



ZONING BOARD OF APPEALS REGULAR MEETING
MONDAY, SEPTEMBER 13, 2021 - 7:00 PM
WINNETKA VILLAGE HALL COUNCIL CHAMBERS – 510 GREEN BAY ROAD

AGENDA ITEMS

1. Call to Order & Roll Call.
2. Approval of Minutes – August 9, 2021.
3. **Case No. 21-24-V: 1261 Ash Street (Continued from the July 12, 2021 meeting):** An application submitted by Christian Raynal seeking approval of a zoning variation to allow a fence at 1261 Ash Street along a portion of its Hibbard Road property line. The requested zoning variation would permit the fence to exceed the maximum permitted height. The Zoning Board of Appeals has final jurisdiction on this request.
4. **Case No. 21-25-V: 981 Gordon Terrace (Continued from the August 9, 2021 meeting):** An application submitted by John Joyce seeking approval of a zoning variation to allow a fence along a portion of the east lot line of 981 Gordon Terrace. The requested zoning variation would permit the fence to exceed the maximum permitted height. The Zoning Board of Appeals has final jurisdiction on this request.
5. **Case No. 21-29-V2: 1225 Hill Road:** An application submitted by Joan Kasten seeking approval of a zoning variation to allow construction of a pergola at 1225 Hill Road. The requested zoning variation would permit the pergola to provide less than the minimum required front yard setback from Hill Road. The Village Council has final jurisdiction on this request.
6. **Case No. 21-30-SU: 490 Hibbard Road:** An application submitted by the Winnetka Platform Tennis Club and the Winnetka Park District seeking approval of an amendment to an existing Special Use Permit, which allowed the construction of two additional platform tennis courts, to allow construction of two additional platform tennis courts and additions to the existing paddle hut at 490 Hibbard Road. The Village Council has final jurisdiction on this request.
7. Other Business.
 - a. Community Development Report
 - b. October 11, 2021 Meeting – Quorum check
8. Public Comment.
9. Adjournment.

Note: 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 Rd, Winnetka, IL 60093.

NOTICE

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). **Also, in accordance with the CDC guidance, the Village is requiring everyone to wear a face covering upon entering any Village facility, including the Village Hall. If you are unable to safely wear a face covering due to a medical condition or disability, please contact the Village ADA Coordinator by 3:00 p.m. the date of the meeting to request reasonable accommodations.**

**WINNETKA ZONING BOARD OF APPEALS MEETING MINUTES
AUGUST 9, 2021**

Zoning Board Members Present:

Matt Bradley, Chairman
Kimberly Handler
Lynn Hanley
Mike Nielsen

Zoning Board Members Absent:

Kate Casale MacNally
Todd Vender
Max Weigandt

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

**Minutes of the Zoning Board of Appeals
August 9, 2021**

Call to Order:

Chairman Bradley called the meeting to order at 7:00 p.m.

Approval of Minutes – July 12, 2021.

Chairman Bradley asked if there were any comments or for a motion to approve the July 12, 2021 meeting minutes. A motion was made by Ms. Hanley to approve the July 12, 2021 meeting minutes. Ms. Handler seconded the motion. A vote was taken and the motion unanimously passed:

AYES: Bradley, Handler, Hanley, Nielsen

NAYS: None

Case No. 21-25-V: 981 Gordon Terrace: An application submitted by John Joyce seeking approval of a zoning variation to allow a fence along a portion of the east lot line of 981 Gordon Terrace. The requested zoning variation would permit the fence to exceed the maximum permitted height. The Zoning Board of Appeals has final jurisdiction on this request.

Ms. Klaassen described the applicant's request and identified the property's location, zoning classification and provided photos. She referred to the existing 8 foot fence which would remain and stated the variation is being requested to allow the new fence installation to be approximately 42.5 feet in length which she identified on the site map. Ms. Klaassen then identified the fence's materials and noted it would measure 8.5 feet in height on top of a retaining wall with the wall and fence measuring 10 feet in height above grade. She stated the plans also include landscape improvements. Ms. Klaassen noted one written comment was received and was included in the packet of materials along with draft resolutions for the Board's consideration. Ms. Klaassen then stated following public comment and Board discussion, a Board Member may wish to make a motion to approve the resolution to approve to request, or the resolution denying the request. Ms. Klaassen noted a vote by four Board Members is required to approve or deny either resolution and asked if there were any questions.

Chairman Bradley also asked if there were any questions. Ms. Handler questioned the portion of the fence to remain and Ms. Klaassen clarified its location. Chairman Bradley referred to the correspondence received and the 996 Green Bay Road building and questioned how 996 Green Bay is related. Ms. Klaassen

1 provided clarification to the Board and referred to the photos provided. She then referred the Board to
2 the photo on page 16 provided by the applicant. No additional questions were raised at this time.

3
4 Chairman Bradley swore in those speaking to this matter. Kelly Joyce and John Joyce stated they
5 purchased their home in 2004. Mr. Joyce described the tenant changes made to the property on Green
6 Bay which affected their privacy from the apartments. Chairman Bradley asked the applicants if they
7 constructed the fence due to the trees being removed which resulted in a violation notice being issued.
8 Mr. Joyce responded the issues began with noise and described the tree being cut down. Mrs. Joyce then
9 stated they planted Arbor Vitae to improve privacy along with lattice and screening. Mr. Joyce stated the
10 Village received a complaint and they planned to remove the lattice on top of the existing elevated fence.
11 He then described the timeline of the Arbor Vitae and lattice installation.

12
13 Ms. Handler stated she visited the property today and described the greenery which made it difficult to
14 see. Chairman Bradley asked the applicants how they reached 10 feet in height to cure their problems. Mr.
15 Joyce responded 10 feet is allowed and Chairman Bradley confirmed 8 feet is the permitted height. Mr.
16 Joyce then stated 12 feet would cure the privacy and noise issues but they went with 10 feet. Mrs. Joyce
17 described the grade change which would result in an 8 foot 6 inch fence. Ms. Handler asked if there is a
18 survey showing the grade change and referred to the landscaping plan. Mr. Joyce responded the patio is at
19 the same level as the home. Ms. Hanley asked a question regarding the existing fence and Mr. Joyce
20 responded it ran the length of three properties. Ms. Handler asked a question regarding the fence's
21 ownership.

22
23 Chairman Bradley stated if relief is granted, the lattice and fence would come down. He then stated the
24 applicants would like for a retaining wall to be built at the patio level with an 8 foot 6 inch fence on top of
25 the retaining wall measuring 10 feet in total. Mr. Joyce confirmed that is correct and referred the Board to
26 the fence's photos. He also confirmed the screen, lattice and fence are still there. He identified the trees
27 which were removed and trimmed by the 996 Green Bay Road neighbor. The Board Members discussed
28 various views and photos of the applicants' property and the neighboring properties. No additional
29 questions were raised at this time.

30
31 Chairman Bradley then asked for public comment and swore in those speaking to this matter. Stuart
32 Kirchhoff Jones stated he moved in September 2021 at the time the limb was cut down. He assumed there
33 was no prior problem with regard to aesthetics prior to that. Mr. Jones then stated while he sympathized
34 with the applicants, security is not an issue and referred to the noise issue raised. He stated the tree the
35 Joyces are referring to was actually a large branch, and not a tree, that was cut down which affected the
36 view. Mr. Jones referred to the ivy and landscaping which has grown and informed the Board that a pine
37 tree as well as another tree which were cut down. He then commented the neighbors all live with each
38 other's noise.

39
40 Chairman Bradley asked the applicants if they would like to respond. Mrs. Joyce stated they want to
41 maintain their privacy and security as well as their home's value. Mr. Joyce referred to the limb being cut
42 down which was unauthorized as well as the security and noise issues from the neighboring building.

43
44 Chairman Bradley then called the matter in for discussion. He then referred to the standards being met
45 and commented some of the standards such as reasonable return cannot be met in connection with a
46 fence request. Chairman Bradley referred to instances where relief should be granted on a case by case
47 basis for certain areas based upon situations such as the applicants'. He added grading issues are affecting
48 the overall height although the applicants began the project before receiving approval. Chairman Bradley

1 then stated the standards have been met and described the property as unique and the request would not
2 change the locality's character. He also referred to the growing landscaping and stated he would be in
3 support of the request.

4
5 Mr. Nielsen explained that privacy and security are an issue here and it meets the standards. He stated
6 that 10 feet is necessary for what is going on, on the other side of the fence.

7
8 Ms. Handler stated she is not in support of the request. She stated that absolute and complete privacy
9 isn't necessary in Winnetka. Ms. Handler stated that the apartment building was there 17 years ago when
10 they bought the house. She explained that the site is well screened with landscaping now so a fence isn't
11 necessary. Ms. Handler stated trees are going to be pruned and trees will be removed, it is something we
12 have to expect over time. She stated that she thought a topographic survey would be provided to
13 represent the grade differentiation. Ms. Handler stated they are already allowed an 8-foot fence, which is
14 very tall.

15
16 Ms. Hanley stated she is not sure where she is on this. She stated she understands the need for the
17 retaining wall, but they are allowed 8 feet because they are abutting commercial. Ms. Hanley stated that
18 everyone has people looking into their property. She stated given the greenery on the commercial side,
19 that side wouldn't be able to see the fence. Ms. Hanley stated that she is stuck on unique circumstances,
20 with respect to the standards.

21
22 Chairman Bradley offered the applicants the opportunity to continue the request since a vote of four
23 Board Members would be needed to vote in favor of the request. He suggested the matter be continued
24 to the September 2021 meeting when more Board members may be present. Chairman Bradley referred
25 to the grade differences which affect the overall height and then suggested modifications can be made
26 which may result in more Board Members being in favor of the request. Mr. Jones raised a point of order
27 and asked if he had standing. Chairman Bradley stated that we would have to confer with legal counsel
28 regarding whether or not he has standing in this instance. He then advised everyone of the interested
29 parties' rights in connection with comments made on the request, the variation being requested and
30 property rights.

31
32 Chairman Bradley then asked for a motion to continue the application to the September 13, 2021
33 meeting. A motion was made by Ms. Hanley, and seconded by Mr. Nielsen, to continue the matter to the
34 September 13, 2021 meeting. A vote was taken and the motion unanimously passed:

35 AYES: Bradley, Handler, Hanley, Nielsen

36 NAYS: None

37
38 **Other Business.**

39 a. Community Development Report.

40 David Schoon gave the Board an update on applications the Board made recommendations to the Village
41 Council on.

42
43 b. September 13, 2021 Meeting – Quorum check.

44 The Board Members confirmed their availability.

45
46 **Public Comment.**

47 No additional comments were made at this time.

48

1 **Adjournment:**

2 A motion to adjourn was made by Ms. Hanley and seconded by Mr. Nielsen. A vote was taken and the
3 motion unanimously passed:

4 AYES: Bradley, Handler, Hanley, Nielsen

5 NAYS: None

6
7 The meeting adjourned at 8:39 p.m.

8
9 Respectfully submitted,

10
11 Antionette Johnson

12 Recording Secretary

DRAFT



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: SEPTEMBER 9, 2021
SUBJECT: 1261 ASH STREET - VARIATION (CASE NO. 21-24-V)

At the request of the Applicant, this case was continued at the July 12, 2021, ZBA meeting. Since the July meeting, the proposed plan for the 7-foot high fence has not changed. Therefore, the requested zoning relief remains the same from what the Board considered at the July meeting. The Applicant has provided photographs to supplement the previously presented application materials, as well as a letter from a neighbor in support of the request. These additional documents are included as Attachment A2.

For details on the requested zoning relief and the proposed plan, please see Attachment B2, the July 6, 2021, ZBA staff report and attachment.

Staff has not received any correspondence regarding this application.

JULY 12, 2021, ZBA PUBLIC HEARING

At its regular monthly meeting on July 12, the ZBA held a public hearing on the Applicant's requested zoning relief. At the July meeting, the Board discussed the variation requested for the amount of additional fence height and questioned whether an additional 6 inches of fencing would solve the Applicant's problems. One Board member asked if landscaping was considered rather than a taller fence. Some Board members thought the additional height was justified due to the amount of traffic on Hibbard Road and the use of Duke Child's Fields, others did not think the request met the standards for granting a variation. After discussing, the Board was split 3-3 on approving the variation.

At the request of the Applicant, the Board voted unanimously to continue the request until the September meeting since one Board member was absent. A copy of the July 12 minutes is included as Attachment C2.

FINDINGS

Staff has updated the draft resolutions to reflect the continuation of the public hearing from the July meeting to the September meeting (Attachment D2). One Resolution approves the request, while the other denies the request. A Board member may wish to make a motion to adopt either the resolution to approve the requested variation or the resolution to deny the requested variation.

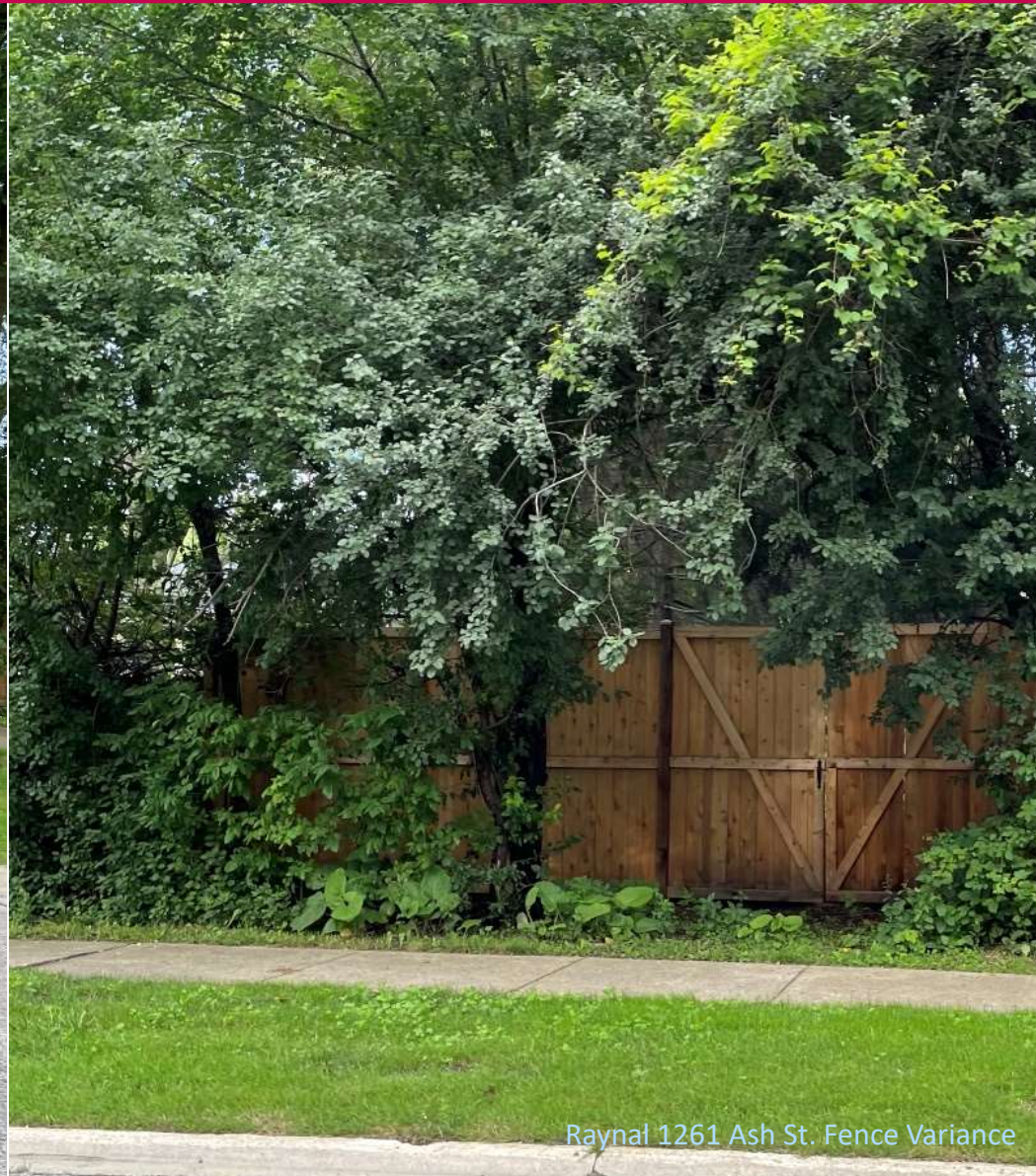
ATTACHMENTS

Attachment A2: Supplemental Photos and Written Comment from Public Submitted by Applicant
Attachment B2: July 6, 2021, ZBA Staff Report and Attachments
Attachment C2: Excerpt of July 12, 2021, ZBA Meeting Minutes
Attachment D2: Draft Resolutions

House with 8ft Fence on Hibbard



House with 8ft Fence on Hibbard: View From Forest Preserve—House Not Seen



House with 8ft Fence on Hibbard: View to Forest Preserve, Sound Barrier



Constant Traffic, Day and Night

6.5 Foot Fence Provides NO Privacy or Sound Barrier



Trucks, Trucks and More Trucks—ALL Day and Night

6.5 Foot Fence Provides NO Privacy or Sound Barrier



Trucks, Trucks and More Trucks—ALL Day and Night 6.5 Foot Fence Provides NO Privacy or Sound Barrier



Constant Traffic, Day and Night

6.5 Foot Fence Provides NO Privacy or Sound Barrier



6.5 Foot Fence Provides NO Privacy



Wed, Aug 11, 2021 at 12:20 PM

Appeal on Behalf of Christian Raynal fence variance.

To the Zoning Board:

As a homeowner living at 1260 Ash Street, most of the increasing commercial truck traffic on Hibbard knows my house.

That's because they look into my back windows from the street as they drive north on Hibbard after turning from Willow. Starting at 7 a.m. and continuing throughout the day, dozens if not hundreds of commercial vehicles turn north from Willow to Hibbard and roll past my house. Everyone can see into my dining room, especially the commercial vehicles. Some wave from the street as they pass by because they see me watching from the windows facing Hibbard. I'm not waving back. Same thing happens to Ms. Raynal, too.

South bound, from Tower to Willow Road is even more noisy and privacy-busting: virtually three times every afternoon from 12p.m. to 7p.m., traffic is at a standstill at the Willow traffic signal, backed up to the WPD ice rink.

Also, the Winnetka Presbyterian parishioners have a full view of my fenced backyard because there is a change in elevation between my house and the church. The church is on higher ground.

What I perceive as an increase in traffic north of the Willow/Hibbard intersection is not the case for homeowners south of Willow. My neighbor and I have studied these phenomena for months. If we had the time, we'd write up a traffic report, but I assume the village staff would have their own traffic study or awareness of high-volume intersections and Willow/Hibbard must be at or near the top of the list. (If so, are those public records accessible to homeowners?)

Ms. Raynal is appealing her denial of a 7.5 foot variance. We had expected to file our initial variance request simultaneously, but she went first. What I perceive as a poor reception by the board has led us to put our house on the market and consider leaving Winnetka after 20 years. But an interesting thing happened – our agent reported to us that in fully 30 percent of the showings in July, buyers were skeptical about noise from Hibbard and queried the agent repeatedly. Knott and Raynal are the first houses north of Willow and the noise from speeding cars, diesel commercial vehicles and sporty motorcycle joyriders hitting 40 to 50 mph for a brief spurt from the traffic light are a new nuisance that is going to hurt property values unless a variance is allowed.

I support Ms. Raynal's appeal. The board should probably reconsider a lot of things about commercial traffic at Willow and Hibbard, but discriminating against lesser-valued homes north of Willow versus higher-valued homes south of Willow (buffered, too, by a forest preserve) is unfair and unethical. I could go on, and I may once we file Freedom of Information requests and analyze any public traffic studies, all fence variance approvals and any previous appeals for any fence variance in Winnetka.

But in the meantime, please reconsider your initial denial of Ms. Raynal's variance request and approve it.

Respectfully,

Andy Knott
1260 Ash St.



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: JULY 6, 2021
SUBJECT: 1261 ASH STREET -VARIATION (CASE NO. 21-24-V)

INTRODUCTION

On July 12, 2021, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Christian Raynal (the "Applicant") as the owner of the property at 1261 Ash Street (the "Subject Property"). The Applicant requests approval of the following zoning variation to allow installation of a fence on the Subject Property along a portion of its Hibbard Road property line:

1. A fence that is 7 feet in height, whereas a maximum of 6.5 feet above natural grade is permitted, a variation of 0.5 feet (7.69%) [Section 17.30.130 – Obstructions in Required Yards or Courts].

A mailed 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 June 24, 2021. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The Zoning Board of Appeals has final jurisdiction on this request as the Board 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 0.27 acres in size, is located on the northeast corner of the intersection of Ash Street and Hibbard Road and contains an existing one-and-half-story residence and a detached garage (see Figure 1). The Subject Property is a "corner lot" situated at the junction of two or more streets, Ash Street to the south and Hibbard Road to the west.

The property is zoned R-5 Single Family Residential, and it is bordered by R-5 Single Family Residential to the north, south, and east, and Duke Childs Fields, which is zoned R-2 Single Family Residential to the west (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.

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence and detached garage were built in 1951. Other minor permits have also been issued over the years; including a fence permit in 1997 to install a fence 6.5 feet in height. The Applicants acquired the property in 2016.

There are no previous zoning cases on file for the Subject Property.

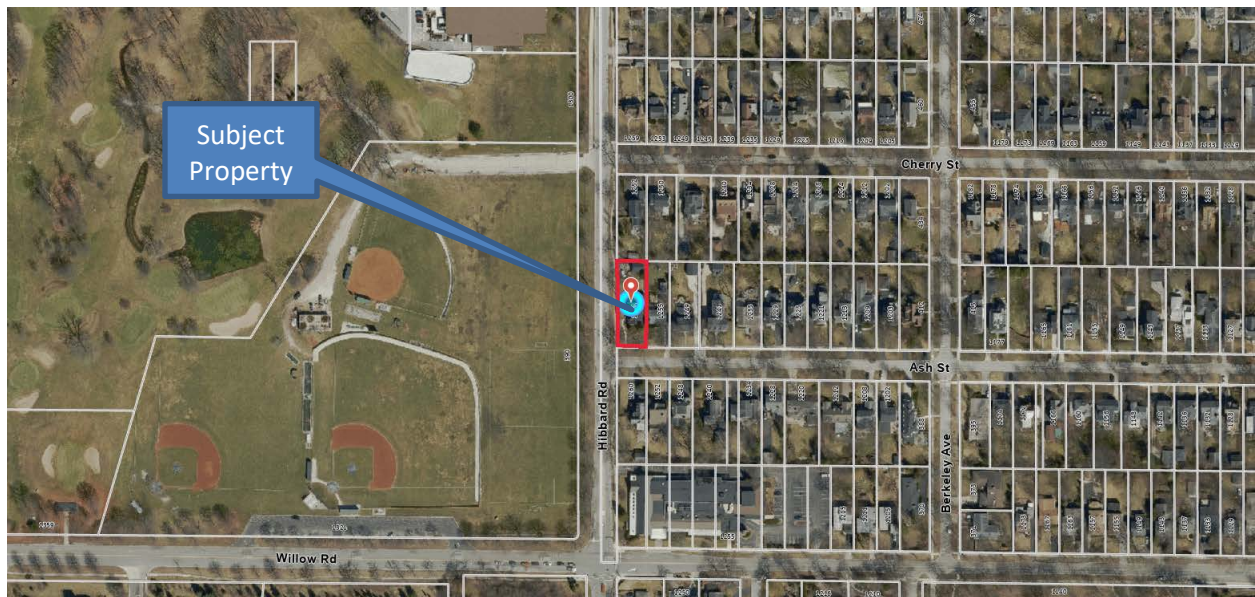


Figure 1 – Aerial Map

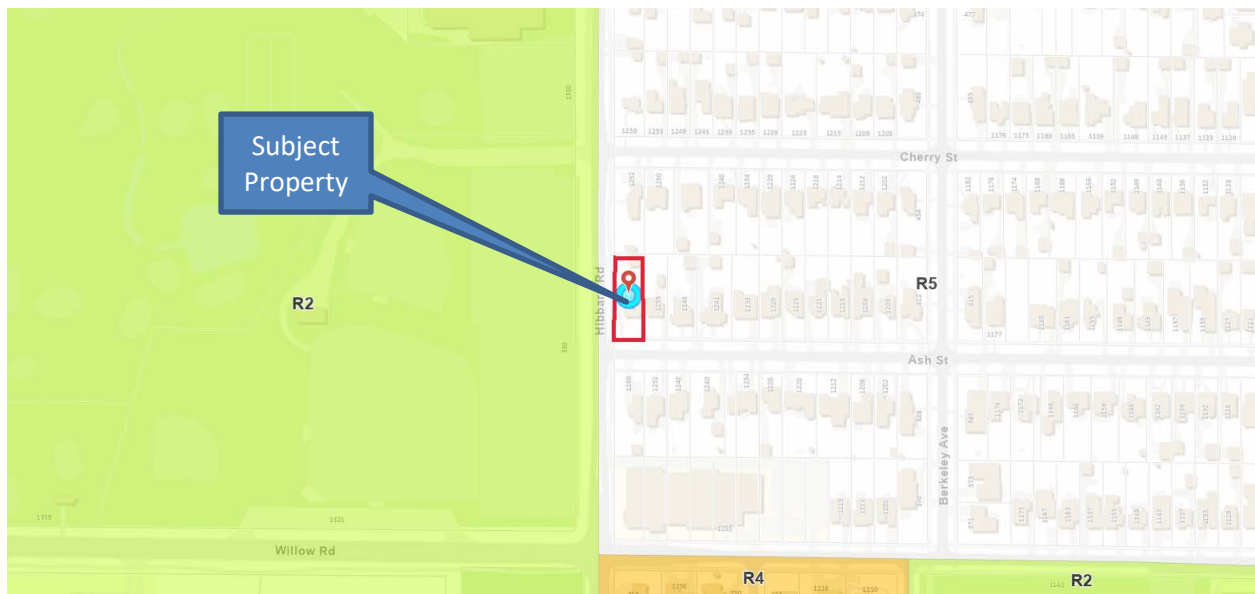


Figure 2 – Zoning Map

Existing fence
to be replaced



Figure 3 – Subject Property – South Elevation (Ash Street)

Existing fence
to be replaced



Figure 4 – Subject Property – West Elevation (Hibbard Road)

PROPOSED PLAN

The requested variation would allow the replacement of the existing fence along a portion of the west front lot line of the Subject Property (Figure 6). The existing fence is 6.5 feet in height, which is consistent with the previously approved fence permit. The proposed fence would be a solid fence constructed of cedar and measure 7 feet in height. Figure 5 below identifies the existing fence that would be replaced. The existing fence can also be seen in Figures 3 and 4 on the previous page. As described in the Applicant's written explanation, which is provided in Attachment A, the additional height in excess of the permitted 6.5 feet is to increase privacy and to reduce noise from Hibbard Road and Duke Childs Field.



Figure 5 – Existing Fence – North Elevation

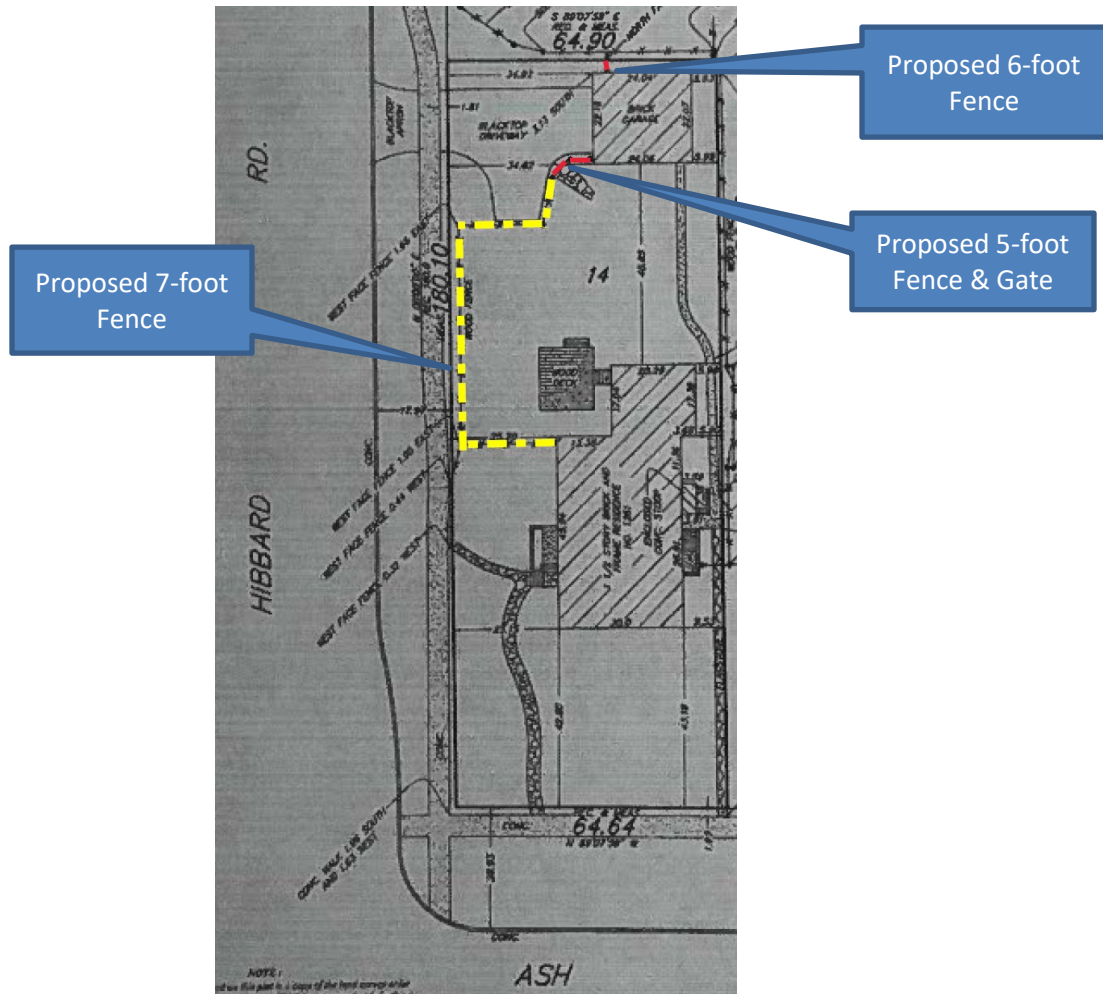


Figure 6 – Location of Proposed 7'-0" Tall Fence

REQUESTED ZONING RELIEF

One variation is being requested to allow a fence 7 feet in height along a portion of the west front lot line, whereas the maximum permitted height is 6.5 feet above natural grade, a variation of 0.5 feet (7.69%).

FINDINGS

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

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

ATTACHMENTS

Attachment A: Application Materials

Attachment B: Draft Resolutions

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

RECEIVED
JUN 09 2021
BY: _____Case No. 21-24-V
VA2021-583Property InformationSite Address: 1261 ASH ST WINNETKA ILOwner InformationName: CHRISTIAN RAYNOL

Primary Contact: _____

Address: 1261 ASH ST

Phone No. _____

City, State, ZIP WINNETKA IL 60093

Email: _____

Date property acquired by owner: 4/30/14Architect Information

Name: _____

Attorney Information

Name: _____

Primary Contact: _____

Primary Contact: _____

Address: _____

Address: _____

City, State, ZIP: _____

City, State, Zip: _____

Phone No. _____

Phone No. _____

Email: _____

Email: _____

Nature of any restrictions on property: APPLYING FOR 7' (SEVEN) FENCE
SURROUND OUR BACK YARD - MATERIALS TO BE CEDARBrief explanation of variation(s) requested (attach separate sheet providing additional details): WOULD LIKE
7' FOOT DUE TO LIVING ON HIGH TRAFFIC ROAD AND PUBLIC
PLAY FIELD ACROSS STREET. LOOKING FOR SOME PRIVACY AND LESSON
NOISE AND HEADLIGHT GLARE/SHINING INTO OUR WINDOWS
ASSIST WITH DAMPENING NOISE + POLLUTION OF INCREASING
TRUCK TRAFFIC

Property Owner Signature _____

Date: 6.9.21

STANDARDS FOR GRANTING OF ZONING VARIATIONS

1261 Ash Street - Variance for 7' Cedar Fence

June 17, 2021

1. Under the current conditions of a 6' 6" fence the property has little to no privacy and/or relief and protection from high levels of traffic noise, pollution and trash constantly tossed from vehicles. Additionally, at night, a 6' 6" fence does not limit, reduce or protect property from constant headlight pollution from oversized trucks, SUV's and cars constantly flashing through windows. Along with increased traffic on Hibbard, the events at Duke Childs Field, New Trier Baseball, Boy Scouts blowing off rockets, etc a 6' 6" fence does not allow for any privacy or protection to the property.
2. Due to the location of the property on the high traffic area of Hibbard between Willow and Tower — oversized trucks, SUV's, cars, pedestrians, events on Duke Childs Field, etc., a 6' 6" fence does not offer adequate protection of the property. Traffic at this intersection and stretch of Hibbard Rd between Willow and Tower has increased exponentially over the past couple of years (especially oversized trucks using Hibbard as a pass through). A taller fence would provide the appropriate safety upgrade needed for this particular location. Property owner in similar location to south of 1261 Ash in favor of and agreeable to higher fence.
3. If granted, the variation from the current fence will be minimal (6 inch difference in total). This slight variation will not alter the essential character of the locality especially considering the 7' and 8' fencing already established and/or newly erected on Hibbard Rd. and the surrounding area.
4. The variation will not effect any adjacent property as it does not share a property line and is across from an open field.
5. Variation will not change placement of current fence and will have no bearing on potential damage to the property.
6. The variation will increase taxable value to property and make it more desirable considering it's location in a high traffic/high noise and pollution area. The variation request allows for privacy, noise and pollution suppression from local street traffic, events and associated traffic, etc.
7. Not applicable as we are looking for a 6" variation of the height of current fence. Placement of current fencing will remain as it is currently stands.
8. There will be no impact on public health, safety, comfort, moral and welfare of the Village due to raising fence height 6".



