Winnetka Village Council
REGULAR MEETING
Village Hall
510 Green Bay Road
Tuesday, July 2, 2013
7:00 p.m.

Emails regarding any agenda item are welcomed. Please email contactcouncil@winnetka.org, and your email will be relayed to the Council members. Emails for the Tuesday Council meeting must be received by Monday at 4 p.m. Any email may be subject to disclosure under the Freedom of Information Act.

AGENDA

1) Call to Order
2) Pledge of Allegiance
3) Quorum
   a) July 9, 2013 Study Session
   b) July 16, 2013 Regular Meeting
   c) August 6, 2013 Regular Meeting
4) Approval of Agenda
5) Consent Agenda
   a) Approval of Village Council Minutes
      i) June 11, 2013 Study Session....3
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   b) Approval of Warrant Lists 1803 and 1804....11
   c) Ordinance M-9-2013: 1447 Edgewood Lane Variation – Adoption....12
   d) Ordinance M-10-2013: 350 Locust Road Variation – Adoption....25
   e) Outdoor Seating Permit for True Juice....46
6) Stormwater
   a) Proposed Northwest Winnetka Stormwater Improvements....47
7) Ordinances and Resolutions
   a) Ordinance M-12-2013: 1175 Whitebridge Hill Road Variation – Introduction/Adoption....67
8) Public Comment
9) Old Business: None.
10) New Business: None.

11) Appointments

12) Reports

13) Executive Session

14) Adjournment

NOTICE

All agenda materials are available at **villageofwinnetka.org** *(Council > Current Agenda);* the Reference Desk at the Winnetka Library; or in the Manager's Office at Village Hall (2nd floor)**.**

Broadcasts of the Village Council meetings are televised on Channel 10 and AT&T Uverse Channel 99 every night at 7 PM. Webcasts of the meeting may also be viewed on the Internet via a link on the Village's web site: **villageofwinnetka.org**

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 – Megan Pierce, at 510 Green Bay Road, Winnetka, Illinois 60093, 847.716.3543; T.D.D. 847.501.6041.

MINUTES
WINNETKA VILLAGE COUNCIL STUDY SESSION

June 11, 2013, 2013

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Village Hall Council Chambers on Tuesday, March 12, 2013 at 7:00 p.m.

1) Call to Order. President Greable called the meeting to order at 7:02 p.m. Present: Trustees Joe Adams, Arthur Braun, Jack Buck and Richard Kates. Absent: Trustees Patrick Corrigan and Stuart McCrary. Also in attendance: Village Manager Robert Bahan, Assistant to the Village Manager Megan Pierce, Finance Director Ed McKee, Director of Public Works Steve Saunders, Village Attorney Katherine Janega, and approximately 7 persons in the audience.

2) Stormwater Community Engagement Plan. After reviewing Council actions in May related to comprehensive stormwater improvements, Village Manager Rob Bahan presented the goals of the community engagement process, which are: (i) educate the community on both the Stormwater Improvement Plan and the financing proposals; (ii) provide consistent, fact-based information to the entire community; (iii) create a common base of knowledge; (iv) solicit public input; and (v) answer the public's questions.

   Manager Bahan's presentation included an illustration of the overall community engagement plan, with a menu of options for the Council to choose from: a plan timeline; informational and educational materials; stakeholder group meetings; resident meetings for each drainage area; and a survey of each Winnetka household. In addition, the Council will review a proposal from Municipal & Financial Services Group (MFSG) to assist in the stormwater utility implementation at the June 18 Council Meeting, and Baxter & Woodman is expected to present a draft Stormwater Master Plan at the July Study Session.

   Next, Village Engineer Steve Saunders overlaid the Engagement Plan with the timetable for the Stormwater Improvement Projects to demonstrate how the project schedule would progress duringthe community engagement process. He noted that the four main projects can accommodate any schedule that the Council chooses to implement, as significant dollars do not need to be spent until near the end of the public engagement process.

   Responding to questions about the permitting process for the Northwest Winnetka, Pump Station and Willow Road tunnel projects, Mr. Saunders said the permit for the Northwest Winnetka project is expected by the end of August, and the Cook County Forest Preserve District is expected to issue the pump station permits around the end of 2013. He said the schedule for the Willow Road Tunnel permits could be compressed by having a construction manager and a contractor on board early to shorten the design phase process. Those permits should be completed sometime in 2015.

   Trustee Braun expressed concern with the possibility of bond rates going up and also increasing construction costs due to inflation. He asked if the Woodley Road area would be willing to join the Village and how that would affect the timelines described.

   Manager Bahan explained that the Woodley Road Homeowners Association has a task force studying the issue of annexing into the Village and that the timing is still fluid, but there will come a point when they must make a yes or no decision.

Mr. Saunders said the Woodley Road area may potentially tie into the Tunnel at a later date as well.

Trustee Adams said he thought the engagement plan presented by Manager Bahan was very sensible, and it would be great to get information out to the community as soon as possible.

Trustee Buck said he was in favor of community engagement, but the plan as presented was a bit excessive given how much information has already been made available to the community. He was in favor of one large town meeting rather than four smaller drainage area meetings. He did not want to do a community survey, as he could not see what the goal of a survey would be, and he was similarly not in favor of the Caucus Survey addressing the Stormwater Projects. If a firm deadline were given to Woodley Road, it would help them come to a decision on a timely basis.

Trustee Kates agreed that a firm deadline to decide should be given to Woodley Road, and he shared Trustee Buck's concern about the community and Caucus surveys. He recalled that at the Council's last meeting with the Village's financial consultant, Speer Financial, it was recommended to hold off on issuing bonds until the Village is ready to use the funds. People are concerned about the cost of the stormwater projects, not the engineering, so addressing each group separately does not make sense – get the financing information out to the community as soon as possible. He also thought one large community meeting seems more productive.

President Greable was in favor of getting the special *Winnetka Report* out to the community as soon as possible, and he did not see the need for all the small neighborhood meetings – favoring one large community-wide meeting instead. He said financing needs to be the area of focus, since it is the only piece lacking.

Responding to a question about his best estimate of when projects could be started, Mr. Saunders predicted that the Northeast and Northwest Winnetka projects may be ready to commence in September, and the pump station sometime this winter.

The Council reached consensus to hold one or two large town meetings, send a special *Winnetka Report*, possibly over the summer, and to hold off on a decision about the survey until Trustees McCrary and Corrigan are present.

Kristin Ziv, 605 Arbor Vitae: She thinks a survey causes confusion, especially since construction could start on some stormwater projects in the fall.

Penny Lanphier, 250 Birch Street: She said, from the standpoint of people who have not been engaged in the process, the expectation may be that a referendum is required before deciding to spend such a large amount of money on stormwater improvements. She emphasized the importance of being clear in the *Winnetka Report* about that issue. It is useful to hold small informal group meetings, because a large group may be an intimidating environment for giving public comment, and it is not a forum for digging into details about the project.

Manager Bahan confirmed that Staff would start preparing materials for a special *Winnetka Report*, look to schedule two community-wide meetings in September, table the survey discussion until the full Council is present, and have the financial discussion with Speer

Financial at the July Study Session. He added that he would like to hold meetings in August with the commercial and tax-exempt entities.

3) 2013 Strategic Planning. President Greable announced that this item was removed from the agenda due to the absence of two Trustees, and would be scheduled for discussion at a later time.

4) Executive Session. None.

5) Adjournment. Trustee Braun, seconded by Trustee Buck, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:33 p.m.

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Recording Secretary

MINUTES
WINNETKA VILLAGE COUNCIL
REGULAR MEETING
June 18, 2013

(Approved: xx)

A record of a legally convened meeting of the Council of the Village of Winnetka, which was held in the Council Chambers on Tuesday, June 18, 2013, at 7:00 p.m.

1) Call to Order. President Greable called the meeting to order at 7:01 p.m. Present: Trustees Joe Adams, Jack Buck, Patrick Corrigan, and Richard Kates. Absent: Trustees Arthur Braun and Stuart McCrary. Also present: Village Manager Robert Bahan, Village Attorney Katherine Janega, Finance Director Edward McKee, Public Works Director Steven Saunders, Water & Electric Director Brian Keys, Community Development Director Michael D'Onofrio, Assistant to the Village Manager Megan Pierce, and approximately 17 persons in the audience.

2) Pledge of Allegiance. President Greable led the group in the Pledge of Allegiance.

3) Quorum.

   a) July 2, 2013 Regular Meeting. All of the Council members present indicated that they expected to attend.

   b) July 9, 2013 Study Session. All of the Council members present indicated that they expected to attend.

   c) July 16, 2013 Regular Meeting. All of the Council members present indicated that they expected to attend.

4) Approval of the Agenda. President Greable announced that Item 10(a), New Business, would be discussed immediately following approval of the Consent Agenda, after which the Agenda would return to its usual order. Trustee Buck, seconded by Trustee Adams, moved to approve the Agenda. By roll call vote the motion carried. Ayes: Trustees Adams, Buck, Corrigan, and Kates. Nays: None. Absent: Trustees Braun and McCrary.

5) Consent Agenda

   a) Village Council Minutes.

      i) June 4, 2013 Regular Meeting.

   b) Warrant Lists Nos. 1801 and 1802. Approving Warrant List No. 1801 in the amount of $1,042,455.48, and Warrant List No. 1802 in the amount of $392,100.77.

   c) Ordinance M-7-2013: 925-931 Green Bay Road Special Use Permit and Variation – Adoption. An Ordinance granting a special use permit and variation to allow for a surface parking lot at 925-931 Green Bay Road. This Ordinance was introduced at the June 4 Council Meeting.

   d) Resolution R-24-2013: Prevailing Wage Resolution – Adoption. A Resolution establishing prevailing wage rates for the Village of Winnetka.

e) Memorandum of Understanding with the American Red Cross. Authorizing the Village Manager to sign a Memorandum of Understanding between the American Red Cross and the Village of Winnetka, substantially in the form attached.

f) Change Order for Transformer, Resco. Authorizing the Village Manager to award a change order to Resco in the amount of $17,360 for the purchase of five single-phase transformers, subject to the terms of Bid #13-011.

g) Outdoor Seating Permit for Once Upon a Bagel. Approving an outdoor seating permit request for Once Upon a Bagel, effective immediately.

h) Tank Farm Building Demolition, 1021 Tower Court. A report about the demolition of the facilities at 1021 Tower Court, known as "the Tank Farm." The underground tanks, removed in 2012, formerly provided a long-term fuel supply for the Village's electric generating plant before being taken out of service in 2006. The removal of the control building completes the project and offers additional parking.

Trustee Buck, seconded by Trustee Adams, moved to approve the foregoing items on the Consent Agenda by omnibus vote. By roll call vote, the motion carried. Ayes: Trustees Adams, Buck, Corrigan, and Kates. Nays: None. Absent: Trustees Braun and McCrary.

Note: The following item, New Business, was discussed next, after which the Agenda returned to its regular order with Item 6, Stormwater Update.

10) New Business.

a) Proclamation: Roberta Rubin Day. Retiring owner of Winnetka's The Book Stall, Roberta Rubin, was recognized for her contributions to the Elm Street Business District. President Greable read the proclamation establishing June 25, 2013 as "Roberta Rubin Day."

Terry Dason, Executive Director of the Winnetka-Northfield Chamber of Commerce, complimented Ms. Rubin on her service to the Chamber and the success of her store. Ms. Dason wished Ms. Rubin well in retirement.

Trustee Kates, seconded by Trustee Buck, moved to proclaim June 25, 2013 as "Roberta Rubin Day." By voice vote, the motion carried.

6) Stormwater Update.

a) Stormwater Monthly Summary Report. Public Works Director and Village Engineer Steven Saunders reviewed the June, 2013 Stormwater Monthly Report, highlighting actions that have been taken since the Council's formalization of the Stormwater Improvement Program and Stormwater Utility Feasibility Study in May, 2013. Mr. Saunders noted that a new sheet in the report displays the various environmental and regulatory permits that are required for the proposed improvements, as well as the status of those permits. The Council and Mr. Saunders discussed the timelines of several projects which will be brought before the Council in the near future.

b) Northeast Winnetka Bid Authorization. Mr. Saunders explained the two separate projects connected to the Spruce Street Outlet Study area of Northeast Winnetka. The Northeast Winnetka projects are estimated to cost approximately $1.5 million of the total Stormwater Improvement Program Costs of $41.1 million. Project milestones for the

Tower Road/Foxdale Area and Lloyd Park Outlet were reviewed, including the engineering contract award in March, 2012; public input in August, 2012; and the receipt of necessary permits from the United States Army Corps of Engineers in May, 2013. The engineering for these two projects is complete, and therefore, Mr. Saunders indicated he is seeking Council authorization to bid. He noted these are separate projects, not dependent on other anticipated stormwater improvements.

Mr. Saunders and the Council discussed several technical questions about the project engineering elements, including the level of protection and velocity of water in the area. Trustee Buck also asked to clarify when the stormwater utility would be established and if the costs of this project would be included in the utility. Manager Robert Bahan and Village Attorney Katherine Janega explained that the Northeast Winnetka costs have been included in the overall utility program estimates, but that the specific proposed project would be paid for from current Village reserve funds.

Trustee Buck, seconded by Trustee Adams, moved to authorize Staff to solicit construction bids for the Lloyd Park Storm Sewer Outlet and the Tower Road/Old Green Bay Road Relief Sewer. By roll call vote, the motion carried. Ayes: Trustees Adams, Buck, Corrigan, and Kates. Nays: None. Absent: Trustees Braun and McCrary.

President Greable indicated his intention to schedule a Special Study Session Meeting to discuss stormwater financing prior to the Regular Council Meeting on July 16, 2013 and requested all Trustees attend.

c) Stormwater Utility Implementation – Municipal & Financial Services Group Fee Proposal. Mr. Saunders reviewed the policy work performed with MFSG on the Stormwater Utility Feasibility Study. The proposal before the Council outlines MFSG's role in "phase 2" of the process—focusing on the administrative work and database building required for utility implementation. Mr. Saunders described some of the tasks MFSG will perform to link the Village's utility billing database and parcel inventory information, so that bills for the stormwater fee can be created. MFSG's proposal was also noted to reflect additional time with the Council to address remaining policy issues, such as drafting of an ordinance, as well as optional tasks to participate in a stormwater engagement process. The total proposal fee is $89,766.

Based on a question from Trustee Adams, Mr. Saunders explained it is a not-to-exceed contract, and that the Village will be billed on an hourly rate for the tasks performed. He said the Village should expect to expend the full amount, though the final bill could come in slightly under the estimate.

Trustee Corrigan, seconded by Trustee Buck, moved to authorize the Village Manager to award a purchase order to Municipal & Financial Services Group to provide professional services for stormwater utility implementation, for a fee not to exceed $89,766, as outlined in their proposal dated June 13, 2013. By roll call vote, the motion carried. Ayes: Trustees Adams, Buck, Corrigan, and Kates. Nays: None. Absent: Trustees Braun and McCrary.

7) Ordinances and Resolutions.

a) Ordinance M-9-2013: 1447 Edgewood Lane Variation – Introduction. Community Development Mike D'Onofrio explained that Ordinance M-9-2013 is before the Council

for Introduction, as the applicant seeks variations for side yard setback and maximum gross floor area, in order to reconstruct a two car detached garage. The garage was noted to be in a state of disrepair, and would thus be demolished. Mr. D'Onofrio reviewed the layout of the subject site. The Zoning Board of Appeals voted unanimously in favor of the requested setback and gross floor area variations.

There being no comments or questions, Trustee Buck, seconded by Trustee Corrigan, moved to introduce Ordinance M-9-2013. By voice vote, the motion carried.

b) Ordinance M-10-2013: 350 Locust Road Variation – Introduction. Mr. D'Onofrio explained that Ordinance M-10-2013 is also before the Council for Introduction, as the applicant seeks a variation to allow for construction of a new two car, attached garage. The garage would replace a current dilapidated structure in approximately the same location. Mr. D'Onofrio reviewed the corner lot location of the site that creates to "front yards." The Zoning Board of Appeals voted unanimously in favor of granting the corner yard setback variation.

There being no comments or questions, Trustee Buck, seconded by Trustee Corrigan, moved to introduce Ordinance M-10-2013. By voice vote, the motion carried.

c) Resolution R-25-2013: Contract with SAFEbuilt Illinois, Inc. – Adoption. Mr. D'Onofrio explained the Village's participation in a regional process to explore contractual arrangements that could provide building and forestry related inspectional and plan review services. The participating municipalities (Evanston, Glenview, Kenilworth, and Wilmette) sought to respond to the rising trend in building permits without adding additional staff, as well as to achieve economies of scale by working cooperatively. Five communities ultimately decided to enter into individual agreements with SAFEbuilt Illinois, Inc. Mr. D'Onofrio explained there is a not-to-exceed price in the contract, but that this is a fee-for-service contract. SAFEbuilt will be paid an hourly rate for the services provided.

There being no comments or questions, Trustee Buck, seconded by Trustee Kates, moved to adopt Resolution R-25-2013. By roll call vote, the motion carried. Ayes: Trustees Adams, Buck, Corrigan, and Kates. Nays: None. Absent: Trustees Braun and McCrary.

8) Public Comment and Questions.

9) Old Business. None.

10) New Business.

a) Proclamation: Roberta Rubin Day. See above.

11) Appointments. None.

12) Reports.

a) Village President. President Greable noted that he and Manager Bahan would be attending the Northwest Municipal Conference Annual Banquet on June 19.

b) Trustees. None.

c) Attorney. Attorney Janega will be making a presentation on utility billing to the Illinois Government Finance Officers Association.

d) Manager.

13) Executive Session. None.

14) Adjournment. Trustee Corrigan, seconded by Trustee Adams, moved to adjourn the meeting. By voice vote, the motion carried. The meeting adjourned at 8:02 p.m.

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Recording Secretary

Agenda Item Executive Summary

Title: Warrant Lists Nos. 1803 and 1804

Presenter: Robert M. Bahan, Village Manager

Agenda Date: 07/02/2013

Consent: ☑ YES ☐ NO

☐ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☑ Informational Only

Item History:

None.

Executive Summary:

Warrant Lists Nos. 1803 and 1804 were emailed to each Village Council member.

Recommendation / Suggested Action:

Consider approving Warrant Lists Nos. 1803 and 1804

Attachments:

None.

Agenda Item Executive Summary

Title: Ordinance M-9-2013: 1447 Edgewood Lane Variation- Adoption

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 07/02/2013

Consent: ☑ YES ☐ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

Ordinance M-9-2013 was introduced at the June 18, 2013, Council meeting.
(See June 18, 2013 Agenda, pp. 108 - 125.)

Executive Summary:

Ordinance M-9-2013 grants variations from Section 17.30.040 [Maximum Building Size] and Section 17.30.110 [Garages] of the Winnetka Zoning Ordinance to permit the replacement of a detached garage that will result in a side yard setback of 1.5 feet, whereas a minimum of 8 ft. is required, a variation of 6.5 ft. (81%), and a total Gross Floor Area of 3,374.49 s.f., whereas a maximum of 3,213.69 is permitted, a variation of 160.8 ft. (5%).

According to the applicant Mr. Ryan Tripton he is requesting the variations in order to reconstruct a two car detached garage that is in a state of disrepair and needs to be demolished. The proposed garage would measure 20 by 22 ft. (440 s.f.) and replace an existing garage that is 430 s.f. in size. The location of the new garage would be in approximately the same location as the existing one.

Recommendation / Suggested Action:

Consider adoption of Ordinance M-9-2013, granting variations for side yard setback and GFA in order to allow for the construction of a detached garage.

Attachments:

1) Agenda Report
2) Ordinance M-9-2013
3) Attachment A: Zoning Matrix
4) Attachment B: Application
5) Attachment C: Site Plan

AGENDA REPORT

TO: Village Council

PREPARED BY: Michael D'Onofrio, Director of Community Development

SUBJECT: 1447 Edgewood Ln, Ord. M-9-2013
Variations
(1) Maximum Building Size
(2) Garages

DATE: June 26, 2013

REF: June 18, 2013 Council Mtg. pp.108-125

Ordinance M-9-2013 grants variations from Section 17.30.040 [Maximum Building Size] and Section 17.30.110 [Garages] of the Winnetka Zoning Ordinance to permit the replacement of a detached garage that will result in a side yard setback of 1.5 feet, whereas a minimum of 8 ft. is required, a variation of 6.5 ft. (81%), and a total Gross Floor Area of 3,374.49 s.f., whereas a maximum of 3,213.69 is permitted, a variation of 160.8 ft. (5%).

The applicant, Ryan Tripton, is requesting the variations in order to reconstruct a two car garage. According to Mr. Tipton the existing garage is not safe for use and needs to be replaced. The existing garage measures 23.71 ft. by 18.25 ft. (430 s.f.) and has a side yard setback of 1.45 ft. The existing garage is a legal non-conforming structure with respect to the 1.45 ft. side yard setback, and contributes to the non-conforming GFA of structures on the property.

With respect to the setback, it should be noted that because the garage would not be located in the rear quarter of the lot, it is required to maintain the same setback that is required of the principal building (8 ft.) If the garage were to be located in the rear quarter of the lot (within the north 40.16 ft. of the lot) it would only be required to maintain a 2 ft. setback. The proposed garage would measure 20 ft. by 22 ft. (440 s.f.) and have a side yard setback of 1.5 ft. As with the existing garage, the proposed garage would not meet the setback or GFA requirements. Whereas it would increase the side yard setback by 0.05 feet, to 1.5 ft., it would add 10 additional square feet of GFA.

The property is located in the R-5 Single Family Residential District. The home was constructed in 1922. Subsequent building permits were issued in 1925 for additions to the house and garage, in 1938 for a dormer addition and in 2002 for an addition. The petitioner purchased the property in May 2012.

In 2002, a zoning variation was granted to permit the construction of a two story addition that permitted a GFA of 3,283.4 s.f., (a variation of 63.4 s.f. (1.9%) and roofed lot coverage of 2,073.62 s.f., (a variation of 61.2 s.f. (3%).

At its May meeting the ZBA considered the request for the variations. The ZBA did question the applicant about relocating the garage to a conforming location. Mr. Tipton in turn provided testimony as to why a conforming alternative could not be arrived at and mentioned several issues – the garage lining up with existing driveway, not adding additional impervious surface, and maintaining open space in the rear yard. At the conclusion of this case the ZBA voted unanimously in favor of recommending that the variations be granted.

Adoption of the ordinance requires the concurrence of a majority of the Council.

Recommendation

Consider adoption of Ordinance M-9-2013, granting variations for side yard setback and GFA in order to allow for the construction of a detached garage.

Attachments

Attachment A: Zoning Matrix
Attachment B: Application
Attachment C: Site Plan

ORDINANCE NO. M-9-2013

AN ORDINANCE GRANTING A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS (1447 Edgewood)

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 standards for the use and development of lands and buildings within the Village and establishing and applying criteria for variations from those standards are matters pertaining to the affairs of the Village; and

WHEREAS, the property commonly known as 1447 Edgewood Lane, Winnetka, Illinois (the "Subject Property"), is legally described as follows:

> Lot 15 in Block 21 in Chicago North Shore Land Company's subdivision in Sections 17 and 18, Township 42 North, Range 13, East of the Third Principal Meridian, in Cook County, Illinois; and

WHEREAS, the Subject Property is located in the R-5 Zoning District provided in Chapter 17.12 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

WHEREAS, on April 9, 2013, the owner of the Subject Property filed an application for the following variations from requirements of the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Chapter 17.30 of the Zoning Ordinance: (a) a variation from the provisions of Section17.30.110 pertaining to side yard setbacks for garages, to allow a side yard setback of 1.5 feet, which exceeds the required 8-foot minimum, resulting in a variation of 6.5 feet (81%); and (b) a variation from the maximum building size limitations of Section 17.30.040 to permit a total gross floor area of 3,374.49 square feet, which exceeds the allowable maximum of 3,213.69 square feet, resulting in a variation of 160.8 feet (5%), said variations being requested to permit the replacement of a detached two-car garage; and

WHEREAS, on May 13, 2013, on due notice thereof, the Zoning Board of Appeals conducted a public hearing on the requested variations and, with the unanimous vote of the full board, has reported to the Council recommending that the requested variations be granted; and

WHEREAS, there are practical difficulties associated with carrying out the strict application of the Zoning Ordinance with respect to the Subject Property in that: (a) the Subject Property is improved with a single family residence that was constructed in 1922, prior to the enactment of the Winnetka Zoning Ordinance; (b) the existing garage is legally nonconforming, having been built before the gross floor area limitations were added to the Zoning Ordinance and before the Zoning Ordinance was amended to require detached garages located outside of the rear yard to observe the same side yard setback as the principal building; (c) the proposed new garage will be two feet narrower and slightly longer than the existing garage and will add 7.3 additional square feet of gross floor area to the Subject Property; (d) because the Subject Property is

approximately 50 feet wide, rebuilding the garage with a conforming side yard in the same area of the Subject Property would interfere with the safe and reasonable usage of the Subject Property, in that it would place the garage in the center of the Subject Property's rear yard green space, which either would create an unsafe turning radius for vehicles entering and exiting the garage, or would require increasing the side yard setback even further so the garage could be reconfigured for entering and exiting from the side; and (e) the existing garage has experienced occasional flooding and reconstructing the garage in a conforming location in the rear 25% of the Subject Property would increase the potential for surface flooding because of the additional impermeable surface that would result from a longer driveway; and

WHEREAS, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Ordinance, in that: (a) denying the requested variation would prevent the replacement of the existing dilapidated, structurally unsound garage; (b) constructing a comparable new garage in a conforming location would result in the loss of significant open space in the rear yard and would increase impermeable surface on the Subject Property; and (c) constructing a conforming garage that would avoid interfering with usable rear yard open space would require constructing a one-car garage, which would decrease the utility of the garage and negatively impact the value of the Subject Property; and

WHEREAS, the requested variations will not alter the essential character of the neighborhood because: (a) the proposed new garage will not alter the appearance of the Subject Property from the street or adjacent properties; and (b) the proposed new garage will be comparable in size to, and in the same location as, the existing garage; and

WHEREAS, the requested variations will not impair an adequate supply of light and air because: (a) the new garage will be in the same location as the existing legal nonconforming garage; (b) the total gross floor area on the Subject Property will be less than would result if the new garage were built in a conforming location near the rear lot line, which would result in a gross floor area bonus of 400 square feet; and (c) the proposed garage will not be adjacent to the home on the property immediately to the east; and

WHEREAS, the requested variations will not increase the hazard from fire and other dangers to the Subject Property, as the proposed construction will comply with all applicable building and fire protection codes, and the new garage will be opposite the rear yard open space of the property immediately to the east; and

WHEREAS, there is no evidence that the requested variations will diminish the taxable value of land and buildings throughout the Village, and the proposed improvement to the Subject Property is likely to increase its taxable value; and

WHEREAS, the proposed construction will not contribute to congestion on the public streets, as the property will continue to be used for single family residential purposes and the new garage will continue to provide two enclosed off-street parking spaces; and

WHEREAS, there is no evidence that the requested variations will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; and

WHEREAS, the requested variations are in harmony with the general purpose and intent of the Winnetka Zoning Ordinance, in that they allow the renovation, restoration and rehabilitation of a structurally sound existing building while maintaining the existing scale and appearance of the community and protecting established trees and landscaping; and

WHEREAS, this Ordinance has been placed on the Village Council's agenda and made available for public inspection at Village Hall and on the Village's web site, in accordance with Sections 2.04.040 and 2.16.040 of the Winnetka Village Code and applicable law.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnetka, 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: The Subject Property, commonly known as 1447 Edgewood Lane and located in the R-5 Single-Family Residential District provided in Chapter 17.12 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code is hereby granted the following variations from requirements of the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Chapter 17.30 of the Zoning Ordinance: (a) a variation from the provisions of Section17.30.110 pertaining to side yard setbacks for garages, to allow a side yard setback of 1.5 feet, which exceeds the required 8-foot minimum, resulting in a variation of 6.5 feet (81%); and (b) a variation from the maximum building size limitations of Section 17.30.040 to permit a total gross floor area of 3,374.49 square feet, which exceeds the allowable maximum of 3,213.69 square feet, resulting in a variation of 160.8 feet (5%), said variations being requested to permit the replacement of a detached two-car garage, in accordance with the plans and elevations submitted with the application for variations.

SECTION 3: The variations granted herein are conditioned upon the commencement of the proposed construction within 12 months after the effective date of this Ordinance.

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.

[Remainder of this page intentionally left blank.]

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

PASSED this 2nd day of July, 2013, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 2nd day of July, 2013.

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this 2nd day of July, 2013.

Introduced: June 18, 2013
Passed and Approved:

ATTACHMENT A

ZONING MATRIX

ADDRESS: 1447 Edgewood Ln.
CASE NO: 13-07-V2
ZONING: R-5

ITEM	REQUIREMENT	EXISTING	PROPOSED	TOTAL	STATUS
Min. Lot Size	8,400 SF	8,034 SF	N/A	N/A	Non-conforming
Min. Average Lot Width	60 FT	49.0 FT	N/A	N/A	Non-conforming
Max. Roofed Lot Coverage	2,169.24 SF (1)	2,063.48 SF	7.3 SF	2070.78 SF	OK
Max. Gross Floor Area	3,213.69 SF (1)	3,367 SF	7.3 SF	3,374.49 SF	**160.8 SF (5%) VARIATION**
Max. Impermeable Lot Covera	4,017.12 (1)	3,569.78 SF	29.3 SF	3,599.08 SF	OK
Min. Front Yard (South)	30 FT	31.87 FT (2)	N/A	N/A	OK
Min. Side Yard (West)	6.0 FT	6.22 FT (2)	N/A	N/A	OK
Remaining Side Yard (East)	8.0 FT	1.45 FT (3)	1.5 FT (4)	N/A	**6.5' FT (81%) VARIATION**
Min. Rear Yard (East)	24.15 FT	26.41 FT (3)	24.65 FT (4)	N/A	OK

NOTES:

(1) Based on lot area of 8,034.24 SF

(2) Setback to existing residence.

(3) Setback to existing garage.

(4) Setback to proposed garage. Since the garage is not located within the rear 1/4

ATTACHMENT B

CASE NO. _____

APPLICATION FOR VARIATION
WINNETKA ZONING BOARD OF APPEALS

Owner Information:

Name: Ryan Tripton

Property Address: 1447 Edgewood lane

Home and Work Telephone Number: 312-799-0035 cell 312-425-0275 work

Fax and E-mail: ryan.tripton@heitman.com

Architect Information: Name, Address, Telephone, Fax & E-mail:

Attorney Information: Name, Address, Telephone, Fax & E-mail:

Date Property Acquired by Owner: 5/2/12

Nature of Any Restrictions on Property: _____

Explanation of Variation Requested: separate sheet is attached
(Attach separate sheet if necessary)

OFFICE USE ONLY

Variation Requested Under Ordinance Section(s): _____

Staff Contact: _____ Date: _____

ATTACHMENT B

STANDARDS FOR GRANTING OF ZONING VARIATIONS

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

1. The property in question can not yield a reasonable return if permitted to be used only under the conditio allowed by regulations in that zone.
2. The plight of the owner is due to unique circumstance. Such circumstances must be associated with tl 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.

For your convenience, you will find attached examples of general findings, for and against the granting of a variation, which have been made by the Zoning Board of Appeals and Village Council in prior cases.

NOTE: The Zoning Board of Appeals or the Village Council, depending on which body has final jurisdiction, must make a finding that a practical difficulty or a particular hardship exists in order to grant a variation request.

Property Owner's Signature: Ryan Trojan Date: 4/9/13

(Proof of Ownership is required)

Variations, if granted, require initiation of construction activity within 12 months of final approval. Consider your ability to commence construction within this 12 month time period to avoid lapse of approvals.

ATTACHMENT B

Request for Zoning Variance

I would like to ask permission for a variance, so that I can rebuild my existing 1 story, 2 car garage with a new 1 story, 2 car garage, in the same location that it exists today. My current garage is leaning over, and is unsafe for use. I have spoken to officers in the Community Development office, and have come to understand that my current garage location is in a non-conforming location, and if I were to rebuild it, I would have to move it 6 feet from the existing lot lines, in order to abide by Winnetka code. I have looked for confirming alternatives, but for the following reasons, I cannot find any reasonable alternative.

