



ZONING BOARD OF APPEALS REGULAR VIRTUAL MEETING AGENDA

MONDAY, JULY 13, 2020 - 7:00 PM

In accordance with social distancing requirements, Governor Pritzker's Executive Orders 2020-43 and 2020-44, and Senate Bill 2135, the **Winnetka Zoning Board of Appeals meeting on Monday, July 13, 2020 will be held virtually. The meeting will be livestreamed via the Cisco WebEx platform. In accordance, with Public Act 101-0640, at least one representative from the Village will be present at Village Hall, and the virtual meeting will be simulcast at Village Hall for members of the public who do not wish to view the virtual meeting from another location.** Pursuant to Executive Orders 2020-43 and 2020-44 issued by the Governor, the number of people who may gather at Village Hall for the meeting is limited due to the mandated social distancing guidelines. **Accordingly, the opportunity to view the virtual meeting at Village Hall is available on a "first-come, first-served" basis.**

The public has the following two options **for observing and participating during this virtual Zoning Board of Appeals meeting, including the ability to provide testimony or comments.** Persons wishing to participate are strongly encouraged (but not required) to complete the Sign-In form found at www.villageofwinnetka.org/meetingsignin.

- 1) **Telephone (audio only).** Call: 408-418-9388; when prompted enter the Meeting ID – 126 323 0099 (Please note there is no additional password or attendee ID required.)
- 2) **Livestream (both audio and video feed).** Download the Cisco WebEx meetings app to your smart phone, tablet or computer, and then join Meeting ID – 126 323 0099 Event Password – ZBA07132020

If you wish to **provide testimony or comments prior to the meeting**, you may provide them one of three ways:

- 1) By sending an email to planning@winnetka.org;
- 2) By sending a **letter** to Community Development Department, Village of Winnetka, 510 Green Bay Road, Winnetka, IL 60093, or
- 3) By leaving a **voice mail message** at the phone number 847-716-3524. All voicemail messages will be transcribed into a written format.

All comments received by 6:00 PM the day of the meeting will be read at the hearing by staff. Written public comment is limited to 200 words or less and should identify both (1) the subject of the comment being offered (such as property address or case number of the agenda item) and (2) the full name of the individual providing the comments. In addition, you may wish to include your street address, phone number, and the name of the organization or agency you represent, if applicable.

General comments for matters not on the agenda will be read at the end of the meeting under Public Comment. Comments specific to a particular agenda item will be read during the discussion of that agenda item.

All emails received will be acknowledged either during or after the meeting, depending on when they are received.

Persons seeking additional information concerning any of the applications, accessing the virtual meetings, or requesting alternative means to provide testimony or public comment are directed to email inquiries to planning@winnetka.org or by calling 847-716-3525.

510 Green Bay Road, Winnetka, Illinois 60093
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AGENDA ITEMS

1. Call to Order & Roll Call.
2. Introductory Remarks Regarding Conduct of Virtual Meeting
3. Approval of June 8, 2020 meeting minutes.
4. **Case No. 20-19-V: 975 Private Road:** An application submitted by Dana and John Marzonie seeking approval of a zoning variation to allow the existing storage shed to remain at 975 Private Road. The requested zoning variation would permit the existing shed to (a) provide less than the minimum required side yard setback from the west property line; and (b) exceed the maximum permitted height. The Zoning Board of Appeals has final jurisdiction on this request.
5. Other Business.
 - a. Community Development Report
 - b. August 10, 2020 Meeting - Quorum check.
6. Public Comment.
7. Adjournment

Note: Public comment is permitted on all agenda items.

NOTICE

All agenda materials are available at www.villageofwinnetka.org/agendacenter .

The Village of Winnetka, in compliance with the Americans with Disabilities Act, requests that all 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).

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#

**WINNETKA ZONING BOARD OF APPEALS
JUNE 8, 2020**

Zoning Board Members Present:

Matt Bradley, Chairman
Sarah Balassa
Gene Greable
Lynn Hanley
Kimberly Handler
Mike Nielsen

Zoning Board Members Absent:

None

Village Staff:

David Schoon, Director of Community Development
Brian Norkus, Assistant Director of Community
Development
Ann Klaassen, Senior Planner

**Minutes of the Zoning Board of Appeals
June 8, 2020**

Call to Order & Roll Call.

Chairman Bradley called the meeting to order at 7:04 p.m. Ms. Klaassen took roll call of the Board Members present. Chairman Bradley informed everyone that Board Member Wally Greenough passed away.

Introductory Remarks Regarding Conduct of Virtual Meeting

Chairman Bradley stated the legal authority to proceed with tonight's meeting was granted by Governor Pritzker by Executive Order 2020-07 which was extended on April 30, 2020 by Executive Order 2020-33 and extended again on May 29, 2020 by Executive Order 2020-39 and which expanded the provisions of the Open Meetings Act which extended the terms in which public bodies are allowed to hold meetings. He then read through the agenda items for tonight's meeting and noted for agenda item nos. 4 and 5, the Board is an advisory body to the Village Council which has final approval authority.

Chairman Bradley then described how the public would participate in the virtual meeting. He stated there are multiple instances prior to tonight's meeting in terms of how the public can be heard on any of the agenda items which included letters, voicemail or email which would be read into the record. Chairman Bradley then stated there are two ways in which the public can comment which are by phone or via the WebEx platform. He stated speaker would be first recognized by himself as Chair prior to speaking to ensure consistency on the record. Chairman Bradley asked for each speaker to identify themselves and noted all votes would be done by roll call vote to ensure a clear record. He then asked for speakers to reference any documents by page number.

Mr. Schoon confirmed Ms. Handler has arrived at the meeting.

Chairman Bradley then stated there would first be a Village staff presentation on the two applications on the agenda followed by questions from the Board. He stated there would then be a presentation by the petitioners followed by questions from the Board. Chairman Bradley stated public comment would then

1 follow after which the public comment portion of the meeting would be closed and followed by the
2 Board's deliberation. He confirmed the Village Council has final jurisdiction.

3
4 **Approval of May 11, 2020 meeting minutes.**

5 Chairman Bradley asked for a motion to approve the May 11, 2020 meeting minutes. A motion was made
6 by Ms. Hanley and seconded by Ms. Balassa. A vote was taken, and the motion unanimously passed.

7 AYES: Balassa, Bradley, Greable, Handler, Hanley, Nielsen

8 NAYS: None
9

10 **Case No. 20-14-V2: 700 Elm Street: An application submitted by Hadley Institute for the Blind and**
11 **Visually Impaired seeking approval of a zoning variation to allow the construction of new front**
12 **walkways at 700 Elm Street. The requested zoning variation would permit the improvements to exceed**
13 **the maximum permitted impermeable lot coverage. The Village Council has final jurisdiction on this**
14 **request.**

15 Ms. Klaassen stated the application was submitted by the Hadley Institute for a variation to allow
16 impermeable lot coverage of 19,285 square feet, whereas a maximum of 15,789 square feet is permitted,
17 a variation of 3,476 square feet (22%). She noted the site currently contains 18,420 square feet of lot
18 coverage and the proposed improvement would add 845 square feet of impermeable lot coverage. Ms.
19 Klaassen stated the Design Review Board is scheduled to consider a certificate of appropriateness of the
20 materials and design of the proposed walkways and landscaping.

21
22 Ms. Klaassen stated the subject property is located on the south side of Elm Street between Lincoln
23 Avenue and Maple Street and improved with a two-story institutional building. She noted the property is
24 zoned B-1 multifamily residential and is bordered by B-1 multifamily to the west, R-4 single family
25 residential to the north, south and east and R-5 single family residential as well as B-2 multifamily
26 residential to the south. She stated in addition to multifamily uses, the B-1 district allows an additional
27 range of uses by special use permit and those uses include parking lots, daycare centers and educational
28 institutions. Ms. Klaassen informed the Board there are previous zoning cases for the property and a
29 variation was approved to exceed the amount of impermeable lot coverage and the construction of a
30 ramp, stairs and patio area totaling 750 square feet which is located in a recessed courtyard space area of
31 the building. She then stated in 2018, a special use permit was approved by the Village Council to allow
32 two second floor additions to the building. Ms. Klaassen stated one of the variations was to further exceed
33 impermeable lot coverage in order to expand the concrete walkway she identified in the slide to the main
34 entrance from 4 feet to 6 feet. She stated the current variation is being requested to allow a walkway
35 across the front lawn area. Ms. Klaassen stated it would run east to the main concrete entrance and
36 continue east along the front of the site and extend along the east property line to connect to the sidewalk
37 on the east side of the site.

38
39 Ms. Klaassen then stated the proposed walkway would be constructed of crushed blue stone or granite
40 and noted the walkway from the parking lot to the main entrance walkway would measure 130 square
41 feet and the walkway continuing east in the front lawn would measure 415 square feet. She stated the
42 proposed plan also included adding approximately 300 square feet of stone outcroppings in the front lawn
43 which she identified in the illustration in Figure 5 between the parking lot and the existing walkway. Ms.
44 Klaassen stated the proposed plan would add 845 square feet of impermeable lot coverage and the B-1
45 district allows a maximum impermeable lot coverage of 60% of the lot area and noted the existing
46 improvements are legally nonconforming in terms of the impermeable lot coverage limitation in that the
47 existing lot currently exceeds the amount allowed by 2,632 square feet. She stated the proposed

1 improvements would increase the coverage by 3,477 square feet or 22% over the maximum permitted.
2 Ms. Klaassen informed the Board no public comments were received prior to the meeting.

3
4 Ms. Klaassen then stated the Board is to consider whether the variation meets the standards for granting
5 such variation and following public comment and Board discussion, the Board may make a
6 recommendation to the Village Council. She noted a draft motion is provided on page 7 of the agenda
7 report and asked if there were any questions.

8
9 Chairman Bradley also asked if there were any questions. Ms. Handler stated the proposed walkway is
10 defined as impermeable surface and the architect's proposal speaks to different materials they are using.
11 She asked if that came into play as to how it is defined as either impermeable or permeable. Ms. Klaassen
12 responded it did not and stated the zoning ordinance calculated surfaces at 100% and instances where a
13 25% allowance can be received would be a designed system with a subsurface drainage system built in
14 with the Village Engineer confirming it met certain standards. She confirmed that is not proposed in this
15 case.

16
17 Chairman Bradley asked if there were any other questions. No additional comments were made at this
18 time. Chairman Bradley then asked for the applicant's presentation and swore in those speaking to this
19 matter as well as for the applicant to confirm and accept their written waiver to the virtual hearing. He
20 stated they would confirm at the end of their presentation that there were no technical difficulties that
21 precluded the presentation to the Board.