Village of Winnetka
Community Development
510 Green Bay Rd.
Winnetka IL 60093
(847) 716-3520

Building Permit Application

Permit #: _____

Permit Address 1261 ASH ST. Winnetka, IL 60093

Description of Work NEW FENCE

Estimated Construction Cost \$ 8,800 (required)

CONSTRUCTION COST includes cost of material and labor; we may request submittal of a signed contract. The applicant hereby certifies that the total value of construction as stated above is an accurate and truthful estimate of the total value of all labor and materials for the new construction or improvement, including all finish work, painting, roofing, electrical, plumbing, HVAC, paving as well as any general contractor's fee. The general contractor's fee shall be included even if the owner and general contractor are the same.

Property Owner Information

Name CHRISTIAN RAYNAL

Address 1261 ASH ST. City WINNETKA State IL

Daytime Phone [REDACTED] Email [REDACTED]

Primary Contact *(Note: all correspondence will be with the primary contact)*

Name SAME AS ABOVE Phone _____

Address _____ City _____ State _____ Zip _____

Email _____

Architect's Information ☒ Not Applicable

Name _____ Phone _____

Address _____ City _____ State _____ Zip _____

Email FENCE

General Contractor's Information

Name JOFF WINTON Phone _____

Address _____ City _____ State _____ Zip _____

Email _____



Village of Winnetka
Community Development
510 Green Bay Rd.
Winnetka IL 60093
(847) 716-3520

Submittal Requirements:

Please refer to the appropriate checklist for your particular type of permit work for application submittal requirements. All items identified on the checklist(s) must be submitted with this application form in order for the application to be deemed complete.

Disclosure & Signatures:

The information submitted in this Building Permit Application may be used by the Village of Winnetka and/or any of its contractors or consultants. By signing below you certify that:

- the information and exhibits herewith are true and correct;*
- you are the owner of record of the named property, the proposed work is authorized and that the registered professional or contractor submitting the application is authorized to do so;*
- you agree to conform to all applicable laws, statutes, ordinances, and codes of this jurisdiction, including those adopted by reference; and*
- if the permit sought is approved, the permit work will be completed in accordance with the Village Codes and within the scope of work described in the application and the approved construction documents*

Application for a permit shall constitute the owner's consent to all inspections of the permit work that may be required pursuant to the Village Codes and to the right of all building officers to enter onto the premises during reasonable hours to conduct such inspections.

Signature of Property Owner: _____ Date: 6.9.21

Print Name: CHRISTIAN KAYNAZ

Signature of Owner's Authorized Designee: _____ Date: _____

(Must attach Designee Form)

Print Name: _____

Relationship to Property Owner: _____



FENCE / WALL – RESIDENTIAL OR COMMERCIAL

Description of Property

- ☐ Multi-family, institutional or commercial use? Yes **No**
(If YES, fence / wall must be reviewed and approved by the Winnetka Design Review Board)
- ☐ Corner Lot? **Yes** No
(If YES, must provide 25-foot sight visibility triangle in front or corner yard at intersections)
- ☐ Property adjacent to alley? Yes **No**
(If YES, must provide a 10-foot sight visibility triangle where alley crosses sidewalks)
- ☐ Proposed fence located in a front or corner yard? **Yes** No
(If YES, must provide a 10-foot sight visibility triangle where driveways cross sidewalks; including driveways on adjacent properties)
- ☐ Swimming Pool located on property? Yes **No**
(If YES, fence must meet enclosure requirements of 15.08.110 of Winnetka Village Code to limit access to pool)
- ☐ Trampoline located on property? Yes **No**
(If YES, fence must meet enclosure requirements of 15.44.150 of Winnetka Village Code to limit access to trampoline)

Description of Fence

- ☐ Proposed fence/wall located in a public utility easement? Yes **No**
(If YES, and if a wall, requires approval from Public Works and Water & Electric Departments)
- ☐ Type of fence PRIVACY.
- ☐ Materials CEDAR
- ☐ Maximum height 7'
- ☐ Open or Solid SOLID



Aspen Fence Co.

Specializing in repairs and installation

PROPOSAL NO.: 21-0216

DATE: 5/19/21

TO: Sydney Raynal
1261 Ash St.
Winnetka, IL 60093

Cell: [REDACTED]

E-mail: [REDACTED]

PROJECT SCOPE : Tear down and haul away approximately 153' of existing stockade fence and posts. Furnish and install approximately 113' of either 1"x 6"x 6", 1"x 6"x 6-1/2' or 1"x 6"x 7' solid board and batten traditional red cedar fence using three (3) 2"x 4"x 8' rails, three (3) 1"x 4"x 8' face boards and one (1) 1"x 4"x 8' cap board with 4"x 4" posts with beveled caps and include one (1) 4' wide gate with 4"x 6" posts. Also furnish and install approximately 4' of 1"x 6"x 6' solid board and batten on north side of garage and approximately 12' of 1"x 6"x 5' solid board and batten fence next to garage and include one (1) new 4' wide gate. Fence will be #1 grade western red cedar. All new posts will be set in concrete 36".

<u>ITEM</u>	<u>UNIT COST</u>	<u>NO. OF UNITS</u>	<u>EXTENDED</u>
Replace fence as above in 6' and 5' high' red cedar board and batten traditional	\$ 6,980.00	lump sum	\$ 6,980.00
Replace fence as above in 6-1/2' and 5' high' red cedar board and batten traditional	\$ 8,000.00	lump sum	\$ 8,000.00
Replace fence as above in 7' and 5' high' red cedar board and batten traditional	\$ 7,850.00	lump sum	\$ 7,850.00
Upgrade 4"x 4" posts to 4"x 6" posts or steel Postmaster posts	\$ 1,000.00	lump sum	\$ 1,000.00

ASPEN FENCE CO. requires 48 hours for all utilities to be marked on the property following acceptance of this proposal. Owner is responsible for marking any underground structures not marked by **JULIE** (i.e. sprinkler systems, electric fencing, landscape lighting, gas grill lines, etc.). All proposals require a **50% deposit** prior to initiating work. All new fencing has a 5-year warranty on material and workmanship. Full payment is required upon completion of work.

We at **ASPEN FENCE CO.** look forward to providing quality and efficient services in support of your fence project.

Sincerely,

[REDACTED]

Jeffrey M. Winton
President

Accepted by: _____

Date: _____





ORDER NO.
16-0331

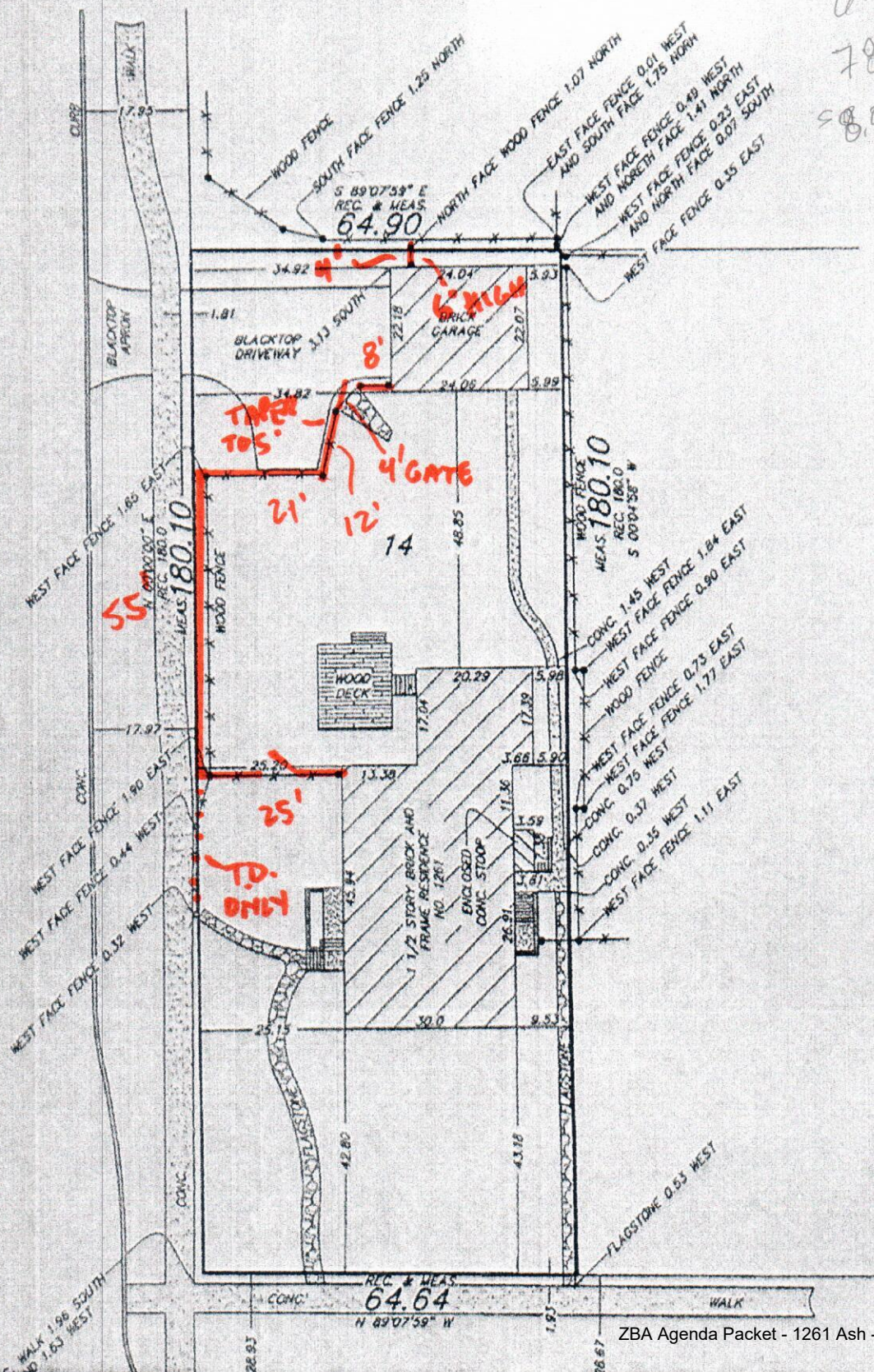
LOT 14 IN BLOCK 3 IN WINNETKA MANOR, A SUBDIVISION OF THE SOUTH 45 ACRES OF THE WEST 90 ACRES OF THE NORTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 1261 ASH ST., WINNETKA, IL.

6980 - 6'
7850 - 7'
58,000 - 6' 6"



HIBBARD



ATTACHMENT C2

Minutes adopted 08.09.2021

WINNETKA ZONING BOARD OF APPEALS EXCERPT OF MEETING MINUTES JULY 12, 2021

Zoning Board Members Present:

Matt Bradley, Chairman
Kimberly Handler
Lynn Hanley
Kate Casale MacNally
Mike Nielsen
Todd Vender

Zoning Board Members Absent:

Max Weigandt

Village Staff:

David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

Case No. 21-24-V: 1261 Ash Street: An application submitted by Christian Raynal seeking approval of a zoning variation to allow a fence at 1261 Ash Street along a portion of its Hibbard Road property line. The requested zoning variation would permit the fence to exceed the maximum permitted height. The Zoning Board of Appeals has final jurisdiction on the request.

Ms. Klaassen identified the property's location, zoning classification and explained the variation requested to replace the fence. She referred to the site plan and the area of the fence which would be 7 feet in height as well as the area which complied with the 6.5-foot height requirement. Ms. Klaassen stated no written comments from the public were received and noted draft resolutions are included in the packet on page nos. 13 and 20 and following Board discussion and public comment, a Board Member may make a motion. She then asked if there were any questions.

Chairman Bradley swore in those speaking to this matter. Christian Raynal described the amount of traffic, noise and lack of privacy. She identified a portion of the fence which would be removed and the area on the north side where the proposed fence would be installed. Ms. Raynal stated they decided on the additional 6 inch height to obscure the traffic which is visible to and from their property from their yard while noting the increase in the amount of traffic. She stated the neighbors are in agreement with the request.

Chairman Bradley asked if there were any questions. Mr. Nielsen asked if the applicant considered installing bushes instead of a 6.5 foot fence. Ms. Raynal responded bushes would take a long time to grow and explained that she thought raising the fence is the best solution. Chairman Bradley asked if there were any other questions from the Board or the audience. No additional questions were raised at this time.

Chairman Bradley then called the matter in for discussion. He referred to the number of requests made for taller fences in varying circumstances and applying the ordinance. Chairman Bradley referred to the amount of traffic and that the use of Duke Child's Fields would justify the request in this instance and he would vote in favor of the request. Ms. Hanley stated there are a lot of homes with the same issue and she would vote against the request. Ms. Handler stated she would also vote against the request since it did not meet the standards. Mr. Nielsen stated he would vote in favor of the request. Ms. Casale

1 MacNally stated she would vote against the request and agreed there should be an ordinance
2 amendment for certain areas. She added a higher fence may not solve the problem. Mr. Vender stated
3 he would vote in favor of the request.
4

5 Chairman Bradley stated there are three Board Members in favor and three against the request. Mr.
6 Schoon stated the applicant can continue the request to the September meeting since one Board
7 Member is absent. Ms. Raynal agreed to continue the request to the September 2021 meeting.
8

9 Chairman Bradley asked for a motion to continue the application to the September 13, 2021 meeting. A
10 motion was made by Ms. Casale MacNally and seconded by Mr. Nielsen to continue the request to the
11 September 13, 2021 meeting. A vote was taken and the motion unanimously passed:

12 AYES: Bradley, Casale MacNally, Handler, Hanley, Nielsen, Vender

13 NAYS: None
14
15

ATTACHMENT D2
RESOLUTION NO. ZBA-3-2021
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 21-24-V – 1261 ASH STREET

WHEREAS, Christian Raynal (the “Applicant”) is the owner of the property commonly known as 1261 Ash 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 a corner lot located on the northeast corner of the intersection of Ash Street and Hibbard Road; 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 front lot 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 is 6.5 feet above natural grade; and

WHEREAS, the Applicant desires to replace the existing fence along a portion of the west front lot line along Hibbard Road with a new fence on the Subject Property measuring 7 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 7 feet above natural grade (***“Requested Variation”***); and

WHEREAS, a public notice for the Requested Variation was duly published on June 24, 2021 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 July 12, 2021 for the purpose of considering the Requested Variation;

WHEREAS, after hearing from the Applicant and discussing the Proposed Improvement, the Zoning Board of Appeals was split 3-3 on approving the Requested Variation. Therefore, by a vote of 6-0, the Zoning Board of Appeals continued the public hearing until the September 13, 2021 Zoning Board of Appeals meeting;

WHEREAS, the continued public hearing was held by the Winnetka Zoning Board of Appeals during a meeting on September 13, 2021 for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on September 13, 2021; 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 June 9, 2021, 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 to exceed the maximum permitted height of a fence does satisfy the standards for variations 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 front lot 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 Recorder of Deeds. This Resolution and the privileges, obligations, and provisions contained herein will inure solely to the benefit of, and be binding upon, the Applicant and their 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:

1. Passage by the Zoning Board of Appeals in the manner required by law; and
2. 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.

B. In the event that the Applicant does not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 7.A.2 of this Resolution, within 30 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 13th day of September, 2021, 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 14 in Block 3 in Winnetka Manor, a subdivision of the South 45 Acres 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 1261 Ash Street, Winnetka, Illinois.

Parcel Index Number: 05-20-115-013-0000

EXHIBIT B
PLAN

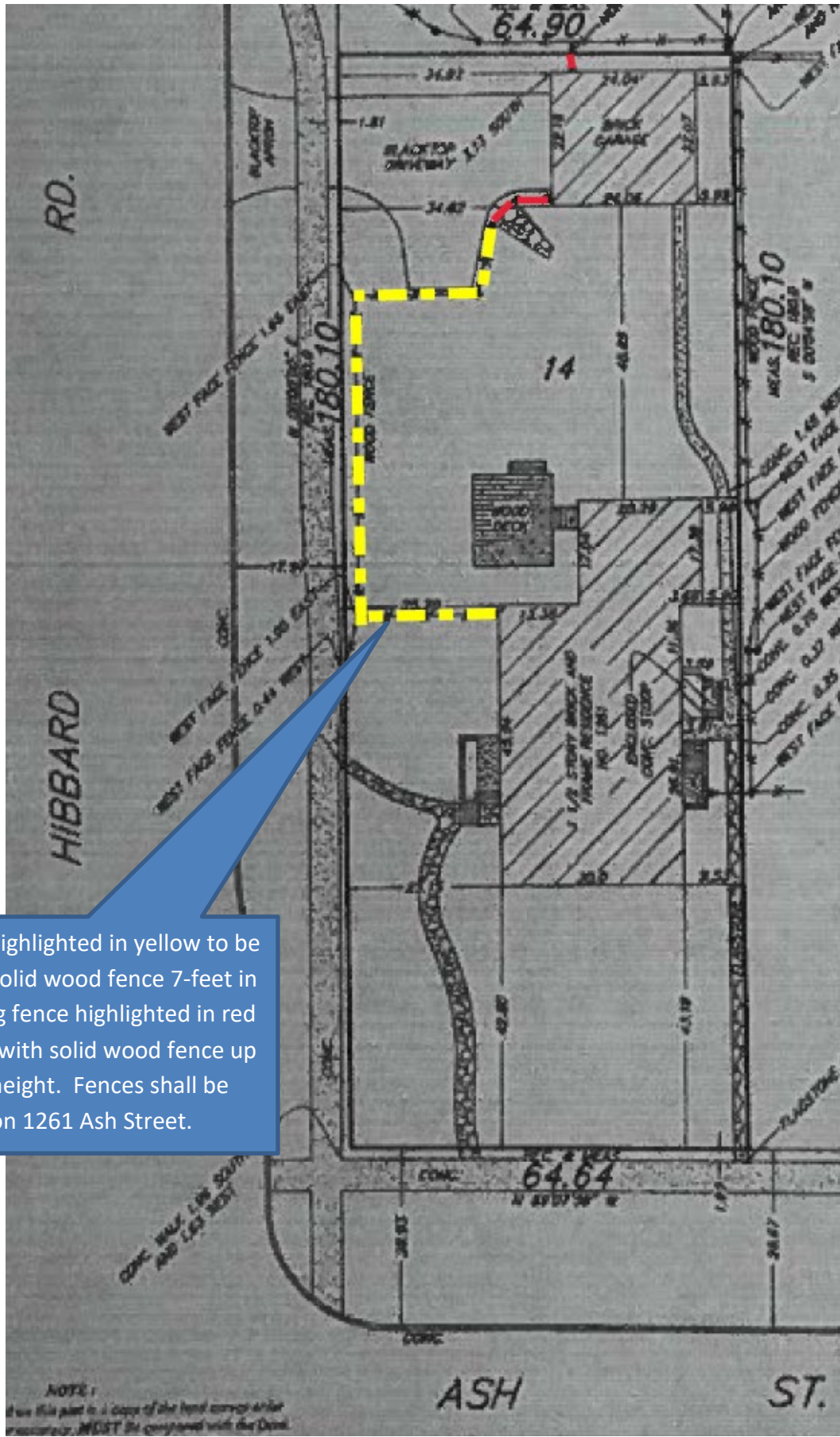


EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Christian Raynal ("**Owner**") is the owner of record of that certain real property located at 1261 Ash Street, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-3-2021, adopted by the Winnetka Zoning Board of Appeals on September 13, 2021 ("**Resolution**"), grants a variation to allow a fence measuring 7 feet in height above natural grade along a portion of the west front lot line along Hibbard Road 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 30 days following the passage of the Resolution, their 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: _____, 2021.

ATTEST

OWNER

By: _____

By: _____

Christian Raynal

Name: _____

RESOLUTION NO. ZBA-3-2021
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 21-24-V – 1261 ASH STREET

WHEREAS, Christian Raynal (the “Applicant”) is the owner of the property commonly known as 1261 Ash 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 a corner lot located on the northeast corner of the intersection of Ash Street and Hibbard Road; 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 the west front lot 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 is 6.5 feet above natural grade; and

WHEREAS, the Applicant desires to replace the existing fence along a portion of the west front lot line along Hibbard Road with a new fence on the Subject Property measuring 7 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 7 feet above natural grade (***“Requested Variation”***); and

WHEREAS, a public notice for the Requested Variation was duly published on June 24, 2021 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 July 12, 2021 for the purpose of considering the Requested Variation; and

WHEREAS, after hearing from the Applicant and discussing the Proposed Improvement, the Zoning Board of Appeals was split 3-3 on approving the Requested Variation. Therefore, by a vote of 6-0, the Zoning Board of Appeals continued the public hearing until the September 13, 2021 Zoning Board of Appeals meeting;

WHEREAS, the continued public hearing was held by the Winnetka Zoning Board of Appeals during a meeting on September 13, 2021 for the purpose of considering the Requested Variation with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on September 13, 2021; 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 June 9, 2021, 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; and

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 13th day of September, 2021, 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 14 in Block 3 in Winnetka Manor, a subdivision of the South 45 Acres 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 1261 Ash Street, Winnetka, Illinois.

Parcel Index Number: 05-20-115-013-0000



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: SEPTEMBER 9, 2021
SUBJECT: 981 GORDON TERRACE – VARIATION (CASE NO. 21-25-V)

At the request of the Applicant, this case was continued at the August 9, 2021, ZBA meeting. Since the August meeting, the proposed plan for the 10-foot high fence has not changed. Therefore, the requested zoning relief remains the same from what the Board considered at the August meeting. The Applicant has provided supplemental information in response to questions and comments raised by the Board at the August meeting, this information is provided as Attachment A2.

The Applicant has requested a second continuance. The request is provided as Attachment B2.

For details on the requested zoning relief and the proposed plan, please see Attachment C2, the August 5, 2021, ZBA staff report and attachments.

Staff has not received any additional correspondence regarding this application.

AUGUST 9, 2021, ZBA PUBLIC HEARING

At its regular monthly meeting on August 9, the ZBA held a public hearing on the Applicant's requested zoning relief. At the August meeting, the four Board members present discussed the variation requested for the amount of additional fence height above the permitted 8 feet, which some members thought was already a tall fence. One Board member was in support of the request due to the grade differentiation between 981 Gordon Terrace and the adjacent commercial property to the east, 996 Green Bay Road. Another Board member was in support of the request due to privacy and security concerns. A third member was not in support of the request due to the site already being well screened with landscaping; the member also thought a complying 8-foot tall fence was very tall. The fourth member was undecided. After discussing, the Board was split 2-2 on approving the variation.

At the request of the Applicant, the Board voted unanimously to continue the request until the September meeting since three Board members were absent. A copy of the draft August 9 minutes is included in the September 13 agenda packet for the ZBA's approval.

At the August meeting, from her cell phone Member Handler shared photos she had taken with her cell phone of the site with the other Board members. The photos are included as Attachment D2.

SUMMARY AND FINDINGS

The Board will want to decide whether or not to grant the Applicant's current request to continue the application to the next regular Board meeting on October 11, 2021. If so, a Board member will need to make a motion to continue the application to that date.

If the Board decides not to grant the continuance and wishes to take action on the request, Staff has updated the draft resolutions to reflect the continuation of the public hearing from the August meeting to the September meeting (Attachment E2). One Resolution approves the request, while the other denies the request. A Board member may wish to make a motion to adopt either the resolution to approve the requested variation or the resolution to deny the requested variation.

ATTACHMENTS

Attachment A2: Supplemental Information Submitted by Applicant

Attachment B2: Applicant Request for Second Continuance

Attachment C2: August 5, 2021, ZBA Staff Report and Attachments

Attachment D2: Member Handler Photos

Attachment E2: Draft Resolutions

ATTACHMENT A2



70 W. Madison Street
Suite 5300
Chicago, IL 60602
Main (312) 345-5700
Fax (312) 345-5701
www.schainbanks.com

September 3, 2021

VIA EMAIL to aklaassen@winnetka.org

Village of Winnetka
Department of Community Development
c/o Ann Klaassen
510 Green Bay Road
Winnetka, IL 60093

Re: Supplemental Statement in Support of Application for a Zoning Variation, Case No. 21-25-V

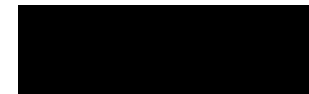
Dear Ms. Klassen,

The property owner of 981 Gordon Terrace (John Joyce) hired my firm to represent him at the upcoming public hearing in the above-referenced matter. Enclosed is Mr. Joyce's supplemental statement in support of his application for a variation. It is respectfully requested that this statement be submitted to the Zoning Board of Appeals for its consideration. Or if staff prefers that these materials be distributed at the hearing on September 13, 2021, please advise.

Thank you very much for your consideration of this letter and the enclosed materials.

Sincerely,

SCHAIN BANKS KENNY & SCHWARTZ, LTD.



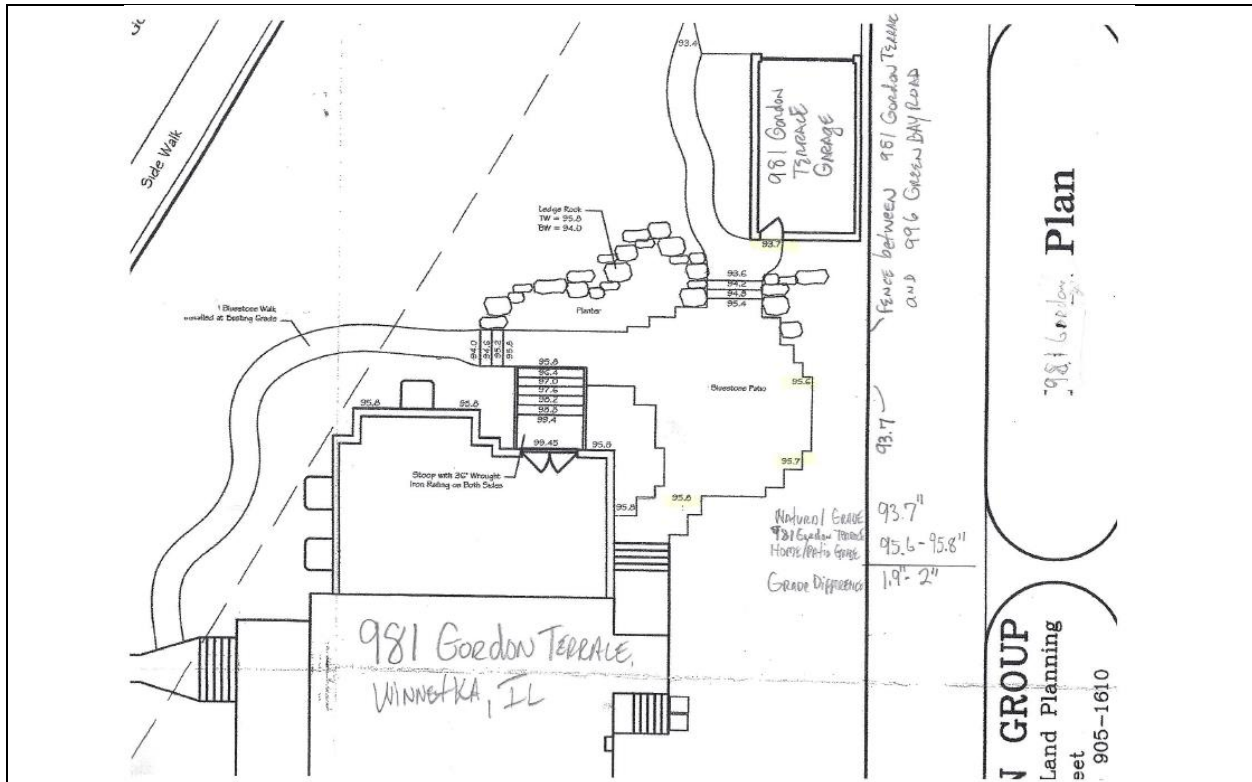
Nicholas D. Standiford
NDS

cc: John Joyce (john.joyce@svn.com)

Enc. As stated herein

Petitioner's supplemental statement in support of variation request

At the August 9, 2021 meeting, Member Handler asked for a topographical reference. The topographical plan below identifies a 1.9-2.0" grading difference between the natural grade at 996 Green Bay Road and the residential improvements at 981 Gordon Terrace. Please note that a former owner of our home, Mr. Edward Suntrup told us that the home sits on the highest topographical point in Winnetka.



Topographical Plan

The following images show the grade differential between the two (2) subject properties.



The three stairs leading up to the patio from the attached garage are approximately 19.5" in total height.



The ground level beneath the stairs is the same natural level as the yard opposite our side of the fence at 996 Green Bay Road.

The following photos show the view from our patio looking onto 996 Green Bay Road.



Photo taken from patio on 9/2/21



Photo taken from patio next to fence on 9/2/21

Since our property also has a higher grade than our neighbor at 1121 Merrell Street, we agreed to the plan to construct a retaining wall to even out the fence and provide necessary support.



1121 Merrell Street, Winnetka, Illinois

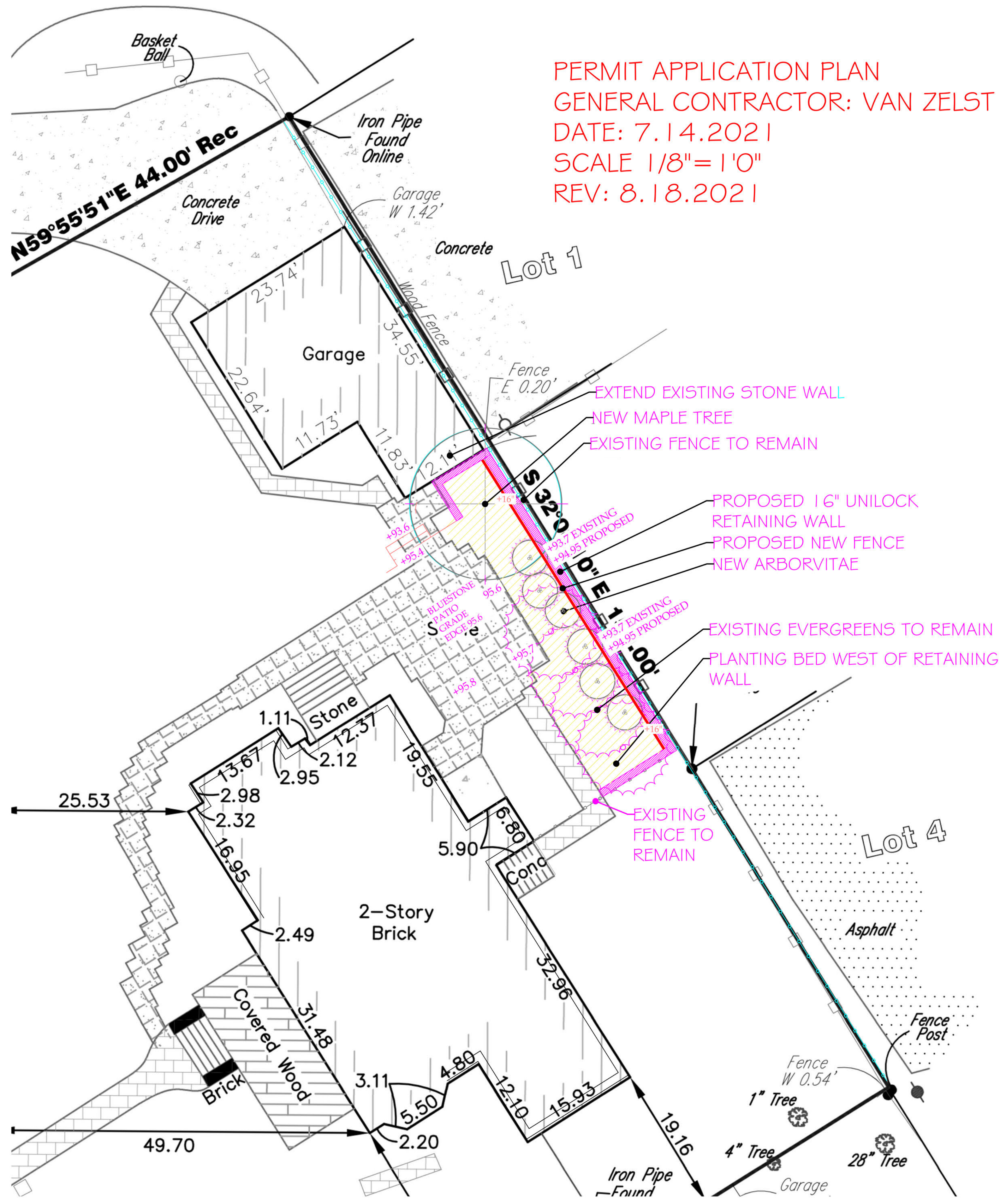


Grade Separation between 981 Gordon Terrace and the natural grade at 1121 Merrell.

