a second-floor addition which he described
18 for the Board along with the existing and proposed floor plan elevations. Mr. Marx noted while the
19 home is existing nonconforming, the proposed addition would otherwise comply with zoning
20 requirements. He stated no written comments were received and following the applicant's presentation,
21 public comment and Board discussion, the Board may decide to either continue the matter to a date
22 certain to allow time to address questions or comments or make a motion to adopt the resolution to
23 approve or deny the requested variations with draft language included on page nos. 41 and 56. He asked
24 if there were any questions.

25
26 Chairman Bradley stated since the property is existing nonconforming, he questioned the Roofed Lot
27 Coverage and Gross Floor Area measurements and how they were calculated. Mr. Marx explained that
28 they are ultimately proportional to the size and dimensions of the subject property. He explained to the
29 Board the manner in which the property is compliant and where it is nonconforming. No additional
30 questions were raised at this time.

31
32 Chairman Bradley swore in those speaking to this matter. Theresa Rose, the applicant and homeowner,
33 and Rob Friedman, the architect, introduced themselves to the Board. Mrs. Rose stated that the home
34 was purchased in September 2025 at which time they were presented plans by the seller's agent in
35 terms of what the home could become with the intention of adding a bedroom to make the home more
36 functional for the family.

37
38 Mr. Nielsen referred to the small amount of deviation in the variation request and asked the applicant if
39 they considered making the addition smaller. Mr. Friedman confirmed that it was considered and
40 explained the alternatives they considered, noting that the proposed addition best matched the shape
41 and aesthetics of the existing house. Mr. Haller asked if they considered articulating the rear roof. Mr.
42 Friedman stated they want to maintain the home's architectural integrity. Chairman Bradley asked if the
43 new bathroom would be the master bath. Mrs. Rose stated it would be an on-suite bathroom. Ms. Leister
44 referred to the amount of similar homes on 50-foot lots and asked if they considered converting the
45 garage into a first-floor master bedroom and building a detached garage, which is more feasible because
46 of zoning code requirements. Mrs. Rose confirmed they looked into it and explained why that would
47 create awkward and mismatched floorplans and would not be practical for the layout of the house. No
48 additional questions were raised at this time.

1 Chairman Bradley asked for public comment. No comments were made at this time. He then called the
2 matter in for discussion.

3
4 Chairman Bradley described the request as straightforward. Ms. Hanley referred to the small lot with a
5 small ratio of permitted bulk and coverage, and noted the applicant's family makeup and the zoning
6 requirements in place. She stated she would lean toward denying the request and stated the request did
7 not warrant a variation with there being room in the remaining available GFA ratio to work with. Ms.
8 Hanley stated the first two standards have not been met. Ms. Leister stated she also leaned toward
9 voting against the request and referred to the standards not being met although the variation
10 percentage seemed de minimis. She then stated there may be ways to trim down the request. Ms.
11 Hanley agreed the request could be reduced to affect the variation amount requested. Mr. Marx
12 clarified the amount of GFA counted with a pitched roof of the house and how upper-floor GFA is
13 determined.

14
15 Mr. Vender stated with regard to reasonable return, the request is a de minimis ask and referred to
16 ways in which the request can be reduced. He commented the proposed design is better and would be
17 more functional. Mr. Vender stated he would vote in favor of the request. Mr. Nielsen stated while the
18 variation amount requested is small, the standards are being picked apart in that they are not met. He
19 stated he is torn in terms of his vote and is leaning toward voting against the request. Mr. Haller agreed
20 with Ms. Leister's comments and asked if the proposed addition is reduced 5 feet in the rear, would that
21 area relieve the amount counted toward GFA. He then stated he struggled with regard to finding a way
22 to give the applicant 100 square feet with his vote leaning toward no. Chairman Bradley stated the first
23 standard has definitely not been met although the property is unique in ways he outlined. He stated for
24 a project this small and the applicant has 315 square feet to use, the home would not look right if they
25 were required to strictly adhere to the standards and a denial would become punitive. Chairman Bradley
26 referred to the applicant's proposal for a modest amount of GFA. Mr. Haller added due to the number of
27 small nonconforming lots in the Village, to deny a modest request of this type could result in more lot
28 consolidations. The Board Members discussed their positions in detail.

29
30 Chairman Bradley took a straw poll of the Board Members' positions. He then asked for a motion to
31 approve the request as included on page 41. A motion to approve the request as presented was made
32 by Mr. Nielsen and seconded by Mr. Vender. A vote was taken and the motion passed, 5 to 1:

33 AYES: Bradley, Haller, Leister, Nielsen, Vender

34 NAYS: Hanley

35
36 **New Business:**

37 a. June 8, 2026 Meeting - Quorum Check.

38 Chairman Bradley thanked Mr. Vender for his service on the Board. The Board Members discussed their
39 availability.

40
41 **Public Comment:**

42 No comments were made at this time.

43
44 **Adjournment:**

45 Chairman Bradley asked for a motion to adjourn. A motion to adjourn was made by Ms. Hanley and
46 seconded by Mr. Nielsen. A vote was taken and the motion unanimously passed, 6 to 0:

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

48 NAYS: None

1 The meeting adjourned at 8:18 pm.
2
3 Respectfully submitted,
4
5 Antionette Johnson
6 Recording Secretary
7

DRAFT



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: CHRISTOPHER MARX, ACIP - ASSOCIATE PLANNER
DATE: JUNE 4, 2026
SUBJECT: 9 WARWICK AVENUE - VARIATIONS (CASE NO. 26-12-V)

INTRODUCTION

On June 8, 2026, the Zoning Board of Appeals (“ZBA”) is scheduled to hold a public hearing on an application submitted by Nick and Jaclyn Mancuso (collectively, the “Applicant”), as the owners of the property located at 9 Warwick Road (the “Subject Property”). The Applicant requests approval of the following zoning variations to allow construction of an addition to the existing residence on the Subject Property:

1. **Side Yard Setback** of 6.08 feet from the north property line, whereas a minimum of 9.1 feet is required, a variation of 3.02 feet (33.19%) [Section 17.30.060 – Side Yard Setback] [Note: The residence currently provides a north side yard setback of 6.08 feet]; and
2. **Structural changes necessary to provide new window openings** in the legally nonconforming north side building wall of the existing residence that provides a side yard setback of 6.08 feet, whereas a minimum of 9.1 feet is required. [Section 17.64.060 – Nonconformities].

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 May 21, 2026. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The ZBA has final jurisdiction on this request as the ZBA has the authority to grant variations to reduce required side yard setbacks for any principal building by no more than 50%. Typically, the Zoning Administrator has final jurisdiction on requests to allow structural changes necessary to provide new window and door openings in a legally nonconforming side building wall; however, since this request includes additional zoning relief for which the Zoning Administrator does not have jurisdiction, the ZBA also has final jurisdiction on the request to allow structural changes to provide new window openings in the legally nonconforming north side building walls.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.32 acres, is located on the northwest corner of the intersection of Warwick and Essex Roads and contains an existing two-story residence and a detached garage (see Figure 1). The property is zoned R-4 Single Family Residential and is bordered by the same to the north, west, and south, while bordering the Village of Kenilworth to the east (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan land use designation.

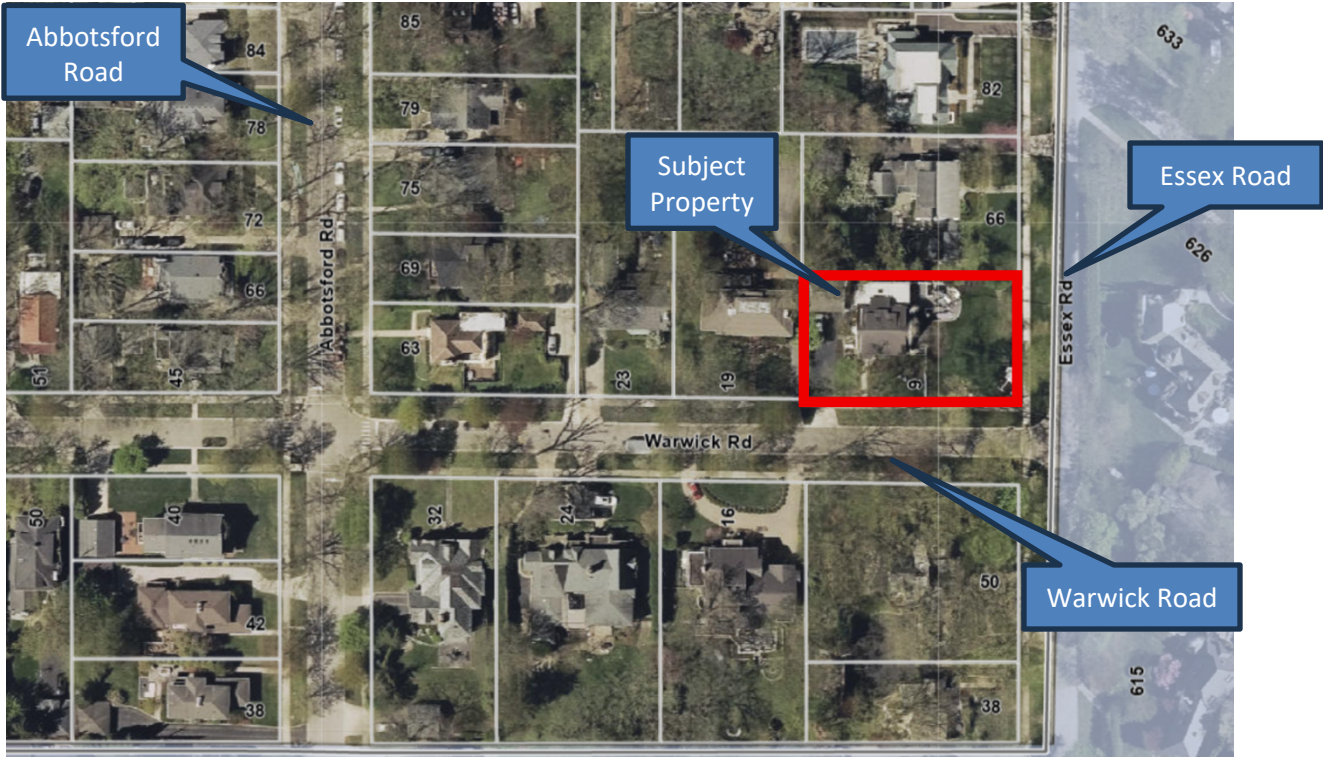


Figure 1 – GIS Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in approximately 1915 with improvements that included a detached garage in 1923, building addition in 1970, new detached garage in 1993, building addition in 2001, and patio fireplace installation in 2021. In 1993, the property was granted a zoning variation to allow the rear yard setback for the new detached garage to be reduced from 6 feet to 3.3 feet. The Applicant acquired the property in 2020. Figures 3 through 6 on the following pages are current photos of the Subject Property.



Figure 3 – Subject Property – Corner Yard (South) Elevation – Warwick Road



Figure 4 – Subject Property – Corner Yard (South) Elevation – Warwick Road



Figure 5 – Subject Property – Front Yard (East) Elevation – Essex Road



Figure 6 – Subject Property – Front Yard (East) Elevation – Essex Road

PROPOSED PLAN

The variations are requested to construct first-floor and second-floor additions as part of an overall renovation of the existing residence. The proposed first-floor changes would consist of an additional 186.7 square feet of gross floor area (“GFA”) for a relocated kitchen and new mudroom, pantry, half-bathroom, along with an expanded covered front porch near the south entrance. The proposed second-floor changes consist of an additional 770.7 square feet of GFA for a new primary suite. New windows would be installed in the existing nonconforming north side building wall for the breakfast room and kitchen on the first floor and for the primary bedroom on the second floor.

The detached garage would receive dormer additions to allow for work space in the upper area of the structure, which would comply with all zoning requirements, including height and setbacks.

Excerpts of the proposed site plan, floor plans, and building elevations are provided below and on the following pages as Figures 7 through 12. The complete set of plans is provided in the application materials (**Attachment C**).

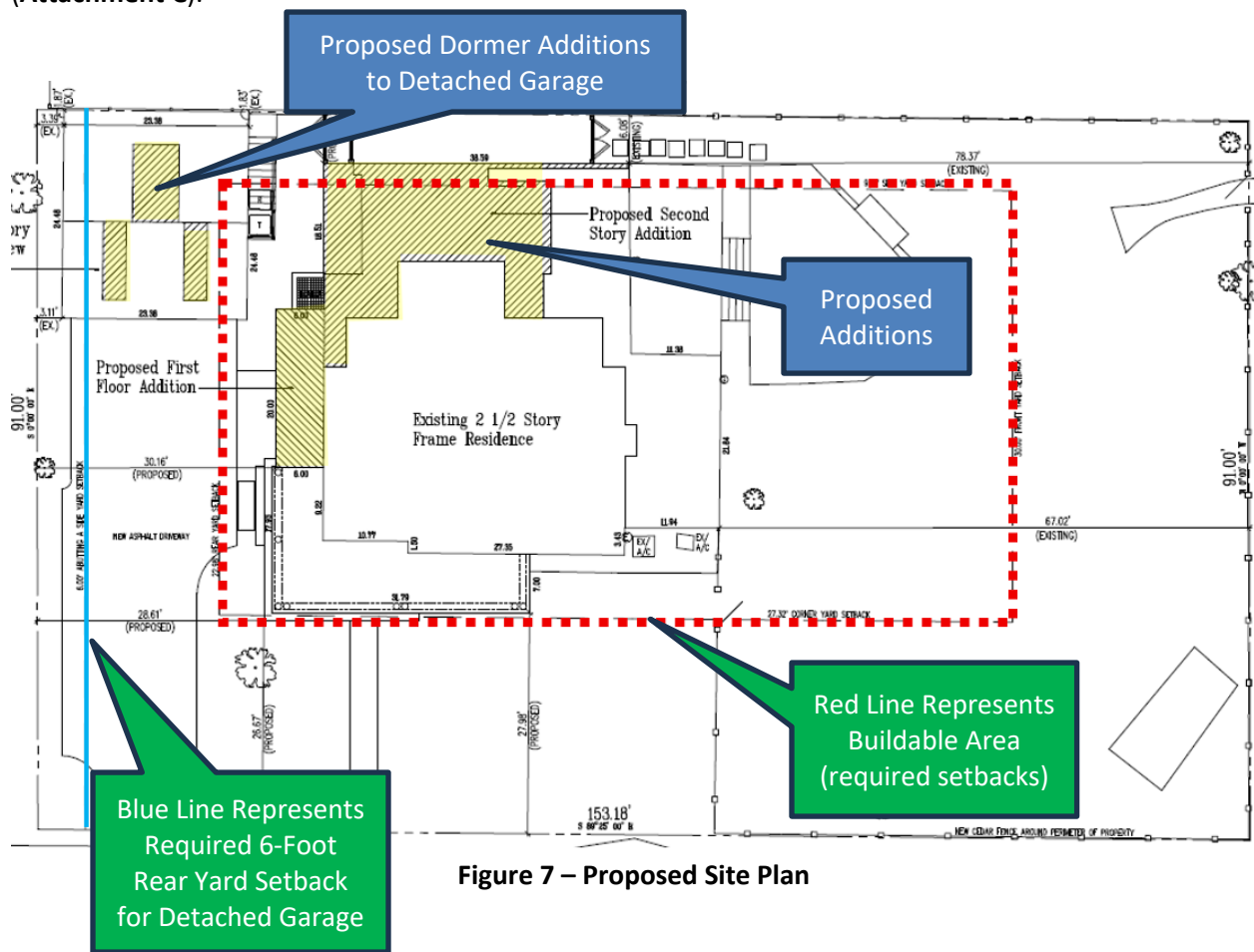


Figure 7 – Proposed Site Plan



Figure 10 – Proposed Side (North) Elevation



Figure 11 – Proposed Front (East) Elevation



Figure 12 – Proposed Rear (West) Elevation

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (**Attachment B**). Based on the proposed plans, it appears additional stormwater detention would 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 13 below represents the Subject Property’s proximity to the floodplain; the cyan represents the 100-year floodplain; the orange represents the 500-year floodplain.



Figure 13 - 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**). Two variations are being requested: (1) side yard setback; and (2) structural changes necessary to provide new window openings.

Minimum Side Yard Setback (North). The existing residence is legally nonconforming with respect to the minimum required side yard setback as it currently provides a north side yard setback of 6.08 feet. The proposed addition would continue the existing north side yard setback of 6.08 feet, requiring a variation of 33.19%.

Structural Changes Necessary For New Window Openings. Zoning relief is necessary to allow the proposed window openings in the legally nonconforming north side building wall of the existing residence. As noted previously, the north building wall provides a setback 6.08 feet, whereas the minimum required side yard setback is 9.1 feet. Existing doors and windows may be replaced in the same location and size; however, enlarged or relocated doors and windows in a nonconforming side building wall require approval of a zoning variation.

FINDINGS

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

Staff has prepared the attached draft resolutions for the ZBA's consideration (**Attachment D**). One resolution approves the request, while the other denies the request. A ZBA member may wish to make a motion to: (i) adopt the resolution to approve the requested variations; (ii) adopt the resolution to deny the requested variations; or (iii) continue the case to a specific date.

ATTACHMENTS

- Attachment A: Zoning Matrix
- Attachment B: Stormwater Matrix
- Attachment C: Application Materials
- Attachment D: Draft Resolutions

ATTACHMENT A

ZONING MATRIX						
ADDRESS: 9 WARWICK ROAD						
CASE NO: 26-12-V						
ZONING: R-4						
ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)	
Min. Lot Size	13,300 SF	13,939 SF	N/A	N/A	OK	
Min. Average Lot Width	70 FT	91 ft	N/A	N/A	OK	
Min. Lot Depth	120 FT	153.18 FT	N/A	N/A	OK	
Max. Roofed Lot Coverage	3,763.5 SF (1)	2,545.02	2,731.72 SF	186.7 SF	OK	
Max. Gross Floor Area	4,602.8 SF	3,413.07 SF	4,326.43 SF	913.36 SF	OK	
Max. Impermeable Lot Coverage	6,969.5 SF (1)	3,584.24 SF	5,412.89 SF	1,828.65 SF	OK	
Min. Front Yard (Essex Road)	30 FT	67.02 FT	67.02 FT	0 FT	OK	
Min. Corner Yard (Warwick Road)	27.3 FT	29 FT	27.98 FT	-1.02 FT	OK	
Min. Side Yard (North)	9.1 FT	6.08 FT	6.08 FT (3)	0 FT	3.02 FT (33.19%) VARIATION	
Min. Rear Yard (West)	22.98 FT	36.1 FT	30.16 FT	-5.94 FT	OK	
NOTES:	(1) Based on lot area of 13,939 square feet					
	(2) Variation amount is the difference between proposed and requirement.					
	(3) Proposed first and second floor building additions would continue, but not increase, existing nonconforming side yard setback along north building wall.					

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 onsite. They are required to meet all other Village stormwater system design requirements.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multifamily, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 9 Warwick Road. Based upon preliminary review of information to date, it appears that 9 Warwick Road <u>would</u> have to provide additional storm water detention volume. However, a final determination will not occur until engineering plans are submitted with a building permit application.</i>
E. Improvements to existing lots, who currently exceed maximum impermeable lot coverage (e.g., School sites, single family and multifamily sites)	The amount of additional required storm water detention volume is based upon: a) The amount of the impermeable lot coverage (ILC) currently in excess of the maximum permitted amount of ILC allowed by zoning that will be removed and replaced, and/or b) The amount of ILC in addition to what currently exists on the lot. The amount of required detention volume is then determined using the runoff coefficient for 100-year storm event.	

ATTACHMENT C

Village of Winnetka
ZONING VARIATION APPLICATION

V I L L A G E O F W I N N E T K A , I L L I N O I S
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. _____

Property Information

Site Address: 9 Warwick Road, Winnetka, IL

Owner Information

Name: Nick and Jaclyn Mancuso

Primary Contact: Jaclyn or Nick Mancuso

Address: [REDACTED]

Phone No. [REDACTED]

City, State, ZIP: [REDACTED]

Em [REDACTED]

Date property acquired by owner: 11/10/2020

Architect Information

Name: Charles Hackley, Jr.

Attorney Information

Name: _____

Primary Contact: Tom DeCoste

Primary Contact: _____

Address [REDACTED]

Address: _____

City, State, ZIP: [REDACTED]

City, State, Zip: _____

Pho [REDACTED]

Phone No. _____

Email [REDACTED]

Email: _____

Nature of any restrictions on property: Existing home is beyond side yard setback on North side of property

Brief explanation of variation(s) requested (attach separate sheet providing additional details): We are requesting relief beyond the north side yard setback to build a second story addition. Our addition will align with the existing first floor that is beyond the setback line.

Property Owner Signatur [REDACTED]

Date: 04-29-2026

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

This variation request stems from the original design of the home and its siting on the property. The original home was built with very large formal spaces on the South and East sides of the first floor. These large, formal spaces left very little room for a kitchen, a family entry and informal living to the north. In addition, the second floor design has similar issues where large bedrooms were designed on the South and East side where small service spaces, such as bathrooms and closets, were placed to the north.

Our design is to modernize this 1920's home for the current day while maintaining the large formal living spaces of the original home. To do this, our only option for expansion is to the north. Due to the original siting of the home on the property, the north side of the home is beyond the setback line by 3.03 feet. We seek to expand a portion of the first floor for a kitchen addition and a portion of the second floor for a Primary Bedroom/Bath addition. These additions are designed to align with the existing north wall of the residence and seamlessly blend with the character and aesthetic of the original home.

- 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.

This circumstance is not due to the occupants but because of the unique nature of the existing home's design and its siting on the property itself. The large formal spaces of the original home on the south and east side, along with the siting of the building in the North-West corner of the lot, do not allow for expansion of the home into the traditional buildable area of the lot. We cannot expand west as the existing detached garage is located in the north-west corner of the property with the driveway running along the west lot line. Our only option for expansion, while preserving the original character of the home, is to the North.

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

The existing residence at 9 Warwick Road will remain as a single-family home, consistent in scale, materials, and character with the existing residence and



neighborhood. The new addition will fully comply with the maximum allowed zoning FAR requirements, height regulations and impervious coverage regulations.

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

Our proposed addition to the north is mainly focused on the second floor. This addition has a gable ended roof line which will minimize the overall frontal area of the addition allowing for significant light to flow around the roof line on to the neighboring property. Adequate air to the neighboring property will not be impacted.

- 5) The hazard from fire and other damage to the property will not be increased.

The new addition and all other proposed work to the home will be built to the most current building codes including all applicable fire codes. This should make the home and the property more fire resistant than it currently is. Our proposed addition is primarily over an existing structure so impact to the site and water runoff on the property will be kept to a minimum.

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

The proposed addition and overall property improvements are expected to enhance the taxable value of the home and the neighborhood.

- 7) The congestion in the public street will not increase.

Public street congestion will not be affected as the home will still remain as a single family residence with the same owners once completed.

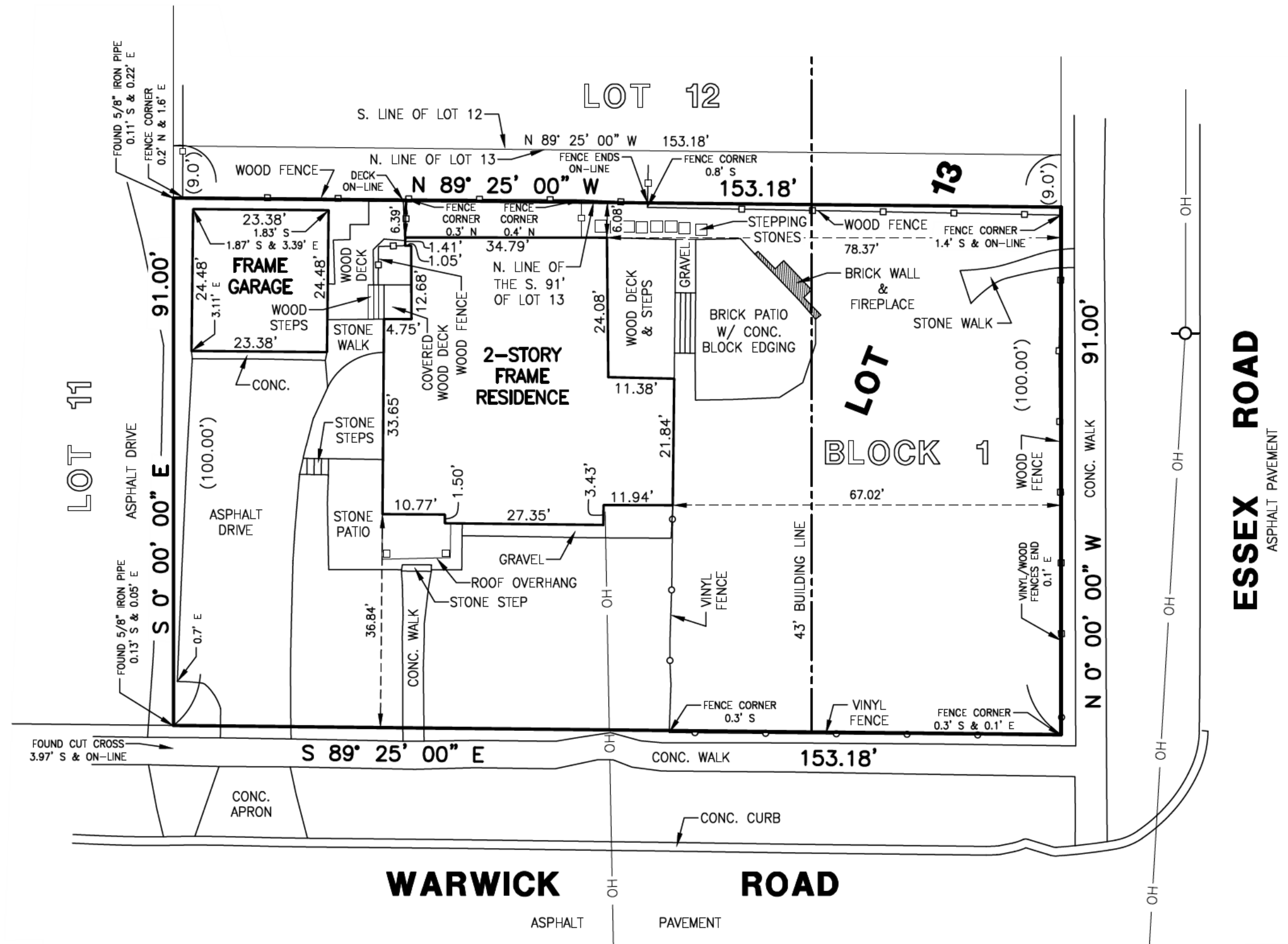
- 8) The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired.

The proposed addition should have no negative impacts on the inhabitants, or the community, as it will be built to current building code standards and will be built with respect to the existing residence and community aesthetic.



PLAT OF SURVEY

THE SOUTH 91 FEET OF LOT 13 IN BLOCK 1 IN TEMPEL'S RESUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE CHICAGO MILWAUKEE RAILROAD RIGHT OF WAY AND THE NORTH OF VILLAGE LIMITS OF KENILWORTH, IN COOK COUNTY, ILLINOIS.



LEGEND

- POWER POLE
- OVERHEAD LINES

SURVEYORS NOTES:

1. THIS SURVEY IS SUBJECT TO MATTERS OF TITLE WHICH MAY BE REVEALED BY A CURRENT TITLE REPORT.
2. () DENOTES RECORD DIMENSION.
3. BEARINGS HEREON SHOWN ARE ON AN ASSUMED BASIS.
4. ORIGINAL CLIENT- HACKLEY & ASSOCIATES ARCHITECTS
5. ORIGINAL FIELD WORK COMPLETED- 04-02-26

GENERAL NOTES:

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

AREA

13,939 Sq. Ft. OR 0.32 ACRES (MORE OR LESS)

STATE OF ILLINOIS }
COUNTY OF LAKE } SS

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

DATED THIS 7TH DAY OF APRIL, A.D., 2026

GREENGARD INC. 310 [REDACTED] ILLINOIS
PROFESSIONAL LAND SURVEYOR NO. 3316
MY RENEWABLE LICENSE EXPIRES 11-30-26.



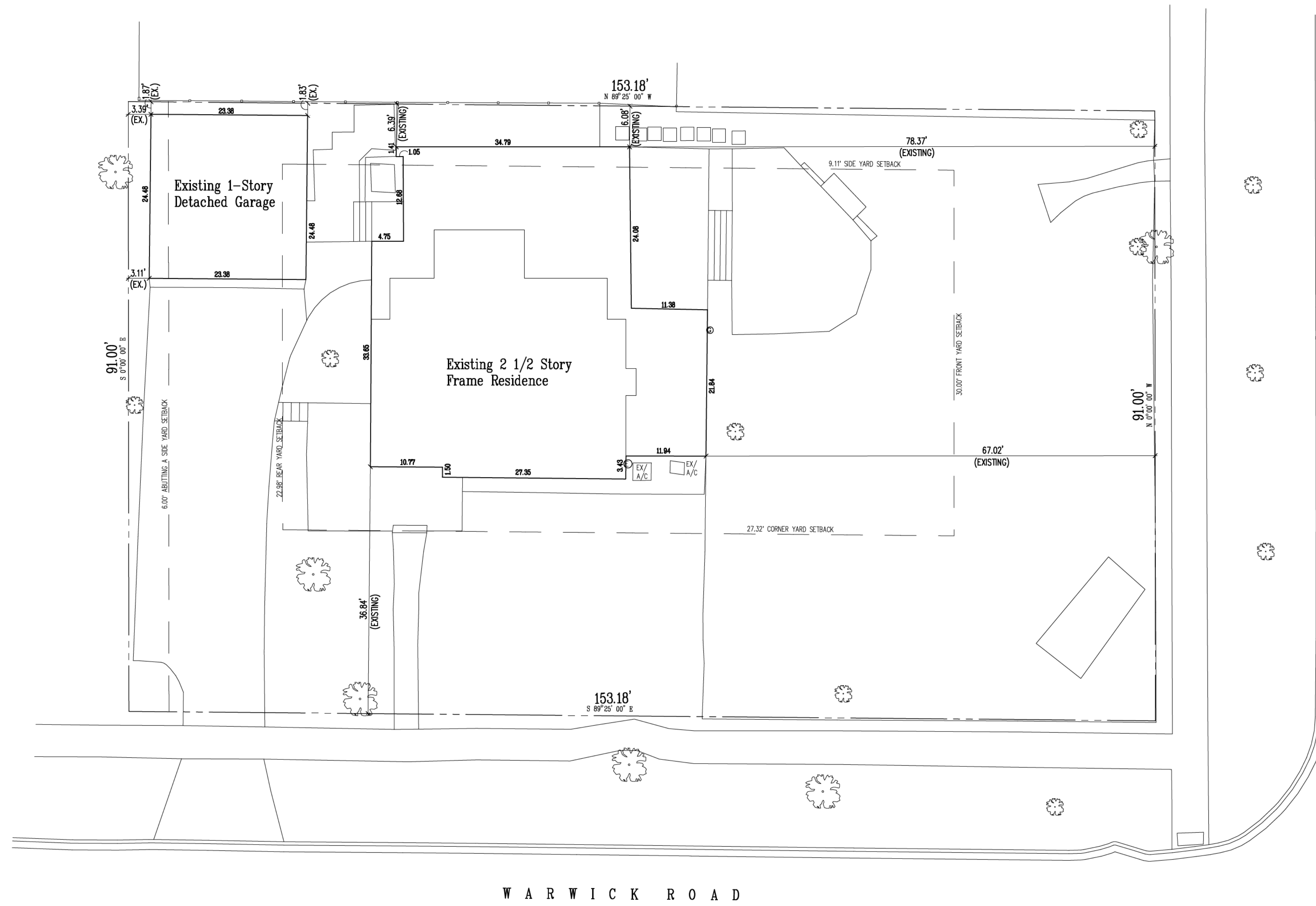
Drawing File: J:\72046\dwg\Survey\72046-SB.dwg Apr 07, 2026 - 8:43am

DESIGNED BY: SLM	DATE: 04-07-26		SCALE: 1"=20'	9 WARWICK ROAD - WINNETKA, ILLINOIS PLAT OF SURVEY
CHECKED BY: JRS	DATE: 04-07-26		DRAWING No. 72046	
APPROVED BY:	DATE:		SHEET 1 OF 1	
DRAWN BY:	DATE:	REVISIONS:		

INDEX OF DRAWINGS

- E-1 Existing Site Plan
- E-2 Existing Foundation/Basement Plan
- E-3 Existing First Floor Plan
- E-4 Existing Second Floor Plan
- E-5 Existing Attic Floor Plan
- E-6 Existing South Elevation
- E-7 Existing East Elevation
- E-8 Existing North Elevation
- E-9 Existing East Elevation

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- A-4 Proposed Second Floor Plan
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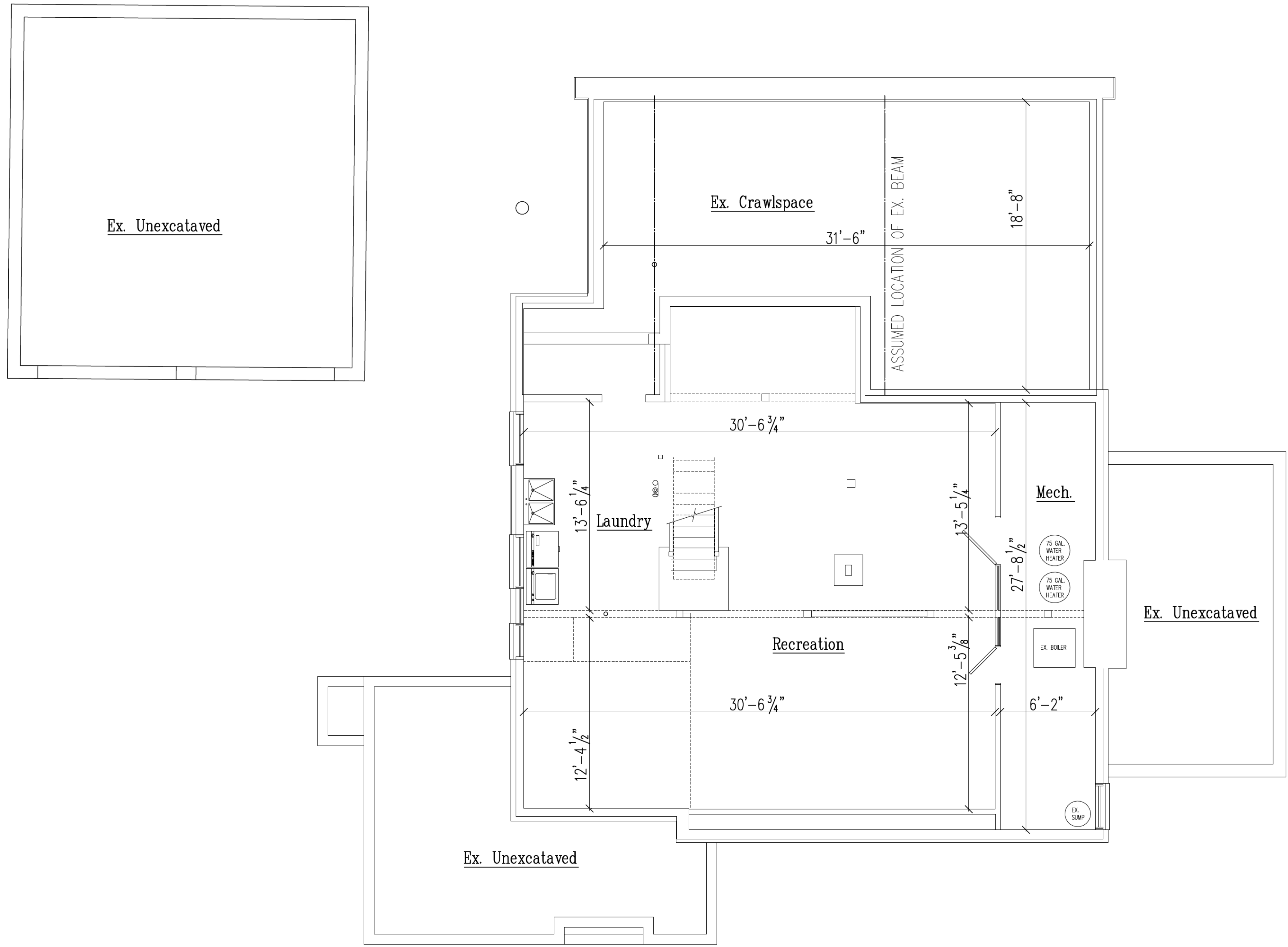


Existing Site Plan
Scale = 1:10

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Existing Foundation / Basement Plan
 1/4" = 1'-0"

Ex. Unexcavated

Ex. Crawlspace

ASSUMED LOCATION OF EX. BEAM

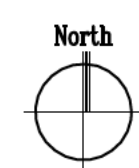
Laundry

Recreation

Mech.