My request for a variance is based on two hardships. If I were to abide by Winnetka code and place the garage 6 feet from each lot line: 1) I would be forced to place a new garage in the center of my backyard, which would render that backyard dysfunctional, and 2) Because of the unique conditions of my home and driveway, if I were to place the garage 6 feet from my eastern property line, it would be impossible to make such a tight turn to get a car into the western garage spot (see site plan for more detail). I would also be unable to back the car(s) out of the garage, as it would bump directly into my back porch. 1 stall, and possibly 2 stalls would become functionally obsolete.

My request is to build the same functional sort of single story 2 car garage that I have today, in the same location. That way I can maintain my home's functionality in the same manner as originally intended. I ***do not*** wish to do any add-ons or second story on top of the garage.

Thank you for your consideration.

Ryan Tripton

Ryan Tripton

Direct answers to Zoning Variations Questions on Page 4

1. My current 2 garage that exists on the property today is leaning over, and is unsafe for occupancy. I must rebuild it. If I tear it down, I would then have a home that is clearly non-standard for Winnetka (a home with no garage). Rebuilding this as a new 2 car garage will not alter the use of the home today, above a common standard. I am replacing a 2 car garage with a 2 car garage.

2. My unique circumstance has to do with where my home sits, and where the driveway is. From the site plan, you can see how if I were to have to move my garage into the center of the property, 6 feet from the lot lines, I would be unable to move a car into one of the garage spots; the turn would be so severe around the north east side of my home that I would not be able to get the cars properly in and out of the garage. Additionally, if I were to move the home north 5 feet into the center of the back yard, I would be placing a garage in the center of my greenspace. That would severely dilute my property value, and force me to lose the general use of my backyard for my kids.

3. If this variation is granted, it will not alter the essential character of the locality.

4. I certify that no impairment of light or air will be forced upon my neighbors from rebuilding this garage. Currently, my garage is next to my neighbor's back yard.

5. I certify that I will build the garage to Winnetka code.

6. I certify that the taxable value of the land and buildings throughout the Village will not diminish, because I am replacing a 1 story garage with a new 1 story garage.

7. I certify that the congestion in public streets will not increase, because I currently have 2 garage spots, and I intend to replace it with 2 garage spots

8. I certify that the public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be impaired as a result of this new garage.

ATTACHMENT B

PROFESSIONALS ASSOCIATED SURVEY, INC.

PROFESSIONAL DESIGN FIRM NO. 184-003023

7100 N. TRIPP AVENUE
LINCOLNWOOD, ILLINOIS 60712
www.professionalsassociated.com

TEL: (847) 675-3000
FAX: (847) 675-2167
e-mail: pa@professionalsassociated.co

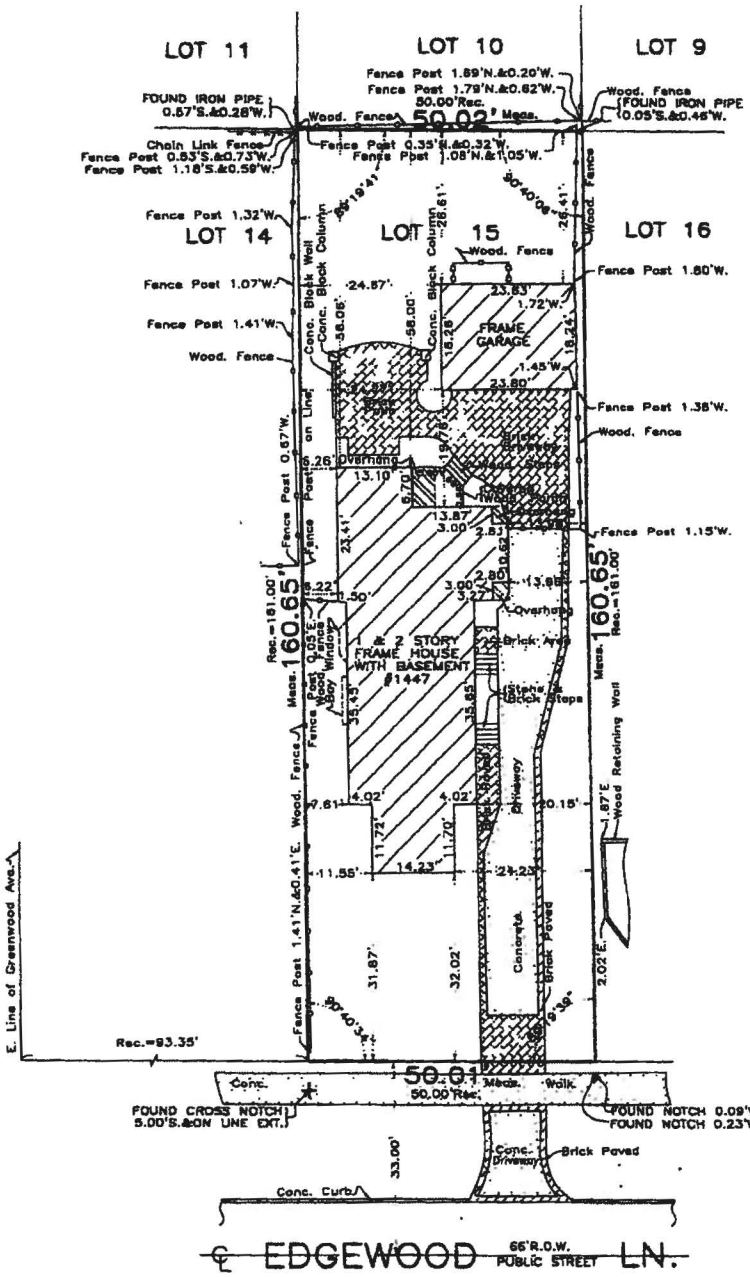
PLAT OF SURVEY

OF

LOT 15 IN BLOCK 21 IN CHICAGO NORTH SHORE LAND COMPANY'S SUBDIVISION IN SECTION 17 AND 18, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

LAND TOTAL AREA: 8,034.24 SQ.FT. = 0.184 ACRE.

COMMONLY KNOWN AS: 1447 EDGEWOOD LANE, WINNETKA, ILLINOIS.



THE LEGAL DESCRIPTION SHOWN ON THE PLAT HEREON DRAWN IS A COPY OF THE ORDER, AND FOR ACCURACY SHOULD BE COMPARED WITH THE TITLE OR DEED.

DIMENSIONS ARE NOT TO BE ASSUMED FROM SCALING.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE THEY ARE SO RECORDED IN THE MAPS, OTHERWISE REFER TO YOUR DEED OR ABSTRACT.

Order No. 12-84574

Scale: 1 inch = 20 feet.

Date of Field Work: March 19, 2012.

Ordered by: JULIE L. GALASSINI
Attorney at Law

HYLTON E. DONALDSON
035-002819
PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS
LINCOLNWOOD, ILLINOIS

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

THIS SURVEY HAS BEEN ORDERED FOR SURFACE DIMENSIONS ONLY. NOT FOR ELEVATIONS.
THIS IS NOT AN ALTA SURVEY.

COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCE.

State of Illinois
County of Cook } s.s.

We, PROFESSIONALS ASSOCIATED SURVEY INC., do hereby certify that we have surveyed the above described property and that, to the best of our knowledge, the plat hereon drawn is an accurate representation of said survey.

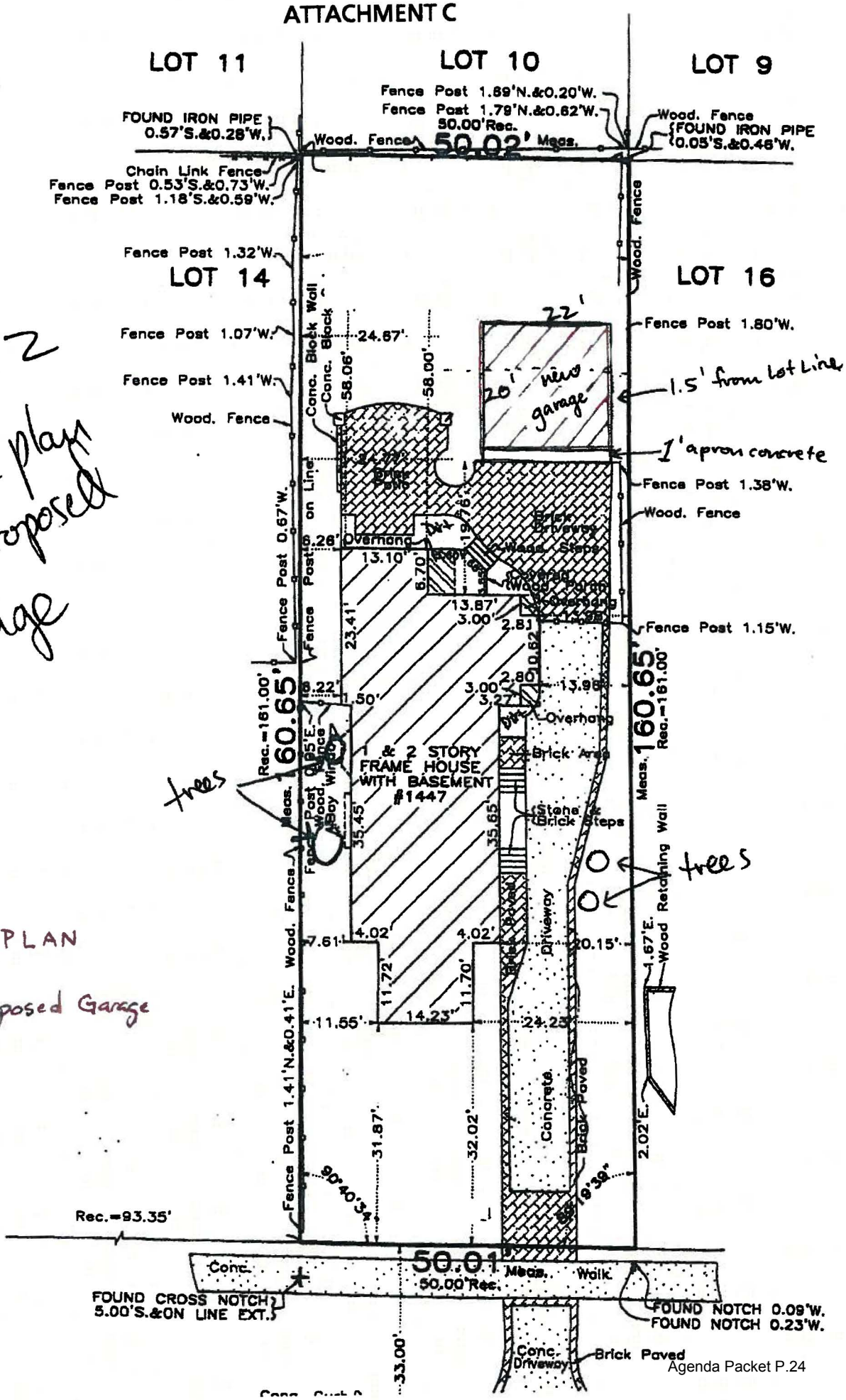
Dated March 21, 2012.

ILL. PROF. LAND SURVEYOR

ATTACHMENT C

3.A.2

Site plan of proposed garage



SITE PLAN

Proposed Garage

Agenda Item Executive Summary

Title: Ordinance M-10-2013: 350 Locust Road Variation- Adoption

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 07/02/2013

Consent: ☑ YES ☐ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

Ordinance M-10-2013 was introduced at the June 18, 2013 Village Council meeting. (See June 18, 2013 Agenda, pp. 126 -152).

Executive Summary:

Ordinance M-10-2013 grants a variation from Section 17.30.050 [Minimum Corner Yard Setback] of the Winnetka Zoning Ordinance to permit the addition of an attached garage that will result in a corner yard setback of 7.53 feet, whereas a minimum of 28 ft. is required, a variation of 20.47' (73.1%).

The applicants, Scott and Lauren Lewis, are requesting the variation in order to construct a two car attached garage along the north side of the existing home. The proposed garage would measure 21.66 ft. by 26.42 ft. and would replace an existing two car attached garage that is proposed to be converted into a family room. The lot itself is located at the southwest corner of Willow Rd. and Locust Rd. and as such is considered a corner lot for zoning purposes. Therefore, it is required to have two front yards; the "front yard" is along the Locust Rd. frontage (east side of lot) and requires a 38.78 ft. setback. The variation request is for the "corner front yard", which is the yard adjacent to Willow Rd (north side of lot). The required setback for this yard is 28 feet, with the existing structure having a conforming 29.2 ft. setback. The new garage would have a 7.53 ft. setback.

Recommendation / Suggested Action:

Consider adoption of Ord. M-10-2013 granting a corner yard setback to allow for the construction of an attached garage.

Attachments:

1) Agenda Report
2) Ordinance M-10-2013
3) Attachment A: Zoning Matrix
4) Attachment B: Application
5) Attachment C: Site/Building Plans
6) Attachment D: Conforming Alternative Plans

AGENDA REPORT

TO: Village Council

PREPARED BY: Michael D'Onofrio, Director of Community Development

SUBJECT: 350 Locust Rd, Ord. M-10-2013
Variation
(1) Minimum Corner Yard Setback

DATE: June 26, 2013

REF: June 18, 2013 Council Mtg. pp.126-152

Ordinance M-10-2013 grants a variation from Section 17.30.050 [Minimum Corner Yard Setback] and Section 17.30.110 [Garages] of the Winnetka Zoning Ordinance to permit the addition of an attached garage that will result in a corner yard setback of 7.53 feet, whereas a minimum of 28 ft. is required, a variation of 20.47 ft. (73.1%).

The applicants, Scott and Lauren Lewis, are requesting the variation in order to construct a two car attached garage along the north side of the existing home. The proposed garage would measure 21.66 ft. by 26.42 ft. and would replace an existing two car attached garage that is proposed to be converted into a family room. The lot itself is located at the southwest corner of Willow Rd. and Locust Rd. and as such is considered a corner lot for zoning purposes. Therefore, it is required to have two front yards; the "front yard" is along the Locust Rd. frontage (east side of lot) and requires a 38.78 ft. setback. The existing building is setback is 58.54 feet from Locust Rd. and the proposed new garage would have a setback 86.81 ft. The variation request is for the "corner front yard", which is the yard adjacent to Willow Rd (north side of lot). The required setback for this yard is 28 feet, with the existing structure having a conforming 29.2 ft. setback. The new garage would have a 7.53 ft. setback. Both the existing and new garage is accessed from a driveway off Locust Rd. The new garage would require some reconfiguration of the driveway including making it wider on the east and narrower on the north.

The property is located in the R-4 Single Family Residential District. The home was constructed in 1938. Subsequent building permits were issued in 1965 for a room addition and in 1990 for a room addition and interior remodeling. The petitioners purchased the property in May 2011.

There have been no previous zoning variations for this property.

At its May meeting the ZBA considered the request for the variation. The ZBA did question the applicant about relocating the garage to a conforming location. The applicant provided two conforming alternatives (Attachment D) of where a garage could be built and not requires zoning relief. At the conclusion of this case the ZBA voted unanimously in favor of recommending that the variation be granted.

Adoption of the ordinance requires the concurrence of a majority of the Council.

Recommendation
Consider adoption of Ordinance M-10-2013, granting a variation for corner front yard setback to allow for the construction of an attached garage.

Attachments
Attachment A: Zoning Matrix
Attachment B: Application
Attachment C: Site Plan/Building Plans
Attachment D: Conforming Alternative Plans

ORDINANCE NO. M-10-2013

AN ORDINANCE GRANTING A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS (350 Locust)

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 standards for the use and development of lands and buildings within the Village and establishing and applying criteria for variations from those standards are matters pertaining to the affairs of the Village; and

WHEREAS, the property commonly known as 350 Locust Road Winnetka, Illinois (the "Subject Property"), is legally described as follows:

> Lots 18 and 19 (Except the South 40 Feet thereof) in Alles Subdivision of the Northeast ¼ of the Southwest ¼ of Section 20, Township 42 North, Range 13, East of the Third Principal Meridian, recorded as document number 9327144 in Cook County, Illinois; and

WHEREAS, the Subject Property is located in the R-4 Zoning District provided in Chapter 17.16 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code; and

WHEREAS, on April 9, 2013, the owners of the Subject Property filed an application for the following variations from requirements of the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Chapter 17.30 of the Zoning Ordinance: (a) a variation from the minimum corner yard setback provisions of Section 17.30.050 of the Zoning Ordinance, to permit the addition of an attached garage that will result in a north corner yard setback of 7.53 feet, which exceeds the required minimum setback of 28 feet, resulting in a variation of 20.47 feet (73.1%); and (b) a variation from the provisions of Section 17.30.110 of the Zoning Ordinance pertaining to widths of front-facing garage doors, to allow a single garage door with a width of 18 feet, rather than the allowable two 9-foot wide doors, said variations being requested to allow the construction of a new attached garage alongside the north building line at the rear of the home on the Subject Property; and

WHEREAS, on May 13, 2013, on due notice thereof, the Zoning Board of Appeals conducted a public hearing on the requested variations, at which time the owners withdrew their request for the garage door variation; and

WHEREAS, upon the completion of the May 13, 2013, hearing, after considering conforming alternatives for the location of the garage, the Zoning Board of Appeals, with all members present, has reported to the Council, unanimously recommending that the requested corner yard variation be granted; and

WHEREAS, there are practical difficulties associated with carrying out the strict application of the Zoning Ordinance with respect to the Subject Property in that: (a) the Subject

Property is a corner lot which is subject to front yard setbacks along both street frontages; (b) the residence and existing driveway are oriented to the front lot line along Locust Road; (c) the corner lot line of the Subject Property is formed by the Willow Road right-of-way, which is a heavily traveled main thoroughfare between Green Bay Road and interstate highways to the west, making access to the Subject Property from Locust Road the safer and preferred access; (d) the Subject Property is improved with an architecturally significant single family home, that was constructed in 1938 and designed by Homer G. Sailor, an architect who studied under Louis Sullivan, and whose homes in other locales are designated landmarks; and (e) constructing a detached garage in a conforming location in the rear yard would result in increased impermeable surface in the flood plain, the loss of one or more mature trees and the loss of green space in the rear yard; and

WHEREAS, the Subject Property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the Zoning Ordinance, in that the proposed attached garage will provide a new garage with increased functionality, will allow the existing attached garage to be converted into living space that will bring the residence up to contemporary living standards by increasing the small kitchen area and creating a family room for informal gatherings; and

WHEREAS, the requested variation will not alter the essential character of the neighborhood because the design of the new garage will be compatible with the size and scale of the existing home; and

WHEREAS, the requested variation will not impair an adequate supply of light and air because there are no proximate structures to the proposed addition; and

WHEREAS, the requested variation will not increase the hazard from fire and other dangers to the Subject Property, as the proposed construction will comply with all applicable building and fire protection codes; and

WHEREAS, there is no evidence that the requested variation will diminish the taxable value of land and buildings throughout the Village, and the taxable value of the Subject Property is likely to be increased because of the proposed improvements; and

WHEREAS, the proposed construction will not contribute to congestion on the public streets, as the new garage will provide two enclosed off-street parking spaces and the Subject Property will continue to be used for single family residential purposes; and

WHEREAS, there is no evidence that the requested variation will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; and

WHEREAS, the requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance, in that it allows the renovation, restoration and rehabilitation of a structurally sound existing building while maintaining the existing scale and appearance of the community and protecting established trees and landscaping; and

WHEREAS, this Ordinance has been placed on the Village Council's agenda and made available for public inspection at Village Hall and on the Village's web site, in accordance with Sections 2.04.040 and 2.16.040 of the Winnetka Village Code and applicable law.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnetka, 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: The Subject Property, commonly known as 350 Locust Road and located in the R-4 Single-Family Residential District provided in Chapter 17.16 of the Winnetka Zoning Ordinance, Title 17 of the Winnetka Village Code, is hereby granted a variation from the minimum corner yard setback provisions of Section 17.30.050 of the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Chapter 17.30 of the Zoning Ordinance to permit the addition of an attached garage that will result in a north corner yard setback of 7.53 feet, which exceeds the required minimum setback of 28 feet, resulting in a variation of 20.47 feet (73.1%), said construction to be in accordance with the plans and elevations submitted with the application for variations.

SECTION 3: The variation granted herein is conditioned upon the commencement of the proposed construction within 12 months after the effective date of this Ordinance.

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 2nd day of July, 2013, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

APPROVED this 2nd day of July, 2013.

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this 2nd day of July, 2013.

Introduced: June 18, 2013
Passed and Approved:

ATTACHMENT A

ZONING MATRIX

ADDRESS: 350 Locust Rd.
CASE NO: 13-06-V2
ZONING: R-4

ITEM	REQUIREMENT	EXISTING	PROPOSED	TOTAL	STATUS
Min. Lot Size	13,300 SF	15,814 SF	N/A	N/A	CONFORMING
Min. Average Lot Width	70 FT	93.29 FT	N/A	N/A	CONFORMING
Max. Roofed Lot Coverage	4,269.82 SF (1)	1,843.92 SF	574.08 SF	2,418 SF	OK
Max. Gross Floor Area	4,977.83 SF (1)	3,709.64 SF	677.01 SF	4,144.96 SF	OK
Max. Impermeable Lot Coverage	7,907.08 SF (1)	4,230.42 SF	(795.78) SF	3,434.64 SF	OK
Min. Front Yard (East)	38.78 FT	58.54 FT (2)	86.81 FT	N/A	OK
Min. Corner (Front) Yard (North)	28 FT	29.2 FT (2)	7.53 FT	N/A	**20.47 FT (73.1%) VARIATION**
Min. Side Yard (South)	9.32 FT	21.5 FT	21.5 FT	N/A	OK
Min. Rear Yard (West)	25 FT	59 FT	55.12 FT	N/A	OK

NOTES:

(1) Based on lot area of 15,814.17 SF

(2) Setback to existing residence.

(3) Variation required to permit a front-facing attached garage door width of 18 ft., whereas the maximum width for an individual door is 9 ft., a 9 ft. (100%) variation.

ATTACHMENT B

CASE NO. _____

APPLICATION FOR VARIATION
WINNETKA ZONING BOARD OF APPEALS

Owner Information:

Name: Scott & Lauren Lewis

Property Address: 350 Locust Rd.

Home and Work Telephone Number: hm. 847-386-6068 wk. 312-217-6103

Fax and E-mail: LF3928@gmail.com, scottlew732@gmail.com

Architect Information: Name, Address, Telephone, Fax & E-mail:

David J. Muriello, 635 N. Lombard Av., Oak Park IL 60302

708-386-8090 davemuriello@gmail.com

Attorney Information: Name, Address, Telephone, Fax & E-mail:

Scott Lewis, same

Date Property Acquired by Owner: 5/3/2011

Nature of Any Restrictions on Property: _____

Explanation of Variation Requested: (Attach separate sheet if necessary) relief from 27.97' setback requirement along Willow Rd.

OFFICE USE ONLY

Variation Requested Under Ordinance Section(s): _____

Staff Contact: _____ Date: _____

ATTACHMENT B

STANDARDS FOR GRANTING OF ZONING VARIATIONS

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

1. The property in question can not 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 circumstance. 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.

For your convenience, you will find attached examples of general findings, for and against the granting of a variation, which have been made by the Zoning Board of Appeals and Village Council in prior cases.

NOTE: The Zoning Board of Appeals or the Village Council, depending on which body has final jurisdiction, must make a finding that a practical difficulty or a particular hardship exists in order to grant a variation request.

Property Owner's Signature: Lauren Lewis Date: 4/9/13

(Proof of Ownership is required)

Variations, if granted, require initiation of construction activity within 12 months of final approval. Consider your ability to commence construction within this 12 month time period to avoid lapse of approvals.

ATTACHMENT B

Application for Variance for
350 Locust Rd.
Winnetka, Illinois

RESPONSE TO STANDARDS

April 9, 2009

We respectfully request a Zoning Variance to allow the construction of an attached garage having a 7.53' setback at the north side, where the minimum required side yard setback is 27.97'. The reason for this request is to provide a family room in the location of the current under sized garage and provide a properly functioning garage that maintains the character of the neighborhood and adds value to the community.

This request for variance does not change the intended use of the single family residence nor does it request to impinge on any neighboring building, therefore ensuring that adequate light, air and privacy are provided and maintained.

Following are responses to the Zoning Ordinance standards:

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

Response: Providing an attached garage at the rear of the house would severely reduce the size of the back yard, be uncharacteristic of the neighborhood and detract from the aesthetics, character and value of the community, all of which would prevent a reasonable return.

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.

Response: Portions of the property are in the flood plain. Building the garage on the north side of the house will decrease the impervious surface area of the lot. Providing a garage at the rear of the house would severely *increase* the amount of impervious surface area. This rear location is in the flood plain. Also, there are existing trees along the north side of the property whose root structures would be damaged if the garage was built at the rear of the house.

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

Every effort has been made to ensure that the design and materials of the proposed addition is in keeping with the character of the neighborhood. Exterior materials and detailing will be harmonious with the existing house design.

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

The proposed variation will not impair an adequate supply of light and air to the adjacent properties. There is no neighbor to the north.

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

The proposed addition will comply with all code requirements regarding life and fire safety, and will not increase such hazards. There would be no hazard to this or adjacent properties (there is no neighbor to the north.)

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

The proposed variation will not diminish the taxable value of land and buildings throughout the Village. This modest addition will increase the taxable value of the property.

The congestion in the public street will not increase.

This single family residence will remain as such and will not increase congestion on Locust Rd.

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

Response: This proposed variation has taken into consideration conserving property values, protecting the character of the neighborhood and the effect on the neighboring properties, including privacy, in an effort to keep in harmony with the spirit and intent of this Zoning Ordinance. This variation will not impair public health or safety, and have no effect on morals and welfare of the inhabitants.

ATTACHMENT B

Michael D'Onofrio

From: Lauren Lewis <lf3928@gmail.com>
Sent: Tuesday, May 07, 2013 1:15 PM
To: Jill Morgan
Cc: Michael D'Onofrio
Subject: A message for the members of the Winnetka Zoning Board of Appeals
Attachments: Lewis-SK4-5.6.13.pdf; ATT00001.htm; Lewis-SK1-5.6.13.pdf; ATT00002.htm; Lewis-SK2-5.6.13.pdf; ATT00003.htm; Lewis-SK3-5.6.13.pdf; ATT00004.htm

Dear Members and Neighbors,

Enclosed please find four architectural drawings related to the zoning variance applied for 350 Locust Road that we hope will be informative. The matter is scheduled to be heard by the zoning board on May 13, 2013.

We moved to 350 Locust Road in May 2011 to raise our family. Our son Charlie will be 2 this July. We love our home and plan to live in this wonderful community for the rest of our lives

As we will explain in more detail at the hearing, our current garage requires a 5-point or a 7-point turn to enter. In addition, our current kitchen is only 97 square feet, which is significantly less than the average Winnetka home and inadequate for a growing family. Moreover, Homer G. Sailor, who was a draftsman for Louis Sullivan, designed our home, which was built in 1938. His homes are designated as historic in Glencoe and Highland Park, among other localities. Our only reasonable option to bring our home into the 21st century is through the plan set forth on SK2 (A) (as referenced below). The other alternatives present insurmountable issues with no reasonable solutions. We hope that the board will recognize that instead of demolishing our house, which adds to the character of the community, we wish to save it.

The enclosed drawings are as follows:

- SK1-Existing Site Plan
- SK2- (A) Proposed Site Plan
- SK3- (B) Alternate Site Plan
- SK4 - (C) Alternative Site Plan

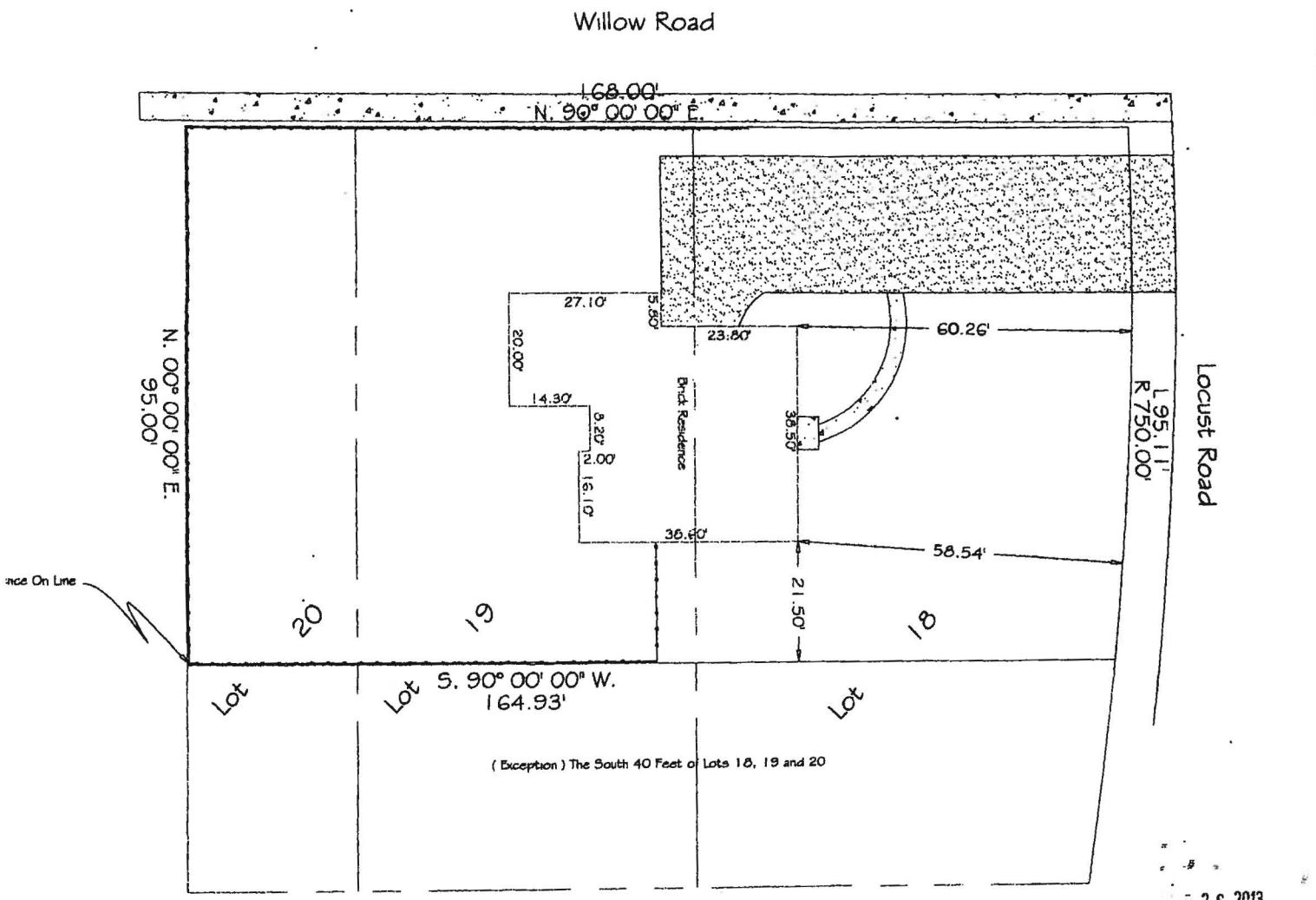
The goal of our proposed renovation/addition is to obtain a functioning garage, an adequate kitchen for a family, and preserve our family home without negatively impacting the community, our neighbors or the natural environment. Please feel free to call us with any questions and we look forward to discussing this matter with you on May 13.

Best Regards,

Scott and Lauren Lewis

BEARINGS ARE ASSUMED

PLAT OF SURVEY



LEGAL DESCRIPTION

LOTS 18 AND 19 (EXCEPT THE SOUTH 40 FEET THEREOF) AND THE EAST 30 FEET OF LOT 20 (EXCEPT THE SOUTH 40 FEET THEREOF) IN ALLE'S SUBDIVISION OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 20, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, RECORDED AS DOCUMENT NUMBER 9327144 IN COOK COUNTY, ILLINOIS.

Commonly Known as: 350 LOCUST ROAD
WINNETKA, ILLINOIS.