PLAT OF SURVEY

LOCK 2 IN JARED GAGE'S SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF FRACTIONAL
17 AND PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 42
ANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

le.



PERMIT APPLICATION PLAN
GENERAL CONTRACTOR: VAN ZELST
DATE: 7.14.2021
SCALE 1/8"=1'0"
REV: 8.18.2021

NOTE: NEW RETAINING WALL 16"
NEW FENCE 8.6'
RETAINING WALL AND NEW
PROPOSED FENCE NOT TO
EXCEED 10'

NOTE: NEW PROPOSED FENCE IS
45'-6" IN LENGTH



ATTACHMENT B2

From: [John Joyce, CCIM](#)
To: [Ann Klaassen](#)
Cc: [Nick Standiford](#); [Kelly Joyce](#)
Subject: Fwd: 2021.09.03 Petitioner Supplemental Statement
Date: Friday, September 3, 2021 1:56:31 PM
Attachments: [2021.09.03 Standiford to Klassen- signed.pdf](#)
[2021.09.03 Petitioner Supplemental Statement.pdf](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

 [Site Plan with Elevations_08182021.pdf](#)

Ann:

Per our conversation, please add the attached revised site plan with elevations and include it with the letter that Nick Standiford submitted.

As discussed, since several members of the Zoning Board of Appeals "ZBA" are unavailable to attend the September 13th meeting, in my opinion, it is less likely there will be an opportunity to bring this matter to a conclusion. Based on my understanding, the ZBA requires 4 positive or negative votes to approve or decline an appeal. Since we are now engaging legal and architectural partners to attend the next meeting, we want to know what direction this is heading, if possible, after the next meeting. Can our case be continued to October 11, 2021? If my understanding is inaccurate, your guidance would be appreciated.

Sincerely,



John Joyce CCIM | Managing Director
SVN | Chicago Industrial
10275 W Higgins Road, Suite 480
Rosemont, IL 60018
C: 847-778-1254 | O: 847-233-1178
john.joyce@svn.com | www.svnchicago.com | [Vcard](#)
[Bio](#) | [My Listings](#)

“All SVN Offices Independently Owned and Operated.”



https://www.youtube.com/watch?v=4t_kD8Wggwo

This message originates from SVN Chicago Industrial. This email and any attachments to it may be confidential and are intended solely for the use of the individual to whom it is addressed. Any financial statements expressed are solely those of the author and all

investors/buyers should rely on their due diligence. Projections, assumptions, or estimates used are for example only and do not represent the current or future performance of the property. This message may not be copied or distributed without this disclaimer.

----- Forwarded message -----

From: **Nick Standiford** <nstandiford@schainbanks.com>

Date: Fri, Sep 3, 2021 at 1:08 PM

Subject: 2021.09.03 Petitioner Supplemental Statement

To: aklaassen@winnetka.org <aklaassen@winnetka.org>

Cc: John Joyce, CCIM <john.joyce@svn.com>

Dear Ms. Klassen,

Please see supplemental materials attached.

Thank you very much,

Nick

NICHOLAS D. STANDIFORD

nstandiford@schainbanks.com

Main: 312-345-5700

Direct: 312-345-5737

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SCHAIN BANKS

70 West Madison St.

Suite 2300 (note new suite number)

Chicago, IL 60602

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Ann:

A



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: AUGUST 5, 2021
SUBJECT: 981 GORDON TERRACE –VARIATION (CASE NO. 21-25-V)

INTRODUCTION

On August 9, 2021, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by John Joyce (the “Applicant”) as the owner of the property at 981 Gordon Terrace (the “Subject Property”). The Applicant requests approval of the following zoning variation to allow installation of a fence on the Subject Property along a portion of its east property line:

1. A fence that is 10 feet in height, whereas a maximum of 8 feet above natural grade is permitted, a variation of 2 feet (25%) [Section 17.30.130 – Obstructions in Required Yards or Courts].

A mailed 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 July 22, 2021. As of the date of this memo, staff has received one written comment from the public regarding this application. The comment is provided in Attachment C of this report.

The Zoning Board of Appeals has final jurisdiction on this request as the Board 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 0.32 acres in size, is located on the east side Gordon Terrace, between Scott and Asbury Avenues and contains an existing two-story residence and a detached garage (see Figure 1). The Subject Property is technically a “corner lot” with street frontage along the Scott Avenue right-of-way to the north, and Gordon Terrace to the west.

The property is zoned R-5 Single Family Residential, and it is bordered by R-5 Single Family Residential to the north, south, and west, and C-2 General Retail Commercial 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.

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The original building permit for the existing residence is not on file in Village records. The estimated date of construction of the existing residence is 1915. The following subsequent building permits were issued in:

1. 1922 to construct a one-car detached garage;
2. 2005 to construct a one-story addition to the existing residence; and

3. 2008 to construct an addition to the existing detached garage.

Other minor permits have also been issued over the years; including two fence permits, one in 1988 and one in 2017 to install fences 8 feet in height, along the east property line. The Applicant acquired the property in 2004.

There is one previous zoning case on file for the Subject Property. On January 15, 2008, the Village Council adopted Ordinance M-27-2007, an ordinance granting variations to allow the expansion of the existing legal nonconforming detached garage. The approved variations were for (a) front yard lot coverage; (b) front yard setback from Scott Avenue; (c) side yard setback; and (d) relief to allow the expansion of the legal nonconforming detached garage which is closer to the street line along Scott Avenue than the principal building.

The Community Development Department received a complaint on May 13, 2021 regarding a fence and tarp being placed on the Subject Property. It was determined that the fence was installed without a fence permit. On May 14, 2021, the Village's Code Enforcement Officer emailed the Applicant requesting a meeting to discuss the fence. After receiving no response, a violation notice was sent to the Applicant. On June 1, the Village's Code Enforcement officer discussed the fence with Kelly Joyce, the Applicant's wife. Ms. Joyce explained that due to trees being removed from the adjacent property at 996 Green Bay Road and the difference in the elevation of grade between the two properties, there was no longer any screening provided from the commercial buildings for their residential property. At that time, they expressed their desire to apply for a zoning variation to allow a fence 12 feet in height. Ms. Joyce asked if the owner of 996 Green Bay Road is required to plant replacement trees as part of the tree removal permit. The Village Forester confirmed replacement trees were not required for the removal of the trees at 996 Green Bay Road. Since June 1, the Code Enforcement Officer has had communications with the Applicant regarding the removal of the fence and tarp and the need to have it removed regardless of any approval of a zoning variation. On June 11, the Applicant expressed the desire to pursue zoning relief to allow a fence more than 8 feet in height and on July 6 the Applicant submitted the variation request currently before the Board.

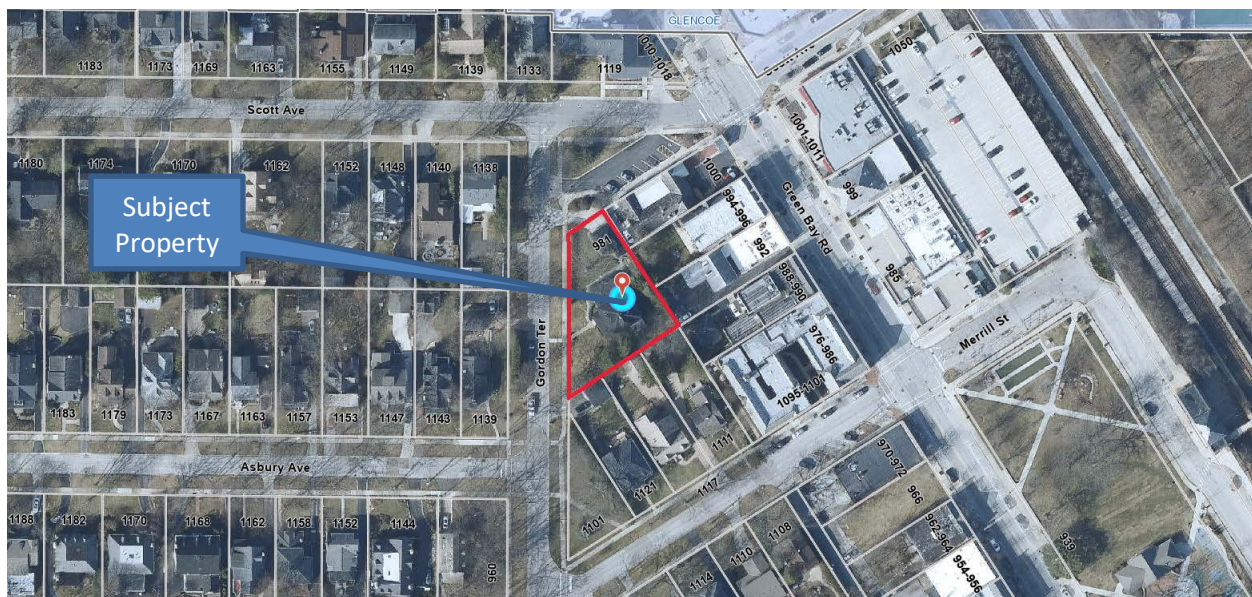


Figure 1 – Aerial Map

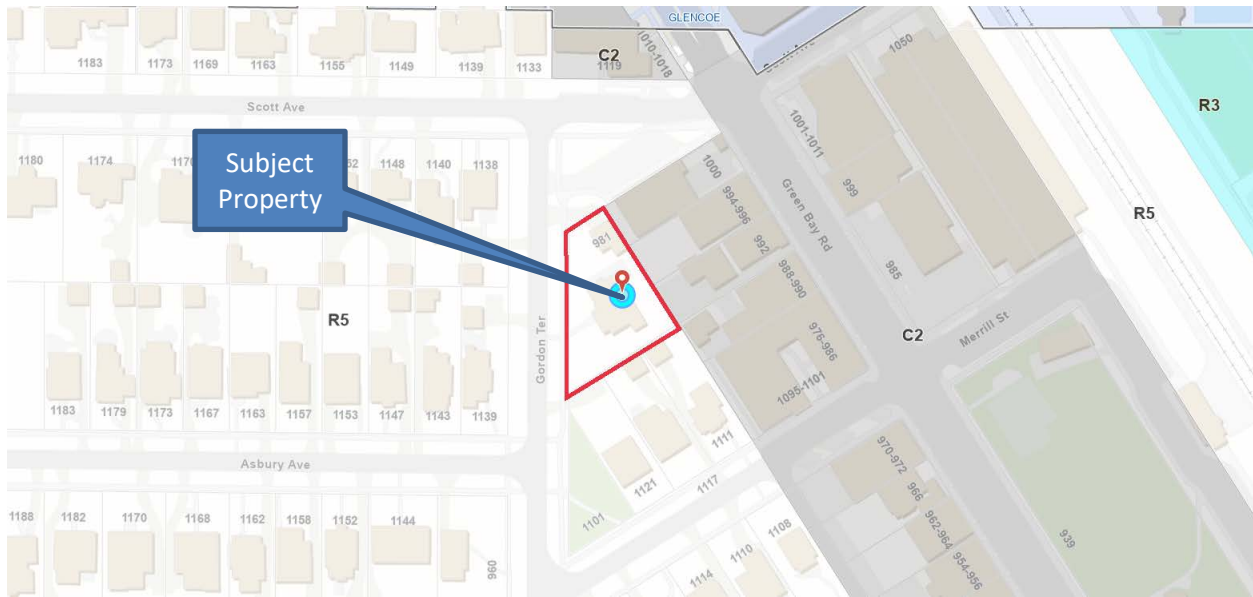


Figure 2 – Zoning Map

Figure 3 below and Figure 4 on the following page are current photos of the site.



Figure 3 – Subject Property – Front Elevation (Gordon Terrace)



Figure 4 – Subject Property – North Elevation (Scott Avenue)

PROPOSED PLAN

The requested variation would allow the installation of a new fence along 45.5 feet of the east lot line of the Subject Property (Figure 5). The Applicant is proposing construction of a solid cedar fence 8.6 feet in height on top of a 16 inch high Unilock retaining wall. In total, the retaining wall and the fence would measure 10 feet in height above natural grade. The existing fence on the property line would remain; to the west of the existing fence, they would construct the retaining wall with the new fence on top. The Applicant's plan also includes planting a new maple tree and new arbor vitae on the west side of the proposed fence.

Figure 5 on the following page identifies the location of the proposed fence and retaining wall. As described in the Applicant's written explanation, which is provided in Attachment A, the additional height in excess of the permitted 8 feet is to increase privacy and to reduce noise from adjacent commercial properties.

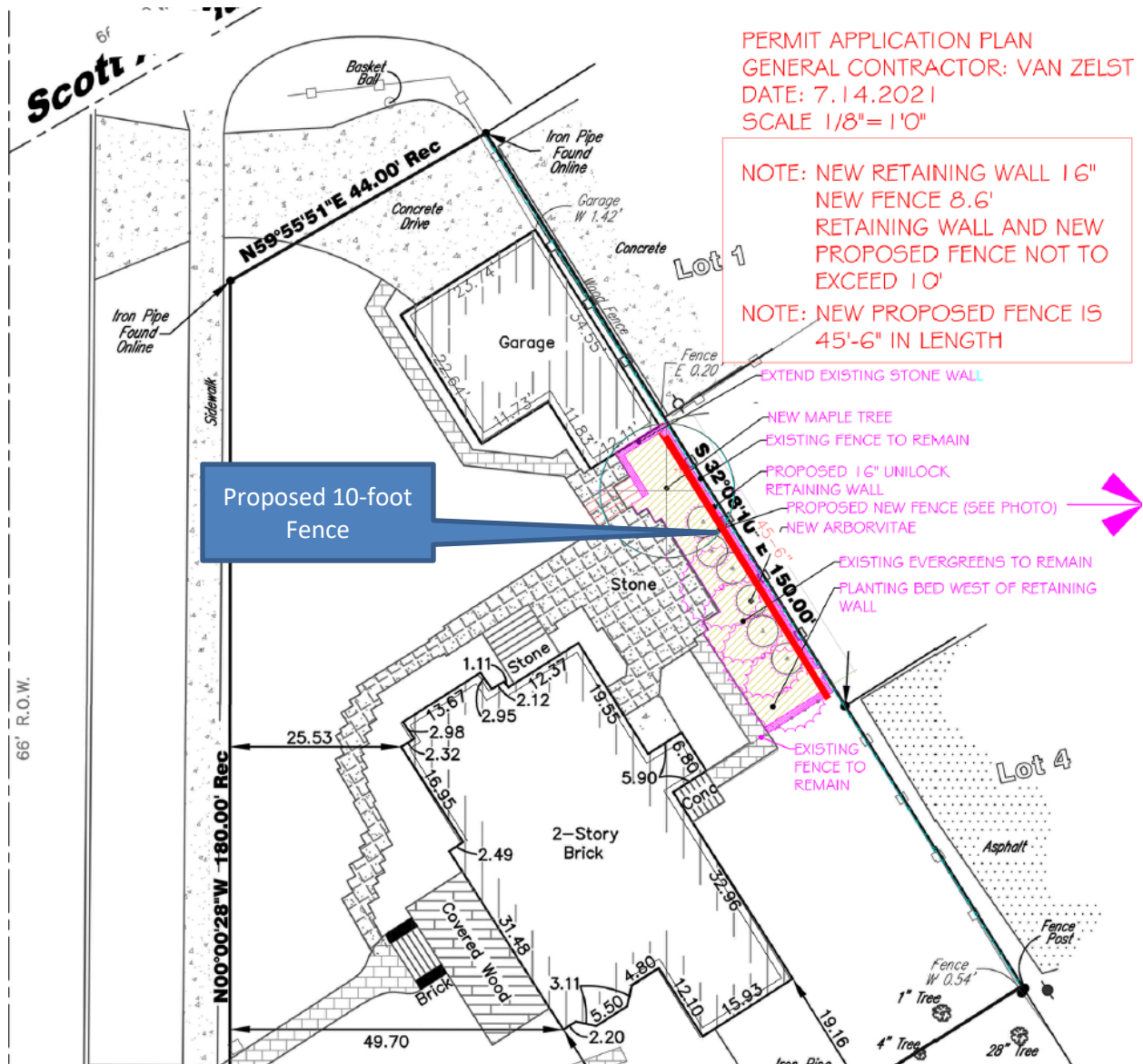


Figure 5 – Excerpt of Proposed Site Plan

REQUESTED ZONING RELIEF

One variation is being requested to allow a fence 10 feet in height along a portion of the east lot line, whereas the maximum permitted height is 8 feet above natural grade, a variation of 2 feet (25%). The proposed fence is allowed to be 8 feet in height because it would be located on the side lot line of the Subject Property, which is zoned single-family residential and is adjacent to a commercial zoning district.

FINDINGS

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

Staff has prepared the attached draft resolutions for the Board's consideration (Attachment B). One resolution approves the request, while the other denies the request. A Board member may wish to make

a motion to adopt either the resolution to approve the requested variation or the resolution to deny the requested variation.

ATTACHMENTS

Attachment A: Application Materials

~~Attachment B: Draft Resolutions~~

Attachment C: Public Correspondence



ATTACHMENT A

Village of Winnetka
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 21-25-V

Property Information

Site Address: 981 Gordon Terrace

VA2021-723

Owner Information

Name: John Joyce

Address: 981 Gordon Terrace

City, State, ZIP: Winnetka, IL 60093

Email: [REDACTED]

Primary Contact: John Joyce

Phone No. [REDACTED]

Date property acquired by owner: 05/26/2004

Architect Information

Name: David Van Zelst

Primary Contact: David Van Zelst

Address: 39400 U. S. 41

City, State, ZIP: Wadsworth, IL 60083

Phone No. 773-205-6226

Email: dvz@vanzelst.com

Attorney Information

Name: Thomas Molitor

Primary Contact: Tom Molitor

Address: 820 Davis Street, Suite 820

City, State, Zip: Evanston, IL 60201

Phone No. 847-338-9796

Email: suesomebody@aol.com

Nature of any restrictions on property: Code Section 15.44 Allowable 8' fence above grade height limitation

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

See attached explanation

Property Owner Signature: John Joyce

Digitally signed by John Joyce
Date: 2021.07.06 13:02:43 -0500

Date: 07/06/2021

Briefly, I was born and raised in Winnetka. My family and I returned to the community and purchase 981 Gordon Terrace in 2003. We wanted our children to experience the quiet and privacy of the same village we [my wife Kelly and I] grew up in.

Starting in May of 2019, the outdoor area in the rear of 996 Green Bay Road [a mixed-use commercial building that backs up to our property] became a gathering place for outdoor enjoyment. Also, since May of 2019, we can clearly hear the ongoing domestic disturbance issues that come from the third level south apartment. Typically, it occurs at night. The ongoing belittlement and abuse can best be heard from my son's bedroom that is directly across from the referenced apartment unit. A male uses relentless profanity and extremely loud voice tones against a female resident. On one occasion, the abuse sounded extremely threatening and we felt compelled to contact the Winnetka police. The police observed the disturbing interaction and removed the male from the apartment. We notified the property manager and told him about our concern, but he denied having any knowledge. The situation is unchanged.

Additionally, In October of 2020, the property manager of 996 Green Bay Road, Mr. Scott Dallmeyer decided to undertake the removal of trees on the property- for reasons unknown. Suffice it to say, he is not the property owner and did receive permission from the property owner to take this action. My wife and I went out to meet Mr. Dallmeyer and respectfully asked him not to remove the trees because they created a natural buffer between properties. He agreed to limit the removal, but then he went ahead and cut down a substantial amount of the tree, contrary to his statement. The tree limb that he removed served as a privacy barrier between our residential property and the multi-family mixed-used development.

We contacted the Winnetka police department because I was upset that Mr. Dallmeyer violated our trust and intentionally created a direct view from the apartment units into our patio area. The police were professional, however the damage has been done and there was nothing they could do about it.

We can think of no reason for such tree trimming - other than spite on the part of Scott Dallmeyer. Our property is on different elevations than 996 Green Bay Road, and as a result, the 6' existing fence is more like 4'6" from the ground level of 996 Green Bay Rd. Obviously there is no barrier now from the residential apartments above the first floor.

Regrettably, we have seen individuals peering over and through the fence from the yard area of 996 Green Bay Road and observing us on our patio. Our daughters use the area to sun bathe, but are no longer comfortable doing that with potential public onlookers. We never had any such nuisance before the last 24 months, and attribute it to the unobstructed view.

Mr. Dallmeyer applied for and received a tree removal permit from the Village of Winnetka. A large tree has been removed. It is our understanding that the permit includes having a new tree planted. Can you confirm this understanding? If so, what are the specifications for the tree size? The tree that was removed had created an additional barrier between the properties. This is not the same tree that the property manager had cut limbs off of.

I was told the owner- John Odh has dementia and can no longer manage 996 Green Bay Road. Jan Goad, his niece, is also his caregiver. She told me that the property manager is trying to acquire the building.

On a hopeful note, some of the tenants at 996 Green Bay Road have reached out to me and expressed their concerns as well. One tenant named Stewart (and another male tenant) have come over to our house to express their concerns about the unlimited view as a result of the tree removal, so the matter is also a concern of others.

Since receiving the letter of complaint notice from your office, I have indexed all fences in Winnetka that are between commercial and residential properties. As you can see, many of the fences exceed the 8' limit and most are built up on foundations that range between cement berms or rail road ties. Please see the following findings:



278 Scott Street
10' fence runs 178'
This property also enjoys a second
row of natural screening in
addition to a 42" chain link fence



660 Winnetka Mews
13' 4" with grade separation



1010 Tower Road
9' 9" Parking lot screen



720 Green Bay Rd
8'7"





**1095 Gage Street
11' 11" posts**



**1040 Tower
8' 2"**



**Alley immediately east of 1110
Merrill
8' 3"**



**700 Elm Street
11' 6" With grade separation**

We have an extenuating circumstance as our single home family shares a long linear property line with four (4) mixed use commercial properties. Additionally, the multi-family short term nature of the apartment building residents creates a hardship for us to enjoy our home.

The grade on our side of the existing 6' fence is approximately 18" higher than the grade on the 996 Green Bay Road side of the existing 6' fence.

As a result of the many ongoing disturbances, we decided to install a temporary security screen extending over our existing (and permissible) barrier fence, at least until we can apply for a variance in light of our extenuating circumstance

Fence Description for permit application:

6x6 Cedar posts, slotted
1x6 Cedar boards, tongue and grooved
Posts set in concrete footing

Standards for Granting of Zoning Variations.

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

The rear property line of 981 Gordon Terrace; which is zoned residential and is approximately 150' in length is completely bordered by commercial district and in particular with a large multi-level (3 stories) mixed use apartment and retail use property. The current zoning regulation of an 8' fence causes hardship to the use of the property because of lack of privacy, excessive noise and security. 981 Gordon Terrace is on a different elevation than 996 Green Bay Road, and as a result, the current 6' fence is more like 4'6". It is necessary for us to build a retaining wall to level out the grade of our back patio. There is no barrier now from the residential apartments above the first floor. We would then place a fence of approximately 8'6" (so only 6" above the allowable height) on top of the retaining wall; but it would only be for a very small portion (approximately 45.5') of our 150' property line. Please refer to pictures showing the difference in grade and the multiple commercial properties on our property line. Before the property manager of 996 Green Bay Road cut down a major privacy limb without authorization from the owner, we enjoyed our outdoor area from the time we purchased our home in May, 2004. So far, we have spent \$5,500.00 to correct this issue and maintain our property's value.

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.

Due to the location of 981 Gordon Terrace on the rear lot of four (4) commercial properties; the property is uniquely challenged with lack of privacy because of exposure to commercial uses including multiple tenancies at high vantage points and constant commercial activity that otherwise is not a problem in single family zoned areas. This includes constant outside use of the commercial properties, loud noises from dumpster usage including garbage activity and breaking glass that is tossed into the bin. The outside area at 996 Green Bay Road has become a recreational area for nightly gatherings. The plan includes lessening the noise that is generated from not only the gatherings, but the ongoing domestic disturbance that is coming out of third level south apartment.

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

If granted, the variation in the fence height will not alter the essential character of the locality because the fence separates the rear areas of all properties; and all properties are zoned commercial except for 981 Gordon Terrace. 981 Gordon Terrace is the only single-family residence that has this unique hardship of sharing a back yard with multiple commercial properties. The fence would enhance the privacy for all involved and is not visible from any street.

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

The variation will not effect any adjacent property's supply of light and air because the fence line will be well within the property line and the subject property is at a lower grade than the commercial properties. The property manager at 996 Green Bay Road has also recently applied for and was granted permission to remove a large tree that is separate for the privacy limb that he removed. We were told, by former Winnetka Village Forrester, Mr. Jim Stier that part of the permit required the building owner

to plant a new tree. We have since been told by the Village Code enforcement director that a new tree is not required. It appears that the tree and privacy limb have been removed so that the occupants at 996 Green Bay Road could plant a vegetable garden. Although we support all plantings, this has caused our family an unnecessary hardship.

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

Variation will have no impact whatsoever on hazard from fire or other damages as there is already a fence in place that is old and aging.

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

The variation will increase taxable value to the property, land and buildings in the Village because it will make all properties more desirable with increased security, privacy and noise control.

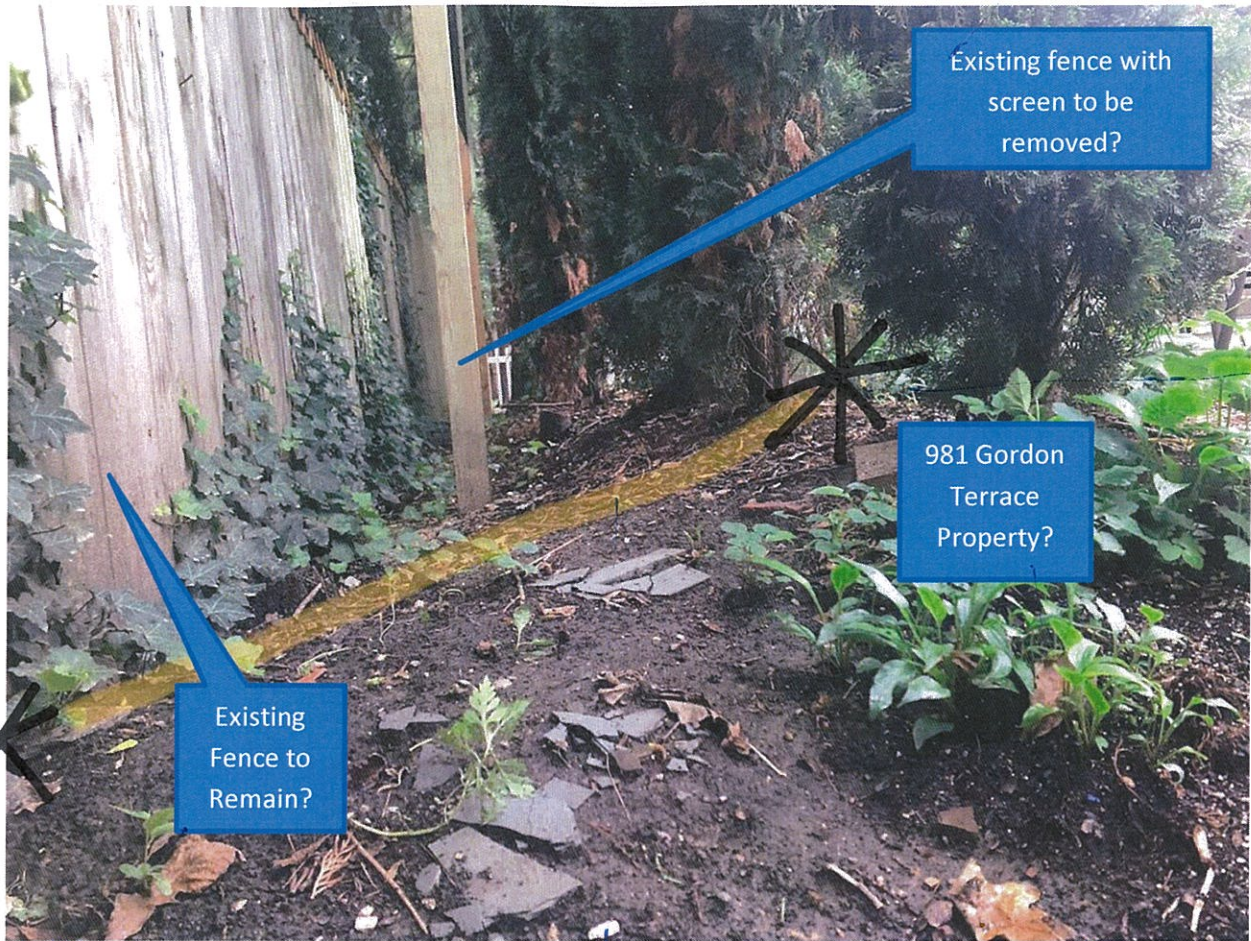
7. The congestion in the public street will not increase.

Not applicable as we are looking for a height variation on the current fence; not on a street, nor can it be seen from any street.

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

There will be no impact on the public health, safety, comfort, moral and welfare of the inhabitants of the Village due to raising the fence height.

/ yes



Existing fence with
screen to be
removed?

981 Gordon
Terrace
Property?

Existing
Fence to
Remain?

- patio-
property
grade

lower
grade

yes

Yes
this is
981 Gordon
Terrace

this yellow
highlight line is
meant to show the
grade variation from
the backyard patio
to the existing fence line.



PLAT OF SURVEY

LOT 2 IN BLOCK 2 IN JARED GAGE'S SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 17 AND PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

66' R.O.W.
Scott Avenue

Gordon Terrace

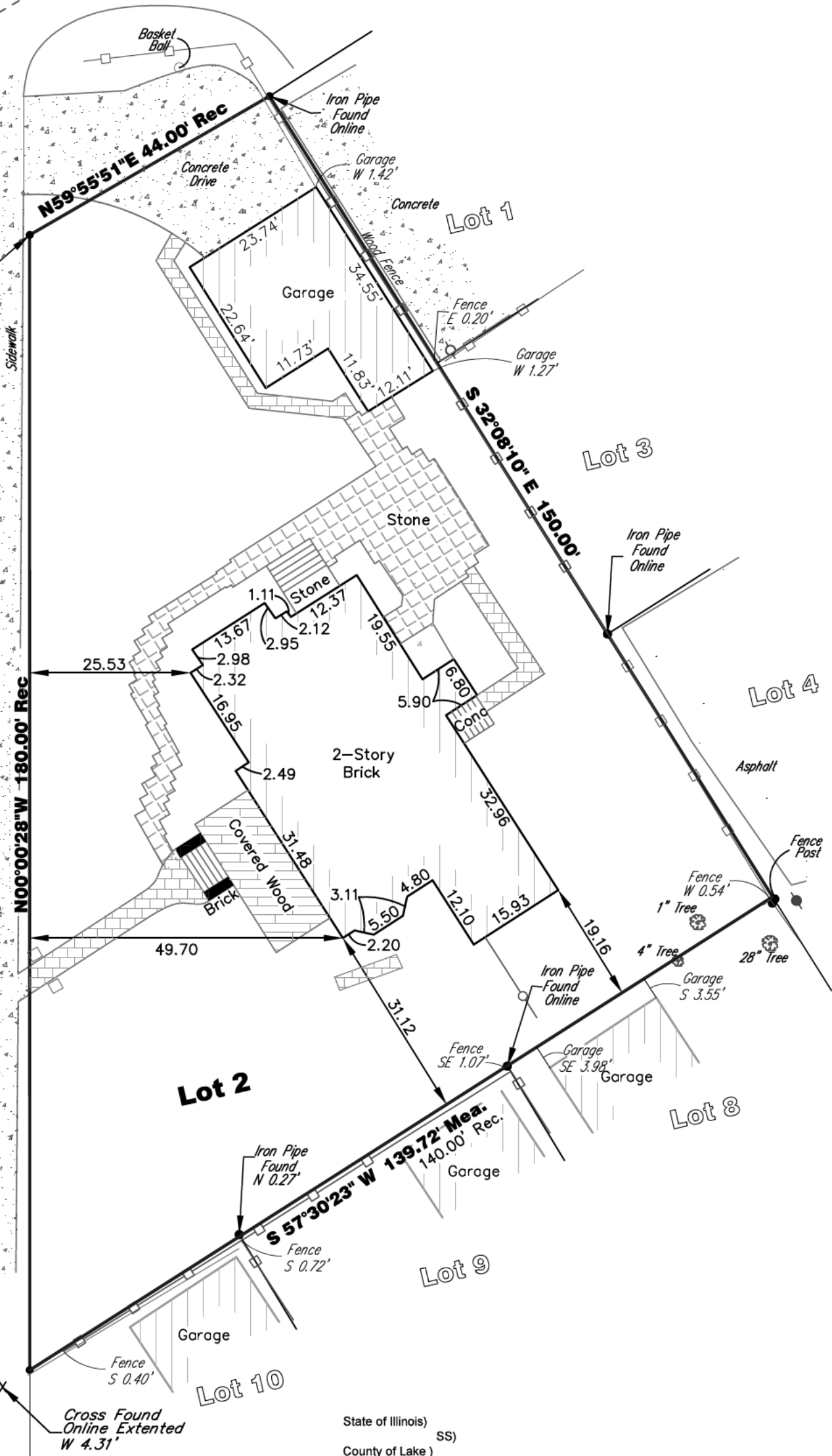
66' R.O.W.