Ex. Unexcavated

Ex. Unexcavated

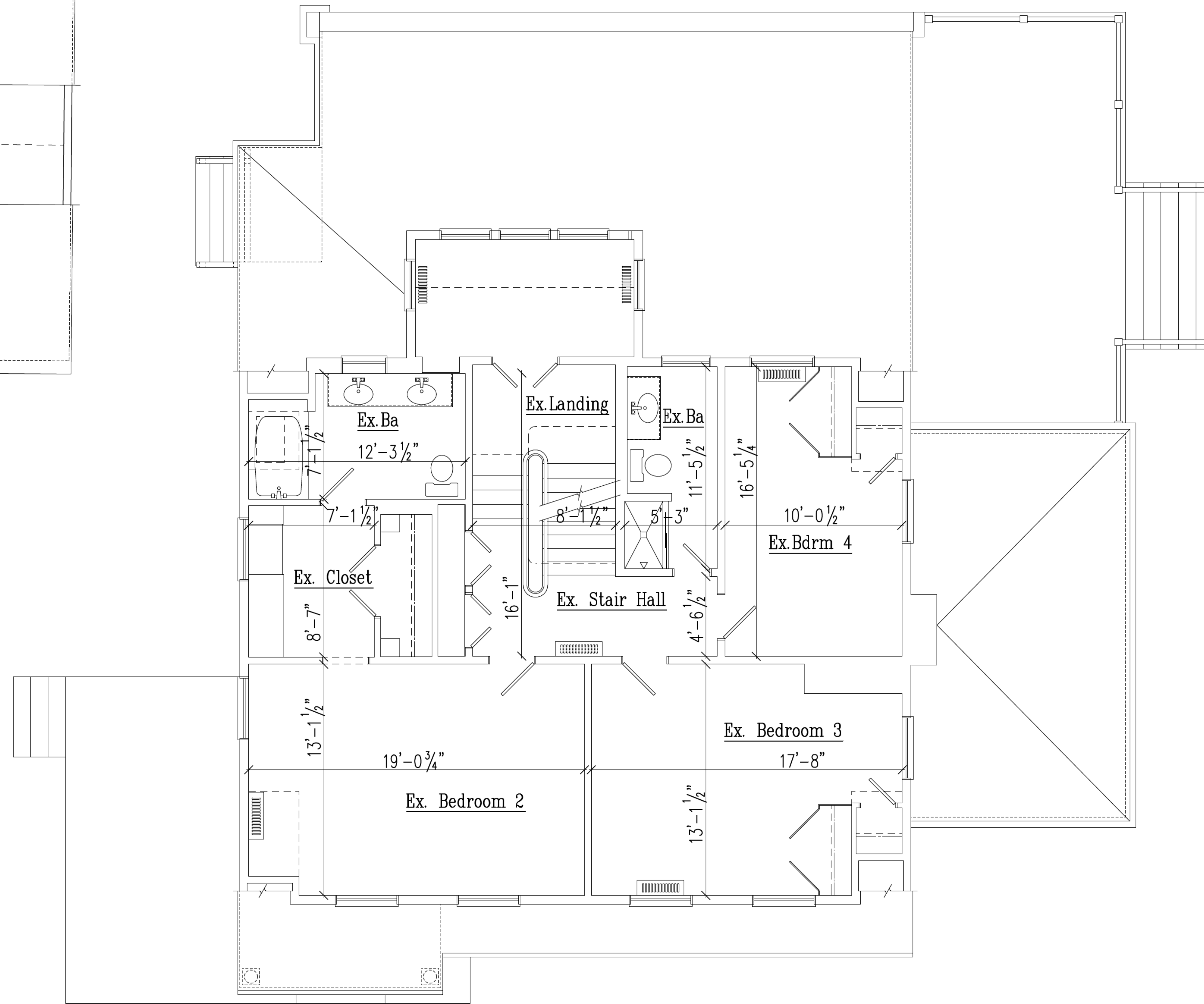
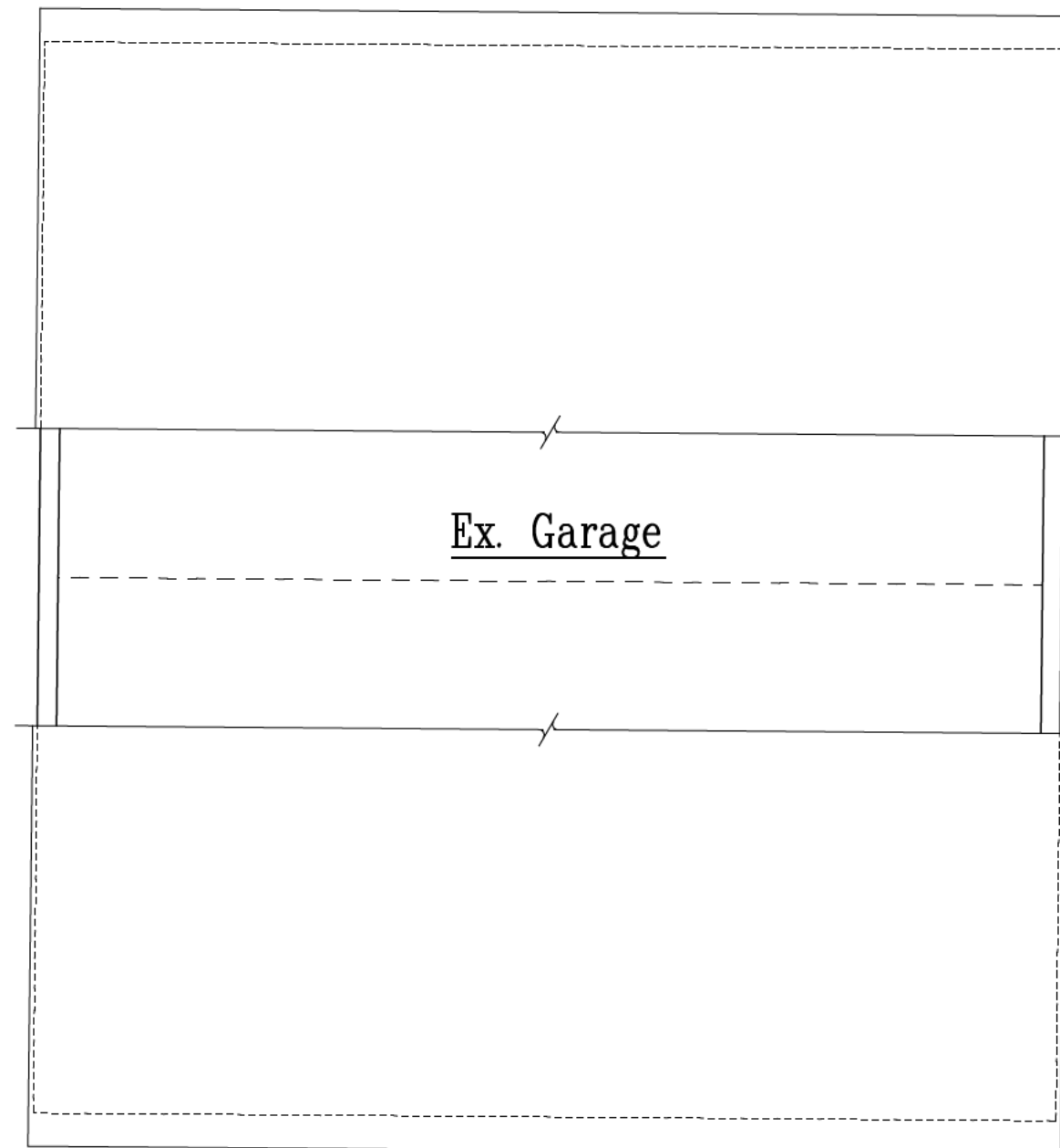


Existing First Floor Plan
1/4" = 1'-0"

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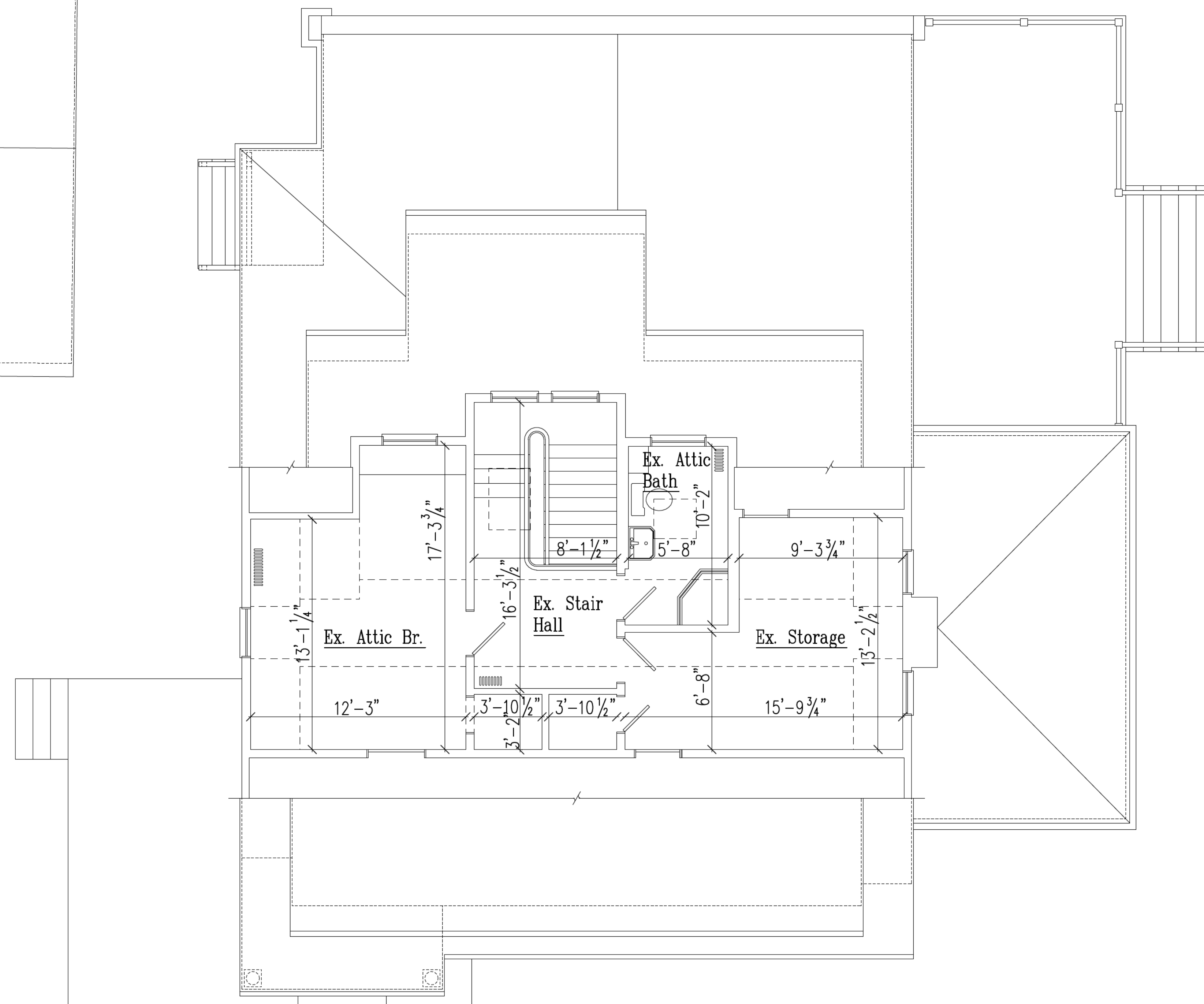
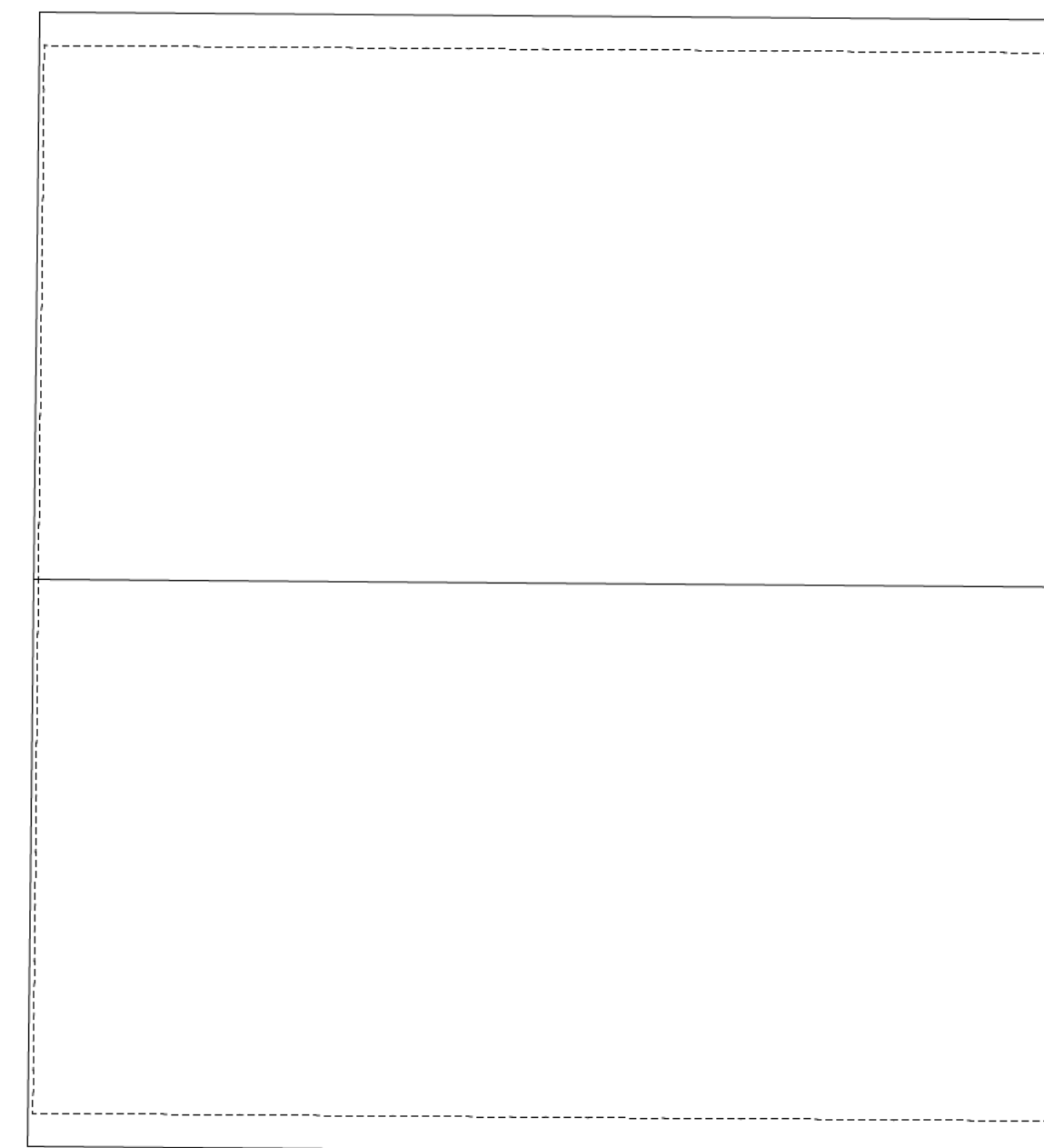


Existing Second Floor Plan
1/4" = 1'-0"

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Existing Attic Floor Plan
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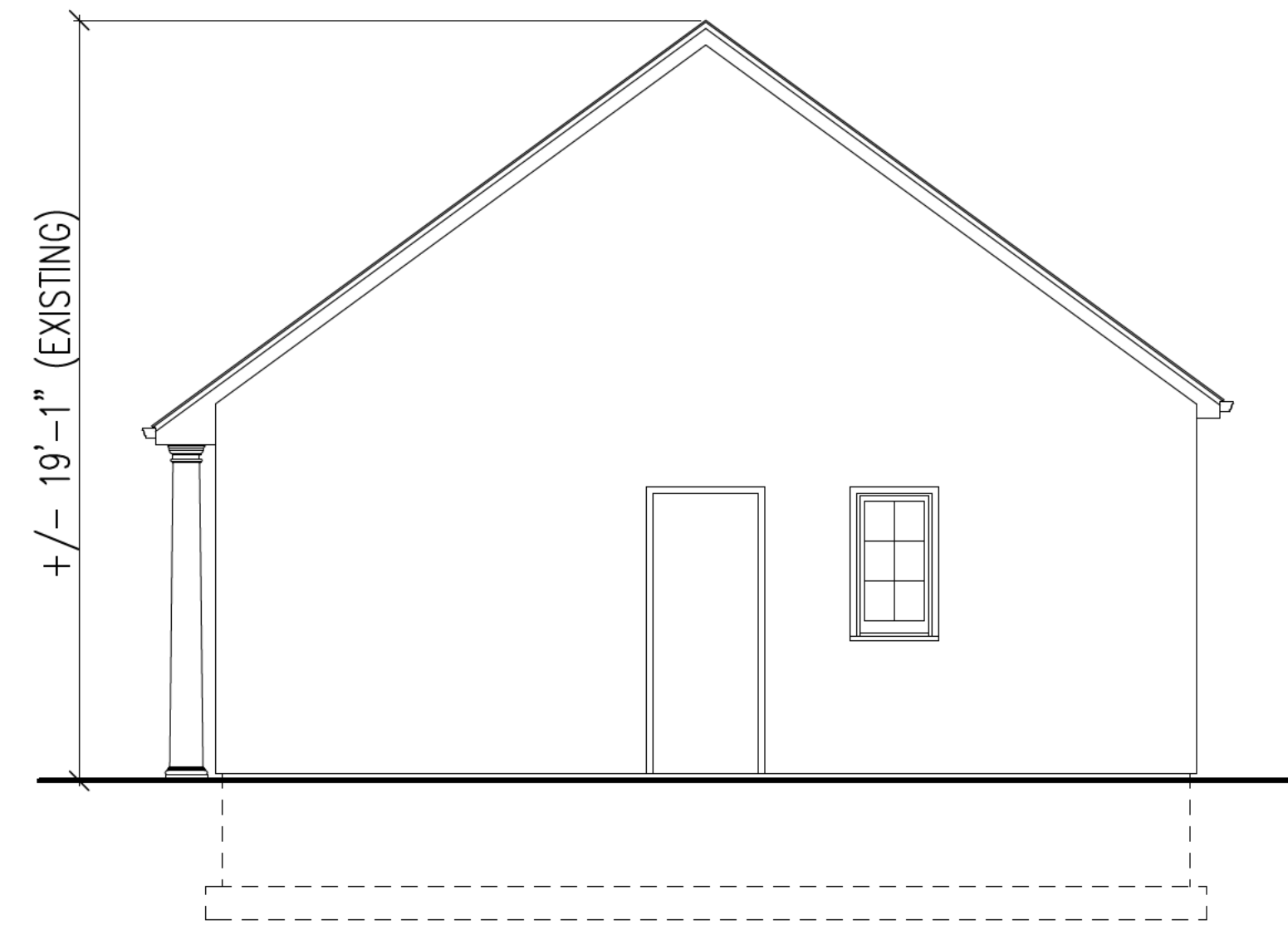


Existing South Elevation
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FRANK
 RUBBONS
 RUBBONS
 RUBBONS
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RESIDENCE
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Existing East Elevation (Garage)
1/4" = 1'-0"

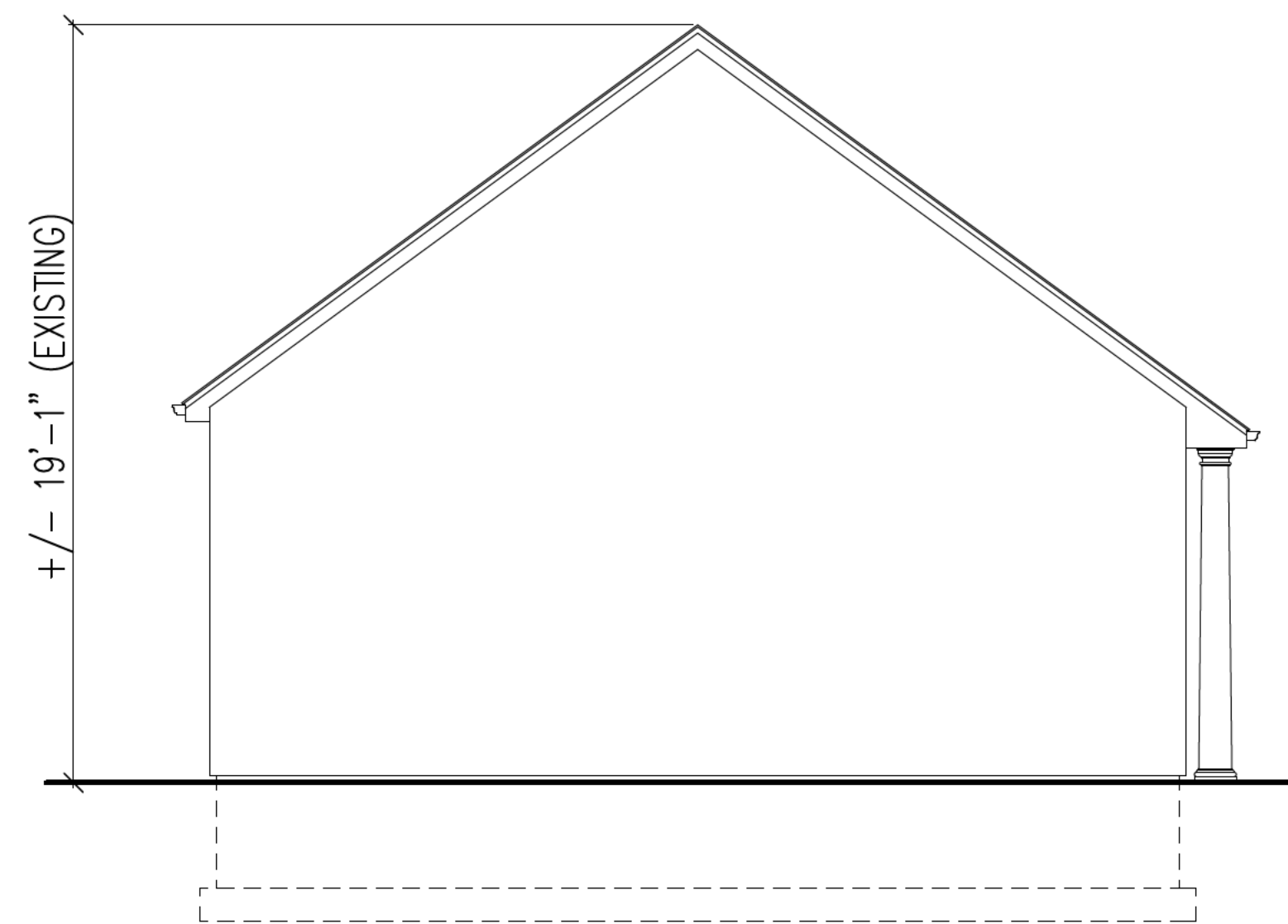


Existing East Elevation
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Existing West Elevation (Garage)
1/4" = 1'-0"



Existing West Elevation
1/4" = 1'-0"

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FRAME
REVISIONS
REVISIONS
REVISIONS
CONSTRUCTION

RESIDENCE
MINNETKA, ILLINOIS 60093

INDEX OF DRAWINGS

- E-1 Existing Site Plan
- E-2 Existing Foundation/Basement Plan
- E-3 Existing First Floor Plan
- E-4 Existing Second Floor Plan
- E-5 Existing Attic Floor Plan
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- E-8 Existing North Elevation
- E-9 Existing East Elevation

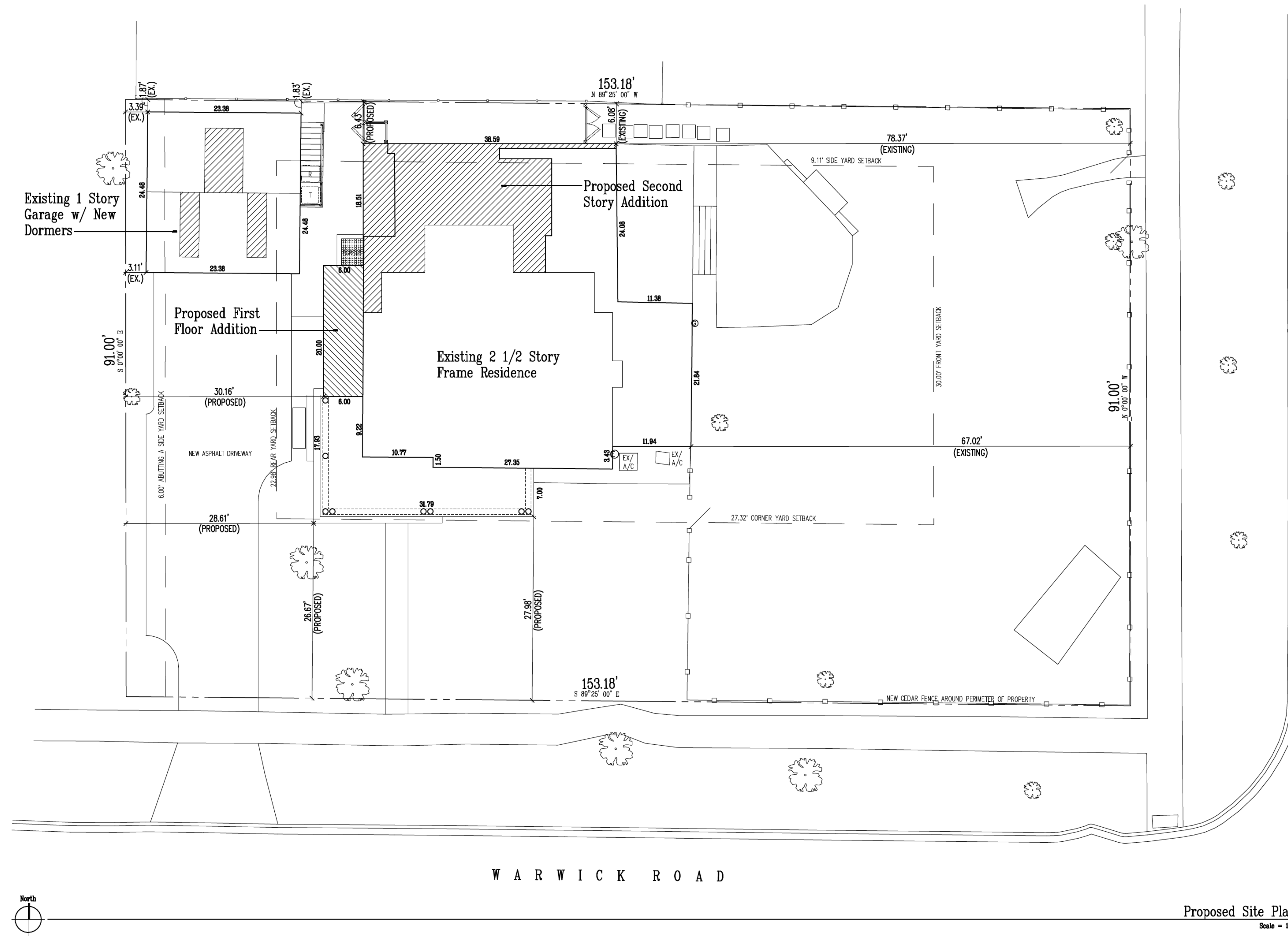
- A-1 Proposed Site Plan
- A-2 Proposed Foundation/Basement Plan
- A-3 Proposed First Floor Plan
- A-4 Proposed Second Floor Plan
- A-5 Proposed Attic Floor Plan
- A-6 Proposed South Elevation
- A-7 Proposed East Elevation
- A-8 Proposed North Elevation
- A-9 Proposed East Elevation

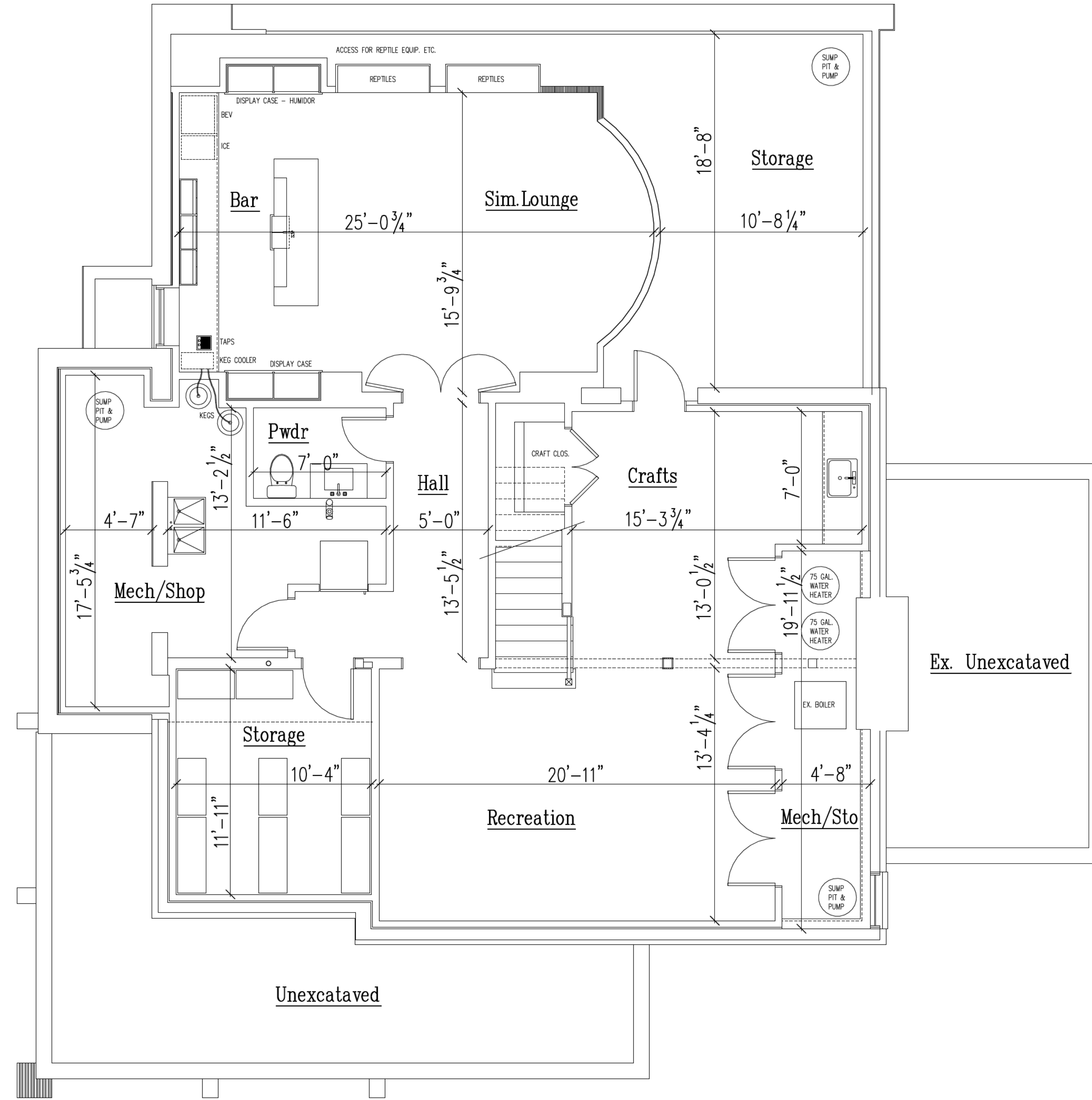
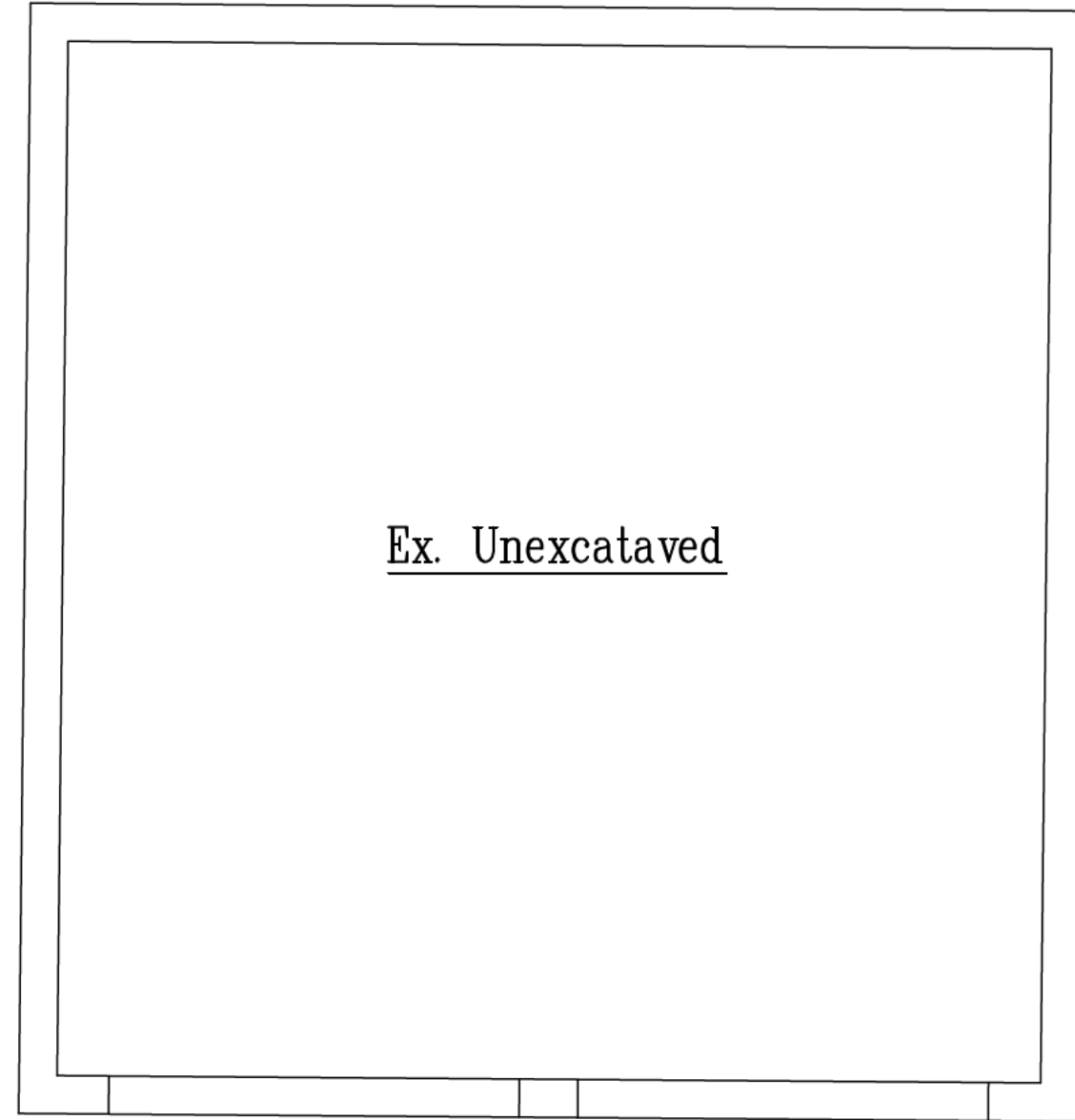
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 9 WARWICK ROAD, WINNETKA, ILLINOIS 60093

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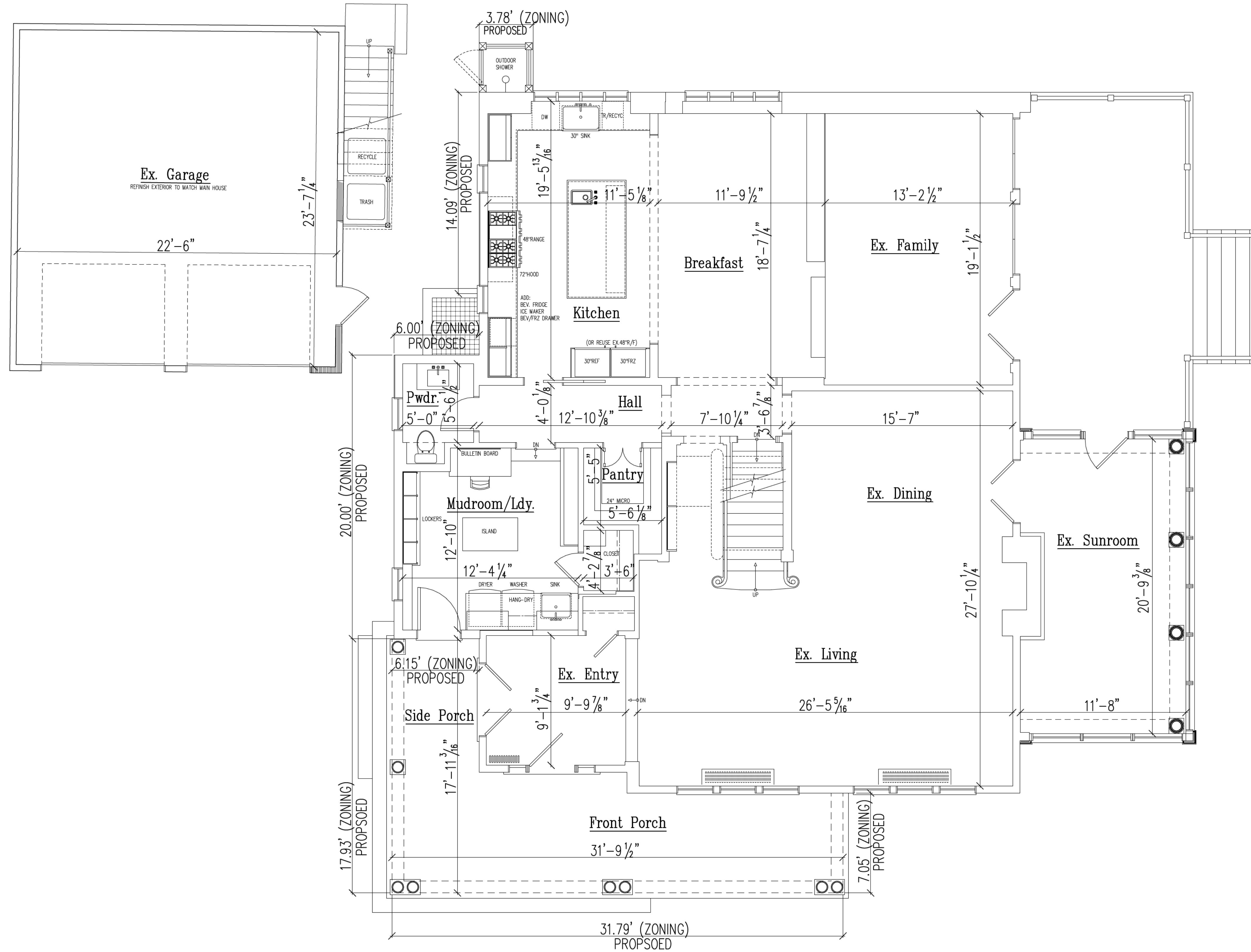


Proposed Foundation / Basement Plan
1/4" = 1'-0"

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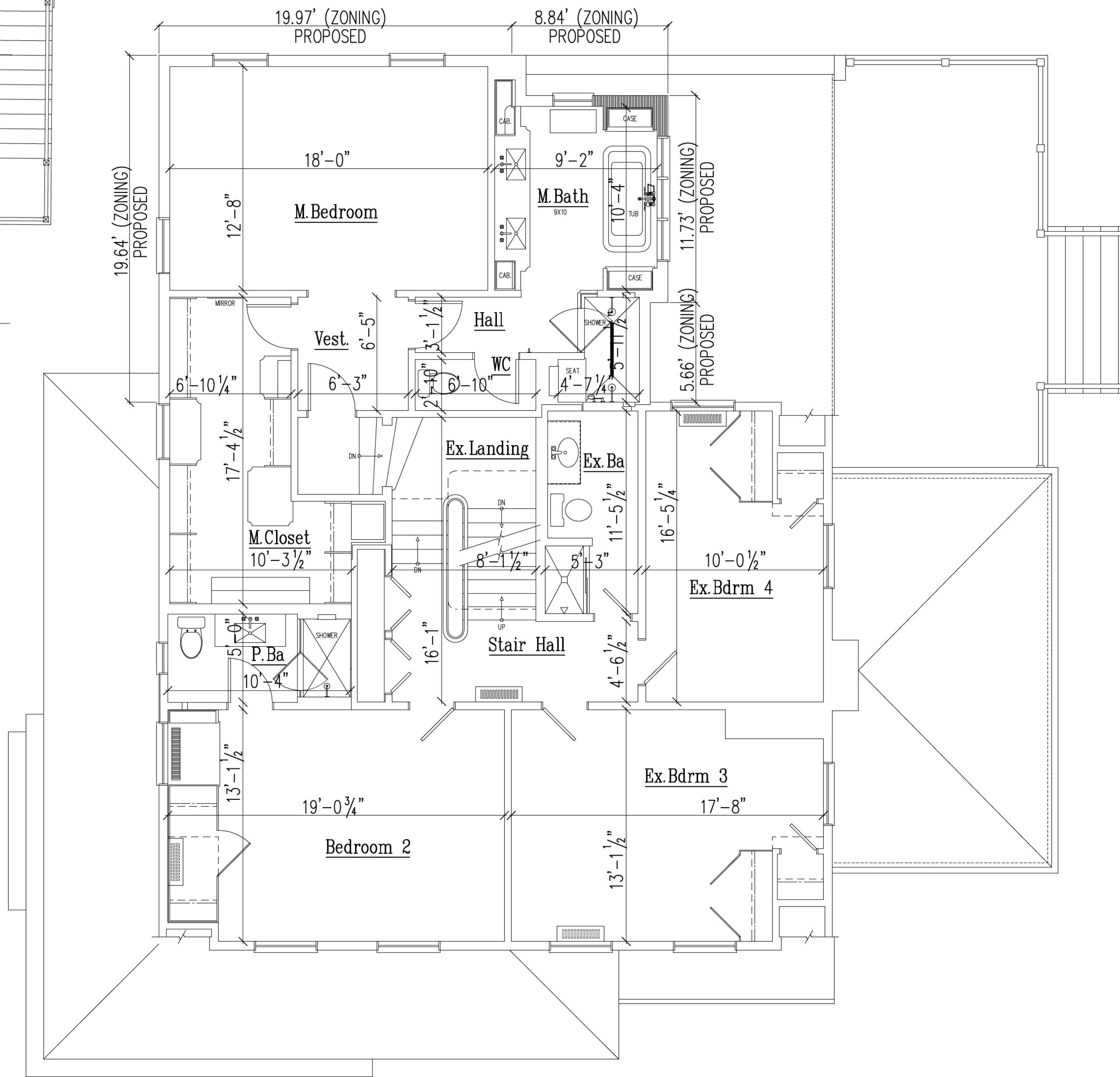
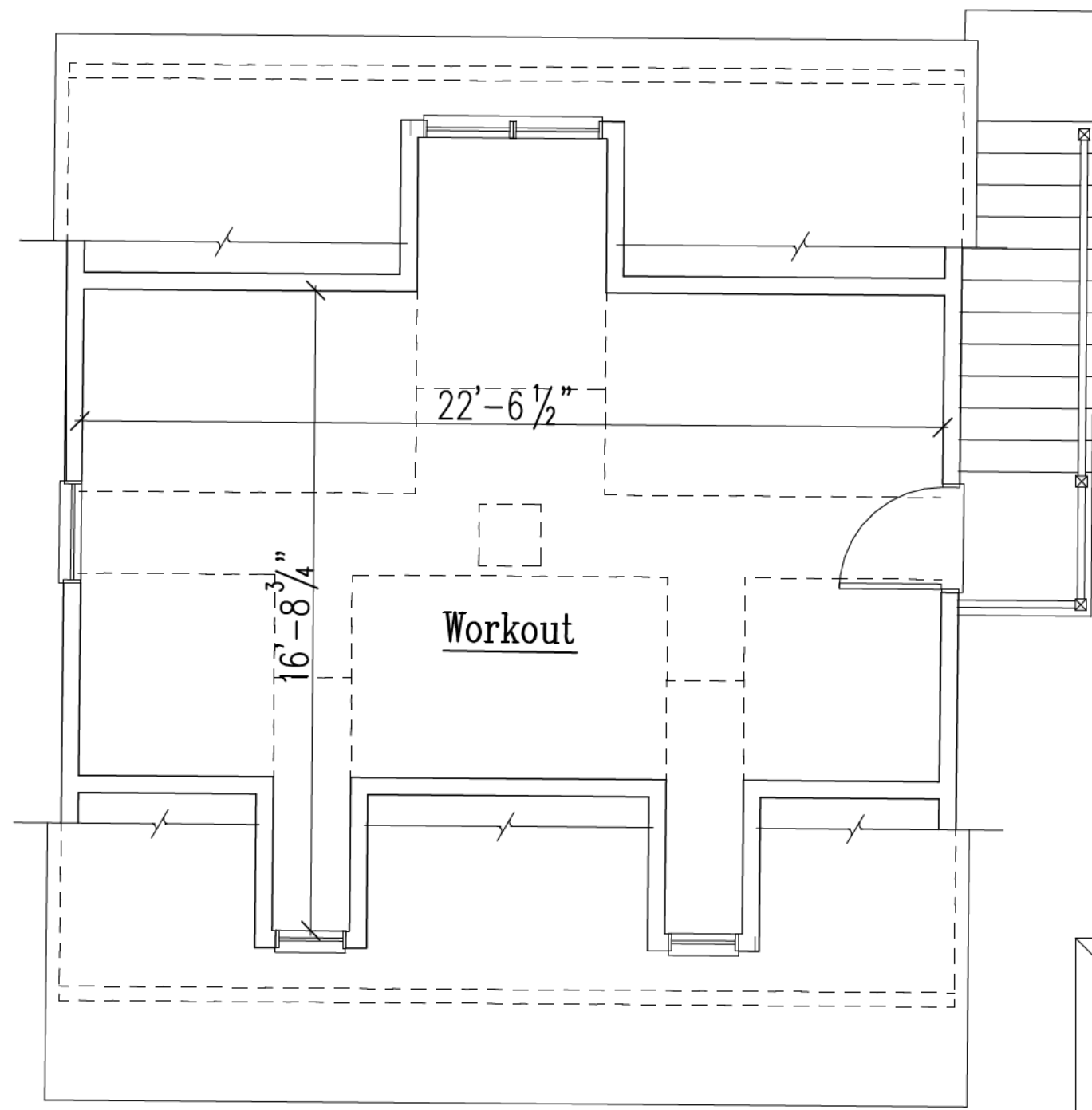