22
23 Julie Tie, President of the Hadley Institute, Mary Nelson, Chief Operating Officer of the Hadley Institute,
24 and John Eskandari of Urban Plantsman introduced themselves to the Board. Chairman Bradley asked the
25 applicants to confirm their receipt of the written waiver and consent to the hearing on this matter. The
26 applicants confirmed their consent.

27
28 Ms. Nelson stated they came before the Board last year and identified this as the last phase of their
29 building renovation after two additions were done last year. She stated they redesigned the building for
30 their low vision staff and the community they serve. Ms. Nelson then stated the idea behind the garden
31 design is for those with limited vision to interact within the space without accompaniment. She stated the
32 pathway served as an important piece of that since it would serve as a guide throughout the space.

33
34 Ms. Tie informed the Board that part of the goal with the garden is for it to serve as a learning opportunity
35 and the hope for it to be used as an example for other blindness organizations to learn the joys of the
36 outdoor space. Mr. Eskandari informed the Board the reason gravel was chosen as the material is because
37 he was certified in horticultural therapy 6 years ago and he wanted to find an overlap between healthcare
38 and horticulture. He stated in coming up with a design, he wanted to use a material that is auditorily and
39 textural to trigger an individual with visual limitation to be able to touch anything within a graveled
40 surface. Mr. Eskandari referred to the fourth sketch of the outcropping stones which he described as
41 smooth and which would represent Illinois regions and its natural areas. He referred to the parking spaces
42 near the driveway and stated they would have the ability to cut through the pathway to the main entrance
43 and on toward the back. Mr. Eskandari noted there is gate access to the east and described the area as a
44 trip hazard. He stated the proposal would allow for a smoother surface although it would be gravel with
45 a weed pattern beneath it with his preference being rock and granite.

46

1 Chairman Bradley asked if there is nothing new other than what was provided to the Village staff in their
2 application. Mr. Eskandari confirmed that is correct. Chairman Bradley then asked if there were any
3 questions.
4

5 Mr. Greable referred to page 12 and commented the applicant's reasoning for the request was well done
6 and clear in terms of the need for their clientele. Ms. Hanley asked why this was not included with the
7 original application last year. Ms. Nelson responded they were asked by the Village to handle and make
8 sure they had their occupancy permit in place for the original improvements before they submitted the
9 proposed landscaping plan. She noted they received the occupancy certificate in January 2020. Mr.
10 Eskandari stated one concern was that they did not know how well the plants in the back would survive
11 construction and they held off on that to determine which plants would survive.
12

13 Chairman Bradley asked if there were any other questions. He asked the applicants to speak to the
14 standard relating to reasonable return and the necessity of the garden space relating to the variance
15 request. Ms. Nelson stated the path would enable them to engage everyone in terms of accessibility of
16 the grounds and would be inclusive and allow for individuality which cannot be done now without a guide.
17 She stated they promote independence and the request would allow them to complete what they are
18 trying to do with regard to their mission. Ms. Tie stated the Hadley Institute is in the process of
19 transforming and they have learned a lot over the years about the needs of individuals with low vision.
20 She then stated they want to be a model for other organizations and have been evolving with regard to
21 how to be a model.
22

23 Chairman Bradley asked if there are future plans to request subsequent variations to complete their
24 vision. Ms. Nelson responded there are no additional plans. Chairman Bradley asked if there were any
25 other questions. No additional questions were raised at this time. He then asked for the applicants to
26 confirm there were no technical difficulties in terms of their presentation to the Board. The applicants
27 confirmed there were no difficulties. He then called the matter in for discussion as well as put into the
28 record any written comments. Mr. Schoon confirmed while there were no prior written comments, there
29 are individuals now in attendance.
30

31 Mr. Norkus asked Stacy I. if she had any public comment. No comment was made at this time. He
32 confirmed two prior meeting attendees were no longer part of the meeting. Chairman Bradley stated if
33 there is any additional public comment, it would be added to the meeting and then closed the public
34 portion comment of the meeting and stated they would proceed with the Board's deliberation.
35

36 Mr. Greable stated he is in full support of the application which he commented was well done. He also
37 stated the Hadley Institute is an important part of the community. She also stated with regard to the
38 building's appearance, it had strong architectural lines and the landscaping plan would make it more
39 attractive. Ms. Balassa agreed with Ms. Handler's comments and stated the request would greatly
40 enhance the work already done. Ms. Hanley stated she is also in support of the application. Mr. Nielsen
41 stated the request is less than 1,000 square feet, he is in support. Chairman Bradley also stated he is in
42 support of the application and agreed Hadley is an important member of the community and provides a
43 great service. He stated he assumed it would have been assumed into the prior special use granted before
44 and was meant to be part of the overall phased project. Chairman Bradley then stated it would make the
45 iconic part of the Village better. He then asked for a motion to recommend approval as indicated on page
46 7 of the agenda packet.
47

1 A motion was made by Mr. Nielsen and Ms. Balassa seconded the motion. A vote was taken, and the
2 motion unanimously passed.

3 AYES: Balassa, Bradley, Greable, Handler, Hanley, Nielsen

4 NAYS: None

5
6 **Case No. 20-17-SD: 1165, 1171 and 1177 Ash Street: An application submitted by Richard and Laura
7 Radcliffe and Carl and Rebecca Hardie seeking approval of a Final Plat of Subdivision to resubdivide the
8 three existing lots into two lots of record and a zoning variation. The requested zoning variation would
9 permit the existing residence at 1165 Ash Street to observe less than the minimum required side yard
10 setback from the east property line. The Village Council has final jurisdiction on this request.**

11 Ms. Klaassen stated Richard and Laura Radcliffe, owners of 1171 Ash Street, the vacant lot, and 1177 Ash
12 Street, along with Carl and Rebecca Hardie, owners of 1165 Ash Street, have collectively filed an
13 application seeking final subdivision plat approval to resubdivide three existing lots into two lots of record
14 along with a variation to permit the existing residence at 1165 Ash to observe less than the minimum
15 required side yard setback from the east property line due to an increase in the minimum required side
16 yard setback as a result of the proposed increase in total lot area and increase in average lot width. She
17 noted the existing residence is nonconforming with regard to the minimum required side yard setback
18 and the total side yard setback requirement. Ms. Klaassen stated the application was considered by the
19 Plan Commission on May 27, 2020 which voted unanimously to recommend approval of the request with
20 no conditions. She then stated the Village Council has final jurisdiction.

21
22 Ms. Klaassen stated the subject property is located on the north side of Ash Street between Glendale
23 Avenue and Berkeley Avenue and is zoned R-5 single family residential and consists of three buildable lots
24 with 1165 Ash measuring 10,805 square feet and both 1171 and 1177 Ash measuring 9,005 square feet.
25 She stated 1165 Ash and 1177 Ash are each improved with a single-family residence with 1171 Ash being
26 a vacant lot located between the two developed lots.

27
28 Ms. Klaassen stated the Radcliffes reside at 1177 Ash which they acquired in 1989 along with the vacant
29 lot at 1171 Ash. She then stated the Hardies reside at 1165 Ash which they acquired in 2016. She informed
30 the Board the applicants are proposing to divide the 50 foot vacant lot between their respective lots and
31 if approved, the two new lots of record would measure 15,307 square feet for 1165 Ash (Lot 2) and 13,506
32 square feet for 1177 Ash (Lot 1) as shown on the illustration. Ms. Klaassen noted all existing improvements
33 would remain and no additional improvements are proposed at this time.

34
35 Ms. Klaassen stated as indicated in the table outlining zoning standards, the proposed subdivision
36 complies with minimum lot area, lot depth and lot width requirements. She noted the proposed
37 subdivision would eliminate two existing nonconforming lots since 1171 Ash and 1177 Ash are
38 nonconforming with regard to the minimum required lot width of 60 feet. Ms. Klaassen then stated as a
39 general rule, the allowable size of buildings and setback requirements for those buildings change with any
40 modification to lot dimensions. She stated as a result, Village staff conducts analyses with regard to
41 proposed lots and improvements to those lots to determine whether any new zoning nonconformities
42 would be created by the resubdivision and whether there are any existing zoning nonconformities which
43 will remain. Ms. Klaassen referred to the excerpt in Table 3 where it showed one nonconformity
44 highlighted in yellow would be created by the subdivision in that the proposed subdivision has the effect
45 of increasing the average lot width of 1165 Ash to 85 feet, resulting in the increase in the minimum
46 required side yard setback to 8.5 feet. She stated the proposed larger lot rendered the existing residence
47 at 1165 Ash nonconforming with the new minimum side yard requirement of 8.5 feet. Ms. Klaassen then

1 stated the existing improvements provide a minimum of 5.58 feet and would be deficient with the new
2 requirement by 2.92 feet or 34%.

3
4 Ms. Klaassen noted there would be two existing nonconformities that would remain on the 1177 Ash
5 parcel. She then stated the existing detached garage has a nonconforming west side yard setback and rear
6 yard setback. Ms. Klaassen stated it was constructed in 1939 and predated the current zoning ordinance
7 which now required garages in the rear quarter of a lot in the R-5 district to provide a setback of at least
8 2 feet. Ms. Klaassen then stated there are four existing nonconformities which would be eliminated by
9 the proposed subdivision. She stated the existing residence at 1165 Ash Street currently provides a west
10 side yard setback of 4.8 feet and a total side yard setback of 10.8 feet. Ms. Klaassen also stated the existing
11 residence at 1177 Ash Street currently provides an east side yard setback of 4.76 feet. Ms. Klaassen then
12 stated the existing improvements at 1177 Ash Street currently exceed the maximum permitted
13 impermeable lot coverage by 168 square feet and the proposed subdivision would eliminate all four of
14 these existing nonconformities. She noted all of the lots are located in the 100-year flood plain and any
15 future improvements would be evaluated by the Village Engineering staff for compliance with the flood
16 protection ordinance and storm water regulations.

17
18 Ms. Klaassen then stated the Board is to consider whether the requested variation meets the standards
19 for granting the variation and following public comment and Board discussion, the Board may make a
20 recommendation to the Village Council regarding the requested relief. She noted a draft motion is
21 included on page nos. 9 and 10 of the agenda report. Ms. Klaassen informed the Board five emails were
22 submitted for public comment which would be read into the record after the applicants' presentation.
23 She then asked if there were any questions.

24
25 Chairman Bradley stated he heard the presentation at the Plan Commission meeting and also asked if
26 there were any questions. He confirmed the Board is to make a recommendation to the Village Council
27 relating to the variation and that it did not include the Board's consideration of the final plat of
28 consolidation of the lots. Ms. Klaassen confirmed that is correct. No additional comments were made at
29 this time.

30
31 Chairman Bradley then swore in those speaking to this matter.