Legend:

- O-Set 1/2" Iron Pipe
- Found Iron Pipe
- X-Found Cross

Surveyor Notes:

- Field Work Completed on 09-17-2019
- Prepared for Joyce Kelly (land owner).
- Site Address: 981 Gordon Terrace, Winnetka, IL
- Pin No.: 05-17-114-001
- The easements shown hereon are provided from the current title and the use of the recorded subdivision plat. No search of the records for easements or encumbrances was made as part of this survey.
- Compare deed description and site conditions with the data given on this plat and report any discrepancies to the surveyor at once.
- Auto Cad Files will not be released under this contract.
- No boundary corners were set at time of field survey of the subject property by client agreement.
- This plat was prepared without the aid of a title commitment. Refer to a current title commitment for any building lines or easements not shown on this plat.
- The utilities as shown on this drawing were developed from the information available. This is not implied nor intended to be the complete inventory of utilities in this area. It is the clients responsibility to verify the location of all utilities (whether shown or not) and protect said utilities from any damage.
- All building dimensions and ties are to the current siding material and not to the foundation.



State of Illinois)
County of Lake)

We, Land Surveying Services, Inc. do hereby state that we have surveyed the above described property and that this is the Plat that represents the conditions found at the time of said survey.
Given under my hand and seal this 18th day of 2019, A.D. 2019 in Lake Zurich, Illinois.
Gloria Jean Koter, an agent for Land Surveying Services, Inc.

Illinois Professional Land Surveyor Number 3323
License Expiration Date 11-30-20

This professional service conforms to the current Illinois minimum standards for a boundary survey.



Job Number	LS071413-1
Sheet Name	PLAT OF SURVEY
Sheet Number	SURVEY

Land Surveying Services, Inc.
1182 Heather Drive Lake Zurich, Illinois 60047
Ph. (847)847-1079 Fax. (847)847-1279
Professional Design Firm License No. 184-003632

Field Work Completed:	09-17-19
Scale: 1" = 20'	Date: 09-18-19
Site Address: 981 Gordon Terrace Winnetka, Illinois	

Drawn By:	jk	Checked By:	GJK
Drawing Revisions			
REVISION	Date	Drawn	Checked

LOT 2 IN BLOCK 2 IN JARED GAGE'S SUBDIVISION OF PART OF THE NORTHWEST 1/4 OF FRACTIONAL SECTION 17 AND PART OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

NOTE: NEW RETAINING WALL 16'
NEW FENCE 8.6'
RETAINING WALL AND NEW
PROPOSED FENCE NOT TO
EXCEED 10'

1

NOTE: NEW PROPOSED FENCE IS
45'-6" IN LENGTH

NEW MAPLE TREE
EXISTING FENCE TO REMAIN

PROPOSED NEW FENCE (SEE PHOTO)

EXISTING EVERGREENS TO REMAIN

PLANTING BED WEST OF RETAINING WALL

EXISTING
FENCE TO
REMAIN













ATTACHMENT C

From: [Heimsoth & Associates](#)
To: [Planning](#)
Subject: Fwd:
Date: Monday, August 2, 2021 9:12:00 AM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Winnetka planning,

In conjunction with a public hearing dated 8/9/21 case 21.25V.

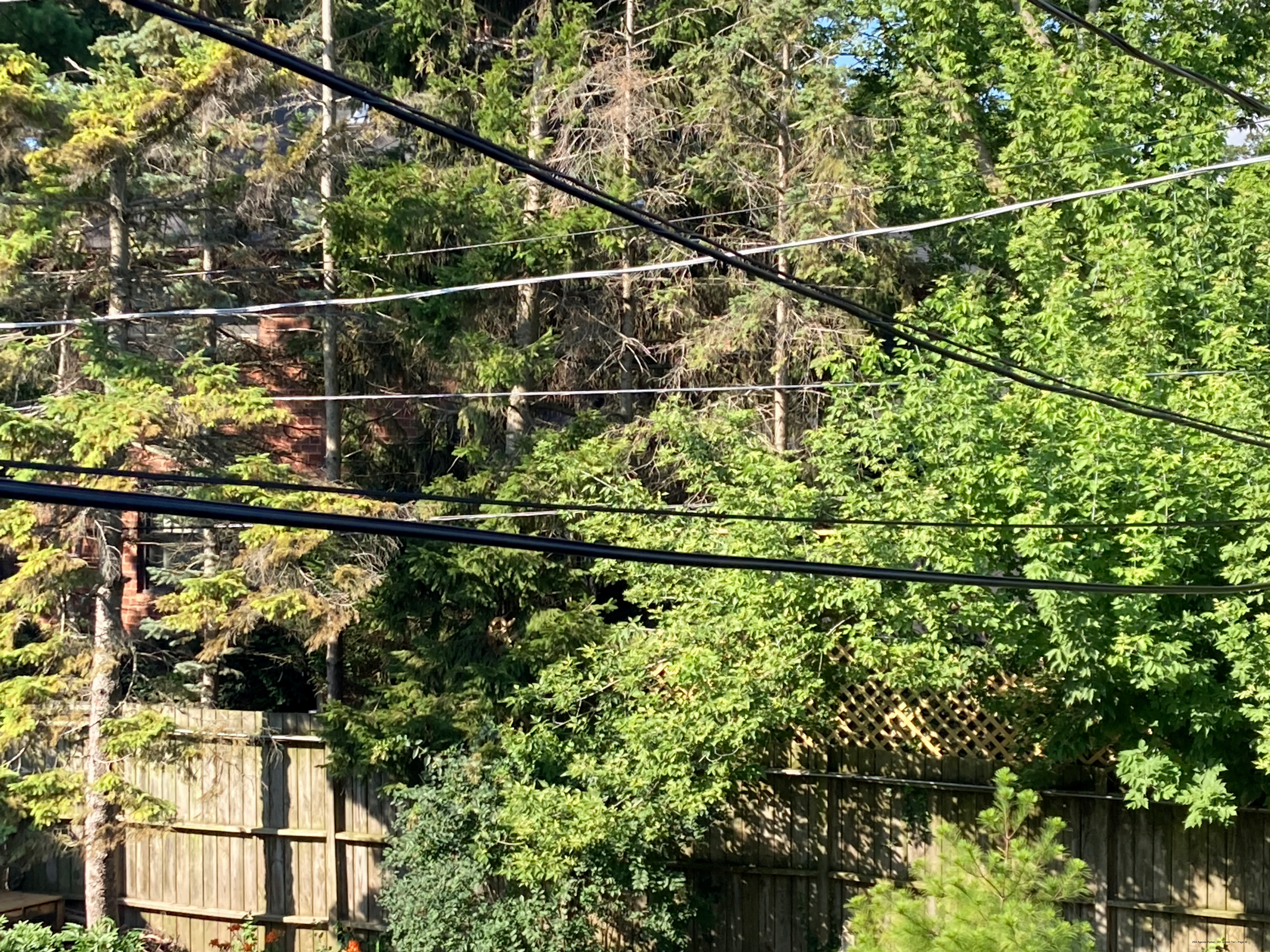
As attached in the picture, we already have a 6-foot standard wood fence, an 8-foot lattice fence, and a 10-foot black coth fence on the East side of 981 Gordon Terrace.

It is nice to beauty the fence. When the trees are bare, it is quite ugly to look at. Also, be careful with the electrical line which goes over the fence.

Yoshiko

--

Yoshiko Manabe Heimsoth
969 Green Bay Rd, Unit 6
Winnetka, IL 60093
[REDACTED] cell phone





















ATTACHMENT E2
RESOLUTION NO. ZBA-4-2021
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 21-25-V – 981 GORDON TERRACE

WHEREAS, John Joyce (the “Applicant”) is the owner of the property commonly known as 981 Gordon Terrace, 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 is adjacent to a C-2 General Retail Commercial District; and

WHEREAS, the Subject Property is a corner lot located on the southeast corner of the intersection of Scott Avenue and Gordon Terrace; and

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

WHEREAS, the Applicant desires to construct a new fence and retaining wall along a portion of the east lot 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 and/or wall is 8 feet above natural grade; and

WHEREAS, the Applicant desires to construct a new retaining wall with a fence on top, along 45.5 feet of the east lot line on the Subject Property, measuring a total of 10 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 10 feet above natural grade (***“Requested Variation”***); and

WHEREAS, a public notice for the Requested Variation was duly published on July 22, 2021 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 August 9, 2021 for the purpose of considering the Requested Variation; and

WHEREAS, after hearing from the Applicant, receiving public comment, and discussing the Proposed Improvement, the Zoning Board of Appeals was split 2-2 on approving the Requested Variation. Therefore, by a vote of 4-0, the Zoning Board of Appeals continued the public hearing until the September 13, 2021 Zoning Board of Appeals meeting;

WHEREAS, the continued public hearing was held by the Winnetka Zoning Board of Appeals during a meeting on September 13, 2021 for the purpose of considering the Requested Variation with

the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on September 13, 2021; 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 July 6, 2021, 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 to exceed the maximum permitted height of a fence does satisfy the standards for variations 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 east side lot 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 Recorder of Deeds. This Resolution and the privileges, obligations, and provisions contained herein will inure solely to the benefit of, and be binding upon, the Applicant

and their 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:

1. Passage by the Zoning Board of Appeals in the manner required by law; and
2. 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.

B. In the event that the Applicant does not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 7.A.2 of this Resolution, within 30 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 13th day of September, 2021, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

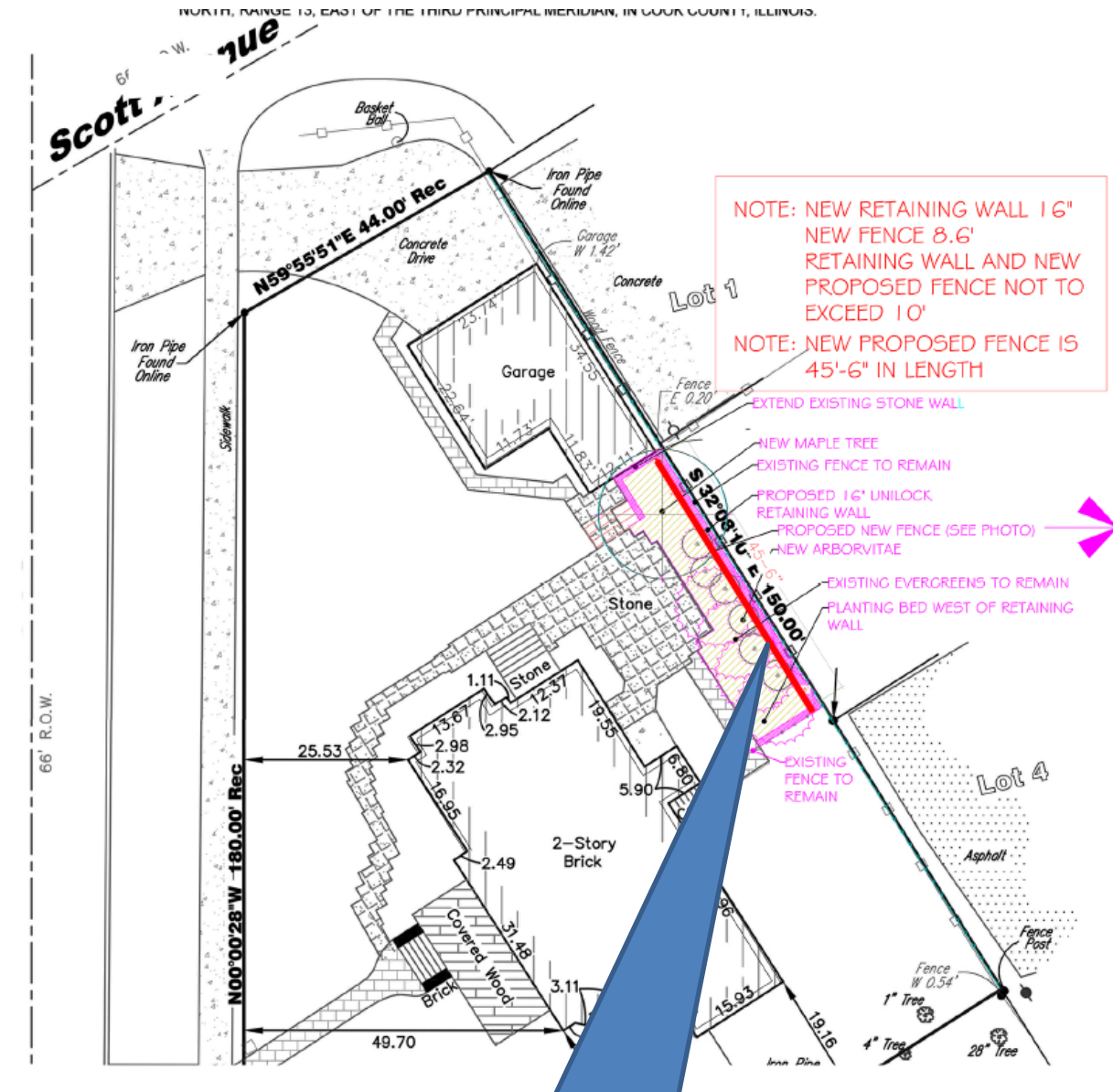
EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lot 2 in Block 2 in Jared Gage's Subdivision of part of the Northwest $\frac{1}{4}$ of Fractional Section 17 and part of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ Section 8, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 981 Gordon Terrace, Winnetka, Illinois.

Parcel Index Number: 05-17-114-001-0000

NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.



Proposed solid wood fence highlighted in red, to be constructed on top of 16 inch retaining wall. Total height of retaining wall and fence not to exceed 10 feet above natural grade. Fence and wall shall be located on 981 Gordon Terrace.

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, John Joyce ("**Owner**") is the owner of record of that certain real property located at 981 Gordon Terrace, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-4-2021, adopted by the Winnetka Zoning Board of Appeals on September 13, 2021 ("**Resolution**"), grants a variation to allow a fence and retaining wall measuring a total of 10 feet in height above natural grade along a portion of the east side lot line 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 30 days following the passage of the Resolution, their 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: _____, 2021.

ATTEST

OWNER

By: _____

By: _____

John Joyce

Name: _____

RESOLUTION NO. ZBA-4-2021
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 21-25-V – 981 GORDON TERRACE

WHEREAS, John Joyce (the “Applicant”) is the owner of the property commonly known as 981 Gordon Terrace, 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 is adjacent to a C-2 General Retail Commercial District; and

WHEREAS, the Subject Property is a corner lot located on the southeast corner of the intersection of Scott Avenue and Gordon Terrace; and

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

WHEREAS, the Applicant desires to construct a new fence and retaining wall along a portion of the east lot 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 and/or wall is 8 feet above natural grade; and

WHEREAS, the Applicant desires to construct a new retaining wall with a fence on top, along 45.5 feet of the east lot line on the Subject Property, measuring a total of 10 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 10 feet above natural grade (***“Requested Variation”***); and

WHEREAS, a public notice for the Requested Variation was duly published on July 22, 2021 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 August 9, 2021 for the purpose of considering the Requested Variation; and

WHEREAS, after hearing from the Applicant, receiving public comment, and discussing the Proposed Improvement, the Zoning Board of Appeals was split 2-2 on approving the Requested Variation. Therefore, by a vote of 4-0, the Zoning Board of Appeals continued the public hearing until the September 13, 2021 Zoning Board of Appeals meeting;

WHEREAS, the continued public hearing was held by the Winnetka Zoning Board of Appeals during a meeting on September 13, 2021 for the purpose of considering the Requested Variation with

the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on September 13, 2021; 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 July 6, 2021, 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; and

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.

[SIGNATURE PAGE FOLLOWS]

ADOPTED this 13th day of September, 2021, 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 2 in Block 2 in Jared Gage's Subdivision of part of the Northwest $\frac{1}{4}$ of Fractional Section 17 and part of the East $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ Section 8, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 981 Gordon Terrace, Winnetka, Illinois.

Parcel Index Number: 05-17-114-001-0000



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: SEPTEMBER 9, 2021
SUBJECT: 1225 HILL ROAD - VARIATION (CASE NO. 21-29-V2)

INTRODUCTION

On September 13, 2021, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by Joan Kasten (the "Applicant") as the owner of the property located at 1225 Hill Road (the "Subject Property"). The Applicant requests approval of the following zoning variation to allow construction of a pergola on the Subject Property:

1. Front Yard Setback of 22.33 feet from Hill Road, whereas a minimum of 85.47 feet is required, a variation of 63.14 feet (73.87%) [Section 17.30.050 – Front and Corner Yard Setbacks].

A mailed notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on August 26, 2021. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant a variation to reduce a front yard setback for an accessory structure other than a garage.

PROPERTY DESCRIPTION

The Subject Property, which is approximately a half acre in size, is a corner lot located on the northeast corner of the intersection of Hill and Westview Roads and contains an existing two-story residence (see Figure 1). The property is zoned R-2 Single Family Residential, and it is bordered by R-2 Single Family Residential to the north, east, and west, and unincorporated Cook County 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.

The existing lot is a legal non-conforming lot that is only 21,965 square feet in lot area, while the minimum required lot area for a corner lot in the R-2 District is 25,200 square feet. Also, the required minimum average lot width is 115 feet, while the existing lot, which is measured from Westview Road to the east property line, is only 110 feet.

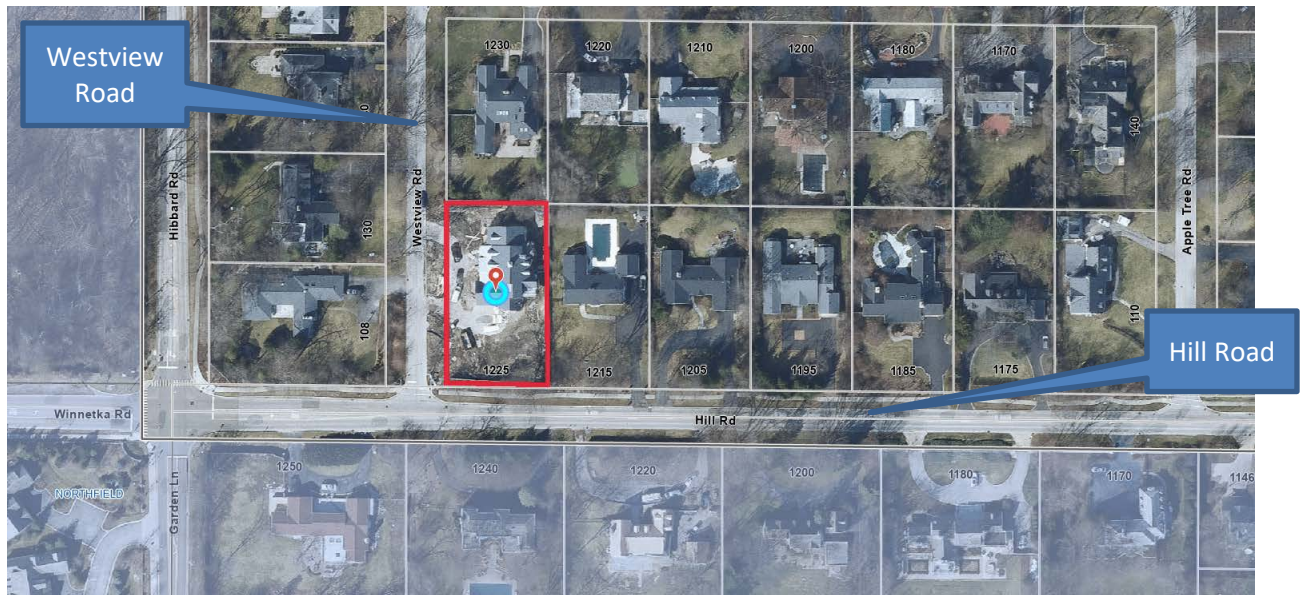


Figure 1 – Aerial Map

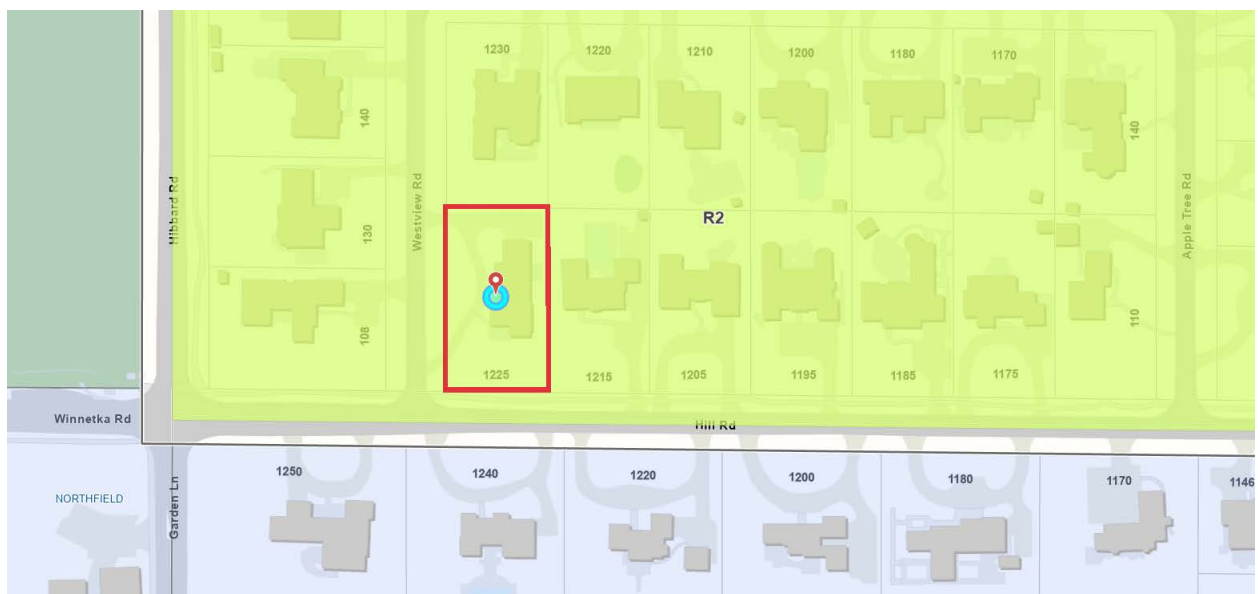


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

Construction of the residence was completed in 2020. The Applicant acquired the property in 2018.

There are no previous zoning cases on file for the Subject Property.

Figures 3 through 5 on the following pages are current photos of the site.



Figure 3 – Subject Property (Corner – Front Elevation – Westview Road)



Figure 4 – Subject Property (Front Yard Along Hill Road)



Figure 5 – Subject Property (Front Elevation – Hill Road)

PROPOSED PLAN

The variation is being requested in order to construct a pergola on the south side of the existing residence, along Hill Road. The proposed pergola would measure 16 feet by 16 feet and be 9.5 feet in height. The proposed plan also includes a bluestone patio, which the pergola would be located on, as well as steps down to the proposed patio and pergola. The proposed improvements do not increase gross floor area or roofed lot coverage. The proposed patio and steps represent an increase of 238 square feet of impermeable lot coverage.

Excerpts of the proposed site plan and rendering of the pergola are provided on the following page as Figures 6 and 7. The complete set of plans are provided in the application materials (Attachment B).

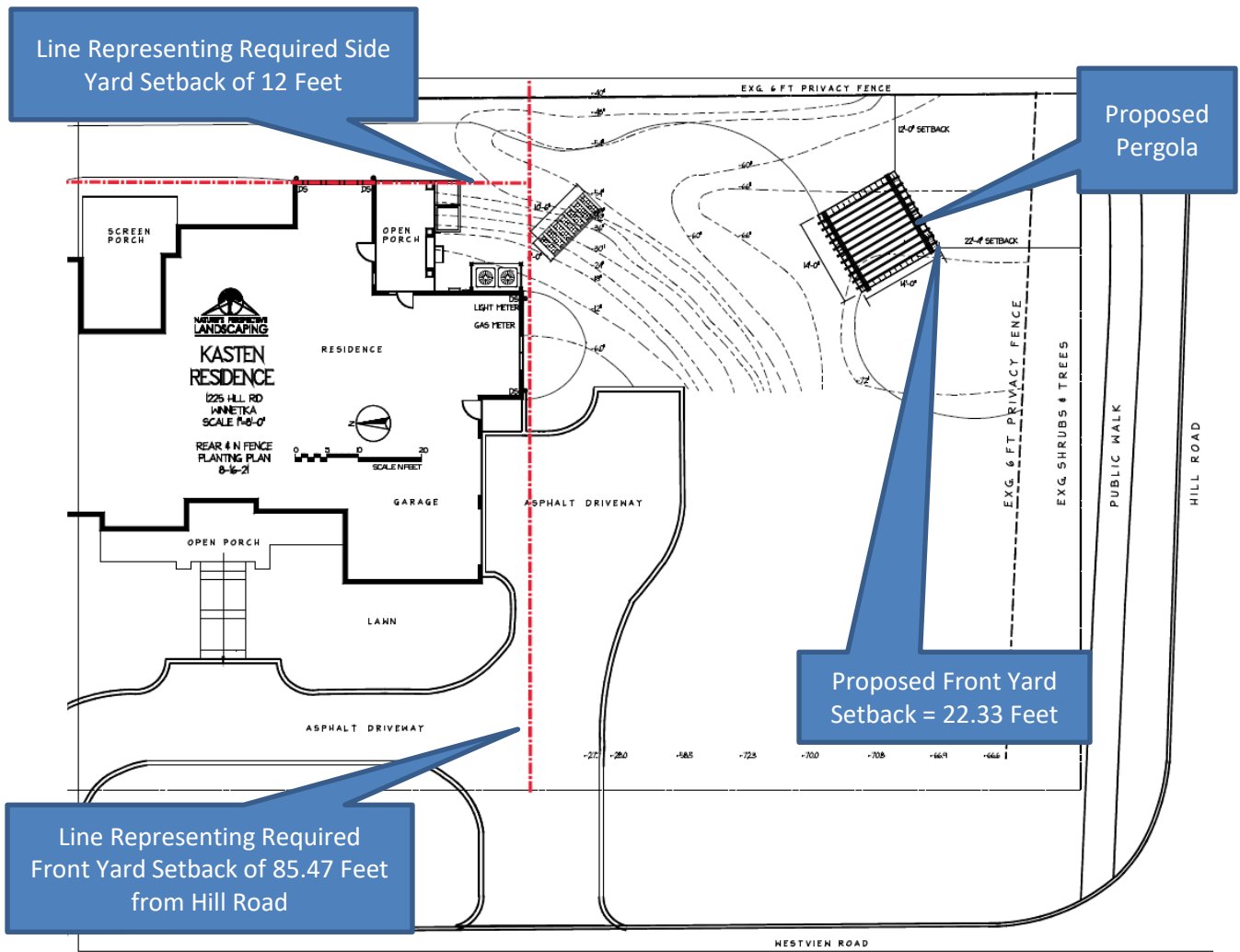


Figure 6 – Excerpt of Site Plan

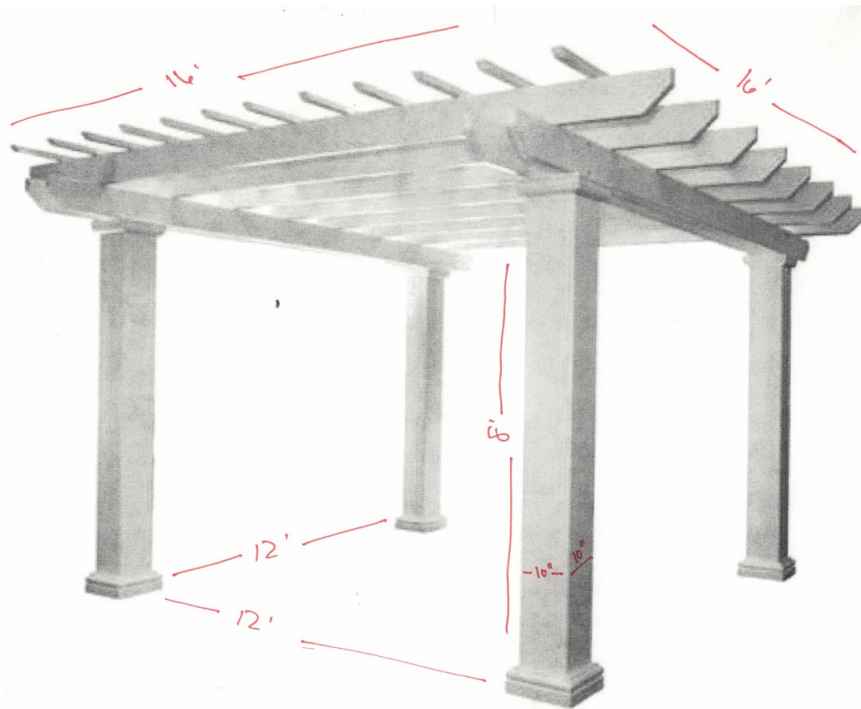


Figure 7 – Rendering of Proposed Pergola

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, it is worth noting that the Subject Property, including the residence itself, is located within the 100-year floodplain. The residence has a floodable crawlspace, so the home is still in the floodplain, however, it is elevated per the Village of Winnetka Flood Hazard Protection Ordinance. The proposed improvements must also comply with the Village of Winnetka Flood Hazard Protection Ordinance as well as the Village stormwater regulations. The proposed plan has been reviewed and approved by the Village Engineering staff. All runoff from the patio must be routed to the existing onsite stormwater system that was installed when the residence was constructed in 2020. The Applicant is not required to increase the capacity of the existing stormwater system to accommodate the proposed improvements.

Figure 8 below represents the Subject Property's location in the floodplain; the cyan represents the 100-year flood area, the orange represents the 500-year flood area.



Figure 8 – GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvements' compliance with the R-2 zoning district (Attachment A). One variation is being requested to allow the proposed pergola to provide a front yard setback of 22.33 feet, whereas a minimum of 85.47 feet is required.

The Zoning Ordinance requires a minimum front yard setback of 50 feet in the R-2 and R-1 zoning districts. However, there are exceptions and limitations to the district minimum front setback. In the R-2 zoning district, the front setback required for newly developed lots shall be no less than the average of the other front setbacks on the block, provided that there are at least three principal buildings on the block and that at least 50% of those principal buildings maintain a setback greater than the district minimum. Vacant lots and lots on which the principal building maintains a front setback of at least 150 feet shall be excluded when calculating the average front setback. The average front setback cannot be less than the required minimum setback established for the zoning district a property is located in. Additionally, the maximum average front setback shall be no more than 5 feet more than the front setback maintained by an existing principal building on an immediately adjoining lot; provided that in no case shall the average front setback exceed twice the minimum setback required for the zoning district.

In this particular case, there are six principal buildings on the block which the Subject Property is located, as shown on Figure 9. Those properties and their respective front setbacks are as follows:

- 1215 Hill Road: 90.26 feet
- 1205 Hill Road: 88.45 feet
- 1195 Hill Road: 84.6 feet
- 1185 Hill Road: 83.8 feet
- 1175 Hill Road: 77.31 feet
- 110 Apple Tree Road: 88.41 feet



Figure 9 – Placement of Homes on 1100-1200 Block of Hill Road

(Please note: The building depicted for the Subject Property does not represent the residence constructed in 2020)

The average of the block is 85.47 feet and the front setback maintained by the existing principal building on the immediately adjoining lot at 1215 Hill Road is 90.26 feet. Therefore, the required setback for the Subject Property is 85.47 feet. As previously noted, the Applicant is requesting that the pergola be set back 22.33 feet from the front property line along Hill Road. For reference, the existing home on the Subject Property is setback 86.09 feet from the front property line.

FINDINGS

Does the ZBA find that the requested variation meets the standards for granting such variation; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the following variation granting:

1. Front Yard Setback of 22.33 feet from Hill Road, whereas a minimum of 85.47 feet is required, a variation of 63.14 feet (73.87%) [Section 17.30.050 – Front and Corner Yard Setbacks].