Proposed First Floor Plan
1/4" = 1'-0"

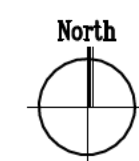
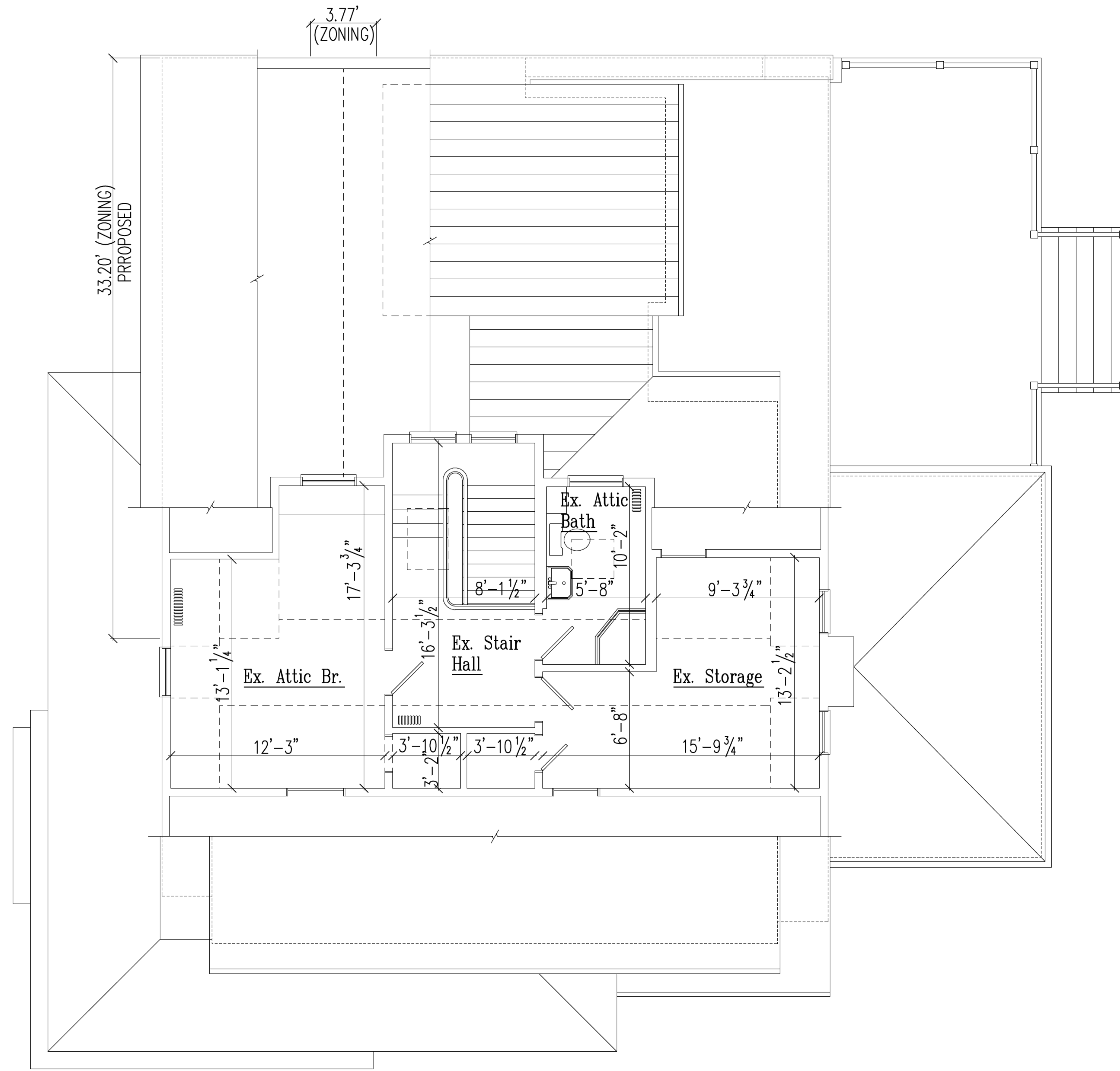
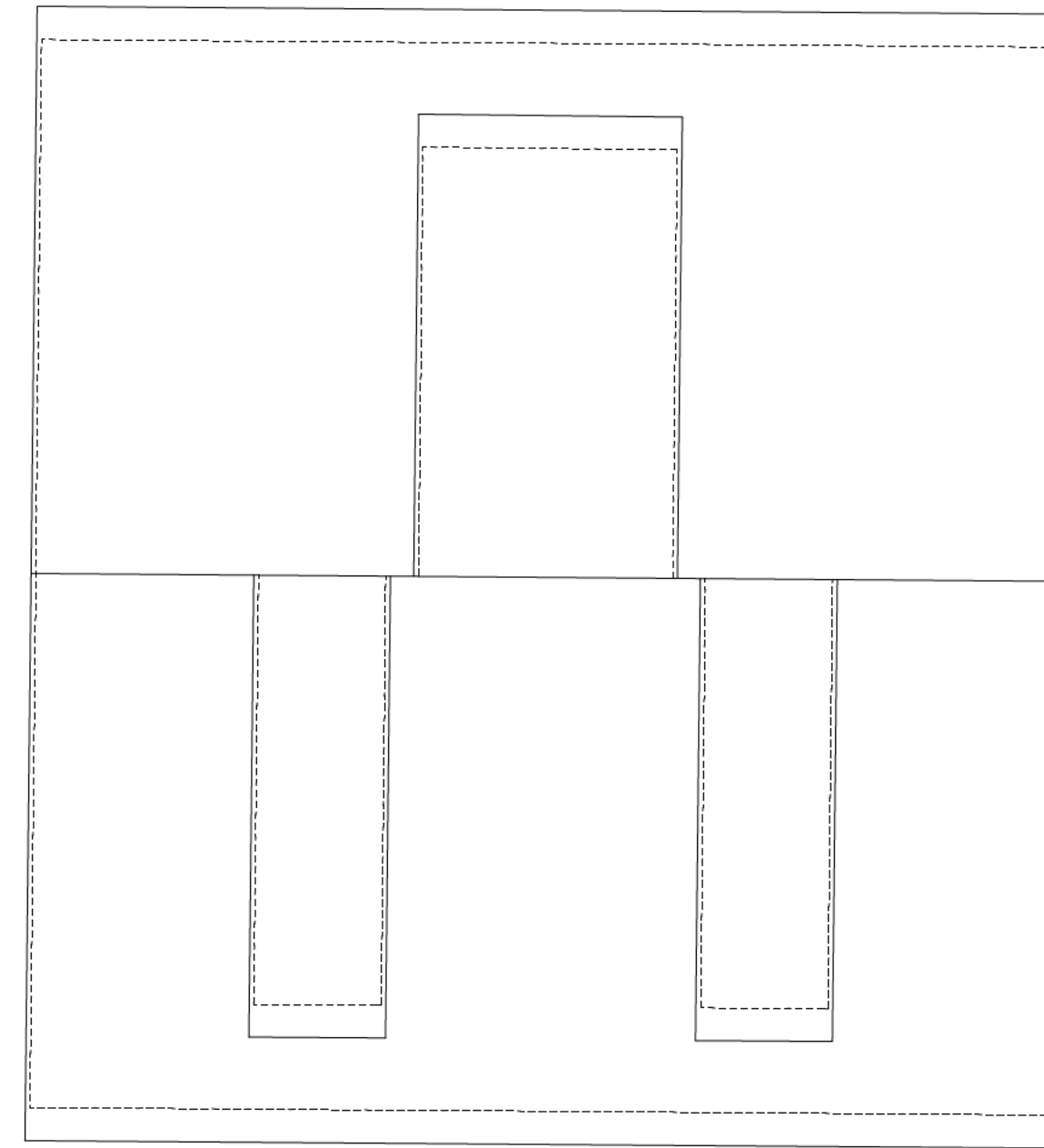
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RESIDENCE
WINNETKA, ILLINOIS 60093



Proposed Second Floor Plan
1/4" = 1'-0"

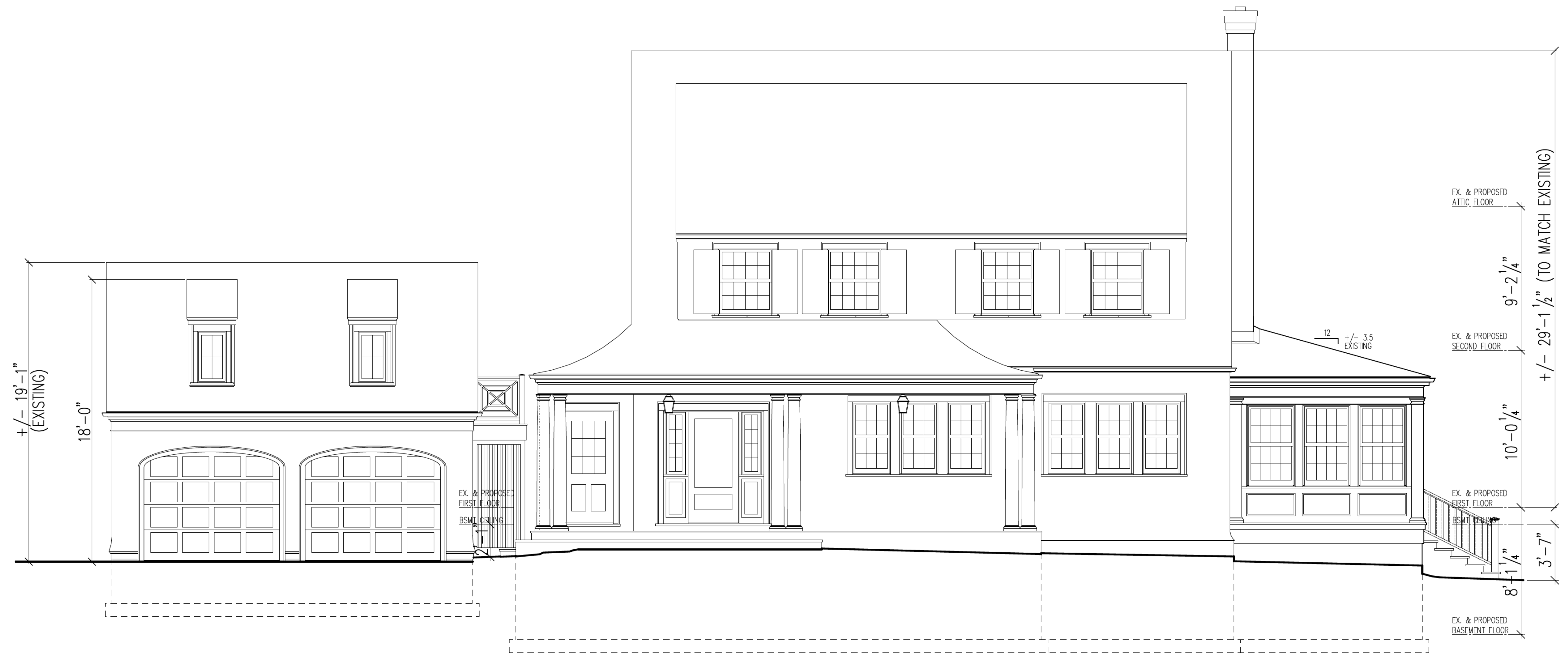


Proposed Attic Floor Plan
1/4" = 1'-0"

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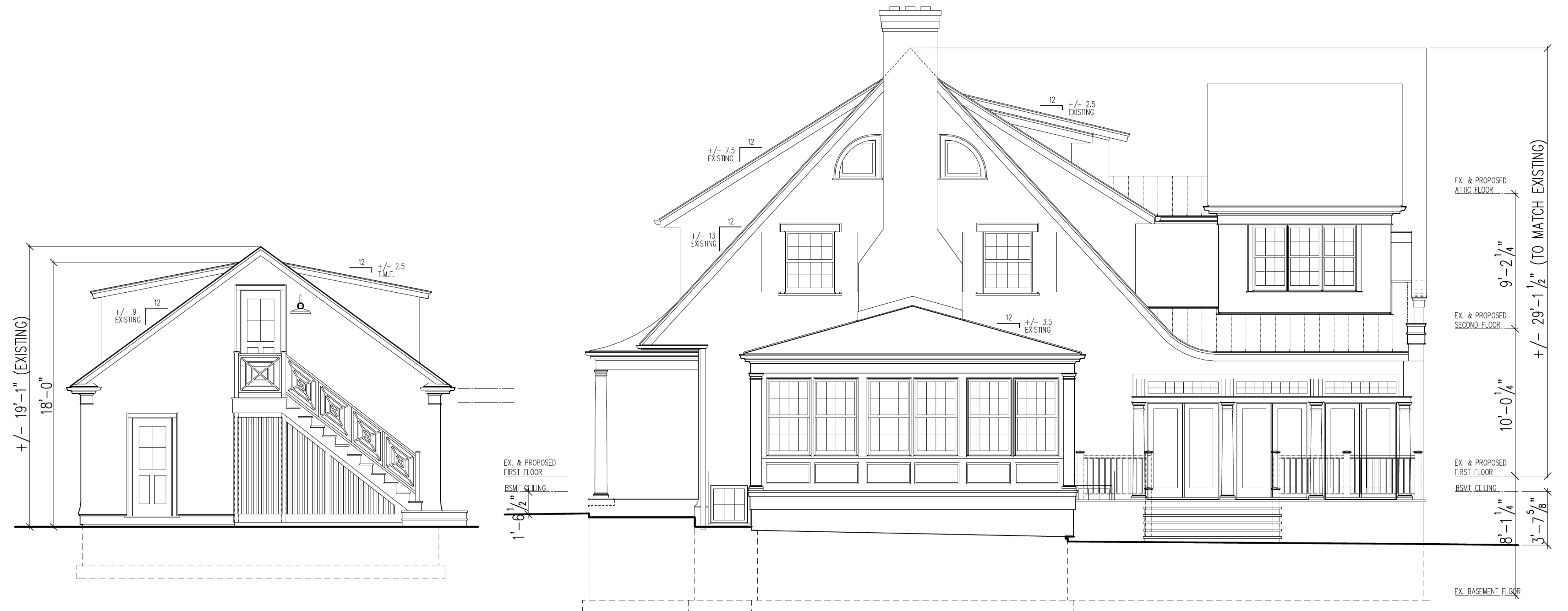


Proposed South Elevation
1/4" = 1'-0"

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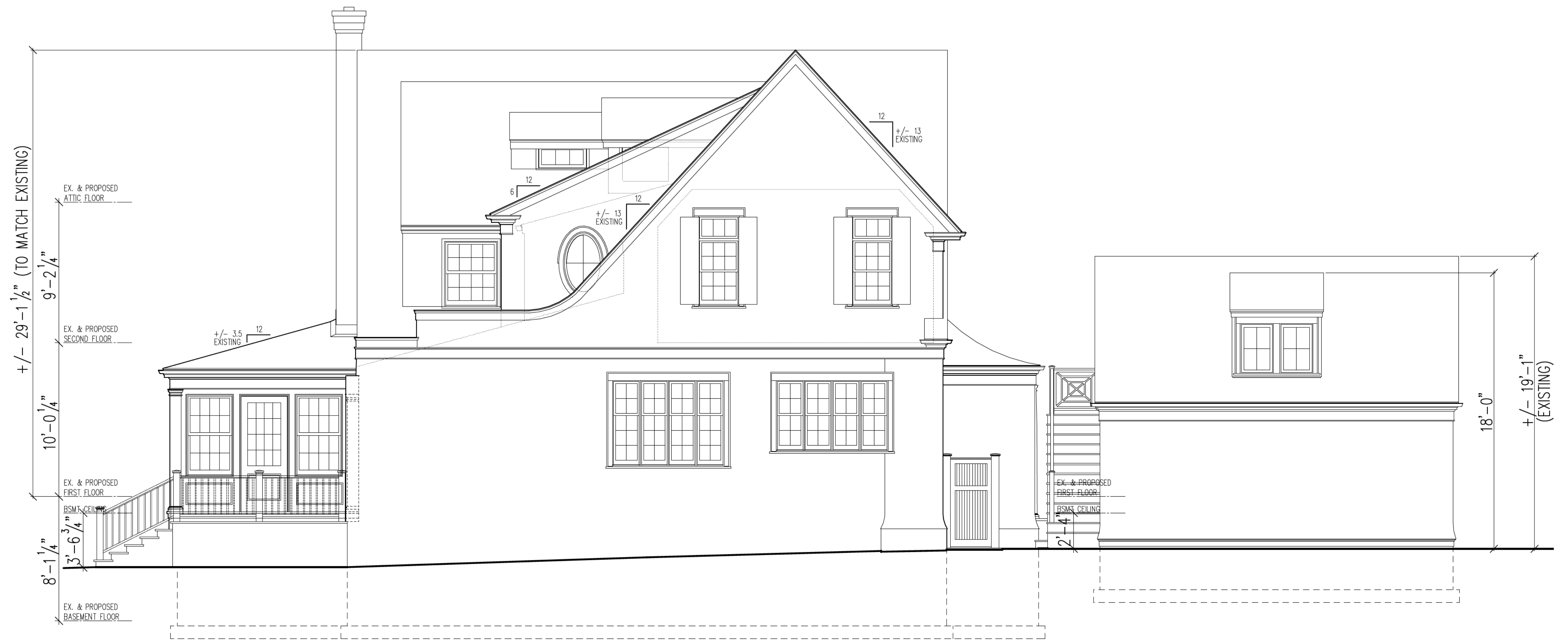
PREPARED BY:
 HASKLEY & ASSOCIATES
 ARCHITECTS
 CONSTRUCTION

RESIDENCE
 9 WARWICK ROAD - WINNETKA, ILLINOIS 60093



Proposed East Elevation (Garage)
1/4" = 1'-0"

Proposed East Elevation
1/4" = 1'-0"



Proposed North Elevation
 1/4" = 1'-0"

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 RESIDENCES
 RESIDENCES
 CONSTRUCTION

RESIDENCE
 9 WARWATER ROAD WINNETKA, ILLINOIS 60093

ATTACHMENT D
RESOLUTION NO. ZBA-03-2026
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 26-12-V – 9 WARWICK ROAD

WHEREAS, Nick and Jaelyn Mancuso (collectively, the “Applicant”) are the owners of the property commonly known as 9 Warwick Road, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-4 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single-family residence with a detached garage that is nonconforming with respect to the minimum required side yard setback from the north property line (“**Building**”); and

WHEREAS, the Applicant desires to construct additions on the first and second floors of the Building and create new window openings in the legally nonconforming north side building wall of the Building on the Subject Property that would (i) provide less than the minimum required side yard setback from the north property line; and (ii) require structural changes necessary to provide new window openings in the legally nonconforming north side building wall of the existing Building that provides less than the minimum required side yard setback (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is required to provide a minimum side yard setback of 9.1 feet; and

WHEREAS, pursuant to Section 17.64.060 of the Winnetka Zoning Ordinance, zoning relief is necessary to allow enlarged or relocated windows in nonconforming side buildings walls; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a minimum side yard setback that is less than the required 9.1 feet, a violation of Section 17.30.060 of the Zoning Ordinance; and (ii) construct new window openings in the legally nonconforming north side building wall that provides less than the minimum required side yard setback of 9.1 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Section 17.30.060 and Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) a north side yard setback of 6.08 feet; and (ii) new window openings in the existing north side building wall that provides a setback of 6.08 feet (“**Requested Variations**”); and

WHEREAS, a public notice for the Requested Variations was duly published on May 21, 2026, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on June 8, 2026, for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on June 8, 2026; and

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

1. Application for the Requested Variations submitted by the Applicant, dated April 29, 2026, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

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

WHEREAS, the Zoning Board of Appeals has determined that it will serve and be in the best interest of the Village and its residents to grant the application for the (i) minimum side yard setback variation, and (ii) the structural changes necessary to provide new window openings in the legally nonconforming building wall variation in accordance with, and subject to, the conditions, restrictions, and provisions of this Resolution.

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

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

SECTION 2. APPROVAL OF VARIATIONS. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested (i) minimum side yard setback variation from Section 17.30.060 of the Zoning Ordinance, and (ii) structural changes to allow new window openings in the legally nonconforming side building wall variation from Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

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

SECTION 4. RECORDING; BINDING EFFECT. A copy of this Resolution will be recorded in the office of the Cook County Clerk Recording Division. This Resolution and the privileges, obligations, and

provisions contained herein will inure solely to the benefit of, and be binding upon, the Applicant and its respective heirs, personal representatives, successors and assigns.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Resolution, the approval granted in Section Two of this Resolution will, at the sole discretion of the Zoning Board of Appeals, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Zoning Board of Appeals may not so revoke the approval granted in Section Two of this Resolution unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, (i) the side yard setback requirements set forth in Section 17.30.060 of the Zoning Ordinance and (ii) the structural changes to provide a new window opening in a legally nonconforming side building wall requirement set forth in Section 17.64.060 of the Zoning Ordinance. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

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

SECTION 7. EFFECTIVE DATE.

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

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 8th day of June, 2026, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

THE SOUTH 91 FEET OF LOT 13 IN BLOCK 1 IN TEMPEL'S RESUBDIVISION OF THAT PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE CHICAGO MILWAUKEE RAILROAD RIGHT OF WAY AND THE NORTH OF VILLAGE LIMITS OF KENILWORTH, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS 9 WARWICK ROAD, WINNETKA, ILLINOIS.

PARCEL INDEX NUMBER: 05-28-202-017-0000

EXHIBIT B
PLANS

(SEE ATTACHED EXHIBIT B)

INDEX OF DRAWINGS

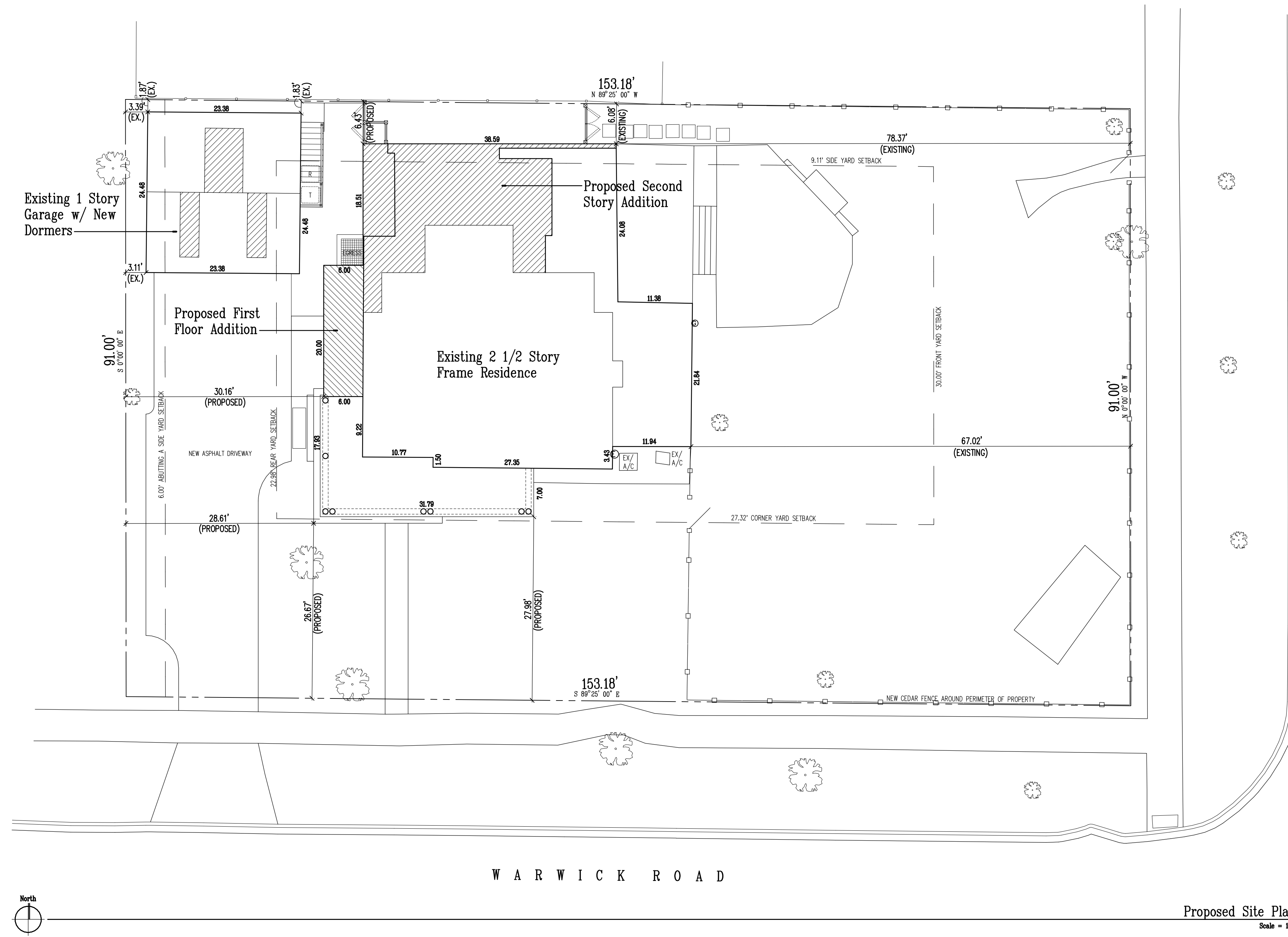
- E-1 Existing Site Plan
- E-2 Existing Foundation/Basement Plan
- E-3 Existing First Floor Plan
- E-4 Existing Second Floor Plan
- E-5 Existing Attic Floor Plan
- E-6 Existing South Elevation
- E-7 Existing East Elevation
- E-8 Existing North Elevation
- E-9 Existing East Elevation

- A-1 Proposed Site Plan
- A-2 Proposed Foundation/Basement Plan
- A-3 Proposed First Floor Plan
- A-4 Proposed Second Floor Plan
- A-5 Proposed Attic Floor Plan
- A-6 Proposed South Elevation
- A-7 Proposed East Elevation
- A-8 Proposed North Elevation
- A-9 Proposed East Elevation

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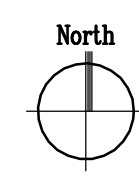
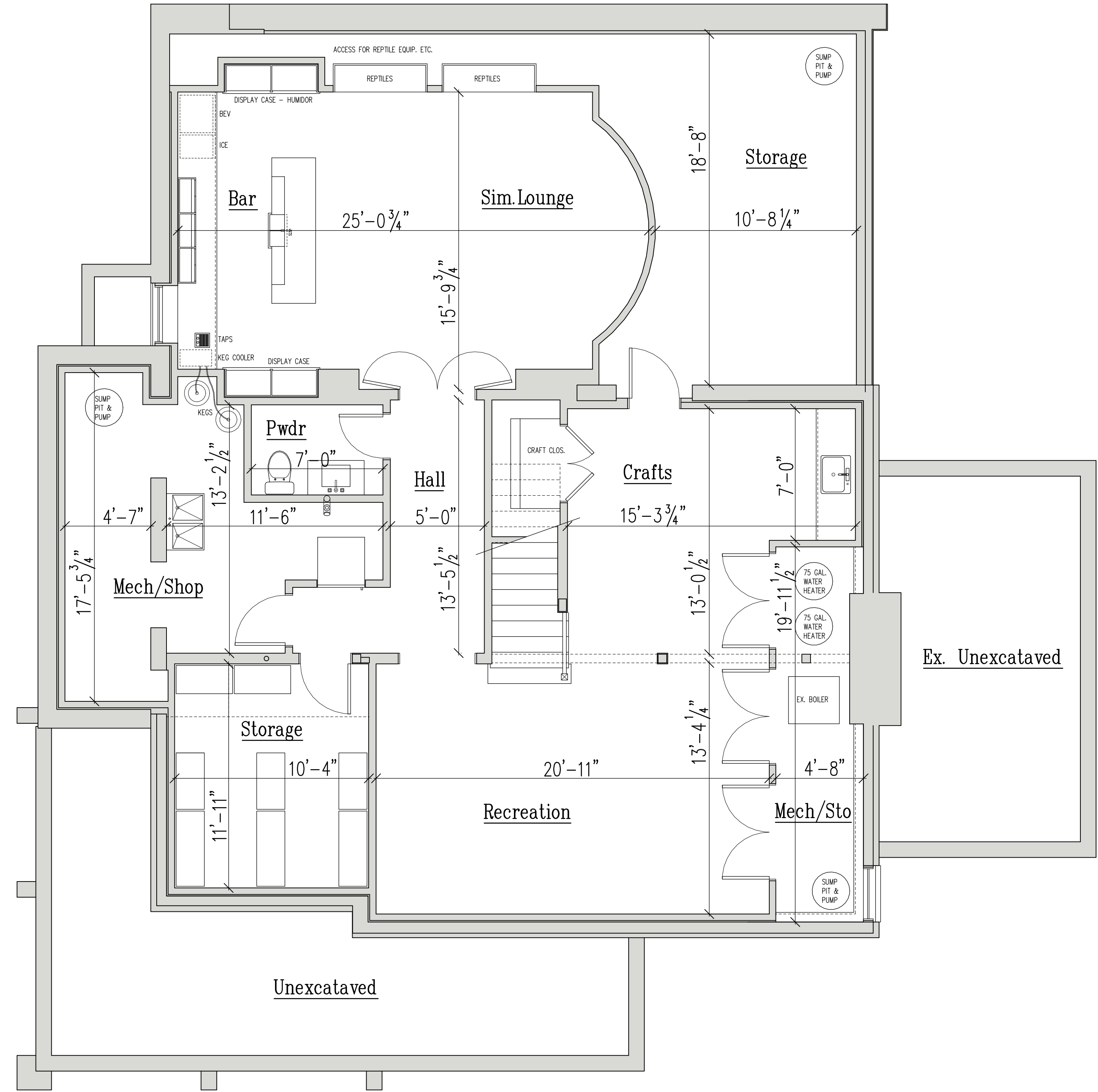
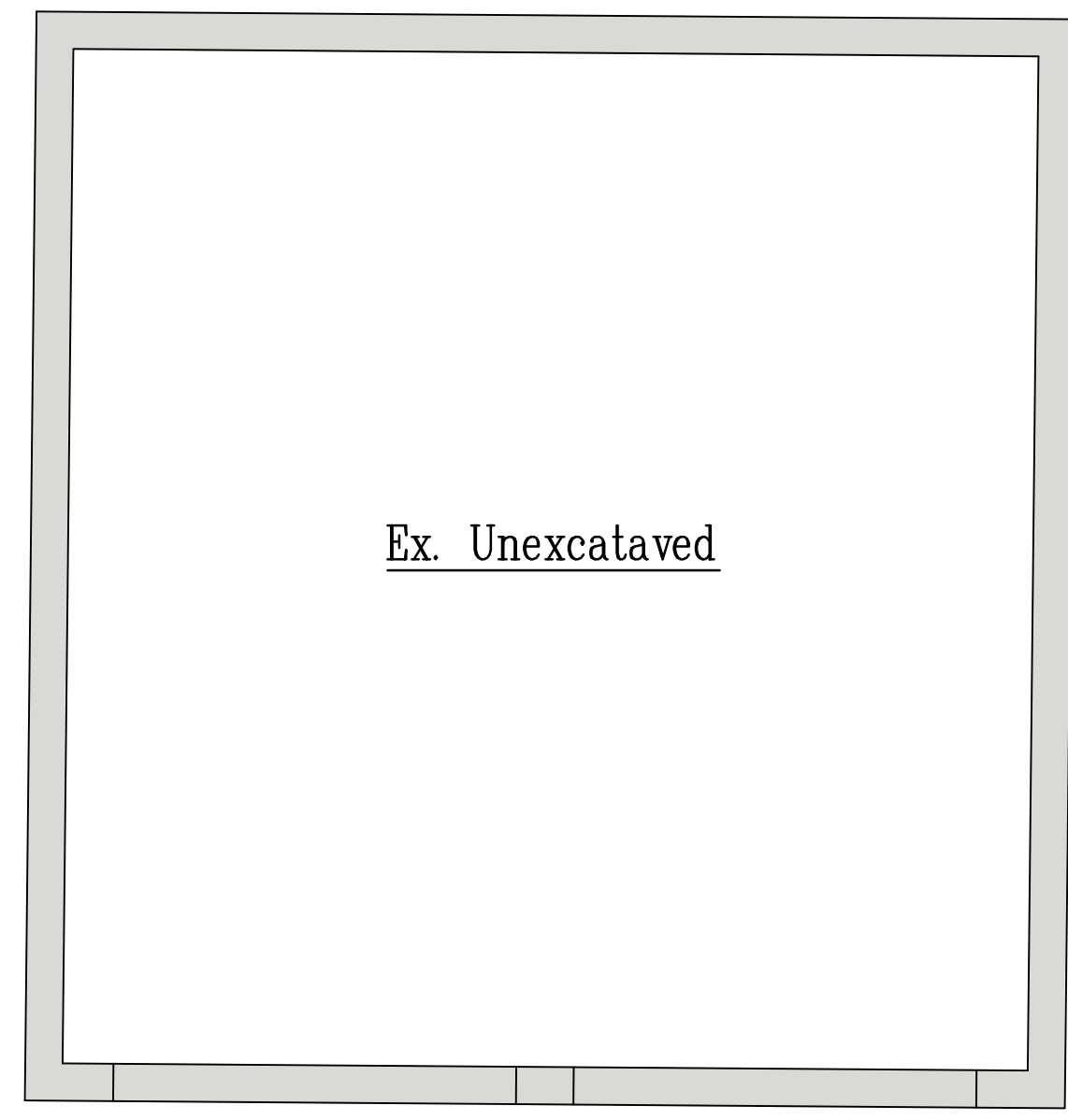
WARWICK ROAD - WINNETKA, ILLINOIS 60093
RESIDENCE



WARWICK ROAD

ESSEX ROAD

Proposed Site Plan
 Scale = 1:10

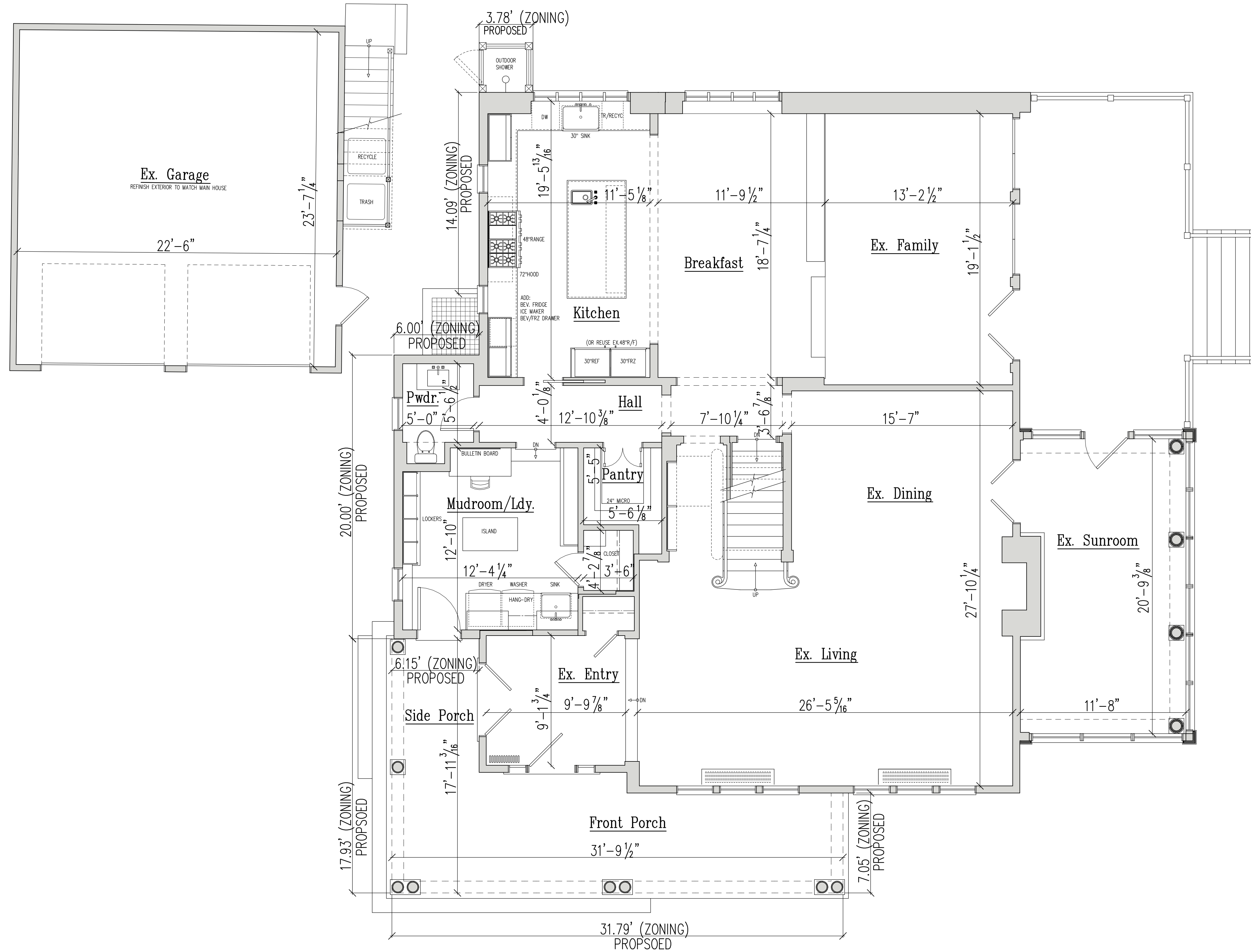


Proposed Foundation / Basement Plan
1/4" = 1'-0"

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9 WARWICK ROAD · WINNETKA, ILLINOIS 60093