32
33 Carl and Rebecca Hardie, Todd Stephens an attorney for the applicants, and Richard and Laura Radcliff
34 introduced themselves to the Board. They all confirmed they received the written waiver and consent to
35 the virtual meeting and there are no supplemental materials to the application which are not in the
36 Board's possession.

37
38 Mr. Stephens stated the request is to take three lots with four existing nonconformities and transform
39 them into two lots. He referred to the new side yard setbacks and confirmed there are no plans to make
40 any improvements on the lots at this time other than landscaping and running a fence down the middle
41 of the property.

42
43 Mr. Hardie stated the only new nonconformity would be on the east side yard of one property due to the
44 new subdivision. He stated they appreciated the Board's consideration and asked if there were any
45 questions. Mr. Radcliffe stated they had nothing to add.

46 Chairman Bradley then called the matter in for discussion and asked the Board if they had any questions.
47 He referred to the east side yard setback and stated it would be unusual to ask the applicants to relocate
48 the house to accommodate the new side yard setback 2.9 feet where there was already a nonconformity

1 in that location. Chairman Bradley again asked if there were any questions. No questions were raised at
2 this time. Chairman Bradley described the application as thoughtful and the creation of additional
3 greenspace would be beneficial to everyone. He then asked if there were any comments from the public.
4 Ms. Klaassen confirmed she would read the five emails she received into the record noting four of them
5 were included in the Board's agenda packet. She noted the first four emails were submitted to the Plan
6 Commission and the additional email was also sent to the Board. Ms. Klaassen then read all five emails
7 into the record from Bill and Betsy Meuer, Seth and Allison Reutherford, Sally and John Weber, Susan and
8 Philip Schmidt and Marsha and Bob Sutter.
9

10 Mr. Norkus asked the call-in participant if there was any comment. No comment was made at this time.
11 Chairman Bradley confirmed additional comment, if any, would be read into the record. He then closed
12 the public comment portion of the meeting.
13

14 Chairman Bradley first referred to the four existing nonconformities which would be eliminated by the
15 request and described the request as perfunctory. Mr. Greable stated he is in full support of the
16 application. Ms. Hanley stated she is also in support and referred to the Plan Commission addressing the
17 emails received. She also stated the issue raised in the email with regard to selling the lot outright would
18 be addressed and any potential of either party to expand their homes. Ms. Hanley stated as long as such
19 expansion falls within the zoning ordinance, there is nothing they could do about that. She then referred
20 to the impermeable lot issue raised and stated those issues were already there and the subdivision would
21 not negatively affect that.
22

23 Ms. Balassa, Mr. Nielsen and Ms. Handler stated they are all in full support of the application. Chairman
24 Bradley confirmed he is also in support of recommending approval for the reasons stated. He then asked
25 for a motion to recommend approval of the application as indicated on page 9. Mr. Greable moved to
26 recommend approval of the zoning variation. The motion was seconded by Ms. Balassa. A vote was taken,
27 and the motion unanimously passed.

28 AYES: Balassa, Bradley, Greable, Handler, Hanley, Nielsen

29 NAYS: None
30

31 **Other Business.**

32 **(a) Community Development Report**

33 Mr. Schoon informed the Board the Village Council has taken action on the three items the Board recently
34 considered including 859 Sheridan Road and noted those variations were approved. He also stated with
35 regard to 191 Sheridan Road, the applicant proposed an accessory structure and submitted plans which
36 were approved by the Village Council. Mr. Schoon then stated the Village Council approved the request
37 from 425 Birch Street. He then clarified with regard to the Hadley Institute application, he confirmed it
38 was recommended they wait until they received their Certificate of Occupancy for the improvements
39 which included site improvements related to engineering. Mr. Schoon stated when engineering is
40 involved, it is best to close out that permit before additional impermeable surface requests are made. A
41 Board Member asked in those types of submissions if a landscaping plan is usually submitted with those
42 types of applications. Mr. Schoon responded usually with an addition, there is a landscaping plan.
43

44 **(b) July 13, 2020 Meeting - Quorum check**

45 Chairman Bradley asked if the July 13, 2020 meeting is likely to be a virtual meeting and Mr. Schoon
46 responded it would depend on guidance and the order from the governor. He confirmed currently, no
47 more than 10 people are allowed to meet under the current phase. The Board Members then discussed
48 their availability. Mr. Schoon confirmed there were currently no applications received although Ms.

1 Klaassen is working with a couple of applicants. Mr. Schoon stated meeting notice is given for both an in-
2 person meeting and virtual meeting depending on what happened.

3
4 Chairman Bradley asked where the Board Member vacancy fell in terms of a replacement due to Wally
5 Greenough's passing. Mr. Schoon responded President Rintz is working on it.

6
7 **Public Comment.**

8 Chairman Bradley asked if there was any public comment for items not on the agenda. Mr. Norkus asked
9 the caller if there was any public comment. The caller stated she had no comment.

10
11 **Adjournment:**

12 Ms. Hanley moved to adjourn the meeting. The motion was seconded by Mr. Nielsen. A vote was taken,
13 and the motion unanimously passed.

14 AYES: Balassa, Bradley, Greable, Handler, Hanley, Nielsen

15 NAYS: None

16
17 The meeting adjourned at 8:26 p.m.

18
19 Respectfully submitted,

20
21 Antionette Johnson

22 Recording Secretary



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: JULY 7, 2020
SUBJECT: CASE NO. 20-19-V: 975 PRIVATE ROAD -VARIATIONS

INTRODUCTION

On July 13, 2020, the Zoning Board of Appeals is scheduled to hold a virtual public hearing, in accordance with social distancing requirements, Governor Pritzker's Executive Orders and Senate Bill 2135, on an application submitted by Dana and John Marzonie (the "Applicants") as the owners of the property 975 Private Road (the "Subject Property"). The Applicants request approval of the following zoning variations to allow the existing storage shed to remain on the Subject Property:

1. Side yard setback of 0.67 feet from the west property line, whereas a minimum of 9.33 feet is required, a variation of 8.66 feet (92.82%) [Section 17.30.060 – Side Yard Setback]; and
2. A shed that is 9.5 feet in height, whereas a maximum of 7 feet is permitted, a variation of 2.5 feet (32.71%) [Section 17.30.080 – Height of Buildings and Structures].

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 25, 2020. 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 (i) grant variations to reduce a side yard setback for an accessory building other than a garage by up to 100%; and (ii) allow an accessory building to exceed the maximum permitted height.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.5 acres in size, is located on the north side of Private Road, between Old Green Bay Road and Sheridan Road, and contains an existing two-story residence with an attached garage and a storage shed, which is the subject of this application (see Figure 1). The Subject Property is a triangularly shaped lot without a rear yard as defined by the Zoning Ordinance; the two side lot lines come to a point opposite the front lot line along Private Road.

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

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

Construction of the residence began in late 2002 and was completed in 2005. No significant subsequent building permits have been issued. The Applicants acquired the property in 1998. There are three previous zoning cases on file for the Subject Property:

1. In January 2000, the ZBA recommended approval of a front yard setback variation to allow construction of a new single-family residence that would provide a front yard setback of 41.16 feet, whereas 51.45 feet was required;
2. Ordinance M-1-2002 was adopted in February 2002 by the Village Council, granting a variation to allow the relocation of the former residence, with the relocated building observing a front yard setback of approximately 15 feet with a new porte-cochere observing a setback of 0 feet, rather than the minimum required setback of 50 feet; and
3. Ordinance M-6-2002 was adopted in April 2002 by the Village Council, granting a variation to allow construction of an attached garage addition with three front-facing garage doors having a total width of 27 feet, whereas a maximum of 18 feet was required. The proposed garage addition was to be constructed in conjunction with the relocation and renovation of the single-family residence, as approved with the adoption of Ordinance M-1-2002.

Ultimately, the former residence that was subject to the ordinances adopted by the Village Council in 2002 was not relocated, it was torn down and the current residence was constructed.

The Community Development Department received a complaint on December 10, 2019 regarding the shed that is the subject of this application. It was determined that the shed had been constructed without a building permit. The Village's Code Enforcement Officer met with the property owners (the Applicants) on December 17 and had multiple conversations with the Applicants in January and February of this year. A violation notice was sent on March 6, 2020 detailing the items of zoning noncompliance, with a deadline of March 21 to bring the shed into compliance by either modifying the structure or applying for zoning relief. On March 19, 2020, the Applicants requested, and were granted, an extension to bring the structure into compliance due to COVID-19 related delays. A second violation notice was sent to the Applicants on May 7, 2020, which prompted the submittal of the variation application currently before the Board on June 12, 2020.

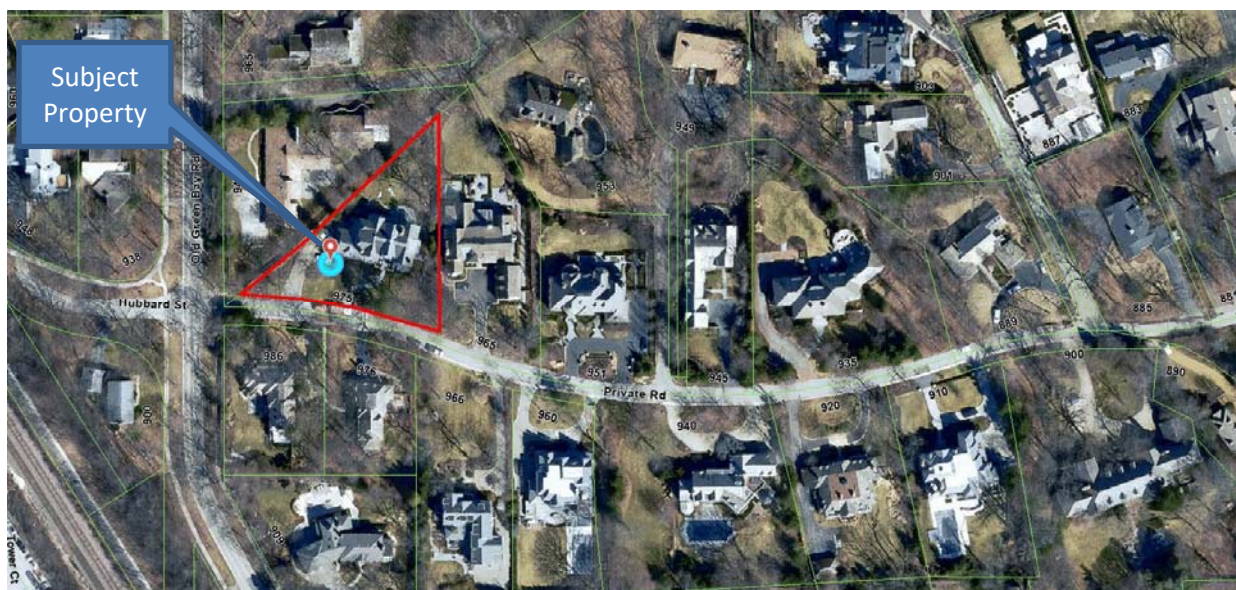


Figure 1 – Aerial Map



Figure 2 – Zoning Map



Figure 3 – Subject Property – view from driveway looking north towards shed



Figure 4 – Subject Property – East Elevation of Existing Shed

PROPOSED PLAN

The requested variations would allow the existing storage shed to remain on the Subject Property. The shed measures 6.3 feet by 10.3 feet (approximately 65 square feet) and is 9.5 feet in height. The Subject Property currently has an attached two-car garage. As described in the Applicants' written explanation, which is provided in Attachment C, the shed is intended to provide storage for bicycles, a lawnmower, and a snowblower. The shed is identified in Figures 3 and 4 earlier in this report. An excerpt of a current plat of survey identifying the location of the existing shed is also provided below as Figure 5. Additionally, the Applicant has provided a photo of the existing shed with the height dimensioned, this photo is included on the following page as Figure 6.