STATE OF ILLINOIS)
S.S.)
COUNTY OF DU PAGE)

I GREGORY L. POWELL, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF A SURVEY OF THE LA PURSUANT TO THE "MINIMUM STANDARDS OF PRACTICE," 68 IL.ADMIN.CODE, SECTION 1270.56(b)(G)(F) PERFORMED AT AND UNDER MY DIRECTION. THIS PROFESSIONAL SERVICE CONFORMS THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS 3RD DAY OF MAY, A.D. 2011, MY LICENSE EXPIRES 11/30/2012

GREGORY L. POWELL 3187 PROFESSIONAL STATE OF ILLINOIS

ILLINOIS PROFESSIONAL LAND SURVEYOR NO.3187

Work No.	11-1232
Drawn by	glp
Checked	GLP
Approved	GLP
Scale	1" - 20'

Prepared for:
Law Office Of
Jennifer M. Baratta
310 W. Fremont St.
Arlington Hts, Illinois. 60004

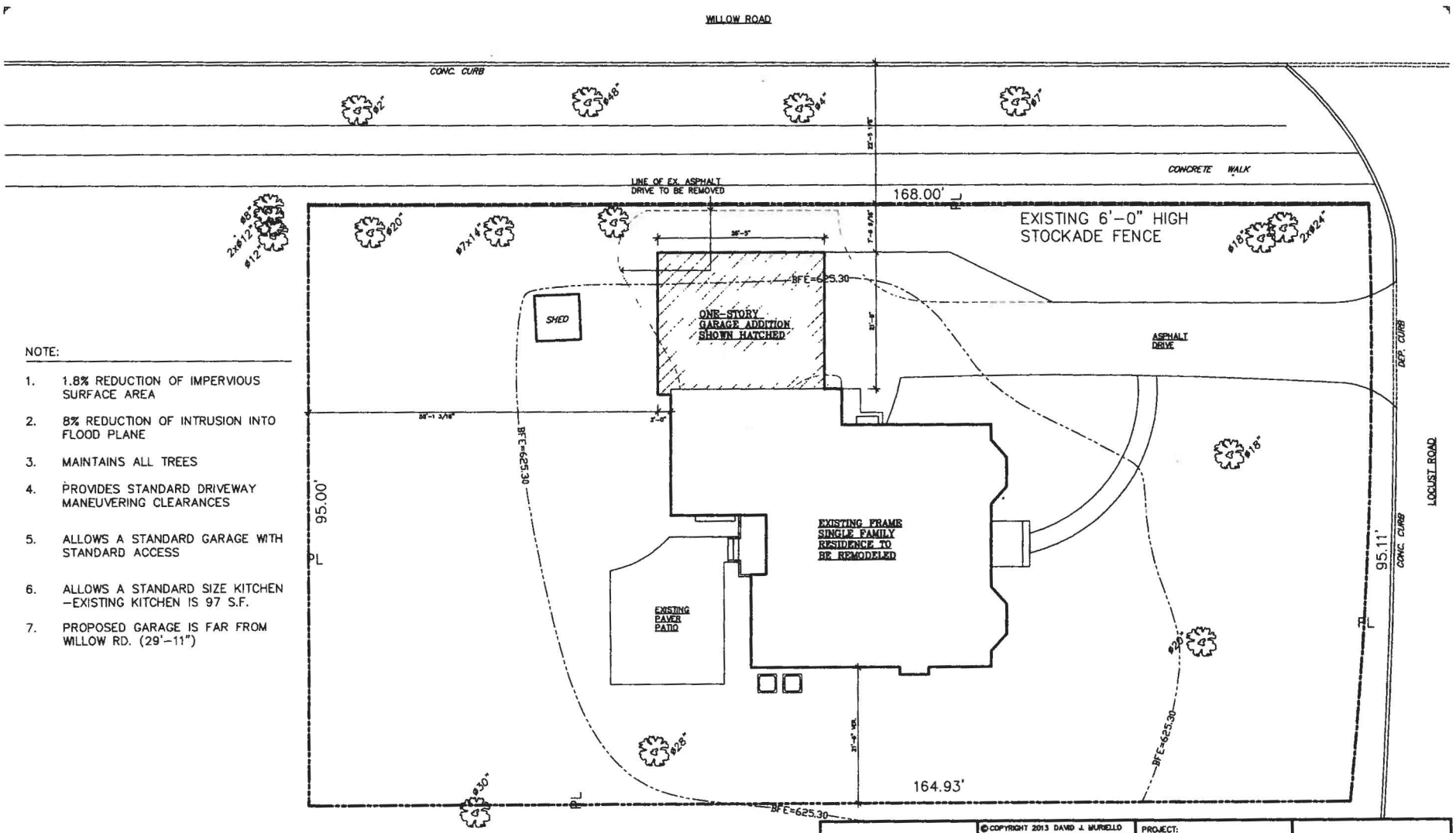
G. Powell
Professional Land Surveyors
5892 Chatsworth Court
Hanover Park, Illinois 60133
Phone (630) 540-2557
Fax (630) 540-2558

SURVEYOR'S NOTE:

IRON PIPE'S AT ALL PROPERTY CORNERS UNLESS NOTED OTHERWISE

ATTACHMENT B

ATTACHMENT C



NOTE:

1. 1.8% REDUCTION OF IMPERVIOUS SURFACE AREA
2. 8% REDUCTION OF INTRUSION INTO FLOOD PLANE
3. MAINTAINS ALL TREES
4. PROVIDES STANDARD DRIVEWAY MANEUVERING CLEARANCES
5. ALLOWS A STANDARD GARAGE WITH STANDARD ACCESS
6. ALLOWS A STANDARD SIZE KITCHEN –EXISTING KITCHEN IS 97 S.F.
7. PROPOSED GARAGE IS FAR FROM WILLOW RD. (29'–11")

A PROPOSED SITE PLAN

0 10' 20' 40'

N

DAVID MURIELLO ARCHITECT
635 N. LOMBARD AVENUE
OAK PARK, ILLINOIS 60302
708.386.8090

© COPYRIGHT 2013 DAVID J. MURIELLO

4.27.13

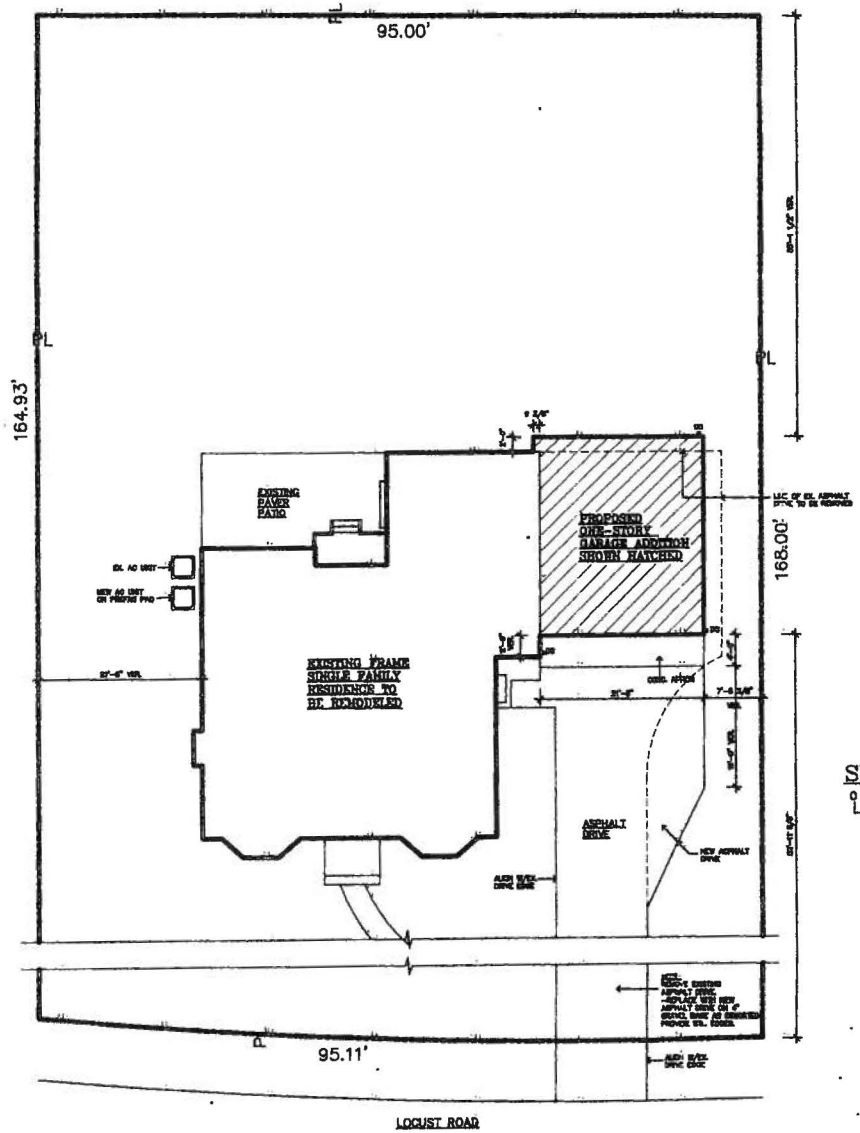
PROJECT:
LEWIS RESIDENCE ADDITION AND REMODELING
305 LOCUST RD.
WINNETKA, ILLINOIS

PROJECT NUMBER: 3019
DRAWN BY: DM
FILE NAME: LEWIS–SITE

SK2

SHEET OF

LEWIS RESIDENCE
ADDITION AND REMODELING
350 LOCUST RD., WINNETKA, ILLINOIS



SITE PLAN

0 4' 8' 16'

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY KNOWLEDGE COMPLY WITH THE BUILDING CODE OF WINNETKA ILLINOIS.

DAVID J. MURIELLO DATE
ILLINOIS REG. #001-9814

EXPIRATION DATE

TABLE OF CONTENTS

A1 SITE PLAN
A2 FLOOR PLAN, DEMOLITION PLAN
A3 BASEMENT/ FOUNDATION PLAN, SCHEDULES, DIAGRAMS
A4 EXTERIOR ELEVATIONS, GARAGE SECTION
A5 INTERIOR ELEVATIONS
A6 GENERAL NOTES
A7 DETAILS
E1 ELECTRICAL PLAN

PROJECT:
LEWIS RESIDENCE
ADDITION AND REMODELING
350 LOCUST ROAD
WINNETKA, ILLINOIS

PROJECT NUMBER: 2010
DRAWN BY: DM
FILE NAME: LEWIS-SITE

SITE PLAN

A1

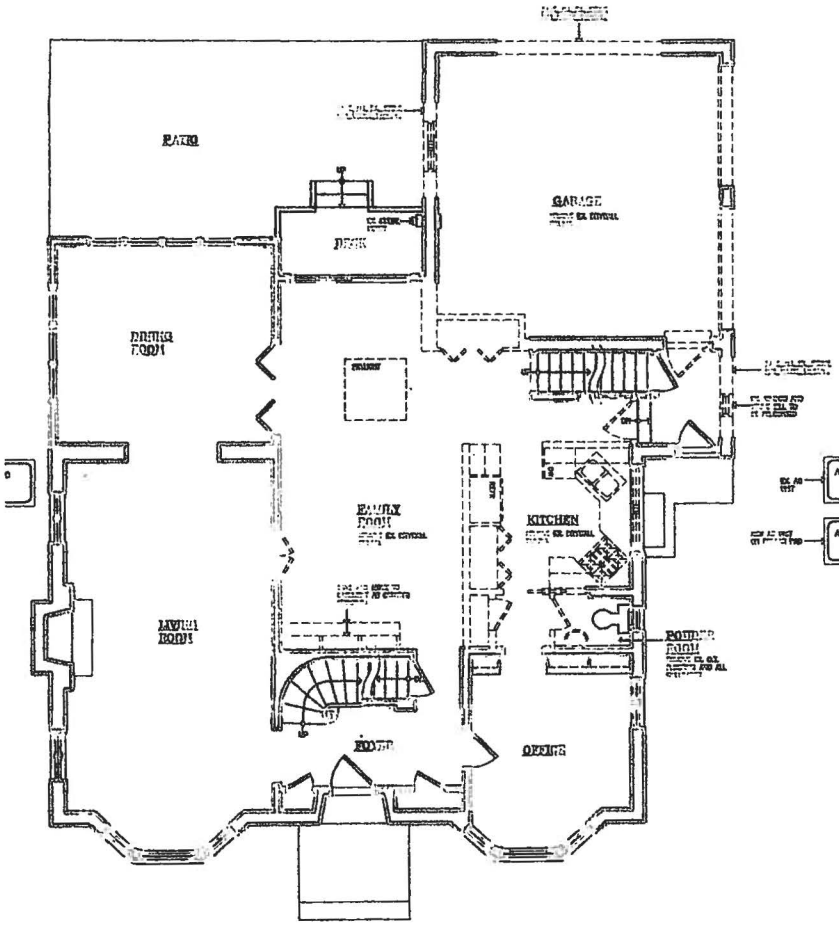
SHEET 1 OF 6

DAVID MURIELLO ARCHITECT
635 ILLINOIS AVENUE
OAK PARK, ILLINOIS 60302

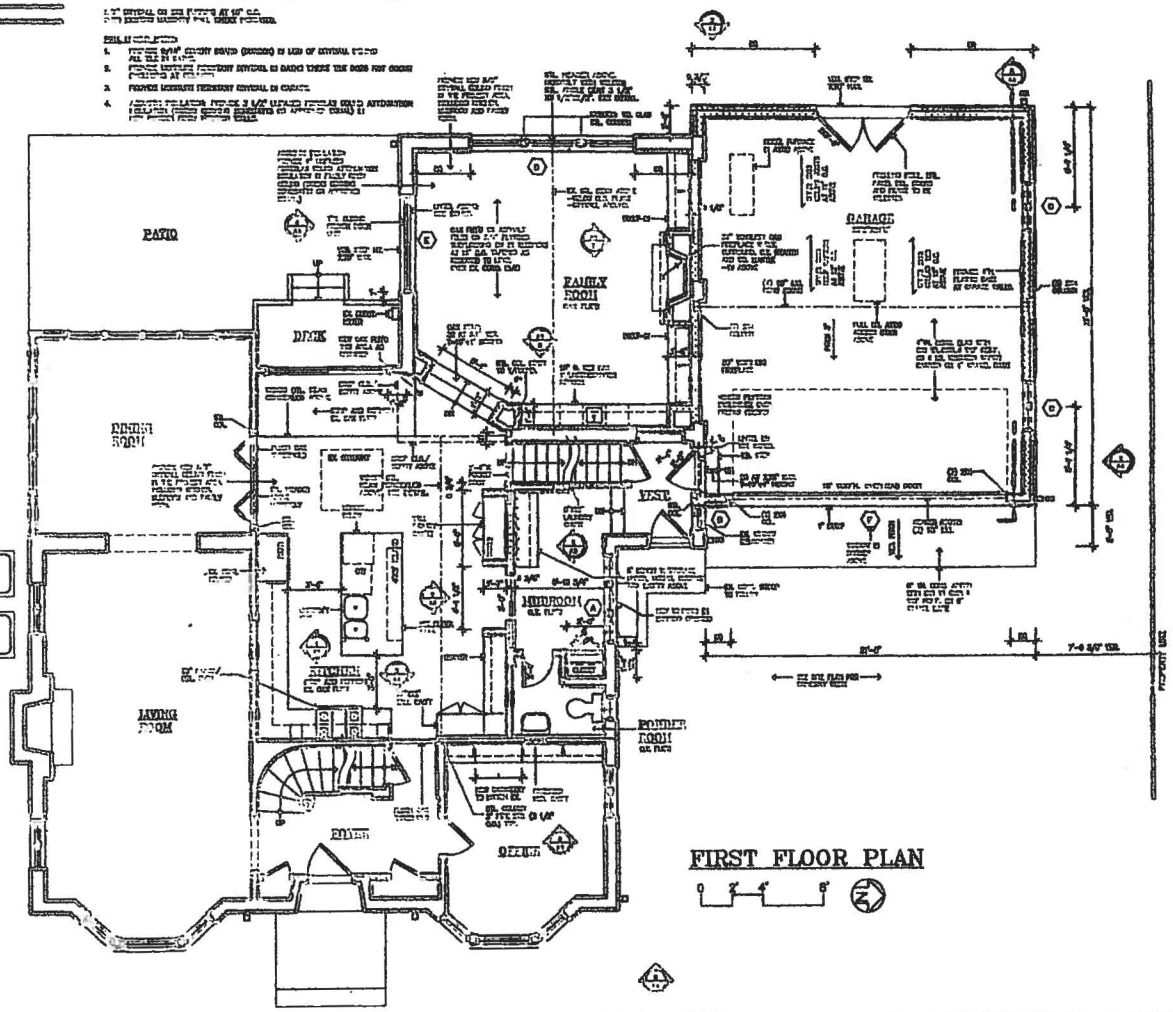
ATTACHMENT C

DEMOLITION PLAN LEGEND

FLOOR PLAN WALL LEGEND



FIRST FLOOR EXISTING CONDITIONS /DEMOLITION PLAN



FIRST FLOOR PLAN

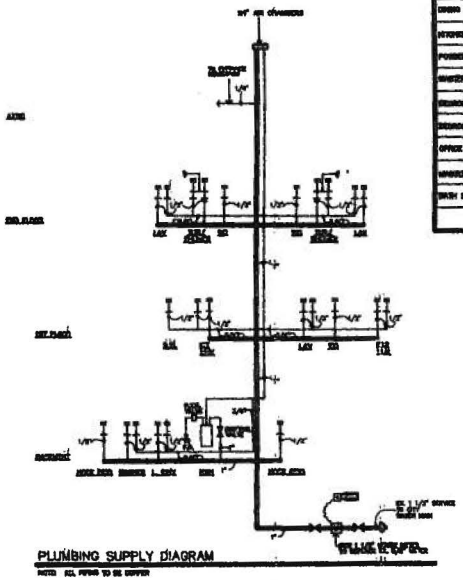
DAVID MURIELLO ARCHITECT

LEWIS RESIDENCE
ADDITION AND REMODELING
450 TOURHILL ROAD
WINNETKA, ILLINOIS

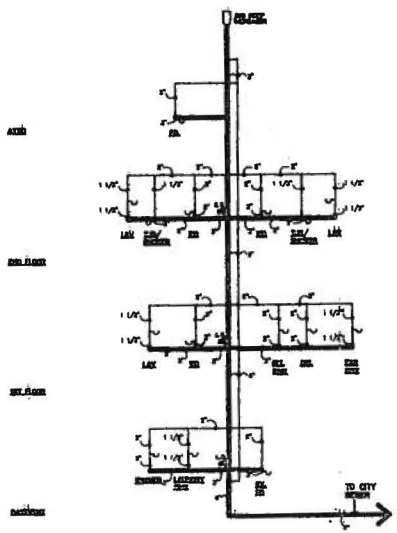
FLOOR PLANS

A2

ATTACHMENT C



PLUMBING SUPPLY DIAGRAM



PLUMBING WASTE DIAGRAM

LIGHT AND VENTILATION SCHEDULE

ROOM NAME	FLOOR AREA SQ. FT.	ENERGY REQUIREMENTS: NATURAL LIGHT AND VENTILATION		MECHANICAL VENTILATION		PLAN REQUIREMENTS: NATURAL LIGHT AND VENTILATION		MECHANICAL VENTILATION		FAN SYSTEM
		SQ. FT. REQ.	SQ. FT. PROV.	CFM REQUIRED	CFM PROVIDED	SQ. FT. REQ.	SQ. FT. PROV.	CFM REQUIRED	CFM PROVIDED	
LIVING ROOM	EXISTING	NO CHANGE								
DINING ROOM	230	10.23	6.10			23.01	17.70			
KITCHEN	155	13.4	6.2			20.23	21.0			
POWDER ROOM	22				70				50	EXHAUST TO BE SELECTED
MASTER BEDROOM	230	10.2	8.4			23.44	23.00			
BEDROOM 2	143	11.44	6.72			23.5	19.83			
BEDROOM 3	143	11.44	6.72			23.5	19.83			
OFFICE	EXISTING	NO CHANGE								
MASTER BATH	50				144				150	EXHAUST TO BE SELECTED
BATH 2	EXISTING	NO CHANGE								

PLUMBING NOTES

1. PROVIDE 1/4" AIR CHAMBER AT ALL FIXTURES AND AT CHANGES AT RISE BRANCH.
2. PROVIDE SHOP OFF VALVES AT FIXTURES, WATER HEATERS, & SHALL STOPS AT EACH BRANCH.
3. PROVIDE 1/4" PER FOOT FALL ON ALL HORIZONTAL DRAIN LINES OF AS CHANGING DIRECTION BY CODE.
4. ABBREVIATIONS SHOWN ALL FLOOR PENETRATIONS.
5. PROVIDE TYPE L COPPER DRAINS ON DRAINING PAPER.

ABBREVIATIONS AND SYMBOLS

A.D.	AREA DRAIN
C.O.	CATCH DOWN
C.O.	CLEANOUT
EP	EPOXY
DW	DISHWASHER
F.D.	FLOOR DRAIN
G.T.	GROUND TAP
GD	GARB. DISP.
HWH	HOT WATER HEATER
LAV	LAVATORY
LND	LAUNDRY TUB
S	SINK
REFR	REFRIGERATOR
WM	WASHING MACHINE
WC	WATER CLOSET
	CONTROL VALVE
	P.T.R. VALVE
	TRAP
	GREASE TRAP
	OPEN SITE DRAIN
	AIR CHAMBER

FIXTURE CONNECTIONS

FIXTURE	TRAP OR SEAL	VENT	HOT	COLD
WATER CLOSET	4"	2"	—	3/8"
BATHTUB/SHOWER	1 1/2"	1 1/2"	1/2"	1/2"
LAVATORY	1 1/2"	1 1/2"	3/8"	3/8"
KITCHEN SINK	2"	2"	1/2"	1/2"
DISH WASHER	2"	—	1/2"	1/2"
DISH WASHER	2"	2"	1/2"	1/2"
AUTO CLOTHES WASHER	2"	2"	1/2"	1/2"
FLOOR DRAIN	2"	1 1/2"	—	—

NOTES:
PLUMBING CONTRACTOR TO VERIFY ACTUAL PIPE SIZES BEFORE APPLICATION OF ALL PIPE. PIPE SIZES AS REQUIRED FOR PROPER PERFORMANCE.

WATER SUPPLY FIXTURE UNITS

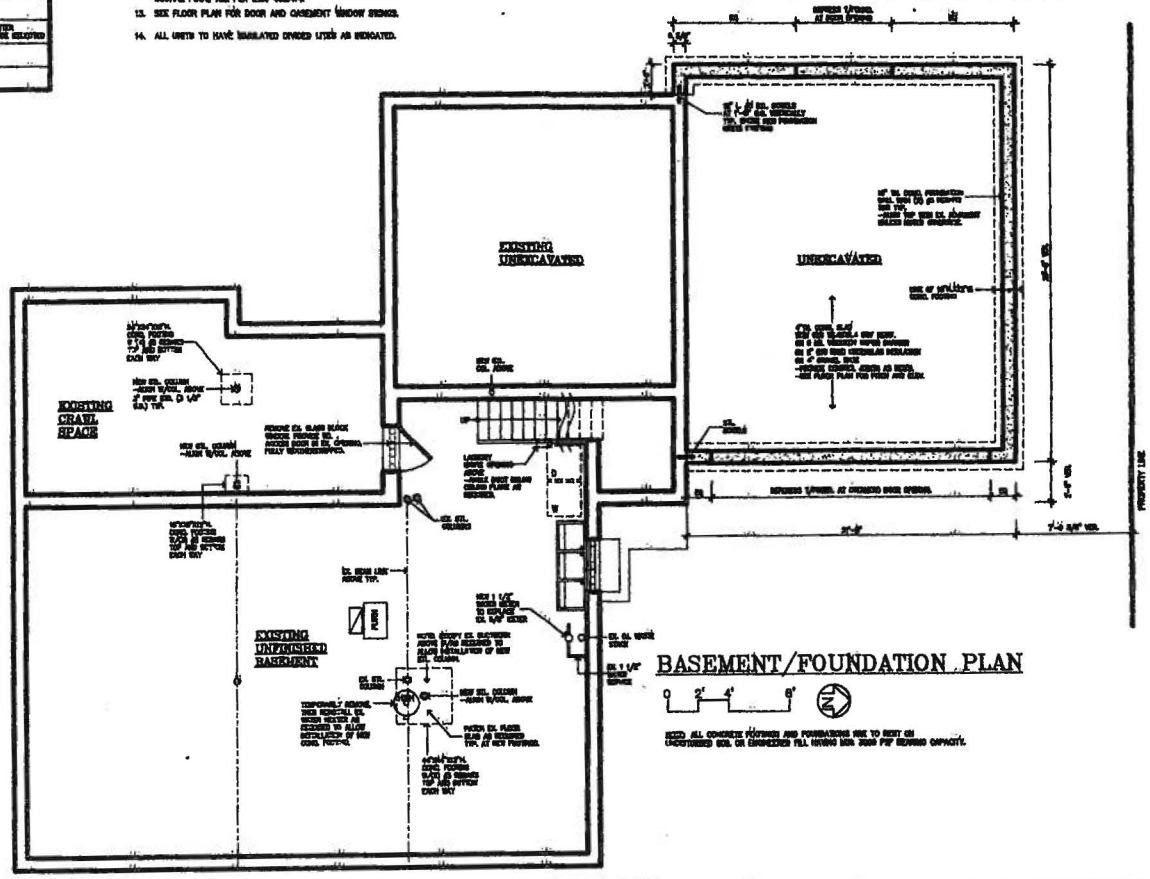
FIXTURE	QUANTITY	LOAD EACH	TOTAL LOAD
WATER CLOSET	2	3	6
BATHTUB/SHOWER	2	2	4
LAVATORY	4	1	4
KITCHEN SINK	1	2	2
DISH WASHER	1	1	1
AUTO CLOTHES WASHER	1	2	2
LAUNDRY SINK	1	2	2
TOTAL FIXTURE UNITS			23

WINDOW AND FRENCH DOOR SCHEDULE NOTES:

1. ALL WINDOWS AND FRENCH DOOR UNITS TO BE WOOD, CLAD, COMPLETE WITH INSECT SCREENS AND INSULATING GLASS UNLESS NOTED OTHERWISE.
   -- INSIDE SURFACES TO BE FINISHED FOR PAINT FINISH.
2. ACCEPTABLE WINDOW AND FRENCH DOOR UNIT MANUFACTURERS ARE AS FOLLOWS:
   MARVIN, PELLA, JELD-WEN, WEATHERSHIELD, HERO, AND YOUNG AND YOUNG.
   --OTHER MANUFACTURERS OF EQUAL PRODUCTS ARE ACCEPTABLE W/AS APPROVED BY THE OWNER.
3. PROVIDE SLIDING SCREENS AT SLIDING FRENCH DOOR UNIT.
4. UNITS TO BE FURNISHED WITHOUT SNAP-GRIDS.
5. PROVIDE JAMB EXTENSIONS AS REQUIRED.
6. VERIFY ALL ROUGH OPENING DIMENSIONS WITH THE MANUFACTURER.
7. CLADDING COLOR, SCREEN FRAME COLOR AND SCREEN FABRIC ARE TO BE SELECTED.
8. PROVIDE CLEAR LOW-E GLASS.
9. HARDWARE FINISH TO BE OIL RUBBED BRONZE.
10. PROVIDE TEMPERED GLASS AT FRENCH DOOR UNITS AND BASEMENT WINDOWS.
11. U-VALUE TO BE 0.35 OR BELOW.
12. NEW WINDOWS SHALL HAVE A MAXIMUM AIR INFILTRATION RATE OF 0.3 CFM PER SQUARE FOOT. SWINGING EXTERIOR DOORS SHALL HAVE A MAXIMUM AIR INFILTRATION RATE OF 0.5 CFM PER SQUARE FOOT, ALL PER IECC 402.4.4.
13. SEE FLOOR PLAN FOR DOOR AND CASEMENT WINDOW SIZINGS.
14. ALL UNITS TO HAVE INSULATED DIVIDED LITES AS INDICATED.

WINDOW AND EXTERIOR DOOR SCHEDULE

MARK	SASH SIZE/DOOR SIZE (W X H) MEMEX	TYPE	QUANTITY	LOCATION	REMARKS
A	[illegible]	BASEMENT 2 SIDE	1	BEDROOM	NEW WINDOWS IN EXISTING OPENINGS. ALL WINDOWS TO HAVE ALL NEW SILL TRIM.
B	EXISTING WINDOW RELOCATED	BASEMENT	1	WITHDRAWN	REMOVE EXISTING STONE SILL.
C	[illegible]	FIXED SASH 2 SIDE	2	GARAGE	MATCH EXTERIOR WINDOW REPL.
D	[illegible]	GARDEN DOOR	2	FAMILY ROOM	
E	[illegible]	2 LITE SLIDING FRENCH DOOR UNIT	1	FAMILY ROOM	TEMPERED GLASS
F	[illegible]	FIXED SASH 2 SIDE	1	GARAGE DOORS	MATCH SIZE OF COL. AND FLOOR TRIMMING AT EAST WALL.



BASEMENT/FOUNDATION PLAN

0 2' 4' 8'

ALL CONCRETE FOOTINGS AND FOUNDATIONS ARE TO REST ON UNDISTURBED SOIL OR ENGINEERED FILL HAVING MIN. 2000 PSF BEARING CAPACITY.