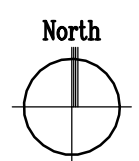
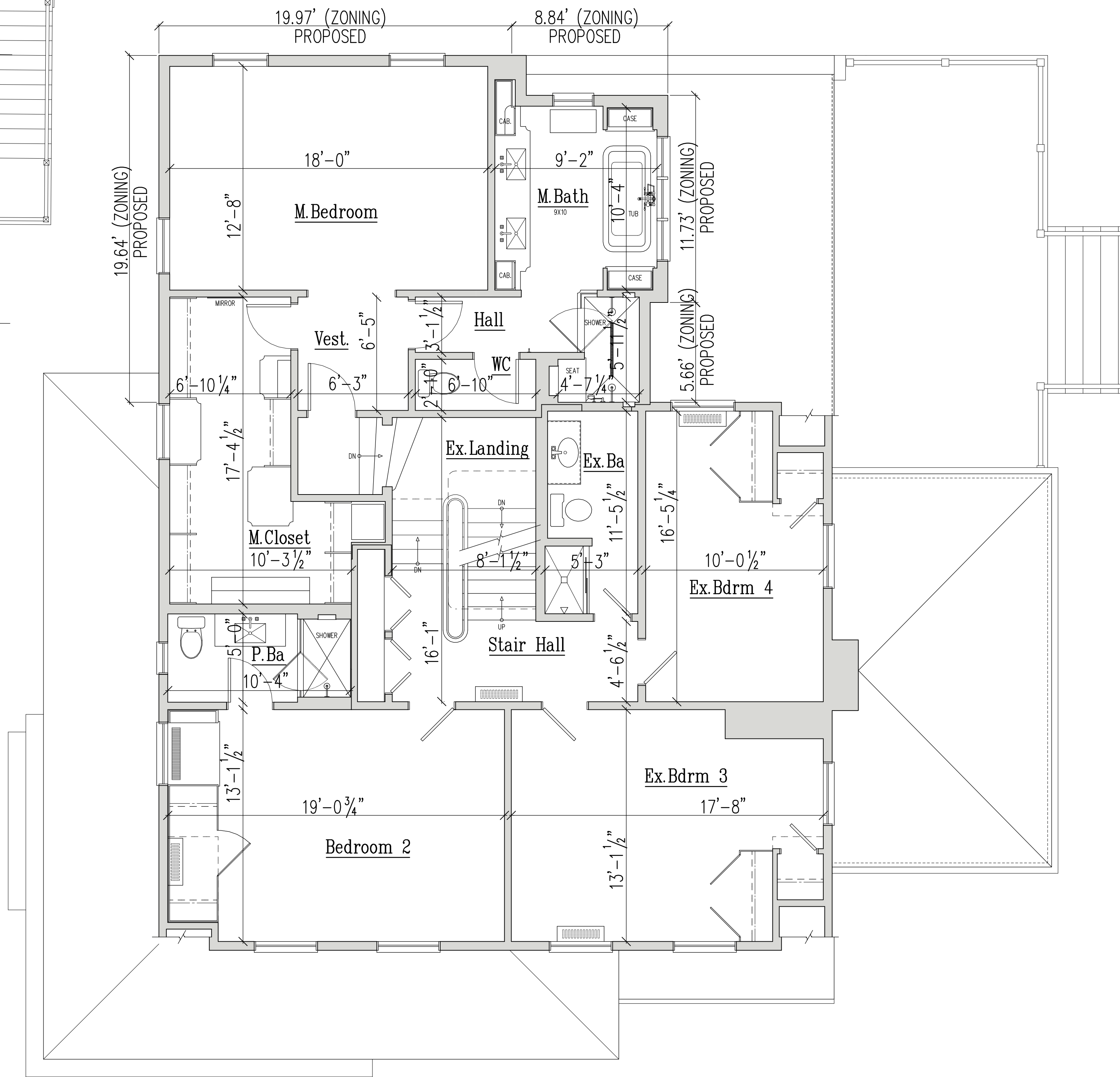
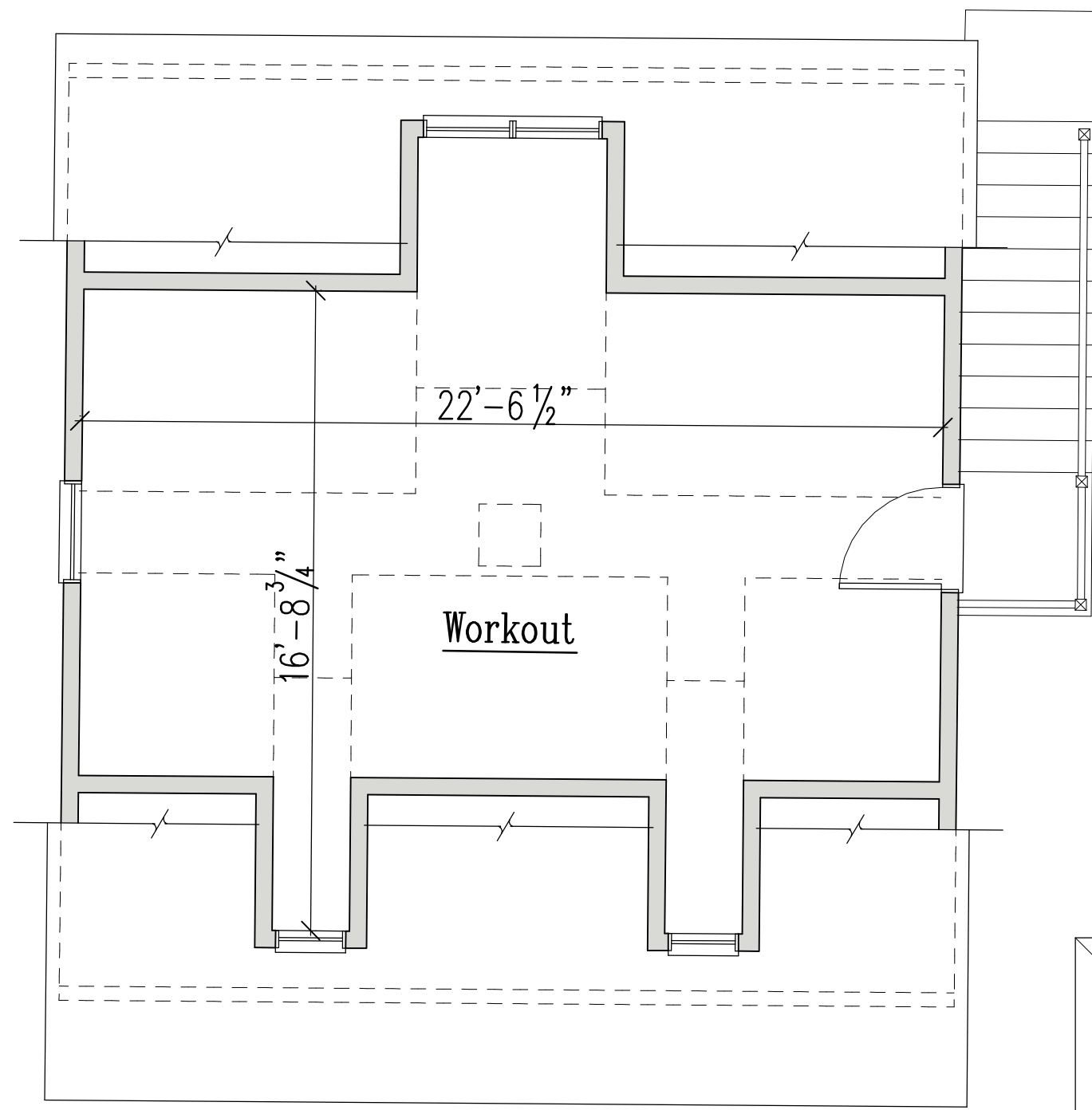


Proposed First Floor Plan
 1/4" = 1'-0"

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 MECH.
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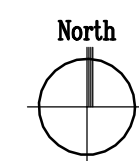
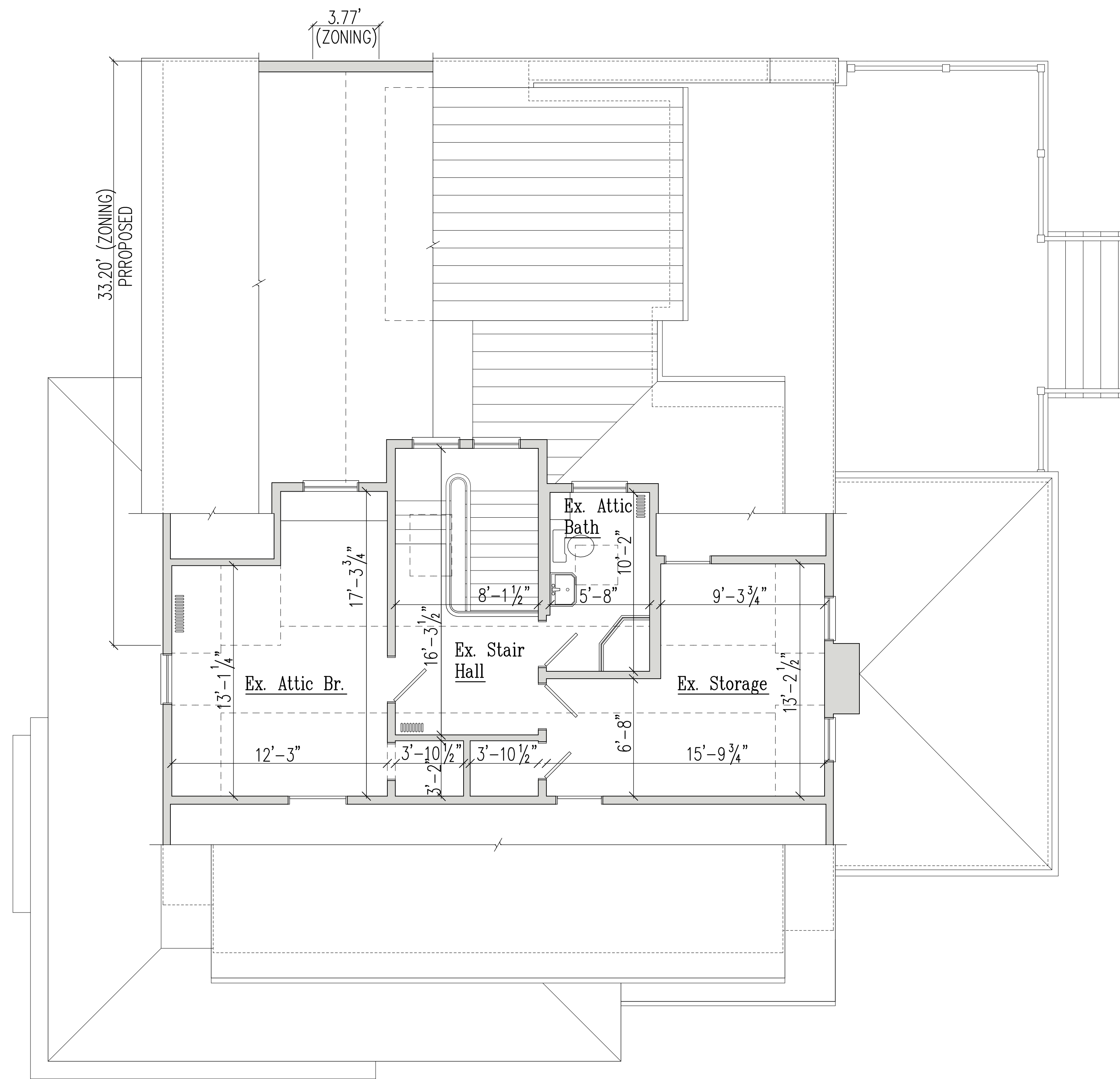
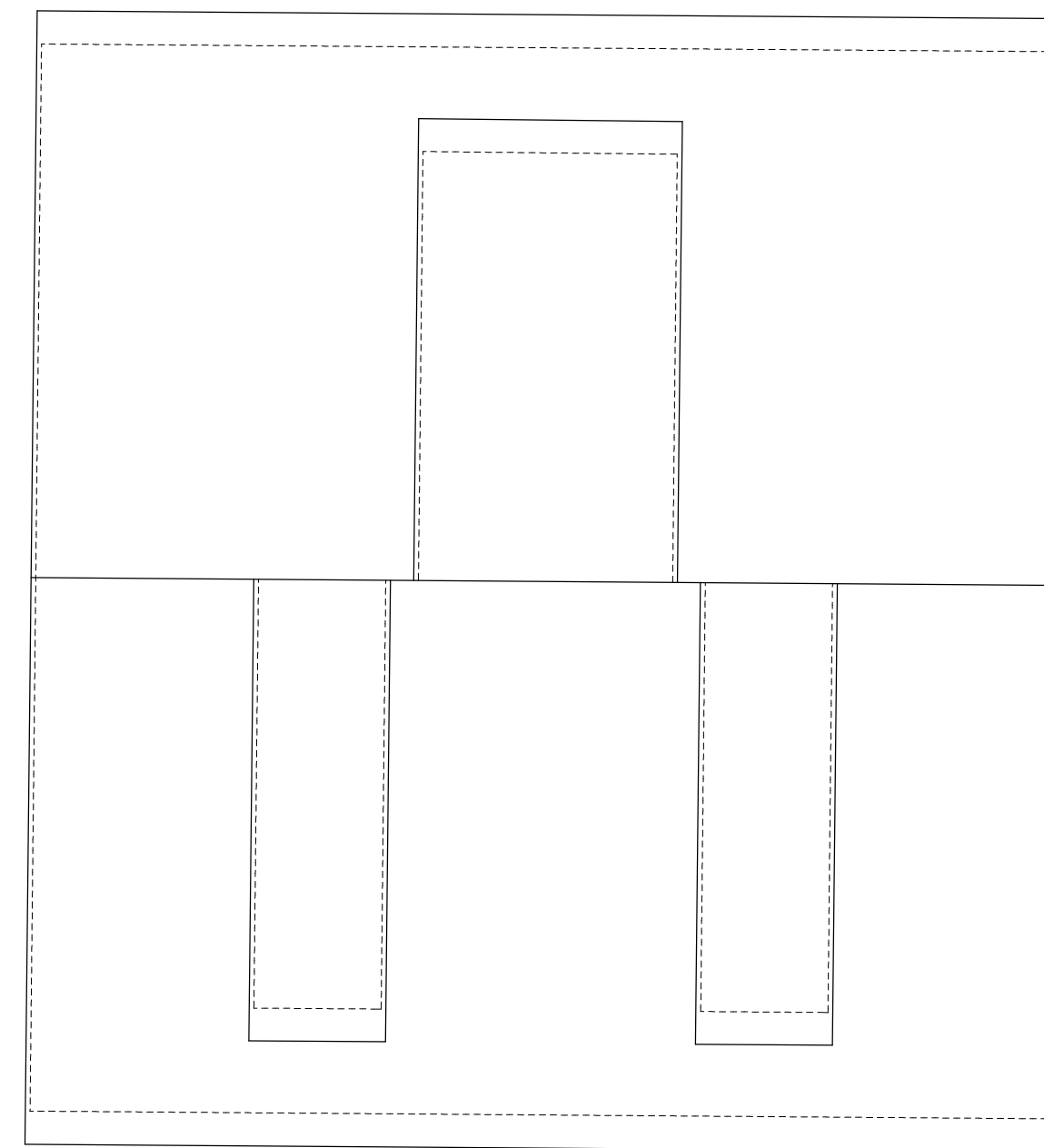


Proposed Second Floor Plan
1/4" = 1'-0"

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PLUMBING
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9 WARWICK ROAD - WINNETKA, ILLINOIS 60093



Proposed Attic Floor Plan
1/4" = 1'-0"

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Proposed South Elevation
1/4" = 1'-0"

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PREPARED BY:
 H A HACKLEY & ASSOCIATES
 ARCHITECTS
 CONSTRUCTION

RESIDENCE
 9 WARWICK ROAD - WINNETKA, ILLINOIS 60093

A-6
 2508



Proposed East Elevation (Garage)
1/4" = 1'-0"



Proposed East Elevation
1/4" = 1'-0"



Proposed North Elevation
 $1/4" = 1'-0"$

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RESIDENCE
 9 WARWICK ROAD WINNETKA, ILLINOIS 60093

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Nick and Jaclyn Mancuso (collectively, the "**Owner**") are the owners of record of that certain real property located at 9 Warwick Road, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-03-2026, adopted by the Winnetka Zoning Board of Appeals on June 8, 2026 ("**Resolution**"), grants variations to construct additions to the existing single-family residence on the Subject Property; and

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

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

Dated: _____, 2026.

ATTEST

OWNER

By: _____

By: _____

Nick Mancuso

Name: _____

By: _____

Jaclyn Mancuso

RESOLUTION NO. ZBA-03-2026
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 26-12-V – 9 WARWICK ROAD

WHEREAS, Nick and Jaclyn Mancuso (collectively, the “Applicant”) are the owners of the property commonly known as 9 Warwick Road, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-4 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single-family residence with a detached garage that is nonconforming with respect to the minimum required side yard setback from the north property line (“**Building**”); and

WHEREAS, the Applicant desires to construct additions on the first and second floors of the Building and create new window openings in the legally nonconforming north side building wall of the Building on the Subject Property that would (i) provide less than the minimum required side yard setback from the north property line; and (ii) require structural changes necessary to provide new window openings in the legally nonconforming north side building wall of the existing Building that provides less than the minimum required side yard setback (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is required to provide a minimum side yard setback of 9.1 feet; and

WHEREAS, pursuant to Section 17.64.060 of the Winnetka Zoning Ordinance, zoning relief is necessary to allow enlarged or relocated windows in nonconforming side buildings walls; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a minimum side yard setback that is less than the required 9.1 feet, a violation of Section 17.30.060 of the Zoning Ordinance; and (ii) construct new window openings in the legally nonconforming north side building wall that provides less than the minimum required side yard setback of 9.1 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Section 17.30.060 and Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) a north side yard setback of 6.08 feet; and (ii) new window openings in the existing north side building wall that provides a setback of 6.08 feet (“**Requested Variations**”); and

WHEREAS, a public notice for the Requested Variations was duly published on May 21, 2026, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on June 8, 2026, for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on June 8, 2026; and

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

1. Application for the Requested Variations submitted by the Applicant, dated April 29, 2026, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variations **do not** satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance because (i) the Requested Variations are not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; (ii) the Subject Property can yield a reasonable return if it is permitted to be used only under the conditions allowed for the R-4 Single Family Residential District; and (iii) the plight of the Applicant is not due to unique circumstances; and

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

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

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

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

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

ADOPTED this 8th day of June, 2026, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

THE SOUTH 91 FEET OF LOT 13 IN BLOCK 1 IN TEMPEL'S RESUBDIVISION OF THAT PART OF THE WEST ½ OF THE NORTHEAST ¼ OF SECTION 28, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING EAST OF THE CHICAGO MILWAUKEE RAILROAD RIGHT OF WAY AND THE NORTH OF VILLAGE LIMITS OF KENILWORTH, IN COOK COUNTY, ILLINOIS

COMMONLY KNOWN AS 9 WARWICK ROAD, WINNETKA, ILLINOIS.

PARCEL INDEX NUMBER: 05-28-202-017-0000



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: CHRISTOPHER MARX, ACIP - ASSOCIATE PLANNER
DATE: JUNE 4, 2026
SUBJECT: 1252 SPRUCE STREET - VARIATIONS (CASE NO. 26-13-V)

INTRODUCTION

On June 8, 2026, the Zoning Board of Appeals (“ZBA”) is scheduled to hold a public hearing on an application submitted by Lawrence and Loraine Yolles (collectively, the “Applicant”), as the owners of the property located at 1252 Spruce Street (the “Subject Property”). The Applicant requests approval of the following zoning variations to allow construction of a second-floor addition to the existing residence on the Subject Property:

1. **Side Yard Setback** of 5.69 feet from the east property line, whereas a minimum of 7.5 feet is required, a variation of 1.81 feet (24.13%) [Section 17.30.060 – Side Yard Setback] [Note: The residence currently provides an east side yard setback of 5.69 feet];
2. **Total Side Yard Setback** of 13.13 feet, whereas a minimum of 18.75 feet is required, a variation of 5.62 feet (29.97%) [Section 17.30.060 – Side Yard Setback] [Note: The residence currently provides a total side yard setback of 13.13 feet]; and
3. **Structural changes necessary to provide new window openings** in the legally nonconforming west side and east side building walls of the existing residence that provide side yard setbacks of 7.44 feet (west) and 5.69 (east), whereas a minimum of 7.5 feet is required. [Section 17.64.060 – Nonconformities].

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 May 21, 2026. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The ZBA has final jurisdiction on this request as the ZBA has the authority to grant variations to reduce required side yard setbacks for any principal building by no more than 50%. Typically, the Zoning Administrator has final jurisdiction on requests to allow structural changes necessary to provide new window and door openings in a legally nonconforming side building wall; however, since this request includes additional zoning relief for which the Zoning Administrator does not have jurisdiction, the ZBA also has final jurisdiction on the request to allow structural changes to provide new window openings in the legally nonconforming east and west side building walls.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.34 acres in size, is located on the south side of Spruce Street between Hibbard Road and Berkeley Avenue and contains an existing two-story residence with an attached garage (see Figure 1). The property is zoned R-4 Single Family Residential and is bordered by the same to the west, south, and east, while properties to the north are zoned R-2 Single Family

Residential (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan land use designation.

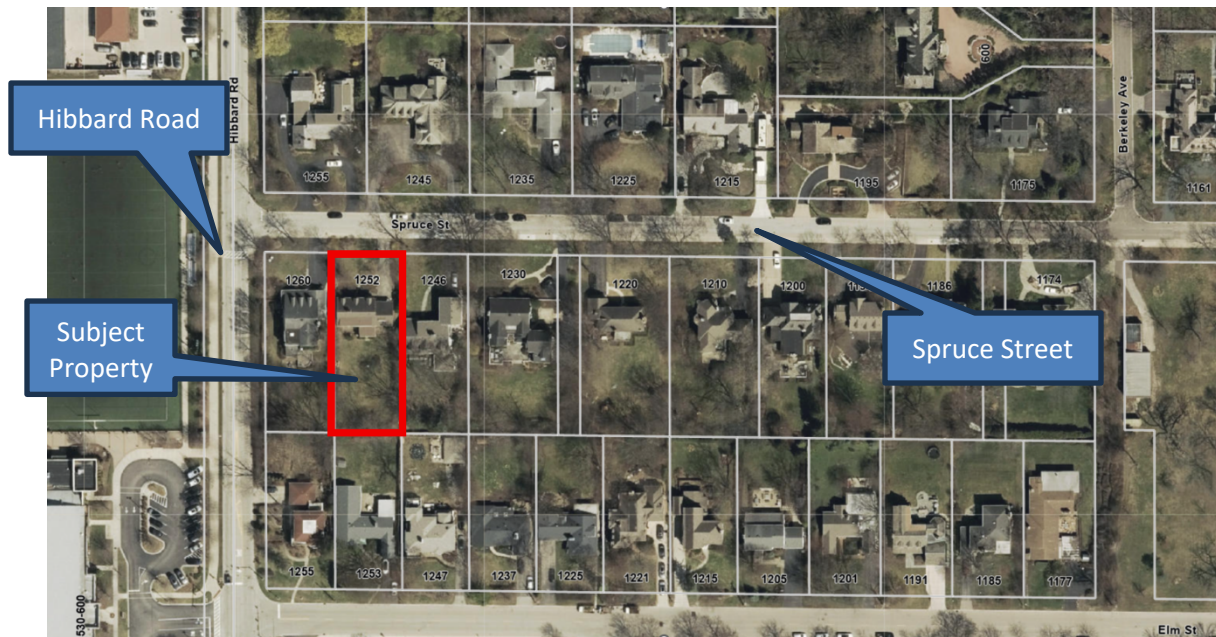


Figure 1 – GIS Aerial Map



Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in approximately 1947 with no major improvements or alterations after its construction. There are no previous zoning cases on file for the Subject Property. The Applicant acquired the property in 2015. Figure 3 on the following page is a current photo of the Subject Property.



Figure 3 – Subject Property - Front (North) Elevation - Spruce Street

PROPOSED PLAN

The variations are requested to construct a second-floor addition as part of an overall renovation of the existing residence. The building addition above the attached garage would include an expanded primary bathroom, new bedroom, and walk-in closet. While the proposed improvements above the main portion of the residence would involve pushing out existing dormers on the front and rear facades for additional space in three existing bedrooms and an existing bathroom. The proposed addition would increase the gross floor area (“GFA”) on the second floor by 599.26 feet and increase the overall building height by 3.79 feet.

While the proposed addition is confined to the second floor, a small portion of the addition would cantilever over the front of the garage, constituting calculable GFA for the first-floor level below. The proposed addition would continue the nonconforming east side yard setback of 5.69 feet on the first and second floors while complying with the required west side yard setback of 7.5 feet with the second-floor addition 7.65 feet from the west side property line. The proposed addition and renovation also involve expanding window openings on the second floor of the nonconforming east side building wall and the first floor of the nonconforming west side building wall.

Excerpts of the proposed site plan, floor plans, and building elevations are provided on the following pages as Figures 4 through 10. The complete set of plans is provided in the application materials (**Attachment B**).

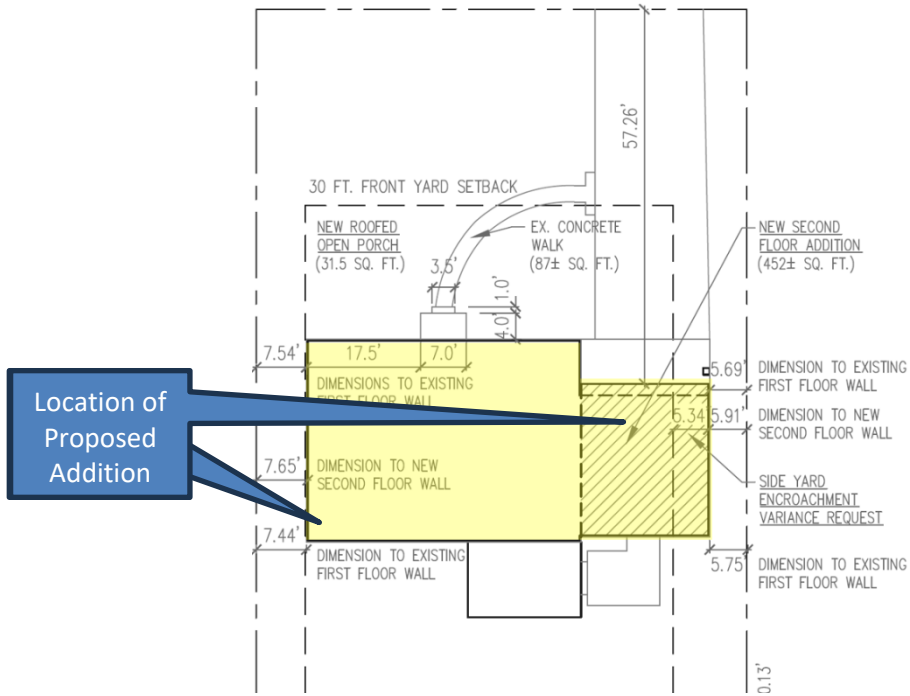


Figure 4 – Proposed Site Plan

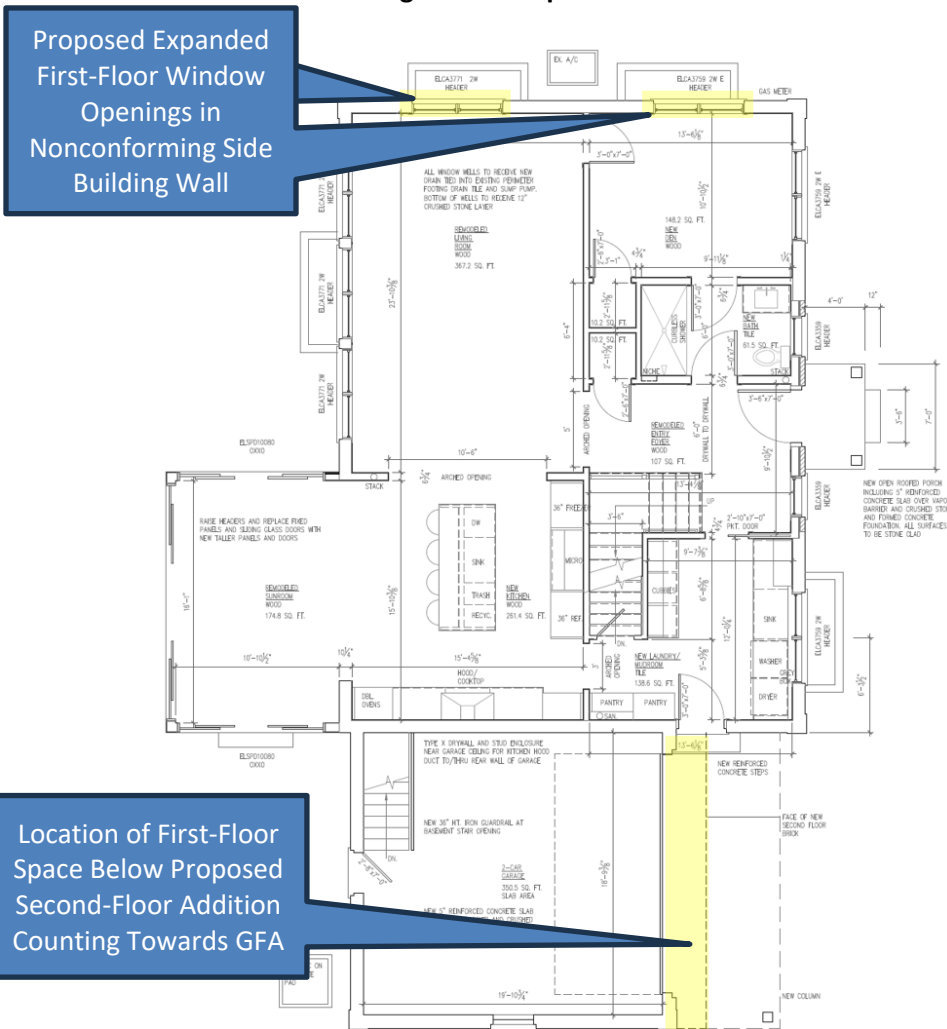


Figure 5 – Proposed First Floor Plan



Figure 8 – Proposed Rear (South) Elevation

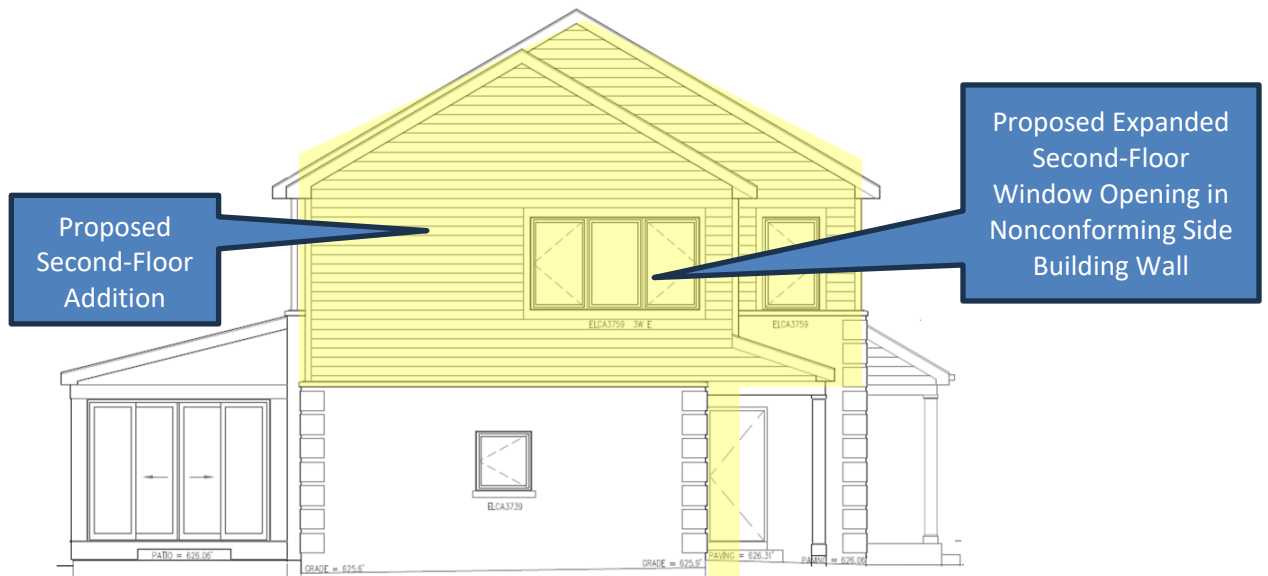


Figure 9 – Proposed Side (East) Elevation

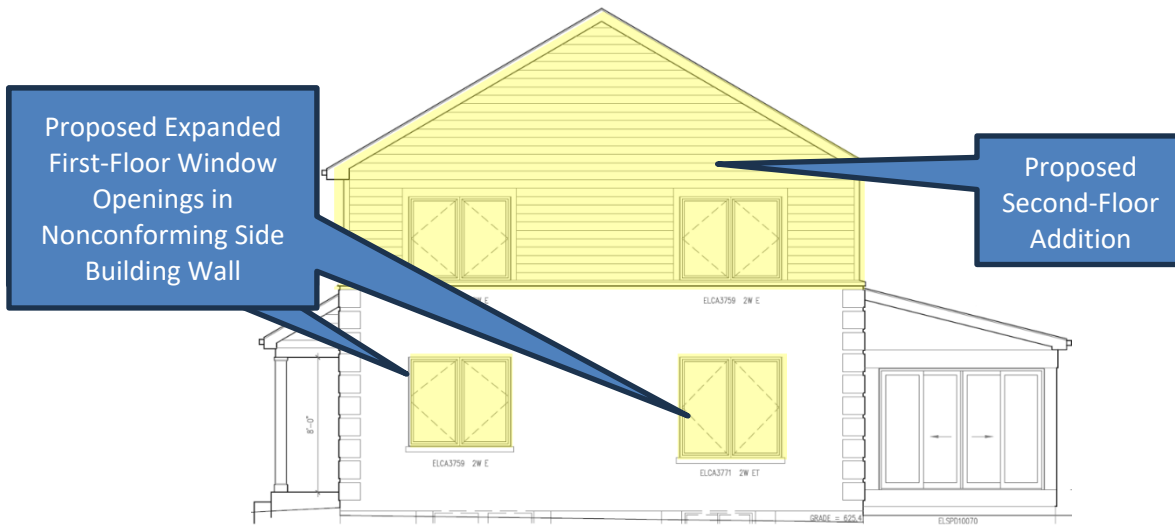


Figure 10 – Proposed Side (West) Elevation

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

Figure 11 below represents the Subject Property's location in the floodplain with the cyan representing the 100-year floodplain. Portions of the Subject Property are located in the 100-year floodplain. Any improvements within the 100-year floodplain are subject to the Village's Flood Hazard Protection Ordinance and the Metropolitan Water Reclamation District (MWRD) Water Management Ordinance (WMO). Compliance with these ordinances will be verified by Village Engineering staff upon submittal of the necessary permits to construct the proposed improvement.

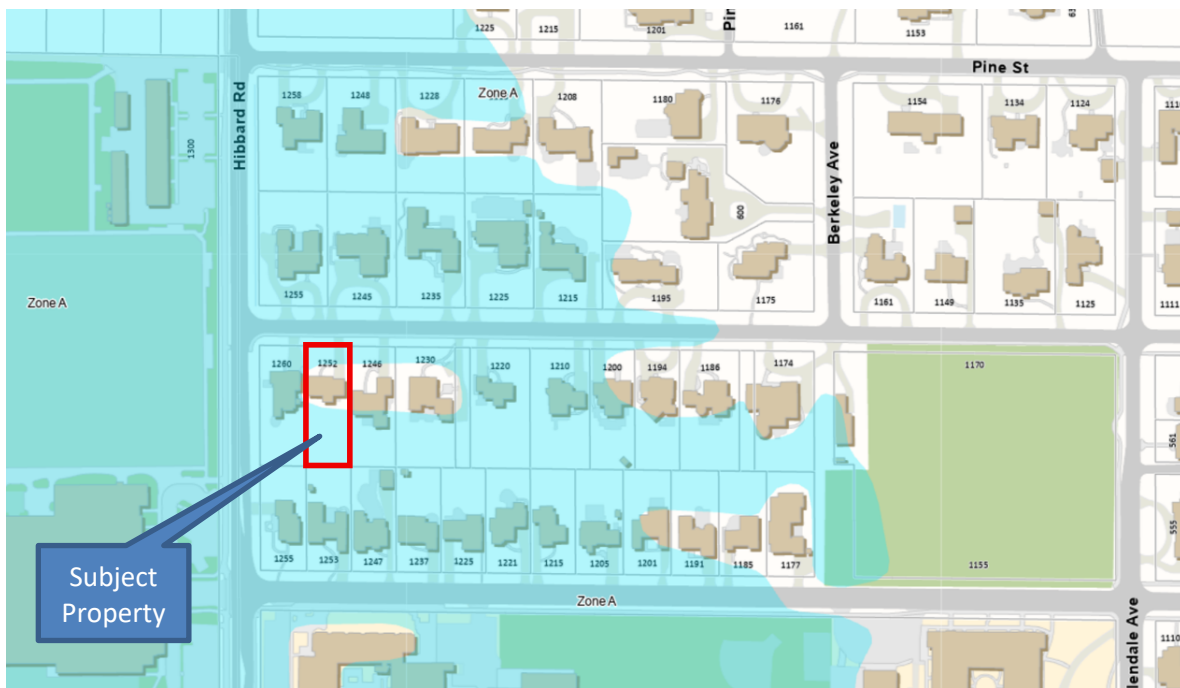


Figure 11 - GIS Floodplain Map

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**). Three variations are being requested: (1) side yard setback; (2) total side yard setback; and (3) structural changes necessary to provide new window openings.

Minimum Side Yard Setback (East). The existing residence is legally nonconforming with respect to the minimum required side yard setback as it currently provides a west side yard setback of 7.44 feet and an east side yard setback of 5.69 feet. The proposed addition would continue the existing east side yard setback of 5.69 feet, requiring a variation of 24.13%.

Total Side Yard Setback. The existing residence is also legally nonconforming with respect to minimum required total side yard setback of 18.75 feet as the residence currently provides a total side yard setback of 13.13 feet; encroaching into the required total side yard setback by 5.62 feet (29.97%). The proposed addition would maintain the existing side yard setbacks of 7.44 feet from the west property line and 5.69 feet from the east property line for a total side yard setback of 13.13 feet; therefore, not increasing the encroachment or deviation from the requirement of 18.75 feet.

Structural Changes Necessary For New Window Openings. Zoning relief is necessary to allow the proposed window openings in the legally nonconforming east and west side building walls of the existing residence. More specifically, for new windows on the first floor on the west elevation and the second floor on the east elevation. As noted previously, the west and east side building walls provide setbacks of 7.44 and 5.69 feet, respectively, whereas the minimum required side yard setback is 7.5 feet. Existing doors and windows may be replaced in the same location and size; however, enlarged or relocated doors and windows in a nonconforming side building wall require approval of a zoning variation.

FINDINGS

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

Staff has prepared the attached draft resolutions for the ZBA's consideration (**Attachment C**). One resolution approves the request, while the other denies the request. A ZBA member may wish to make a motion to: (i) adopt the resolution to approve the requested variations; (ii) adopt the resolution to deny the requested variations; or (iii) continue the case to a specific date.

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Application Materials

Attachment C: Draft Resolutions

ATTACHMENT A

ZONING MATRIX						
ADDRESS: 1252 SPRUCE STREET						
CASE NO: 26-13-V						
ZONING: R-4						
ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)	
Min. Lot Size	12,600 SF	15,008 SF	N/A	N/A	OK	
Min. Average Lot Width	60 FT	75 FT	N/A	N/A	OK	
Min. Lot Depth	120 FT	200.13 FT	N/A	N/A	OK	
Max. Roofed Lot Coverage	4,052.16 SF (1)	2,009.06 SF	2,062.95 sf	53.89 SF	OK	
Max. Gross Floor Area	4,816.6 SF	3,055.86 SF	3,689.54 SF	633.68 SF	OK	
Max. Impermeable Lot Coverage	7,504 SF (1)	3,344.21 SF	3,344.21 SF	0 SF	OK	
Min. Front Yard (Spruce Street)	49.17 FT	50.46 FT	50.46 FT	0 FT	OK	
Min. Side Yard (East)	7.5 FT	5.69 FT	5.69 FT	0 FT	1.81 FT (24.13%) VARIATION	
Min. Total Side Yard	18.75 FT	13.13 FT	13.13 FT	0 FT	5.62 FT (29.97%) VARIATION	
Min. Rear Yard (South)	25 FT	106.64 FT	106.64 FT	0 FT	OK	
NOTES:	(1) Based on lot area of 15,008 square feet					
	(2) Variation amount is the difference between proposed and requirement.					
	(3) Proposed second-floor addition would provide a west building wall side yard setback of 7.65 feet, in compliance with the minimum required side yard setback of 7.5 feet					

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. _____

Property Information

Site Address: 1252 Spruce Street

Owner Information

Name: Lawrence & Loraine Tolles Primary Contact: Lawrence Tolles

Address: [Redacted] Phone No. [Redacted]

City, State, ZIP: Winnetka, IL 60093

Email: [Redacted] Date property acquired by owner: January 2015

Architect Information

Name: Barbara McCarthy

Primary Contact: " "

Address: [Redacted]

City, State, ZIP: Winnetka, IL 60093

Phone: [Redacted]

Email: [Redacted]

Attorney Information

Name: Kathryn Fink

Primary Contact: " "

Address: [Redacted]

City, State, Zip: Winnetka IL 60093

Phone: [Redacted]

Email: [Redacted]

Nature of any restrictions on property: N.A.

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

Request for side yard setback variance including window openings in the non-conforming side wall requiring zoning relief.