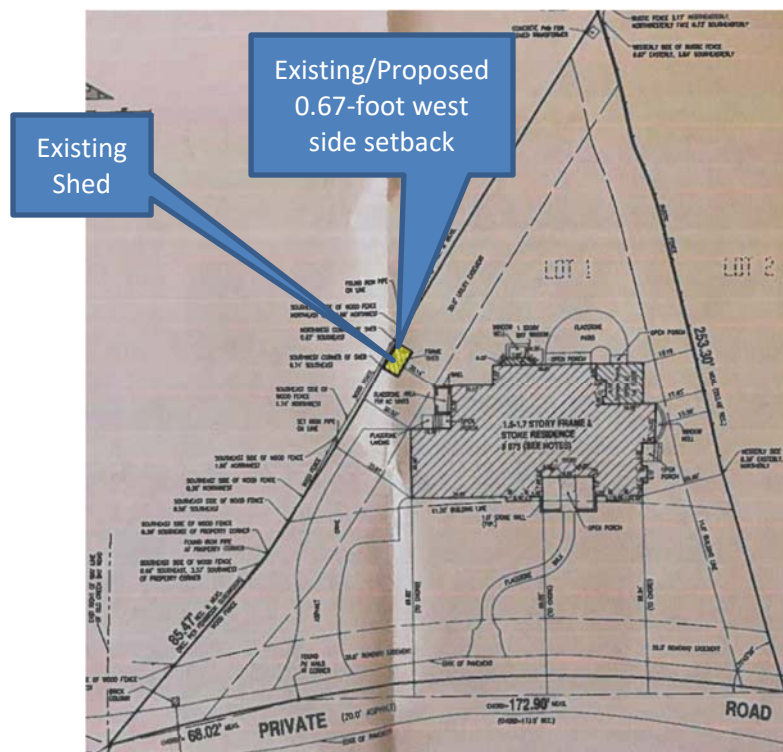


Figure 5 – Excerpt of Plat of Survey



Figure 6 – Existing Shed with Height Dimensioned

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (Attachment B). Based on the proposed plan, it appears additional stormwater detention would not be required. However, a final determination will be made by Village Engineering staff. Additionally, Figure 7 on the following page represents the Subject Property's proximity to the floodplain. The grey represents the 100-flood area and the purple represents the 500-year flood area.



Figure 7 – GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the improvement's compliance with the R-2 zoning district (Attachment A). Two variations are being requested: (1) Side Yard Setback; and (2) Height of Buildings and Structures.

Side Yard Setback. A variation is being requested to allow the shed to provide less than the minimum required side yard setback from the west property line. The side yard setback from the west property line to the shed is 0.67 feet, whereas a minimum of 9.33 feet is required, a variation of 8.66 feet (92.82%) [Section 17.30.060 – Side Yard Setback].

Structure Height. A variation is also being requested to allow the shed, which measures 9.5 feet in height, to exceed the maximum permitted height of 7 feet, a variation of 2.5 feet (35.71%) [Section 17.30.080 – Height of Buildings and Structures]. The Zoning Ordinance allows storage sheds, playhouses, walled enclosures for refuse containers or swimming pool equipment, or any similar structure to be 7 feet in height.

FINDINGS

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

Staff has prepared the attached draft resolutions for the Board's consideration (Attachment D). 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 variations or the resolution to deny the requested variations.

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

Attachment D: Draft Resolutions

ATTACHMENT A

ZONING MATRIX

ADDRESS: 975 Private Road

CASE NO: 20-19-V

ZONING: R-2

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (3)
Min. Lot Size	24,000 SF	21,784.4 SF (1)	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	100 FT	93.37 FT	N/A	N/A	EXISTING NONCONFORMING
Max. Roofed Lot Coverage	5,446.1 SF (2)	3,772.82 SF	3,837.71 SF	64.89 SF	OK
Max. Gross Floor Area	6,801.93 SF (2)	6,107.35 SF	6,172.24 SF	64.89 SF	OK
Max. Impermeable Lot Coverage	10,892.2 SF (2)	7,262.74 SF	7,327.63 SF	64.89 SF	OK
Min. Front Yard (Private/South)	52.24 FT	41.5 FT (4)	41.5 FT (4)	0 FT	Variation granted in 2002
Min. Side Yard	9.33 FT	15.59 FT (4)	0.67 FT	(14.92) FT	8.66 FT (92.82%) VARIATION
Min. Total Side Yards	23.34 FT	36.11 FT (4)	36.11 FT (4)	0 FT	OK

NOTES:

(1) Net lot area. Area of private roadway easement (4,543.6 S.F.) is not included in the lot area for zoning purposes.

(2) Based on net lot area of 21,784.4 s.f.

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

(4) Setback to existing residence.

(5) A variation is also requested to allow a shed that is 9.5 ft. in height, whereas a maximum height of 7 ft. is permitted.

ATTACHMENT B

Stormwater Volume Requirements for Development Sites

In addition to meeting the following storm water volume detention requirements, development sites must meet all other Village storm water management requirements such as drainage and grading, storm water release rates, storage system design requirements, etc.

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 975 Private Road</i> <i>Based upon preliminary review of information to date, it appears that 975 Private Road <u>would not</u> have to provide additional storm water detention volume. However, a final determination will be made by Village Engineering staff.</i>

VILLAGE OF WINNETKA, ILLINOIS

DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

RECEIVED
JUN 12 2020

Case No. 20-19-V

VA 2020-514

Property Information

Site Address: 975 Private Road, Winnetka

BY: _____

Owner Information

Name: Dana & John Marzonie

Address: 975 Private Road

City, State, ZIP: Winnetka, IL 60093

Email: _____

Primary Contact: dana Marzonie

Phone No. _____

Date property acquired by owner: July, 1998

Architect Information

Name: N/A

Primary Contact: _____

Address: _____

City, State, ZIP: _____

Phone No. _____

Email: _____

Attorney Information

Name: N/A

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: Irregular pie shape lot, Covenant for east lot line of 14 feet
Mature trees and shrubs, drainage issuesBrief explanation of variation(s) requested (attach separate sheet providing additional details):
We are seeking consideration for a zoning variation pertaining to village code 17.30.130
regarding a 60 square foot shed placed in the west side yard set back and a variation
for 17.30.130 for an accessory building over 7ft for a portion of the roof.

Property Owner Signat

Date: 6/12/2020

We are requesting consideration for zoning variations pertaining to village code section 17.30.130 regarding a shed placed in a side- yard setback and village code section 17.30.80 for an accessory building that is over 7 feet in height for a portion of the roof.

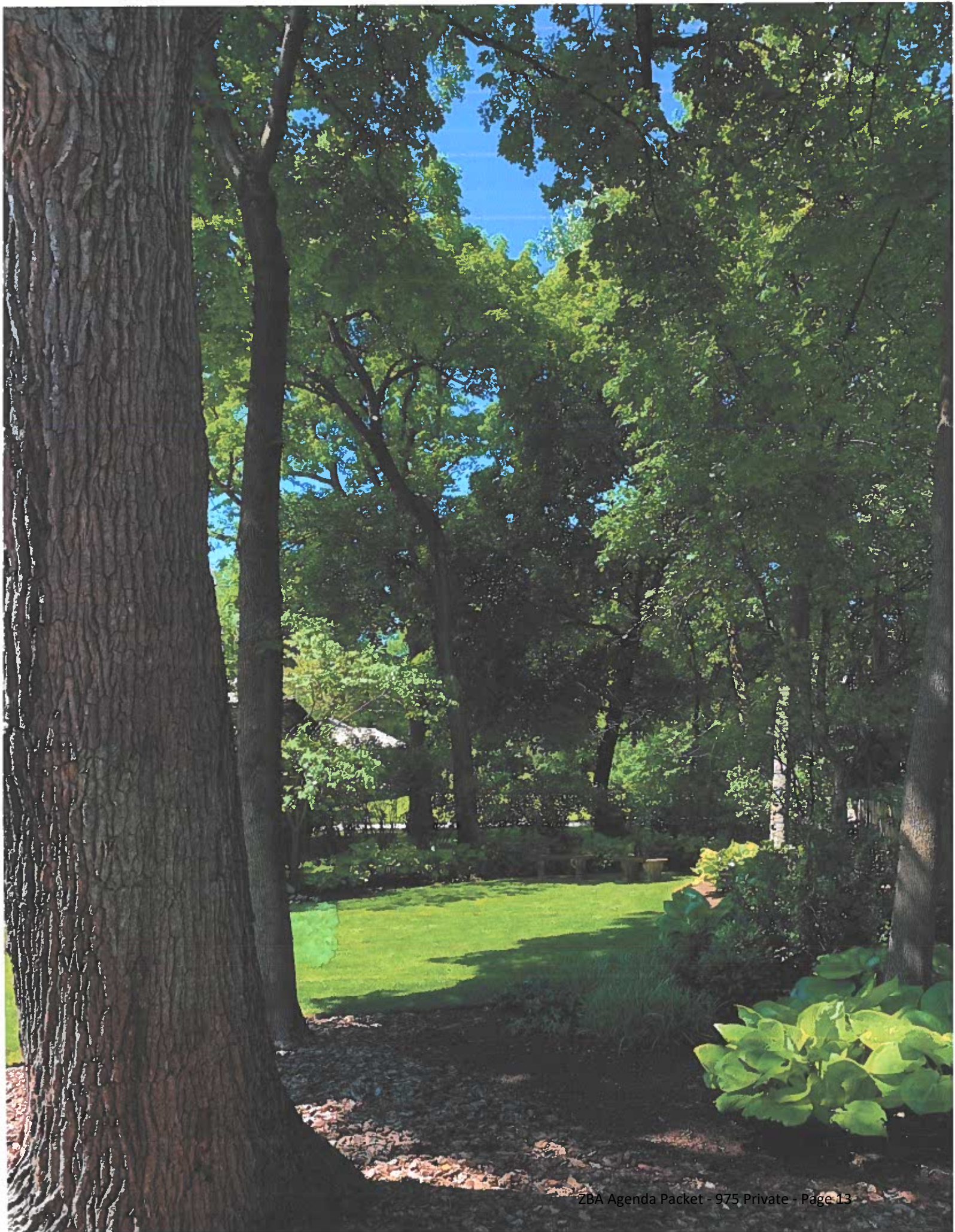
1. The shed will be used to store bikes, a snowblower and a lawnmower making it impractical to locate in the rear of the yard.
2. The existing foundation for the original shed was used, therefore no mature trees, shrubs or plants required removal. We are unable to find a suitable/functional location in our yard without jeopardizing mature trees and shrubs. See "Photo - Backyard".
3. A 7ft maximum roof height structure that is 60 square feet or less is extremely difficult to locate, we were unsuccessful in locating one. It is a door height/functionality issue. The wall height is 6.5ft, the door is 6ft with a 10/12 roof pitch on the 6x10 building. To cut off the peak of the roof would create a situation where snow, leaves and debris collect.
4. The lot is an irregular pie shape which comes to a point in the backyard with mature landscaping/trees/shrubs and a transformer box at the back point of the property. See "Plat of Survey - March 19, 2020".
5. Due to the non-conforming shape of the lot, the area identified by the Village as an acceptable area to locate an accessory building without requiring a zoning variation is extremely limited and in our situation filled with obstacles. The Village code 17.30.130 reads: Only that portion lying within the rear twenty-five (25) percent of the lot may encroach into the side yard. Section 17.30.070 further establishes a rear yard setback by Zoning Administrator. There is a covenant on the property that stipulates a 14 foot side-yard setback on the east side of the property which further reduces shed location options. See "From Village - Figure 2".
6. We reached out to our side yard neighbor with our intent to upgrade the shed, including an offer for them to come by to discuss. Upon completion we offered to discuss additional landscaping. This was done through email and while we did not receive a response regarding the landscaping, the offer stands. Emails can be provided upon request.
7. The shed is an improvement from the original that was grandfathered in when we purchased the property in 1997 and remained in place until last fall. It is an additional 12 square feet. There are many examples of dilapidated, unkept accessory buildings throughout our neighborhood. See "Photo - Neighborhood Shed Example". The upgrade was done in the spirit of improving the functionality and the overall aesthetic rather than simply painting the rotting one. The door now locks and one is able to enter without bumping your head. We have had multiple bikes and scooters stolen from the old version. See "Photo - New Shed".
8. The rear portion of the property is chronically wet creating a difficult situation to relocate the accessory building further back in the yard. We have repeatably inquired and have had various village employees out to review the situation. The storm sewer system that was installed and inspected by the village when the house was built by us in 2004 has never functioned well, the sewer backs up and the yard floods after most rainstorms. We have