The Zoning Board of Appeals finds, based on evidence in the record or a public document, that the variation requested are **in harmony [not in harmony]** with the general purpose and intent of the Zoning Ordinance and that each of the following eight standards on which evidence is required

pursuant to Section 17.60.050 of this Code **has been met [has not been met]** in connection with this variation application **[subject to the following conditions...]**

The eight standards to consider when granting a variation are as follows:

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

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Application Materials

ATTACHMENT A

ZONING MATRIX

ADDRESS: 1225 Hill Road

CASE NO: 21-29-V2

ZONING: R-2

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	25,200 SF	21,965 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	115 FT	109.82 FT	N/A	N/A	EXISTING NONCONFORMING
Min. Lot Depth	200 FT	200 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	5,491.25 SF (1)	4,620.83 SF	4,620.83 SF	0 FT	OK
Max. Gross Floor Area	6,863.11 SF (1)	5,872.45 SF	5,872.45 SF	0 FT	OK
Max. Impermeable Lot Coverage	10,982.5 SF (1)	7,491.47 SF	7,729.47 SF	238 SF	OK
Min. Front Yard (Hill/South)	85.47 FT	86.09 FT	22.33 FT	(63.76) FT	63.14 FT (73.87%) VARIATION
Min. Corner Yard (Westview/West)	31.93 FT	32.04 FT	32.04 FT	0 FT	OK
Min. Side Yard (East)	12 FT	12.63 FT	12 FT	(0.63) FT	OK
Min. Rear Yard (North)	25 FT	25.1 FT	25.1 FT	0 FT	OK

NOTES:

(1) Based on lot area of 21,965 s.f.

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

ATTACHMENT B

Village of Winnetka
ZONING VARIATION APPLICATION

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 21-29-V2
VA2021-889

Property Information

Site Address: 1225 Hill Rd

Owner Information

Name: Joan Kasten

Address: 1225 Hill Rd

City, State, ZIP: Winnetka, IL 60093

Email: _____

Primary Contact: Joan Kasten

Phone No. _____

Date property acquired by owner: 7-26-18

Architect Information

Name: Nature's Perspective Landscaping

Primary Contact: Steve Stratton

Address: 2000 Greenleaf St

City, State, ZIP: Evanston IL 60202

Phone No. 847.475.7917

Email: SStratton@natureperspective.com

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): See attachment

Property Owner Signature

[Redacted Signature]

Page 3 of 5

Date: 08/09/2021
RECEIVED
AUG 10 2021
BY: _____



2000 GREENLEAF STREET, EVANSTON, ILLINOIS 60202
847-475-7917 · 847-475-7975 fax · www.naturesperspective.com

August 9, 2021

Dear Village of Winnetka,

This letter is regarding a variation request for work at the 1225 Hill Rd address. We are proposing a 16'x16'x12'H pergola on a new bluestone 14'x14' patio. The pergola proposed already meets the minimum required side yard setback from the east property line of 12 feet. The pergola is 9.5' tall, which is well short of the 15' height limit imposed by Winnetka. According to the zoning department the required setback is 85.47'. We are asking for a variation on the required setback.

Due to this lot being on the corner of Hill Rd and Westview Rd the side yard of this property is considered a front yard. The main entrance and front door for the property is located on Westview, not on Hill Rd. This section of yard is mostly utilized as a side yard. This area is the most applicable location for the pergola as it is not seen from the street or sidewalk or in line of sight from any neighbors. All along the property line bordering Hill Rd there are large trees, a 6' full privacy fence, and additional plantings in between the location of the proposed pergola and road.

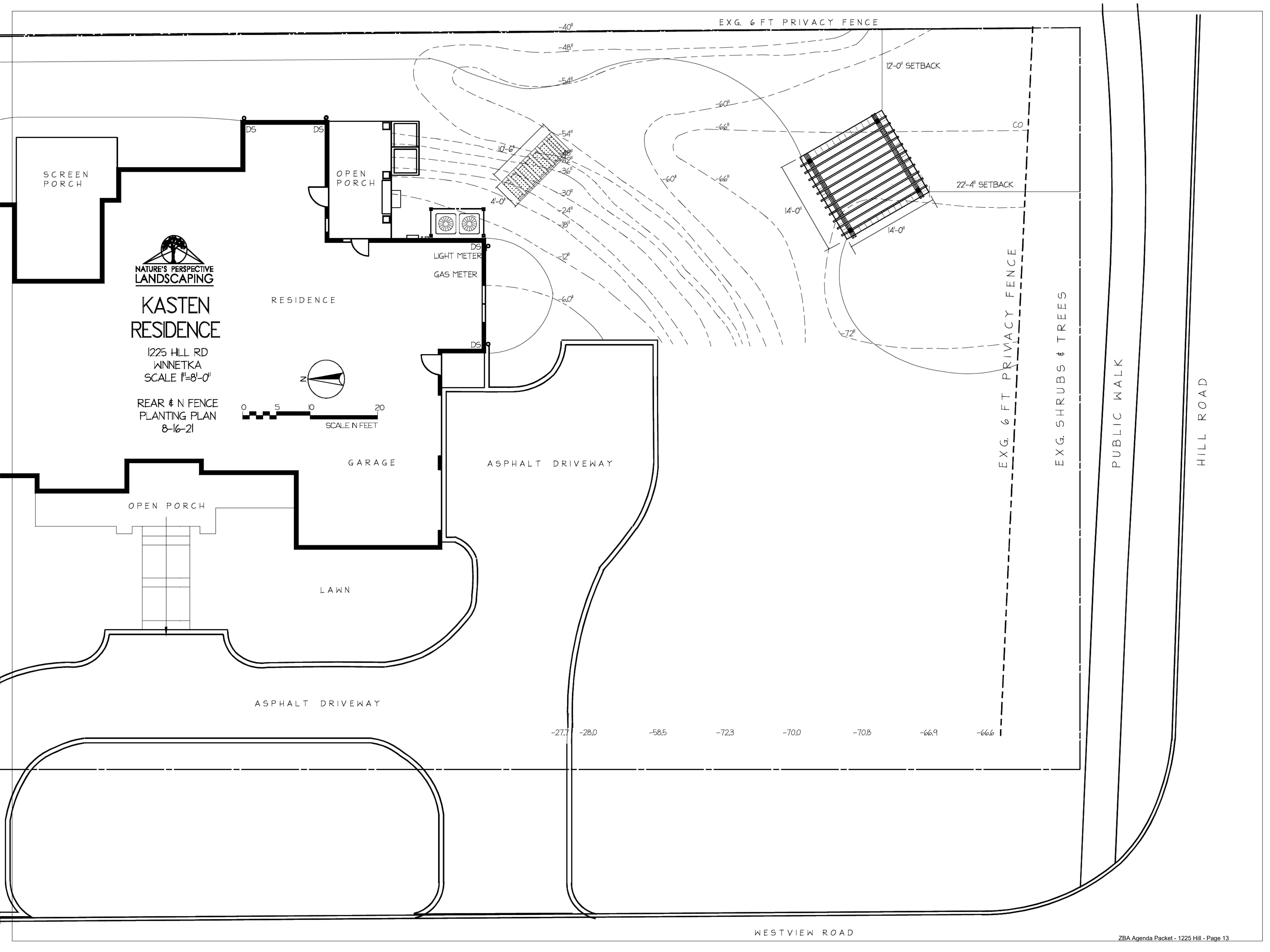
The existing conditions of the property would not allow for the pergola to be set back the required 85.47' due to the location of the residence and the grade of the land. Granting of this variance will allow the homeowners to utilize this section of the property that is not visible from the street, or to the neighbors and provides them privacy and protection from the sun. The proximity of this pergola to the property line will have zero impact on neighboring properties.

The variation will not alter the essential character of the locality, nor obstruct the supply of light and air to the neighboring property. It will not increase risk of fire. The taxable value of the land and buildings will not diminish. There will be no congestion in the street due to the variation, and will not impair public health, safety, comfort, morals, or welfare of the inhabitants of the Village. Our construction supervisor, 30+ year veteran Ray Diaz, will be overseeing the overall construction. The pergola is a stock style made of rot-free fiberglass, supplied by Columns & Carvings, an industry leader in architectural products and materials including structural columns, deck/porch railing and pergolas. The pergola is backed with a limited lifetime warranty and will be constructed by Mike Combs of Combs Carpentry, in business since 2010 and a long-time trusted subcontractor of our company.

Finally, the pergola will match with the principal structure of the residence. The style and look of it will be consistent and have an aesthetically appealing flow. Again, it will only be visible from within the property, and hidden from the neighbors and viewing from the road. By granting this variation the owners will be able to fully utilize and beautify their property.

Sincerely,

Steve Stratton
Nature's Perspective Landscaping





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ARBORS DIRECT

PO BOX 589

TROY, AL 36081

TOLL FREE: 1-800-930-7495

PHONE: (334) 807-8745

www.arborsdirect.com

sales@arborsdirect.com

☒ SELECT DESIRED FIBERGLASS COLUMN WITH POLY TUSCAN CAP-BASE SET:

☐ 980052 - 10" X 8' PLAIN ROUND TAPERED

☐ 980054 - 10" X 10" X 8' PLAIN SQUARE PULTRUDED

☒ SELECT DESIRED COATING COLOR: (CHROMAGUARD® ENGINEERED COATING)

☐ STANDARD:

☐ WHITE (INCLUDED)

☐ SEMI-CUSTOM:

☐ LINEN (917058) ☐ ESTATE (917054)

☐ FOG (917055) ☐ MOSS (917059)

☐ TRICORN (917061) ☐ SADDLE (917060)

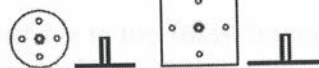
☐ CREAM (917053) ☐ JAVA (917056)

☐ LATTE (917057) ☐ CANNON (917052)

☐ COCOA (917062)

☐ SELECT DESIRED WIND LOAD / DECK PLATES (OPTIONAL):

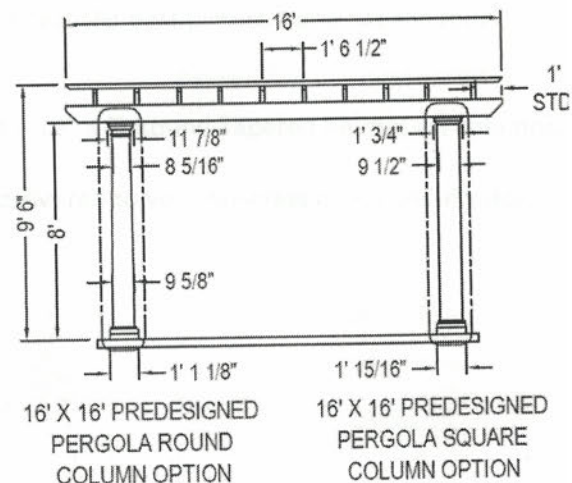
☐ ROUND ☐ SQUARE



☐ SELECT DESIRED OPTION:

☐ FAN BRACKET (OPTIONAL)

PRE-DESIGNED 16' X 16' FREE STANDING FIBERGLASS PERGOLA	
NO. OF SUPPORT / HEADER BEAMS	4
NO. OF RAFTERS	10
NO. OF PURLINS	14
NO. OF HEADER SUPPORTS	0



A FRONT ELEVATION

☒ SELECT DESIRED RAFTER TAIL DESIGN:

☐ STANDARD:

☐ NAPA (INCLUDED)

☐ SEMI-CUSTOM:

☐ WINDSOR (917007)

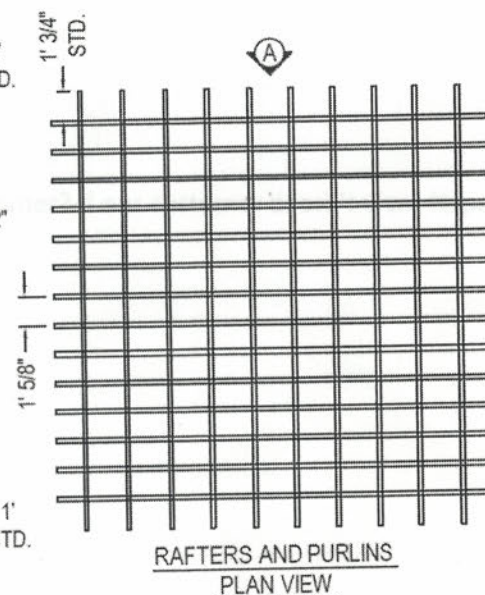
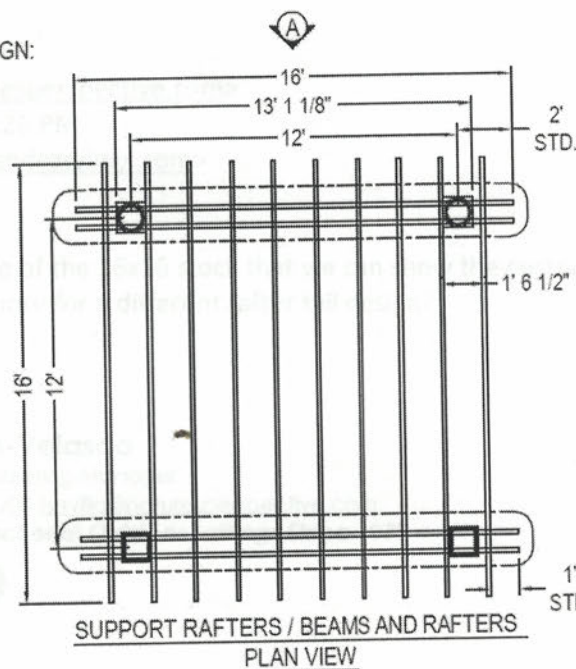
☐ CRAFTSMAN (917002)

☐ KENSINGTON (917003)

☐ SPARTAN (917006)

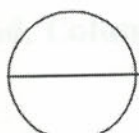
☐ ROMAN (917005)

☐ CONTEMPORARY (917001)



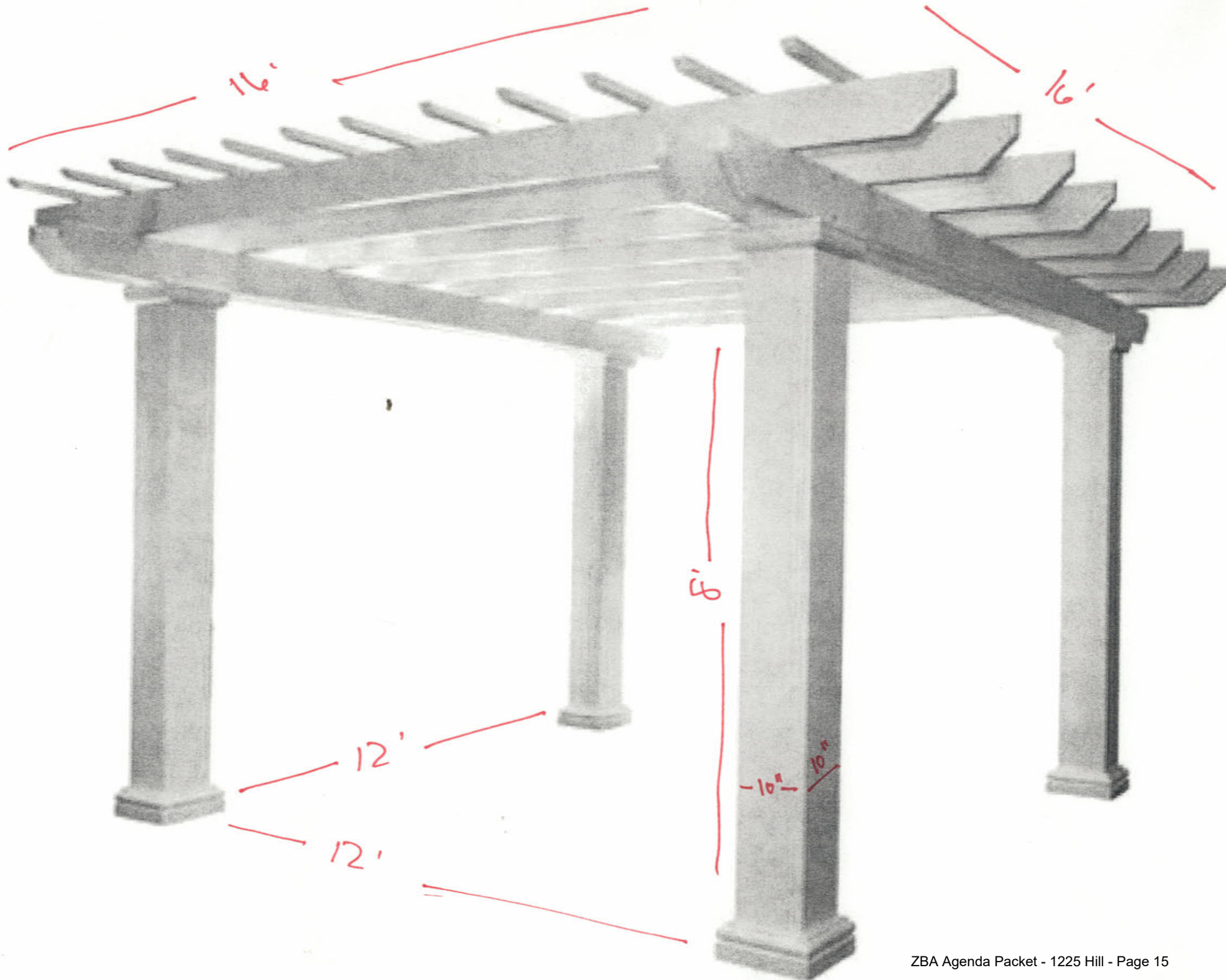
NOTES:

1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS WITH INCLUDED ARBOR-LOC® HARDWARE.
2. NOT PRINTED TO SCALE, CAD MODEL 1:1
3. THIS DRAWING IS INTENDED FOR USE BY ARCHITECTS, ENGINEERS, CONTRACTORS, CONSULTANTS AND DESIGN PROFESSIONALS FOR PLANNING PURPOSES ONLY. THIS DRAWING MAY NOT BE USED FOR CONSTRUCTION.
4. ALL INFORMATION CONTAINED HEREIN WAS CURRENT AT THE TIME OF DEVELOPMENT BUT MUST BE REVIEWED AND APPROVED BY THE PRODUCT MANUFACTURER TO BE CONSIDERED ACCURATE.
5. CONTRACTOR'S NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info AND ENTER REFERENCE NUMBER 5118-014



16' X 16' FREESTANDING PERGOLAS (PREDESIGNED SIZES)

PREDESIGNED 16' X 16' FREE-STANDING PERGOLA





MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: SEPTEMBER 9, 2021
SUBJECT: 490 HIBBARD ROAD - WINNETKA PARK DISTRICT / WINNETKA
PLATFORM TENNIS CLUB - SPECIAL USE PERMIT (CASE NO. 21-30-SU)

INTRODUCTION

On September 13, 2021, the Zoning Board of Appeals is scheduled to hold a public hearing on an application submitted by the Winnetka Platform Tennis Club (the "Applicant") and the Winnetka Park District, as the owner of the property located at 490 Hibbard Road (the "Subject Property"). The Applicant is proposing construction of two additional platform tennis courts and additions to the existing paddle hut on the Subject Property and requests approval of the following relief:

1. Approval of an amendment to an existing **Special Use Permit** allowing platform tennis courts located in the R-2 Single-Family Residential Zoning District.

A sign has been posted on the Subject Property indicating the time and date of the ZBA public hearing. A mailed notice has been sent to property owners within 250 feet of the Subject Property, in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Talk* on August 26, 2021. As of the date of this memo, staff has not received any written comment from the public regarding this application.

The Village Council has final jurisdiction on this request as only the Council has the authority to grant or amend a Special Use Permit.

PROPERTY DESCRIPTION

The Subject Property, which is 162.91 acres in size, is located on the west side of Hibbard Road, between Cherry and Pine Streets and contains the Winnetka Park District Campus (see Figure 1). The location of the six (6) existing platform tennis courts and paddle tennis hut are located immediately west of the tennis courts (see Figure 2).

The Comprehensive Plan designates the Subject Property as appropriate for "Park/Open Space" uses. The property is zoned R-2 Single Family Residential, and it is bordered by R-2 Single Family Residential to the north and south, and R-4 Single Family Residential as well as R-5 Single Family Residential to the east (see Figure 3).

In addition to single-family residential uses, the Zoning Ordinance allows nonessential public uses, as determined by the Village Council, to be permitted as special uses in all districts within the Village, subject to complying with the special use standards.

The Applicant's use of the Subject Property for recreational activities and park space is generally consistent with the Comprehensive Plan land use designation and the R-2 zoning district.

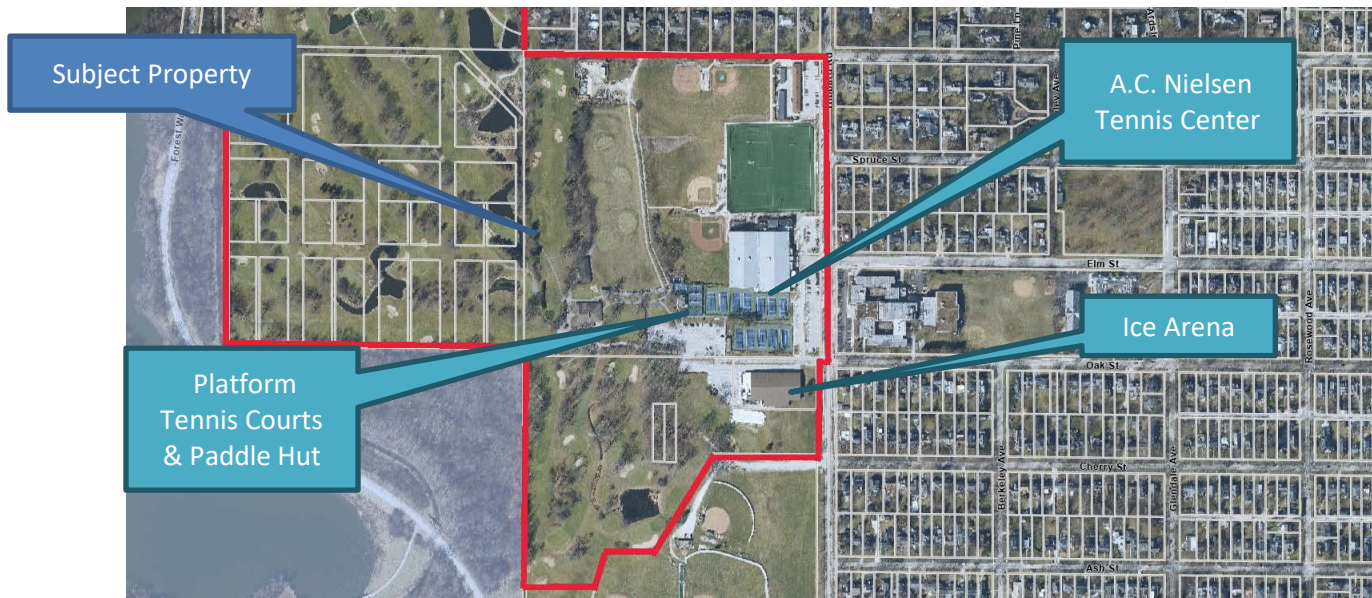


Figure 1 – Aerial Map



Figure 2 – Up-Close Aerial Map

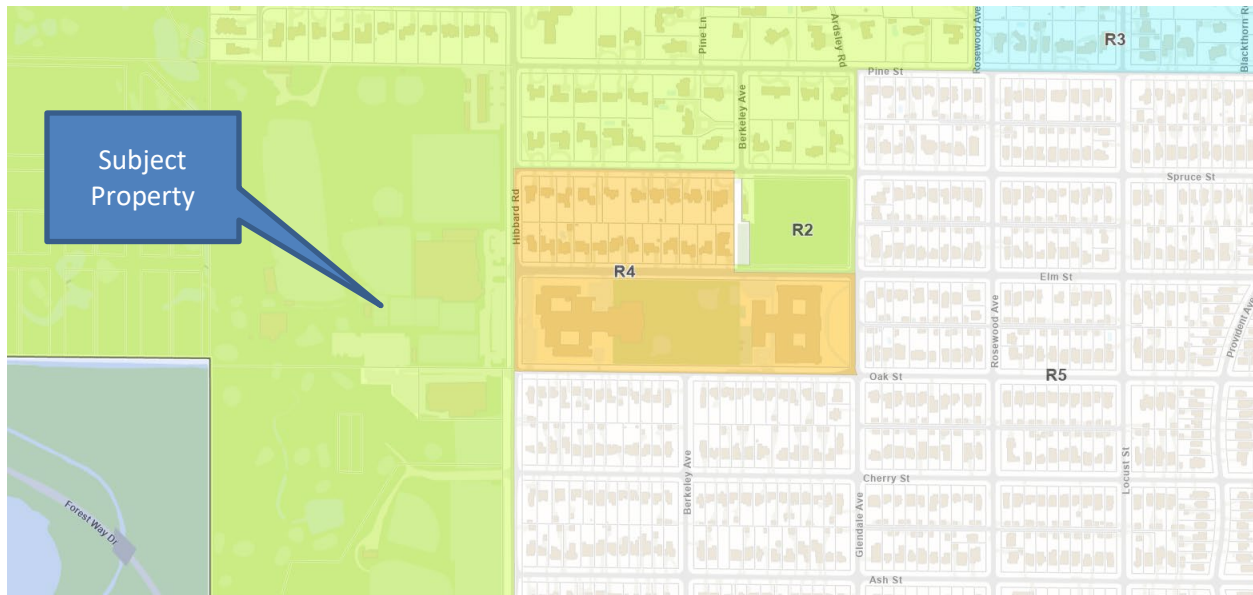


Figure 3 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The Winnetka Park District has been operating on the Subject Property for many years. The facilities and activities offered over the years have expanded several times and site improvements have been made. There are nine (9) previous zoning cases on file for the Subject Property, two of which are related to the existing platform tennis courts and paddle hut:

1. Ordinance M-15-2004 was adopted in April 2004 by the Village Council, granting an amendment to an existing Special Use Permit to allow construction of what is now the existing paddle tennis hut; and
2. Ordinance M-12-2007 was adopted in August 2007 by the Village Council, granting an amendment to an existing Special Use Permit to allow construction of two additional platform tennis courts. Ordinances M-15-2004 and M-12-2007 are included in this report as Attachment C.

Figures 4 through 6 on the following pages are current photos of the site where the improvements are proposed.



Figure 4 – South Elevation of Existing Platform Tennis Courts and Paddle Hut



Figure 5 – West Elevation of Existing Platform Tennis Courts and Paddle Hut



Figure 6 – Existing Paddle Hut (looking northeast)

PROPOSED PLAN

The proposed improvements include two additional platform tennis courts, expansion of the decking around the courts, and additions to the paddle hut. The two new courts would be located immediately west of the existing paddle hut. Each individual court would measure 30 feet by 60 feet. There are two additions proposed for the paddle hut. The addition on the south side of the hut would measure 832 square feet and the addition on the northwest corner would measure 338 square feet. As represented in the attached zoning matrix, the proposed improvements comply with the zoning regulations.

The general hours and use of the platform tennis facilities will not change as a result of the proposed improvements. The proposed expansion is in response to the growing demand of the sport and membership of the Winnetka Platform Tennis Club. As described by the Applicant in the written explanation provided in Attachment B, the platform tennis season starts in October and runs through March. The Park District also offers paddle clinics and rents the paddle hut on Friday and Saturday evenings.

The platform tennis facilities and the golf course share the parking lot that is located south of the paddle tennis courts. Since the golf season generally runs from April to October, and the active hours of the two sports are opposite from each other, there have not been capacity issues with the shared parking lot.

The proposed platform tennis courts would be lit during the evening hours, in the same fashion as the existing courts. The lights are far removed from the residential neighbors east of Hibbard Road as the platform tennis facilities are located west of the 12 tennis courts.

The proposed additions to the paddle hut will match the architectural design, materials, and color palette of the existing hut.

Since the project is dependent on fundraising, the Applicant is proposing to construct the improvements in two phases. The first phase would be construction of the two additional platform courts (Phase 1); phase two would include expansion of the decking around the paddle hut as well as the additions to the hut (Phase 2). The Applicant would like to start construction of Phase 1 this fall and hopes that Phase 2 will occur within the next 2-5 years.

In order to accommodate the proposed improvements, the existing practice green, along with eight (8) trees would be removed. The trees to be removed range in size from 6 to 24 inches. The Village Forester has reviewed the proposed plan and has noted that 42 inches of replacement plantings will be required.

Excerpts of the proposed site plan, building elevations, and architectural renderings of the proposed courts and building addition are provided below and on the next pages as Figures 7 through 12. The complete set of plans are provided in the application materials, which are included in this report as Attachment B.

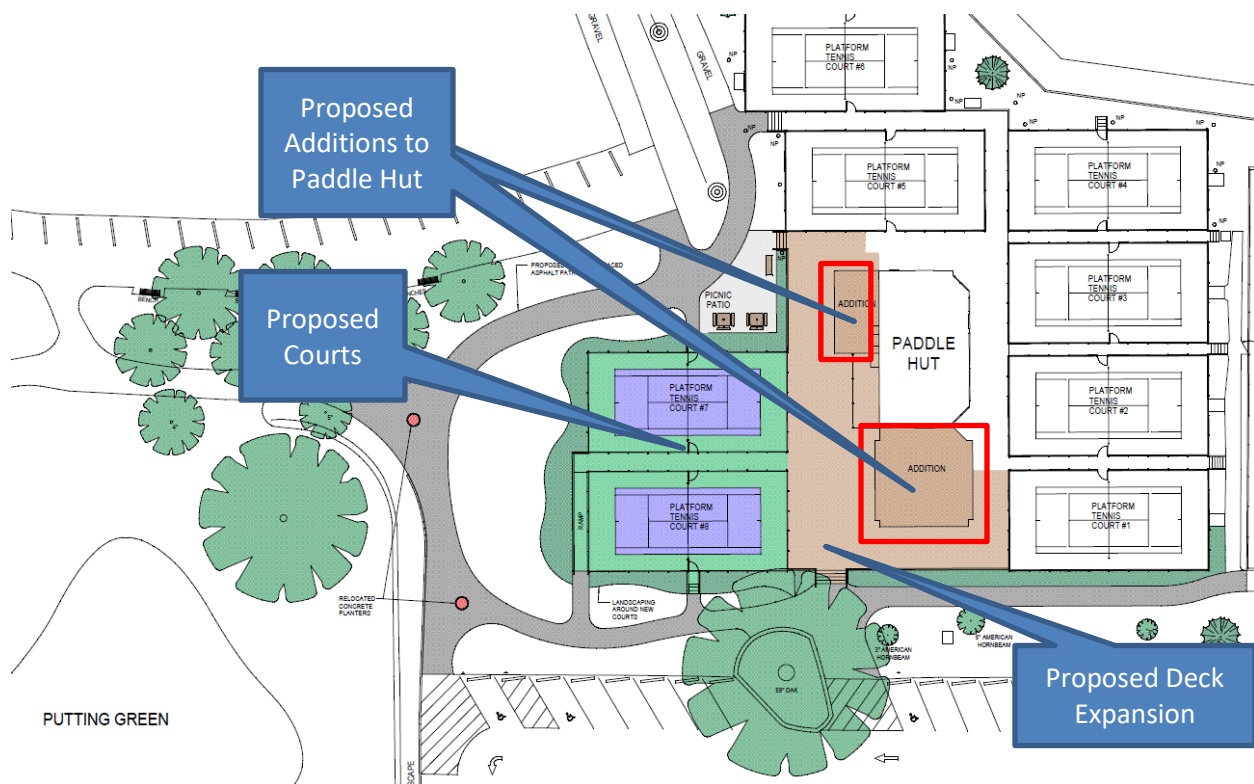


Figure 7 – Excerpt of Proposed Site Plan



Figure 8 – Aerial View 1 of Proposed Improvements



Figure 9 – Aerial View 2 of Proposed Improvements

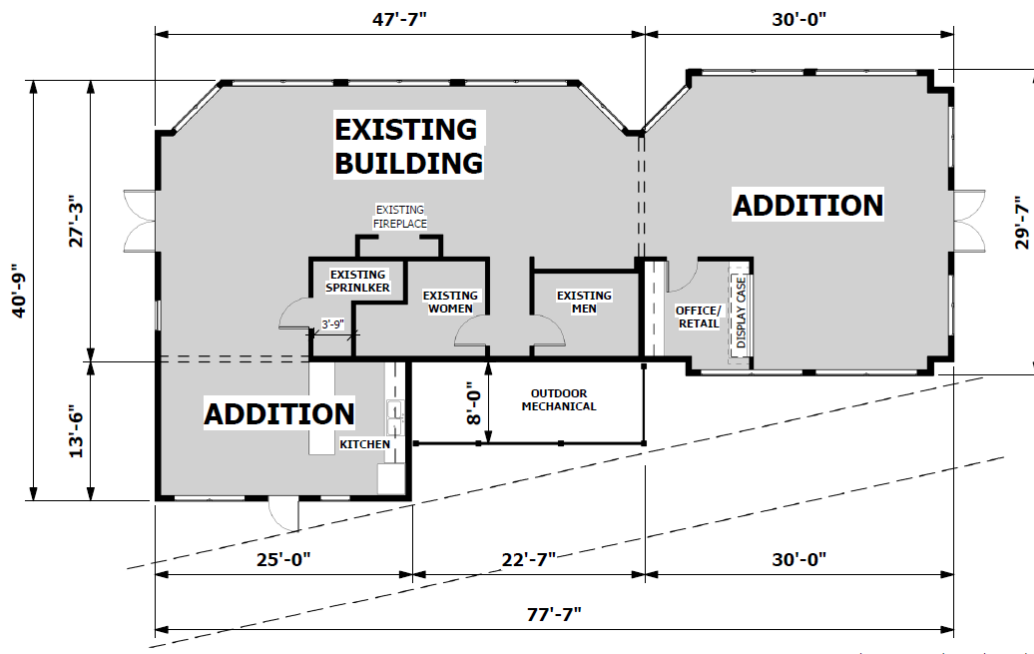


Figure 10 – Proposed Floor Plan of Paddle Hut



Figure 11 – Rendering of Proposed South Elevation of Paddle Hut



Figure 12 – Rendering of Proposed East Elevation of Paddle Hut

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, it is worth noting that the Subject Property is located within the 100-year floodplain. Therefore, the proposed improvements must comply with the Village of Winnetka Floor Hazard Protection Ordinance as well as the Village stormwater regulations. The application materials have been reviewed by Village Engineering staff and the Applicant is currently working with Village Engineering staff to provide additional information to verify compliance. Figure 13 below represents the Subject Property's location in the floodplain; the cyan represents the 100-year flood area.