Property Owner Signature: [Redacted]

Date: 4/30/2026

1. Reasonable Return

The property cannot yield a reasonable return if restricted to strict compliance with current zoning regulations due to the existing legal nonconformity of the attached garage, which encroaches into the required side yard setback. While the property can continue to be used as-is, strict compliance would preclude any reasonable vertical improvement over the existing garage footprint without requiring removal or significant alteration of the structure. The proposed second-story addition allows for reasonable and customary residential use—consistent with surrounding properties—without expanding the existing encroachment. Absent the requested relief, the only compliant alternative to achieve similar functional utility would involve disproportionate measures, such as demolition and reconstruction, which is not a reasonable or practical expectation.

2. Unique Circumstances

The hardship is due to unique physical circumstances of the property, specifically the presence of an existing attached garage that legally encroaches into the side yard setback at 5.69 feet where 11.25 feet is required. This condition is inherent to the property and predates the current proposal. The requested variance arises directly from this pre-existing structural condition and not from any personal preference or circumstance of the current occupants. The property's configuration creates a constraint not faced by conforming properties, where vertical expansion could otherwise occur within the required setback.

3. Essential Character of the Locality

Granting the variation will not alter the essential character of the locality. The proposed improvement is a second-story addition over an existing attached garage and remains consistent with the scale, massing, and architectural patterns of surrounding homes. The addition complies fully with all applicable height and floor area ratio (FAR) limitations, ensuring that the overall building envelope remains in harmony with the neighborhood. Because the encroachment already exists at grade and is not being extended further into the setback, the visual and spatial character of the streetscape will remain unchanged.

4. Light and Air

The proposed addition will not impair an adequate supply of light and air to adjacent properties. The footprint of the structure is unchanged, and the addition occurs vertically over an existing one-story garage. Given the limited degree of the existing encroachment and the compliance with height restrictions, any incremental impact on adjacent properties is minimal and consistent with typical residential development patterns in the area. The relationship between structures, in terms of spacing and openness, will remain substantially the same as it exists today.

5. Fire and Safety Hazards

The variation will not increase the hazard from fire or other dangers to the property or surrounding properties. The proposed addition will be constructed in full compliance with all applicable building and fire codes, including modern requirements for structural integrity, fire separation, and life safety systems. In many respects, the improvement may enhance safety relative to the existing condition by bringing portions of the structure into compliance with current construction standards.

6. Taxable Value

The granting of the variation will not diminish the taxable value of land and buildings throughout the Village; rather, it is likely to have a neutral or positive effect. The proposed improvement represents a reinvestment in the property that is consistent with ongoing residential enhancements within Winnetka. By maintaining compatibility with neighborhood character and adhering to bulk regulations, the project supports overall property values and contributes to the continued desirability of the area.

7. Street Congestion

The proposed variation will not increase congestion in the public streets. The improvement does not alter the use of the property, does not increase dwelling units, and does not materially change traffic generation. The existing attached garage will remain in use, and no changes are proposed that would affect access, parking demand, or circulation patterns.

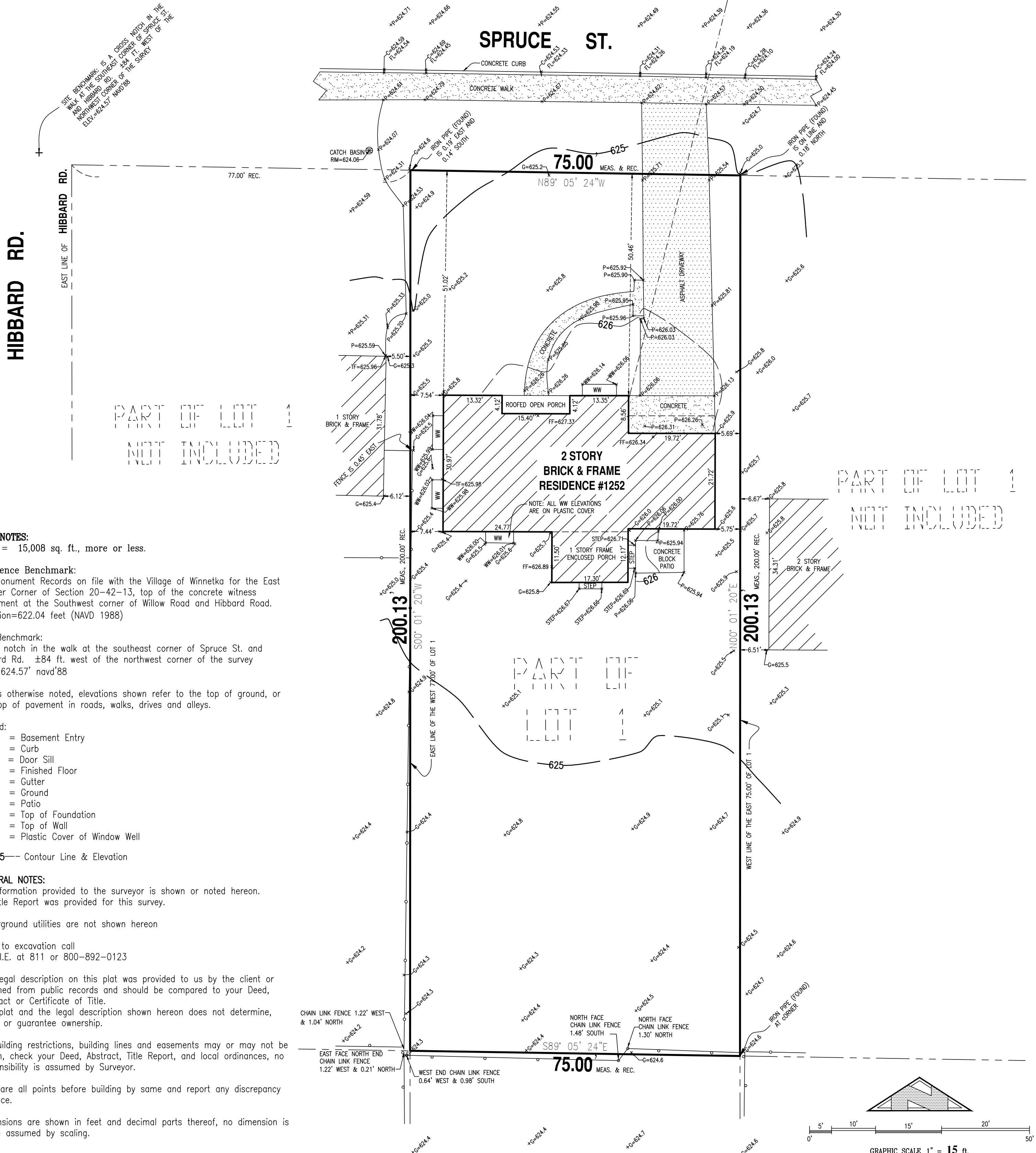
8. Public Welfare

The variation will not impair the public health, safety, comfort, morals, or general welfare of the Village's inhabitants. The proposal is modest in scope, limited to a vertical addition over an existing structure, and does not introduce any new or intensified use. It respects the intent of the zoning ordinance by maintaining established neighborhood character, preserving light and air, and avoiding expansion of nonconformities. The request represents the minimum relief necessary to accommodate a reasonable residential improvement while remaining consistent with the broader public interest.

PLAT of SURVEY with TOPOGRAPHY

LEGAL DESCRIPTION: LOT 1 (EXCEPT THE WEST 77 FEET AND EXCEPT THE EAST 75 FEET) IN MID-PARK, A SUBDIVISION OF BLOCK 2 IN EDGEWOOD, A SUBDIVISION OF BLOCKS 1, 2, 3, 6, 7, AND 8 AND CERTAIN VACATED STREETS AND ALLEYS IN THE WINNETKA LAND ASSOCIATION SUBDIVISION OF THE NORTH HALF OF THE WEST 90 ACRES OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 1252 SPRUCE ST., WILMETTE, ILLINOIS.



SITE NOTES:
Area = 15,008 sq. ft., more or less.

Reference Benchmark:
Per Monument Records on file with the Village of Winnetka for the East Quarter Corner of Section 20-42-13, top of the concrete witness monument at the Southwest corner of Willow Road and Hibbard Road. Elevation=622.04 feet (NAVD 1988)

Site Benchmark:
Cross notch in the walk at the southeast corner of Spruce St. and Hibbard Rd. ±84 ft. west of the northwest corner of the survey. Elev.=624.57' navd'88

Unless otherwise noted, elevations shown refer to the top of ground, or the top of pavement in roads, walks, drives and alleys.

- Legend:**
- B = Basement Entry
 - C = Curb
 - DS = Door Sill
 - FF = Finished Floor
 - FL = Gutter
 - G = Ground
 - P = Patio
 - TF = Top of Foundation
 - TW = Top of Wall
 - WW = Plastic Cover of Window Well
- 625— Contour Line & Elevation

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

Underground utilities are not shown hereon

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

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

All building restrictions, building lines and easements may or may not be shown, check your Deed, Abstract, Title Report, and local ordinances, no responsibility is assumed by Surveyor.

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

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

B.H. SUHR & COMPANY, INC.	
SURVEYORS ESTABLISHED 1911	Professional Design Firm License No. 184.008027-0008
LOCATION 1252 Spruce St.	SURVEY DATE, September 5 20 24
ORDER No. 24-069	ORDERED BY: Lawrence Yolles
DRAFTER © 2024 B. H. Suhr & Company, Inc. All rights reserved.	

FIELD MEASUREMENTS COMPLETED September 5 20 24

STATE OF ILLINOIS } ss.
COUNTY OF COOK }

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

By [Signature] dated September 18 20 24

Michael D. Farren
Illinois Professional Land Surveyor No. 035-002839
License Expiration Date 11/30/26

ABBREVIATIONS:

BM	BEAM	OSB	ORIENTED STRAND BOARD
BTM/	BOTTOM OF	PKT.	POCKET
C.H.	CEILING HEIGHT	P.R.	POWDER ROOM
CJ	CEILING JOIST	PSF	POUNDS PER SQUARE FOOT
C.O.	CASED OPENING	P.T.	PRESERVATIVE-TREATED
CWP	CLEAR WHITE PINE	REF.	REFRIGERATOR
DH	DOUBLE HUNG	R.O.	ROUGH OPENING
DISP.	DISPOSAL	RR	ROOF RAFTER
DW	DISHWASHER	SHT.	SHEET
DWR.	DRAWER	SQ. FT.	SQUARE FOOT
EX.	EXISTING	T.B.D.	TO BE DETERMINED
FJ	FLOOR JOIST	VERT.	VERTICAL
FT.	FOOT	V.I.F.	VERIFY IN FIELD
HORZ.	HORIZONTAL	W/D	WASHER DRYER
MDF	MEDIUM DENSITY FIBERBOARD	WD.	WOOD
O.C.	ON CENTER		

APPLICABLE CODES:

- INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION;
- ILLINOIS STATE PLUMBING CODE, 2014 EDITION OR CURRENT;
- NATIONAL ELECTRICAL CODE (NEC), 2020 EDITION (NFPA 70);
- INTERNATIONAL MECHANICAL CODE, 2021 EDITION;
- INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION;
- VILLAGE OF WINNETKA CODE AMENDMENTS.

DESIGN CRITERIA:

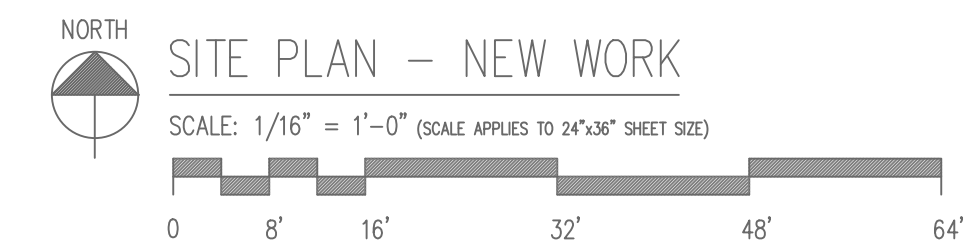
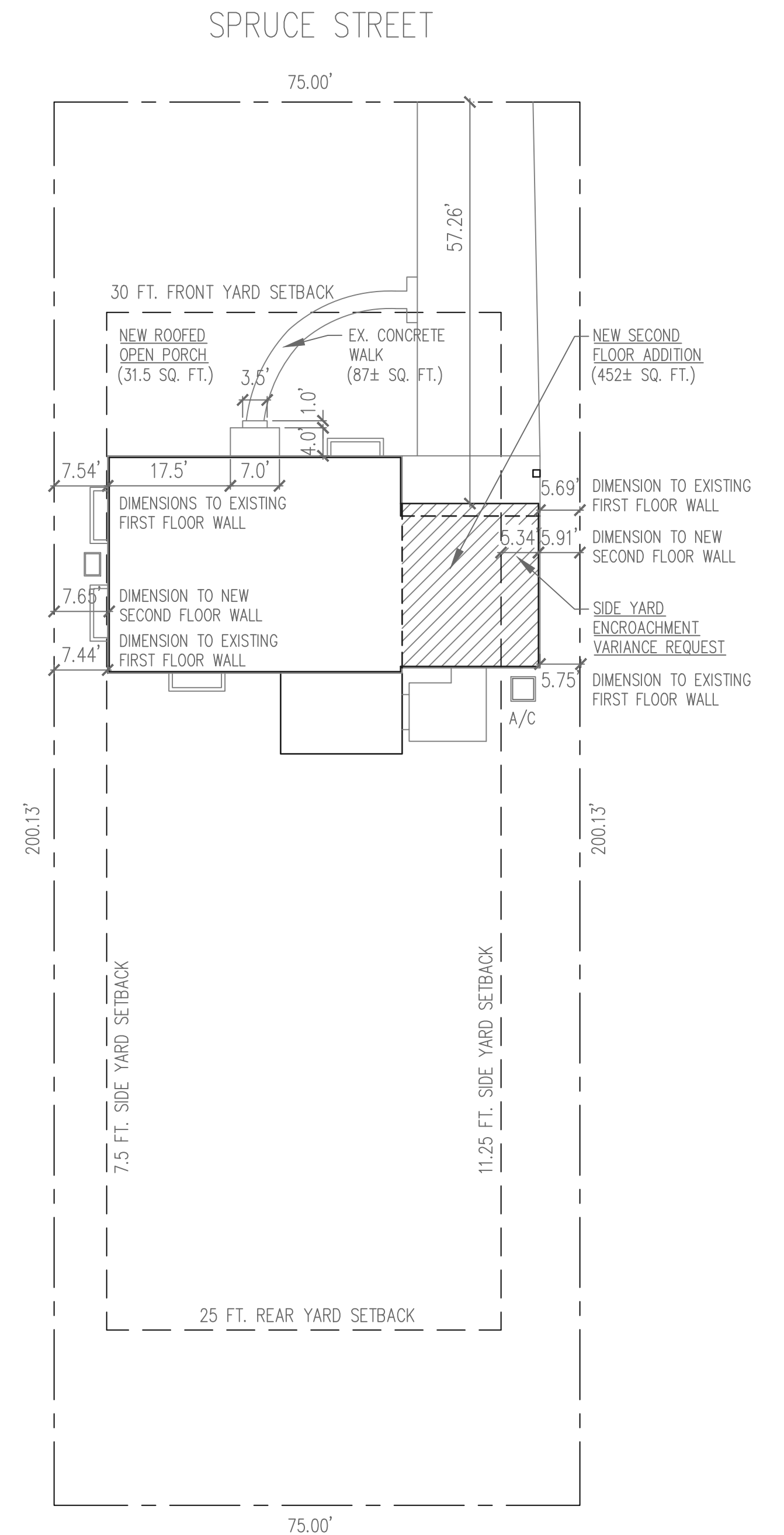
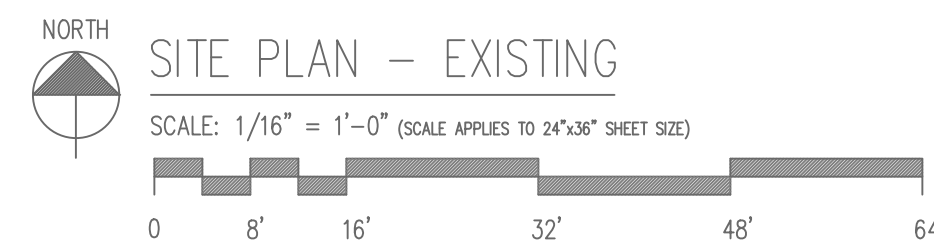
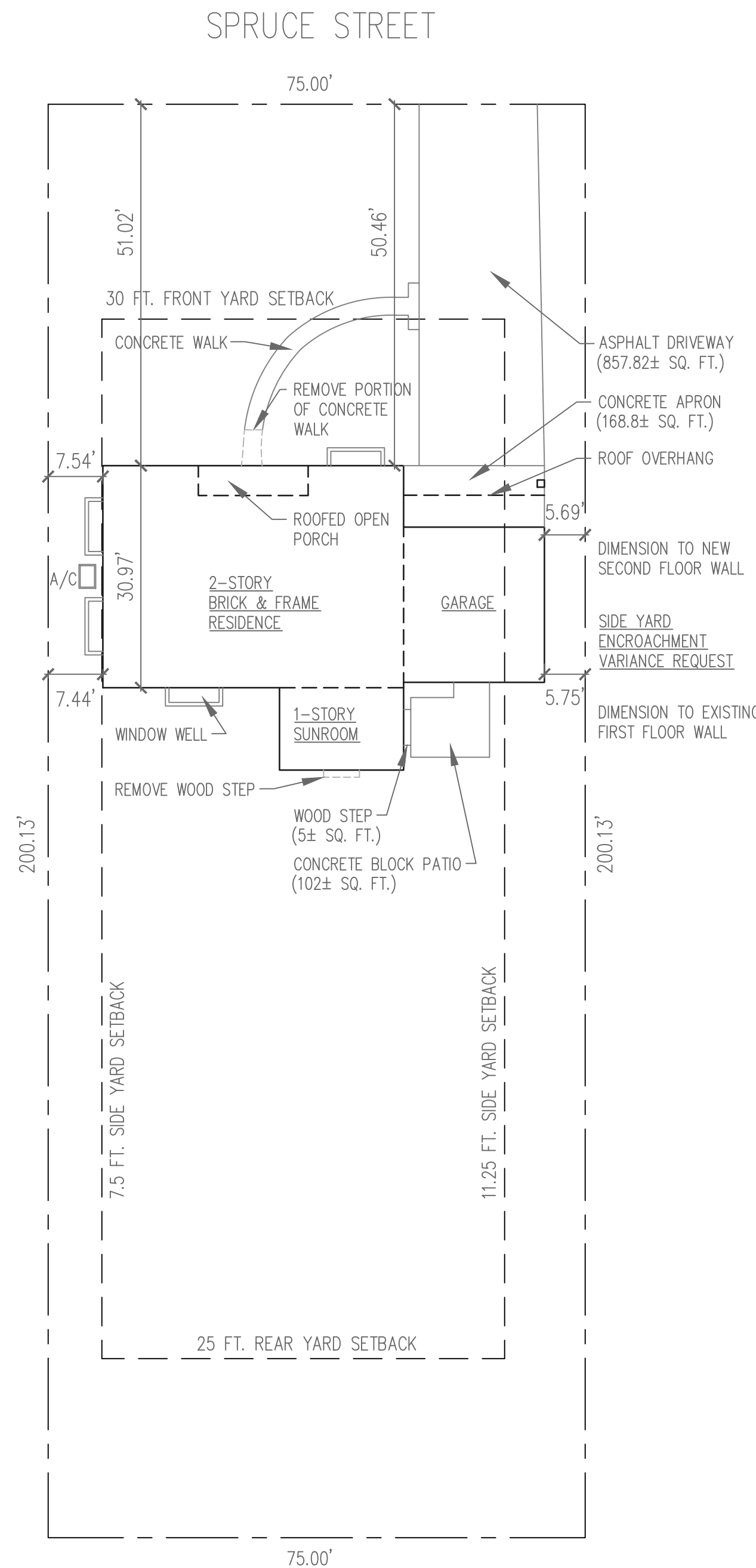
- MAXIMUM UNIFORMLY DISTRIBUTED LIVE LOADS:
 - DWELLING UNITS (NOT SLEEPING ROOMS) = 40 PSF
 - SLEEPING ROOMS = 30 PSF
 - ROOF = 30 PSF
 - ATTIC WITHOUT STORAGE = 10 PSF
 - ATTIC WITH STORAGE = 20 PSF
 - GROUND SNOW LOAD = 30 PSF
- SEISMIC DESIGN CATEGORY = A
- WIND SPEED = 90 MPH
- ALL CONCRETE SHALL BE MINIMUM 3,500 PSI STRENGTH AT 28 DAYS. MINIMUM SOIL BEARING CAPACITY TO BE 3,000 PSF.
- STANDARD LUMBER JOISTS AND RAFTERS SHALL BE HEM FIR #2 AND BETTER (MIN. Fv = 75 psi, fb = 850 psi AND E = 1,300,000). STUDS AND PRESERVATIVE-TREATED LUMBER SHALL BE SPF #2 AND BETTER (MIN. Fv = 70 psi, fb = 750 psi AND E = 1,100,000). MAXIMUM MOISTURE CONTENT LESS THAN 19% AT TIME OF SURFACING AND GRADE MARKED "DRY".

DRAWING INDEX:

- A0-0 SITE PLAN - EXISTING & NEW WORK/ ZONING NOTES
- A1-0 BASEMENT FLOOR PLAN - EXISTING & NEW WORK
- A1-1 FIRST FLOOR PLAN - EXISTING & NEW WORK
- A1-2 SECOND FLOOR PLAN - EXISTING & NEW WORK
- A2-0 NORTH ELEVATION - EXISTING & NEW WORK
- A2-1 WEST & EAST ELEVATIONS - EXISTING & NEW WORK
- A2-2 SOUTH ELEVATION - EXISTING & NEW WORK
- A3-0 BUILDING SECTION THRU HOUSE - EXISTING AND NEW WORK

ZONING NOTES:

- Z1 PROJECT LOCATED IN ZONING DISTRICT R4, SINGLE FAMILY RESIDENTIAL DISTRICT.
- Z2 HOUSE BUILT 1948, PRE-FAR.
- Z3 MINIMUM LOT SIZE = 12,600 SQ. FT. ACTUAL LOT SIZE = 15,008± SQ. FT.
- Z4 MAXIMUM BUILDING HEIGHT = 31 FT., 2 1/2 STORIES.
- Z5 MINIMUM EACH SIDE YARD SETBACK = 6 FT. PLUS (10% OF THE LOT WIDTH IN EXCESS OF 60 FT. = 15 FT. x 10% =) 1.5 FT. = 7.5 FT.
- Z6 MINIMUM TOTAL SIDE YARD SETBACK = GREATER OF 14 FT. OR 25% LOT WIDTH = 18.75 FT.
- Z7 MINIMUM REAR YARD SETBACK = 15% OF THE LOT DEPTH = 30 FT., MAXIMUM = 25 FT.
- Z8 MINIMUM FRONT YARD SETBACK = 30 FT., OR AVERAGE OF 3 HOMES ON THE BLOCK, 50% OF WHICH ARE MORE THAN 30 FT. SETBACK.
- Z9 MAXIMUM BUILDING SIZE = PRE-FAR, 3,630 + ((L.A.-9025) x .2) = 4,816.6 SQ. FT.
- Z10 MAXIMUM ROOFED LOT COVERAGE = 27% OF THE LOT AREA = 4,052.16 SQ. FT.
- Z11 MAXIMUM IMPERVIOUS LOT COVERAGE = 50% OF THE LOT AREA = 7,504 SQ. FT.



U.C. EXP.: 11/30/26
DATE:

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV.: ISSUE: DATE:
ZONING VARIANCE 04/30/2026
ZONING VARIANCE 05/21/2026

ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE THE DESIGN AND UNPUBLISHED WORK OF BARBARA L. MCCARTHY, AND THE SAME MAY NOT BE REPRODUCED, COPIED, OR OTHERWISE USED WITHOUT THE WRITTEN CONSENT OF BARBARA L. MCCARTHY.

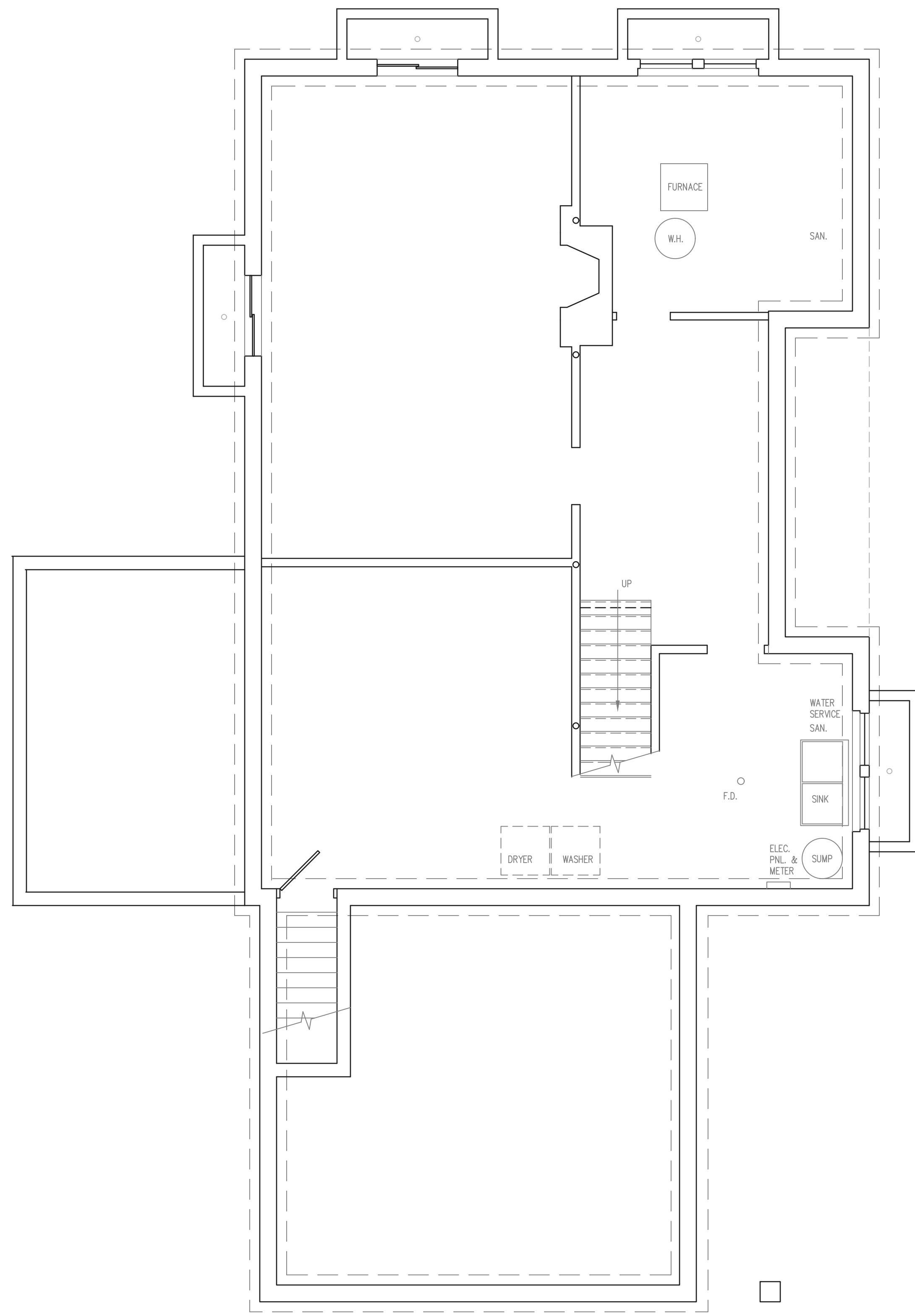
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SCALE: AS NOTED

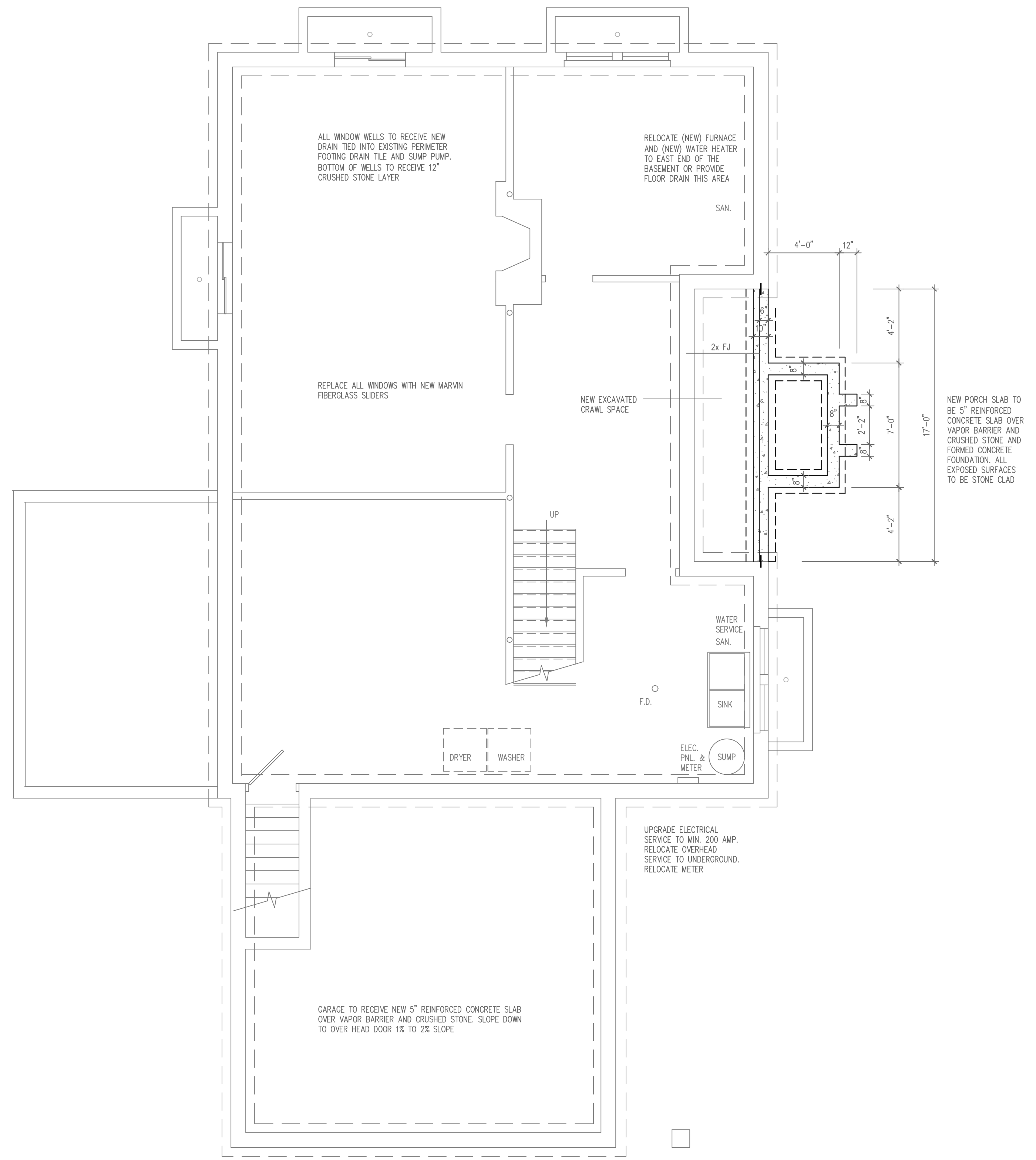
DATE: 04/30/2026

ZONING NOTES/ SITE PLAN - EXISTING & NEW WORK

A0-0



NORTH
BASEMENT FLOOR PLAN - EXISTING
 SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)
 0 1' 2' 3' 4' 8' 12' 16'



NORTH
BASEMENT FLOOR PLAN - NEW WORK
 SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)
 0 1' 2' 3' 4' 8' 12' 16'

LIC. EXP.: 11/30/26
 DATE:

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV.: ISSUE: DATE:
 ZONING VARIANCE 04/30/2026

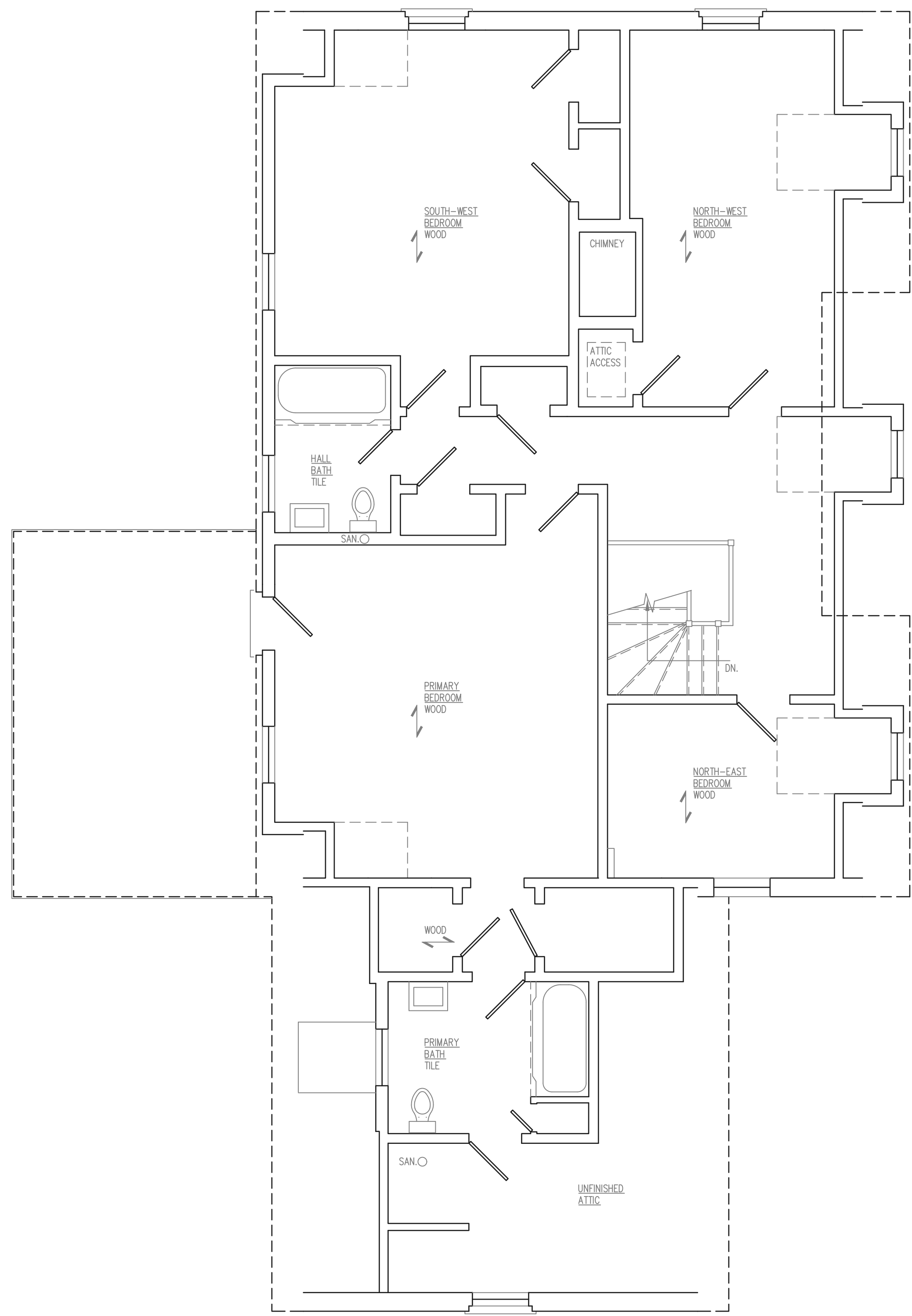
ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE THE DESIGN AND UNPERFORMED WORK OF BARBARA L. MCCARTHY, AND THE SAME MAY NOT BE REPRODUCED, COPIED, OR DISSEMINATED WITHOUT THE WRITTEN CONSENT OF BARBARA L. MCCARTHY.

DRAWN: McCARThY

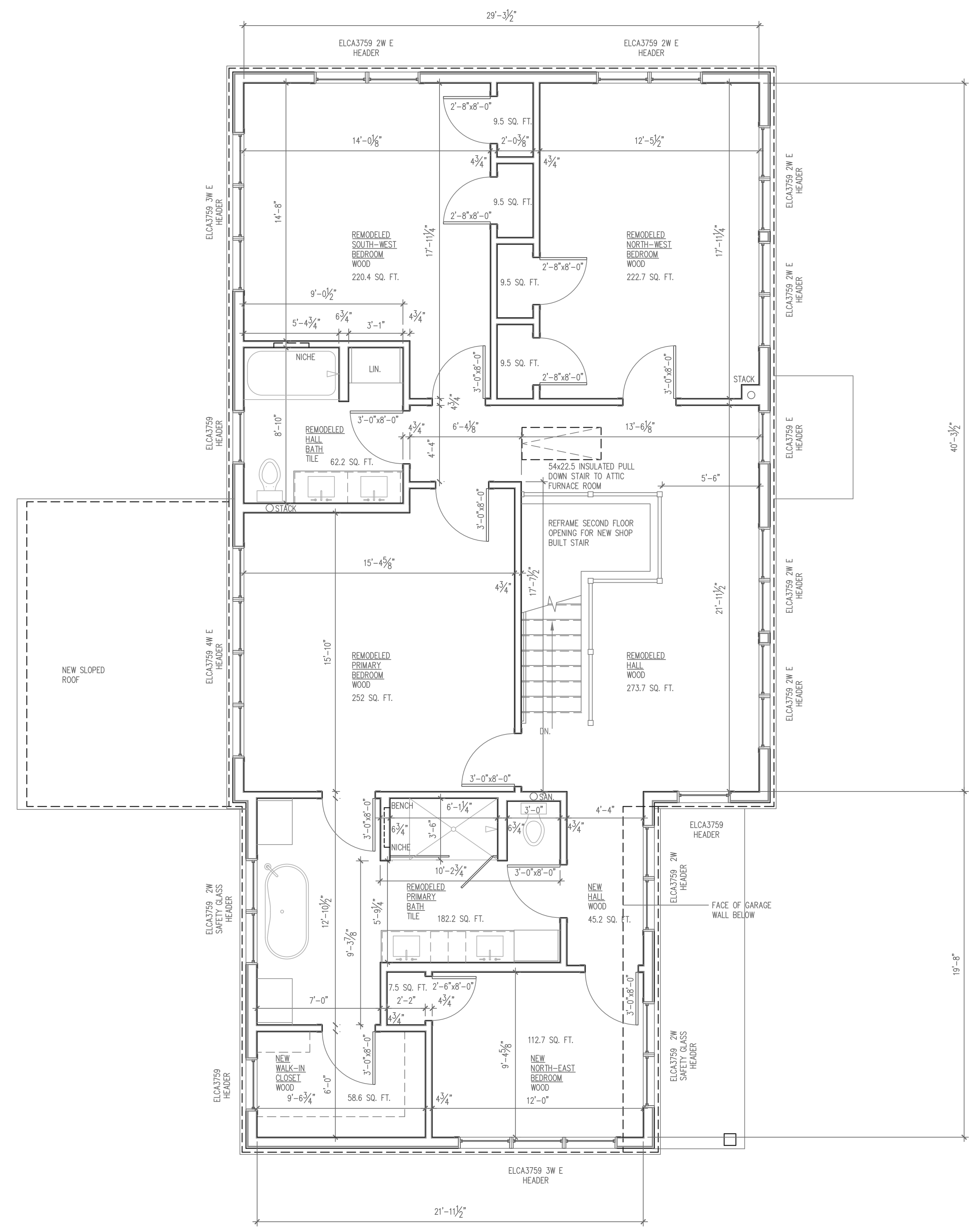
SCALE: AS NOTED

DATE: 04/30/2026

BASEMENT FLOOR PLAN - EXISTING & NEW WORK



NORTH
SECOND FLOOR PLAN - EXISTING
 SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



NORTH
SECOND FLOOR PLAN - NEW WORK
 SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)

LIC. EXP. - 11/30/26
 DATE:

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV. ISSUE DATE:
 ZONING VARIANCE 04/30/2026
 ZONING VARIANCE 05/21/2026

ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE THE DESIGN AND UNPERFORMED WORK OF BARBARA L. MCCARTHY, AND THE SAME MAY NOT BE REPRODUCED, COPIED, OR OTHERWISE USED WITHOUT THE WRITTEN CONSENT OF BARBARA L. MCCARTHY.