written, we have been patient, we have had the sewer line on our property maintained. We were told and hopeful that the storm sewer work previously completed on Old Green Bay Road and at the corner of Tower Road would have a positive impact, but it has not. It remains a frustrating mystery! We are aware of the village wide storm water plan and again are hopeful that will help our situation. But until then, the yard is chronically wet with standing water at the center of the yard where the storm sewer was placed. See site development plans. See "Bill for Maintenance - Storm Drain Invoice". See "Photo - Water Drainage Example" & "Photo - Water Drainage Example 2". Correspondence emails can be provided upon request.

9. Locating any building in the middle of the backyard will further prevent proper drainage created by the landscape plan in conjunction with the Village Civil Engineer. See "Site Development Plan" with storm sewer and swale diagram indicated. See "Photo - Water Drainage Example" & "Photo - Water Drainage Example 2".

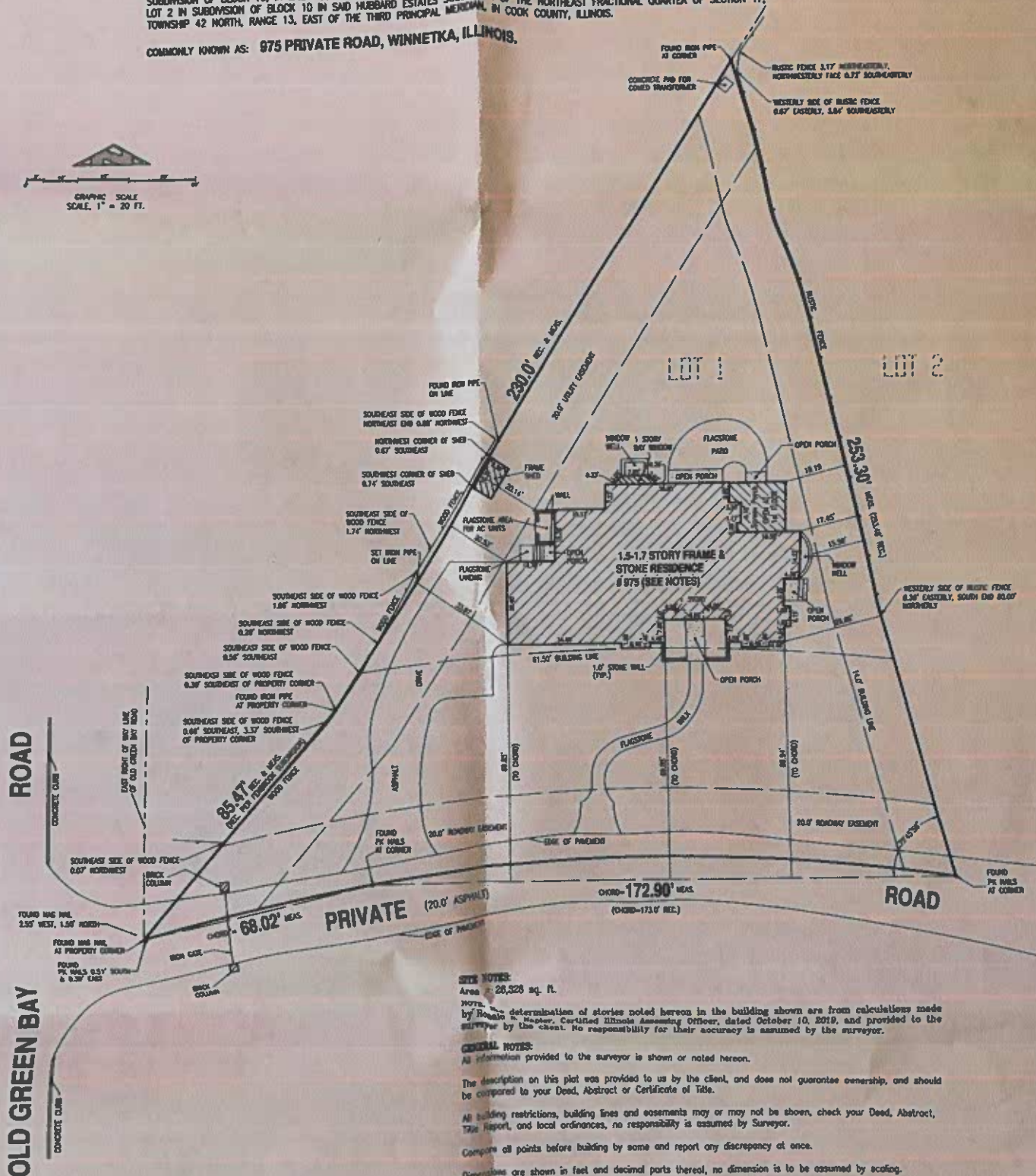
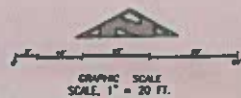
Sincerely,

Dana & John Marzonie



LEGAL DESCRIPTION:
LOT 1 IN FEBERDICK, A SUBDIVISION OF LOT 3 IN THE SUBDIVISION OF BLOCK 11, (EXCEPT THE EAST 1 1/2 ACRES THEREOF) IN HUBBARD ESTATES SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, ALSO A PART OF LOT 2 IN THE SUBDIVISION OF LOT 1 IN THE SUBDIVISION OF BLOCK 10, IN SAID HUBBARD ESTATES SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, ALSO A PART OF LOT 2 IN SUBDIVISION OF BLOCK 10 IN SAID HUBBARD ESTATES SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 975 PRIVATE ROAD, WINNETKA, ILLINOIS.



SIDE NOTES:

Area 26,328 sq. ft.

NOTE

NOTE: The determination of stories noted herein in the building shown are from calculations made by Ronald N. Napier, Certified Illinois Assessing Officer, dated October 10, 2018, and provided to the surveyor by the client. No responsibility for their accuracy is assumed by the surveyor.

GENERAL NOTES:

Information provided to the surveyor is shown or noted hereon.

The description on this plat was provided to us by the client, and does not guarantee ownership, and should be compared to your Deed, Abstract or Certificate of Title.

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

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

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

FIELD MEASUREMENTS COMPLETED MARCH 19, 80 20

STATE OF ILLINOIS }
COUNTY OF COOK } ss.

This is to certify that a survey of the above described property was performed under my supervision and that the above plot correctly represents said survey. This professional service conforms to the current Alaska Minimum Standards for a boundary survey.