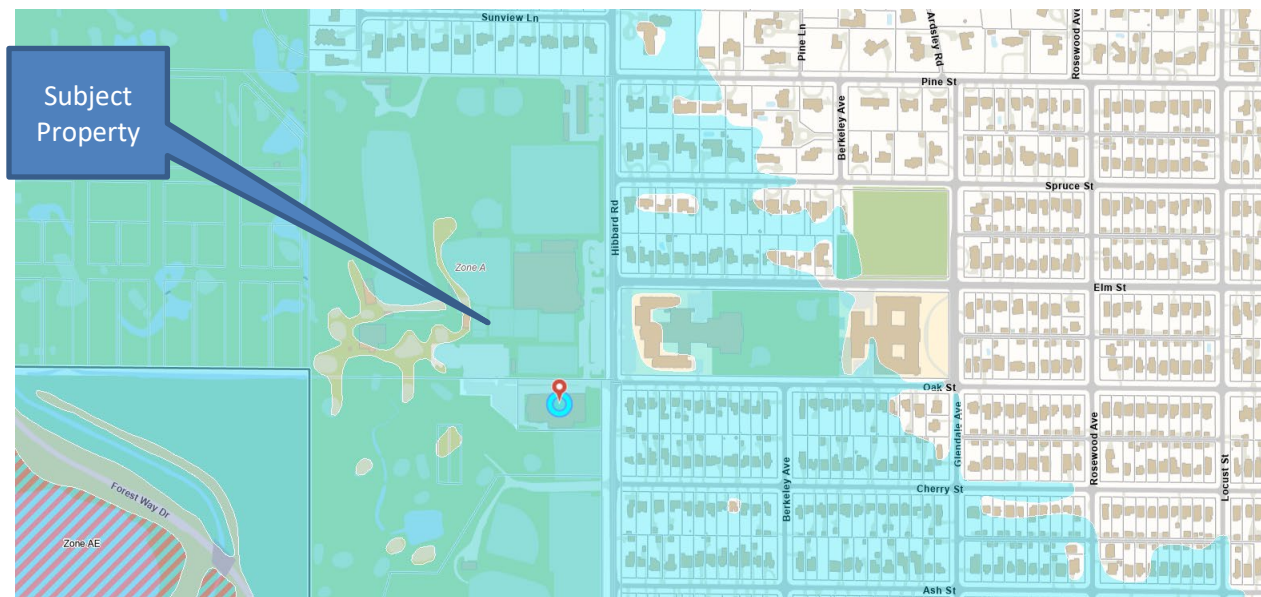


Figure 13 - GIS Floodplain Map

As previously noted, the Applicant plans to start construction of the two additional platform courts (Phase 1) this fall and hopes to construct additions to the paddle hut and expanded deck around the paddle hut (Phase 2) within the next 2-5 years. Section 17.56.100 of the Zoning Ordinance requires that construction or occupancy for which a special use permit was granted must be actively pursued within one year and completed and occupied with 18 months following the date of Village Council approval. However, the Village Council, at its discretion following a written request to do so, may extend the period of time by which the improvements must be made. The Applicant has stated that they will use the proposed special use permit or apply for another special use permit depending on the timing of the proposed hut construction. Relative to the overall size of the Subject Property, the size and location of the proposed paddle hut additions appear to have a minimal impact on adjacent and nearby properties. The Council may find it appropriate in its special use approvals to extend the amount of time by which the paddle hut additions and deck expansion need to be constructed.

CONSIDERATION BY OTHER ADVISORY BOARDS/COMMISSIONS

The Plan Commission is scheduled to consider the Special Use Permit on September 22, 2021.

The Design Review Board is scheduled to consider a Certificate of Appropriateness for the proposed improvements on September 23, 2021.

The ZBA is charged with evaluating Special Uses for consistency with the six standards for granting special use permits.

FINDINGS

In the attached application materials submitted by the Applicant, the Applicant has provided a statement of justification regarding how the requested Special Use Permit meets the standards for granting the requested Special Use Permit. Does the ZBA find that the requested amendment to an existing Special Use Permit meet the standards for granting such special use; and if so, is the ZBA prepared to make a recommendation to the Village Council regarding the requested relief? If so, a ZBA member may wish to make a motion recommending approval or recommending denial based upon the following:

Move to recommend **approval [denial]** of the requested amendment to the existing special use for platform tennis courts on the Subject Property granted by Ordinance M-12-2007 to allow the construction of two additional platform tennis courts and additions to the existing paddle hut, based on evidence in the record, or a public document, and upon the following findings of fact:

1. The proposed expansion of the platform tennis facilities is consistent with the Standards for the granting of Special Use Permits, as follows:
 - a. That the establishment, maintenance and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals or general welfare;
 - b. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
 - c. That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
 - d. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimizes pedestrian and vehicular traffic congestion in the public ways;
 - e. That adequate parking, utilities, access roads, drainage and other facilities necessary to the operation of the special use exist or are to be provided; and
 - f. That the special use in all other respects conforms to the applicable regulations of this and other Village ordinances and codes.

[The amendment to the special use for the expansion of the platform tennis facilities should only be approved subject to the following conditions:

1. The Village Council granting approvals to allow the construction of the additions to the paddle hut and deck expansion to occur within five years of the date of the Village Council approval of the special use for the platform tennis facilities.
2. ...]

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Application Materials

Attachment C: Ordinance M-15-2004, adopted April 20, 2004 and Ordinance M-12-2007, adopted August 7, 2007

ATTACHMENT A

ZONING MATRIX

ADDRESS: Winnetka Park District - 490 Hibbard Road - Platform Tennis Courts & Hut

CASE NO: 21-30-SU

ZONING: R-2

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	24,000 SF	7,096,568 SF (162.91 acres)	N/A	N/A	OK
Min. Average Lot Width	100 FT	2,728 FT	N/A	N/A	OK
Min. Lot Depth	200 FT	2,601 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	1,774,142 SF (1)	137,913 SF	4,620.83 SF	0 FT	OK
Max. Gross Floor Area	1,634,025 SF (1)	132,407 SF	5,872.45 SF	0 FT	OK
Max. Impermeable Lot Coverage	3,548,284 SF (1)	772,582 SF	7,729.47 SF	238 SF	OK
Min. Front Yard (Hibbard/East)	50 FT	+532 FT (3)	+532 FT (3)	0 FT	OK
Min. Side Yard	12 FT	+600 FT (3)	+600 FT (3)	0 FT	OK
Min. Total Side Yards	818.36 FT	+1,000 FT (3)	+1,000 FT (3)	0 FT	OK
Min. Rear Yard (West)	25 FT	+1,900 FT (3)	+1,850 FT (3)	(50) FT	OK

NOTES:

(1) Based on lot area of 162.91 Acres

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

(3) Setback to Platform Tennis Courts

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT APPLICATION

Case No. 21-30-SUProperty InformationSite Address: 490 Hibbard RoadSU-2021-920Applicant InformationName: Winnetka Platform Tennis Club (WPTC)Primary Contact: Mr. Colin CrossAddress: [REDACTED]City, State, ZIP: Winnetka, IL 60093Phone No. [REDACTED] (Cell)Email: [REDACTED]Architect InformationName: DDCA ArchitectsPrimary Contact: John SwierkAddress: 3321 S. Route 31City, State, ZIP: Crystal Lake, IL 60012Phone No. 815-444-8444Email: jswierk@DDCAarchitects.comOwner InformationName: Winnetka Park DistrictPrimary Contact: Mr. Costa KutulasAddress: 540 Hibbard RoadCity, State, ZIP: Winnetka, IL 60093Phone No. 847-501-2052Email: ckutulas@winpark.orgAttorney Information

Name: _____

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Applicant Signature: [REDACTED]Date: 8/10/21Property Owner Signature: [REDACTED]Date: 8/10/21Printed Name of Owner: Costa Kutulas

VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

SPECIAL USE PERMIT STANDARDS

Explain in detail how the proposed special use meets the following standards. Under the terms of the Zoning Ordinance, no Special Use Permit shall be granted unless it is found:

1. That the establishment, maintenance, and operation of the special use will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare;
The proposed addition of 2 platform courts and the building expansion will not be detrimental to or endanger the public health, safety, comfort, morals, or general welfare of the area and or community.
2. That the special use will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity;
The proposed addition of 2 platform courts and the building expansion will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity which are permitted by right in the district or districts of concern, nor substantially diminish or impair property values in the immediate vicinity.
3. That the establishment of the special use will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
The establishment of the Special Use for the proposed addition of 2 platform courts and the building expansion will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted by right in the district or districts of concern;
4. That adequate measures have been or will be taken to provide ingress and egress in a manner which minimize pedestrian and vehicular traffic congestion in the public ways;
The proposed addition of 2 platform courts and the building expansion will not have any negative impact on the site ingress and egress or create any additional pedestrian or traffic congestion in the public ways.
5. That adequate parking, utilities, access roads, drainage, and other facilities necessary to the operation of the special use exists or are to be provided; and
The site has adequate parking, utilities, access roads, drainage, and other facilities required for the addition of 2 platform courts and the building expansion. The work will be permitted through and comply will all Village of Winnetka building codes and storm water requirements.
6. That the special use in all other respects conforms to the applicable regulations of this and other village ordinances and codes.

Yes



Existing Paddle Court Design Looking East



Existing Paddle Court Design Looking Southeast



Existing Paddle Court Design Looking Southwest



Existing Paddle Court Design Looking West



Paddle Court Expansion Site Looking Southeast



Paddle Court Expansion Site Looking Southwest



Paddle Court Expansion Site Looking Northwest



Paddle Court Expansion Site Looking Northeast

Proposed expansion of Platform Tennis Center located at 490 Hibbard Road

The Winnetka Platform Tennis Club (WPTC/Applicant) and the Winnetka Park District (WPD/Owner) request a Special Use Permit to construct two additional platform tennis courts (courts 7 & 8/Phase 1) and expand the decking and hut (Phase 2).

WPTC will construct and pay for the improvements and then donate them to WPD. This partnership has existed since 1978 when WPTC constructed four platform tennis courts, and continued in 2004 with construction of the existing hut, and 2007 with the addition of courts 5 and 6.

This expansion is necessary to address the growing demand for the sport: the WPTC has grown membership from 274 in 2014 to 382 in 2020 and requires additional courts to address the recent growth and future growth of the sport.

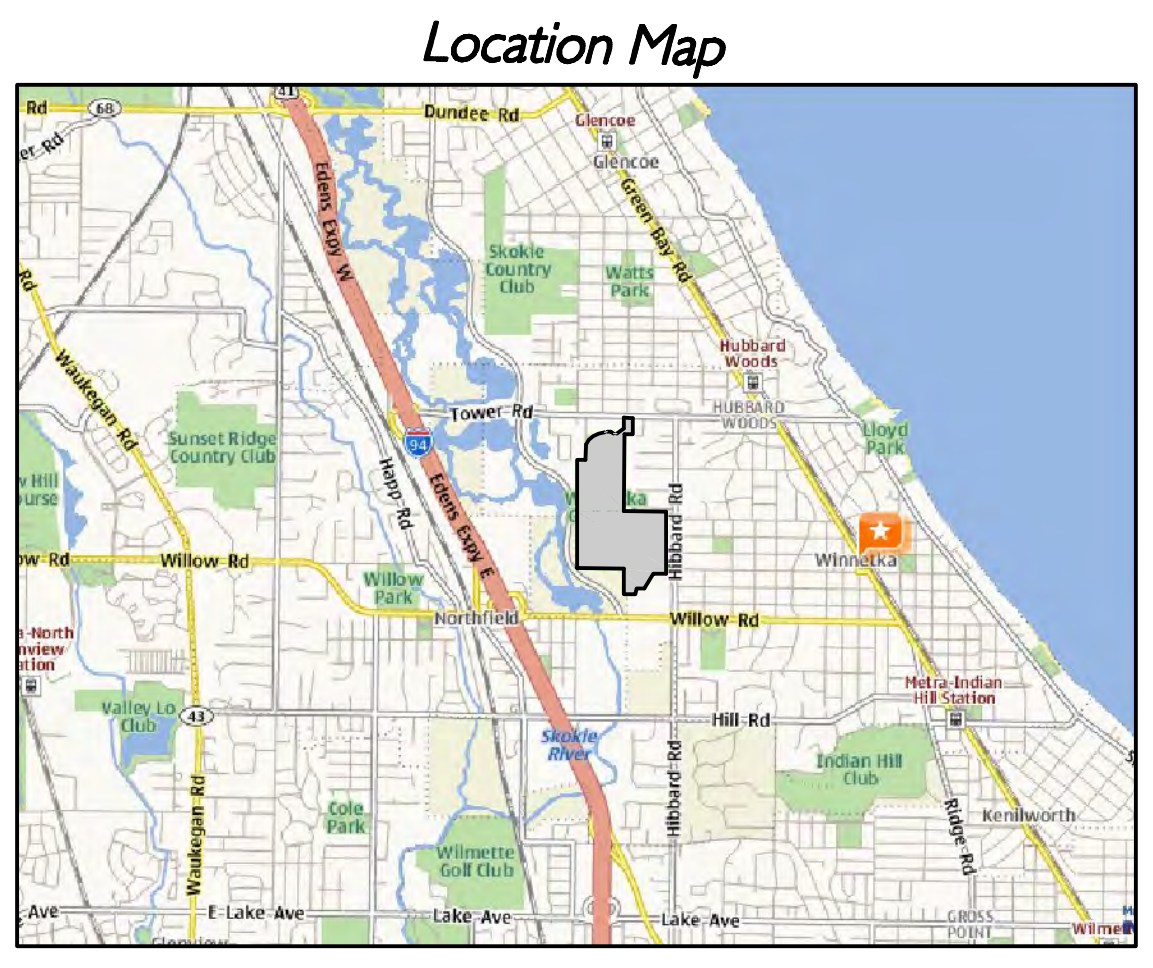
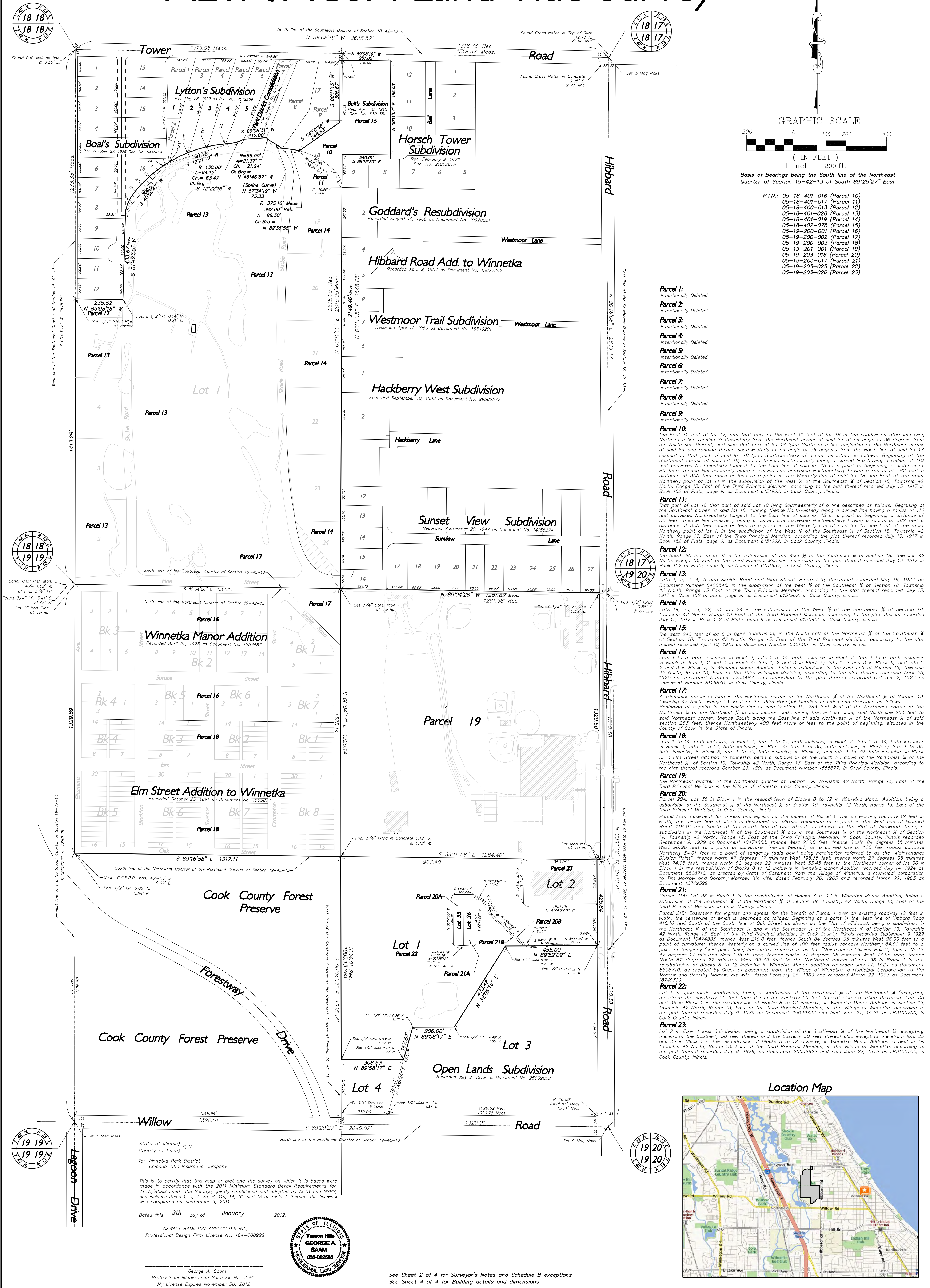
There will be no change in the general hours and use of the facilities. The platform tennis season starts in October and runs through March. The WPD also offers paddle clinics and rents the hut Friday and Saturday evenings. The golf season generally runs from April to October, so there has never been any capacity issues with the shared parking lot, and this expansion will not alter that fact. During the limited play throughout the summer, the hours of operation for the two sports are opposite of one another, once again allowing the parking to be absorbed by the current infrastructure.

The current courts are lit during the evenings court times, as will be the proposed courts. The lighting for these courts consist of six (6) LED lighting fixtures per court, with thirty-six (36) existing fixtures for the current configuration. The two new courts will use the same LED lighting fixtures adding an additional twelve (12) to the complex. The facility is significantly removed from any neighbors, being located in the middle of the Skokie Playfield campus, so the court lights never have been an issue with neighbors and we do not anticipate any issues by adding lights to the proposed courts 7 & 8, which are set west of the hut, further removed from the closest neighbor.

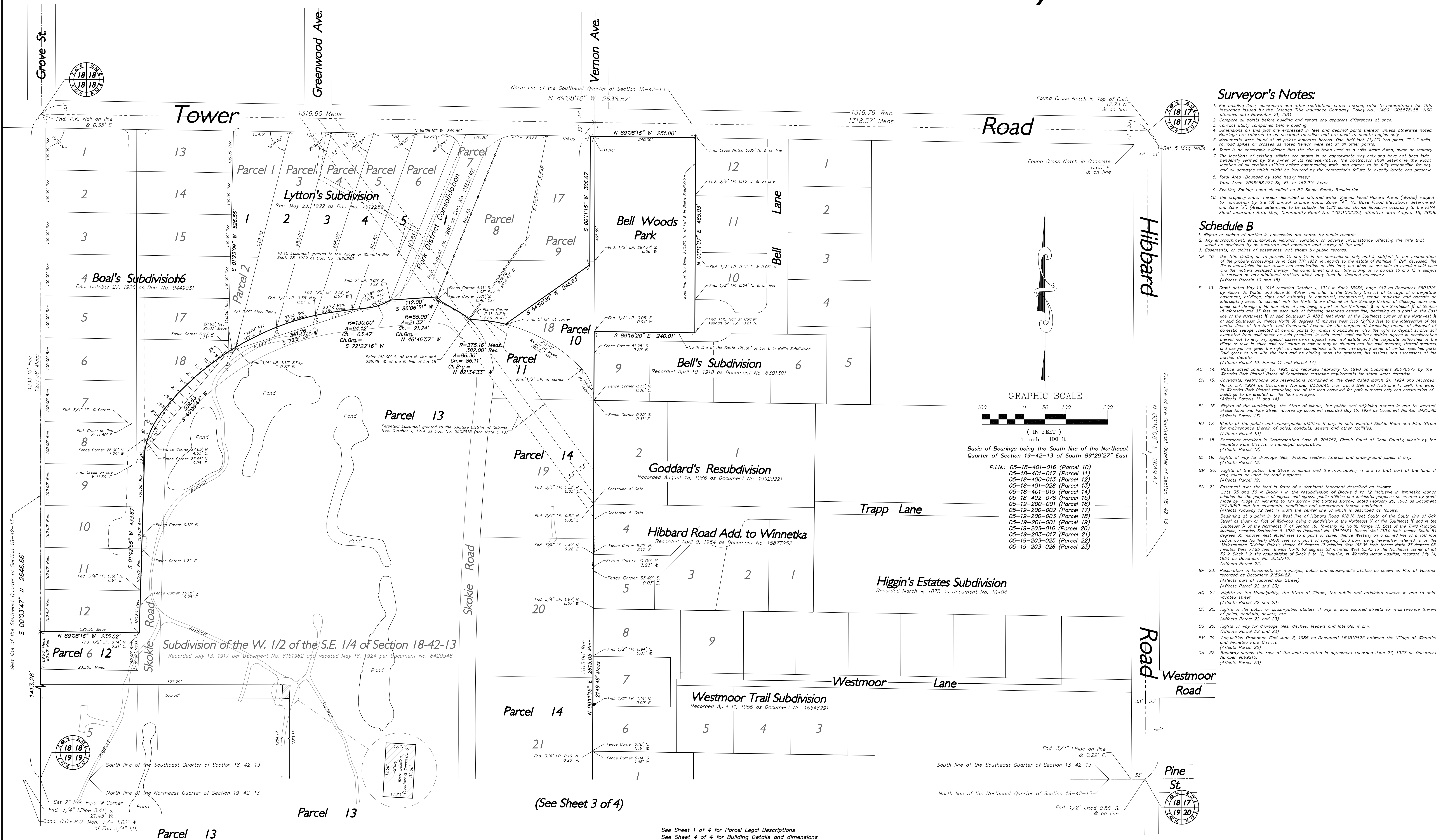
Phase 1 of the plan is proposed to be constructed this fall allowing for some play in the 2021-2022 paddle season.

The hut addition in Phase 2 is dependent upon fundraising by the WPTC which is financially responsible for this project. We are hopeful that Phase 2 will occur within 2-5 years. We will use the proposed Special Use Permit, or, apply for another Special Use Permit depending on the timing of the proposed hut construction. The hut addition in Phase 2 will have the same elevations and appearance as the existing structure and will use the same building materials and color palette as the current structure.

ALTA/ACSM Land Title Survey



ALTA/ACSM Land Title Survey



GHA GEWALT HAMILTON
ASSOCIATES, INC.
850 Forest Edge Drive ■ Vernon Hills, IL. 60061
TEL 847.478.9700 ■ FAX 847.478.9701

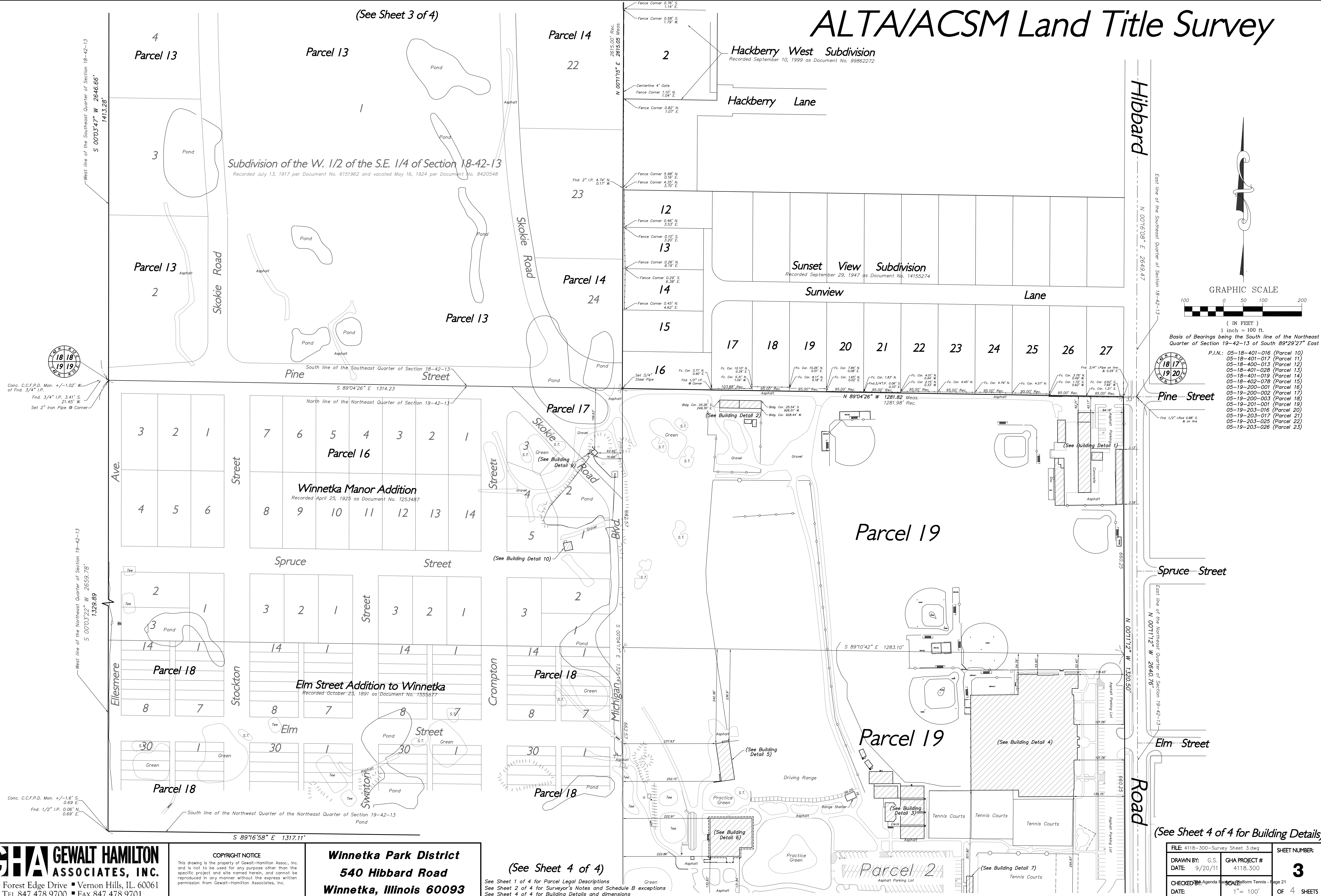
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Winnetka Park District
540 Hibbard Road
Winnetka, Illinois 60093

				FILE: 4118--300--Survey Sheet 2.dwg		SHEET NUMBER: 2
				DRAWN BY: G.S. DATE: 9/20/11	GHA PROJECT # 4118.300	
1. G.S. 9/01/12 <i>Revise Sheet 1 & 2 per updated Title Commitment</i> NO. DATE REVISION				CHECKED BY: DATE	SCALE: 1" = 100'	
						OF 4 SHEETS

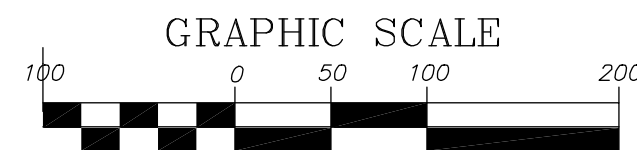
ALTA/ACSM Land Title Survey



ALTA/ACSM Land Title Survey

(See Sheet 3 of 4)

Parcel 19

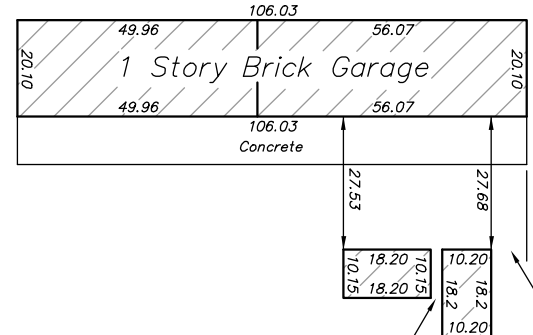
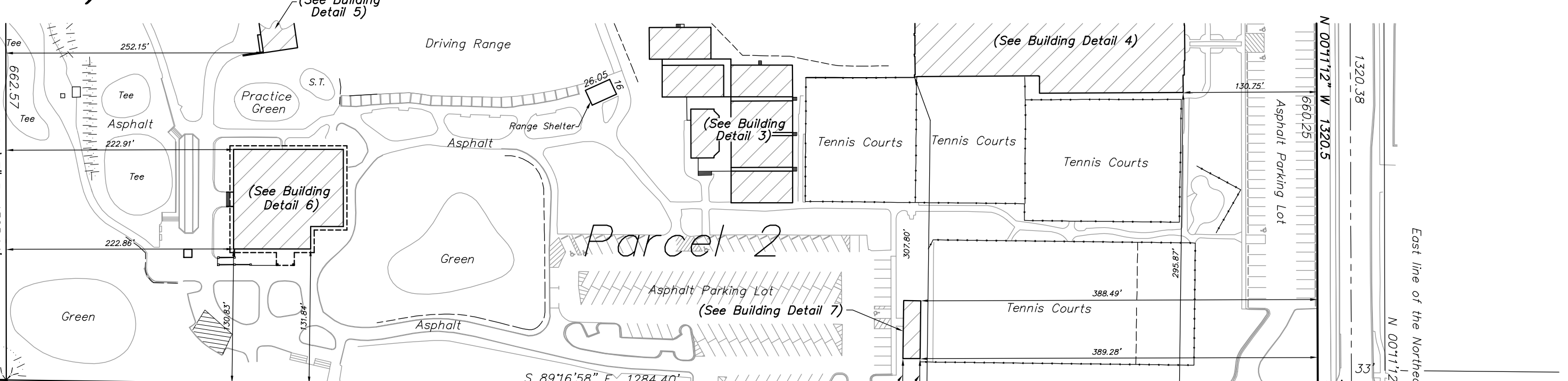
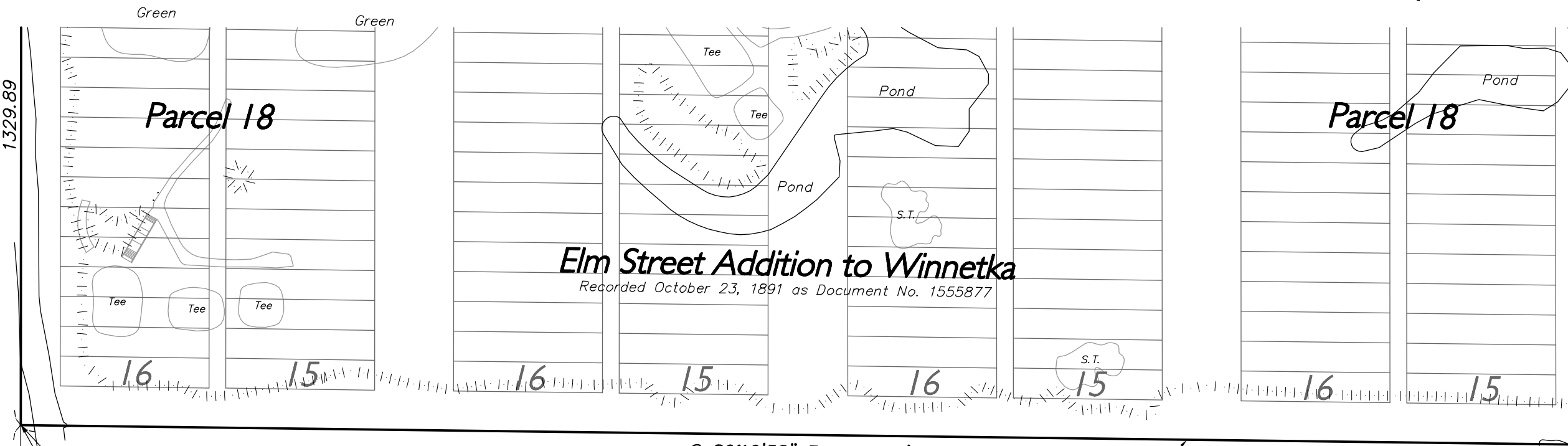


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1 inch = 100 ft.