DRAWN: McCARTHY

SCALE: AS NOTED

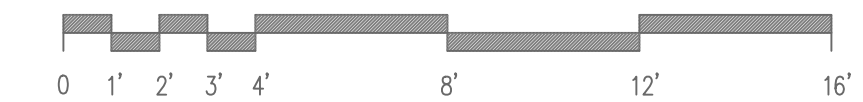
DATE: 04/30/2026

SECOND FLOOR PLAN - EXISTING & NEW WORK



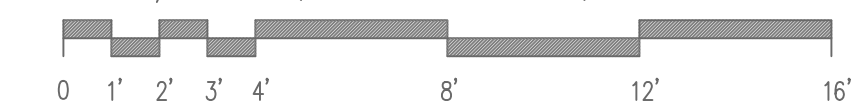
NORTH ELEVATION – EXISTING

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



NORTH ELEVATION – NEW WORK

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



LIC. EXP.: 11/30/26
DATE:

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV.: ISSUE: DATE:
ZONING VARIANCE 04/30/2026

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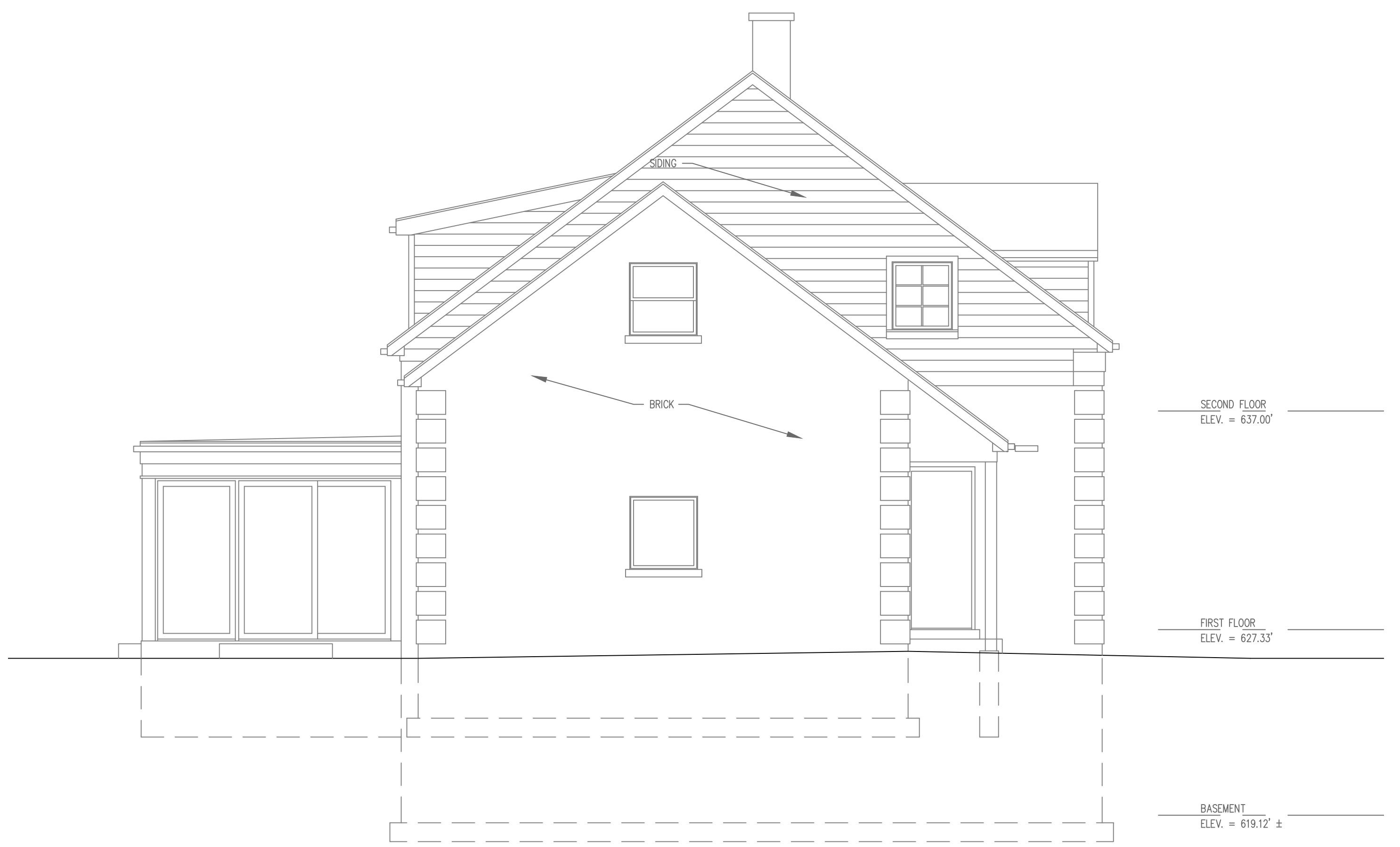
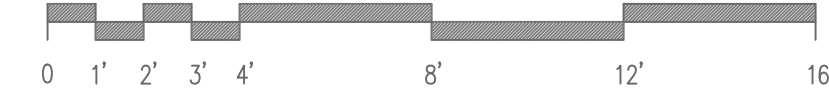
NORTH ELEVATION –
EXISTING & NEW WORK

A2-0



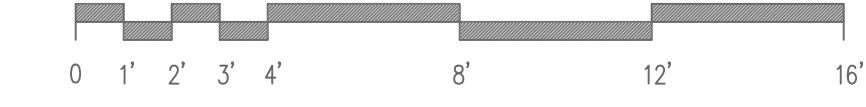
WEST ELEVATION - EXISTING

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



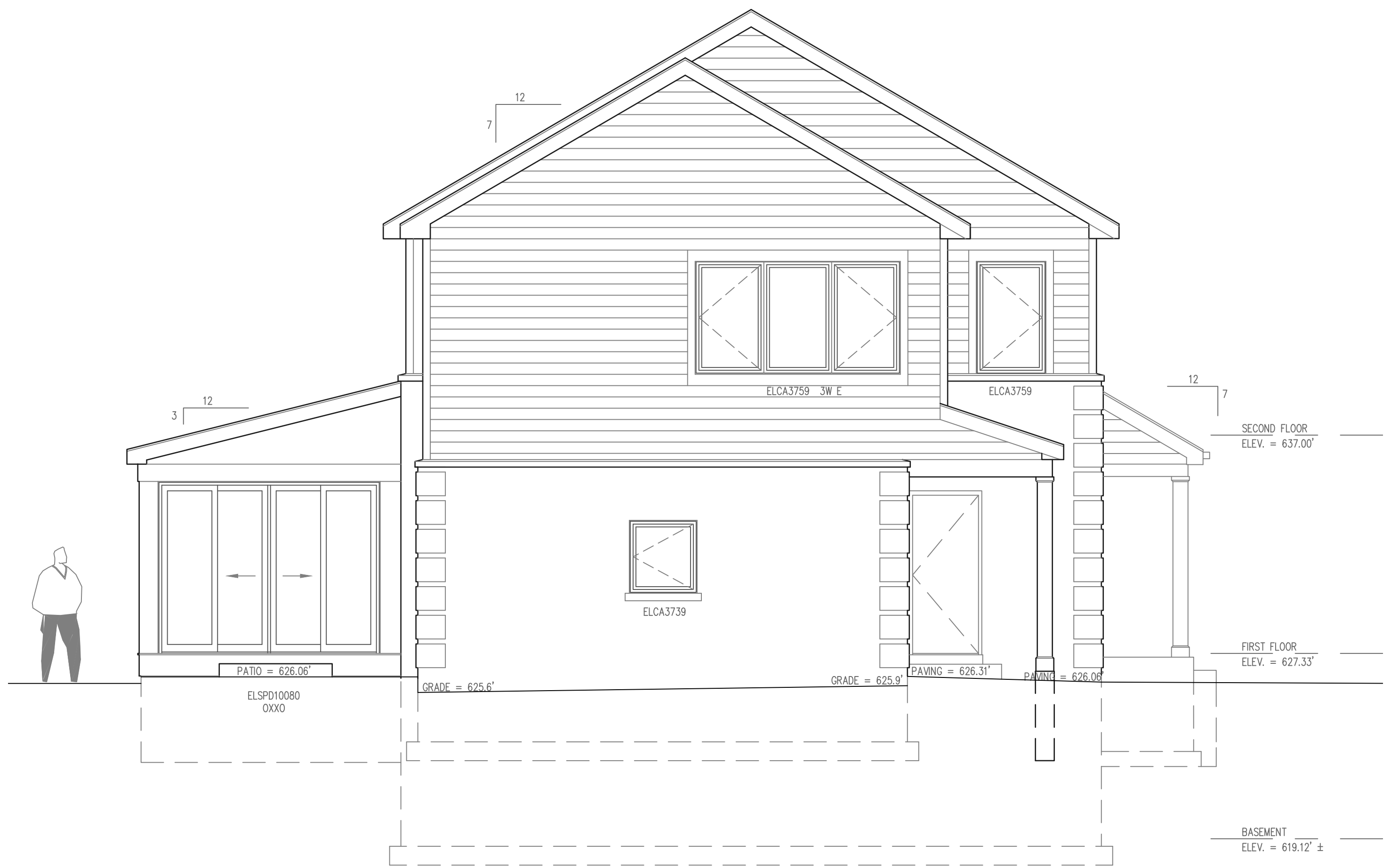
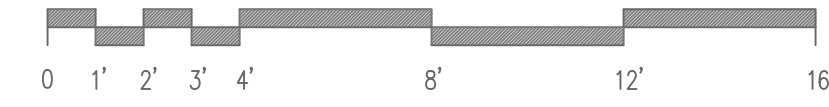
EAST ELEVATION - EXISTING

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



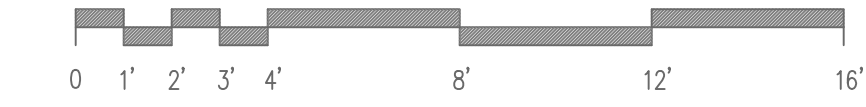
WEST ELEVATION - NEW WORK

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



EAST ELEVATION - NEW WORK

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



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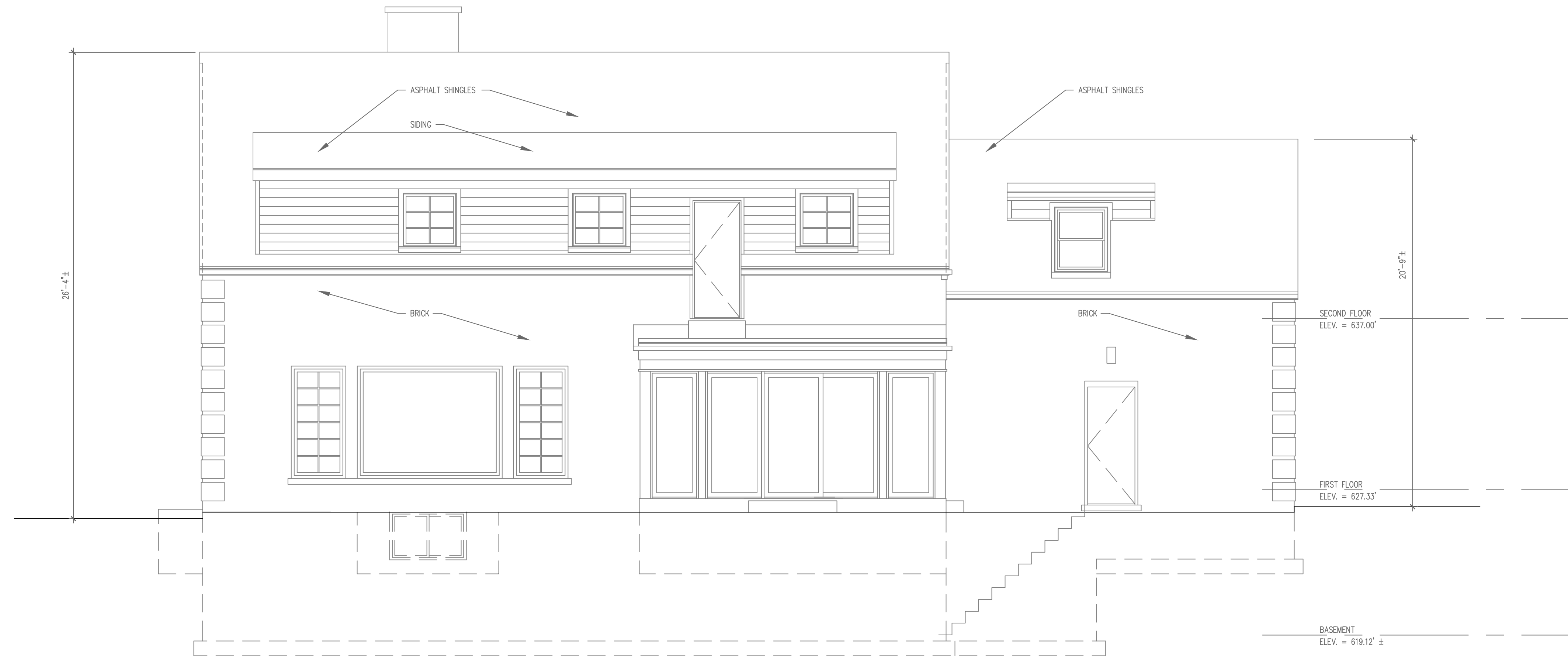
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DRAWN: McCARTHY
SCALE: AS NOTED
DATE: 04/30/2026

WEST & EAST
ELEVATIONS - EXISTING
& NEW WORK



SOUTH ELEVATION - EXISTING

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



SOUTH ELEVATION - NEW WORK

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)

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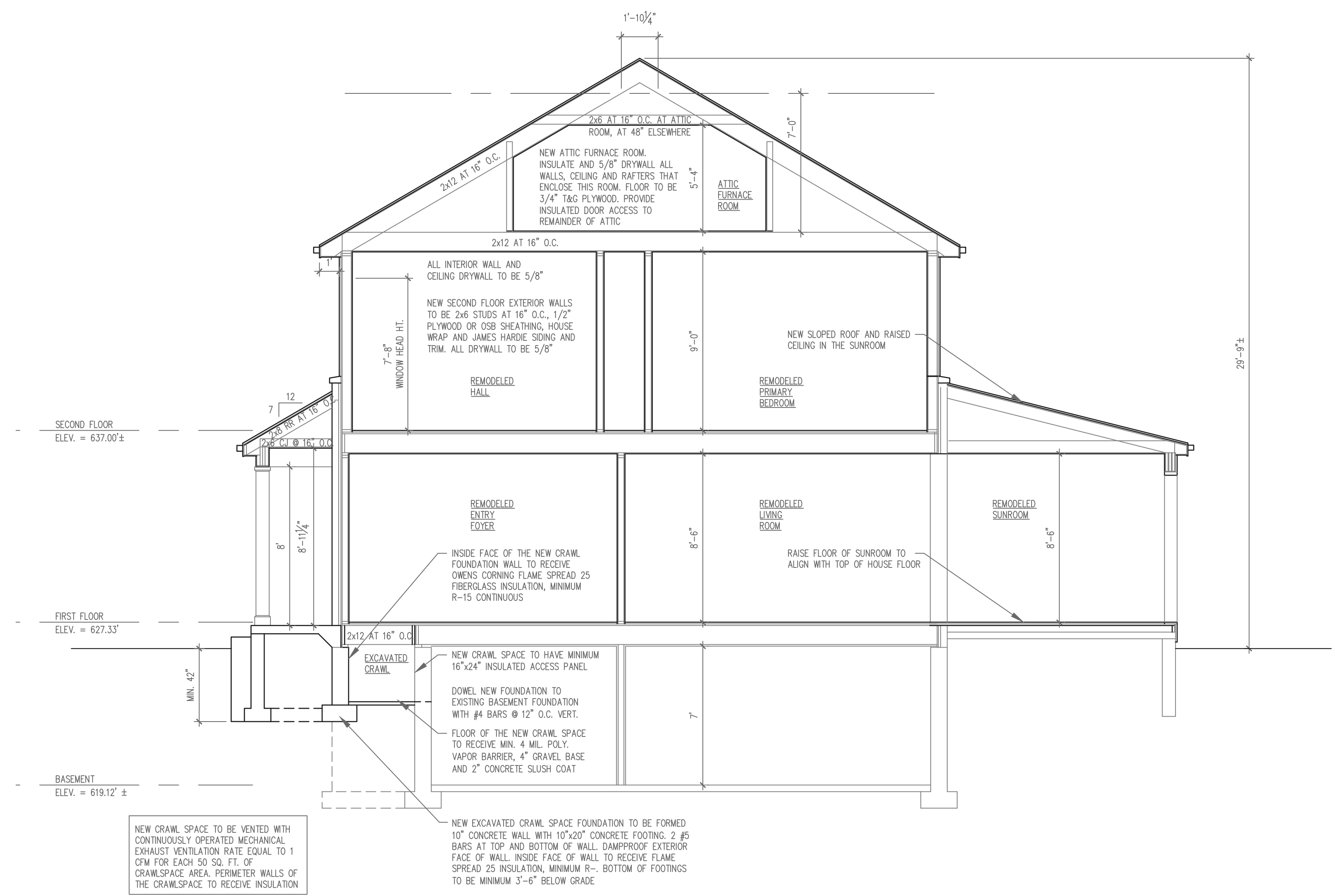
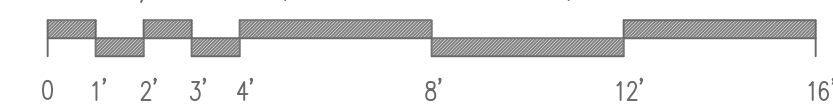
DATE: 04/30/2026

SOUTH ELEVATION - EXISTING & NEW WORK



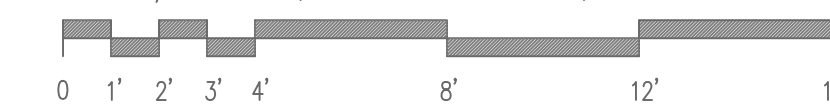
BUILDING SECTION THRU EXISTING HOUSE

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



BUILDING SECTION THRU REMODELED HOUSE

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



LIC. EXP. - 11/30/26
DATE:

ARCHITECT OF RECORD:

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DRAWN: McCARTHY

SCALE: AS NOTED

DATE: 04/30/2026

BUILDING SECTION THRU HOUSE - EXISTING AND NEW WORK

A3-0

ATTACHMENT C
RESOLUTION NO. ZBA-04-2026
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 26-13-V – 1252 SPRUCE STREET

WHEREAS, Lawrence and Loraine Yolles (collectively, the “Applicant”) are the owners of the property commonly known as 1252 Spruce Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (**“Subject Property”**); and

WHEREAS, the Subject Property is located in the R-4 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single-family residence with an attached garage that is nonconforming with respect to (i) the minimum required side yard setback from the east and west property lines, and (ii) the minimum required total side yard setback (**“Building”**); and

WHEREAS, the Applicant desires to construct a second-floor addition to the Building and create new window openings in the legally nonconforming west and east side building walls of the Building on the Subject Property that would (i) provide less than the minimum required side yard setback from the east property line; (ii) provide less than the minimum required total side yard setback; and (iii) require structural changes necessary to provide new window openings in the legally nonconforming west and east side building walls of the existing Building that provide less than the minimum required side yard setback (**“Proposed Improvement”**); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (**“Zoning Ordinance”**), the Subject Property is required to provide a minimum side yard setback of 7.5 feet; and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance, the Subject Property is required to provide a minimum total side setback of 18.75 feet; and

WHEREAS, pursuant to Section 17.64.060 of the Winnetka Zoning Ordinance, zoning relief is necessary to allow enlarged or relocated windows in nonconforming side buildings walls; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a minimum side yard setback that is less than the required 7.5 feet, a violation of Section 17.30.060 of the Zoning Ordinance; (ii) a minimum total side yard setback that is less than the required 18.75 feet, a violation of Section 17.30.060 of the Zoning Ordinance; and (iii) construct new window openings in the legally nonconforming west and east side building walls that provide less than the minimum required side yard setback of 7.5 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Section 17.30.060 and Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) an east side yard setback of 5.69 feet; (ii) a total side yard setback of 13.13 feet; and (iii) new window openings in the existing west side building wall that provides a setback of 7.44 feet and the existing east side building wall that provides a setback of 5.69 feet (**“Requested Variations”**); and

WHEREAS, a public notice for the Requested Variations was duly published on May 21, 2026, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on June 8, 2026, for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on June 8, 2026; and

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

1. Application for the Requested Variations submitted by the Applicant, dated April 30, 2026, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

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

WHEREAS, the Zoning Board of Appeals has determined that it will serve and be in the best interest of the Village and its residents to grant the application for the (i) minimum side yard setback variation, (ii) total side yard setback variation, and (iii) the structural changes necessary to provide new window openings in legally nonconforming building walls variation in accordance with, and subject to, the conditions, restrictions, and provisions of this Resolution.

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

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

SECTION 2. APPROVAL OF VARIATIONS. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested (i) minimum side yard setback variation from Section 17.30.060 of the Zoning Ordinance, (ii) total side yard setback variation from Section 17.30.060 of the Zoning Ordinance, (iii) structural changes to allow new window openings in legally nonconforming side building walls from Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

- A. Compliance with Plans. Except for minor changes and site work approved by the Director of Community Development in accordance with all applicable Village standards, the development, use, operation, and maintenance of the Subject Property,

shall comply with those certain plans attached hereto as **Exhibit B**.

- B. Compliance with Regulations. The construction, development, use, operation, and maintenance of the Proposed Improvement and the Subject Property must comply with all applicable Village codes and ordinances, as the same may be amended from time to time, except to the extent specifically provided otherwise in this Resolution.

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

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Resolution, the approval granted in Section Two of this Resolution will, at the sole discretion of the Zoning Board of Appeals, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Zoning Board of Appeals may not so revoke the approval granted in Section Two of this Resolution unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, (i) the side yard setback requirements set forth in Section 17.30.060 of the Zoning Ordinance and (ii) structural changes to provide new window openings in legally nonconforming side building walls requirement set forth in Section 17.64.060 of the Zoning Ordinance. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

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

SECTION 7. EFFECTIVE DATE.

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

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 8th day of June, 2026, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 1 (EXCEPT THE WEST 77 FEET AND EXCEPT THE EAST 75 FEET) IN MID-PARK, A SUBDIVISION OF BLOCK 2 IN EDGEWOOD, A SUBDIVISION OF BLOCKS 1,2,3,6,7, AND 8 AND CERTAIN VACATED STREETS AND ALLEYS IN THE WINNETKA LAND ASSOCIATION SUBDIVISION OF THE NORTH HALF OF THE WEST 90 ACRES OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 1252 SPRUCE STREET, WINNETKA, ILLINOIS.

PARCEL INDEX NUMBER: 05-20-104-024-0000

EXHIBIT B
PLANS

(SEE ATTACHED EXHIBIT B)

ABBREVIATIONS:

BM	BEAM	OSB	ORIENTED STRAND BOARD
BTM/	BOTTOM OF	PKT.	POCKET
C.H.	CEILING HEIGHT	P.R.	POWDER ROOM
CJ	CEILING JOIST	PSF	POUNDS PER SQUARE FOOT
C.O.	CASED OPENING	P.T.	PRESERVATIVE-TREATED
CWP	CLEAR WHITE PINE	REF.	REFRIGERATOR
DH	DOUBLE HUNG	R.O.	ROUGH OPENING
DISP.	DISPOSAL	RR	ROOF RAFTER
DW	DISHWASHER	SHT.	SHEET
DWR.	DRAWER	SQ. FT.	SQUARE FOOT
EX.	EXISTING	T.B.D.	TO BE DETERMINED
FJ	FLOOR JOIST	VERT.	VERTICAL
FT.	FOOT	V.I.F.	VERIFY IN FIELD
HORZ.	HORIZONTAL	W/D	WASHER DRYER
MDF	MEDIUM DENSITY FIBERBOARD	WD.	WOOD
O.C.	ON CENTER		

APPLICABLE CODES:

- INTERNATIONAL RESIDENTIAL CODE, 2021 EDITION;
- ILLINOIS STATE PLUMBING CODE, 2014 EDITION OR CURRENT;
- NATIONAL ELECTRICAL CODE (NEC), 2020 EDITION (NFPA 70);
- INTERNATIONAL MECHANICAL CODE, 2021 EDITION;
- INTERNATIONAL ENERGY CONSERVATION CODE, 2024 EDITION;
- VILLAGE OF WINNETKA CODE AMENDMENTS.

DESIGN CRITERIA:

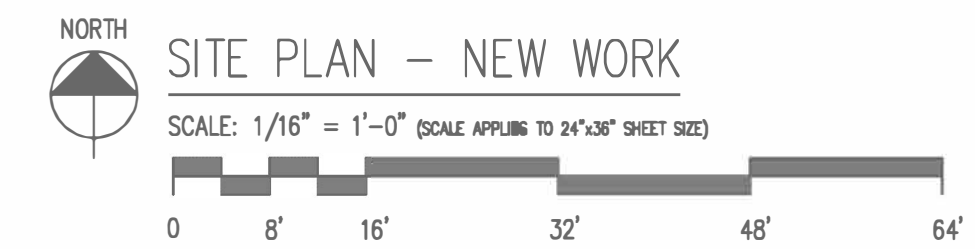
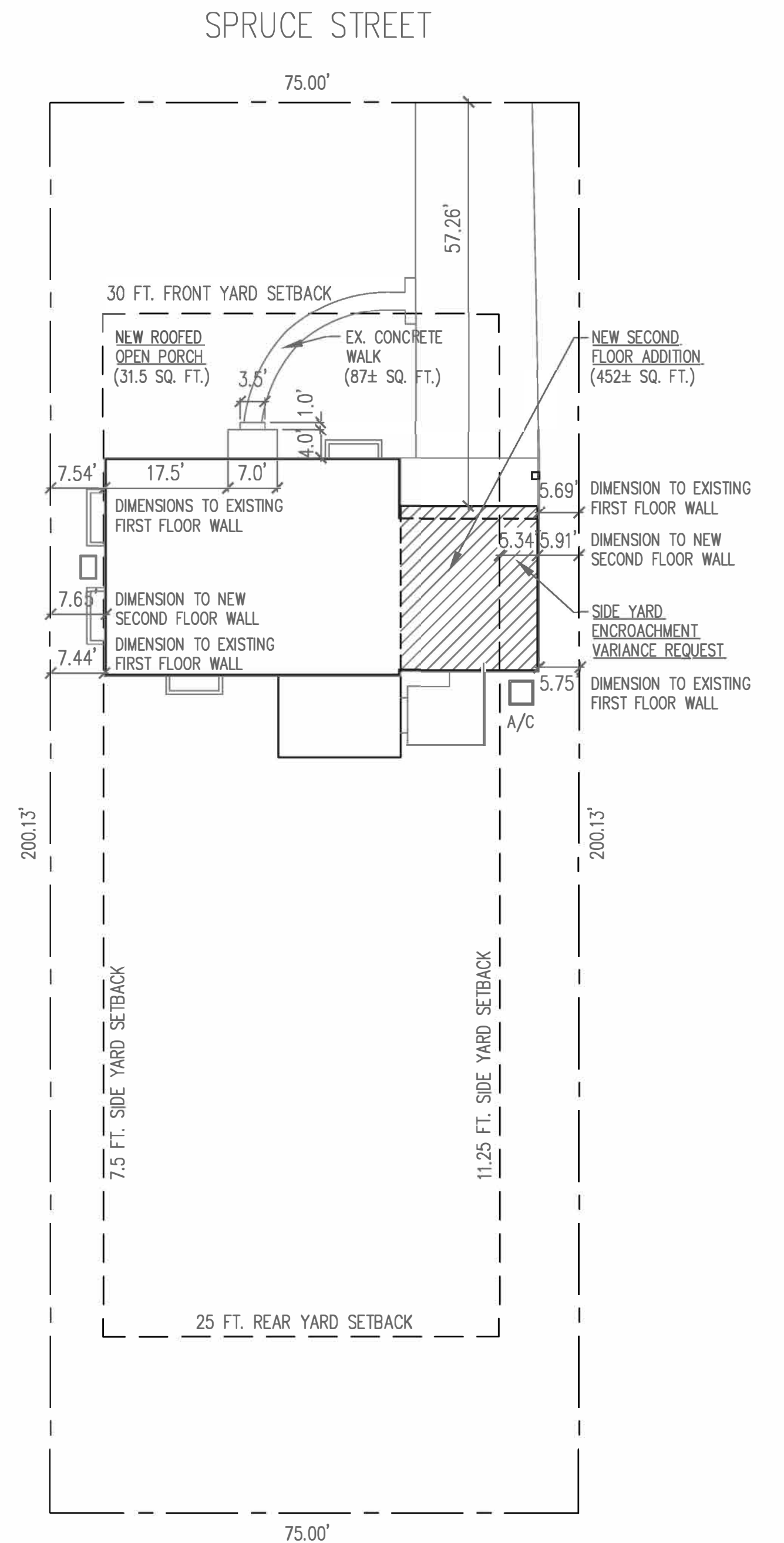
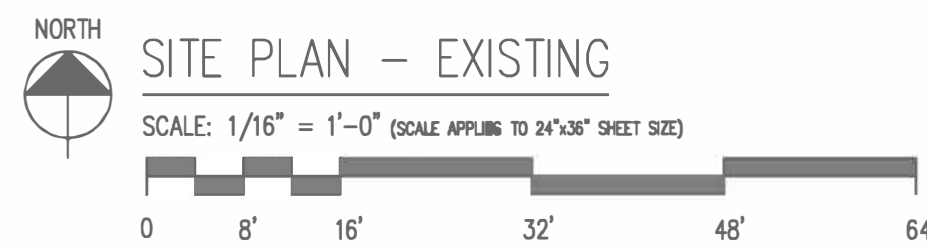
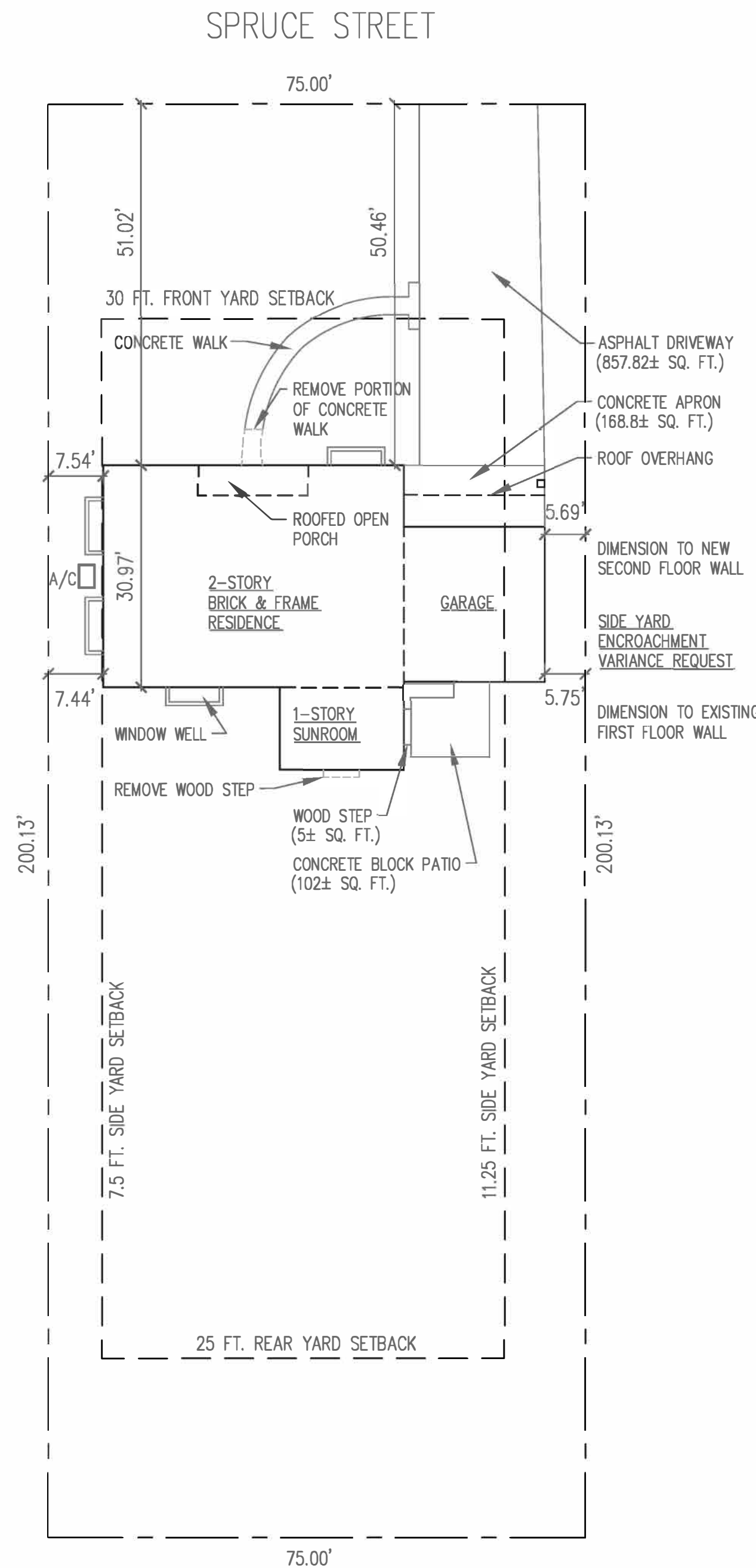
- MAXIMUM UNIFORMLY DISTRIBUTED LIVE LOADS:
 - DWELLING UNITS (NOT SLEEPING ROOMS) = 40 PSF
 - SLEEPING ROOMS = 30 PSF
 - ROOF = 30 PSF
 - ATTIC WITHOUT STORAGE = 10 PSF
 - ATTIC WITH STORAGE = 20 PSF
 - GROUND SNOW LOAD = 30 PSF
- SEISMIC DESIGN CATEGORY = A
- WIND SPEED = 90 MPH
- ALL CONCRETE SHALL BE MINIMUM 3,500 PSI STRENGTH AT 28 DAYS. MINIMUM SOIL BEARING CAPACITY TO BE 3,000 PSF.
- STANDARD LUMBER JOISTS AND RAFTERS SHALL BE HEM FIR #2 AND BETTER (MIN. Fv = 75 psi, fb = 850 psi AND E = 1,300,000). STUDS AND PRESERVATIVE-TREATED LUMBER SHALL BE SPF #2 AND BETTER (MIN. Fv = 70 psi, fb = 750 psi AND E = 1,100,000). MAXIMUM MOISTURE CONTENT LESS THAN 19% AT TIME OF SURFACING AND GRADE MARKED "DRY".

DRAWING INDEX:

- A0-0 SITE PLAN - EXISTING & NEW WORK/ ZONING NOTES
- A1-0 BASEMENT FLOOR PLAN - EXISTING & NEW WORK
- A1-1 FIRST FLOOR PLAN - EXISTING & NEW WORK
- A1-2 SECOND FLOOR PLAN - EXISTING & NEW WORK
- A2-0 NORTH ELEVATION - EXISTING & NEW WORK
- A2-1 WEST & EAST ELEVATIONS - EXISTING & NEW WORK
- A2-2 SOUTH ELEVATION - EXISTING & NEW WORK
- A3-0 BUILDING SECTION THRU HOUSE - EXISTING AND NEW WORK

ZONING NOTES:

- Z1 PROJECT LOCATED IN ZONING DISTRICT R4, SINGLE FAMILY RESIDENTIAL DISTRICT.
- Z2 HOUSE BUILT 1948, PRE-FAR.
- Z3 MINIMUM LOT SIZE = 12,600 SQ. FT. ACTUAL LOT SIZE = 15,008± SQ. FT.
- Z4 MAXIMUM BUILDING HEIGHT = 31 FT., 2 1/2 STORIES.
- Z5 MINIMUM EACH SIDE YARD SETBACK = 6 FT. PLUS (10% OF THE LOT WIDTH IN EXCESS OF 60 FT. = 15 FT. x 10% =) 1.5 FT. = 7.5 FT.
- Z6 MINIMUM TOTAL SIDE YARD SETBACK = GREATER OF 14 FT. OR 25% LOT WIDTH = 18.75 FT.
- Z7 MINIMUM REAR YARD SETBACK = 15% OF THE LOT DEPTH = 30 FT., MAXIMUM = 25 FT.
- Z8 MINIMUM FRONT YARD SETBACK = 30 FT., OR AVERAGE OF 3 HOMES ON THE BLOCK, 50% OF WHICH ARE MORE THAN 30 FT. SETBACK.
- Z9 MAXIMUM BUILDING SIZE = PRE-FAR, 3,630 + ((L.A.-9025) x .2) = 4,816.6 SQ. FT.
- Z10 MAXIMUM ROOFED LOT COVERAGE = 27% OF THE LOT AREA = 4,052.16 SQ. FT.
- Z11 MAXIMUM IMPERVIOUS LOT COVERAGE = 50% OF THE LOT AREA = 7,504 SQ. FT.