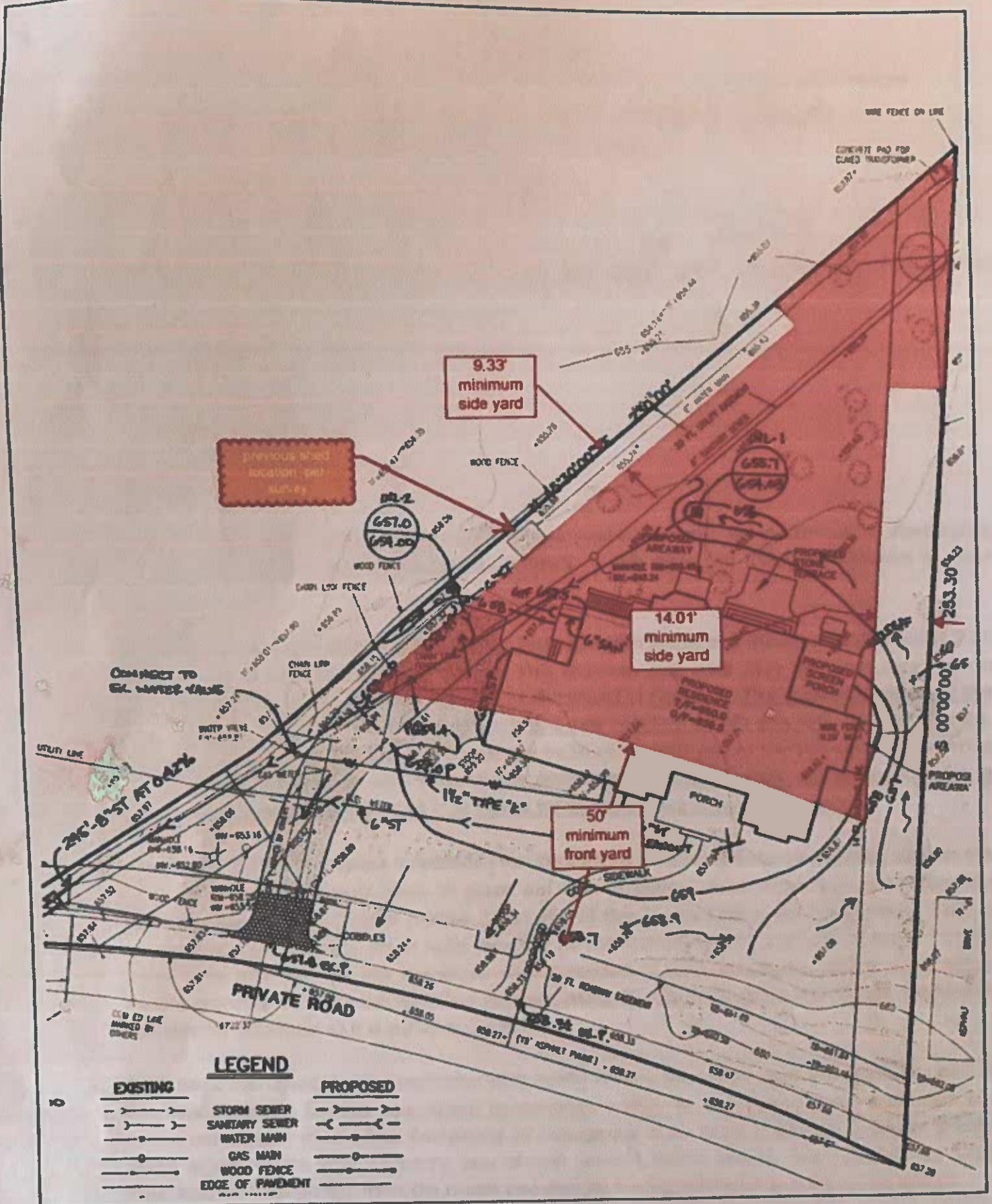
Backman Dated APRIL 13 2020

Professional Land Surveyor No. 000-000000
License Expiration Date 11/30/00



B.H. SUHR & COMPANY, INC.	
E. H. HANSEN MEMBER I.P.L.E.A. N.E.P.S.	SURVEYING ESTABLISHED 1911 490 SKOKIE BLVD. SUITE 185, NORTHERN OAK, ILLINOIS, 60062 TEL. (847) 864-4335 / FAX (847) 864-0341 E-MAIL: SURVEYING@INSURER.COM Professional Design Firm Illinois No. 014-000077-0000
LOCATION _____	975 PRIVATE ROAD
ORDER No. _____	20-031
SURVEY DATE _____	MARCH 19, 20
ORDERED BY _____	JOHN MARZONI

Figure 2

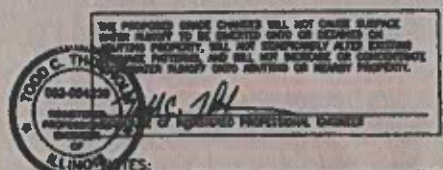




LOT 1 IN PARCELS, A SUBDIVISION OF LOT 3 IN THE SUBDIVISION OF BLOCK 7 (EXCEPT THE 1 1/2 ACRES THEREOF) IN HARBARD
[TITLES SUBDIVISION OF THE NORTHEAST 1/4 OF FRAGMENTAL SECTION 17, ALSO A PART OF LOT 2 IN THE SUBDIVISION OF LOT 1 IN
THE SUBDIVISION OF BLOCK 10 IN SAID HARBARD] ESTATED IN PARCELS OF THE NORTHEAST FRAGMENTAL QUARTER OF SECTION 17,
ALSO PART OF LOT 2 IN THE SUBDIVISION OF BLOCK 10 IN SAID HARBARD, ESTATED SUBDIVISION OF THE NORTHEAST FRAGMENTAL
QUARTER OF SECTION 17, TOWNSHIP 42 NORTH RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.
COMMONLY KNOWN AS 975 PINEY ROAD, WENDELL, ILLINOIS.

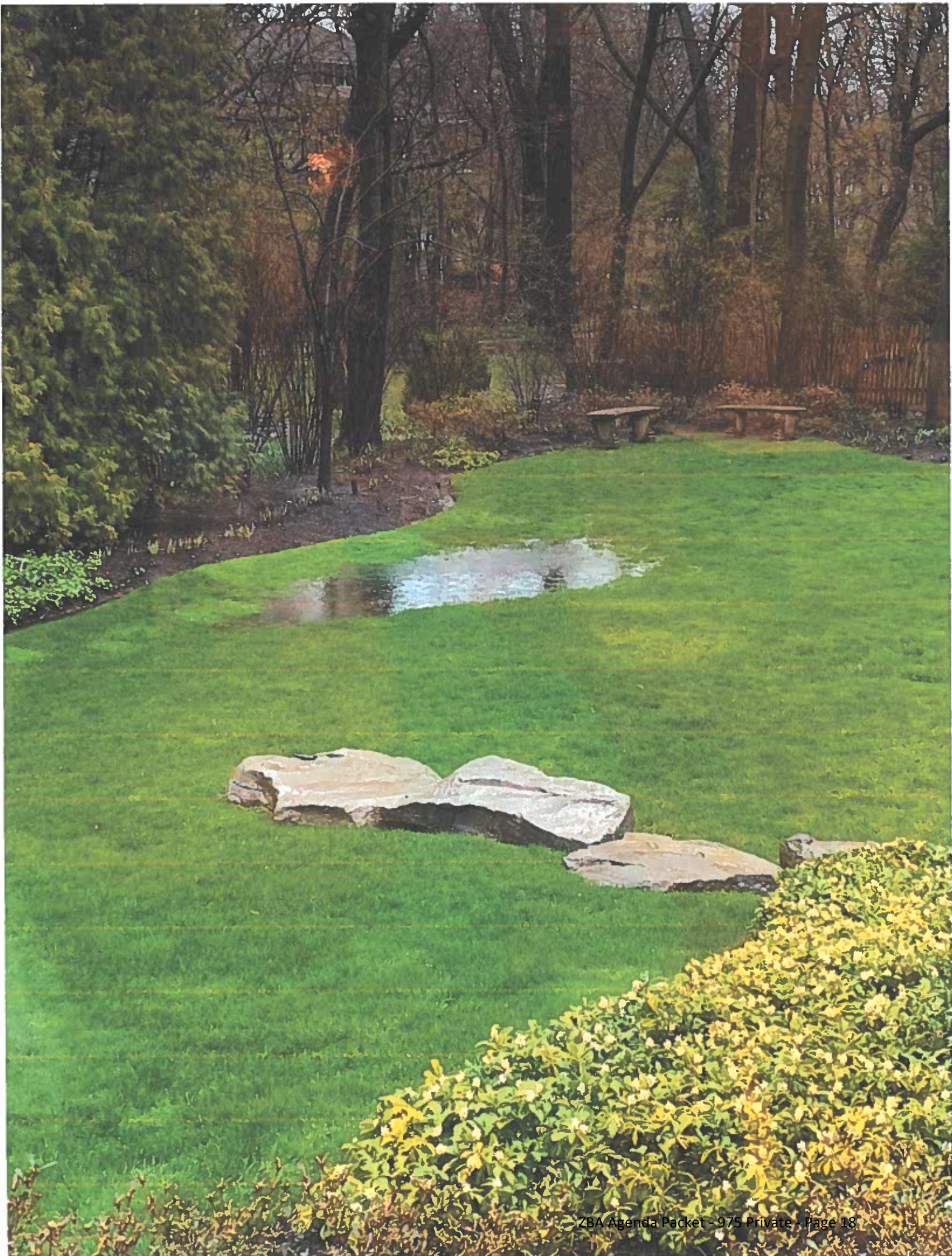
COMMONLY KNOWN AS: 675 PINEHURST ROAD, WINDYBELL, ALABAMA

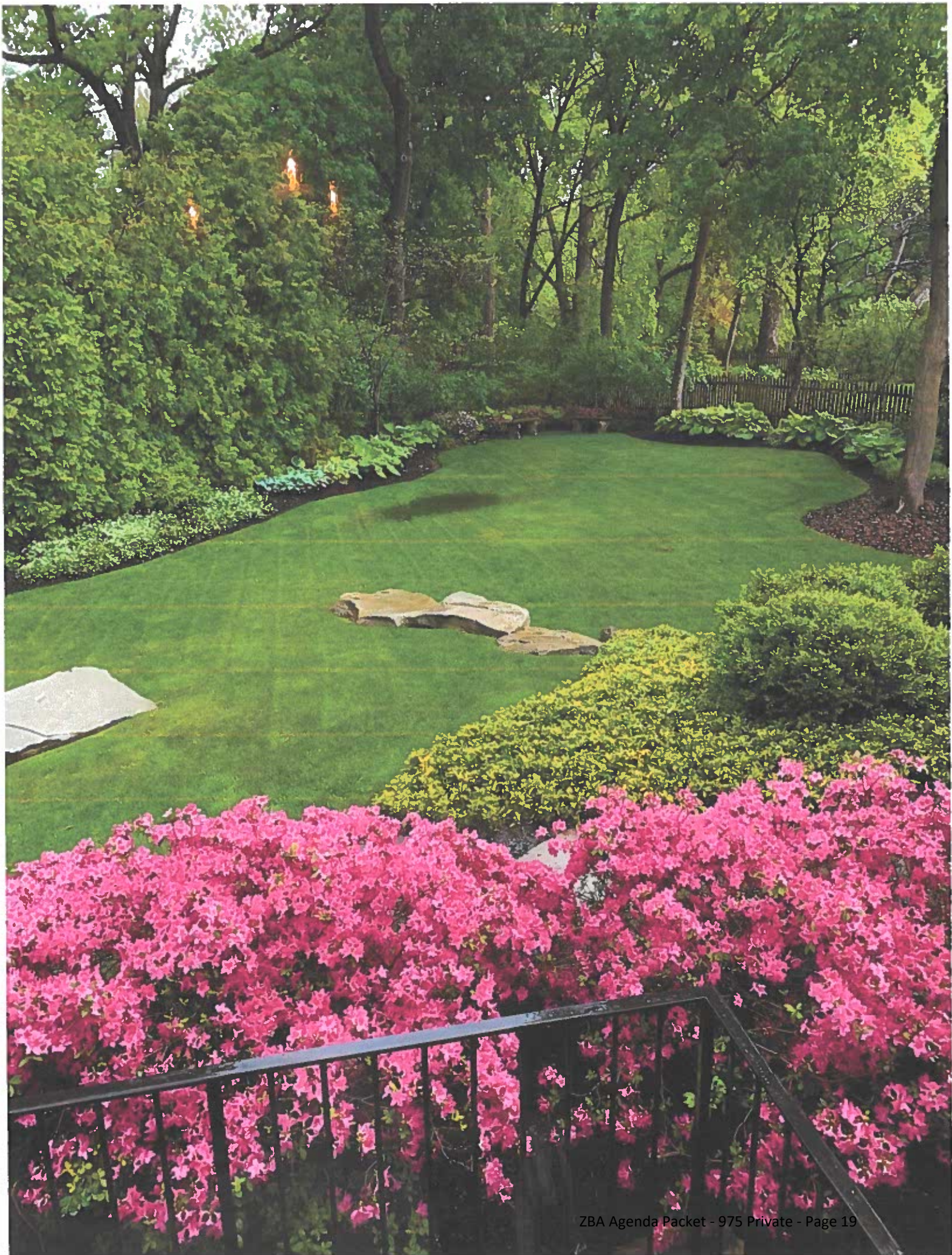
STORM SEWER (MARZONIE)