DAVID MURIELLO ARCHITECT
635 N. LOMBARD AVENUE
OAK PARK, ILLINOIS 60302

PROJECT: LEWIS RESIDENCE ADDITION AND REMODELING 850 JACKSY ROAD WINNETKA, ILLINOIS

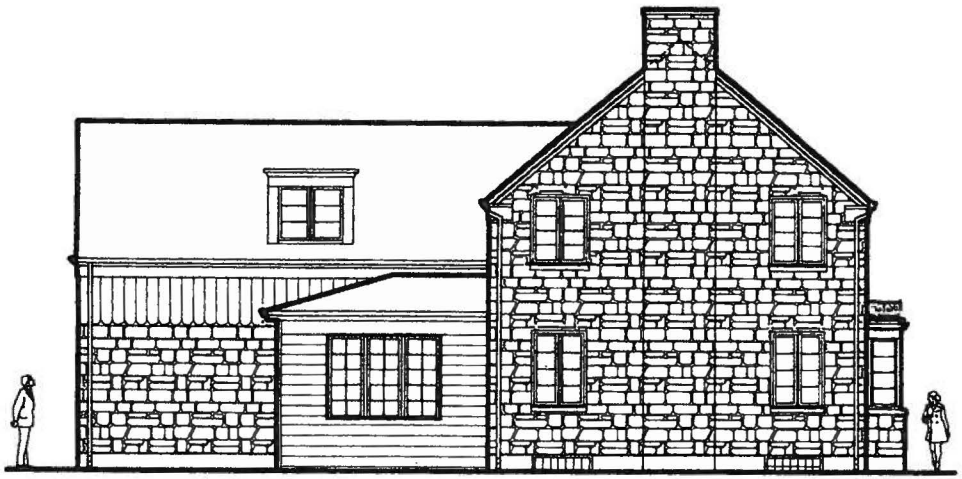
PROJECT NUMBER: 2010
DRAWN BY: DM
FILE NAME: LEWIS-PLANS

FLOOR PLANS

A3

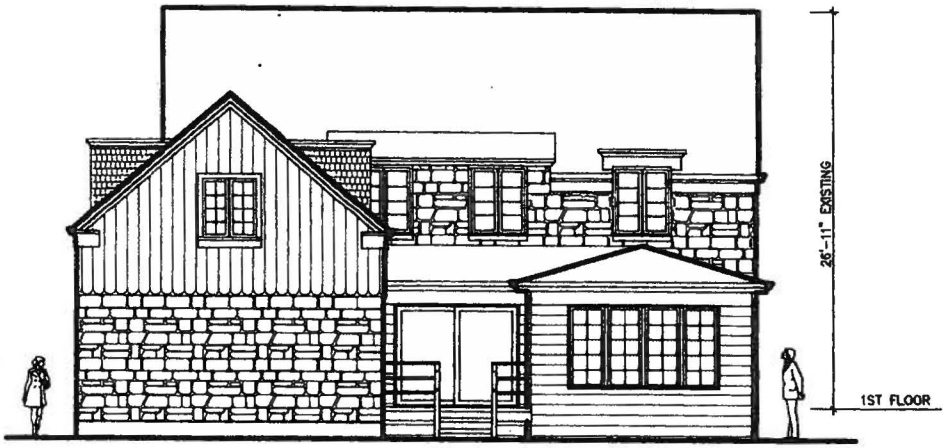
SHEET 3 OF 8

ATTACHMENT C



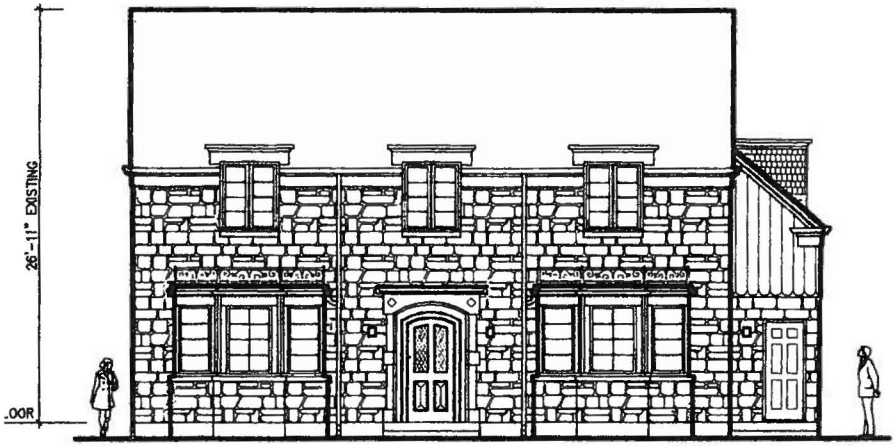
350 LOCUST RD.
EXISTING SOUTH ELEVATION

0 2' 4' 8'



350 LOCUST RD.
EXISTING WEST ELEVATION

0 2' 4' 8'



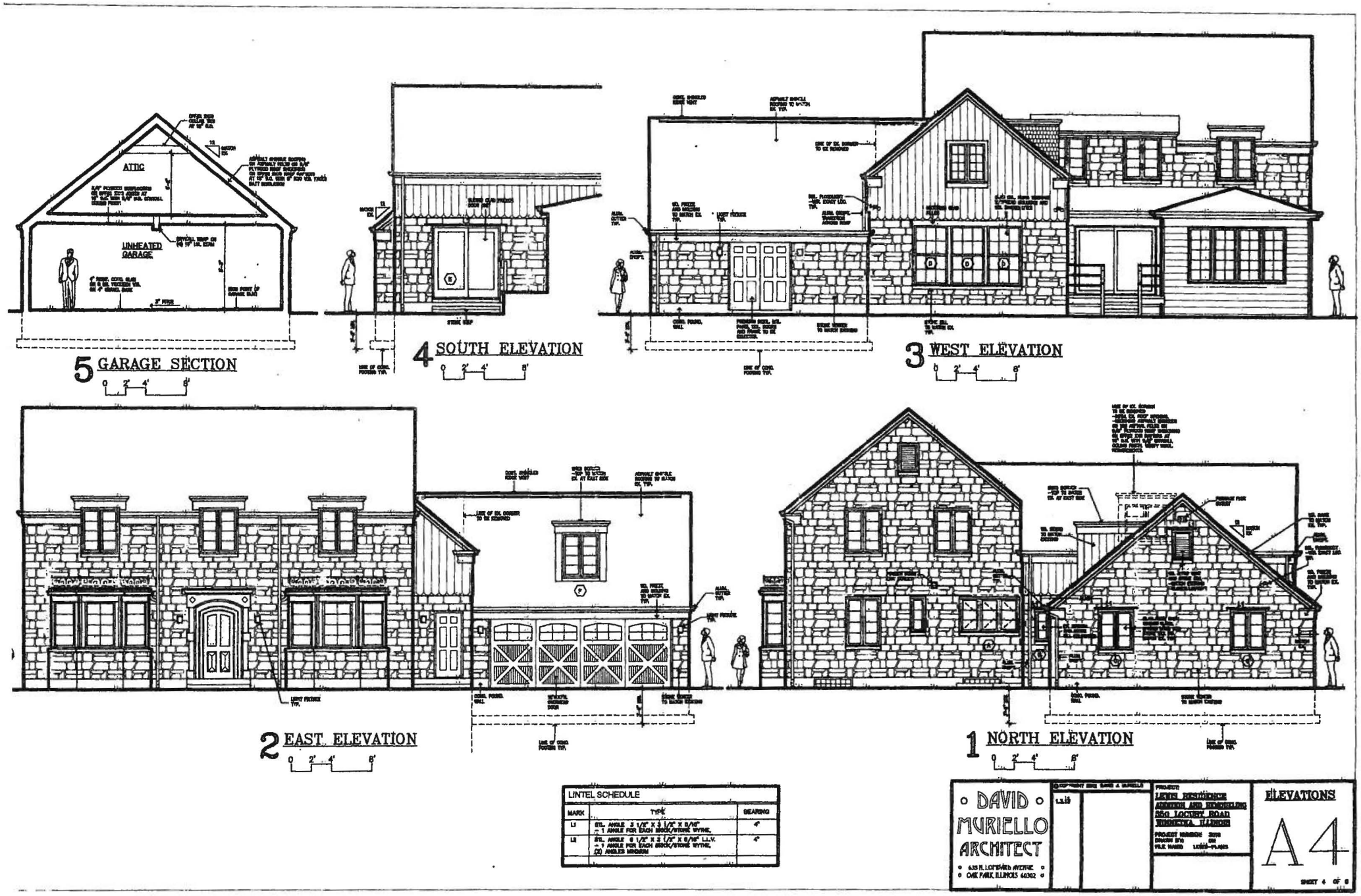
350 LOCUST RD.
EXISTING EAST ELEVATION

0 2' 4' 8'

350 LOCUST RD.
EXISTING NORTH ELEVATION

0 2' 4' 8'

ATTACHMENT C



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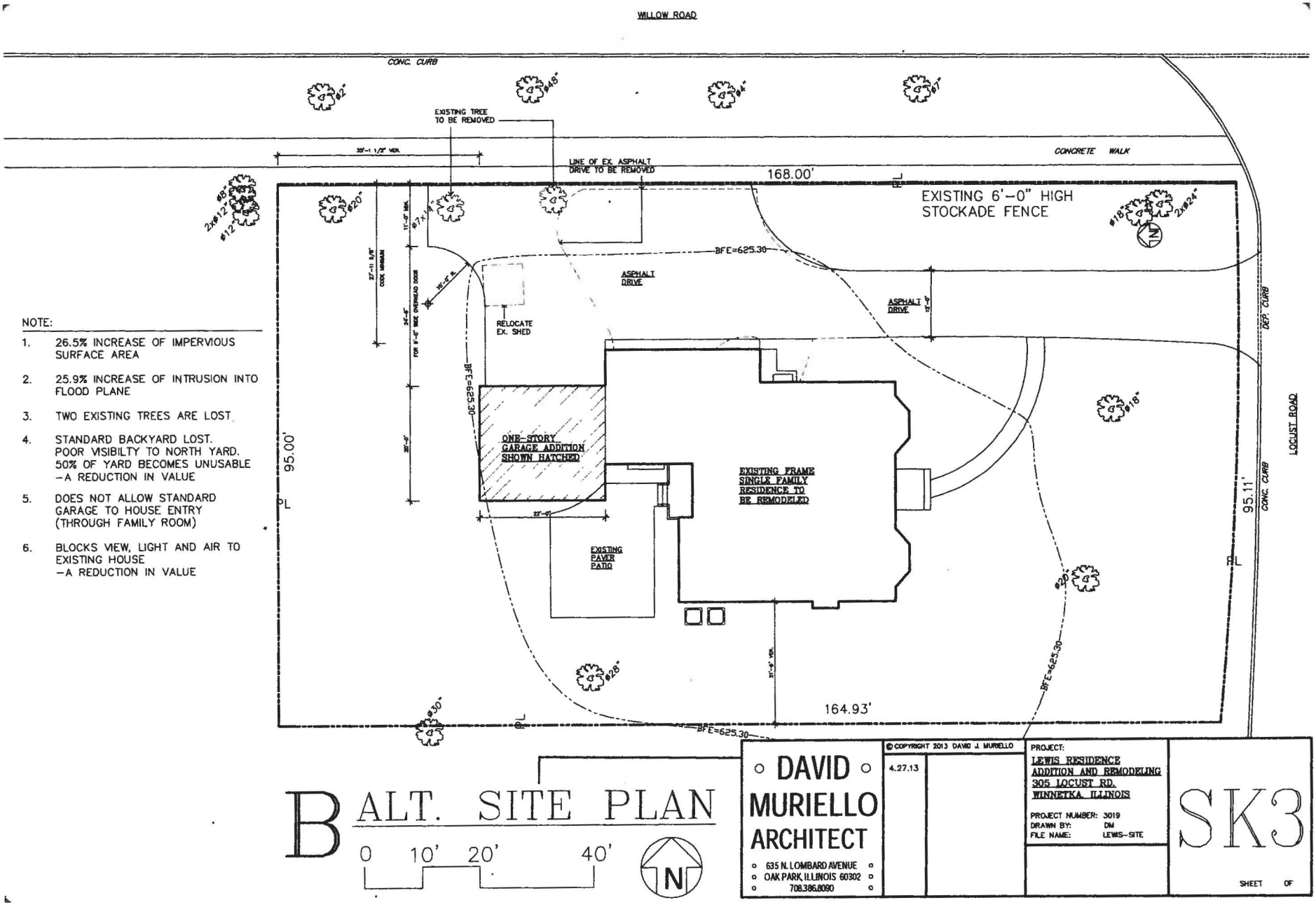
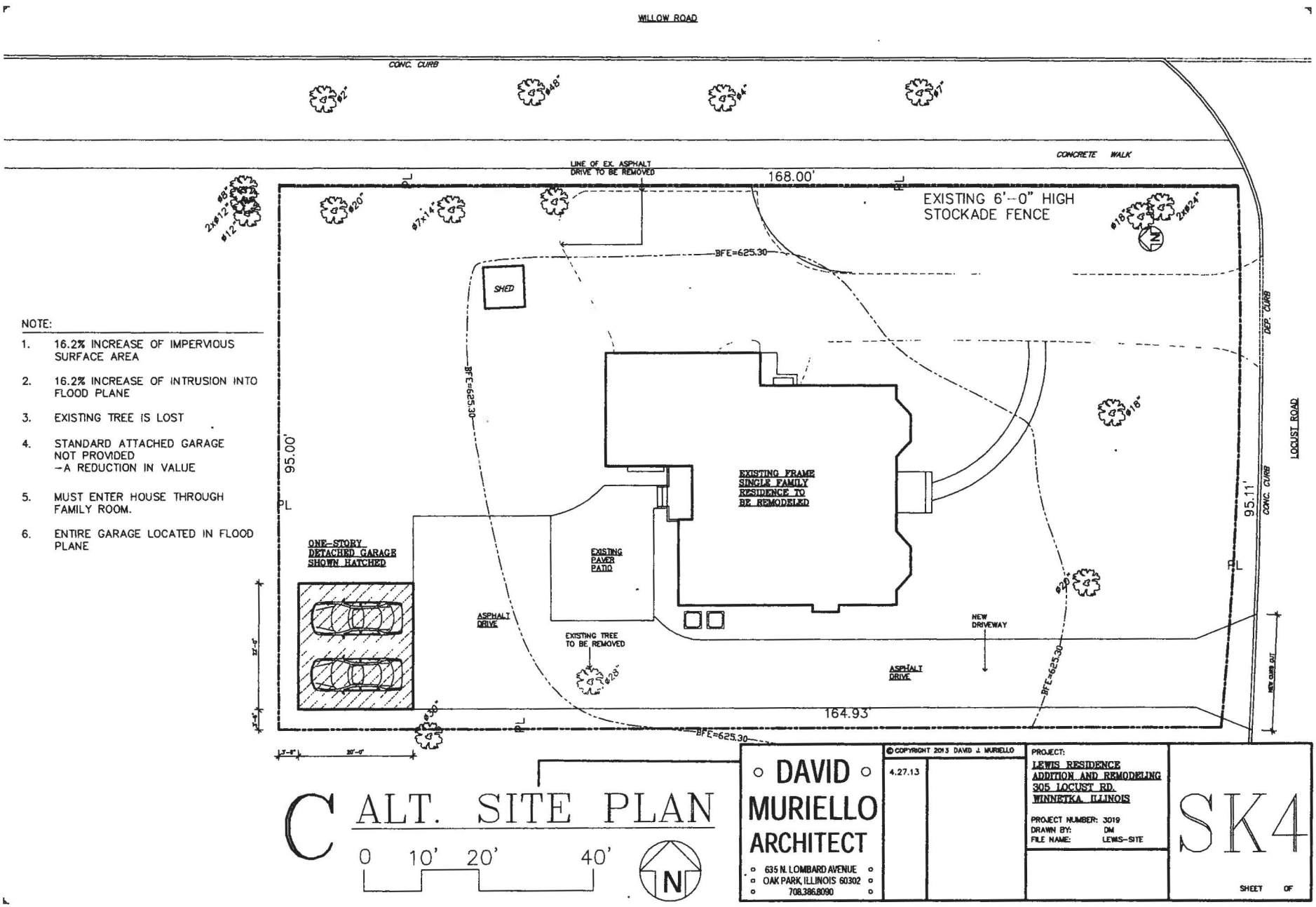


ATTACHMENT D



Agenda Item Executive Summary

Title: Outdoor Seating Permit for True Juice

Presenter: Katherine S. Janega, Village Attorney

Agenda Date: 07/02/2013

Consent: ☑ YES ☐ NO

☐ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History: *(reference past Council reviews, approvals, or authorizations)*

No history for this applicant.
For general history, see:
- Village Code Section 12.04.070 (Commercial use of Village sidewalks)
- March 19, 2013, Council Agenda (Annual authorization)

Executive Summary:

The Village Code requires Village Council permission for businesses to operate on public sidewalks, and the applications from existing restaurants are generally bundled into a single package for Council consideration in March of each year.

True Juice is a new juice bar that will be located at 542 Chestnut Street, in space that is currently under renovation. True Juice plans to open as soon as the work is completed and has applied for an outdoor seating permit.

Due to the limited width of the Village's sidewalks, and to protect the Village against exposure to liability arising from the private use of the sidewalk, all applicants for outdoor seating are required to provide (i) a drawing of the proposed seating for approval by the Public Works Department and (ii) a certificate of insurance that names the Village as an additional insured. The required documentation has been received and is under review.

Recommendation / Suggested Action: *(briefly explain)*

Consider approving an outdoor seating permit request for True Juice, subject to the issuance of the Certificate of Occupancy and Food Dealer License, and to approval of the sidewalk layout and certificate of insurance.

Attachments: *(please list individually)*

None.

Agenda Item Executive Summary

Title: Proposed Northwest Winnetka Stormwater Improvements

Presenter: Steven M. Saunders, Director of Public Works/Village Engineer

Agenda Date: 07/02/2013

Consent: ☐ YES ☑ NO

☐ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☑ Policy Direction
☐ Informational Only

Item History:

September 11, 2012 Study Session
October 2, 2012 Council Meeting

Executive Summary:

On October 2, 2012 the Village awarded a contract to Christopher B. Burke Engineering, Ltd. (CBBEL) to complete detailed plans and specifications suitable for permits and obtaining construction bids for drainage improvements in the Greenwood Avenue/Forest Glen Study Area of northwest Winnetka. The Greenwood and Forest Glen study area is approximately a 170 acre drainage area north of Tower Road roughly bounded by Gordon Terrance on the east and the Skokie River Diversion Ditch on the west. All of the stormwater runoff in this area drains to the Skokie River Diversion Ditch through a trunk sewer heading west under Tower Road. The contract awarded by the Village included a provision for a public review by interested citizens and the Village Council before proceeding to final design. Engineering is approximately 90% complete and input is being sought at this time before finalizing the engineering and bidding documents. The existing drainage system and the proposed improvements are described in the Agenda Report.

The estimated project cost is $4,266,924, and is proposed to be bid in fall 2013, with construction in 2014.

Recommendation / Suggested Action:

1. Review preliminary plans and provide comments.
2. Provide policy direction – should the cost of constructing the private property laterals be paid by the Village, or should the cost be paid for by adjacent homeowners?

Attachments:

1. Agenda Report
2. Letter to Affected Residents
3. Conceptual Plan
4. Preliminary Detailed Plan Sheets

Agenda Report

Subject: **Proposed Northwest Winnetka Stormwater Improvements**

Prepared By: Steven M. Saunders, Director of Public Works/Village Engineer

Date: June 26, 2013

On October 2, 2012 the Village awarded a contract to Christopher B. Burke Engineering, Ltd. (CBBEL) to complete detailed plans and specifications suitable for permits and obtaining construction bids for drainage improvements in the Greenwood Avenue/Forest Glen Study Area of northwest Winnetka. The Greenwood and Forest Glen study area is approximately a 170 acre drainage area north of Tower Road roughly bounded by Gordon Terrance on the east and the Skokie River Diversion Ditch on the west. All of the stormwater runoff in this area drains to the Skokie River Diversion Ditch through a trunk sewer heading west under Tower Road. The contract awarded by the Village included a provision for a public review by interested citizens and the Village Council before proceeding to final design. Engineering is approximately 90% complete and input is being sought at this time before finalizing the engineering and bidding documents. The specific improvements involved are as follows:

Existing Storm Sewer System. The existing storm sewer under Tower Road begins as a 24-inch pipe at Forest Glen Drive and increases to a 60-inch pipe heading west to Grove Street. This storm sewer collects runoff from the Vernon, Edgewood, Greenwood and Grove areas along the way. West of Pine Tree Lane, the 60-inch trunk sewer is reduced to two 36-inch storm sewers at a junction chamber where one continues west and outlets at the Diversion Ditch and the other directs water south to outlet at the pond on the south side of Tower Road and east of Forest Way Drive. During large storm events, as the water rises in the Diversion Ditch, the 36-inch outlet to the Diversion Ditch cannot drain by gravity and the pond provides relief via the other 36-inch outlet. A pump station is located at this junction chamber to pump storm water into the Diversion Ditch when the water surface elevation in the Diversion Ditch is too high for gravity runoff.

The CBBEL analysis shows that less than half of the volume within the pond is used during the 100-year design, such as the July 2011 storm events. This was confirmed by CBBEL and Public Works staff during the April 2013 storm event. This is because the pond outflows to the Diversion Ditch through a flap gate (backflow preventer) that doesn't allow water to enter, or backup into the pond when the Diversion Ditch is high. Therefore during large storm events, the storage in the pond remains available even though the water in the Diversion Ditch is high.

Proposed Improvements. The proposed improvement for this area includes an additional trunk sewer along Tower Road, multiple lateral sewers draining Forest Glen, Vernon, Edgewood, Greenwood and Grove areas, and a larger outlet pipe to the pond. The larger storm sewer network will bring runoff to the pond where the flood storage volume within

the pond will be utilized. The outlet from the pond to the Diversion Ditch will continue through a flap gate and the new larger outlet pipe to the pond will be equipped with a backflow prevention measure. This will provide two methods of backflow prevention to stop water from the pond or the Diversion Ditch from backing up into the system. The pump station and outlet pipe (with backflow prevention) to the Diversion Ditch will remain. From the CBBEL analysis of the proposed improvements, stormwater runoff will flow west more efficiently and water from outside the area will not be able to backflow into the area.

<u>Private Property Considerations.</u> One somewhat unique aspect of this proposed project is that some of the lower, most flood susceptible areas are located on private property, in rear yards. These areas are subject to large volumes of overland flow generated from upstream properties and upstream portions of the drainage basin. The proposed improvements include side yard storm sewers within proposed Village easements to address associated risks of structure flooding. Past Village policy has been that side and rear yard sewers are privately funded and owned. However the grading conditions of the proposed improvement area often result in overland flow conditions that result in large accumulations of regional stormwater accumulating in private yards. In some cases, the resulting flood depths can lead to damage or inundation risk to structures, requiring drainage laterals on private property to address area wide flooding problems. Laterals are proposed in three locations:

1289/1295 Forest Glen Drive South

905/913 Greenwood Avenue
1487/1495 Tower & 902 Greenwood

The Village has, in the past, permitted construction of such private property drainage systems, but has not expended Village funds on construction. In the case of these improvements, construction of private laterals was determined to be the only effective means of flood protection, because safe or effective overland flow routes are not available. The cost associated with constructing these private laterals is approximately $110,000, or $30,000 to $50,000 per location, and is included in the total estimated project cost. It should be noted that the proposed laterals have been designed to protect against the 100-year flood, therefore they are significantly larger than what would typically be constructed by a homeowner to solve a private drainage problem.

Staff is recommending that in this case, the proposed laterals be included in the project at Village expense, for the following reasons:

1. They are an integral part of an overall Village project, and are necessary to achieve the project goal of reducing the risk of structure flooding;
2. They are intended to reduce the risk of structure flooding in large storms, and are not simply intended to reduce nuisance rear yard flooding;
3. There is not a safe and effective alternative in the form of an overland flow route to otherwise achieve the project objectives.

Policy direction is required to determine whether these laterals should be included in the project and funded by the Village, or whether these laterals should be funded by the adjacent homeowners.

Landscaping Berms. The proposed improvements within the Forest Glen subdivision include berms within the right-of-way and adjacent to the roadway. The purpose of the berms is to redirect overland flow away from the private property and toward the storm sewer system within the pavement. The berms will generally be modest in height (4 to 6 inches) and will be planted with landscape materials approved by the Village Forester, in consultation with the adjacent residents.

Traffic Patterns. The proposed detour plan uses Hibbard Road, Willow Road and Forestway Drive as a bypass for non-local traffic. Traffic on Tower Road will be limited to local traffic only as there will be daily road closures and no thru traffic will be permitted. Once the contract is awarded, the contractor will be required to submit a detailed schedule. Residents of the area will be notified of the schedule and the best means to access their properties. Emergency access will be maintained at all times, and the project team will work with the schools regarding routing of bus traffic.

Required Permits. The project requires several permits from other agencies. First and foremost, the project requires permission from the Cook County Forest Preserve District for construction of a new outlet from Tower Road to the pond. The project has been submitted to the District for review, but permission has not yet been obtained. The project also requires a wetland construction permit from the United States Army Corps of Engineers. This permit has been received. Finally, a water supply permit from the Illinois Environmental Protection Agency is needed, due to the several water main relocations that are required in order to construct the storm sewer. This permit is expected to be received in the next 30 to 60 days.

Cost Estimate. The estimated project cost is $4,266,924, detailed as follows:

Engineering	$226,874
Construction	$3,187,130
Construction Engineering/Management	$215,494
Construction Contingency	$637,426
Total	**$4,266,924**

Schedule. Staff proposes to complete the engineering and bidding documents so that the project can be bid in fall 2013. Construction is proposed to start during March 2014 and should be complete by the fall of 2014.

Recommendation:

1. Review preliminary plans and provide comments.
2. Provide policy direction – should the cost of constructing the private property laterals be paid by the Village, or should the cost be paid for by adjacent homeowners?

Attachments:

1. Letter to Affected Residents
2. Conceptual Plan
3. Preliminary Detailed Plan Sheets

ATTACHMENT #1
LETTER TO AFFECTED RESIDENTS

VILLAGE·OF·WINNETKA

Incorporated in 1869

Office of the Public Works Director
(847) 716-3534
e-mail: ssaunders@winnetka.org

June 21, 2013

Dear Resident:

As you may be aware, the Village of Winnetka is evaluating and developing stormwater drainage improvements to reduce the risk of flooding in various areas of Winnetka. One area for which improvements have been identified is an area of northwest Winnetka along and north of Tower Road west of Hibbard Road, known as the Greenwood and Forest Glen Study Area. The Greenwood and Forest Glen study area is approximately a 170 acre drainage area north of Tower Road roughly bounded by Gordon Terrance on the east and the Skokie River Diversion Ditch on the west. All of the stormwater runoff in this area drains to the Skokie River Diversion Ditch through a trunk sewer heading west under Tower Road. The Village has engaged the services of Christopher B. Burke Engineering, Ltd. of Rosemont, IL (CBBEL) to complete construction plans and specifications so that necessary permits and construction bids can be obtained, with an eye towards construction in the spring of 2014.

Existing Storm Sewer System. The existing storm sewer under Tower Road begins as a 24-inch pipe at Forest Glen Drive and increases to a 60-inch pipe heading west to Grove Street. This storm sewer collects runoff from the Vernon, Edgewood, Greenwood and Grove areas along the way. West of Pine Tree Lane, the 60-inch trunk sewer is reduced to two 36-inch storm sewers at a junction chamber where one continues west and outlets at the Diversion Ditch and the other directs water south to outlet at the pond on the south side of Tower Road and east of Forest Way Drive. During large storm events, as the water rises in the Diversion Ditch, the 36-inch outlet to the Diversion Ditch cannot drain by gravity and the pond provides relief via the other 36-inch outlet. A pump station is located at this junction chamber to pump storm water into the Diversion Ditch when the water surface elevation in the Diversion Ditch is too high for gravity runoff.

The CBBEL analysis shows that less than half of the volume within the pond is used during the 100-year design, such as the July 2011 storm events. This was confirmed by CBBEL and Public Works staff during the April 2013 storm event. This is because the pond outflows to the Diversion Ditch through a flap gate (backflow preventer) that doesn't allow water to enter, or backup into the pond when the Diversion Ditch is high. Therefore during large storm events, the storage in the pond remains available even though the water in the Diversion Ditch is high.

Proposed Improvements. The proposed improvement for this area includes an additional trunk sewer along Tower Road, multiple lateral sewers draining Forest Glen, Vernon, Edgewood, Greenwood and Grove areas, and a larger outlet pipe to the pond. The larger storm sewer network will bring runoff to

the pond where the flood storage volume within the pond will be utilized. The outlet from the pond to the Diversion Ditch will continue through a flap gate and the new larger outlet pipe to the pond will be equipped with a backflow prevention measure. This will provide two methods of backflow prevention to stop water from the pond or the Diversion Ditch from backing up into the system. The pump station and outlet pipe (with backflow prevention) to the Diversion Ditch will remain. From the CBBEL analysis of the proposed improvements, stormwater runoff will flow west more efficiently and water from outside the area will not be able to backup into the area.

CBBEL has completed preliminary engineering plans, and the Village is seeking public input on the project prior to completing plans and seeking construction bids and permits. As a property owner in the area that will be affected by the project, your input is being sought. You are invited to attend the Village Council's July 2 meeting to discuss the proposed project. The meeting is being held:

Tuesday, July 2, 2013
7:00 PM
Winnetka Village Hall – Council Chambers
510 Green Bay Road
Winnetka, Illinois

If you are unable to attend this meeting, you are welcome to provide your comments by e-mail to stormwatercomments@winnetka.org . I look forward to hearing from you, and to a project that will hopefully provide needed drainage relief to your neighborhood. Please feel free to contact me at (847) 716-3534, if you have any questions.

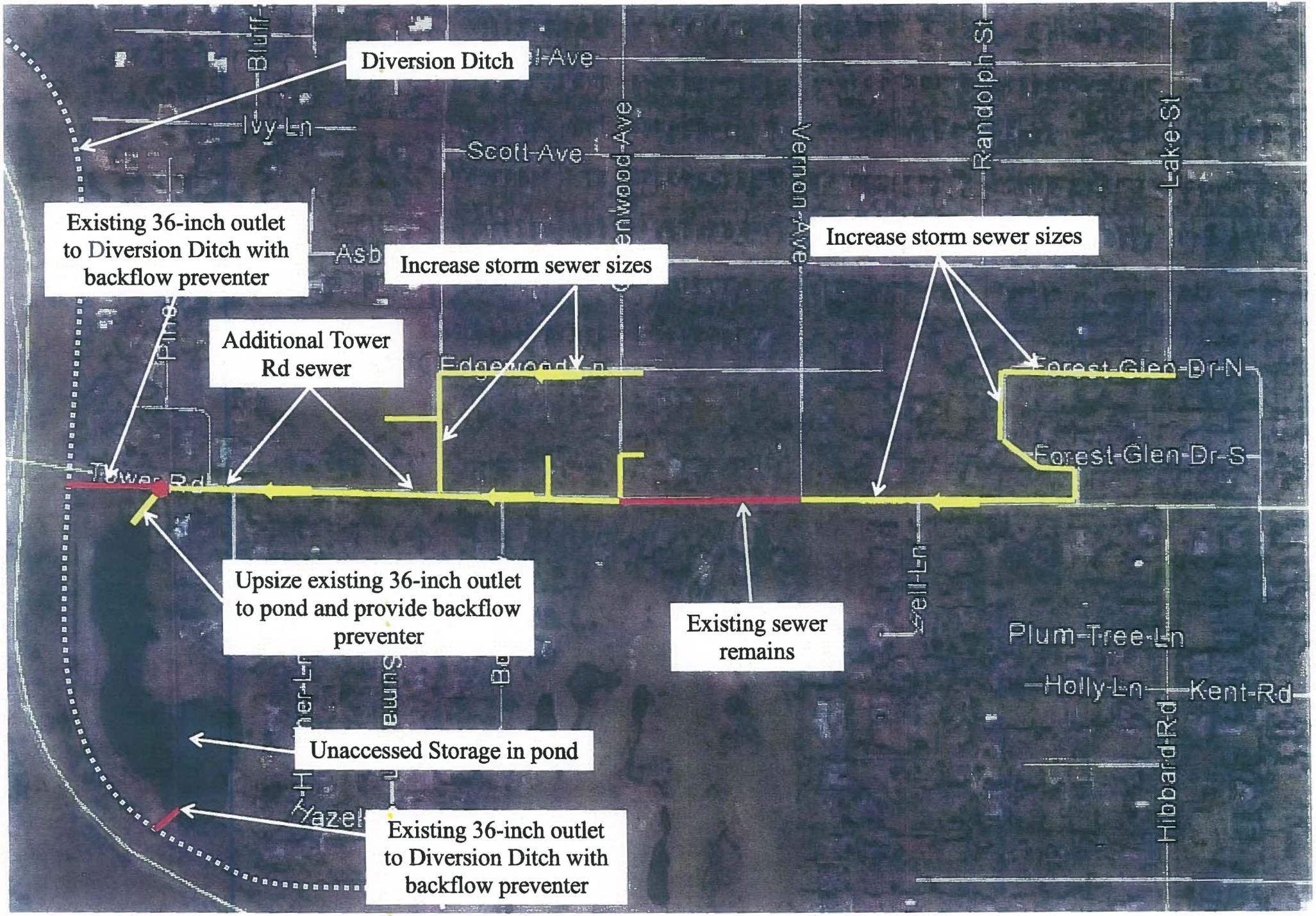
Sincerely,

Steven M. Saunders

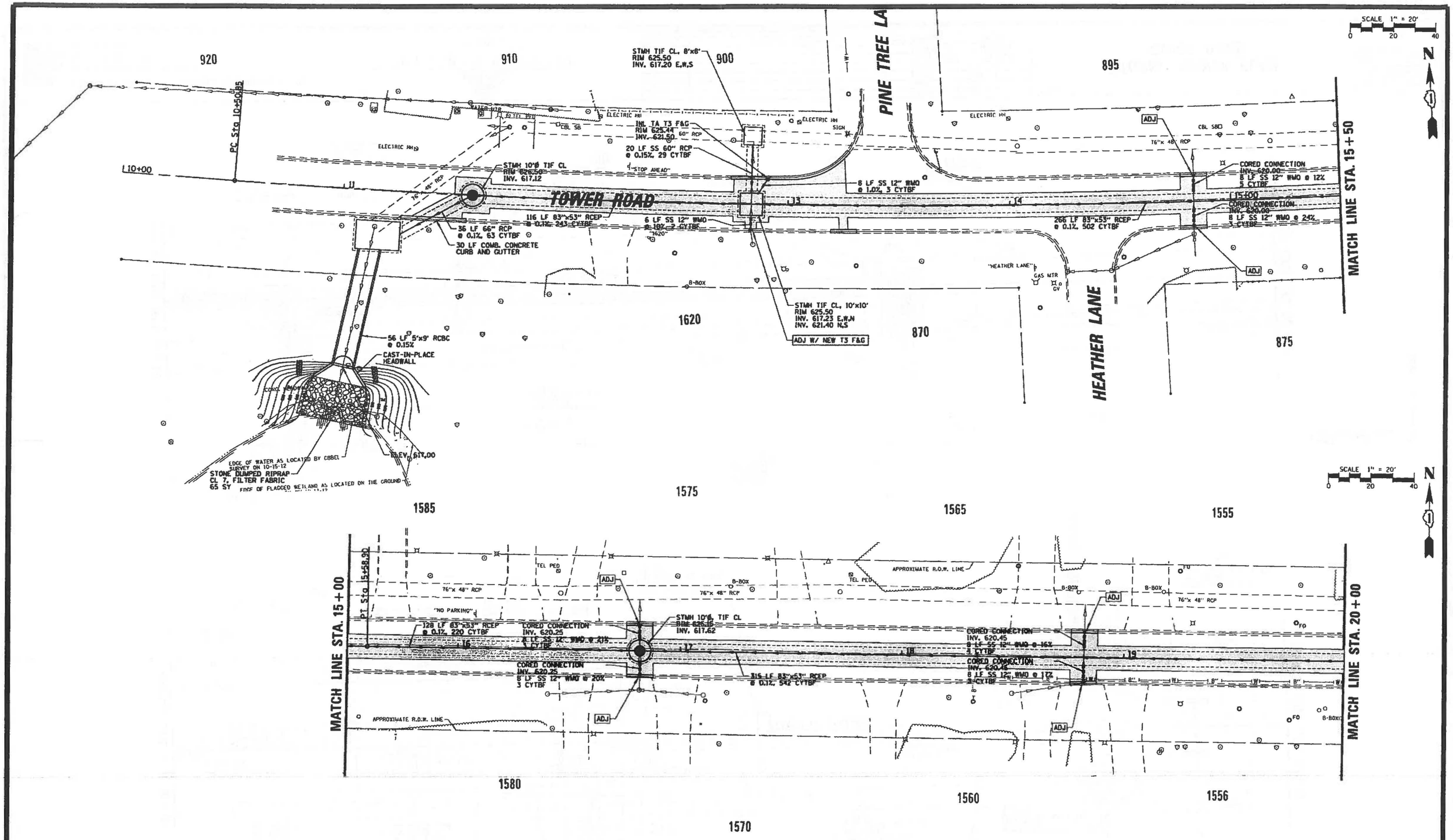
Steven M. Saunders
Director of Public Works/Village Engineer

Cc: Robert Bahan, Village Manager
James Johnson, Stormwater Program Manager
Thomas Burke, Christopher Burke Engineering

ATTACHMENT #2
CONCEPTUAL PLAN


Diversion Ditch
Existing 36-inch outlet to Diversion Ditch with backflow preventer
Increase storm sewer sizes
Additional Tower Rd sewer
Increase storm sewer sizes
Upsize existing 36-inch outlet to pond and provide backflow preventer
Existing sewer remains
Unaccessed Storage in pond
Existing 36-inch outlet to Diversion Ditch with backflow preventer
Ivy-Ln
Scott-Ave
Vernon-Ave
Randolph-St
Lake-St
Forest-Glen-Dr-N
Forest-Glen-Dr-S
Tower-Rd
Plum-Tree-Ln
Holly-Ln
Kent-Rd
Hibbard-Rd

ATTACHMENT #3
PRELIMINARY DETAILED PLAN SHEETS



CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT:
VILLAGE · OF · WINNETKA
Incorporated in 1869

NO.	DATE	NATURE OF REVISION	CHKD.