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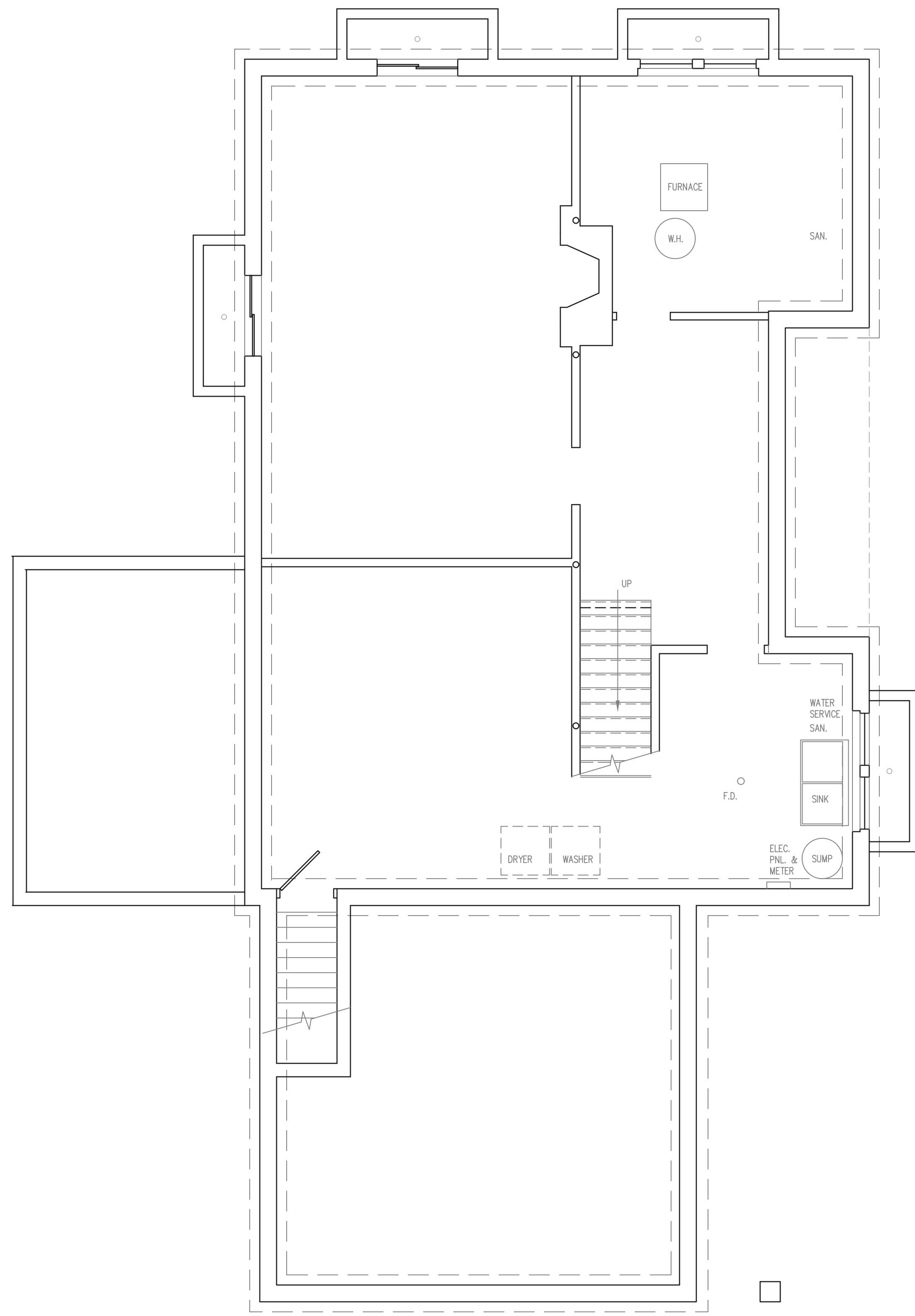
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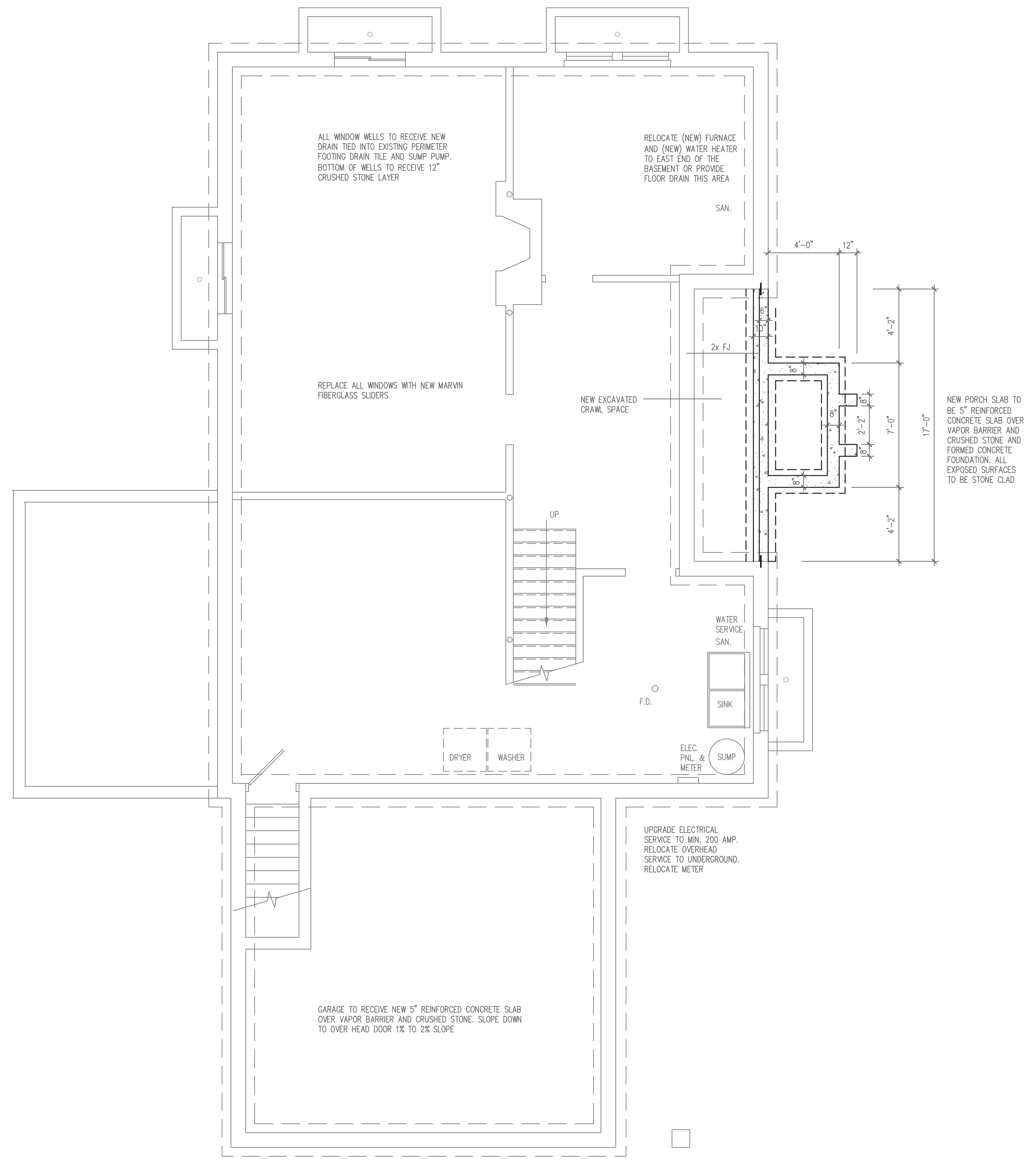
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DRAWN: McCARTHY
SCALE: AS NOTED
DATE: 04/30/2026

ZONING NOTES/ SITE PLAN - EXISTING & NEW WORK



NORTH
BASEMENT FLOOR PLAN - EXISTING
 SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)
 0 1' 2' 3' 4' 8' 12' 16'



NORTH
BASEMENT FLOOR PLAN - NEW WORK
 SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)
 0 1' 2' 3' 4' 8' 12' 16'

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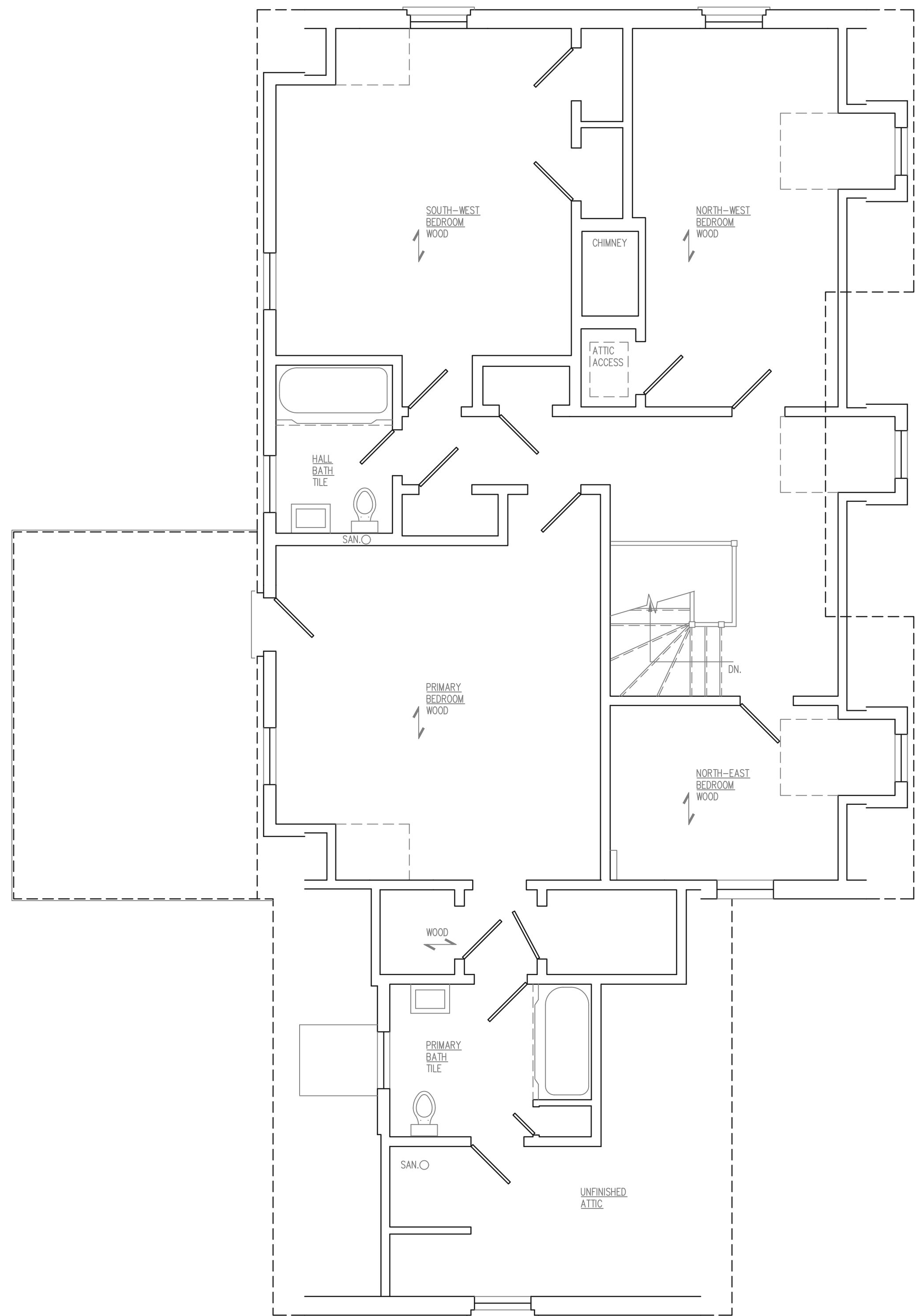
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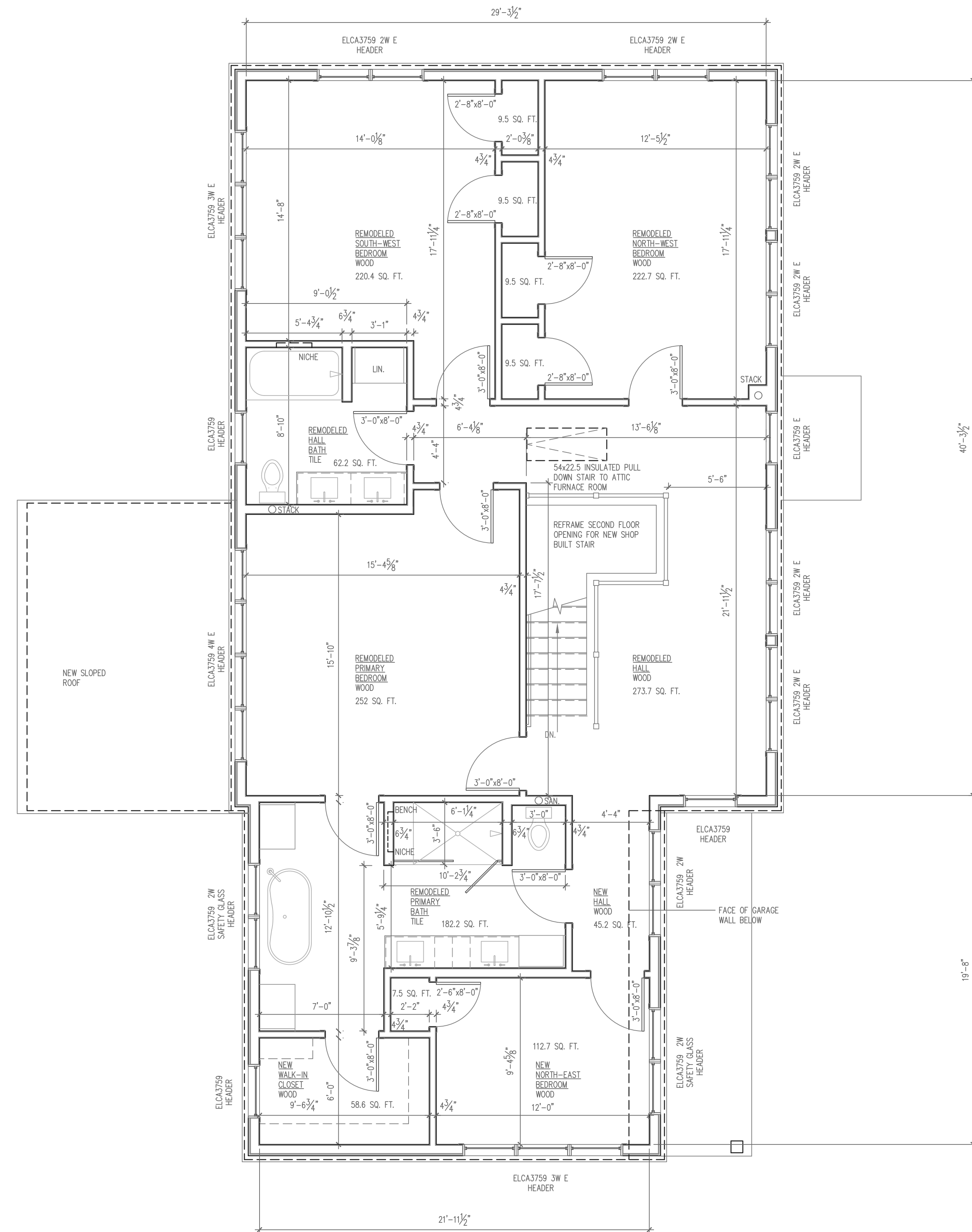
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 DRAWN: McCARThY

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BASEMENT FLOOR PLAN - EXISTING & NEW WORK



NORTH
SECOND FLOOR PLAN - EXISTING
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NORTH
SECOND FLOOR PLAN - NEW WORK
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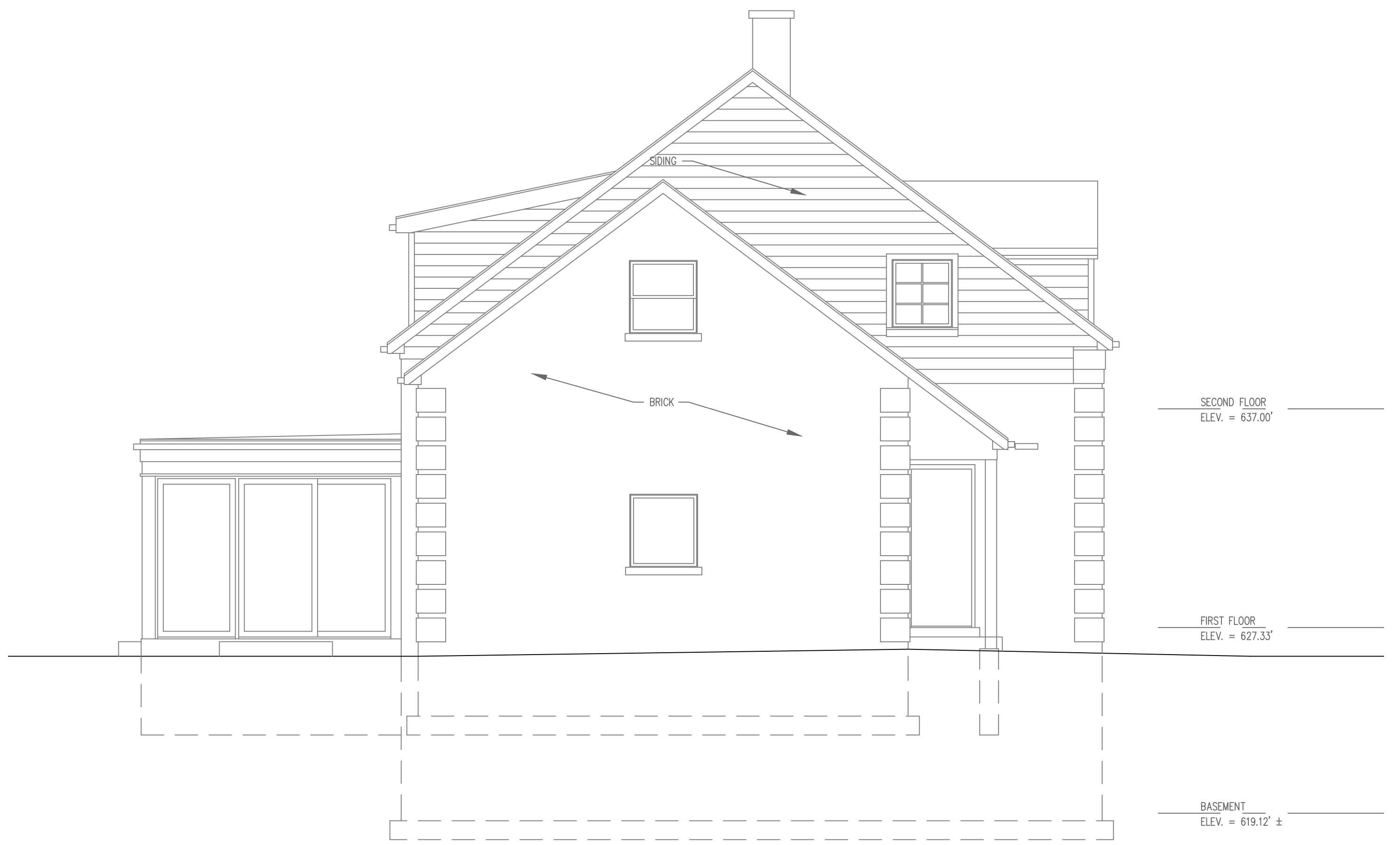
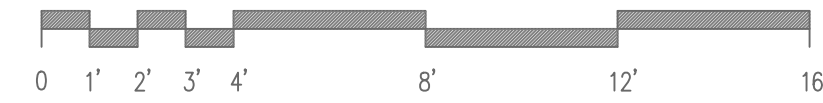
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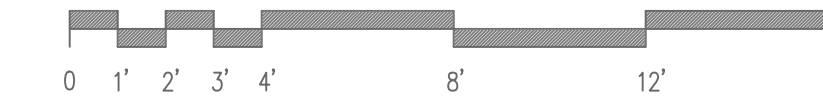
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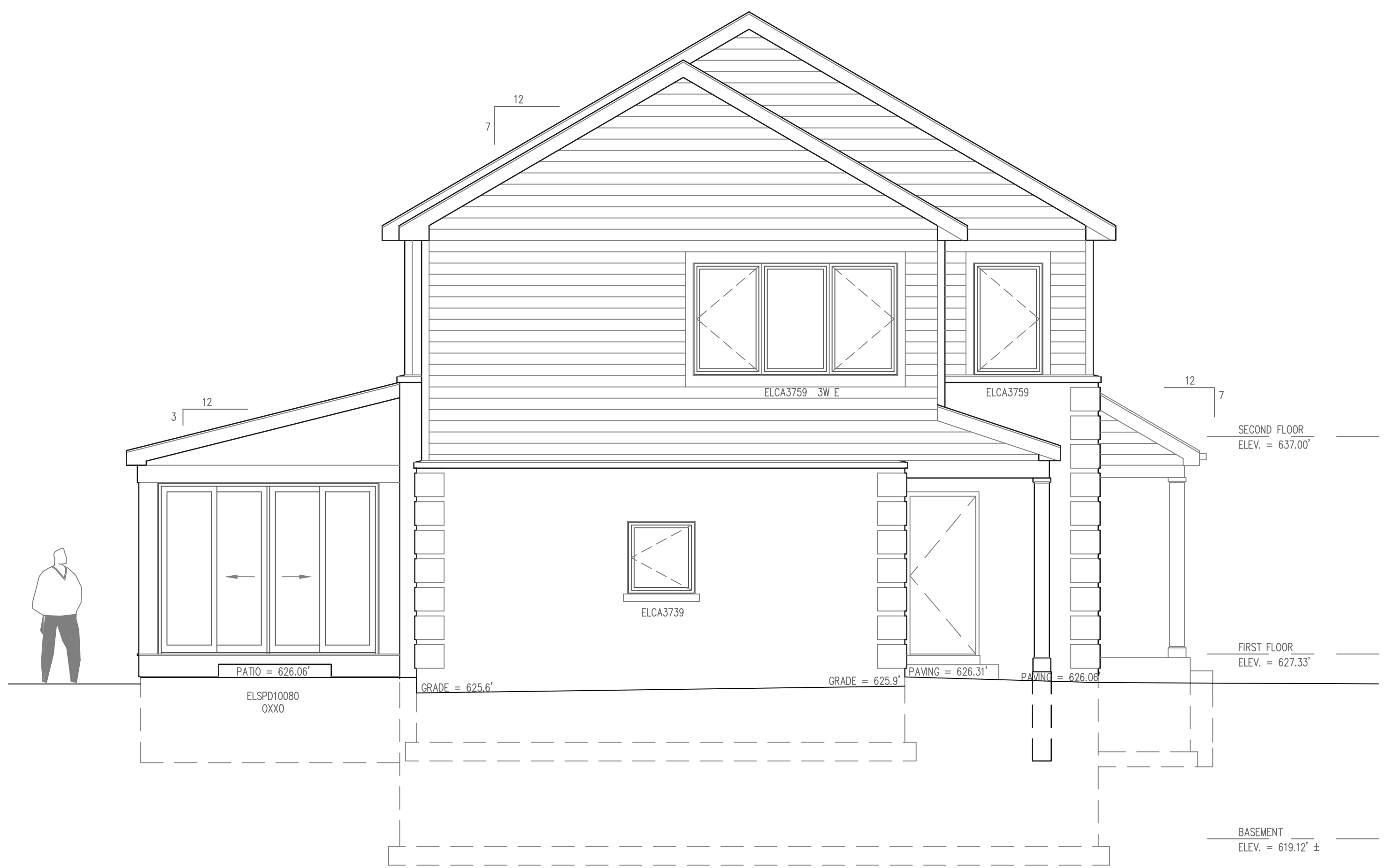
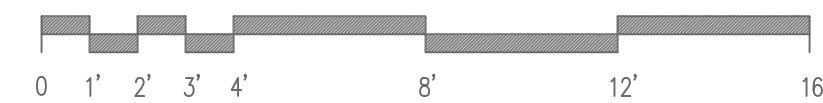
EAST ELEVATION - EXISTING

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



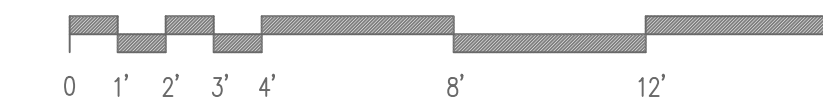
WEST ELEVATION - NEW WORK

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



EAST ELEVATION - NEW WORK

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



LIC. EXP.: 11/30/26
DATE:

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV.: ISSUE: DATE:
ZONING VARIANCE 04/30/2026

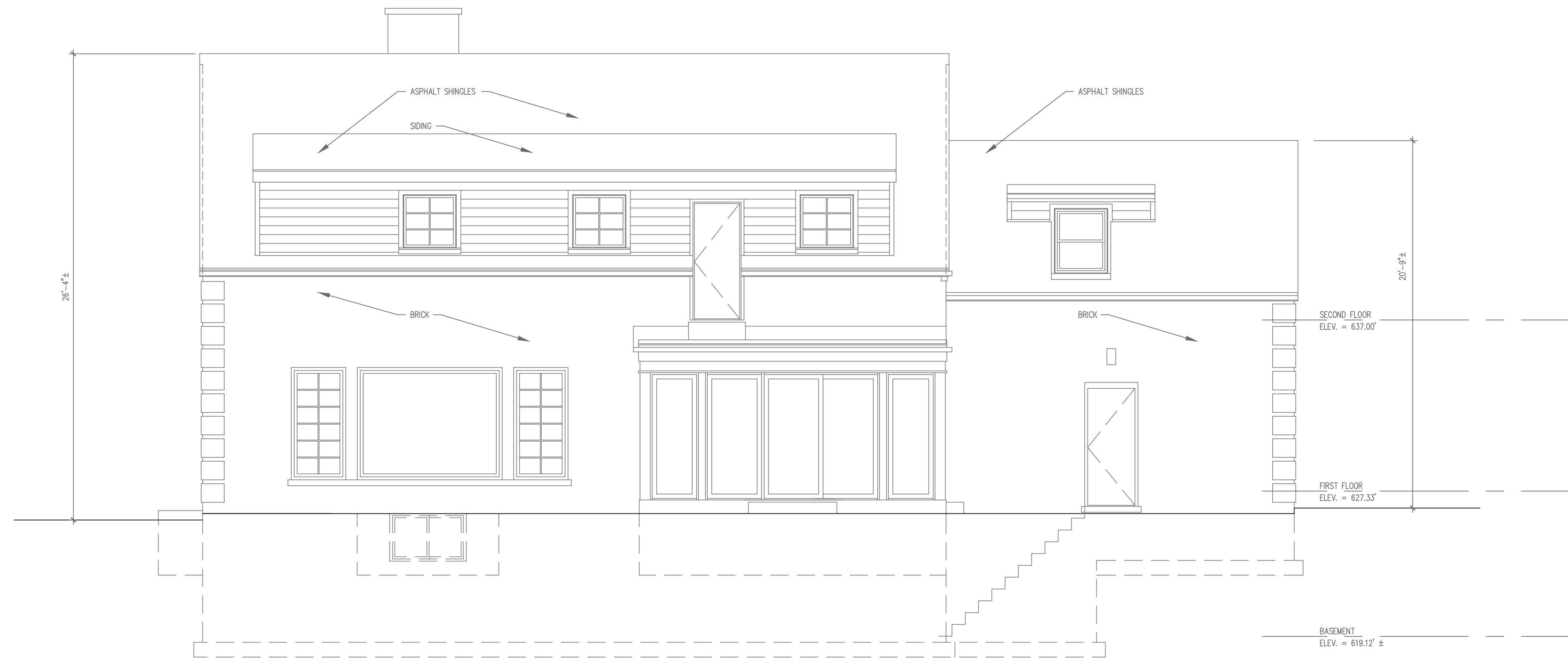
ALL DRAWINGS AND WRITTEN MATERIAL HEREIN
CONSTITUTE THE ORIGINAL AND UNREVISED WORK OF
BARBARA L. MCCARTHY, AND THE SAME MAY NOT BE
REPRODUCED, COPIED, OR SOUGHT WITHOUT THE WRITTEN
CONSENT OF BARBARA L. MCCARTHY.

DRAWN: McCARTHY

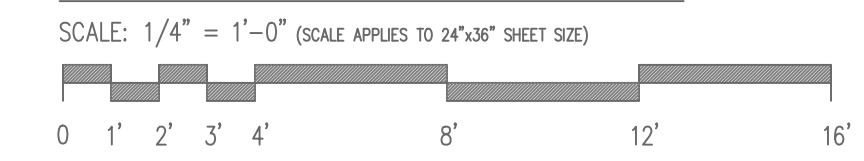
SCALE: AS NOTED

DATE: 04/30/2026

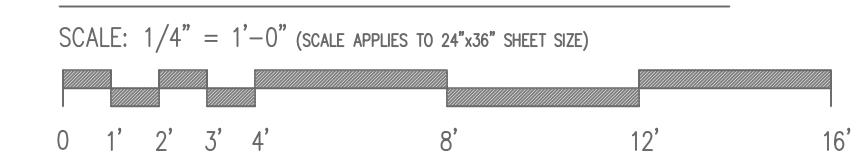
WEST & EAST
ELEVATIONS - EXISTING
& NEW WORK



SOUTH ELEVATION - EXISTING



SOUTH ELEVATION - NEW WORK



LIC. EXP.: 11/30/26
DATE:

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV.: ISSUE: DATE:
ZONING VARIANCE 04/30/2026

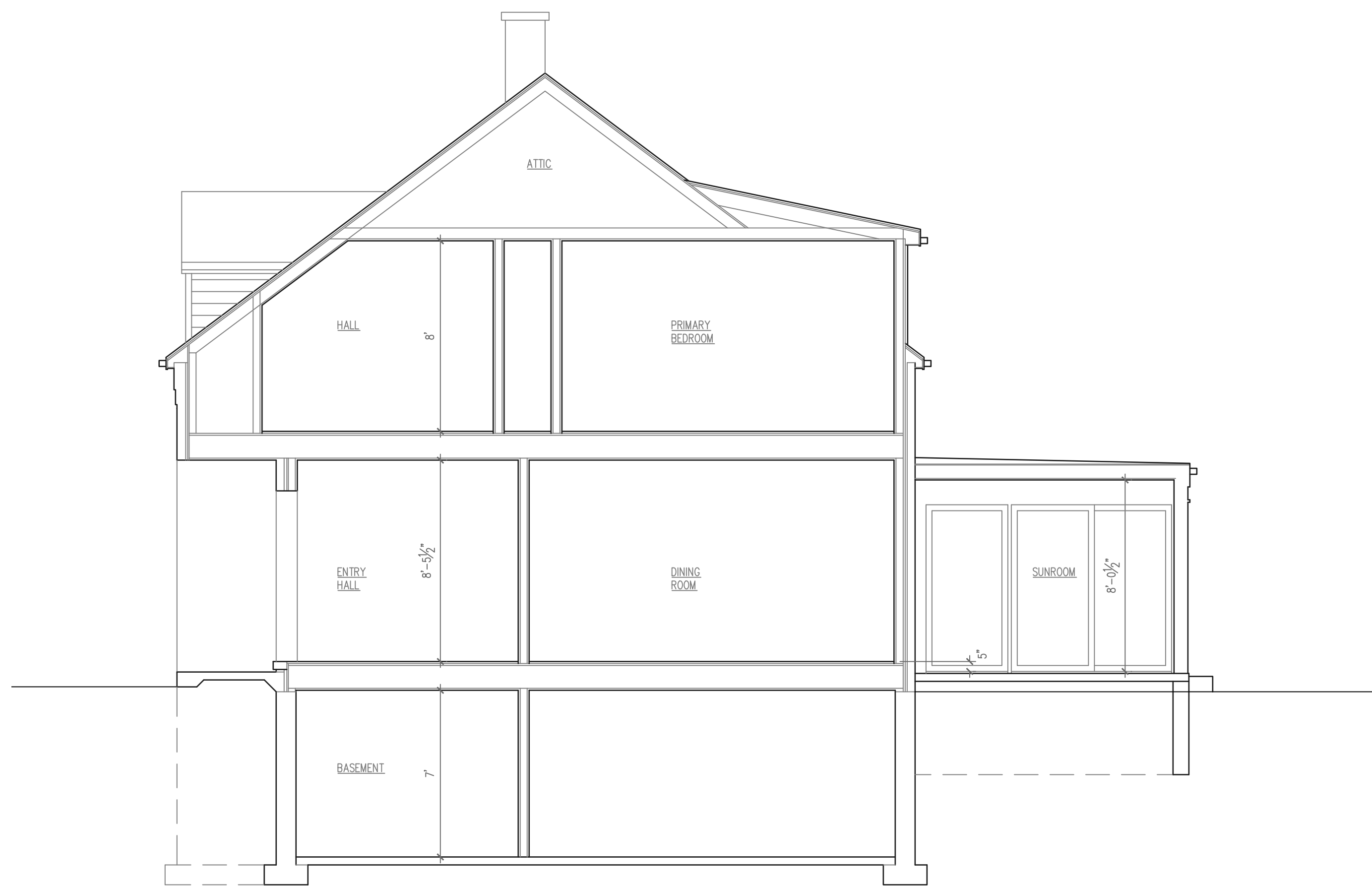
ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORK OF BARBARA L. MCCARTHY, AND THE SAME MAY NOT BE REPRODUCED, COPIED, OR DISSEMINATED WITHOUT THE WRITTEN CONSENT OF BARBARA L. MCCARTHY.

DRAWN: McCARTHY

SCALE: AS NOTED

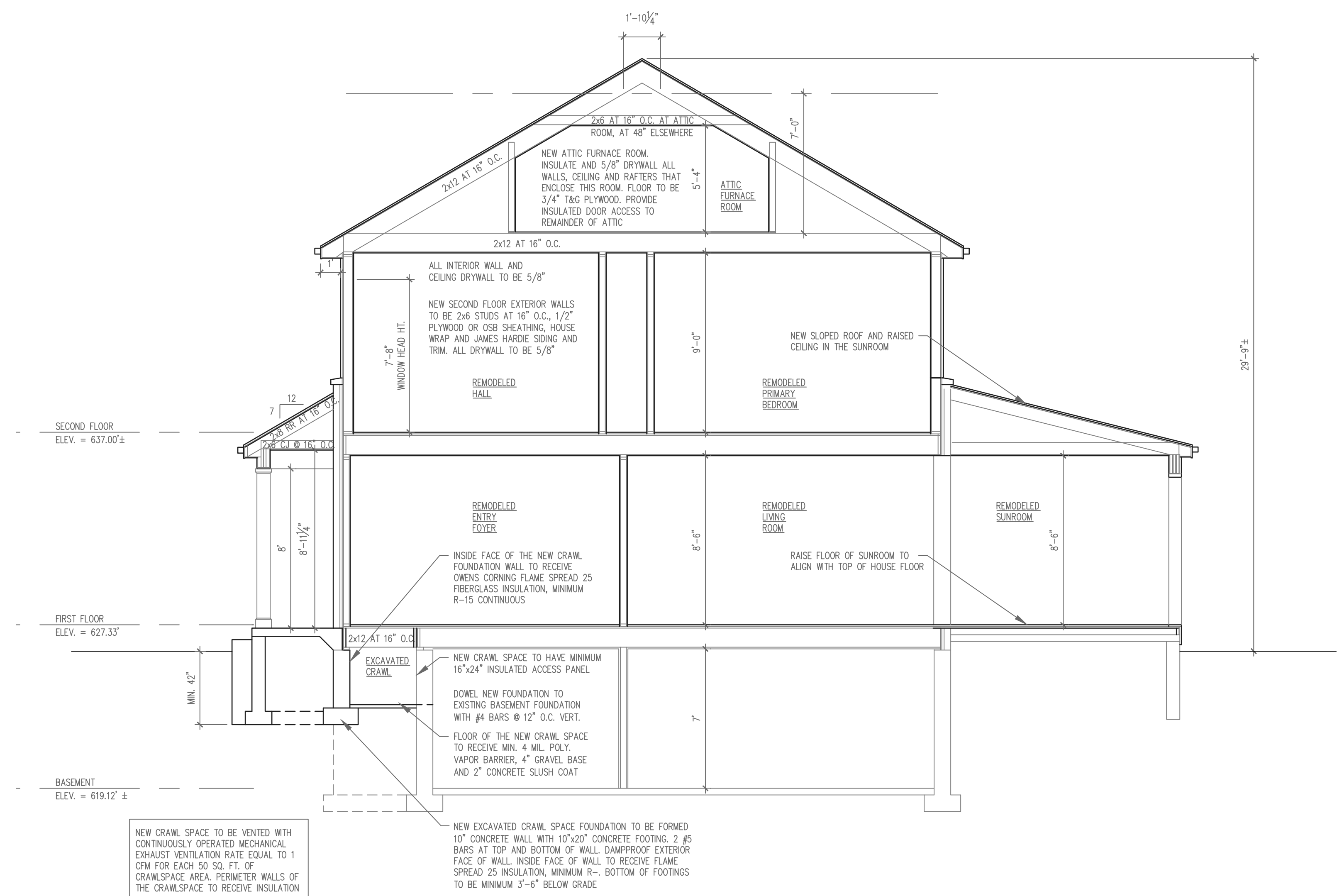
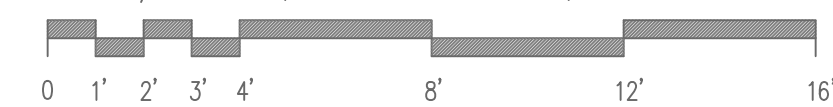
DATE: 04/30/2026

SOUTH ELEVATION - EXISTING & NEW WORK



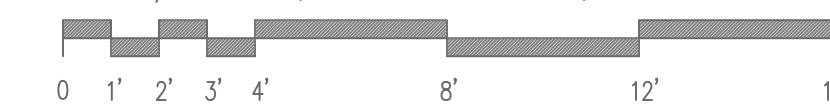
BUILDING SECTION THRU EXISTING HOUSE

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



BUILDING SECTION THRU REMODELED HOUSE

SCALE: 1/4" = 1'-0" (SCALE APPLIES TO 24"x36" SHEET SIZE)



LIC. EXP. DATE: 11/30/26

ARCHITECT OF RECORD:

Proposed First Floor & Second Floor Addition & Remodeling:

REV. ISSUE DATE: ZONING VARIANCE 04/30/2026

ALL DRAWINGS AND WRITTEN MATERIAL HEREIN CONSTITUTE THE ORIGINAL AND UNREVISED WORK OF BARBARA L. MCCARTHY, AND THE SAME MAY NOT BE REPRODUCED, COPIED, OR OTHERWISE TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN CONSENT OF BARBARA L. MCCARTHY.

DRAWN: McCARTHY

SCALE: AS NOTED

DATE: 04/30/2026

BUILDING SECTION THRU HOUSE - EXISTING AND NEW WORK

A3-0

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Lawrence and Loraine Yolles (collectively, the "**Owner**") are the owners of record of that certain real property located at 1252 Spruce Street, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-04-2026, adopted by the Winnetka Zoning Board of Appeals on June 8, 2026 ("**Resolution**"), grants variations to construct a second-floor addition to the existing single-family residence on the Subject Property; and

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

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

Dated: _____, 2026.

ATTEST

OWNER

By: _____

By: _____
Lawrence Yolles

Name: _____

By: _____
Lorraine Yolles

RESOLUTION NO. ZBA-04-2026
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 26-13-V – 1252 SPRUCE STREET

WHEREAS, Lawrence and Loraine Yolles (collectively, the “Applicant”) are the owners of the property commonly known as 1252 Spruce Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-4 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single-family residence with an attached garage that is nonconforming with respect to (i) the minimum required side yard setback from the east and west property lines, and (ii) the minimum required total side yard setback (“**Building**”); and

WHEREAS, the Applicant desires to construct a second-floor addition to the Building and create new window openings in the legally nonconforming west and east side building walls of the Building on the Subject Property that would (i) provide less than the minimum required side yard setback from the east property line; (ii) provide less than the minimum required total side yard setback; and (iii) require structural changes necessary to provide new window openings in the legally nonconforming west and east side building walls of the existing Building that provide less than the minimum required side yard setback (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is required to provide a minimum side yard setback of 7.5 feet; and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance, the Subject Property is required to provide a minimum total side setback of 18.75 feet; and

WHEREAS, pursuant to Section 17.64.060 of the Winnetka Zoning Ordinance, zoning relief is necessary to allow enlarged or relocated windows in nonconforming side buildings walls; and

WHEREAS, the Applicant desires to construct the Proposed Improvement on the Subject Property with (i) a minimum side yard setback that is less than the required 7.5 feet, a violation of Section 17.30.060 of the Zoning Ordinance; (ii) a minimum total side yard setback that is less than the required 18.75 feet, a violation of Section 17.30.060 of the Zoning Ordinance; and (iii) construct new window openings in the legally nonconforming west and east side building walls that provide less than the minimum required side yard setback of 7.5 feet, a violation of Section 17.64.060 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Section 17.30.060 and Section 17.64.060 of the Zoning Ordinance to permit the Proposed Improvement on the Subject Property with (i) an east side yard setback of 5.69 feet; (ii) a total side yard setback of 13.13 feet; and (iii) new window openings in the existing west side building wall that provides a setback of 7.44 feet and the existing east side building wall that provides a setback of 5.69 feet (“**Requested Variations**”); and

WHEREAS, a public notice for the Requested Variations was duly published on May 21, 2026, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on June 8, 2026, for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on June 8, 2026; and

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

1. Application for the Requested Variations submitted by the Applicant, dated April 30, 2026, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variations **do not** satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance because (i) the Requested Variations are not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; (ii) the Subject Property can yield a reasonable return if it is permitted to be used only under the conditions allowed for the R-4 Single Family Residential District; and (iii) the plight of the Applicant is not due to unique circumstances; and

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

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

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

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

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

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 8th day of June, 2026, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Countersigned:

Signed:

Village Clerk

Matthew Bradley, Chairperson

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

LOT 1 (EXCEPT THE WEST 77 FEET AND EXCEPT THE EAST 75 FEET) IN MID-PARK, A SUBDIVISION OF BLOCK 2 IN EDGEWOOD, A SUBDIVISION OF BLOCKS 1,2,3,6,7, AND 8 AND CERTAIN VACATED STREETS AND ALLEYS IN THE WINNETKA LAND ASSOCIATION SUBDIVISION OF THE NORTH HALF OF THE WEST 90 ACRES OF THE NORTHWEST QUARTER OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 1252 SPRUCE STREET, WINNETKA, ILLINOIS.

PARCEL INDEX NUMBER: 05-20-104-024-0000



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: CHRISTOPHER MARX, ACIP - ASSOCIATE PLANNER
DATE: JUNE 4, 2026
SUBJECT: 705 OAK STREET - VARIATIONS (CASE NO. 26-14-V)

INTRODUCTION

On June 8, 2026, the Zoning Board of Appeals (“ZBA”) is scheduled to hold a public hearing on an application submitted by Jeffrey and Amy Bucklew (collectively, the “Applicant”), as Trustees of The Bucklew Joint Trust dated May 10, 2018, of 705 Oak Street, Winnetka, IL 60093, the owner of the property located at 705 Oak Street (the “Subject Property”). The Applicant requests approval of the following zoning variation to allow the installation of a fence along a portion of the west property line of the Subject Property:

1. **Fence Height** of 8 feet, whereas a maximum height of 6.5 feet above natural grade is permitted, a variation of 1.5 feet (23.08%) [Section 17.30.130 – Obstructions in Required Yards or Courts].

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 May 21, 2026. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The ZBA has final jurisdiction on this request as the ZBA has the authority to allow a fence to exceed the maximum permitted height, provided that the maximum permitted height allowed pursuant to the variation shall be no more than 10 feet.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.26 acres in size, is located on the north side of Oak Street between Lincoln Avenue and Maple Street and contains an existing two-story residence and a detached garage (see Figure 1). The property is zoned R-5 Single Family Residential and is bordered by B-2 Multi-Family Residential to the west, B-1 Multi-Family Residential to the north and south, R-4 Single Family Residential to the east, and C-2 General Retail Commercial to the south (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for single family residential development. The zoning of the property is consistent with the Comprehensive Plan land use designation.