1. EXISTING INFORMATION SHOWN PROVIDED BY CLIENT REPRESENTS THE CONDITIONS ON 1-7-92.
2. ALL AREAS BELIEVED DURING CONSTRUCTION SHALL BE RESTORED WITH TOPSOIL AND SEED OR SOIL UPON COMPLETION OF FINAL GRADES.
3. MOST EXISTING GRADES AT ALL PROPERTY LINES.
4. THE LOCATION OF UNDERGROUND UTILITIES SHOWN BASED ON ABOVE-GROUND RECORDS AND WELLS RETAINED. PLUMBING CONTRACTOR SHALL FIELD VERIFY ALL LOCATIONS.

1-1







SAVE THIS INVOICE FOR YOUR GUARANTEE

SEE BINDING TERMS ON REVERSE

Roto-Rooter Services Company

Remit to: 5672 Collections Center Drive, Chicago IL 60693-0056

For Service Please Call 1-800-GET-ROTO (438-7686)

General (224) 265-4864 • Fax (847) 718-0373

IL: PL #055-033674; IN: Lic #JP21600014, PC #11600013

DATE OF SERVICE M / D / Y 6 / 19 / 15	LOCATION Chicago Market
SERVICE TECHNICIAN'S NAME George	
INVOICE NO. 25- 10272212	

SEWER & DRAIN ☒	PLUMBING ☐	PUMPING ☐
INDUSTRIAL ☐	EXCAVATION ☐	DRAIN TILE ☐

CUSTOMER NAME John Morrison		CUSTOMER NO.		CUSTOMER CLASS ☒ RESIDENTIAL ☐ COMMERCIAL	
BILLING ADDRESS		APT. NUMBER		FEDERAL I.D. # 42-0499300	
CITY	STATE/PROVINCE	ZIP/POSTAL	CUSTOMER PHONE NO.		P.O. NUMBER/AUTHORIZATION
SERVICE ADDRESS (IF DIFFERENT THAN BILLING ADDRESS) 975 PRIVATE RD			CITY WINNETKA	STATE/PROVINCE IL	ZIP/POSTAL 60093

RIGHT TO CANCEL (Illinois residents): You, the consumer, may cancel this transaction at any time prior to midnight of the third business day after the date of this transaction. See the Notice of Cancellation on the reverse for an explanation of this right.

WORK ORDER AUTHORIZATION / WAIVER I hereby acknowledge receipt of the Notice of Cancellation. I have asked Roto-Rooter to provide services. In order to induce Roto-Rooter to provide these services: 1) I initiated the negotiation and contract; 2) I executed this contract in connection with the making of emergency or immediate necessity repairs or services necessary for the immediate protection of persons or real or personal property detailed on this form; and 3) I expressly acknowledge and waive the right to cancel this contract within three business days. I authorize the services indicated and agree to pay the amounts specified. I have read and agree to the terms on the reverse side, including the limits on Roto-Rooter's responsibility specified in those terms. I acknowledge that under paragraph 2(b) of those terms, if Roto-Rooter equipment gets stuck in a pipe, I may be responsible for the cost of removing that equipment, including any required excavation.

(SIGNATURE) [Signature] (PRINT NAME) John D Morrison

REPAIR CODE	ESTIMATE AND DESCRIPTION OF WORK TO BE PERFORMED (The approximate starting date is _____ and the approximate completion date is _____ Neither date is guaranteed. Unexpected conditions or problems could cause delays. A definite completion date is not of the essence.)	\$ AMOUNT
111	SEWER FROM FRONT YARD CHASE BASIN. C-1 STEM MANHOLE, 3' L. IN. PIPE DIA 1' DIA PVC. 3' MANHOLE IN BACK YARD.	

ADJUSTMENTS/CHANGES IN WORK TO BE PERFORMED (Use additional invoice if needed to describe changes)

DISCOUNT 1350.00

RESIDENTIAL GUARANTEE LABOR ☐ Main/Branch Lines 6 months ☐ Toilet Auger 7 days ☐ Plumbing Repair 6 months ☐ Plumbing Replacement 1 year ☐ Extended Guarantee 1 year REASON FOR NO GUARANTEE		COMMERCIAL GUARANTEE LABOR ☐ Main/Branch Lines 30 days ☐ Toilet Auger 24 hours ☐ Plumbing Repair 90 days ☐ Plumbing Replacement 90 days		PAYMENT ☐ CASH ☐ CHECK NO. 029452 ☒ CREDIT CARD ☐ NET 10 DAYS OVER 30 DAYS = LATE CHARGE OF 1 1/2% PER MONTH * In the event check is returned, the CUSTOMER is responsible for all related bank fees.		LABOR \$ 750.00 LABOR TAX \$ PARTS \$ DISCOUNT \$ PRODUCTS \$ OTHER \$ TAX \$ TOTAL \$ 750.00	
--	--	---	--	---	--	---	--

COMPLETION I have described work which has been done to my complete satisfaction.

(SIGNATURE) [Signature]
(PRINT NAME) John D Morrison

SUGGESTIONS FOR REPAIR / REPLACEMENT			
ITEM	LOCATION	ESTIMATED COST	YOU SAVE TODAY
WATER HEATER			
DISPOSER			
SINK			
TOILET			
BATHTUB			
SHOWER			
FAUCET			
DRAIN			
OTHER			

Rely on the experts at Roto-Rooter for complete plumbing and drain services. Call 1-800-GET-ROTO (438-7686).

Visit us at rotorooter.com for coupons, helpful hints and more. Complete our customer survey at: rotorooter.com/contact-us/customer-survey.

And, follow us online for news, timely updates, and other plumbing and drain information.

twitter.com/rotorooter facebook.com/rotorooter
rotorooter.com/blog youtube.com/rotorootertv





9' 6"
at peak

Wall
height:
7'

Door
height:
6' 6"



ATTACHMENT D
RESOLUTION NO. ZBA-5-2020
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 20-19-V – 975 PRIVATE ROAD

WHEREAS, Dana and John Marzonie (collectively, the “Applicants”) are the owners of the property commonly known as 975 Private Road, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (**“Subject Property”**); and

WHEREAS, the Subject Property is located in the R-2 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence with an attached garage and a storage shed; and

WHEREAS, the Applicants desire to maintain the existing storage shed that was constructed without a building permit in the required minimum side yard of the Subject Property and in excess of the maximum permitted height (**“Proposed Improvement”**); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (**“Zoning Ordinance”**), the Subject Property is required to provide a minimum side yard setback of at least 9.33 feet; and

WHEREAS, pursuant to Section 17.30.080 of the Zoning Ordinance, the maximum permitted height of storage sheds is 7 feet; and

WHEREAS, the Applicants desire to maintain the Proposed Improvement on the Subject Property with (i) a side yard setback less than the required 9.33 feet, a violation of Section 17.30.060 of the Zoning Ordinance and (ii) a height greater than 7 feet, a violation of Section 17.30.080 of the Zoning Ordinance; and

WHEREAS, the Applicants filed an application for variations from Section 17.30.060 and 17.30.080 of the Zoning Ordinance to permit the Proposed Improvement to remain on the Subject Property with (i) a side yard setback of 0.67 feet and (ii) a height of 9.5 feet (**“Requested Variations”**); and

WHEREAS, a public notice for the Requested Variations was duly published on June 25, 2020 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, in accordance with social distancing requirements, Governor Pritzker’s Executive Orders 2020-43 and 2020-44 and Senate Bill 2135, a virtual public hearing was held by the Winnetka Zoning Board of Appeals during a virtual meeting held on July 13, 2020 for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on July 13, 2020; and

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

1. Application for the Requested Variations submitted by the Applicants, dated June 12, 2020, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

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

WHEREAS, the Zoning Board of Appeals has determined that the requested variations to provide (i) less than the minimum required side yard setback and (ii) more than the maximum permitted height of a shed do 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 (i) the side yard setback variation, and (ii) the shed 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 (i) side yard setback variation from Section 17.30.060 of the Zoning Ordinance and (ii) maximum shed height variation from Section 17.30.080 of the Zoning Ordinance to permit the existing storage shed to remain on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

SECTION 3. CONDITIONS. Notwithstanding any use or development right that may be applicable or available pursuant to the provisions of the Winnetka Zoning Ordinance or any other rights the Applicants 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 Applicants and their respective heirs, personal representatives, successors and assigns.

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicants 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 Applicants with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, (i) the side yard setback requirement set forth in Section 17.30.060 of the Winnetka Zoning Ordinance and (ii) the shed height requirement set forth in Section 17.30.080 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 Variations granted in Section Two of this Resolution may be granted only pursuant to the procedures, and subject to the standards and limitations, provided in the Winnetka Zoning Ordinance.

SECTION 7. EFFECTIVE DATE.

A. This Resolution will be effective only upon the occurrence of all of the following events:

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

ADOPTED this 13th day of July, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

Lot 1 in Fenbrook, a Subdivision of Lot 3 in the Subdivision of Block 11, (Except the East 1½ Acres thereof) in Hubbard Estates Subdivision of the Northeast Fractional Quarter of Section 17, also a part of Lot 2 in the Subdivision of Lot 1 in the Subdivision of Block 10, in said Hubbard Estates Subdivision of the Northeast Fractional Quarter of Section 17, also part of Lot 2 in the Subdivision of Block 10 in said Hubbard Estates Subdivision of the Northeast Fractional Quarter of Section 17, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois.