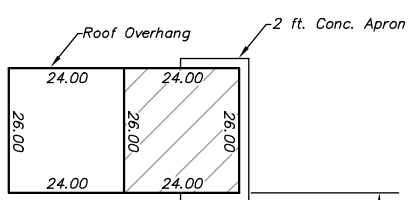
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05-18-401-017 (Parcel 11)
05-18-400-013 (Parcel 12)
05-18-401-028 (Parcel 13)
05-18-401-019 (Parcel 14)
05-18-402-078 (Parcel 15)
05-19-200-001 (Parcel 16)
05-19-200-002 (Parcel 17)
05-19-200-003 (Parcel 18)
05-19-201-001 (Parcel 19)
05-19-203-016 (Parcel 20)
05-19-203-017 (Parcel 21)
05-19-203-025 (Parcel 22)
05-19-203-026 (Parcel 23)

West line of the Northeast Quarter of Section 19-42-13
S 00°03'22" W 2650.78'



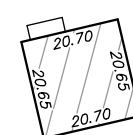
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Building Detail No. 8

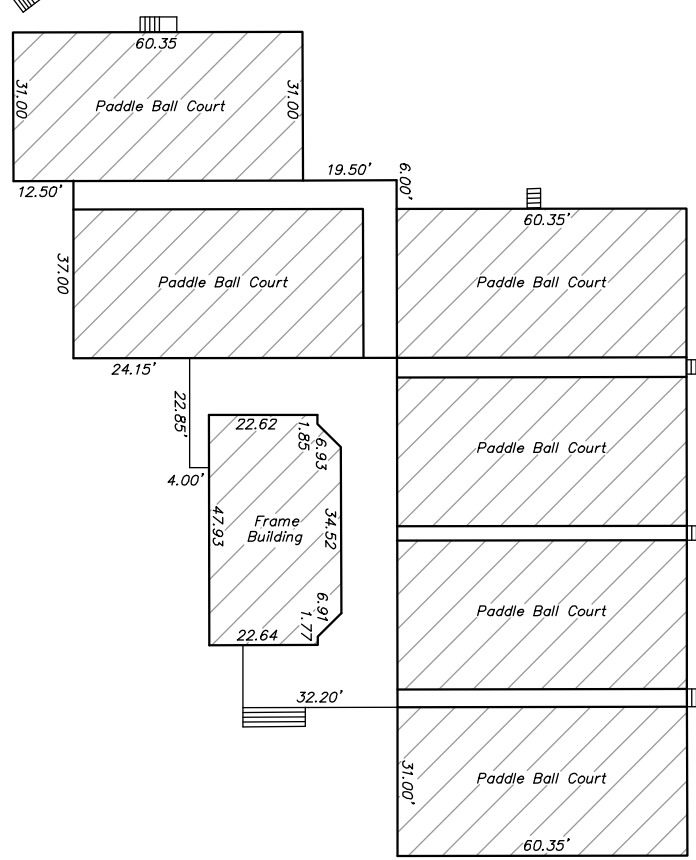
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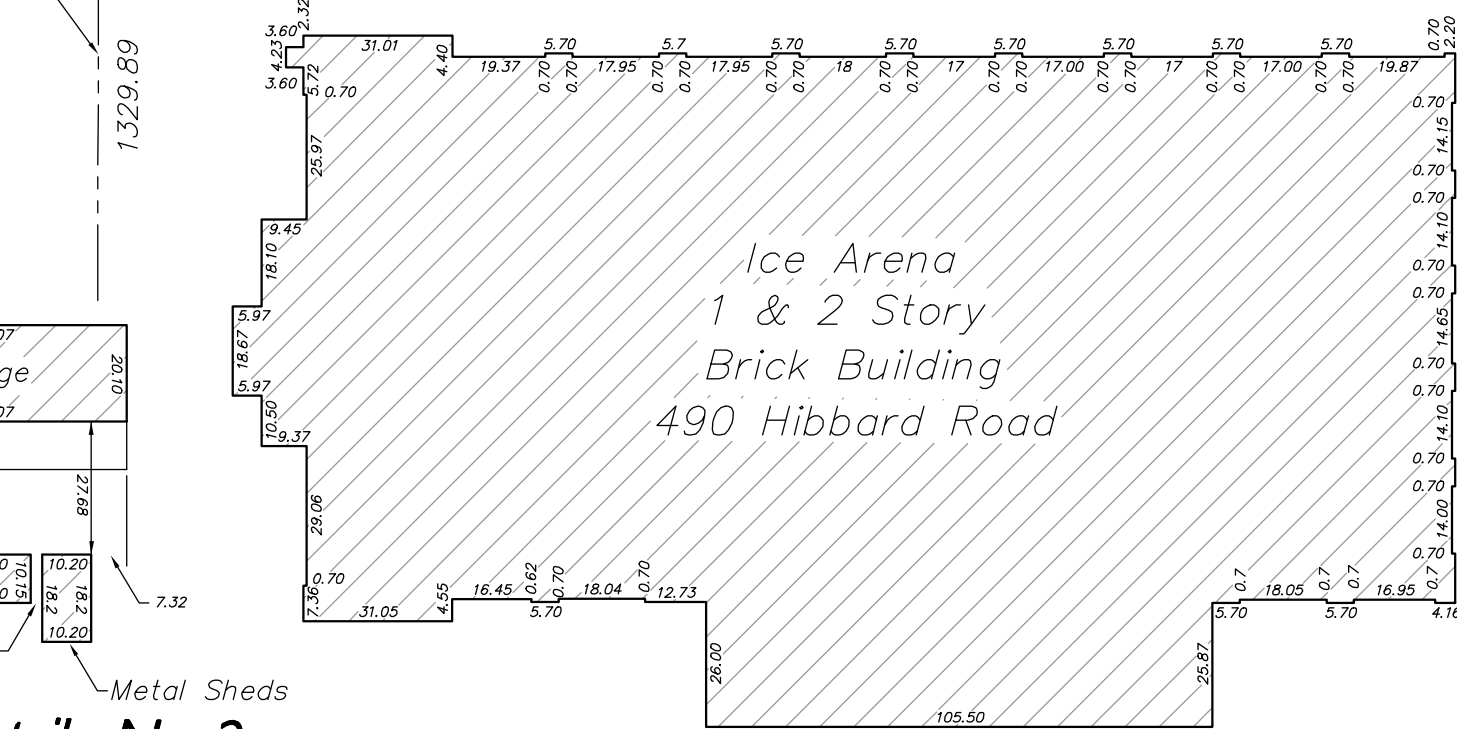


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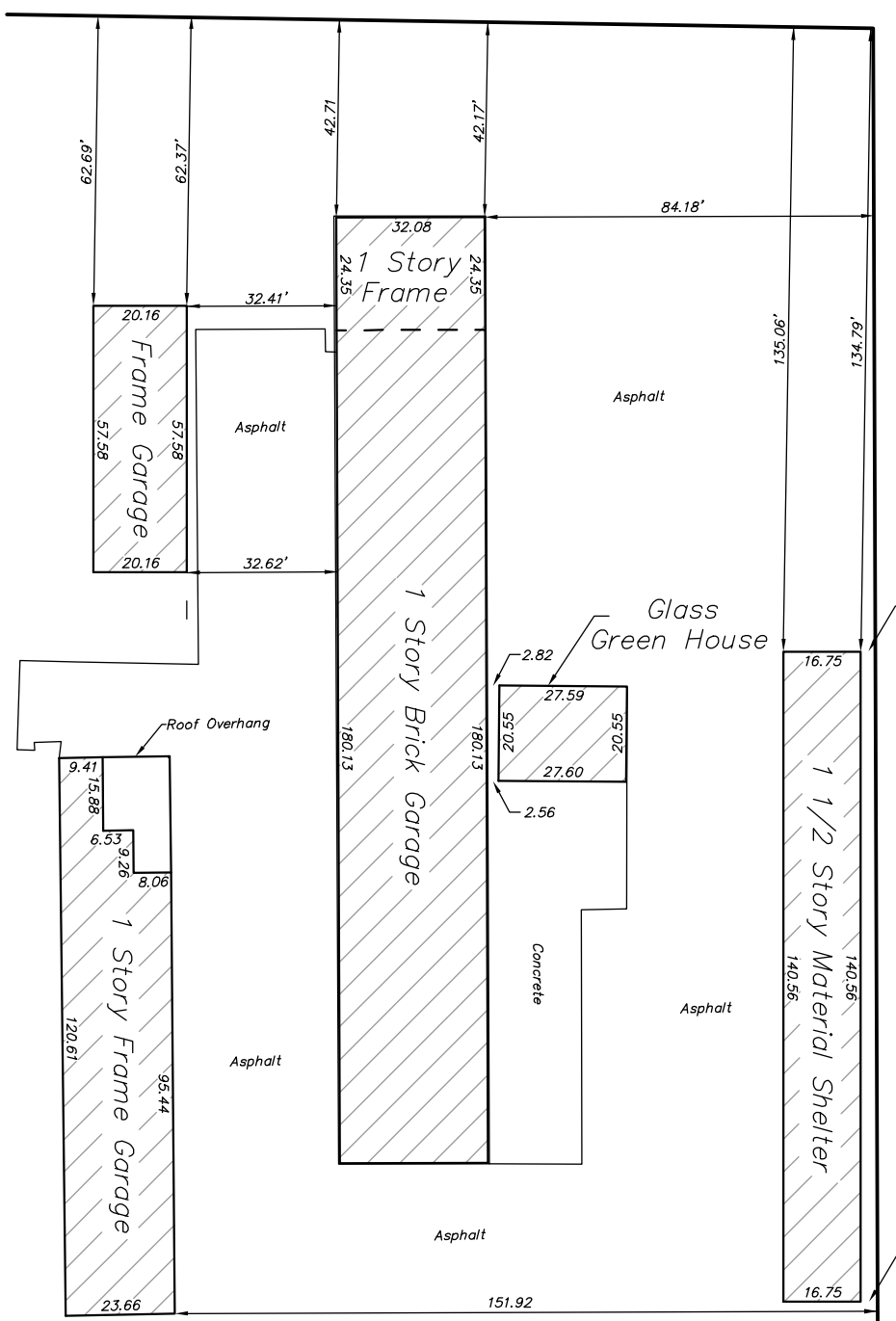
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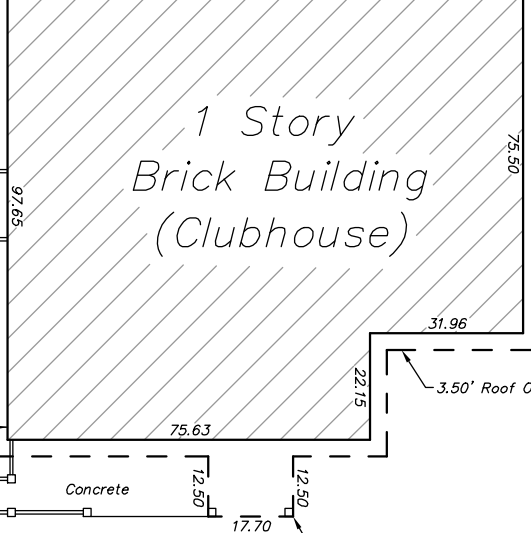


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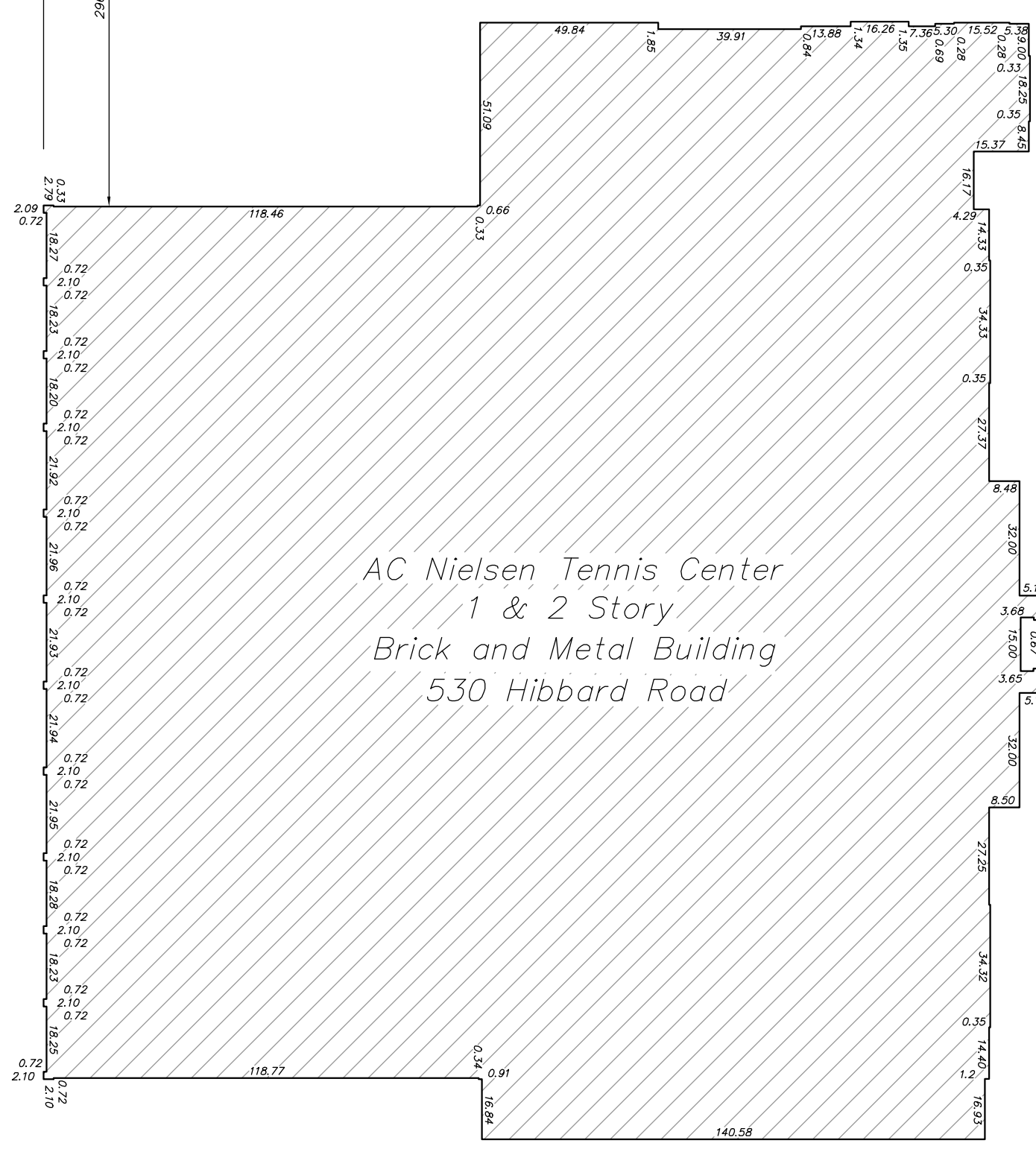


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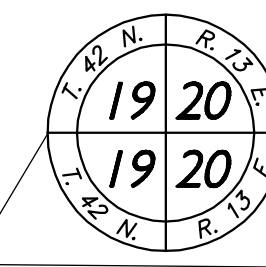
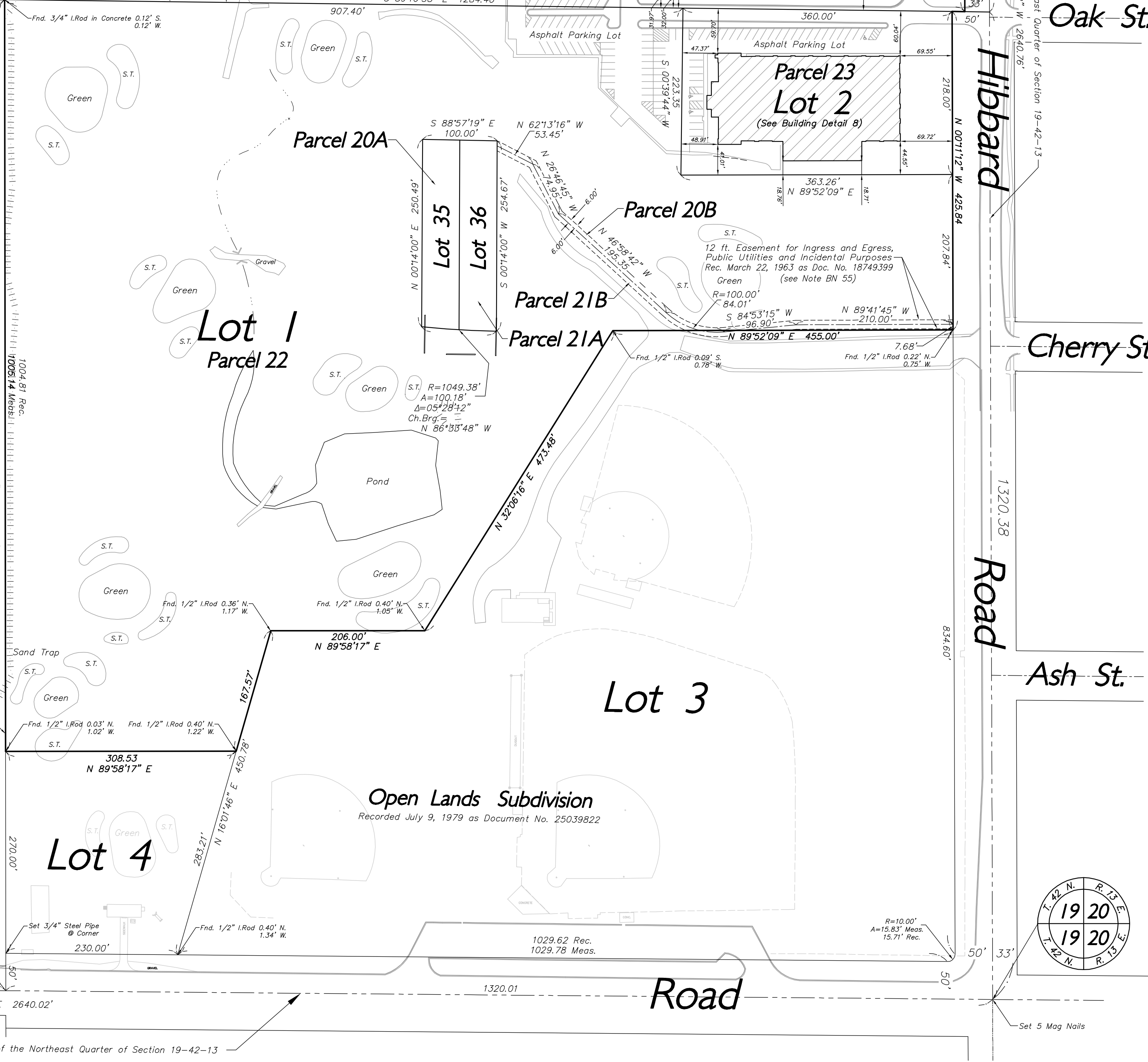
Building Detail No. 6



Building Detail No. 6



Building Detail No. 4



See Sheet 1 of 1 for Parcel Legal Descriptions
See Sheet 2 of 4 for Surveyor's Notes and Schedule B exceptions

NO.	BY	DATE	REVISION

FILE: 4118-300-Survey Sheet 4.dwg	SHEET NUMBER:
DRAWN BY: G.S. GHA PROJECT # 4118.300	4
DATE: 9/20/11	OF 4 SHEETS
CHECKED BY: Agenda Page 4 Platform Tennis - Page 22	1" = 100'
DATE: 11/11/11	



REVISIONS

BY

NOTES

EACH CONTRACTOR FOR EACH TRADE OR DIVISION SHALL CAREFULLY READ & STUDY PLANS & SPECIFICATIONS FOR ALL TRADES TO BE CERTAIN TO INCLUDE IN IT'S CONTRACT ALL WORK TO BE DONE BY IT. SHALL VISIT SITE TO DETERMINE ALL LOCAL CONDITIONS. SHALL CHECK ALL MEASUREMENTS ON JOB; & SHALL REPORT ALL INTERFERENCES TO OWNER BEFORE WORK IS DONE. APPLICABLE REQUIREMENTS OF PLANS & SPECIFICATIONS FOR ALL TRADES & DIVISIONS APPLY TO ALL CONTRACTS.

TITLE

SKOKIE PLAYFIELD
EXISTING PADDLE TENNIS COURTS SITE PLAN

MINNETKA PARK DISTRICT
1904

DRAWN BY:
RICHARD M. SCHRAM

DATE:
AUGUST 3, 2021

SCALE:
1" = 15'-0"

SHEET:
SP-1



REVISIONS

BY

NOTES

TITLE

SKOKIE PLAYFIELD
PROPOSED PADDLE TENNIS COURTS SITE PLAN
PROPOSED PHASE 1 & 2

DRAWN BY

RICHARD M. SCHRAM

DATE

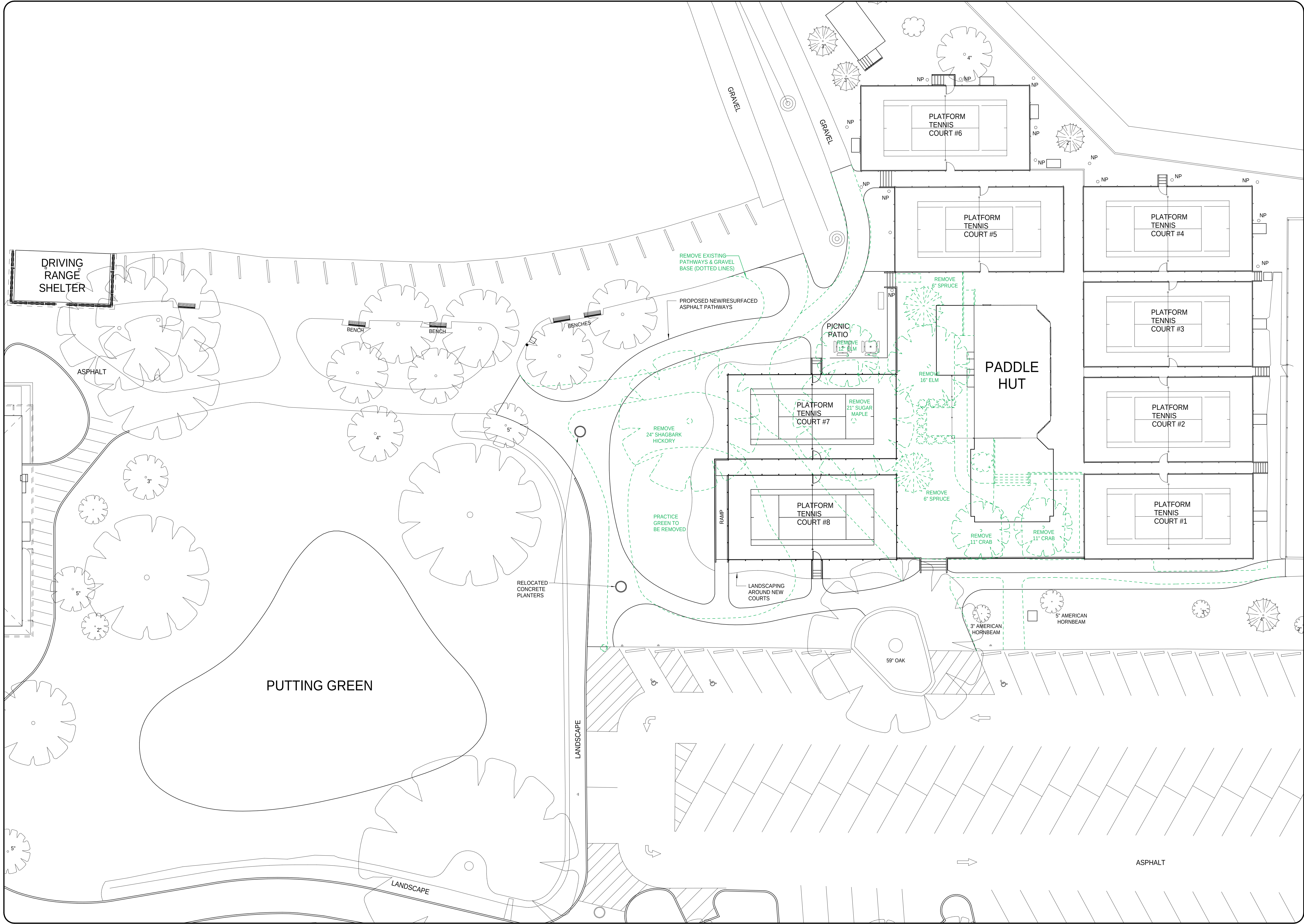
AUGUST 3, 2021

SCALE

1" = 15'-0"

SHEET

SP-1



REVISIONS

BY

NOTES

TITLE

SKOKIE PLAYFIELD
PROPOSED PADDLE TENNIS COURTS SITE PLAN
PROPOSED PHASE 1 & 2
DEMOLITION

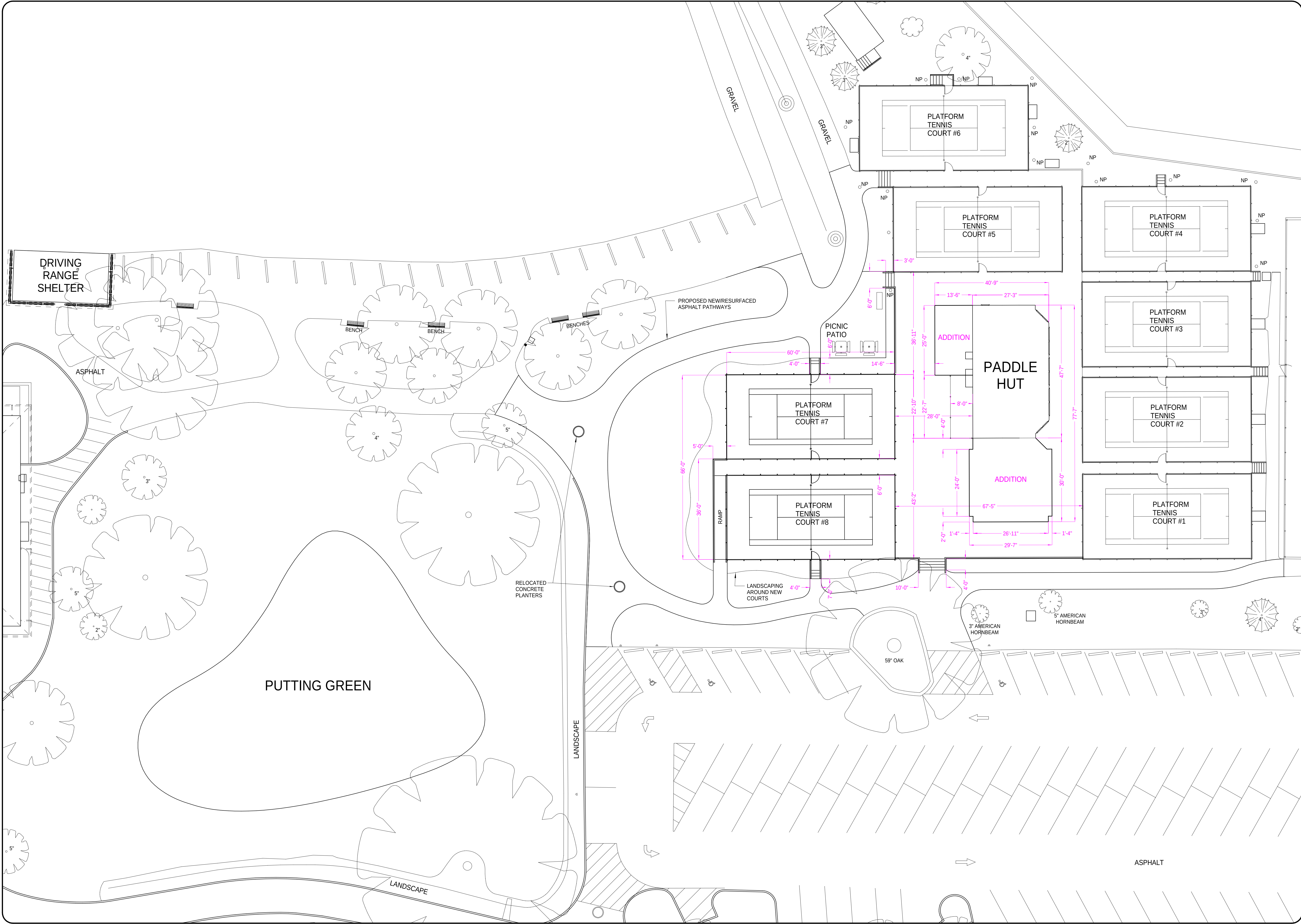
1904

DRAWN BY:
RICHARD M. SCHRAM

DATE:
AUGUST 3, 2021

SCALE:
1" = 15'-0"

SHEET:
SP-1



REVISIONS

BY

NOTES

TITLE

SKOKIE PLAYFIELD
PROPOSED PADDLE TENNIS COURTS SITE PLAN
PROPOSED PHASE 1 & 2
DIMENSIONS

1904

DRAWN BY:
RICHARD M. SCHRAM

DATE:
AUGUST 3, 2021

SCALE:
1" = 15'-0"

SHEET:

SP-1

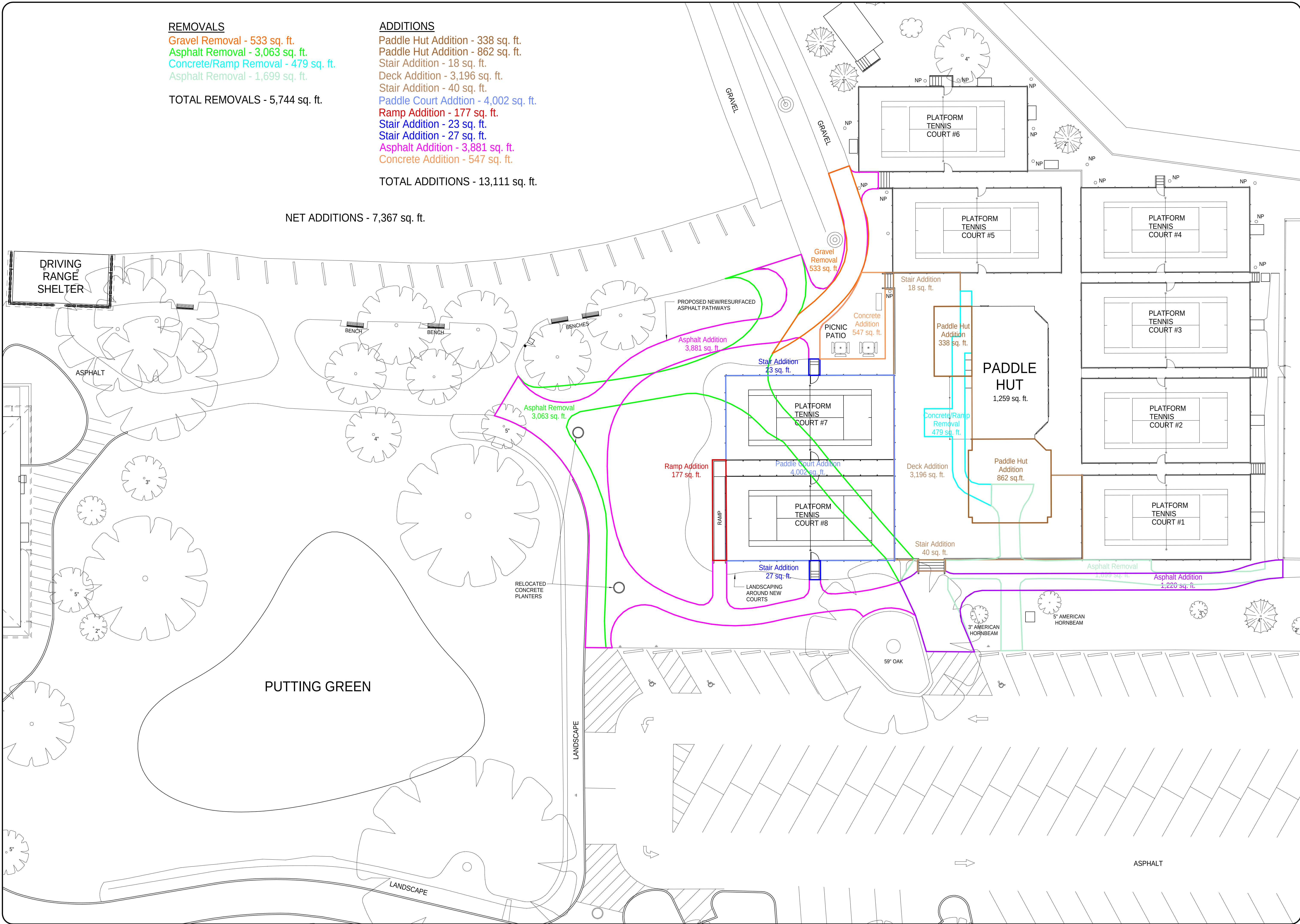
REMOVALS
Gravel Removal - 533 sq. ft.
Asphalt Removal - 3,063 sq. ft.
Concrete/Ramp Removal - 479 sq. ft.
Asphalt Removal - 1,699 sq. ft.