Figure 1 – GIS Aerial Map

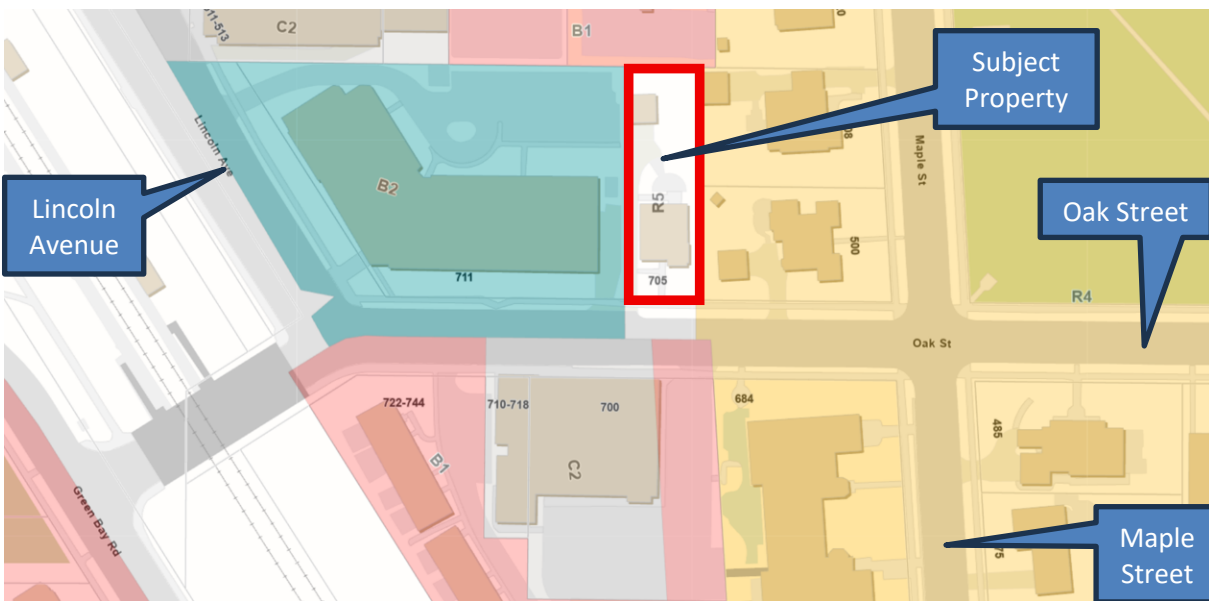


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was constructed in 2002 after adoption of Ordinance MC-1-2002 by the Village Council on February 5, 2002, amending the Official Zoning Map of the Village of Winnetka to Rezone the Property at 705 Oak Street from B-1 Multi-Family Residential to R-5 Single Family Residential. Subsequent building permits were issued in 2020 and 2025 for fence installations, and in 2026 for an outdoor kitchen. Other minor permits have been issued over the last several years. The Applicant acquired the property in 2025.

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



Figure 3 – Subject Property - Front (South) Elevation - Oak Street



Figure 4 and Figure 5– Subject Property - Front (South) and Side (West) Elevations - Oak Street



Figure 6 – Subject Property - Front (South) Elevation Facing Northwest - Oak Street

PROPOSED PLAN

The requested variation would allow installation of a new fence that is taller than the existing fence along a portion of the west property line of the Subject Property. The existing fence is a solid cedar cap-and-trim fence that is approximately 6 feet in height and was installed in 2025 as part of an overall perimeter fencing enclosure for the property. The Applicant, who was also the issuer for the 2025 fence permit, has indicated that the existing fence is insufficient for screening of the driveway, vehicular traffic, refuse receptacles, and mounted utility equipment of the neighboring multi-family residential building to the west.

The proposed replacement fence would be the same material and style as the existing solid cedar fence on the Subject Property. The height of the proposed fence would start at 6.5 feet on the southernmost installation point and escalate with slightly taller panels at different sections to a crest of 8 feet, while descending back down to a height of 6.5 feet at the installation endpoint towards the center of the property. The Applicant indicates that the varying heights are intended to compensate for the grade changes of the driveway and provide a more gradual and stepped transition of fence height. The proposed fence would comply with the 10-foot setback requirement of fences from the intersecting points of driveways and sidewalks, as it would be located 17 feet north of the south (front) property line.

A photo of the existing fence on the west property line is provided below as Figure 7, and the proposed site plan is provided on the following page as Figure 8. The complete set of plans, including the site plan, fence specifications, and site photos are provided in the application materials as **Attachment A**.



Figure 7 – Subject Property – West Elevation

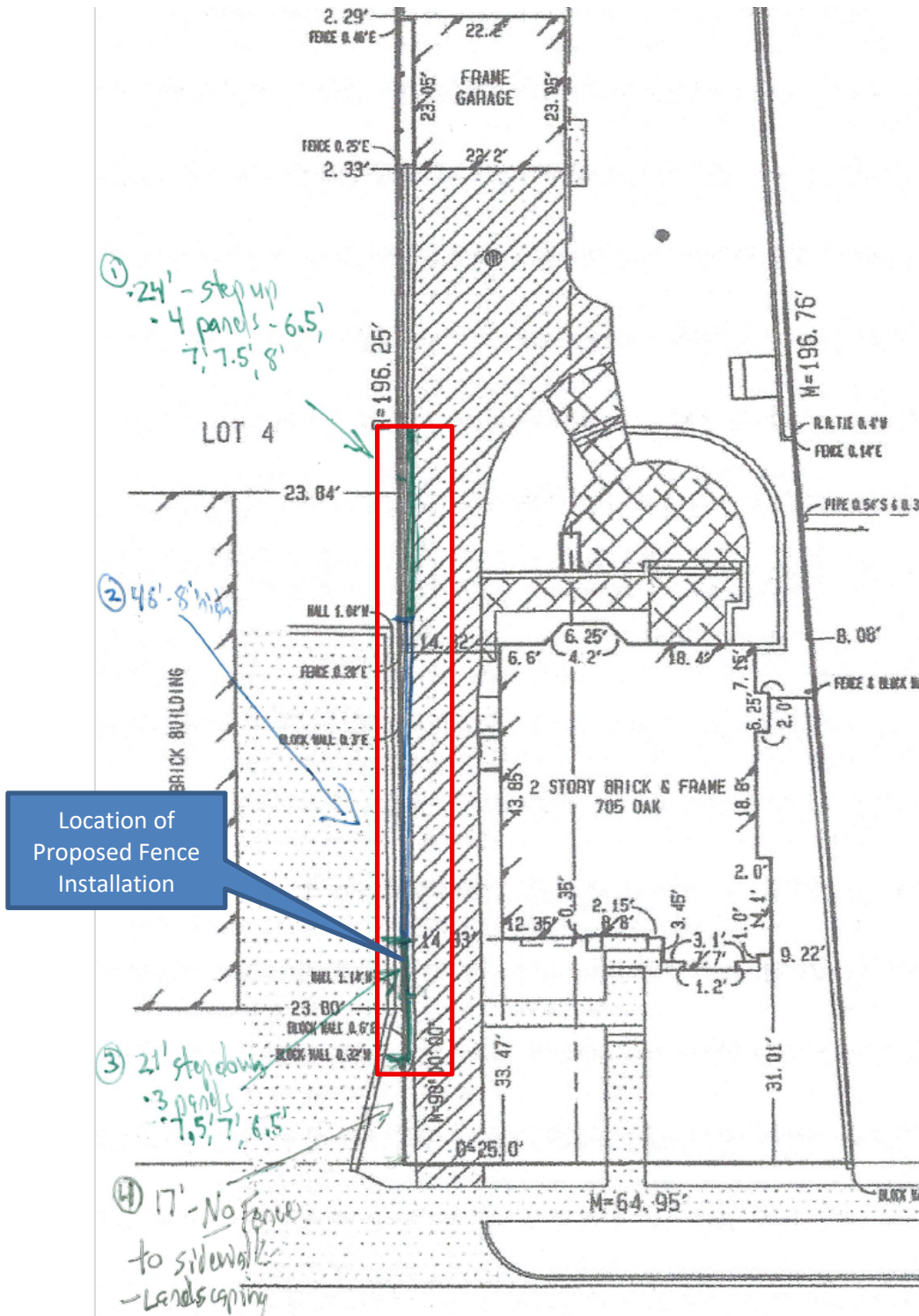


Figure 8 – Proposed Site Plan

REQUESTED ZONING RELIEF

One variation is being requested to allow a fence that reaches a maximum height of 8 feet along a portion of the west property line, whereas the maximum permitted height 6.5 feet above natural grade, a variation of 1.5 feet (23.08%).

FINDINGS

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

Staff has prepared the attached draft resolutions for the ZBA's consideration (**Attachment B**). One resolution approves the request, while the other denies the request. A ZBA member may wish to make a motion to: (i) adopt the resolution to approve the requested variation; (ii) adopt the resolution to deny the requested variation; or (iii) continue the case to a specific date.

ATTACHMENTS

Attachment A: Application Materials

Attachment B: Draft Resolutions



VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. _____

Property Information

Site Address: 705 OAK STREET, WINNETKA IL 60093

Owner Information

Name: _____
Address: _____
City, State, ZIP: Winnetka IL 60093
Email: _____

Primary Contact: Jeffrey Bucklew
Phone No. _____
Date property acquired by owner: 04/22/2025

Architect Information

Name: _____
Primary Contact: _____
Address: _____
City, State, ZIP: _____
Phone No. _____
Email: _____

Attorney Information

Name: _____
Primary Contact: _____
Address: _____
City, State, Zip: _____
Phone No. _____
Email: _____

Nature of any restrictions on property: _____

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

Please see attached

Property Owner Signatur

Date: 04/28/2026

Narrative for Zoning Variation Request

Property: 705 Oak Street, Winnetka, Illinois

Request: Variation to permit portions of a revised side/rear yard fence to exceed the otherwise permitted fence height and reach a maximum of eight (8) feet.

Description of Request

The subject property has an unusual adjacency condition that is not typical of a standard residential side-yard relationship. Rather than bordering another single-family home with a landscaped side yard, 705 Oak Street is directly adjacent to a three-story multi-family residential building. Although the neighboring property is residential in zoning and use, the portion of that building facing the subject property functions primarily as the service and utility side of the development rather than an attractive residential façade.

While other sides of the neighboring building are landscaped and residential in character, the side facing 705 Oak Street includes the entrance drive to the underground garage, dumpsters and garbage cans, daily refuse collection activity at approximately 7:00 a.m. (including reverse warning beeping from the collection truck), a line of bright fluorescent utility lights mounted along the building, and two large electrical/utility structures mounted on concrete pads that are visible from the rear patio and backyard living area. The garage door also opens and closes frequently throughout the day, creating a level of ongoing activity more consistent with a service access area than the side yard of a typical residence.

Because of this unique condition, effective screening along the shared property line is particularly important. At the same time, the existing hedge along the property line has become overgrown, inconsistent, and no longer a viable long-term solution for attractive screening. What was likely once a more uniform planting has evolved into multiple plant varieties with irregular growth patterns, varying heights, invasive vine overgrowth, and an uneven appearance that is difficult to maintain or restore cohesively.

We therefore propose a coordinated replacement plan consisting of updated fencing in selected areas and new hedge landscaping in the front portion of the property. The proposed fence will create a cleaner, more attractive, and more consistent screen than the existing condition while remaining lower than portions of the current hedge. The proposed fence will match the existing cedar privacy fence style currently installed on the property, including natural cedar material, cap-and-trim top detail, horizontal mid-rail, and stepped panel transitions.

Four existing fence sections on the rear portion of the side yard would be replaced to create a gradual stepped transition from six (6) feet to eight (8) feet. This creates a more intentional and visually balanced appearance while providing needed screening from electrical/mechanical equipment and related service-area elements currently visible from the rear patio and backyard living area.

The requested maximum height of eight (8) feet is limited only to the portions where additional height is necessary for effective screening. As the fence progresses toward the front of the property, the height begins stepping down at the end of the house and continues to decrease in height as it approaches the front yard. There is no fence for approximately seventeen (17) feet before the sidewalk, with approximately nine (9) additional feet between the sidewalk and the street. The stepped transition and early termination of the fence are intentionally designed to preserve open sight lines near the driveway approach, sidewalk, and street frontage.

In the front portion of the property, the existing hedge would be removed and replaced with new hedge landscaping, maintaining a softer landscaped condition near the street frontage.

1. The property cannot yield a reasonable return if permitted only under the strict application of the ordinance.

Strict application of the standard fence height does not provide an effective buffering solution due to the unusually intense adjacent conditions, including lighting, mechanical equipment, and service activity.

2. The plight of the owner is due to unique circumstances of the property and not the occupants.

The hardship arises from the physical characteristics and surrounding context of the property itself, including adjacency to a three-story neighboring residential structure, garage drive, dumpster activity, lighting, and exposed equipment.

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

The neighborhood will remain residential in character. The proposal improves an aging hedge condition with an orderly fencing and landscaping plan.

4. Adequate light and air to adjacent property will not be impaired.

The proposed fence is a narrow screening improvement along the property line and will not materially impair light or air.

5. The hazard from fire or other damage will not be increased.

The fence will be constructed using standard code-compliant materials and accepted installation methods.

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

The requested improvement is expected to maintain or enhance value by improving privacy, appearance, and long-term maintainability.

7. Congestion in the public street will not increase.

The proposed fence creates no additional traffic, parking demand, occupancy, or congestion.

8. Public health, safety, comfort, morals, and welfare will not otherwise be impaired.

The request improves residential comfort and welfare while preserving sight lines near the adjacent garage drive through stepped heights and early termination before the sidewalk.

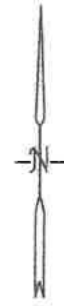
Conclusion

This application seeks a modest and carefully designed variation that responds to the unique utility-oriented conditions of the neighboring property, replaces an aging, overgrown, and inconsistent hedge condition with a more attractive and durable long-term screening solution, improves screening of visible mechanical and service elements, and preserves an appropriate streetscape by tapering downward and ending well before the sidewalk. For these reasons, we respectfully request approval of the proposed fence height variation up to eight (8) feet.

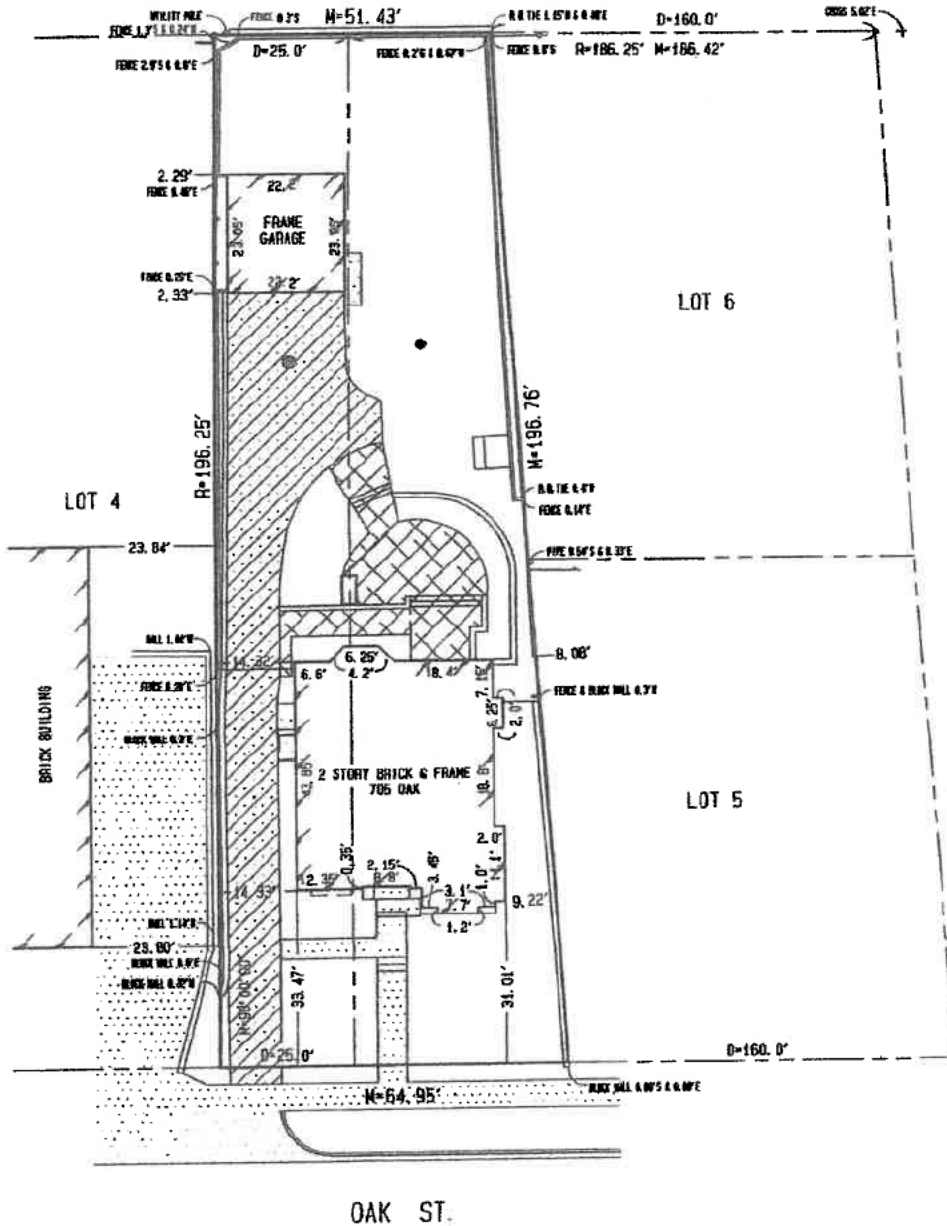
PLAT OF SURVEY

Order No. 2518130

THE EAST 25 FEET OF LOT FOUR (4), LOT FIVE (5) (EXCEPT THE EAST 160 FEET THEREOF), AND LOT SIX (6) (EXCEPT THE EAST 160 FEET THEREOF) IN PROUTY HOMESTEAD SUBDIVISION OF ALL BLOCKS TWENTY FOUR (24) AND TWENTY FIVE (25) LYING NORTHEASTERLY OF THE RIGHT OF WAY OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILROAD (EXCEPT THE NORTH 211 FEET OF BLOCK TWENTY FOUR (24) ALSO THE WEST 3 FEET OF THE NORTH 221 OF SAID BLOCK TWENTY FOUR (24) ALL IN MINNETKA, A SUBDIVISION BY CHARLES E. PECK, OF THE NORTHEAST QUARTER (1/4) OF SECTION 20, AND THE FRACTIONAL NORTH HALF (1/2) OF FRACTIONAL SECTION 21, ALL IN TOWN 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



SCALE 1" = 25'



LEGEND

- LIMITS OF BUILDING -
- R - RECORD
- M - MEASURED
- D - DEED
- - FOUND IRON PIPE
- - SET IRON PIPE
- ⊙ - HYDRANT
- ☆ - LIGHT

- CONCRETE -
- PAVERS -
- ASPHALT -

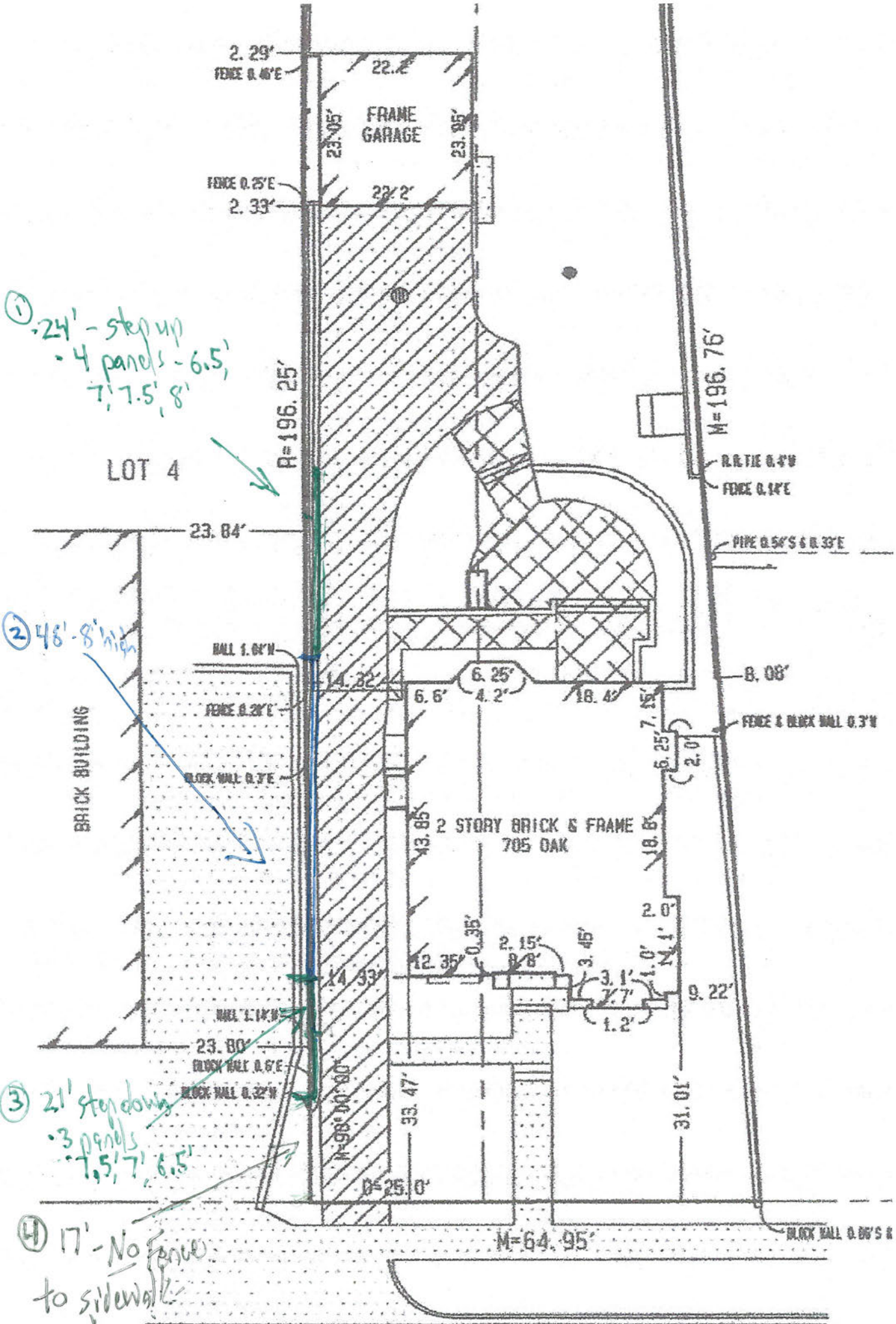
STATE of ILLINOIS S.S.
COUNTY of KANE

WE, LAND DIVISIONS INC., CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND, THAT THIS PLAT CORRECTLY REPRESENTS THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PROFESSIONAL SERVICE REPRESENTS A TESTED OPINION OF THE SURVEYOR OF THE ABOVE PARCELS PROPERTY.

LICENSE NO. 2783 EXPIRES ON NOVEMBER 30, 2026.

THIS PLAT CONFORMS WITH THE CURRENT ILLINOIS PROFESSIONAL LAND SURVEYORS ASSOCIATION MINIMUM STANDARDS FOR A BOUNDARY SURVEY. BUILDINGS LINE RESTRICTIONS AND EASEMENTS SHOWN ARE THOSE IDENTIFIED ON THE RECORD SUBDIVISION PLAT, UNLESS OTHERWISE NOTED. REFER TO TITLE INSURANCE POLICY AND LOCAL ZONING ORDINANCES FOR RESTRICTIONS NOT SHOWN. COMPARE DEED DESCRIPTION AND SITE CONDITIONS WITH THE DATA GIVEN ON THIS PLAT. IMMEDIATELY REPORT ANY DISCREPANCIES FOUND. ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF. THIS PLAT HAS BEEN PREPARED FOR MOEL-SERTY AND BUCKLEW.

LDI



① 24' - step up
 - 4 panels - 6.5',
 7', 7.5', 8'

② 48'-8" high

③ 21' step down
 - 3 panels
 - 7.5', 7', 6.5'

④ 17' - No fence
 to sidewalk
 - Landscaping



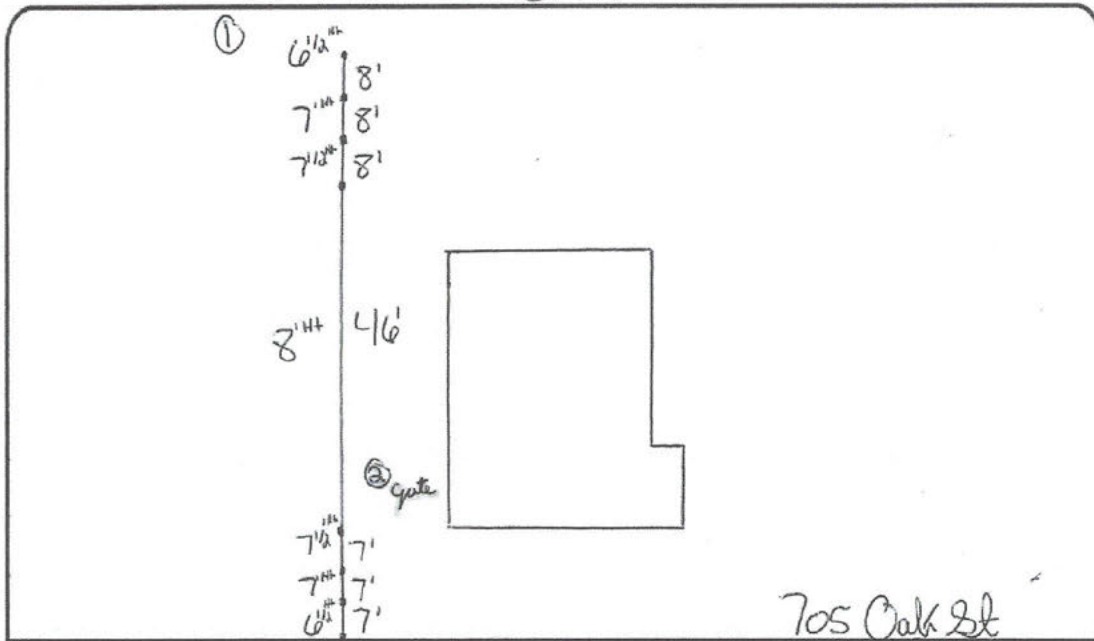
R&R PROFESSIONAL FENCING INC.

CUSTOM MADE FENCING NEW & REPAIR

LICENSED, BONDED & INSURED

CHAIN LINK
WOOD
PVC
ALUMINUM
POWER WASHING
STAINING

Diagram



Additional Notes

2 Options
 2 year Warranty on labor
 Traditional Style w/ Top Rail
 3' heights
 Removal included
 Gate adjusted w/ New steel parts

Payment Terms:

50% Down
 50% on Delivery

Respectfully Submitted by Adrian M.

The above prices specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified payment will be made as outlined above.

Company Appro



Signature _____

Date _____

Front Yard – old, overgrown hedge with invasive vines – New proposed fence would stop at end of hardscape on left side of driveway – new hedge, plantings would be in front.



Backyard View – fence steps up and stops at 6’ height – mechanicals visible



Two large industrial mechanical/electrical boxes visible from our patio



Drive to underground garage, dumpsters and garbage cans – industrial lights along building



ATTACHMENT B
RESOLUTION NO. ZBA-05-2026
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 26-14-V – 705 OAK STREET

WHEREAS, Jeffrey and Amy Bucklew (collectively, the “Applicant”), as Trustees of The Bucklew Joint Trust dated May 10, 2018, of 705 Oak Street, Winnetka, IL 60093, are the owners of the property commonly known as 705 Oak Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-5 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single-family residence, a detached garage, and a fence; and

WHEREAS, the Applicant desires to replace the existing fence along a portion of the west property line of the Subject Property (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.130 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the maximum permitted height for a fence within a required yard is 6.5 feet above natural grade; and

WHEREAS, the Applicant desires to replace the existing fence along a portion of the west property line with a new fence on the Subject Property measuring up to 8 feet in height above natural grade, a violation of Section 17.30.130 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for a variation from Section 17.30.130 of the Zoning Ordinance to permit the Proposed Improvement with a height of 8 feet above natural grade (“**Requested Variation**”); and

WHEREAS, a public notice for the Requested Variation was duly published on May 21, 2026, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on June 8, 2026, for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on June 8, 2026; and

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

1. Application for the Requested Variation submitted by the Applicant, dated April 28, 2026, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variation.

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

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

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

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

SECTION 2. APPROVAL OF VARIATION. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested maximum fence height variation from Section 17.30.130 of the Zoning Ordinance to permit the installation of a fence along a portion of the west property line of the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

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

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

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Resolution, the approval granted in Section Two of this Resolution will, at the sole discretion of the Zoning Board of Appeals, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Zoning Board of Appeals may not so revoke the approval granted in Section Two of this Resolution unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, the fence height requirement set forth in Section 17.30.130 of the Winnetka Zoning Ordinance. Further, in the

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

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

SECTION 7. EFFECTIVE DATE.

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

ADOPTED this 8th day of June, 2026, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

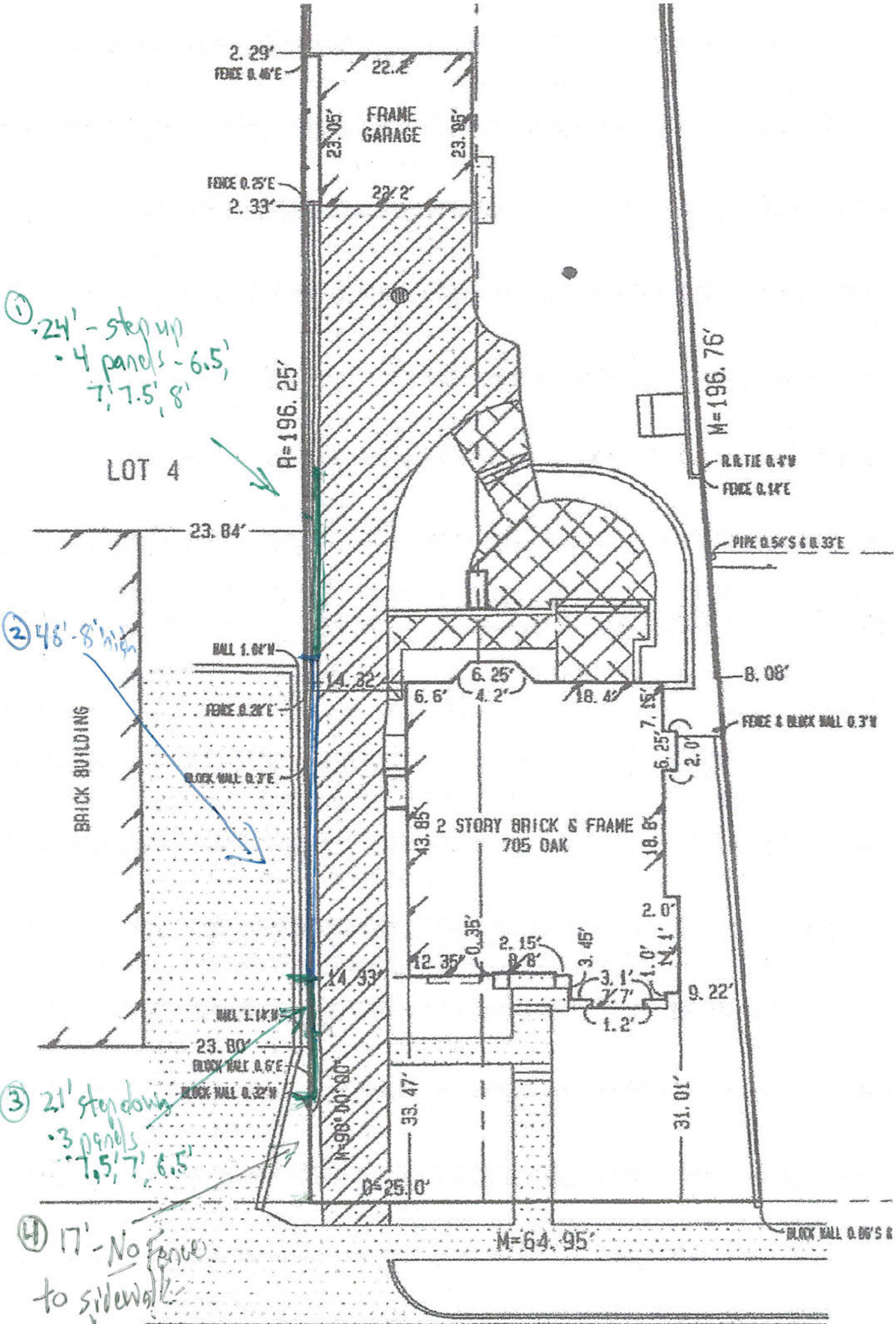
THE EAST 25 FEET OF LOT FOUR (4), LOT FIVE (5) (EXCEPT THE EAST 160 FEET THEREOF), AND LOT SIX (6) (EXCEPT THE EAST 160 FEET THEREOF) IN PROUTY HOMESTEAD SUBDIVISION OF ALL OF BLOCKS TWENTY FOUR (24) AND TWENTY FIVE (25) LYING NORTHEASTERLY OF THE RIGHT OF WAY OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILROAD (EXCEPT THE NORTH 211 FEET OF BLOCK TWENTY FOUR (24) ALSO THE WEST 3 FEET OF THE NORTH 221 FEET OF SAID BLOCK TWENTY FOUR (24) ALL IN WINNETKA, A SUBDIVISION BY CHARLES E. PECK, OF THE NORTHEAST QUARTER ($\frac{1}{4}$) OF SECTION 20, AND THE FRACTIONAL NORTH HALF ($\frac{1}{2}$) OF FRACTIONAL SECTION 21, ALL IN TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 705 OAK STREET, WINNETKA, ILLINOIS.

PARCEL INDEX NUMBER: 05-21-109-008-0000

EXHIBIT B
PLANS

(SEE ATTACHED EXHIBIT B)



① 24' - step up
 - 4 panels - 6.5',
 7', 7.5', 8'

② 48'-8" high

③ 21' step down
 - 3 panels
 - 7.5', 7', 6.5'

④ 17' - No fence
 to sidewalk
 - Landscaping



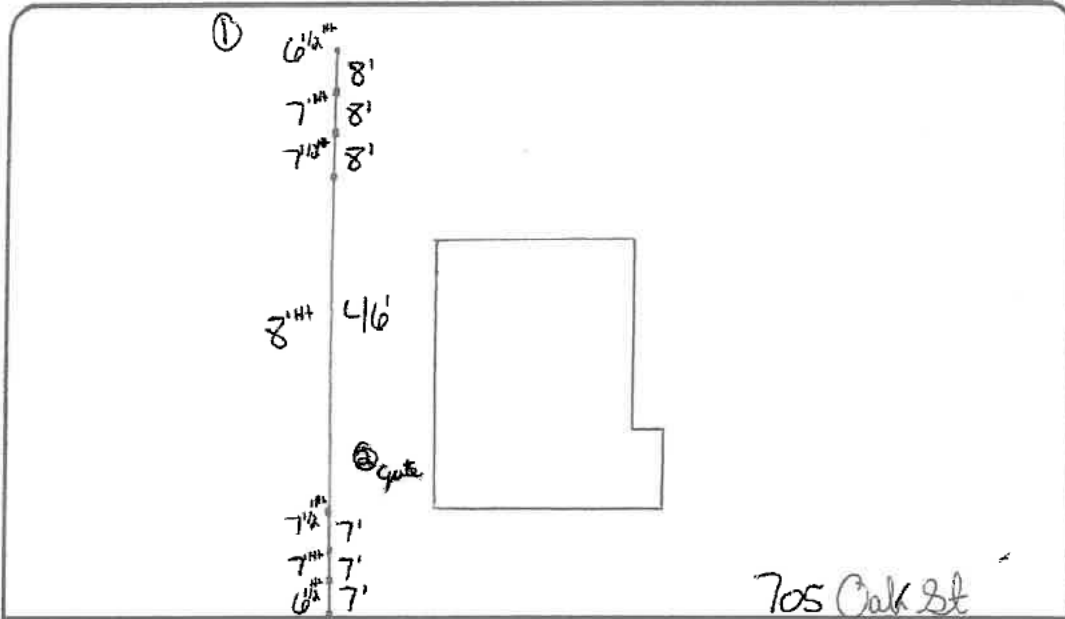
R&R PROFESSIONAL FENCING INC.

CUSTOM MADE FENCING NEW & REPAIR

LICENSED, BONDED & INSURED

CHAIN LINK
WOOD
PVC
ALUMINUM
POWER WASHING
STAINING

Diagram



Additional Notes

2 Options
 2 year Warranty on labor
 Traditional style w/ Top Rail
 3' heights
 Removal included
 Gate adjustment w/ (New) steel posts

Payment Terms:

50% Down
 50% on Delivery

Respectfully Submitted by Adrian M.

The above prices specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified payment will be made as outlined above.

Company App



Signature _____

Date _____

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Jeffrey and Amy Bucklew, as Trustees of The Bucklew Joint Trust dated May 10, 2018, of 705 Oak Street, Winnetka, IL 60093, (the "**Owner**") are the owner of record of that certain real property located at 705 Oak Street, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-05-2026, adopted by the Winnetka Zoning Board of Appeals on June 8, 2026 ("**Resolution**"), grants a variation to construct a fence on the Subject Property; and

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

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

1. The Owner hereby unconditionally agrees to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The Owner acknowledges that public notices and public hearings have been properly given and held with respect to the adoption of the Resolution, have considered the possibility of the revocation provided for in the Resolution, and agree not to challenge any such revocation on the grounds of any procedural infirmity or a denial of any procedural right.
3. The Owner acknowledges and agrees that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of the variation, and that the Village's approval of the variation does not, and will not, in any way, be deemed to insure the Owner against damage or injury of any kind and at any time.
4. The Owner hereby agrees to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting the variation for the Property.

[SIGNATURE PAGE FOLLOWS]

Dated: _____, 2026.

ATTEST

OWNER

By: _____

By: _____

Jeffrey Bucklew, as Trustee of The Bucklew Joint Trust dated May 10, 2018, of 705 Oak Street, Winnetka IL 60093

Name: _____

By: _____

Amy Bucklew, as Trustee of The Bucklew Joint Trust dated May 10, 2018, of 705 Oak Street, Winnetka, IL 60093

RESOLUTION NO. ZBA-05-2026
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 26-14-V – 705 OAK STREET

WHEREAS, Jeffrey Bucklew and Amy Bucklew (collectively, the “Applicant”), as Trustees of The Bucklew Joint Trust dated May 10, 2018, of 705 Oak Street, Winnetka IL 60093, are the owners of the property commonly known as 705 Oak Street, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

WHEREAS, the Subject Property is located in the R-5 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single-family residence, a detached garage and a fence; and

WHEREAS, the Applicant desires to replace the existing fence along a portion of the west property line of the Subject Property (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.130 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the maximum permitted height for a fence within a required yard is 6.5 feet above natural grade; and

WHEREAS, the Applicant desires to replace the existing fence along a portion of the west property line with a new fence on the Subject Property measuring up to 8 feet in height above natural grade, a violation of Section 17.30.130 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for a variation from Section 17.30.130 of the Zoning Ordinance to permit the Proposed Improvement with a height of 8 feet above natural grade (“**Requested Variation**”); and

WHEREAS, a public notice for the Requested Variation was duly published on May 21, 2026, in the *Winnetka Talk* and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on June 8, 2026, for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on June 8, 2026; and

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

1. Application for the Requested Variation submitted by the Applicant, dated April 28, 2026, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variation.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variation **does not** satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance because (i) the Requested Variation is not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; (ii) the Subject Property can yield a reasonable return if it is permitted to be used only under the conditions allowed for the R-5 Single Family Residential District; and (iii) the plight of the Applicant is not due to unique circumstances; and

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

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

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

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

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

ADOPTED this 8th day of June, 2026, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A

LEGAL DESCRIPTION OF SUBJECT PROPERTY

THE EAST 25 FEET OF LOT FOUR (4), LOT FIVE (5) (EXCEPT THE EAST 160 FEET THEREOF), AND LOT SIX (6) (EXCEPT THE EAST 160 FEET THEREOF) IN PROUTY HOMESTEAD SUBDIVISION OF ALL OF BLOCKS TWENTY FOUR (24) AND TWENTY FIVE (25) LYING NORTHEASTERLY OF THE RIGHT OF WAY OF THE CHICAGO AND MILWAUKEE ELECTRIC RAILROAD (EXCEPT THE NORTH 211 FEET OF BLOCK TWENTY FOUR (24) ALSO THE WEST 3 FEET OF THE NORTH 221 FEET OF SAID BLOCK TWENTY FOUR (24) ALL IN WINNETKA, A SUBDIVISION BY CHARLES E. PECK, OF THE NORTHEAST QUARTER ($\frac{1}{4}$) OF SECTION 20, AND THE FRACTIONAL NORTH HALF ($\frac{1}{2}$) OF FRACTIONAL SECTION 21, ALL IN TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 705 OAK STREET, WINNETKA, ILLINOIS.

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