Commonly known as 975 Private Road, Winnetka, Illinois.

Parcel Index Number: 05-17-200-064-0000

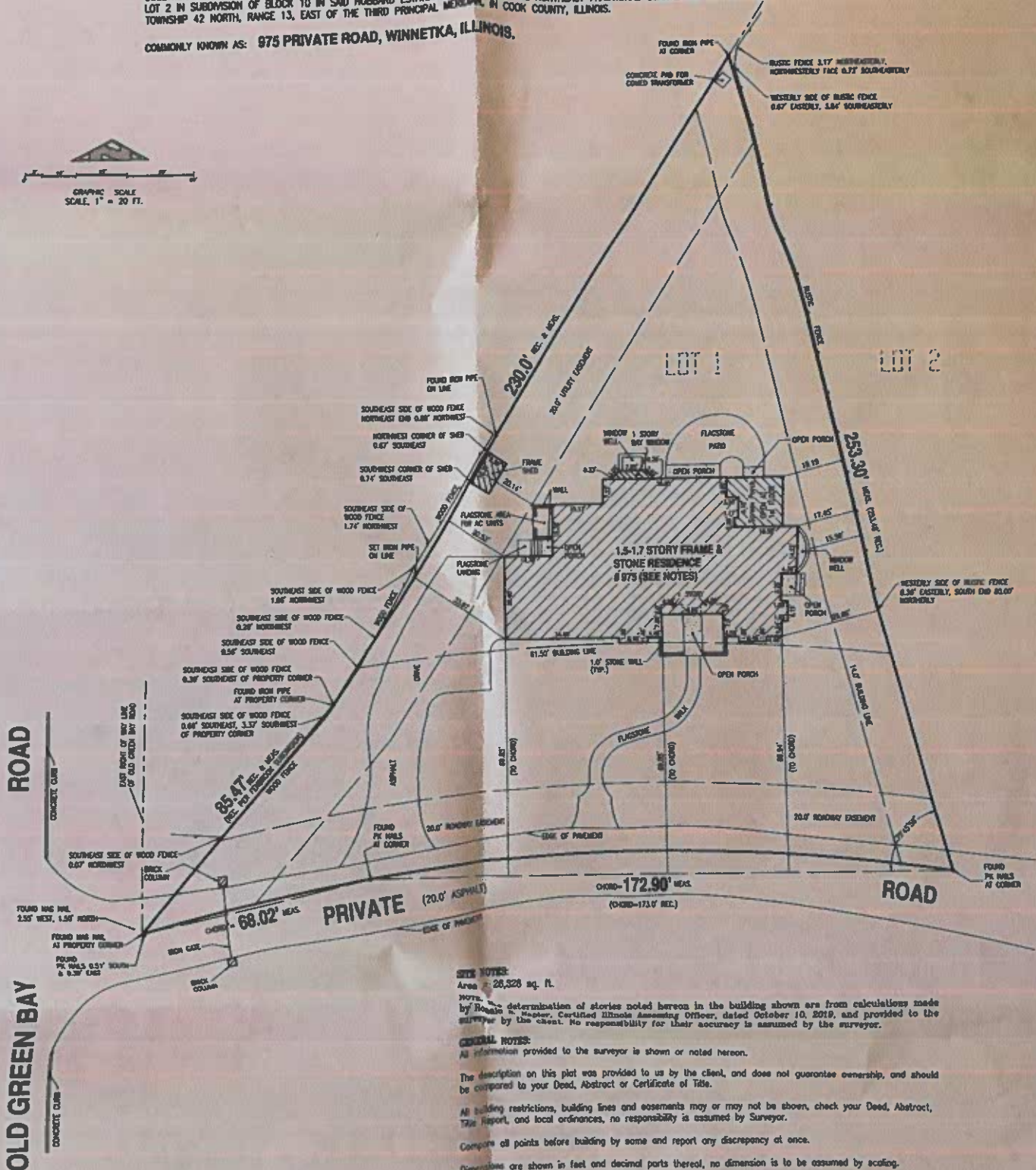
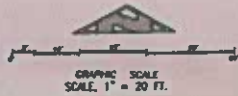
EXHIBIT B
PLAN
(SEE ATTACHED EXHIBIT B)

PLAT of SURVEY

EXHIBIT B

LEGAL DESCRIPTION:
LOT 1 IN FENBROOK, A SUBDIVISION OF LOT 3 IN THE SUBDIVISION OF BLOCK 11, (EXCEPT THE EAST 1 1/2 ACRES THEREOF) IN HUBBARD ESTATES SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, ALSO A PART OF LOT 2 IN THE SUBDIVISION OF LOT 1 IN THE SUBDIVISION OF BLOCK 10, IN SAID HUBBARD ESTATES SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, ALSO PART OF LOT 2 IN SUBDIVISION OF BLOCK 10 IN SAID HUBBARD ESTATES SUBDIVISION OF THE NORTHEAST FRACTIONAL QUARTER OF SECTION 17, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 975 PRIVATE ROAD, WINNETKA, ILLINOIS.



SITE NOTES:

Area = 26,328 sq. ft.

Notes:

The determination of stories noted hereon in the building shown are from calculations made by Ronald E. Wagner, Certified Illinois Assessing Officer, dated October 10, 2019, and provided to the surveyor by the client. No responsibility for their accuracy is assumed by the surveyor.

GENERAL NOTES:

All information provided to the surveyor is shown or noted hereon.

The description on this plat was provided to us by the client, and does not guarantee ownership, and should be compared to your Deed, Abstract or Certificate of Title.

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

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

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

FIELD MEASUREMENTS COMPLETED MARCH 19, 2020

STATE OF ILLINOIS
COUNTY OF COOK

This is to certify that a survey of the above described property was performed under my supervision and that the above plat correctly represents said survey. This professional services conform to the current Illinois Minimum Standards for a boundary survey.

By: [Signature] Dated: APRIL 13, 2020

Professional Land Surveyor No. 030-00862
License Expiration Date 11/28/24



B.H. SUHR & COMPANY, INC.

R. B. SUHR
MEMBER
I.P.S.A.
N.E.P.S.

SURVEYORS ESTABLISHED 1911
430 SIOUX BLVD. SUITE 185, NORTHBROOK, ILLINOIS, 60062
TEL. (847) 864-4315 / FAX (847) 864-4341
E-MAIL: SURVEY@BHSUHR.COM

Professional Design Firm
License No. 030-00862

LOCATION: 975 PRIVATE ROAD SURVEY DATE: MARCH 19, 2020
ORDER No. 20-031 ORDERED BY: JOHN MARZANO

PC/AA: [Signature] & Co. Surveyors, Inc. All rights reserved.





9' 6"
at peak

Wall
height:
7'

Door
height:
6' 6"

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Dana and John Marzonie (collectively, "**Owners**") are the owners of record of that certain real property located at 975 Private Road, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-5-2020, adopted by the Winnetka Zoning Board of Appeals on July 13, 2020 ("**Resolution**"), grants variations to allow an existing storage shed to remain 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 Owners have 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 Owners do hereby agree and covenant as follows:

1. The Owners hereby unconditionally agree to accept, consent to, and abide by each and all of the terms, conditions, limitations, restrictions, and provisions of the Resolution.
2. The Owners acknowledge that public notices and virtual 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 Owners acknowledge and agree that the Village is not and will not be, in any way, liable for any damages or injuries that may be sustained as a result of the Village's granting of the variations, and that the Village's approval of the variations does not, and will not, in any way, be deemed to insure the Owners against damage or injury of any kind and at any time.
4. The Owners hereby agree to hold harmless and indemnify the Village, the Village's corporate authorities, and all Village elected and appointed officials, officers, employees, agents, representatives, and attorneys, from any and all claims that may, at any time, be asserted against any of such parties in connection with the Village's adoption of the Resolution granting the variations for the Property.

[SIGNATURES ON FOLLOWING PAGE]

Dated: _____, 2020.

ATTEST

By: _____

Name: _____

OWNERS

By: _____

Dana Marzonie

By: _____

John Marzonie

RESOLUTION NO. ZBA-5-2020
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 20-19-V – 975 PRIVATE ROAD

WHEREAS, Dana and John Marzonie (collectively, the “Applicants”) are the owners of the property commonly known as 975 Private Road, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (***“Subject Property”***); and

WHEREAS, the Subject Property is located in the R-2 Single Family Residential District; and

WHEREAS, the Subject Property is improved with a single family residence with an attached garage and a storage shed; and

WHEREAS, the Applicants desire to maintain the existing storage shed that was constructed without a building permit in the required minimum side yard of the Subject Property and in excess of the maximum permitted height (***“Proposed Improvement”***); and

WHEREAS, pursuant to Section 17.30.060 of the Winnetka Zoning Ordinance (***“Zoning Ordinance”***), the Subject Property is required to provide a minimum side yard setback of at least 9.33 feet; and

WHEREAS, pursuant to Section 17.30.080 of the Zoning Ordinance, the maximum permitted height of storage sheds is 7 feet; and

WHEREAS, the Applicants desire to maintain the Proposed Improvement on the Subject Property with (i) a side yard setback less than the required 9.33 feet, a violation of Section 17.30.060 of the Zoning Ordinance and (ii) a height greater than 7 feet, a violation of Section 17.30.080 of the Zoning Ordinance; and

WHEREAS, the Applicants filed an application for variations from Section 17.30.060 and 17.30.080 of the Zoning Ordinance to permit the Proposed Improvement to remain on the Subject Property with (i) a side yard setback of 0.67 feet and (ii) a height of 9.5 feet (***“Requested Variations”***); and

WHEREAS, a public notice for the Requested Variations was duly published on June 25, 2020 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, in accordance with social distancing requirements, Governor Pritzker’s Executive Orders 2020-43 and 2020-44 and Senate Bill 2135, a virtual public hearing was held by the Winnetka Zoning Board of Appeals during a virtual meeting held on July 13, 2020 for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal’s Regular Meeting on July 13, 2020; and

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

1. Application for the Requested Variations submitted by the Applicants, dated June 12, 2020, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

WHEREAS, the Zoning Board of Appeals has determined that the Requested Variations **do not** satisfy the standards for a variation provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance because (i) the Requested Variations are not in harmony with the general purpose and intent of the Winnetka Zoning Ordinance; (ii) the Subject Property can yield a reasonable return if it is permitted to be used only under the conditions allowed for the R-2 Single Family Residential District; and (iii) the plight of the Applicants is not due to unique circumstances; and

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

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

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

SECTION 2. DENIAL OF 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 Variations for the Subject Property.

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

ADOPTED this 13th day of July, 2020, 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

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Commonly known as 975 Private Road, Winnetka, Illinois.

Parcel Index Number: 05-17-200-064-0000