TOTAL REMOVALS - 5,744 sq. ft.

ADDITIONS
Paddle Hut Addition - 338 sq. ft.
Paddle Hut Addition - 862 sq. ft.
Stair Addition - 18 sq. ft.
Deck Addition - 3,196 sq. ft.
Stair Addition - 40 sq. ft.
Paddle Court Addition - 4,002 sq. ft.
Ramp Addition - 177 sq. ft.
Stair Addition - 23 sq. ft.
Stair Addition - 27 sq. ft.
Asphalt Addition - 3,881 sq. ft.
Concrete Addition - 547 sq. ft.

TOTAL ADDITIONS - 13,111 sq. ft.

NET ADDITIONS - 7,367 sq. ft.



REVISIONS

BY

NOTES

TITLE

SKOKIE PLAYFIELD
PROPOSED PADDLE TENNIS COURTS SITE PLAN
PROPOSED PHASE 1 & 2
SQUARE FOOTAGES

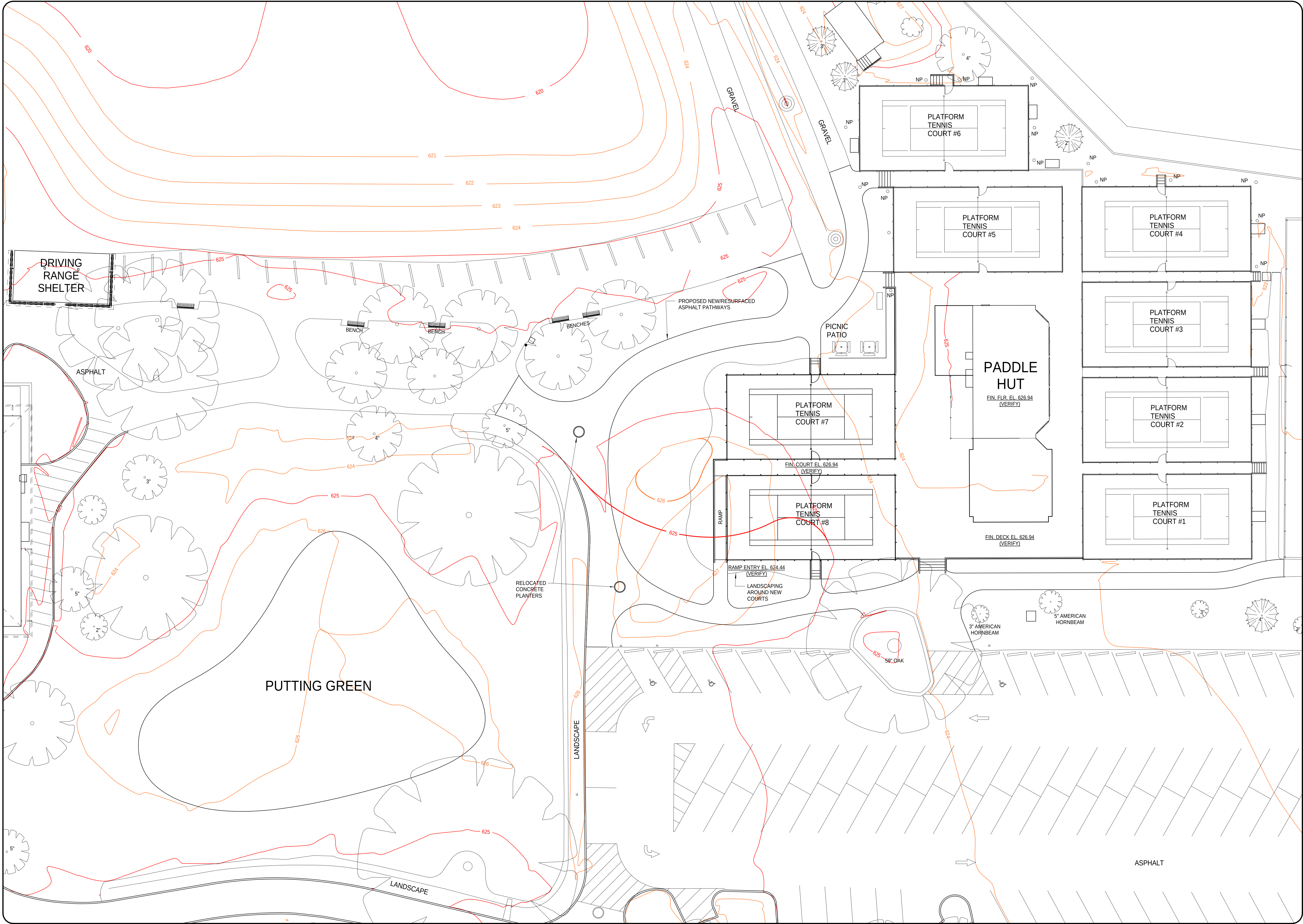
DRAWN BY:
RICHARD M. SCHRAM

DATE:
AUGUST 3, 2021

SCALE:
1" = 15'-0"

SHEET:

SP-1



REVISIONS

BY

NOTES

TITLE

SKOKIE PLAYFIELD
PROPOSED PADDLE TENNIS COURTS SITE PLAN
PROPOSED PHASE 1 & 2
ELEVATIONS



DRAWN BY

RICHARD M. SCHRAM

DATE

AUGUST 3, 2021

SCALE

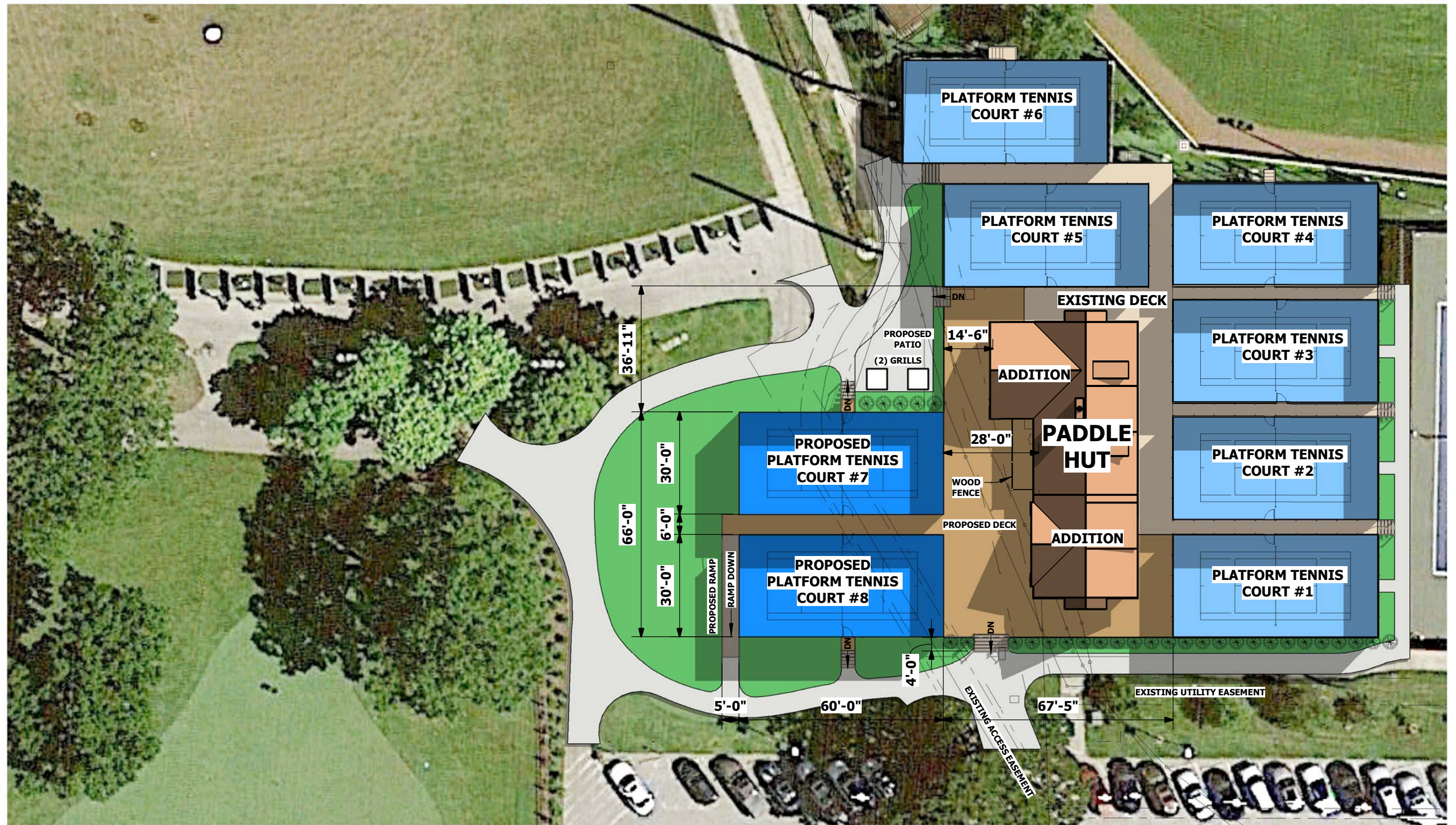
1" = 15'-0"

SHEET

SP-1

90°

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SITE PLAN.



AERIAL VIEW 1

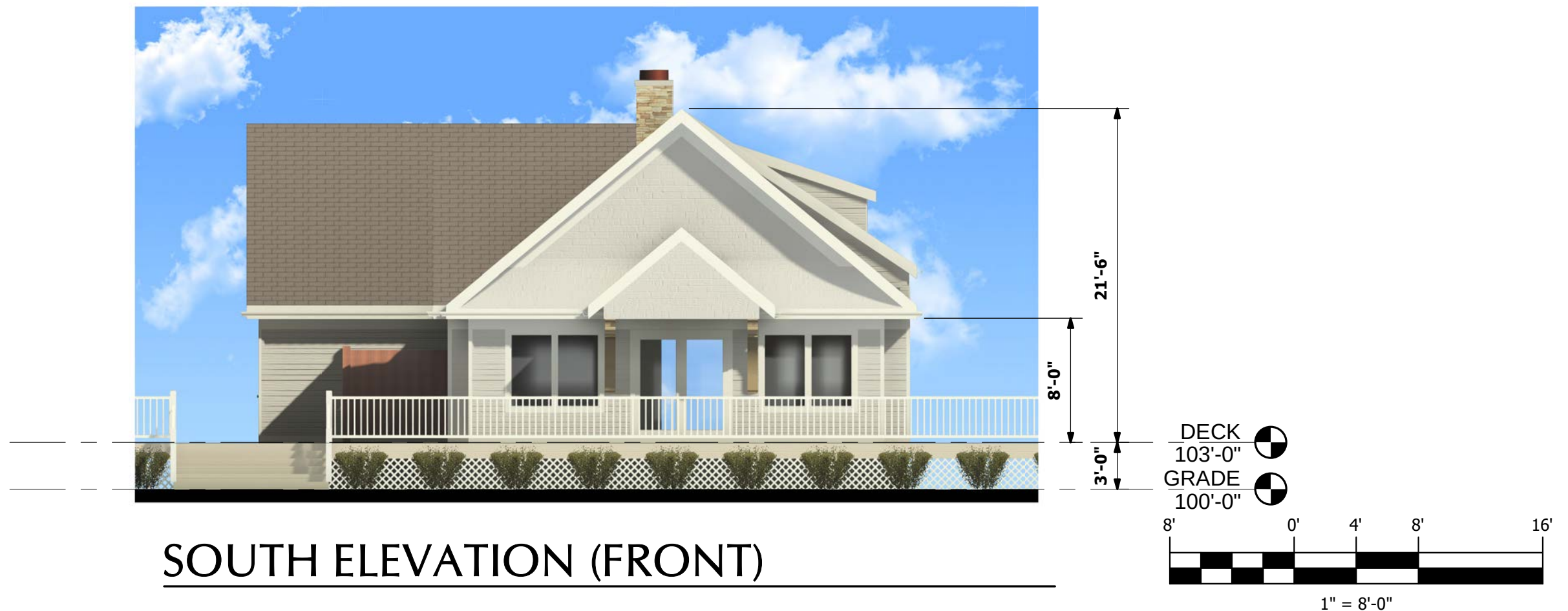


AERIAL VIEW 2



NOTE:
ALL EXTERIOR MATERIALS
AND COLORS SHALL MATCH
THE EXISTING BUILDING
INCLUDING SIDING, ROOF
COVERING, WINDOW/DOOR
TRIM, BUILDING TRIM,
FASCIA, FRIEZE, SOFFITS,
GUTTERS AND DOWNSPOUTS.

NORTH ELEVATION (REAR)



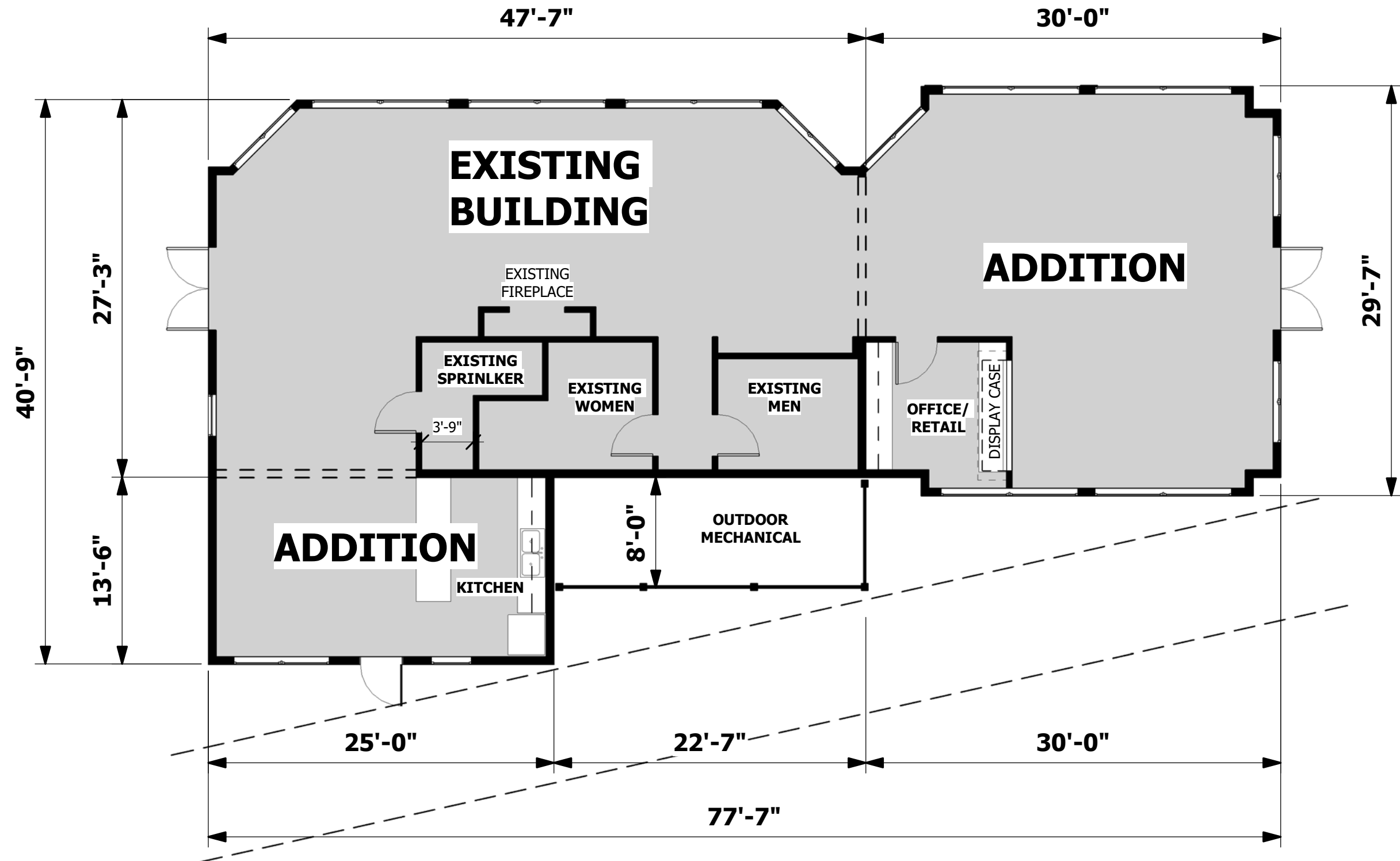
SOUTH ELEVATION (FRONT)



EAST ELEVATION



WEST ELEVATION



FLOOR PLAN.

AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR THE CONSTRUCTION OF AN ADMINISTRATION BUILDING FOR THE WINNETKA PARK DISTRICT (490 Hibbard)

WHEREAS, the Winnetka Park District is the owner of the following described real estate (the “Subject Property”):

The South half of the Northeast Quarter of the Northeast Quarter of Section 19, Township 42 North, Range 13, East of the Third Principle Meridian in the Village of Winnetka, Cook County, Illinois

commonly known as 490 Hibbard, Winnetka, Illinois, which is located in the R-2 Single-Family Residential Zoning District provided in Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

WHEREAS, Subject Property is a 135-acre parcel that is part of the Skokie Play Fields, and is improved, in part, with a paddle hut located behind the A.C. Nielsen Tennis Center, which is on the west side of Hibbard Road north of Oak Street; and

WHEREAS, pursuant to Section 17.56.010 of the Winnetka Zoning Ordinance, the Winnetka Park District has applied for an amendment to its existing special use permit, to allow the construction of a new paddle tennis hut that will have a larger footprint and will be located just to the west of the existing hut; and

WHEREAS, the proposed new paddle hut will replace the existing 496-square foot paddle tennis hut with a 1,439-square foot building that will include a meeting and viewing room, a kitchen, a fireplace, and men’s and women’s restrooms that comply with the Americans With Disabilities Act; and

WHEREAS, the proposed new facility will also include a 1,550-square foot deck around the building, replacing an existing 680-square foot deck; and

WHEREAS, on March 29, 2004, pursuant to due notice thereof, the Zoning Board of Appeals conducted a public hearing on the requested special use and, by the unanimous vote of the six members of the Board then present, has reported to the Council, recommending that the requested special use be granted; and

WHEREAS, the proceedings of the Zoning Board of appeals complied with all applicable procedural requirements, including allowing the cross-examination of witnesses by interested parties, as provided in the rules of the Zoning Board of Appeals; and

WHEREAS, on March 18, 2004, on due notice thereof, the Design Review Board considered the proposed building plans and issued favorable comment on the proposed design; and

WHEREAS, on February 25, 2004, pursuant to due notice thereof, the Plan Commission considered the special use application and, by the favorable vote of seven of the nine members then present, with one member opposed and one member abstaining, found that the proposed special use is consistent with the Comprehensive Plan, *Winnetka 2020*; and

WHEREAS, although the Plan Commission made favorable findings, the members expressed some concern about the impact of the expanded building on parking and suggested that further information be gathered regarding parking demands and the adequacy of the existing parking facilities; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the Comprehensive Plan’s goals of preserving or expanding the quantity, quality and distribution of open space and recreational opportunities, and of protecting the Village’s natural features and environmental resources; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the Winnetka Comprehensive Plan’s Village Character and Appearance Objective of encouraging organizations in their efforts to beautify the Village and of using high quality design materials when constructing public improvements; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the Winnetka Comprehensive Plan’s Village Parks, Open Space, Recreation and Environment Objective of supporting the development of recreational facilities to meet the needs of residents of all ages; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the recommendation stated in Section 4.3.6 of the Comprehensive Plan to ensure that proposals do not have an adverse impact on the residential character of the surrounding residential neighborhoods; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the recommendation stated in Section 4.3.6 of the Comprehensive Plan to cooperate with the Winnetka Park District in achieving the District’s goal of providing Village residents with high quality recreational programs and open space; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the recommendation stated in Section 4.3.6 of the Comprehensive Plan to work with the Park District to minimize the impact of existing programs on adjacent neighborhoods; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the recommendation stated in Section 4.3.6 of the Comprehensive Plan to coordinate planning for any new facilities and programs to balance recreational needs of the community with the residential character of the surrounding neighborhood; and

WHEREAS, the Village Council accepts the Plan Commission’s finding that the proposed special use is consistent with the recommendation stated in Section 4.3.6 of the Comprehensive Plan to ensure that street and parking infrastructure are adequate and that other ancillary effects such as artificial lighting, noise and water run-off are held to acceptable levels, subject to the concerns expressed by the Plan Commission about potential negative impacts on the parking; and

WHEREAS, the proposed paddle hut will not be detrimental to the public health, safety, comfort, morals or general welfare of the Village, in that the proposed tennis hut is necessary to the operation of the Winnetka Park District and the provision of services to Winnetka residents, and the expanded, improved tennis hut will enable the paddle tennis program to continue, while providing ADA-compliant multi-purpose facilities; and

WHEREAS, the proposed paddle hut will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity, nor will it substantially diminish or impair property values in the immediate vicinity, as the proposed addition will not alter the existing use of the Subject Property and will be located along the west side of the A. C. Nielsen Tennis Center, set well back from Hibbard Road and from the nearest residential property line; and

WHEREAS, the proposed paddle hut will not impede the normal and orderly development or improvement of other property in the immediate vicinity for uses permitted under applicable zoning regulations in that: (a) the size of the hut is small in relation to both the size of the Skokie Play Fields and to the established Park District facilities on the Subject Property; (b) the proposed paddle hut is consistent with the established use of the Subject Property; and (c) the proposed paddle hut is not in close proximity to any residential properties; and

WHEREAS, subject to the terms and conditions set forth in Section 3 of this ordinance, there is adequate parking on the Subject Property for the proposed paddle hut; and

WHEREAS, subject to the terms and conditions set forth in Section 3 of this ordinance, the proposed paddle hut will not alter the amount of parking on or the ingress or egress to the Subject Property, nor will it have a negative impact to vehicular or pedestrian traffic on the surrounding street system, in that the facility will be used from September 15 through April and thus will not coincide with the golf season, which ends at the end of September; and

WHEREAS, adequate utilities, access roads, drainage and other facilities necessary to the existing special use already exist on the Subject Property, and the proposed tennis hut will not require any additions to such facilities, as they will be attached to the A. C. Nielsen Tennis Center; and

WHEREAS, subject to the terms and conditions set forth in Section 3 of this ordinance, the special use will, in all other respects, conform to the applicable regulations of this and other Village ordinances and codes.

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

SECTION 1: The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: Pursuant to Section 17.56.010 of the Zoning Ordinance, Title 17 of the Winnetka Village Code, the special use permit for the Subject Property, which is located in the R-2 Single-Family Residential Zoning District provided in said Zoning Ordinance, and is commonly known as 490 Hibbard Road, is hereby amended to permit the Winnetka Park District to replace the existing paddle hut with an enlarged tennis hut that will be located just to the west of the existing hut, near the rear of the A. C. Nielsen Tennis Center building, in accordance with the site plans and elevations submitted with the application for special use permit.

SECTION 3: The amended special use permit granted by this Ordinance is subject to the following terms conditions:

- A. The construction of the paddle hut shall commence within 12 months after the date of the adoption of this Ordinance.
- B. The parking for the enlarged paddle hut shall be re-evaluated by the Village Council in one year to determine whether it is adequate for the additional uses proposed for the paddle hut.
- C. The Park District shall monitor parking related to all uses of the paddle tennis hut through one complete season and shall report its findings to the Village Council. The report shall identify (i) any increases in parking demand resulting from the enlarged and enhanced use of the paddle hut and (ii) any conflicting demands for parking between the enlarged and enhance paddle hut and other activities on the Subject Property.

SECTION 4: Pursuant to Section 17.56.010(G) of the Zoning Ordinance, all stipulations, conditions and restrictions set forth in this Ordinance as part of the terms under which the special use is granted, may be modified or revised from time to time by the Village Council following public notice and hearing, using the same procedures set forth in the Zoning Ordinance or processing the original special use application.

SECTION 5: This Ordinance shall take effect immediately upon passage, approval and posting.

ADOPTED this 20th day of April, 2004, pursuant to the following roll call vote:

AYES: Trustees Abell, Eilers, Greenough, Ritchell and Tucker

NAYS: None

ABSENT: Trustee Webster

APPROVED this 20th day of April, 2004.

Signed:

//s//Michael F. Duhl

Village President

Countersigned:

//s//Douglas G. Williams

Village Clerk

Introduced: Waived

Posted: __

Passed and Approved: April 20, 2004

Posted: April 21, 2004

ORDINANCE NO. M-12-2007

AN ORDINANCE GRANTING A SPECIAL USE PERMIT TO ALLOW THE WINNETKA PARK DISTRICT TO CONSTRUCT TWO ADDITIONAL PLATFORM TENNIS COURTS (490 Hibbard)

WHEREAS, the Village of Winnetka is a home rule municipality in accordance with Article VII, Section 6 of the Constitution of the State of Illinois of 1970, pursuant to which it has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village; and

WHEREAS, the Council of the Village of Winnetka ("Village Council") find that establishing and applying standards for the use and development of lands and buildings within the Village are matters pertaining to the affairs of the Village; and

WHEREAS, the Winnetka Park District is the beneficial owner of the following described real estate (the "Subject Property"), which is commonly known as 490 Hibbard, Winnetka, Illinois:

The South half of the Northeast Quarter of the Northeast Quarter of Section 19, Township 42 North, Range 13, East of the Third Principal Meridian in the Village of Winnetka, Cook County, Illinois; and

WHEREAS, the Subject Property is located in the R-2 Single-Family Residential District provided in Chapter 17.24 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

WHEREAS, the Winnetka Park District is a body corporate and politic of the State of Illinois and operates a tennis complex on the Subject Property, which is a 135-acre parcel that is part of the Skokie Play Fields, and is improved, in part, with a paddle hut and four platform tennis courts that are located north of Oak Street on the west side of Hibbard Road and behind the A.C. Nielsen Tennis Center; and

WHEREAS, park facilities are permitted as special uses in the R-2 Single-Family Residential District, subject to the conditions and requirements pertaining to special uses, as set forth in Chapter 17.56 of the Winnetka Zoning Ordinance; and

WHEREAS, the Winnetka Park District ("Applicant") has filed an application for an amendment to its existing special use permit pursuant to Section 17.56.010 (I) of the Winnetka Zoning Ordinance, to allow the construction of two additional platform tennis courts to the north and west of the existing four-court complex at Skokie Playfield; and

WHEREAS, the proposed addition to the platform tennis facilities will add a total of 3,996 square feet of lot coverage, consisting of 1,800 square feet for each of the two new courts, 376 square foot for a new elevated pathway and 20 square feet of access steps between the two new courts; and

WHEREAS, the small area to be covered by the proposed new facilities is not immediately in the public view and is located in a part of the Subject Property that has little other use, thereby preserving larger, more visible expanses of open space; and

WHEREAS, on May 17, 2007, on due notice thereof, the Design Review Board considered the design of the proposed improvements and the four members then present issued favorable comment on the design of the additional courts and suggested minor changes to the landscaping plan; and

WHEREAS, on June 11, 2007, on due notice thereof, the Zoning Board of Appeals held a public hearing to consider the amendment to the special use permit for the proposed new platform tennis courts, and by the unanimous vote of the Board's seven members, has recommended that the requested special use permit be granted; and

WHEREAS, no owners of property located within 250 feet of the Subject Property have filed written objections to the special use application; and

WHEREAS, on June 27, 2007, on due notice thereof, the Plan Commission convened to consider the proposed additional facilities, at which time 10 members of the Plan Commission were present; and

WHEREAS, the Applicant's representative member of the Plan Commission recused himself from the consideration of the application, whereupon the remaining nine members considered the requested special use and, by the favorable vote of eight of the nine participating members, found the proposed special use to be consistent with the Comprehensive Plan, *Winnetka 2020*, and have reported to the Council recommending that the special use be granted; and

WHEREAS, the proposed special use is consistent with the Comprehensive Plan's objective to ensure that commercial, institutional and residential development is appropriate to the character of, and minimizes the adverse impact on, its surrounding neighborhood, in that the additional courts are set away from the street and away from the single family residential properties in the neighborhood, and the design of the new facilities is consistent with the design of the existing platform tennis court facilities; and

WHEREAS, the proposed special use is consistent with the Comprehensive Plan's objective to use high quality design and materials when constructing public improvements; and

WHEREAS, the proposed special use is consistent with the Comprehensive Plan's objective to support the development of recreational facilities to meet the needs of residents of all ages, in that the new courts will increase the number of platform tennis courts by 50%; and

WHEREAS, the proposed special use is consistent with the Comprehensive Plan's objective to engage in a public process that balances institutional goals and minimizes any adverse impact to the character of the adjacent residential neighborhood; and

WHEREAS, the proposed special use is consistent with the objective to foster greater cooperation among all institutions in the joint use of their recreational facilities; and

WHEREAS, the Village Council accepts the Plan Commission's finding that the proposed special use is consistent with the recommendations stated in Section 4.3.6 of the Comprehensive Plan to cooperate with the Winnetka Park District in achieving the

District's goal of providing Village residents with high quality recreational programs and open space, to work with the Park District to minimize the impact of existing programs on adjacent neighborhoods, and to coordinate planning for new facilities and programs to balance recreational needs of the community with the residential character of the surrounding neighborhood; and

WHEREAS, the Council finds that the proposal to construct two new platform tennis courts and related walkway and stairs is consistent, overall, with the Comprehensive Plan, *Winnetka 2020*; and

WHEREAS, the special use will not impede the normal and orderly development and improvement of other property in the immediate vicinity for uses permitted by right in the zoning district, nor will it substantially diminish or impair property values in the immediate vicinity, as the proposed new platform tennis courts will not alter the existing use of the Subject Property and are not in close proximity to any of the single family residential uses in the neighborhood; and

WHEREAS, adequate parking, utilities, access roads, drainage and other facilities necessary for the operation of the special use either exist or will be provided, in that the Subject Property is served by all utilities, the new courts have been designed to address current usage needs and the parking and site access will remain the same; and

WHEREAS, the proposed new platform tennis courts will not be substantially injurious to the use and enjoyment of other property in the immediate vicinity, in that the Park District is an established presence in the neighborhood, the proposed new tennis courts will alleviate crowded conditions at the platform tennis court facility, and the expanded facilities will not be in close proximity to any of the single family residential uses in the neighborhood; and

WHEREAS, the special use in all other respects conforms to the applicable regulations of the Winnetka Zoning Ordinance and other Village ordinances and codes; and

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

SECTION 1: The foregoing recitals are hereby incorporated as the findings of the Council of the Village of Winnetka, as if fully set forth herein.

SECTION 2: That, pursuant to Sections 17.56.010 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, a special use permit is hereby granted with respect to the Subject Property, which is located in the R-2 Single-Family Residential Zoning District, to allow the construction of two new platform tennis courts to the north and west of the existing four-court complex at Skokie Playfield.

SECTION 3: That, pursuant to Section 17.56.010 (G) of the Winnetka Zoning Ordinance, all stipulations, conditions and restrictions set forth in this Ordinance as part of the terms under which the special use is granted, may be modified or revised from time to time by the Village Council following public notice and hearing, using the same procedures set forth in the Zoning Ordinance for processing the original special use application.

SECTION 4: This Ordinance is passed by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 5: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this 7th day of August, 2007, pursuant to the following roll call vote:

AYES: Trustees Behles, Berger, Eilers, Poor, Ritchell, Tucker

NAYS: None

ABSENT: None

APPROVED this 7th day of August, 2007.

Signed:

//s//Edmund C. Woodbury

Village President

Countersigned:

//s//Douglas G. Williams

Village Clerk

Introduced: July 17, 2007

Posted: July 18, 2007

Passed and Approved: August 7, 2007

Posted: August 9, 2007