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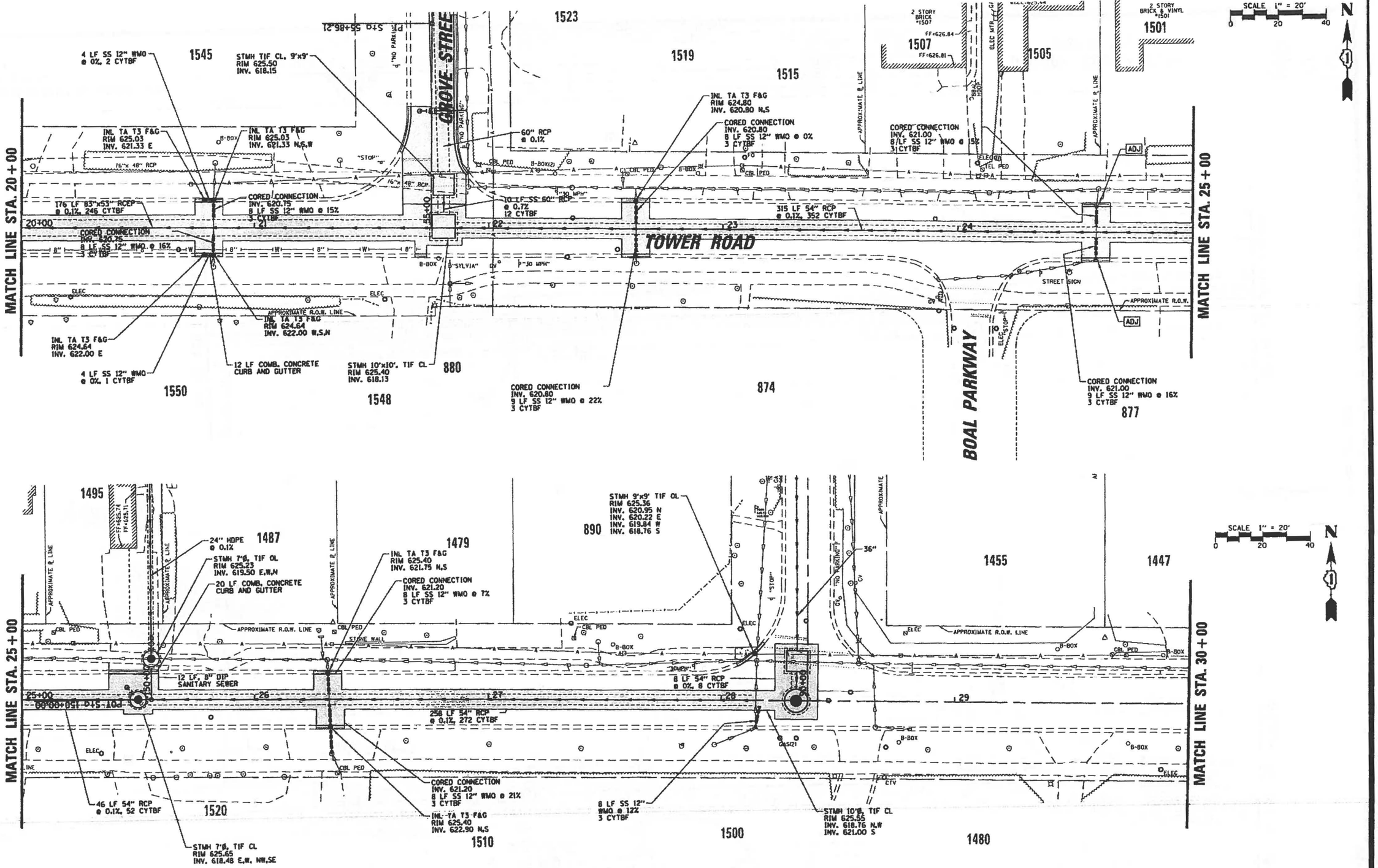
TITLE:

STORM SEWER PLAN
TOWER ROAD

PROJ. NO.	120462
DATE:	03/04/2013
SHEET	OF 39
DRAWING NO.	1



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Rosemont, Illinois 60018
(847) 823-0500

CLIENT: VILLAGE OF WINNETKA
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TOWER ROAD

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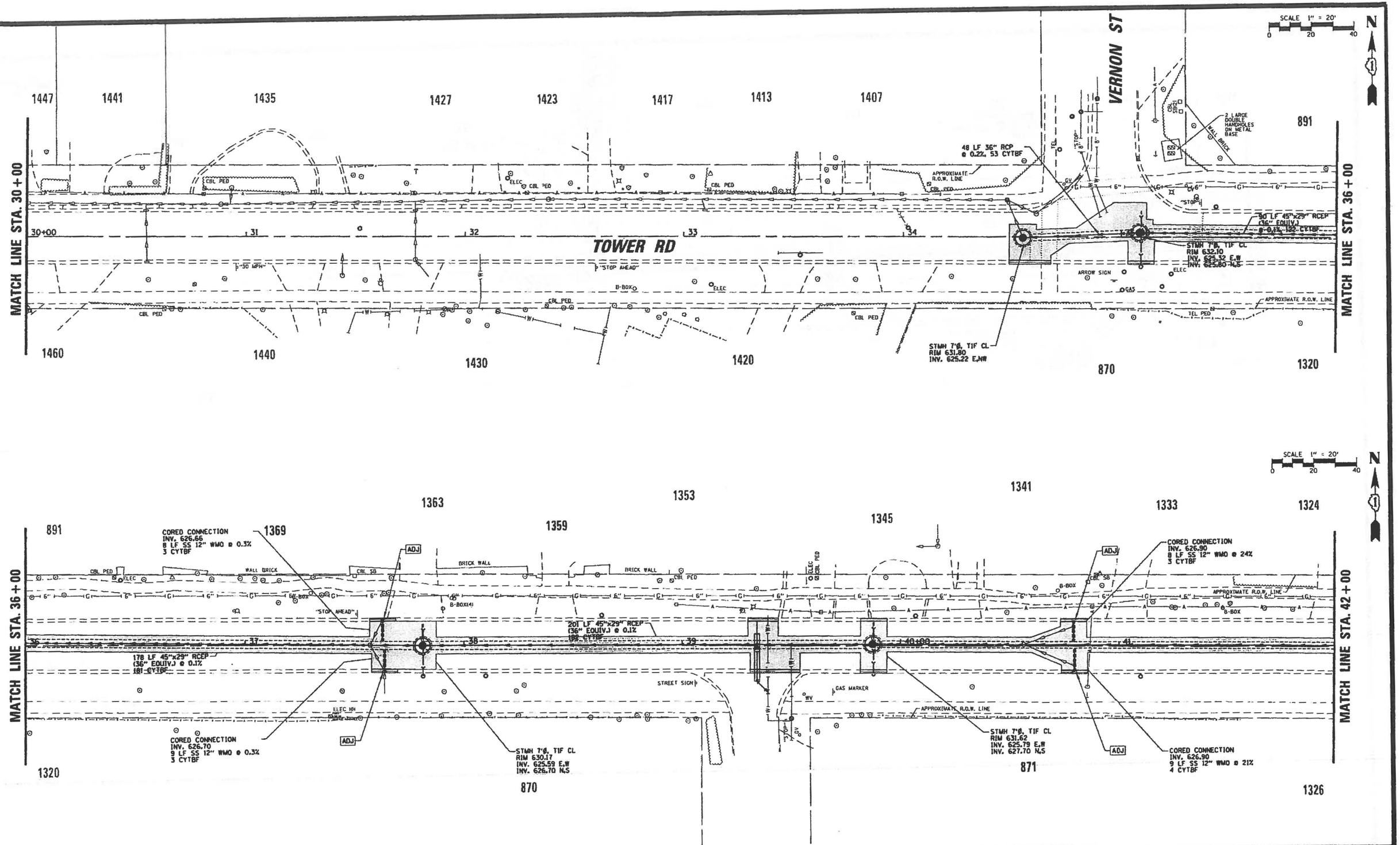

CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT:
VILLAGE·OF·WINNETKA
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TOWER ROAD

PROJ. NO.	120462
DATE:	03/04/2013
SHEET	OF 39
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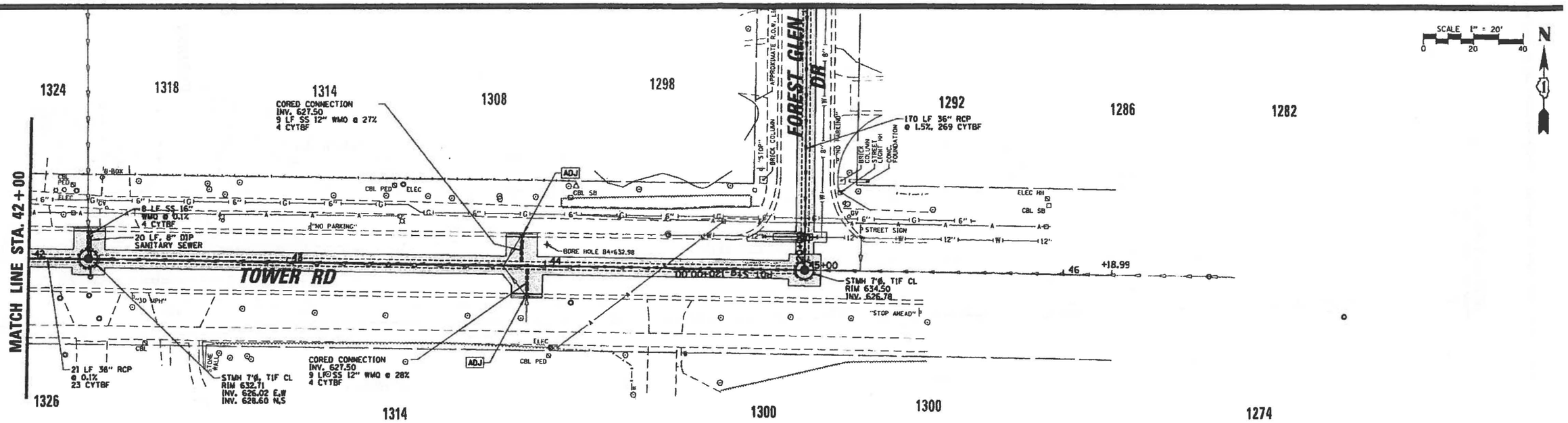

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9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018

CLIENT:
VILLAGE·OF·WINNETKA

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CHKD.	LMF
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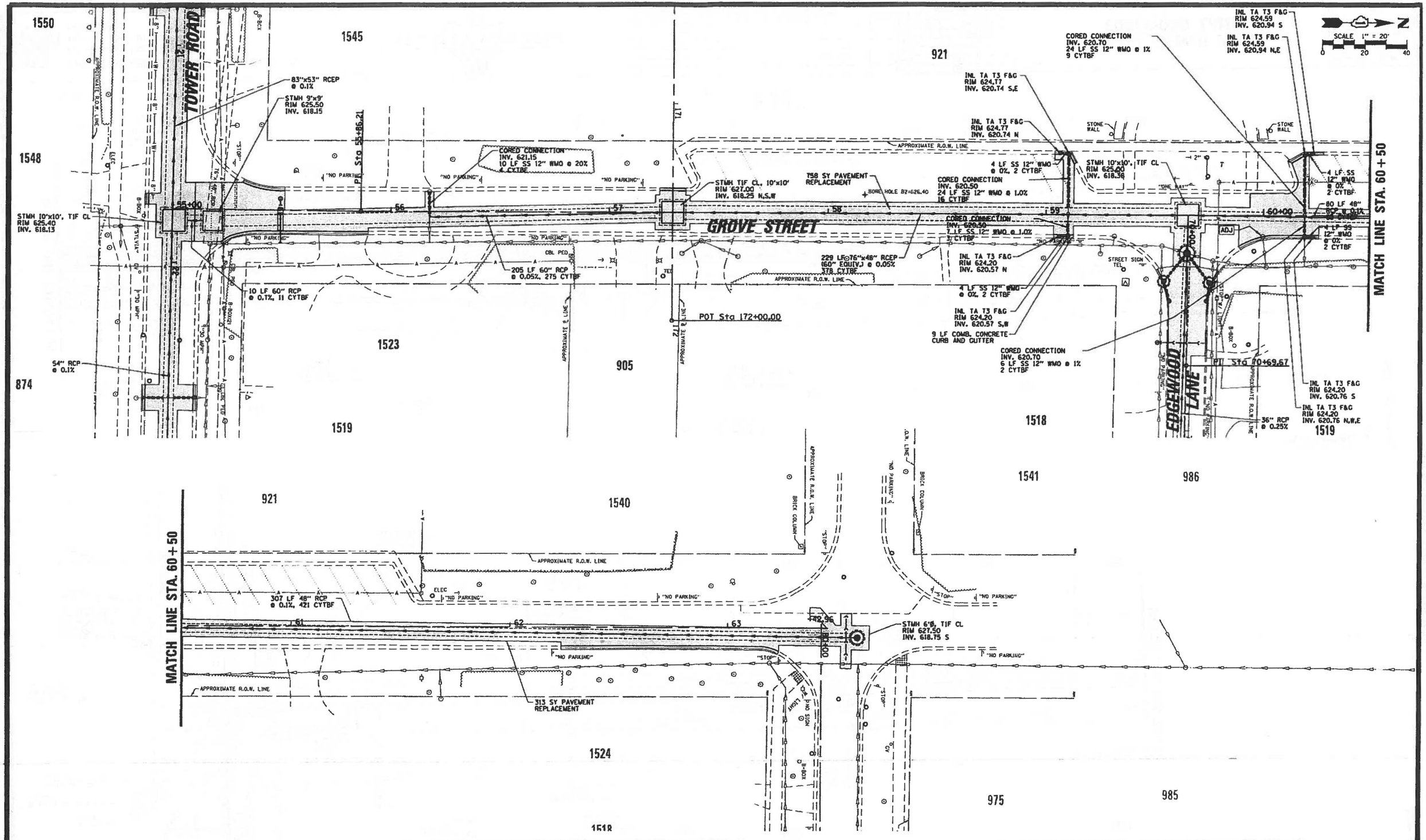
TOWER ROAD

PROJ. NO.	120462
DATE:	03/04/2013
SHEET	OF 39



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9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT: VILLAGE OF WINNETKA
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MODEL:	Default

TITLE:

STORM SEWER PLAN
GROVE STREET

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SHEET	OF 39
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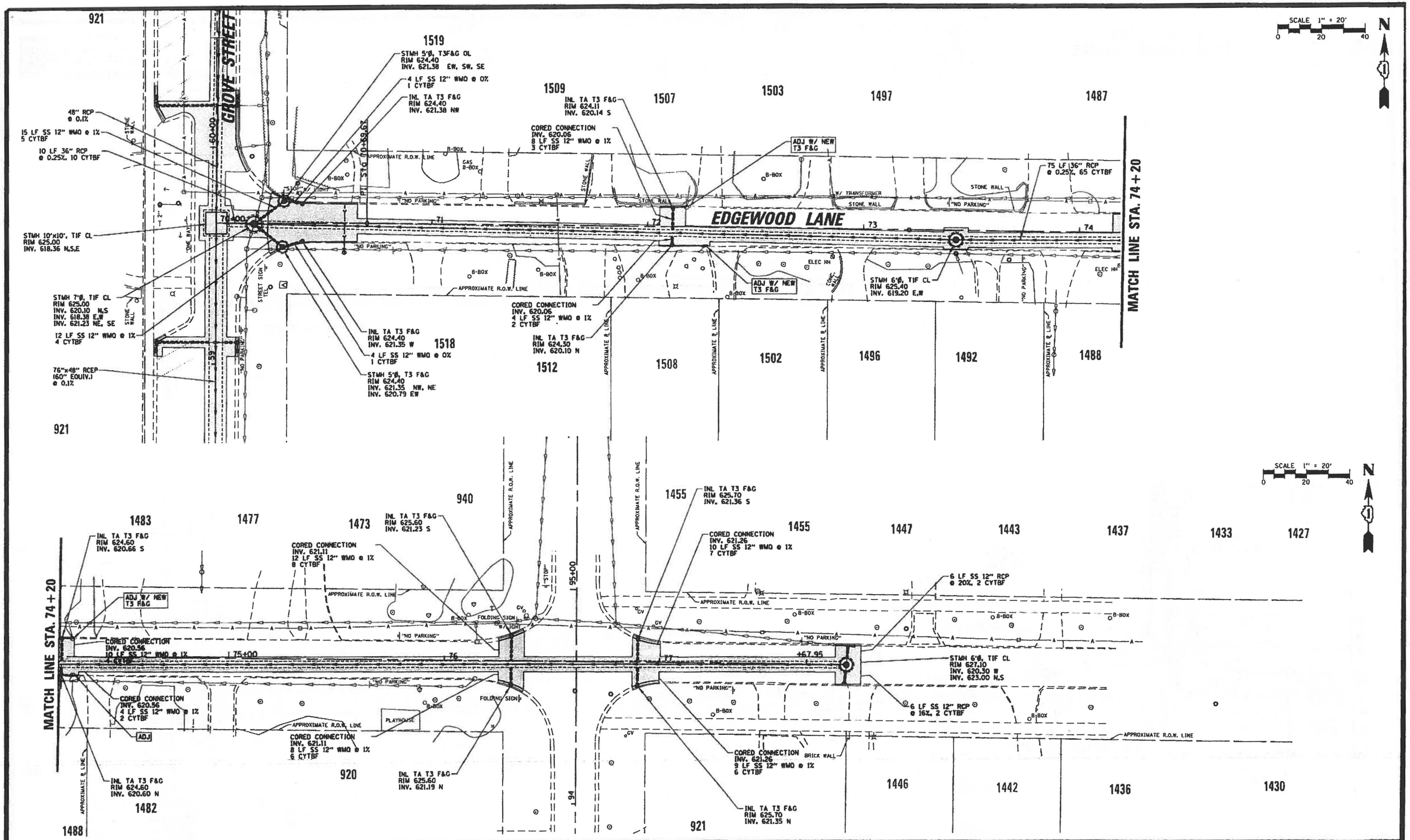

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9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT:

VILLAGE·OF·WINNETKA
Incorporated in 1869

NO.	DATE	NATURE OF REVISION	CHKD.

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MODEL:	Default

TITLE:

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EDGEWOOD LANE

PROJ. NO.	120462
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SHEET	OF 39
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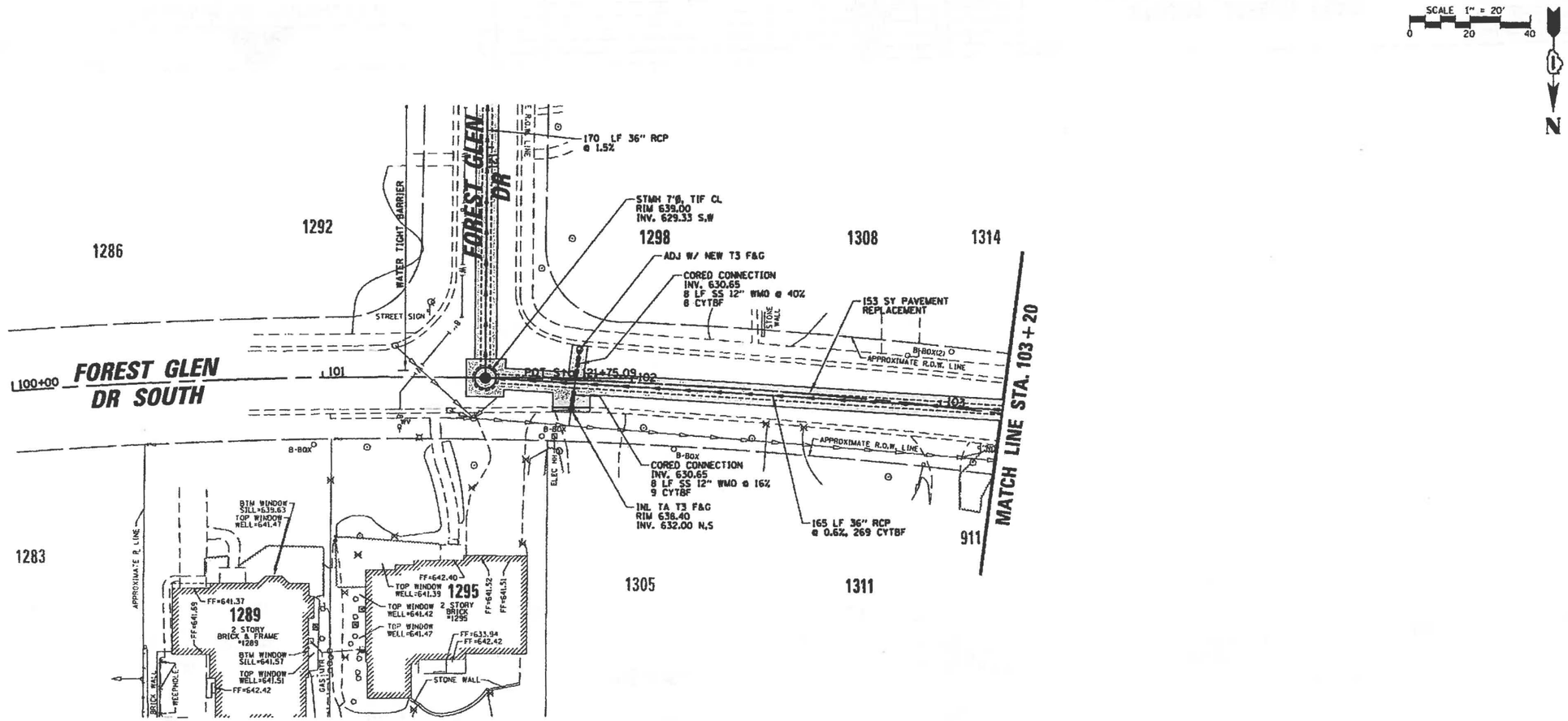

CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT:
VILLAGE · OF · WINNETKA
Incorporated in 1869

NO.	DATE	NATURE OF REVISION	CHKD.

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MODEL:	Default

TITLE:
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FOREST GLEN DRIVE SOUTH

PROJ. NO.	120462
DATE:	03/04/2013
SHEET	OF 39
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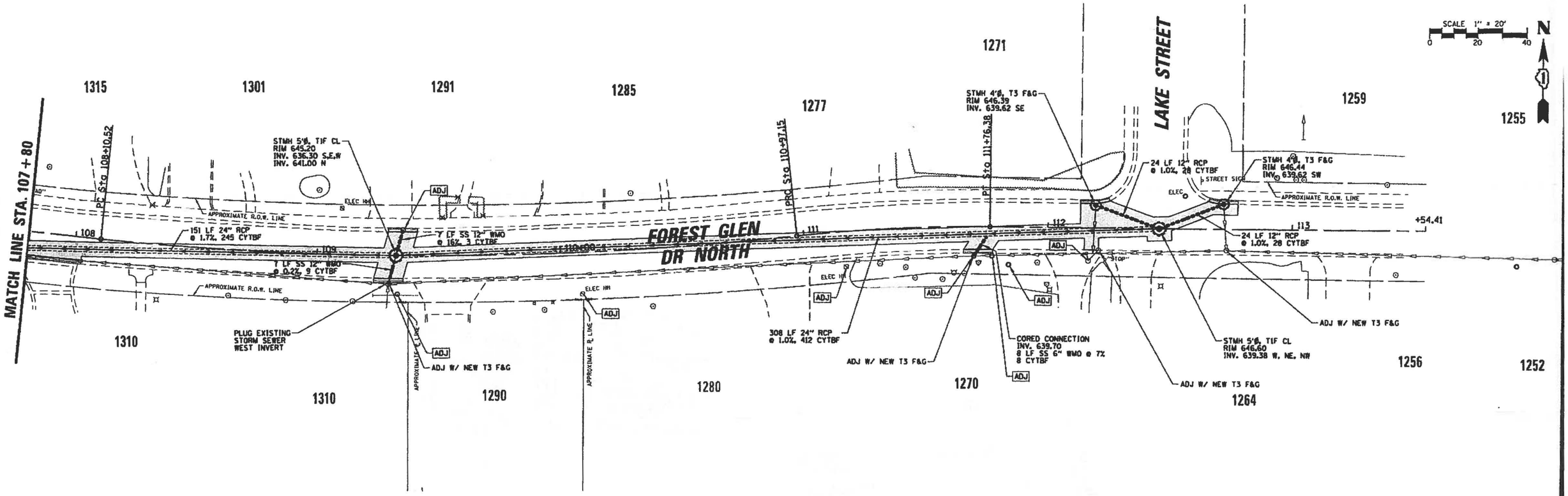

CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT:
VILLAGE·OF·WINNETKA
Incorporated in 1869

NO.	DATE	NATURE OF REVISION	CHKD.

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TITLE:

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DATE:	03/04/2013
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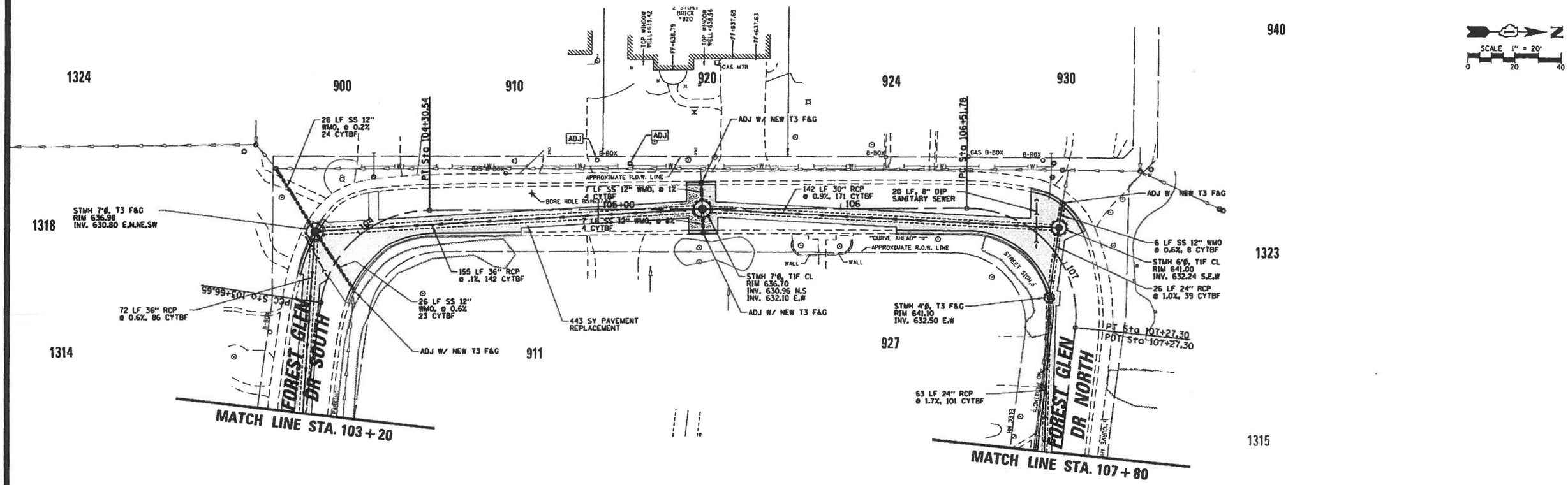

CHRISTOPHER B. BURKE ENGINEERING, LTD.
9575 W. Higgins Road, Suite 600
Rosemont, Illinois 60018
(847) 823-0500

CLIENT: VILLAGE·OF·WINNETKA
Incorporated in 1869

NO.	DATE	NATURE OF REVISION	CHKD.

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TITLE:

STORM SEWER PLAN
FOREST GLEN DRIVE SOUTH/ FOREST GLEN DRIVE NORTH

PROJ. NO.	120462
DATE:	03/04/2013
SHEET	OF 39
DRAWING NO.	9

Agenda Item Executive Summary

Title: Ordinance M-12-2013: 1175 Whitebridge Hill Road Variation - Introduction/Adoption

Presenter: Michael D'Onofrio, Director of Community Development

Agenda Date: 07/02/2013

Consent: ☐ YES ☑ NO

☑ Ordinance
☐ Resolution
☐ Bid Authorization/Award
☐ Policy Direction
☐ Informational Only

Item History:

No previous action.

Executive Summary:

Ordinance M-12-2013 grants a variation from Section 17.30.060 [Side Yard Setback] to permit the construction of a new single family residence that will have a sum of side yards setback of 56.5 ft., whereas a minimum of 59.26 ft. is required, a variation of 2.76 ft., (4.65%). This variation request is before the Village Council due to the requirement that it must consider any variations for new home construction.

The applicant, John O'Brien, is requesting the variation as part of a plan to construct a new home at 1175 Whitebridge Hill Rd. Although a new home is being proposed, part of the construction plan is to retain the front façade of the existing structure. The existing front will be moved back approximately 60 feet east of its current location. In turn, the existing relocated façade which measures 54.17 feet will be flanked by new 39.33 ft. wings on either size, resulting in a front façade of 132.83 ft. in length.

The idea for retaining the front façade came out of discussions that began at the January 7, 2013 Landmark Preservation Commission (LPC) meeting. At this meeting approximately 12 residents spoke expressing a desire that the house not be demolished. As result of the discussion at the LPC meeting, the property owner and his design team met with the neighbors to explore alternatives to demolition. The result of these discussions was a plan to maintain the front façade of the building, which in turn is the basis for this variation request.

The Zoning Board of Appeals considered the variation request at its June 10, 2013 meeting. After considering the facts of the case the ZBA agreed that in order to maintain the original architectural features of the front façade, the requested zoning relief was necessary. On a vote of four in favor and none against, the ZBA recommended that the sum of side yards setback variation be approved.

The applicant, thru correspondence from his attorney has requested that first reading be waived and the ordinance be considered for adoption at the July 2nd meeting.

Recommendation / Suggested Action:

(1) Consider introduction of Ordinance M-12-2013, granting a variation for a sum of side yards setback in order to allow for the construction of a new single family residence; or,

(2) Consider waiving introduction of Ordinance M-12-2013, granting a variation for a sum of side yards setback in order to allow for the construction of a new single family residence, which requires the unanimous vote of all Council members present; and,

(3) Consider adopting Ordinance M-12-2013 which requires the concurrence of the Council.

Attachments:

1) Agenda Report
2) Ordinance M-12-2013
3) Attachment A: Zoning Matrix
4) Attachment B: Application
5) Attachment C: Survey and Required Setbacks
6) Attachment D: Building and Elevation Plans
7) Attachment E: ZBA Minutes
8) Attachment F: LPC Minutes -1/7/2013
9) Attachment G: LPC Minutes - 4/1/2013
10) Attachment H: LPC Statement to ZBA
11) Attachment I: Request to Waive First Reading

AGENDA REPORT

TO: Village Council

PREPARED BY: Michael D'Onofrio, Director of Community Development

SUBJECT: 1175 Whitebridge Hill Rd., Ord. M-12-2013
(1) Side Yard Setback

DATE: June 26, 2013

Ordinance M-12-2013 grants a variation from Section 17.30.060 [Side Yard Setback] to permit the construction of a new single family residence that will have a sum of side yards setback of 56.5 ft., whereas a minimum of 59.26 ft. is required, a variation of 2.76 ft., (4.65%). This variation request is before the Village Council due to the requirement that it must consider any variations for new construction.

The property is located in the R-2 Single Family Residential District. The lot is approximately 2.5 acres and is a thru lot that runs between Whitebridge Hill Rd on the west to Lake Michigan on the east. The home was built circa. 1855. In 1917 the house underwent an extensive remodeling that changed the style of the house from an Italianate style into a Colonial Revival style. Subsequent improvements were made in 1941 for a garage addition and servant's quarters, in 1955 for an accessory garage, in 1986 for interior remodeling and in 1987 for a patio and driveway. The petitioner purchased the property in 2010. The neighborhood where the property is located is east of Sheridan Rd. and north of the ravines and is made up of approximately 15 homes, built between 1855 (the subject home) and the late 2000's.

The applicant, John O'Brien, is requesting the variation as part of a plan to construct a new home at 1175 Whitebridge Hill Rd. Although a new home is being proposed, part of the construction plan is to retain the front façade of the existing structure. The existing front will be moved back approximately 60 feet east of its current location. In turn, the existing relocated façade which measures 54.17 feet will be flanked by new 39.33 ft. wings on either size, resulting in a front façade of 132.83 ft. in length.

The idea for retaining the front façade came out of discussions that began at the January 7, 2013 Landmark Preservation Commission (LPC) meeting. All demolition applications must be considered by the LPC prior to a demolition permit being issued. At this meeting approximately 12 residents spoke expressing a desire that the house not be demolished. As result of the discussion at the LPC meeting, the property owner and his design team met with the neighbors to explore alternatives to demolition. The result of these discussions was a plan to maintain the front façade of the building, which in turn is the basis for this variation request. It should be noted that at the same meeting the LPC requested that a Historic and Architectural Impact Study (HAIS) be conducted. A HAIS was conducted by Benjamin Historic Certifications and reviewed and accepted by the LPC at its April 1, 2013 meeting (Attachment G).

Before describing the details of the variation application it is important to understand what the zoning ordinance requires as it relates to side yard setbacks. The first setback requirement is that

there is a minimum required individual side yard setback, which in the case of this property is 12 ft. The second side yard setback requirement is a total sum of side yard setbacks. This requirement establishes that the total of both side yards must be a minimum of 30% of the lot width for a lot 100 ft. in width or greater. For example, on a 100 ft. wide lot, if a minimum 12 ft. side yard is maintained on one side, the other required side yard would be 18 ft. (12 ft. + 18 ft. = 30 ft. or 30%). This requirement does allow for flexibility of side yards in that if one wants to have a side yard greater than the minimum required 12 feet, that is permitted, but the 30% rule still applies for both side yards. Using the above example of the 100 foot wide lot, if instead of the 12 ft. minimum setback a 14 ft. setback was proposed, it would require a 16 ft. setback on the other side yard (14 ft. + 16 ft. = 30 ft. or 30%).

Specific to this variation request the width of the parcel is 197.52 ft., and by applying the 30% requirement, it establishes the sum of side yard setbacks as 59.26 ft. As with the second example above, the minimum side yard setback is proposed to be 15.5 ft., which exceeds the minimum of 12 ft. by 3.5 ft., and the opposite side yard is proposed to be 41 ft. This results in a sum of side yards setback being only 56.5 feet, or 2.76 ft. short of the required minimum (59.26 ft.) and therefore requires zoning relief.

With the exception of the sum of the side yards requirement, the proposed building complies with the zoning ordinance as represented on the attached zoning matrix (Attachment A).

There have been no previous zoning variations for this property.

The Zoning Board of Appeals considered the variation request at its June 10, 2013 meeting. Several ZBA members questioned the applicant's architect as to why the house couldn't be reduced by 2.76 feet in width, thereby complying with the sum of side yards setback requirement. However, after hearing testimony, the ZBA agreed that in order to maintain the original architectural features of the front façade, the requested zoning relief was necessary. On a vote of four in favor and none against, the ZBA recommended that the sum of side yards setback variation be approved. It should be mentioned that the LPC Chair Louise Holland appeared at the hearing and testified in favor of the variation request. Attached is a copy of the statement Holland made at the meeting (Attachment H).

The applicant, thru his attorney has requested that first reading be waived (Attachment I)

Introduction of the ordinance requires the concurrence of a majority of the Council members present.

Recommendation

(1) Consider introduction of Ordinance M-12-2013, granting a variation for a sum of side yards setback in order to allow for the construction of a new single family residence; or,

(2) Consider waiving introduction of Ordinance M-12-2013, granting a variation for a sum of side yards setback in order to allow for the construction of a new single family residence, which requires the unanimous vote of all Council members present; and,

(3) Consider adopting Ordinance M-12-2013 which requires the concurrence of the Council.

Attachments

Ordinance M-12-2013
Attachment A: Zoning Matrix
Attachment B: Application
Attachment C: Attachment C: Survey and Required Setbacks
Attachment D: Building Plans & Elevations
Attachment E: ZBA Minutes
Attachment F: LPC Minutes -1/7/13
Attachment G: LPC Minutes – 4/1/13
Attachment H: LPC Statement to ZBA
Attachment I: Request to Waive First Reading

ORDINANCE NO. M-12-2013

AN ORDINANCE GRANTING A VARIATION IN THE APPLICATION OF THE ZONING ORDINANCE OF THE VILLAGE OF WINNETKA, COOK COUNTY, ILLINOIS (1175 Whitebridge Hill Road)

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") finds that establishing standards for the use and development of lands and buildings within the Village and establishing and applying criteria for variation from those standards are matters pertaining to the affairs of the Village; and

WHEREAS, the property commonly known as 1175 Whitebridge Hill Road, Winnetka, Illinois (the "Subject Property"), is legally described as follows:

> Lot 1 in Lakeside Subdivision of that part of the Southeast fractional quarter of fractional Section 8, Township 42 North, Range 13, East of the Third Principal Meridian, lying Easterly and Southerly of the following described lines: Beginning at the stone at the Southwest corner of the Southeast quarter of said Section 8, and running thence Northerly along the North-South quarter Section line of said Section 8, 271.26 ft. thence North 77 degrees 52 minutes East, 77.86 ft., thence North 16 degrees 02 minutes West, 14.98 ft., thence North 60 degrees 23 minutes East, 142.0 ft., thence Northerly along a curved line (said line being concave to the East and having a radius 105.0 ft.) 45.92 ft., thence North 60 degrees 23 minutes East, 480 ft., more or less to the Shore line of Lake Michigan, (except that part lying South and East of the following described lines: Beginning at a point in the South line of said Section, 369.14 ft. East of the Southwest corner of said fractional quarter of said Section 8, thence Northeasterly, 75.06 ft. to a point which is 395.38 ft. East of the West line and 70.32 ft. North of the South line, measured at right angles thereto of said fractional quarter of said Section 8, thence Northeasterly 162.15 ft. to a point which is 475.94 ft. East of the West line and 211.15 ft. North of the South line, measured at right angles thereto, of said fractional quarter of said Section 8, thence Northeasterly 204.37 ft. to a point which is 655.52 ft. East of the West line and 308.71 ft. North of the South line, measured at right angles thereto, of said fractional quarter of said Section 8, thence Northeasterly along a line deflecting to the North from said last described line 1 degree 06 minutes, a distance of 177.0 ft., more or less, to the Shore line of Lake Michigan;
>
> Also that part of the Northeast fractional quarter of Section 17, Township 42 North, Range 13, East of the Third Principal Meridian, lying Northerly of the Northerly and Easterly line of Sheridan Road, and Westerly of a line drawn from a beginning point in the north line of said Section, which is 369.14 ft. East of the

Northwest corner of said fractional quarter of said Section 17, to a point in the Northeasterly line of Sheridan Road, which is 332.38 ft. East of the West line and 98.51 ft. South of the north line, measured at right angles thereto, of said fractional quarter of said Section 17, all in Cook County, Illinois; and

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

WHEREAS, on April 17, 2013, the owner of the Subject Property filed an application for a variation from the side yard setback requirements of Section 17.30.060 of the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Chapter 17.30 of the Zoning Ordinance to permit the sum of the two side yard setbacks for a new home proposed for the Subject Property to total 56.25 feet, rather than the required minimum sum of 59.26 feet, resulting in a variation of 2.76 feet (4.65%); and

WHEREAS, on June 10, 2013, on due notice thereof, the Zoning Board of Appeals conducted a public hearing on the requested variation and, by the unanimous vote of the four members then present, has recommended that that the Village Council grant the requested variation; and

WHEREAS, the Subject Property is currently improved with a single family residence that was built in the mid-1850's, long before the enactment of the Zoning Ordinance in 1925; and

WHEREAS, in accordance with the demolition procedures established in Chapter 15.52 of the Winnetka Village Code, the Owners of the Subject Property prepared and submitted an historical and architectural impact study (HAIS) of the Subject Property, which disclosed that the existing residence is the third oldest building in the Village, that it was used as an emergency hospital in connection with the sinking of the Lady Elgin, and that the asymmetry of its façade was its defining architectural feature; and

WHEREAS, in accordance with the demolition procedures established in Chapter 15.52 of the Winnetka Village Code, the Owners also conferred with the Landmark Preservation Commission and presented a plan to demolish the residence and to replace it with a new home that incorporated 90% of the façade of the original residence and that complied with all applicable zoning requirements by eliminating one of the windows, which also eliminated the asymmetry of the façade; and

WHEREAS, in accordance with Sections 15.52.050 and 15.52.060 of the Winnetka Village Code, the Landmark Preservation Commission determined that the existing residence is historically and architecturally significant, and delayed the issuance of the demolition permit for 60 days to allow an opportunity for the Owners to explore alternatives to demolition; and

WHEREAS, after further conferring with neighboring residents, various members of the Landmark Preservation Commission and Village staff, the Owners agreed to preserve the appearance of the existing residence and to incorporate the existing building's entire façade into the new construction, thereby preserving the original building's defining asymmetry; and

WHEREAS, modifying the building plans to incorporate the full façade of the existing building increased the width of the building by 42 inches, which created a 2.76-foot (4.65%) nonconformity in the sum of the side yards; and

WHEREAS, there are practical difficulties and particular hardships associated with carrying out the strict application of the Zoning Ordinance with respect to the Subject Property, in that: (a) incorporating the full façade of the existing home into the façade of the proposed new residence will allow the new home to maintain the historic asymmetry of the façade; (b) incorporating the full façade of the existing home was reached only after the design of the new home had been completed; (c) due to the configuration and proposed location of the proposed new home, it is not possible to incorporate the full façade of the existing building into the façade of the new residence, unless the Village Council permits the Owners to have the sum of the two side yards be slightly less than the minimum total required by Section 17.30.060 of the Zoning Ordinance; (d) the requested 2.76-foot variation amounts to 1.4% of the 193-foot lot width and will not noticeably add to the visible bulk of the building as seen from the street; and (e) to incorporate the existing façade into the new home so that the new home fully conforms with all applicable setback requirements would entail abandoning the existing design and redesigning the entire home, which would subject the owners to a substantial delay and significant additional expense; and

WHEREAS, the requested variation will allow the architecturally and historically significant façade of the existing home to be preserved, thereby maintaining the essential character of the neighborhood; and

WHEREAS, the requested variation will not impair an adequate supply of light and air because the proposed new home will be set farther away from neighboring residences and both side yards will exceed the 15-foot minimum side yard depth; and

WHEREAS, the requested variation will not increase the hazard from fire and other dangers to the Subject Property, in that the proposed construction will comply with all applicable building and fire protection codes; and

WHEREAS, there is no evidence that the requested variation will diminish the taxable value of land and buildings throughout the Village, and the taxable value of the Subject Property is likely to be increased by the construction of a larger home with all modern amenities; and

WHEREAS, the proposed construction will not contribute to congestion on the public streets, and there is no evidence that the requested variation will otherwise impair the public health, safety, comfort, morals, and welfare of the inhabitants of the Village; and

WHEREAS, the requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance, in that it protects and enhances the scale and character of the existing neighborhood, and preserves the architecturally significant detail of the façade of the existing residence; and

WHEREAS, this Ordinance has been placed on the Village Council's agenda and made available for public inspection at Village Hall and on the Village's web site, in accordance with Sections 2.04.040 and 2.16.040 of the Winnetka Village Code and applicable law.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Winnetka, 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: The Subject Property, commonly known as 1175 Whitebridge Hill Road and 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, is hereby granted a variation from the side yard setback requirements of Section 17.30.060 of the Lot, Space, Bulk and Yard Regulations for Single Family Residential Districts established by Chapter 17.30 of the Zoning Ordinance to permit the sum of the two side yard setbacks for a new home proposed for the Subject Property to total 56.25 feet, rather than the required minimum sum of 59.26 feet, resulting in a variation of 2.76 feet (4.65%), as depicted in the plans and elevations submitted with the application for variation.

SECTION 3: The variation granted herein is conditioned upon the commencement of the proposed construction within 12 months after the effective date of this Ordinance.

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 ____ day of _____, 2013, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: Trustee Corrigan

APPROVED this ____ day of _____, 2013.

Signed:

_____
Village President

Countersigned:

_____
Village Clerk

Published by authority of the President and Board of Trustees of the Village of Winnetka, Illinois, this ____ day of _____, 2013.

Introduced:
Passed and Approved:

ATTACHMENT A

ZONING MATRIX

ADDRESS: 1175 Whitebridge Hill Rd
CASE NO: 13-08-V2
ZONING: R-2

ITEM	REQUIREMENT	EXISTING	PROPOSED	TOTAL	STATUS
Min. Lot Size	24,000 SF	109,103 SF	N/A	N/A	CONFORMING
Min. Average Lot Width	100 FT	197.52 FT	N/A	N/A	CONFORMING
Max. Roofed Lot Coverage	26,392.8 SF (1)	N/A	23.381.84 FT (2)	23.381.84 FT (2)	OK
Max. Gross Floor Area	26,715 SF (1)	N/A	21,572.0 SF (2)	21,572.0 SF (2)	OK
Max. Impermeable Lot Coverage	53,430 SF (1)	N/A	51,587.84 SF (2)	51,587.84 SF (2)	OK
Min. Front Yard (West)	50 FT	N/A	50 FT	50 FT	OK
Min. Front Yard (South)	50 FT	N/A	50 FT	50 FT	OK
Min. Side Yard (South)	47.26 FT (4)	N/A	41 FT	41 FT	OK
Min. Side Yard (North))	12 FT (3)	N/A	15.5 FT	15.5 FT	OK
Min. Front Yard (East)	50 FT	N/A	57 FT	57 FT	OK
Total Sum of Side Yards	59.26 FT	N/A	56.5 FT	56.5 FT	**2.76 FT (4.65%) VARIATION**

NOTES: (1) Based on a lot size if 109,103 SF
(2) Based on zoning calculations provided by architect, not yet verified by village staff.
(3) Minimum required setback
(4) Minimum remaining setback if opposite side yard has a 12 ft. setback based on Total Sum of Side Yards of 59.26 ft.

ATTACHMENT B

CASE NO. 13-08-12

APPLICATION FOR VARIATION
WINNETKA ZONING BOARD OF APPEALS

Owner Information:

Name: Chicago Title Land Trust Company, as Trustee Under Trust No. 8002356012 Pursuant to Trust Agreement dated October 28, 2010

Property Address: 1175 Whitebridge Hill Road

~~Home~~ and Work Telephone Number: (847) 581-4200

Fax and E-mail: c/o Marty Fahey, O'Brien International Inc.; marty.fahey@obrienintl.net

Architect Information: Name, Address, Telephone, Fax & E-mail:

E. Austin DePree

Northworks Architects and Planners LLC

1664 N. Ada Street, Chicago, IL 60642; (312) 440-9850; adepree@nwks.com

Attorney Information: Name, Address, Telephone, Fax & E-mail:

Harold W. Francke

Meltzer, Purtill & Stelle LLC

1515 E. Woodfield Road, Second Floor, Schaumburg, IL 60173; (847) 330-6068; hfrancke@mpslaw.com

Date Property Acquired by Owner: October, 2010

Nature of Any Restrictions on Property: See enclosed Title Commitment

Explanation of Variation Requested:
(Attach separate sheet if necessary) See attached Explanation

OFFICE USE ONLY

Variation Requested Under Ordinance Section(s): _____

Staff Contact: _____ **Date:** _____

RECEIVED

ATTACHMENT B

STANDARDS FOR GRANTING OF ZONING VARIATIONS

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

1. **The property in question can not 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 circumstance. 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.**

For your convenience, you will find attached examples of general findings, for and against the granting of a variation, which have been made by the Zoning Board of Appeals and Village Council in prior cases.

NOTE: The Zoning Board of Appeals or the Village Council, depending on which body has final jurisdiction, must make a finding that a practical difficulty or a particular hardship exists in order to grant a variation request.

Chicago Title Land Trust Company, as Trustee Under Trust No. 8002356012 Pursuant to Trust Agreement dated October 28, 2010

Property Owner's Signature: _____ **Date:** 4/17/2013

By: Michael Durkin, as duly authorized agent of the sole beneficiary and holder of 100% of the entire power of direction.

(Proof of Ownership is required)

Variations, if granted, require initiation of construction activity within 12 months of final approval. Consider your ability to commence construction within this 12 month time period to avoid lapse of approvals.

Explanation of Variation Requested:

Applicant is requesting a variation to reduce the northern side yard setback by 3 feet-6 inches, reducing such side yard setback line from 19 feet to 15 feet, 6 inches. The combined total of the two current side yard setback lines are 60 feet (19 feet on the north side and 41 feet on the south side of the property). Applicant's request is to reduce the combined total side yards to 56 feet, 6 inches, a reduction of 5.83%. Applicant is seeking this variation to facilitate the preservation and relocation of the existing asymmetrical façade of the main core of the existing house on the property.

Application for Zoning Ordinance Variation
1175 Whitebridge Hill

Applicant: Chicago Title Land Trust Company, as Trustee under Trust Agreement No. 8002356012 pursuant to Trust Agreement dated October 28, 2010

Compliance with 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 allowed by regulations in that zone.

The Applicant is not seeking a setback variation for purposes of obtaining a reasonable return on its investment in 1175 Whitebridge Hill. Rather, it seeks the variation to provide for the preservation and relocation of the entire front façade of what the Village's Landmark Preservation Commission has found to be a historically and architecturally significant structure. If the requested variation is approved the Village will achieve and advance one of the objectives of the Zoning Ordinance which is "to ensure and facilitate the preservation of sites, areas and structures of historical, architectural and aesthetic importance." (Section 17.04.020 of the Zoning Ordinance)

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.

As noted in the Historic and Architectural Impact Study prepared by noted architecture historian Susan Benjamin of Benjamin Historic Certifications, LLC the subject property, commonly known as the Gage House, is a historically and architecturally unique structure in the Village. The plight of the owner arises out of this fact and the owner's desire to relocate and preserve the entire front façade of the structure, an act of preservation that will not be possible if applicable side yard setback requirements imposed on the owner by the Village's Zoning Ordinance are strictly applied.

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

The variation, if granted, will not alter the essential residential character of the area because the subject property will continue to be devoted to single-family residential use. In fact, granting the variation will help maintain the existing character of the neighborhood by facilitating the preservation of the most significant architectural feature of a structure that has been in the neighborhood for over 100 years.

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

The owner is seeking a variation to reduce the northern side yard setback by only three feet, six inches (i.e., from 19 feet to 15 feet, six inches). The overall total of the two current side yard setbacks is 60 feet (19 feet on the north and 41 feet on the south side of the property). If the variation is granted the side yards will still be substantial (totaling 56 feet, six inches). Thus, there will be no impairment of adequate supply of light and air to adjacent properties.

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

Granting the requested variation will not increase the hazard from fire or other damages because substantial separations from structures situated on adjacent properties will be maintained.

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

Granting the requested variation will not diminish the taxable value of the land and buildings throughout the Village. In fact, the construction the applicant intends to undertake on the subject property will enhance the Village's tax base.

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

Granting the requested variation will not increase congestion in the public street because the residential use of the subject property will not be changing.

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

Granting the requested variation will not impair the public health, comfort, morals, or welfare of the inhabitants of the Village. In fact, granting the variation will advance the welfare of the public because it will facilitate the preservation and relocation of 100% of the most architecturally significant feature of a historic Village residential structure.

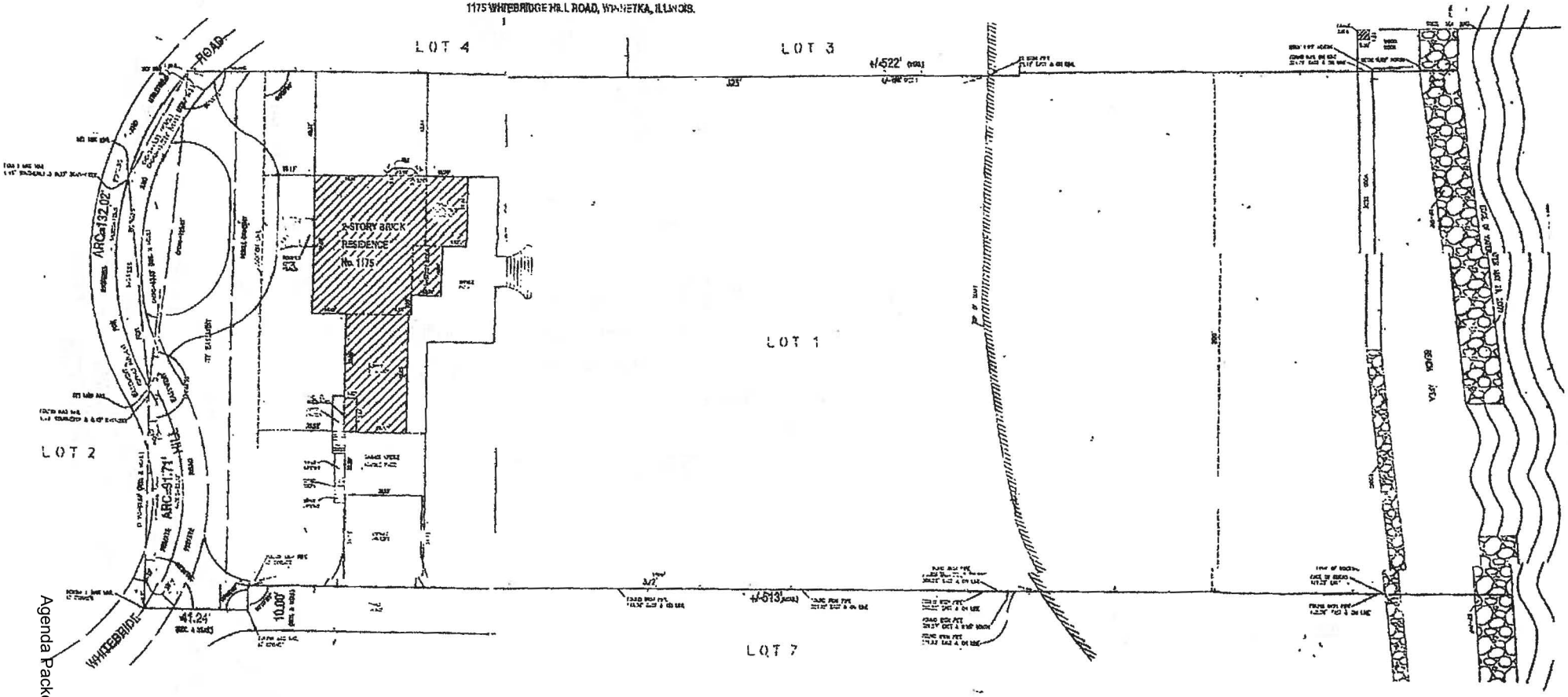
PLAT OF SURVEY

LEGAL DESCRIPTION:

[illegible]

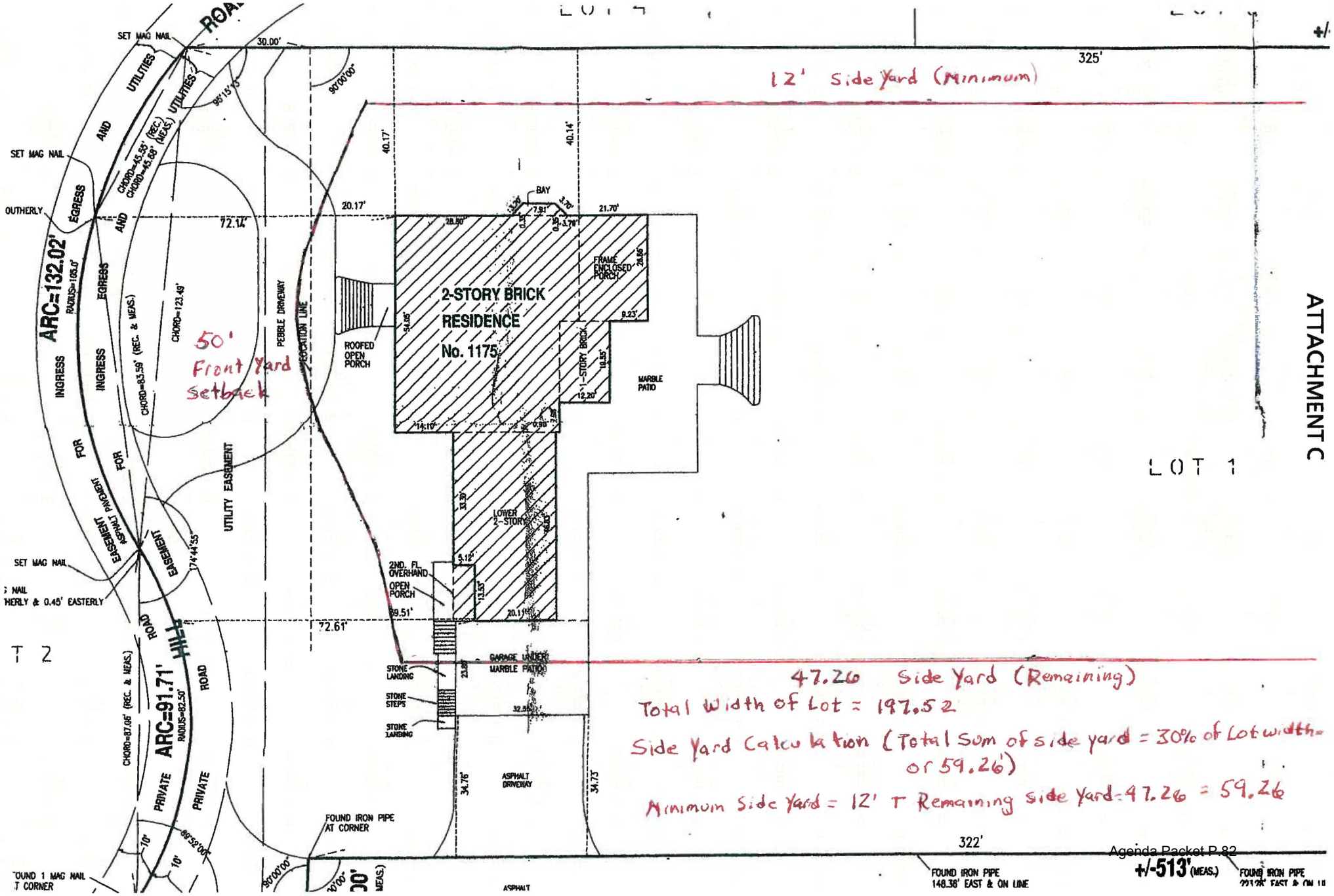
COMMONLY KNOWN AS:

1175 WHITEBRIDGE HILL ROAD, WINNETKA, ILLINOIS.

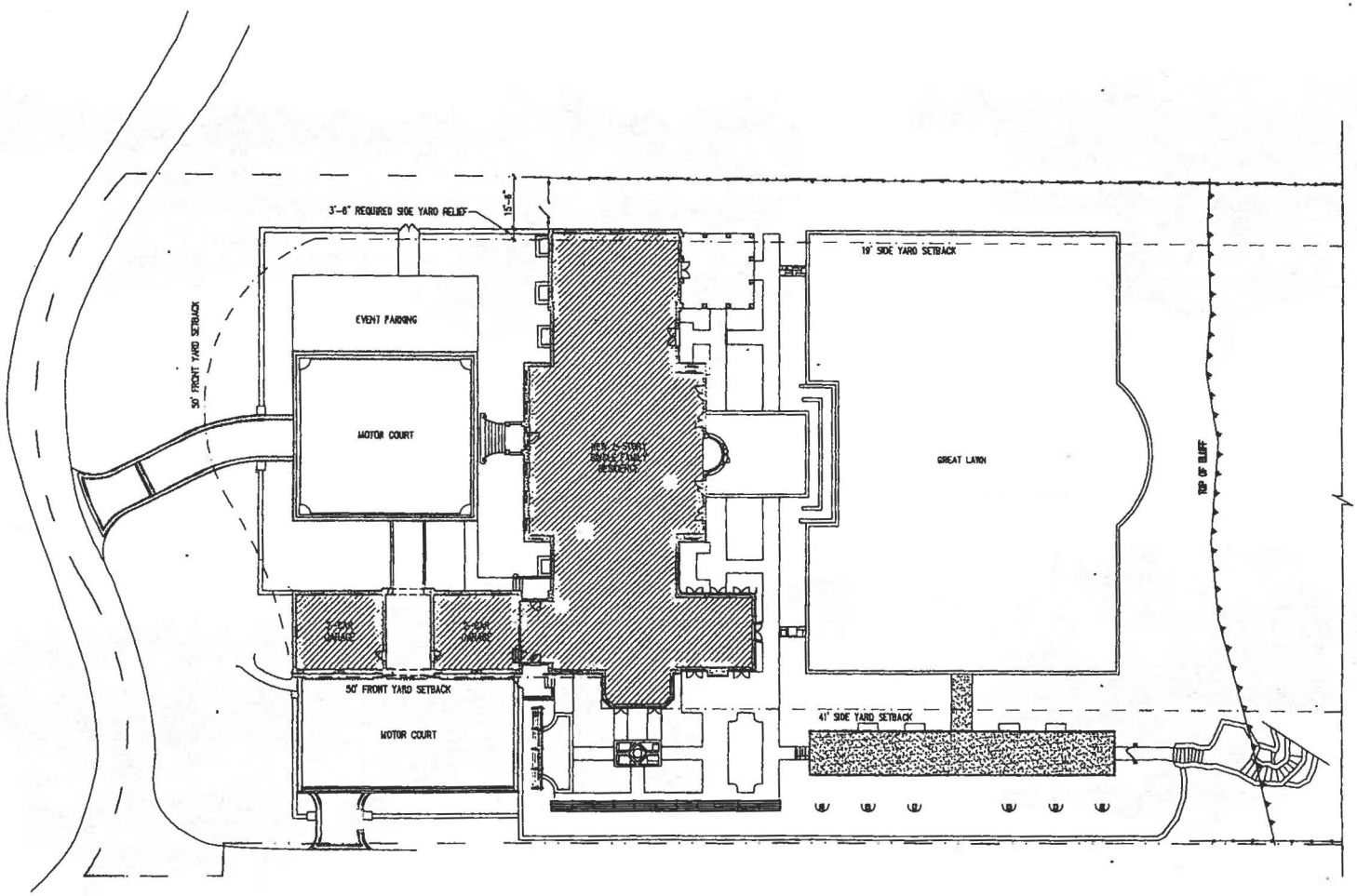


ATTACHMENT C

SIDE YARD SETBACK REQUIREMENTS



ATTACHMENT D



1 PROPOSED SITE PLAN
1/16" = 1'-0"

NORTH PROJECT

NORTHWORKS
ARCHITECTS & PLANNERS

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Chicago, Illinois 60642

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FOR COORDINATION ONLY NOT FOR CONSTRUCTION

ISSUED DATE	
4.17.2013	ZONING REVIEW
1 MM.DD.YYYY	REVISION 1

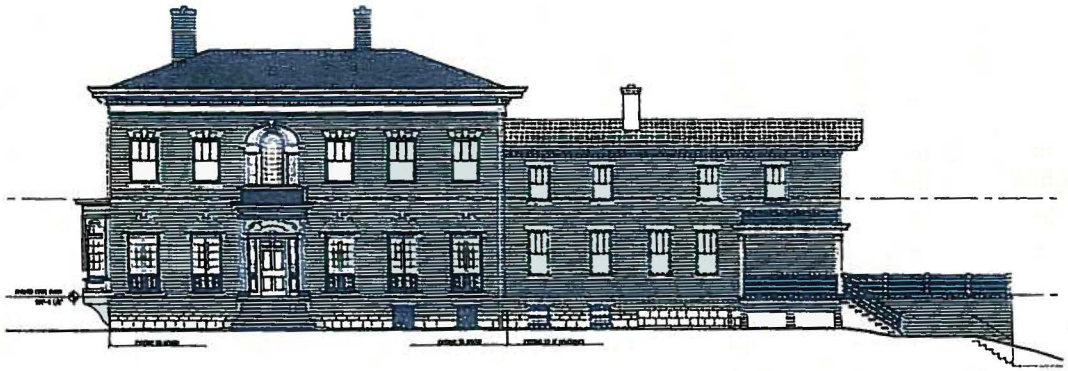
PROFESSIONAL SEAL

WHITEBRIDGE RESIDENCE
1175 WHITEBRIDGE HILL ROAD
WINNETKA, IL 60093

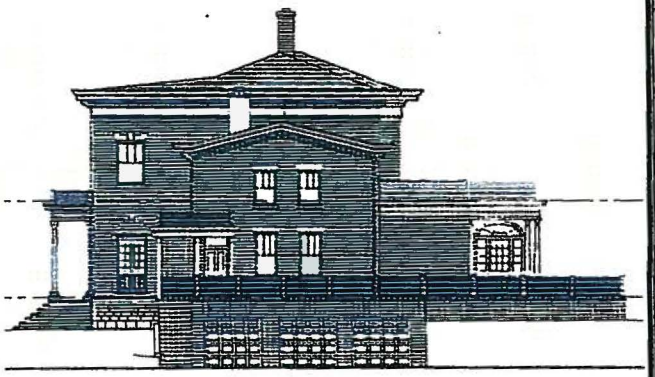
1033	Project No.
AM, TW, NL	Drawn By
DAD	Checked By
Zone	Drawing No.

A1

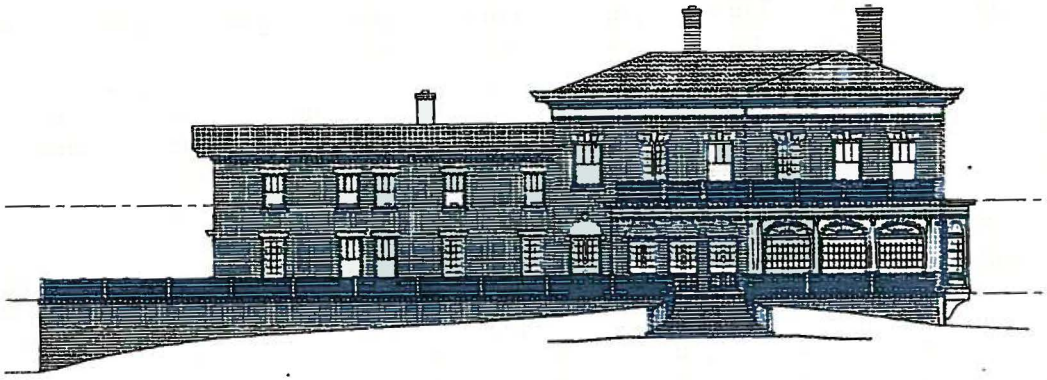
Drawing Name
ARCHITECTURAL SITE PLAN



1 EXISTING WEST ELEVATION
1/8" = 1'-0"



2 EXISTING SOUTH ELEVATION
1/8" = 1'-0"



3 EXISTING EAST ELEVATION
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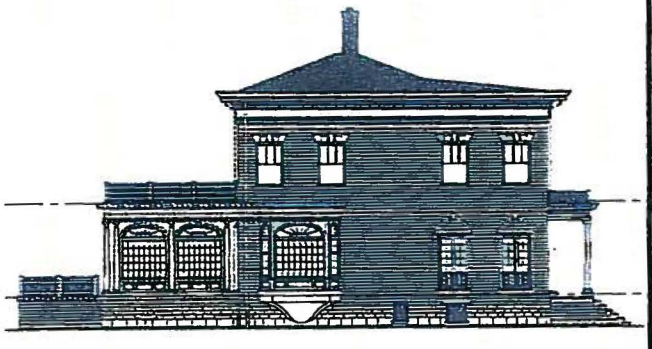

4 EXISTING NORTH ELEVATION
1/8" = 1'-0"

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ISSUED DATE	
4.17.2013	ZONING REVIEW
MM.DD.YYYY	REVISION 2

PROFESSIONAL SEAL

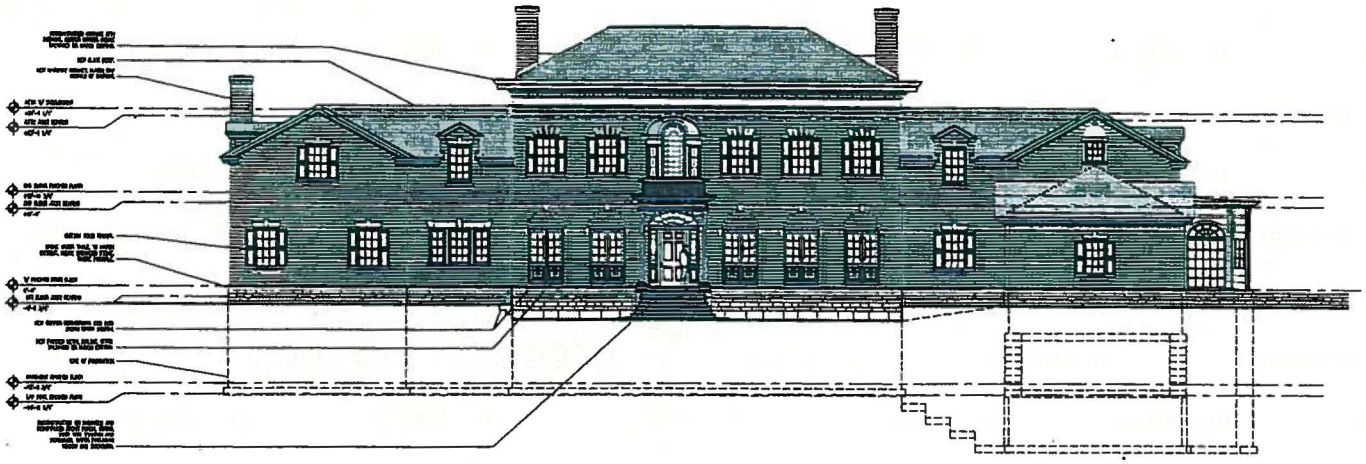
WHITEBRIDGE RESIDENCE
1175 WHITEBRIDGE HILL ROAD
WINNETKA, IL 60093

1050	Project No.
AM, TW, NL	Drawn By
EAP	Checked By
Date	Drawing No.

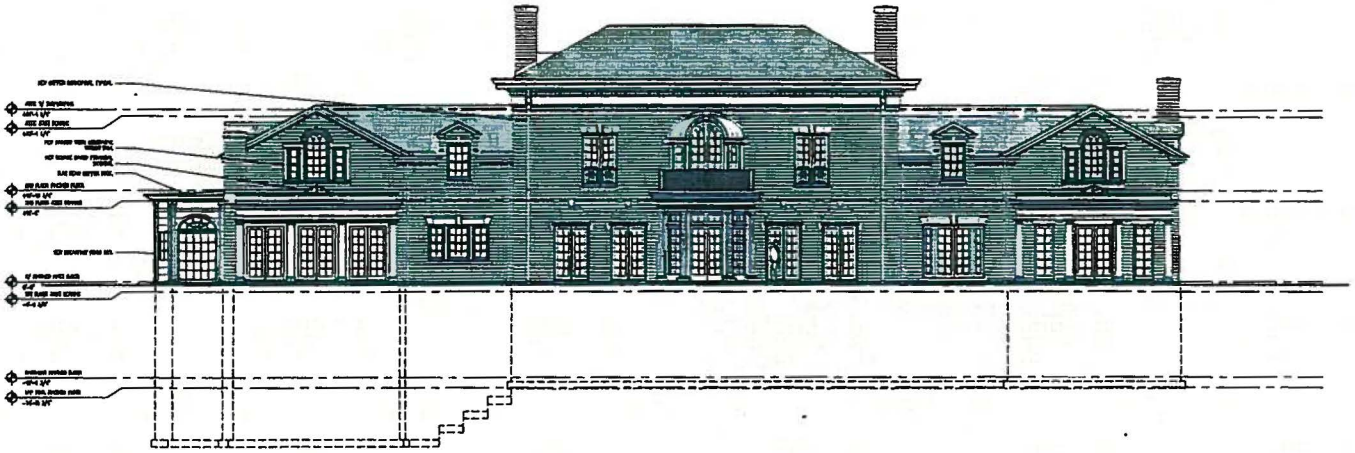
A3

Drawing Name
EXISTING ELEVATIONS

ATTACHMENT D



1 PROPOSED WEST ELEVATION
1/8" = 1'-0"



2 PROPOSED EAST ELEVATION
1/8" = 1'-0"

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FOR COORDINATION ONLY NOT FOR CONSTRUCTION

ISSUED DATE	
6.17.2013	ZONING REVIEW
MM.DD.YYYY	REVISION #

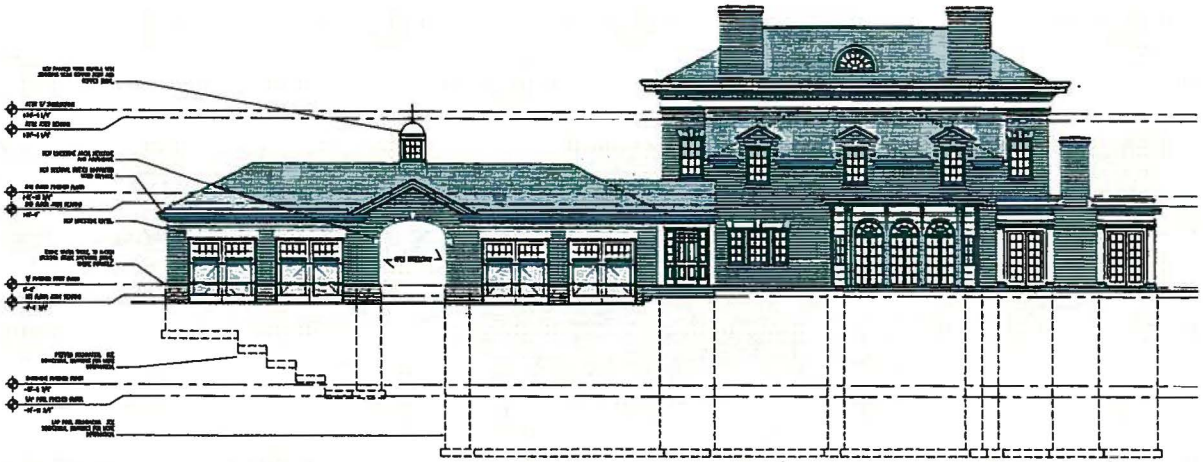
PROFESSIONAL SEAL

WHITEBRIDGE RESIDENCE
1175 WHITEBRIDGE HILL ROAD
WINNETKA, IL 60093

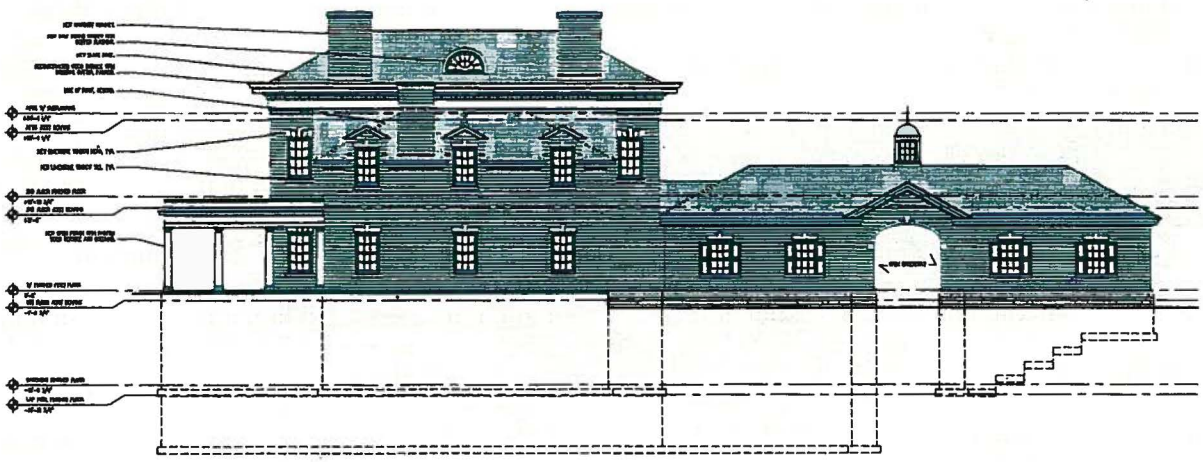
1303	Project No.
AM, TW, NI	Drawn By
GND	Checked By
Zone	Drawing No.

A7

Drawing Name
PROPOSED ELEVATIONS



1 PROPOSED SOUTH ELEVATION
1/8" = 1'-0"



2 PROPOSED NORTH ELEVATION
1/8" = 1'-0"

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ARCHITECTS & PLANNERS

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FOR COORDINATION ONLY, NOT FOR CONSTRUCTION

ISSUED DATE	
4.17.2013	ZONING REVIEW
MM.DD.YYYY	REVISION #

PROFESSIONAL SEAL

WHITEBRIDGE RESIDENCE
1175 WHITEBRIDGE HILL ROAD
WINNETKA, IL 60093

1033	Project No.
AM, TW, NL	Drawn By
CAD	Checked By
Zone	Drawing No.

A8

Drawing Name
PROPOSED ELEVATIONS

ATTACHMENT E

WINNETKA ZONING BOARD OF APPEALS
JUNE 10, 2013

Zoning Board Members Present:	Joni Johnson, Chairperson Mary Hickey Jim McCoy Chris Blum
Zoning Board Members Absent:	Carl Lane Scott Myers Andrew Cripe
Village Staff:	Michael D'Onofrio, Director of Community Development
Agenda Items:	
Case No. 13-08-V2:	1175 Whitebridge Hill Rd. Variation by Ordinance 1. Side Yard Setback

Minutes of the Zoning Board of Appeals
June 10, 2013

Call to Order:

Chairperson Johnson called the meeting to order at 7:33 p.m.

Chairperson Johnson informed the audience that there is a minimum quorum of the Board and that any recommendation will have to be a unanimous vote of the members present and if not, there will not be a positive recommendation to the Village Council. She noted that the previous meeting's minutes are not yet available.

1175 Whitebridge Hill Rd., Case No. 13-08-V2; Variation by Ordinance - Side Yard Setback

Mr. D'Onofrio read the public notice. The purpose of this hearing is to hear testimony and receive public comment regarding a request by Chicago Title and Trust, as Trustee under Trust No. 8002356012 pursuant to a Trust Agreement dated October 28, 2010, concerning a variation by ordinance from Section 17.30.060 [Side Yard Setback] to permit the construction of a new single family residence that will have a 15.5 ft. side yard setback, whereas a minimum of 19 ft. is

required, a variation of 3.5 ft. (18.4%) and a sum of side yards setback of 56.5 ft., whereas a minimum of 59.26 ft. is required, a variation of 2.76 ft. (4.65%).

Chairperson Johnson stated that she would like to point out that the part with regard to the one setback (the 15.5 ft. side yard setback) was not included in the agenda report.

Mr. D'Onofrio stated that the reference to the 15.5 ft. setback had been removed. He then stated that the agenda report and been amended and read the amendment to the Board as follows: To permit the construction of a new single family residence that will have a sum of side yard setbacks in the amount of 56.5 feet whereas a minimum of 59.26 feet is required a variation of 2.76 feet. Mr. D'Onofrio reiterated to the Board that the side yard setback of 15.5 did not require zoning relief and that the Board would only be considering the sum of side yard setbacks.

Chairperson Johnson stated that is why the case was continued from the last meeting because the public notice listed the 15.5 ft. setback variation. She then swore in those who would be speaking on this case.

Austin Dupree introduced himself to the Board as the architect who has been working with the property owners for two years. He stated that the project included the design, renovation and restoration work on the property. Mr. Dupree informed the Board that the project had been through the Landmark Preservation Commission over the last six months. He also stated that they have been working closely with the neighborhood associations and the Landmarks Preservation Commission from the Chicago area in trying to work to come up with a design and plan for the rehabilitation of the home which would satisfy the property owners and the surrounding neighborhood.

Mr. Dupree stated that they came to the Landmark Preservation Commission in December 2012 with a plan to move and re-use approximately 90% of the existing front facade incorporating it into the new home. He said the home was constructed in the 1850's and that it is one of the oldest homes in Winnetka. Mr. Dupree informed the Board that the home underwent a significant renovation in 1917 and that what you see on the illustration represented 90% salvaging of the front facade.

Mr. Dupree stated that after further discussion and design revisions with the property owners over the past three months, they worked up a new design which would incorporate 100% of the existing facade. He indicated that one of the biggest differences is the asymmetrical layout of the front facade which many deemed as the more historic and significant aspect of the home. Mr. Dupree described the home as a Classical Revival home which did not respond to traditional symmetrical aspects. He then stated that because of that, they are trying to develop a compromise which would satisfy the needs of the property owners for a design which developed over a long course of time, as well as the desire of the neighborhood to retain the historic front facade in its current condition.

Mr. Dupree then stated that one of the more unique aspects of the request is that it is not truly 100% new construction and that they plan to integrate the existing facade into the project which many deemed as one of the most important facades built in the mid-19th century in Winnetka.

He then stated that because of that and the fact that the plan had been developing for a long period of time, the only way to do it within reason without completely redesigning the project again would be to request a 42 inch side yard setback from the north property line. Mr. Dupree informed the Board that it related to approximately 4% of the overall required side yard setbacks. He then stated that this request will allow them to be able to salvage the entire front facade and to proceed with the construction under the timetable they looking for. Mr. Dupree then stated that they are in for a building permit and that the property owners have went to great lengths to re-engineer the home in case the request is granted. He added that with regard to their next steps, if they are granted approval, is to submit a full addendum to the permit which they applied for and to use the entire historic facade.

Chairperson Johnson asked the Board if they had any questions for the architect. She asked Mr. Dupree what is the likelihood that the facade would be compromised by moving it to the east.

Mr. Dupree informed the Board that they interviewed two different home moving companies and that they selected the one which they felt would be the most capable. He then stated that after eight weeks of coordinating with the firm and their structural engineer and architects, they are confident that they can successfully move the facade.

Chairperson Johnson asked in the worst case, then what.

Mr. Dupree stated that they are not planning for it not to work and that they have a high level of confidence that it will work. He noted that they have experienced professionals behind this long and expensive process which would add three to four months of construction to the project. Mr. Dupree also stated that there would be a very significant cost impact and that the property owners are committed to doing it.

Chairperson Johnson stated that she wanted to make it clear that the Board is to recommend approval or denial of the variation request to the Village Council which has final control since the request involved new construction.

Mr. Blum stated that looking at the plans; he referred to the site plan on page nos. 13 to 17 of the existing and proposed conditions. He stated that his comment is that doing this plan required a variation and that it looked like there is a significant addition in terms of width. Mr. Blum indicated that he is curious if the additions on the side of the existing structure could be shaved 42 inches.

Mr. Dupree responded that they looked at it as an adapted reuse project and that they are attempting to adapt the facade to the current needs of the property owners. He also stated that they are attempting to ensure that the facade remained intact for the next 150 years. Mr. Dupree stated that they are trying to provide all of the amenities of a home of this scale in terms of the lot and that they feel that they are at a point of the process which has lasted for two years in trying to achieve a compromise. He stated that if they were to step back and completely redesign the home to accommodate it, he agreed it could be done, but that at this point, it seemed unreasonable. Mr. Dupree described the request as an atypical project and that it did not really involve a private process like that of most residential projects. Mr. Dupree added that there are a

lot of outside influences here.

Chairperson Johnson stated that she had the same question and asked if it would be fair to say in part because of the fact that the applicants have spent two years on the design to now lop off 4 feet on either end, it would be de minimus in terms of the variation and that it would involve a lot of work to redesign what would seem to be simple.

Mr. Dupree indicated that while it seemed simple, it is extremely complicated. He informed the Board that there have been many consultants and layers which have gone into the home. Mr. Dupree stated that in trying to achieve a compromise, he referred to redesigning a significant portion of the home to accommodate the proposed change. He then stated that with the spaces designated in the wings of the home, to shrink it further is not possible in its current state.

Chairperson Johnson indicated that she is curious and referred to whether the additions were Colonial Revival.

Mr. Dupree confirmed that they are and that they are sympathetic to the style of the home. He referred to the approach taken from the beginning of the project and stated that they took the language established by the front facade and used it for the additions. Mr. Dupree then stated that in connection with the front rendering, they maintained the height of the front steps to the home and made sure that every architectural element flanking the body of the home is lower and smaller. He stated that to highlight the existing facade, they planned to use sympathetic materials and brick which they are sourcing from Milwaukee and Iowa and that they planned to make sure that all of the materials and details are keeping in with what was built in 1917. Mr. Dupree informed the Board that they are proposing to put in 6 over 6 lights which were removed at some point on the second floor and put shutters back on the home. He then stated that with regard to the landscape design and buffer, they planned to enhance the buffers and regenerate the landscape around the home to respond to what was there originally.

Chairperson Johnson asked if they planned on restoring features which were lost since the renovation.

Mr. Dupree confirmed that is correct. He then stated that as a side note, upon their investigation of the demolition which involved taking asbestos out of the home, they discovered murals in the home. Mr. Dupree commented that there is a beautiful history behind the walls which they will preserve.

Chairperson Johnson commented that she loved the attention to detail. She then asked with regard to mechanically redesigning the concept, when did they first learn that they needed a variation.

Mr. Dupree stated that the requested was conforming originally when they went to the Landmark Preservation Commission with the proposed rehabilitation. He stated that they would be taking the center section of the facade and using the symmetrical portion of the facade and incorporating it into the new plans. Mr. Dupree then stated that upon further review with the neighborhood groups and other preservationists, they pushed for a design for an asymmetrical

scheme. He then stated that the windows did not equal the cadence on the facade part of the historically significant facade. Mr. Dupree stated that they approached the project asking for zero zoning relief and that it turned out that they are asking side yard setback relief because of the course of the project.

Mr. Blum asked if the plan was in compliance and that it was expanded into needing a variation.

Mr. Dupree confirmed that is correct.

Chairperson Johnson indicated that she appreciated the line of questioning which would be made clear in the record to the Village Council. She then informed the Board that she spoke with Louise Holland and mentioned the asymmetrical part of the application when the applicants decided to preserve the facade that required the side yard setback variation. Chairperson Johnson asked if there were any questions from the audience.

Louise Holland introduced herself to the Board as the chairperson of the Landmark Preservation Commission and informed the Board that 1175 Whitebridge Hill is the third oldest home in Winnetka. She noted that the other home included the Schmidt Burnham log home which was built in 1837. Ms. Holland stated that the owners of 1175 Whitebridge Hill wish to stabilize the asymmetrical facade and move it to the east 45 feet. She indicated that a side yard variation would allow them to move that portion of the home and guaranty the facade which she commented is important to 1175 Whitebridge Hill. She then informed the Board that the Landmark Preservation Commission worked with the property owners and the neighbors with regard to how important the home is in order to reach a solution which was approved by all. Ms. Holland stated that point has now been reached and that the Landmark Preservation Commission respectfully requested that the Board approve the variation request. She added that she did not bring the list of very significant homes which were lost in the Village last year and this year and stated that this home is at the top of the list. Ms. Holland concluded by stating that with the loss of the other homes, the Landmark Preservation Commission is really asking the Board to grant the variation and that the home is very important to the Village's history. She added that the asymmetrical windows can be seen in the earliest photograph that the Historical Society has of the home.

Chairperson Johnson asked if there were any other comments.

John O'Brien introduced himself to the Board as the property owner along with his wife Pat and stated that he would like to respond to the concern as to why they cannot shave off a few feet on either side of the home. He stated that on the far north side of the home, there would be a handicapped accessible bedroom which is important in terms of wheelchair access and that there would be a bathroom in that wing. Mr. O'Brien stated that side of the home needed all of that. He then stated that to shave 4 feet from the other side of the home would infringe on the kitchen and basement plans. Mr. O'Brien then stated that while it may sound easy to everyone, it has not been and that they have been at it for two years. He also stated that they have worked hard with the neighbors to respect their wishes. Mr. O'Brien stated that they are preservationists at heart and that he hoped that the Board would work with them to move forward with the project and preserve the historic front facade.

Chairperson Johnson asked if there were any other comments. No additional comments were made at this time. She then called the matter in for discussion. Chairperson Johnson noted that a unanimous recommendation is needed to the Village Council.

Ms. Hickey stated that she is in favor of the variation. She referred to the applicants' attempt to work with the neighbors and the Landmark Preservation Commission which showed great good faith in preserving the front facade which she described as fantastic. Ms. Hickey stated that the home would live on as a showcase in Winnetka.

Mr. McCoy stated that he agreed with Ms. Hickey's comments.

Mr. Blum stated that he would also be in favor of the request. He then referred to the significant concerns with regard to the reasonableness issue. Mr. Blum stated that given the history and the design of the project, it was helpful to hear the reasons why there could not be compliance.

Chairperson Johnson also stated that she is in favor of the request. She noted that it is important that the side yard setback is necessitated after the applicants worked out a compromise with the Landmark Preservation Commission and the neighbors to preserve 100% of the facade. Chairperson Johnson stated that they would also be enhancing the architecture and historical significance that were compromised since 1917. She stated that the HAIS indicated the fact that the somewhat quirky facade lent to the historic character and the home to the history of the Village and the important figures in Chicago history, as well as the Elgin hospital.

Chairperson Johnson referred to trying to find in the findings and the motion to explain why administratively the applicants have not established reasonable return. She stated that one of the Board's overriding concerns is to maintain the historic character of the Village's housing stock whenever possible. Chairperson Johnson stated that although the applicants can get reasonable return without the variation, they are doing something important in terms of historic and architectural significance. She also pointed out that the lot, based on the agenda report, the existing lot size is almost four times larger than what is required and that the applicants could have subdivided the lot which could have changed the character of the neighborhood or demolished the home after the 60 day delay June 2nd. Chairperson Johnson added that the applicants worked with the Landmark Preservation Commission to preserve what they can of the home which she commented is more than what other homeowners would do. She stated that preserving a very large estate is worthy of note. Chairperson Johnson then asked for a motion.

Mr. McCoy moved to recommend approval of the requested variation. He stated that with regard to reasonable return, the applicants worked with the Landmark Preservation Commission and the Plan Commission in connection with the request and referred to Section 17.04.02 of the local zoning ordinance. Mr. McCoy stated that the plight of the applicants is unique in that they would be preserving the facade of the home which presented a crisis in terms of being able to build a home to preserve and that is usable. He stated that the request would not alter the character of the locality and that the light and air to surrounding properties would not be affected. Mr. McCoy stated that there would be no hazard from fire and that the taxable value of the land would not be diminished. He concluded by stating that congestion would not increase

and that the public health, safety, comfort, morals and welfare of the Village will not be impaired.

Ms. Hickey seconded the motion. A vote was taken and the motion was unanimously passed, 4 to 0.

AYES: Hickey, Johnson, McCoy, Blum
NAYS: None

FINDINGS OF THE ZONING BOARD OF APPEALS

1. The requested variation is within the final jurisdiction of the Village Council.

2. The requested variation is in harmony with the general purpose and intent of the Winnetka Zoning Ordinance. The proposal is compatible, in general, with the character of existing development within the immediate neighborhood with respect to architectural scale and other site improvements.

3. There are practical difficulties or a particular hardship which prevents strict application of Section 17.30.060 [Side Yard Setback] of the Winnetka Zoning Ordinance which is related to the use or the construction or alteration of buildings or structures.

The evidence in the judgment of the Zoning Board of Appeals has established:

1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the zoning regulations, in that in doing so the building would lose it architectural and historic significance..

2. The plight of the applicants is due to unique circumstances which are related to the property and not the applicants, due to the fact that the desire for the zoning relief is based on the desire to maintain an architecturally significant portion of an historic structure.

3. The variation, if granted, will not alter the essential character of the locality in that by maintaining the existing front façade of the house, the remainder of the new home will be compatible, in general, with the character of the existing development in the immediate neighborhood.

4. An adequate supply of light and air to adjacent property will not be impaired by the proposed variations, as there are no proximate structures to the proposed addition.

5. The hazard from fire or other damages to the property will not be increased as the proposed improvements shall comply with building code standards, including fire and life safety requirements.

6. The taxable value of land and buildings throughout the Village will not diminish. The proposed construction is generally an improvement to the property.

7. Congestion in the public streets will not increase. The structure will continue to be used as a single-family residence.

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

ATTACHMENT F

LANDMARK PRESERVATION COMMISSION
JANUARY 7, 2013 MEETING MINUTES
(Excerpted Minutes)

Members Present: Louise Holland, Chairperson
Susan Curry
Marilyn Garcia
Laura Good
Anne Grubb

Members Absent: Hugh Brower
Beth Ann Papoutsis

Village Staff: Ann Klaassen, Planning Assistant

Call to Order:

Chairperson Holland called the meeting to order at 7:32 p.m.

APPROVAL OF DECEMBER 3, 2012 MINUTES

Chairperson Holland asked for a motion to adopt the December 3, 2012 meeting minutes. She then asked if there were any additions or corrections to be made to the minutes. Chairperson Holland referred the Commission to the page 2 of the minutes and corrected the spelling of the Ryerson library, along with several other clarifications to her comments. She then asked if there were any other corrections.

No additional corrections were made at this time.

Chairperson Holland then asked for a motion to approve the meeting minutes of the December 3, 2012 Winnetka Landmark Preservation Commission, as amended.

A motion was made by Ms. Grubb and seconded by Ms. Garcia to approve the meeting minutes of the December 3, 2012 Winnetka Landmark Preservation Commission, as amended. The motion was carried by unanimous voice vote.

TEARDOWNS -

Tabled December 3, 2012: **Preliminary Review of the Application for Demolition Permit of the Single Family Residence at 1175 Whitebridge Hill Rd. Case No. 12-31.**

Chairperson Holland informed the audience that the applicant would be the first to speak, followed by the Winnetka Historical Society.

Austin DePree introduced himself to the Commission as the architect and applicant. He informed the Commission that he grew up on the North Shore in a community similar to

Winnetka and that he appreciated everyone's interest and concern in connection with this home. Mr. DePree stated that he would like to provide background with regard to the work that he does and with regard to the couple who purchased the home over two years ago. He informed the Commission that the owners purchased the home two years ago with the intention of preserving the home and that during that time, they have met with Ms. Klaassen going through various schemes to preserve the existing home and to renovate and add onto the home. Mr. DePree stated that they went so far as to submit permit documents with the intention of salvaging the existing home.

Mr. DePree stated that much of the work that he does in the city is preservation work and that he is very familiar and intimately involved in the preservation process in Chicago. He noted that the owners have won an historic preservation award in Glencoe for restoring their current home and that they have also restored a Howard Van Doren Shaw home on the Gold Coast. Mr. DePree stated that in the owners' search for a new home for their family, they found the subject home. He stated that they loved the pedigree, the history and incredible heritage of the home. Mr. DePree stated that he wanted everyone to be aware that he and the owners have a deep respect for the home and that it was not until further investigation of the masonry by a firm which did a full analysis of the exterior of the home that they had to change course.

Mr. DePree referred the Commission to the PowerPoint presentation and stated that the home was built in 1857 by Jared Gage who moved from New York to Chicago and purchased a very large parcel of land in Hubbard Woods and built a very ornate Italian structure. He then identified the front entry of the home which faced east toward the lake. Mr. DePree also identified later iterations of how the home evolved and changed over time over the past 150 to 160 years. He stated that through the progression of the photographs, you can see that the home was not restored in its original state, but rather evolved through time from a very detailed Italian style to a more Georgian type of structure. Mr. DePree then referred to a photograph of the back of the home. He stated that with regard to the history of the site, the history of the occupants and how the home evolved, it is not so much a piece of architecture that was conceived at once and has been preserved throughout time, but that it represented an interesting story in Winnetka.

Mr. DePree then referred to photographs of the way in which the home currently existed and identified the original front facade which has been changed quite a bit. He then stated that after a lot of review and analysis of the front entry, he described it as having the richest architectural detail and is the most succinct in terms of its architectural style. Mr. DePree referred to other photographs of the front of the home and stated that after all of the renovations and additions, he stated that the original brick on the front facade dated to the 1920's. He stated that as a result of their research and after their plans to restore and add onto the home, they found the source of this brick in Madison, Wisconsin. Mr. DePree then stated that as you go around to the rear of the home, and referred to the three garage bays, there is a more modern balustrade and modern wainscoting which resulted in it being less consistent architecturally than the front facade.

Mr. DePree informed the Commission that one of the biggest stumbling blocks in connection with this project was when they hired U.S. Heritage to begin sourcing the brick of the home. He stated that it was noted in Susan Benjamin's 1989 historical research on the home that the entire front of the home had been sandblasted which meant that the entire front face of the brick was

entirely removed. Mr. DePree stated that when the home was restored in the 1920's, it may have received a lime wash and coats of paint and that at some point prior to 1989, that paint was removed through sandblasting which turned the bricks into sponge. Mr. DePree also stated that in addition to that, the entire front facade was re-tuck-pointed with a cement mortar mix. He then stated that as you can see in the photographs, to take samples of these bricks, the mason had to cut them out with a saw and that the entire exterior facade is extremely brittle which meant that moisture is being trapped in the center cavity.

Mr. DePree stated that after they submitted permit plans in May, they were into their final pricing phase for the contractor, construction engineer and masonry consultant and started going through the cost and feasibility for what they had planned to do and that it became unreasonable. He then stated that a certain point, they were discussing the logistics of taking down the facade in three foot sections, rebuilding it and moving over three feet and that cost would have been extreme. Mr. DePree then referred the Commission to a photograph of perhaps the most original part of the home which is the rubble foundation which may date back to the 1850's. He stated that given the amount of money that they are putting into preserving the facade and structure of the home, it was not practical to rebuild and restore these walls on top of a foundation which was not sound.

Mr. DePree then stated that the next step in the process was taking a further step back and looking at the existing home. He indicated that it is important to note that the owners spent a good deal of time and money going through the entire home and that every detail had been documented and added that everything is as accurate as possible. Mr. DePree stated that when they realized that they would need to de-construct the facade and rebuild it, they began looking at what they felt would be the most substantive part of the facade which became the front entry which has the presence in the neighborhood and that it should be the next point from which 1175 Whitebridge Hill should evolve from. He stated that in looking at the details of the front entry which he described as quite spectacular and unique in the area, the palladium windows and shutters which had been previously removed, as well as the 6 over 6 divided light windows dating to the 1920's, he described it as their launching point for the new design. Mr. DePree stated that while they did not want to lose what was there, they wanted to create something which would last another 100 years and create something around this beautiful entry which would be more sympathetic to it.

Mr. DePree referred the Commission to the proposed facade for the new structure which he noted was borne out of a very long and careful study of the existing home. He stated that with regard to the front entry, he referred to the limestone detail, the windows, the jack arches above the windows, the iron detailing at the Juliette balconies, the entry portico, the palladium window, the cornice and detailing of the roof and chimneys which will all be reconstructed using the exact same historic elements and details which were used in the last major renovation of the home from the 1920's. Mr. DePree reiterated that the owners want to treat this like a preservation project even though it will be historic reconstruction and he stated that the process would not be a demolition with a wrecking ball, but that it would be a very intense de-construction and reconstruction of what they felt would be the most significant aspects of the home. He added that Doug Hoerr is also present to talk more about the site planning which was considered. Mr. DePree reiterated that they are mindful with regard to the history of the home and that given the

circumstances that they are in, they are trying to do the best job that they can.

Doug Hoerr introduced himself to the Commission as the principal of Hoerr Schaudt Landscape Architects in Chicago. He informed the Commission that they joined the design team one year ago and that they have been working together for over a year to try to preserve the home. He referred to the large scale of the pines, the plant material and the beautiful gardens around the home. Mr. Hoerr informed the Commission that he has also been involved in a lot of restoration and described the home as unique.

Mr. Hoerr referred to some of the plantings which he described as important for the neighborhood. He then referred to the large green mass which led up to the driveway which he estimated at 150 years in age. Mr. Hoerr identified the location of the existing home and identified some of the plant material. He also identified the Scott pines in the front of the home.

Mr. Hoerr stated that with regard to what they would like to do, he referred to crab trees on the north side of the property which are not in good shape and that they would like to replace them with Scott pine or oak trees in the same scale. He stated that the home cannot be seen from behind the trees and that the view from behind the trees was that of a traditional Georgian landscape. Mr. Hoerr informed the Commission that the existing driveway faced south and that the new design would enclose the driveway and referred to the view of the garage doors which would not be able to be seen from the road. He noted that the driveway would be gravel and that they planned to preserve as many as possible of the existing plantings which are there.

Chairperson Holland stated that the Winnetka Historical Society would now present slides from their collection, followed by questions from the Commission members and then questions from the audience.

Patti Van Cleave introduced herself as the Executive Director of the Historical Society and stated that their responsibility to the Commission is to provide a recommendation with regard to the demolition request. She then stated that in this case, because this is such an exceptional home in the community, she suggested that she would like to provide photographs. Ms. Van Cleave stated that they have a good number of photographs in their collection and described the process as interesting as she began to assimilate the information. She also stated that she would provide a two page narrative in connection with the home which related to the history of the home and its occupants who were very special people, including Jared Gage, among others.

Ms. Van Cleave stated that the original address was 1147 Sheridan Road before 1175 Whitebridge Hill was built and that the Scott family lived in the home. She referred to a photograph of Mr. Scott standing on the porch in a tuxedo. Ms. Van Cleave described the grounds as an integral part of the household. Ms. Van Cleave informed the Commission that the photographs of the views of the grounds came from Albert Youle who was a gardener for the Scotts and that he was very meticulous in taking a lot of photographs which were subsequently given to their Historical Society by the Chippewa Valley Historical Society in Eau Claire, Wisconsin. She noted that Albert Youle lived in the other home which is now 1147 Sheridan Rd.

Ms. Van Cleave then referred to a photograph from circa 1970 which showed who she assumed to be Lynn Williams who lived in the home at that time. She also identified additional photographs of the gardens and a more recent photograph.

Ms. Van Cleave then read the following narrative to the Commission:

> Imagine that in 1857 when Jared Gage built this home, the existing buildings in Winnetka were few and far between. The Schmidt's were living in their log house on High Ridge, John Garland was operating the tavern on the hill at what is now Lloyd Park, where he built a house that was subsequently moved across the street and incorporated into the Lloyd's house at 830 Sheridan Road. Few other structures existed outside the business area of the Village.
>
> Jared Gage came to this area from upstate New York, originally intending to live in Gage's Lake with family. Instead he settled in Chicago, and in 1847 purchased Chicago Mills, a flouring mill with nephew John C. Haines, who was later to be mayor of Chicago.
>
> Gage owned much of the area that we now call Hubbard Woods. Named "Lakeside" initially, Gage, Artemus Carter and Gilbert Hubbard donated the Lakeside train station in 1857. Gage was an early Winnetka Village Trustee and founder of Lake Forest Academy.
>
> When the Lady Elgin disaster occurred on September 8, 1860, it was the coachman for the Gage's that first heard the screams from the lake. Building a bonfire on the beach, they carried survivors and bodies up the bluff to the house throughout the night and into the morning.
>
> In the 1860s, Gage constructed three houses on Scott for his three children. In the financial crash of 1873 after the Chicago Fire, Gage lost everything. Forced to sell most of his assets, he sold his property to Gilbert Hubbard and the house to Robert Scott. He and his wife moved into his son's house, where he died in 1880.
>
> Robert Scott was one of 12 children; immigrants from Ireland who arrived in America in 1856. With brother George, he came directly to Amboy, IL, where his family had begun a successful dry goods store. By 1857, they partnered with fellow immigrants Samuel Carson and John Pirie, providing quality Irish linens to an eager market. Expansion followed, and after choosing between Quincy or Chicago as the location of a factory, they established Carson, Pirie & Scott in Chicago in 1864.
>
> In 1882 Mr. and Mrs. Robert Scott purchased the house. They had no children, but had many relatives in the area, so the house was a busy place. Robert died in 1904; Mrs. Scott in 1916 and the house was either given or sold to Robert and Emily Webster Cluett. Cluett had founded Cluett, Peabody in Michigan, manufacturing men's collars. The Cluett's renovated the house in the 1920s, turning it into a classical revival style.

Later in the 20th century the house was owned by the Williams family from the late 1950s until 1991. They subdivided the property into 7 parcels in 1954.

It should be noted that the original gardener's home for this estate is 1147 Sheridan Road and is owned by the Mengels. The Scott's gardener was named Albert Youle, who retired to Eau Claire, WI. The Chippewa Valley historical society gave us most of the images that we have of the grounds, taken by Mr. Youle. Ernst Benkert lived in this house and was the architect of an addition done in 1955 by the Williamses.

In 1997 there was a fire in the house, started by a propane torch. The Jannottas restored the house after the fire.

Chairperson Holland asked if there were any questions from the Commission. No questions were raised by the Commission at this time. She then asked if there were any questions from the audience at this time.

Ms. Grubb asked what type of brick would be used on the new facade.

Mr. DePree responded that they would be resourced, reclaimed common brick to match the existing brick. He also stated that they would do a full mortar analysis so that the same mortar would be used. Mr. DePree then stated that on some of the facades, there is more of a red type of brick.

Chairperson Holland asked with regard to the location of the new structure, if it would not be on the footprint of the old structure.

Mr. DePree confirmed that is correct. He stated that there are a couple of reasons, the first of which is that given the fact that the property was subdivided in the 1950's, a lot of the adjacent homes built in the 1950's were built in close proximity to the existing home. Mr. DePree stated that rebuilding the home gave them the opportunity to give the home some breathing room and that currently, the home encroached on the north and west property lines. He then stated that as you can see from the historical landscape photographs, there was quite an encroachment on the property line. Mr. DePree stated that they felt that through the design process, it was appropriate to move that facade further into the lot.

Mr. DePree also stated that for symmetrical purposes and that as a result of private meetings with some of the neighbors with previous iterations of the plans, they are attempting to develop additions to the home which seemed unbalanced and that by moving it back, it brought a much better basis for the additions.

Chairperson Holland stated that the audience could now ask questions of Mr. DePree.

Catherine King, 333 Sunset Rd., asked what the total square footage of the existing home is compared with that of the new home. She also questioned the impact to the bluff which is an

issue all along the lake shore.

Mr. DePree stated that the first question was a concern of the owners as well and that to the degree that there are stability issues, they would engage a professional engineer. He noted that the demolition permit is separate from the design phase entirely and that it is his understanding that the Commission did not require a presentation of what is proposed. Mr. DePree stated that they wanted to focus primarily on the demolition, but that obviously, this is a special case and that they are attempting to preserve as much as they can. He then stated that in terms of square footage, the plans are undeveloped and that he is not sure what the numbers for the square footage of the new home would be. Mr. DePree added that the presence from the street would be smaller. He estimated the square footage for the first and second floors of the existing home to be 7,500 to 8,000 square feet and that they may be looking at a 25% to 30% increase.

Chairperson Holland informed the audience that as they came forward, to provide their name and address which would become part of the official record.

Joseph Dooley, 849 Sheridan Road, introduced himself to the Commission. He stated that when he moved to the Village in 1991, he referred to getting mail from a group called WHOA which was against landmark preservation which he commented was a silly position to take. Mr. Dooley indicated that he now realized that it would have been better to fight hard for landmark preservation since what they are doing here is tearing down the history of Winnetka. He indicated that he understood that the property owners have rights to do what they want to do and that they do not have an ordinance which has any teeth. Mr. Dooley stated that he was struck by Mr. DePree's analysis of the home and that to analyze the brick, the fact that they took a power cement saw to the brick. He stated that the home has been an existing, long standing structure in the Village for a long time with many families living there with no problems in the home. Mr. Dooley then referred to the fact that the owners have not lived in the home.

Mr. Dooley stated that what it has brought us to is this sad day when they have someone who will stand up in public and tell us that they are not going to take a wrecking ball to the window, but to destroy the home piece by piece is still destruction and that the home would be gone as well as the history. He then stated that whatever is built to replace the home would not be the same. Mr. Dooley asked that reconsideration be given and for the owners to be asked to live in the home with perhaps some slight interior renovation to meet their goals which is something that most people who will speak to the case would like to see. Mr. Dooley reiterated that he felt hopeless and helpless in the fact that there is not an ordinance which would help them and that they only have citizens who take this position.

Chairperson Holland asked if there were any other comments.

John Straub asked what the proposed square footage of the new structure is and what the square footage of the existing home is.

Mr. DePree stated that question had been raised before. He stated that the main two story section of the home would be exactly the same as the mass which is there now with the same width and height. Mr. DePree also stated that any additions from that are lower than the roof line and

would not be a full two stories. He noted that the only section of the home which would be perceived as two stories will be the main part of the building. Mr. DePree then stated that he would like to respond to the last point raised and informed the audience that the owners have lived in the home for the last two years with children.

Chairperson Holland asked if there were any other comments.
Ned Janotta, 1171 Whitebridge Hill Rd., introduced himself to the Commission and stated that up until a couple of years ago, he lived in 1175 Whitebridge. He indicated that he is quite disappointed that the O'Briens are not present. Mr. Janotta stated that he sold the home to the owners and did not actually meet them until two weeks ago. He stated that it was his understanding that the owners would be here and that they owed it to the community to show up.

Mr. Janotta stated that he and Debbie purchased the home in 1992 and stated that they have never had a problem with the exception of a fire where they had to be out of the home for a year. He described the home as wonderful. Mr. Janotta stated that in connection with why they sold the home, he referred to the home at 1171 Whitebridge which came on the market and that they moved into the home after his wife's surgery. He referred to the amount of stairs at 1175 Whitebridge and stated that they decided to stay in the home at 1171 Whitebridge. Mr. Janotta stated that he has not seen this family living in the home for the last two years.

Mr. DePree stated that family members have lived in the home and that is not an issue at this point.

Mr. Janotta then referred to a comment which was recently made that the owners stated that there would be a bathroom in every bedroom in the new home which is in the current home. He again referred to the fact that the owners are not present and informed the Commission that he and his wife would be in their home at 1171 Whitebridge for a long time. Mr. Janotta stated that he would be so much happier if they identified with the home and allowed it to flourish as opposed to taking the home down. He added that the new home would never have the same character as the existing home.

Chairperson Holland asked if there were any other comments.

Cindy Fuller, 1015 Dinsmore Road, introduced herself to the Commission. She informed the Commission that she has been involved with the Historical Society over time. Ms. Fuller described the home as one of the top three if not the top one in terms of historic homes in the Village. She also referred to the home's architectural significance and events associated with the home. Ms. Fuller stated that they have heard from Mr. DePree that the O'Brien's understood that when looking at the home. She referred to the emotional attachment when purchasing a home as well as logical and financial aspects. Ms. Fuller stated that her plea is to be able to get the owners to table the request and continue to work on something which would preserve the home and that there are many aspects of the home which are worth preserving.

Chairperson Holland asked if there were any other comments.

Luvie Myers, 127 Church Rd., asked Mr. DePree if they planned to reuse any of the moldings,

flooring or woodwork in the home. She stated that she agreed with the comments made that it is a magnificent home and that there are many interesting people who have been there such as Martin Luther King and Walter Mondale. Ms. Myers stated that she is pleading with the owners to reconsider.

Mr. DePree stated that the home is not only an exterior shell, but that there are a lot of important features inside the home. He reiterated that they went through the home and performed a full analysis and that they would be taking all of the doors, hardware, mantels and anything they felt is consistent with the high quality of materials to be reused. Mr. DePree confirmed that they would be reusing the interior and exterior components of the building.

Chairperson Holland asked if there were any other comments.

John Straub, formerly of 771 Sheridan Rd., stated that he would like to commend the ladies for going through this process since they are doing this on behalf of the community as well as for the property owners in question. He then stated that he would like to urge them and everyone possible to keep a structure such as that which Jared Gage built as much as they possibly can.

Chairperson Holland asked if there were any other comments.

John Mengel, 1147 Sheridan Rd., stated that his wife and two children have had the privilege of living in the coach house for 1175 Whitebridge Hill for the last 15 years. He stated that his home was built in 1857 with the same sandblasted bricks. Mr. Mengel stated that the previous owners painted and sandblasted the bricks and that they have not had any issue with it. He added that they have the same foundation. Mr. Mengel then stated that the architect, Bruce Kearns (sp?), did some renovations and created Whitebridge Hill and that he was given their home in consideration for doing the subdivision. He stated that two additions were subsequently added on either end of the home while preserving the center and original section of the home. Mr. Mengel stated that Mr. Kearns was able to reconcile his deeds with an historic structure and was able to compromise and ensure aspects of the home which did not work, but that he had respect not to demolish the building.

Mr. Mengel then stated that since they have owned the home, they have replaced the windows and doors and added a new roof for the garage. He noted that their neighborhood is unique and that they have no sidewalks or streetlights, no curbs, etc. and described their neighborhood as historic. Mr. Mengel stated that he has some very strong and mixed emotions and that their appeal is to the owners. He stated that he is not comfortable in interfering with neighbors' rights to do what they see fit with their property. Mr. Mengel then stated that he is a commercial real estate developer himself. He stated that as painful as it is, the owners have to consider the needs of the community. Mr. Mengel indicated that he understood the position of the owners and the positions of others telling them what they can and cannot do. He stated that in this case, he felt strongly enough to voice an opinion contrary. Mr. Mengel stated that the owners' request to build a home of their dreams is underestimating the cost to the community and the neighborhood. He questioned why build a home on an historic site as opposed to the selection of another site. Mr. Mengel stated that if the needs of the current owners cannot be met, he questioned whether they should seek another solution. Mr. Mengel stated that they are asking the current owners to

preserve and protect the home for the next generations and that if they are unwilling to do so, the property should be made available to someone who is willing to do so.

Chairperson Holland asked if there were any other comments.

Celeste Robbins, 562 Sheridan Rd., Glencoe, introduced herself to the Commission as an architect and principal with Robbins Architecture in Winnetka and that she lives in Glencoe. She stated that she agreed with the comments and that they are not directed to the person she wanted to hear them. Ms. Robbins described the comments as more of a personal appeal and that she did not understand why the owners who are choosing to tear down the home would not be present to participate and listen to the comments from the neighborhood and the community.

Ms. Robbins then stated that it did not matter if you take an arch and repair it or take hardware out and repeat it, although it is helpful, the home which is there now sat awkwardly close to the street. She stated that a person coming up to that home would be aware that this is an important home with regard to the land around it. Ms. Robbins then stated that to take the home and move it to the middle would be no different than many homes on the North Shore. She stated that the mere gesture of setting the home back did not allow anyone to remember the history of the community and the large home which sat on the lake in terms of how Winnetka was developed. Ms. Robbins then referred to the front steps of the home and large expanse of the backyard and how it cannot be replicated with a new home. She then stated that with a home which is perfect, it would not have the history of an historic home which had quirkiness to it. Ms. Robbins indicated that she understood the difficult job the architect had to do in taking down the historic building and doing something which is sensitive. She stated that as neighbors and an architect in the community, they would be happy to help with any research that is needed to be done or anything which can be done as part of the team to help them and they would be happy to be a part of it.

Chairperson Holland asked if there were any other comments.

Laura Larson informed the Commission that her parents have lived at 1199 Whitebridge Hill, to the north of this home, for 35 years. She stated that it broke her heart when she received the letter from the Village in connection with the home. Laura stated that she spoke with several people who were involved with the home. She also stated that she has seen a lot of famous people come through there and described the home as a spectacular home. Laura reiterated that it is devastating to her to think of the home as being torn down and the effect on the people to the north of the home. She also stated that she is bothered that the owners did not have the courtesy to come to the meeting and hear the comments from the neighbors. Laura stated that on behalf of her parents, she hoped the owners would reconsider the request. She questioned whether it would be possible at a future date to invite the owners to have a conversation.

Carrie Schafer, 1200 Whitebridge Hill, which she stated is across the street from the subject property. She commented on the O'Brien's' lack of attendance at this meeting. Ms. Schaeffer then stated that by a show of community members, neighbors and friends, there are a lot of them who feel extremely strongly with regard to the home coming down. She referred to the people and guests who have traveled through the home over all of these years and stated that it made her

sad that the owners have never lived in the home or enjoyed this wonder of a home and the surrounding neighbors who she described as a tight knit community. Ms. Schafer stated that she knew for a fact that the owners have never lived in the home and added that she met the sister-in-law. She stated that they would have then known that the history of the home is irreplaceable and urged them to reconsider. Ms. Schafer then stated that this is not a neighborhood issue, but a community issue and that she is very sad that they are not present.

Chairperson Holland asked if there were any other comments.

Tor Solberg, 672 Maple St., introduced himself to the Commission and stated that his home is one of the older homes in Winnetka. He stated that he is also sad that the owners are not present and that he sympathized with these two and referred to their role in connection with the project. Mr. Solberg also referred to the parties which were held in the home and stated that with regard to living in other parts of the world, he has enjoyed architecture and history which he described as a very important part of town. He then questioned the owners' motives since they are not present at the meeting. Mr. Solberg also stated that the owners had a choice in this matter and commented that they are making the wrong choice in this case.

Cameel Halim, 1135 Sheridan Rd., stated that he has also been in the home and described it as magnificent. He informed the Commission that he is a real estate developer and has done a lot of reconstructions. He described the demolition as a real shame and that it will never be replaced. He stated that with a little bit of work, the home could be fixed. He suggested that a solution would be if the owners wanted a home closer to the lake, they could subdivide the land and build a home overlooking the lake. He informed the Commission that he moved to the Village five years ago and that he previously lived in Kenilworth. He then stated that the home needed an ordinance to protect it. He stated that a lot of damage has happened in Winnetka already and referred to the homes which dated to the 1890's in Kenilworth which they fought for.

Chairperson Holland asked if there were any other comments.

Robert A. Seidman, 156 Sheridan Rd. in Glencoe, stated that he wrote a book on the history of Glencoe's African American neighborhood several years ago and is a board member of the Glencoe Historical Society. He stated that Jared Gage's impact was felt in their community as well and that as he researched his book, he discovered that Mr. Gage was a critical figure in Glencoe's development and that many of his accomplishments can rightfully be claimed by both Villages. Mr. Seidman stated that in the Glencoe portion of his property, it centered around Old Green Bay Rd. and Scott Ave. He stated that Mr. Gage laid out a section of residential homes which he described as a small, yet brilliant set of examples of early landscape design. Mr. Seidman described the section as unique and referred to several specific examples in the neighborhood such as the Grove, Avondale and the Crescent. He stated that some of those early lots remain intact and have been the sites of some of the North Shore's most attractive homes.

Mr. Seidman then referred to fights which were lost in connection with sites as the result of commercial development which spilled over east toward the lake. He indicated that it was avoided in Hubbard Woods only because of Mr. Gage's early town planning which he described as quiet, residential streets. Mr. Seidman stated that Mr. Gage was also responsible for the

original Lakeside Depot as well as its successor which was built in 1872 and designed similarly to homes east of that location. He stated that Mr. Gage's property was mainly served by the Depot. Mr. Seidman stated that all of this history centered on the Gage home and that the history with regard to this unusual section of the North Shore, the Gage home was not only the residence of a prominent member of Chicago's business and banking community, but that it is possibly the earliest substantial riparian home between Evanston and at least the common lot. He stated that in his opinion, in terms of North Shore history, the Gage home qualified as one of the most valuable properties that they still have from the earliest days of the North Shore and that he would urge all parties to seek any way they can find to save the home.
Ms. Halim, 1135 Sheridan Rd., introduced herself to the Commission as the daughter of Cameel Halim. She stated that she has worked for her father for a long time and that now she renovates historic homes. She stated that to hear the architect say that they plan to reuse and salvage items from the old home and buy salvaged brick, she found that to be misleading and that since the home has beautiful brick, there is no need to purchase salvaged brick. She stated that when you de-construct an entire home, it costs a lot of money and that she assumed that cost would be just about as much as it would be to renovate the home that they have. She also stated that the home could be renovated without an issue and that the community felt betrayed that the owners are not here which she described as a grand gesture of bad faith. She then asked the Commission if there is anything in the ordinance which required the owners to be present at these meetings or if they could send a representative and if not, she suggested that it be taken to the Village Council since there is no use if they are not able to talk to the people who are going to be making the decisions.

Chairperson Holland stated that she would explain what the ordinance allowed the Commission to do. She stated that they would have to ask for all of the audience members to comment during the two month delay.

Ms. Halim went on to describe the home as an extremely rare home and a treasure to America. She suggested that it be explained to the owners that their dream home can be built anywhere and that this home is not transferable. She also stated that the Village needed to seek a longer delay period so that the owners would become more invested in finding solutions and alternatives to demolition. She then stated that everyone here would be eager to see such a thing and support it. She also stated that she personally would like to come back in two months and see the owners face to face and that she would much prefer to see this grand, beautiful structure every day as opposed to a new home which the owners may live in for five years and then move on.

Chairperson Holland asked if there were any other comments.

Nan Greenough, 500 Maple St., stated that as long as Winnetka does not communicate its community expectations to people outside of Winnetka and as long as they argue this topic, they will have situations like this. She stated that they have an ordinance which does not succeed in protecting a property of this importance or design review standards which ask for some level of compatibility with the neighborhood. Ms. Greenough described this property as very old and very important to the history of Winnetka and the history of the North Shore. She added that she had the opportunity to look at the plans and that she would like to point out that she knew that

the architect and owners understand the property, the history, the age and aesthetics. Ms. Greenough stated that she cannot come to grips with the idea that something of this importance can be torn down and that until they have an ordinance which can come to grips with this kind of issue, this will happen forever until it is all gone.

Ms. Greenough then stated that in terms of the home at hand, she thought through it and referred to The Art Institute and its new area and the fact that the initial structure is intact. She referred to the separation between it and the new building and that the owners can do that and can build whatever they want which would preserve the existing home and the history. Ms. Greenough stated that she believed that there is still a way to do that and leave the home intact.

Chairperson Holland stated that if there are no other comments, she asked the Commission members for their questions or comments.

Ms. Curry stated that she would like to thank all of the audience members for coming to this meeting and that it is very important for the community to be involved in these kinds of issues. She also stated that she hoped that she would see everyone repeat their concerns to the Village trustees which are the ones who would enact an ordinance to protect their community.

Ms. Good stated that she agreed with Ms. Curry's comments and that it is so glorious for the Commission to see so many people here which she described as perhaps the biggest turnout they have ever had. She stated that they have fought the battles and that she has been on this Commission for many years and that she almost felt hardened by the process because she has seen so many wonderful structures go. Ms. Good stated that their hands are tied and that they can only deal with the ordinance that they have. She stated that since the power is in the community's hands, the Commission also needed them to speak to the trustees who have the power to change the ordinance and that without a changed ordinance; they can do nothing in her opinion.

Ms. Good then stated that they are very frustrated and that they have been frustrated for a long time and that they need to take their Village back and that the fabric of the Village is being ripped to shreds. She described the Village as a great town with great people and great minds and that she is convinced that the people can take this town back which was done in Kenilworth, Glencoe, Highland Park, etc. Ms. Good stated that in terms of what is being proposed in connection with the new structure, she agreed with the comments made that once the home is gone, it is gone. She stated that the new home would in no way compare with the original structure and that even if it was exactly duplicated, it would not be good enough. Ms. Good stated that when you think of places in the world to visit, they are valuable because of their history and that to strip this would be a travesty.

Ms. Grubb stated that she would like to remind everyone to write letters and make phone calls to let people know what happened here this evening since a lot of people may not know what is going on or do not care. She stated that if they are this passionate about saving this building, then they can communicate that to others and that perhaps something can be done. Ms. Grubb referred to rides her family would take past the home years ago and stated that she felt bad that the home would be gone.

Jack Mills of Kenilworth stated that they are close friends of the Janottas and that they have had many evenings and parties at their home which he described as wonderful. He referred to the suggestions that it would have been nice if the O'Briens could have been here and that an invitation should be extended to them before the 60 days ran out. Mr. Mills commented that some very good ideas have been expressed which cannot be conveyed until they have a chance to hear it directly.

Chairperson Holland stated that she would also like to thank everyone present tonight. She stated that the ordinance has no teeth which they have been saying for many years. Chairperson Holland stated that they have gone through various councils with suggestions for perhaps making the delay longer so that options can be found and have gotten nowhere. She informed the audience that the ordinance was enacted in 1989 or 1990 and that it has not changed. Chairperson Holland described the ordinance as unbelievably mild. She stated that what they can do tonight is decide whether 1175 Whitebridge Hill should qualify for an HAIS and that the vote would probably be unanimous. She stated that this home may be the oldest home in the Village and may only be predated by the log home from 1837.

Chairperson Holland stated that once the Commission required an HAIS, it would come back to the Commission, they would examine it and if they find the HAIS complete, the clock begins ticking at that point. She stated that they would have 60 days to delay the demolition permit after they receive the HAIS. Chairperson Holland read Section 15.52.070(A)(3) of the Village code as follows:

> "The delay order may include a request for a conference with the owner. Any delay by the applicant in complying with such a request shall be added to the delay period allowed by this section."

Chairperson Holland informed Mr. DePree that it would be really appreciated if he could relay to the owners that within that 60 day delay period, the Commission would like to meet with them and other members of the community to discuss the demolition options, changes, etc. to not demolish the home. She noted that it is not within their purview to stop the demolition, but that anything they can add would hopefully result in a change of mind. Chairperson Holland stated they would set up a meeting with the O'Brien's at their convenience and the Commission and anyone else who is interested during the delay period. She again thanked everyone for coming tonight and urged everyone to write, call, etc. to express their concerns not only with regard to the subject property, but with regard to preservation in general.

Chairperson Holland stated that the Commission would now take a vote as to whether they would require that an HAIS be done. She reiterated that once the Commission reviewed and approved the HAIS, the clock would begin to run.

Marty Fahey introduced himself to the Commission and stated that he worked for the family. He informed the Commission that the owners intended on being present at the meeting, but for unforeseen reasons, could not be here. Mr. Fahey also noted that there was a private breakfast meeting held with the neighbors. He stated that it is important to know as well that where they

are at is not where they intended to be and that they have worked for two years to be someplace else with the property.

Ms. Good asked how many other opinions the owners elicited or architects, if any, and if any of them were restoration architects.

Mr. DePree responded that they have a 14 person firm in the city and that 70% of the work they do is preservation work. He reiterated that they have been working with the owners for the last six years on various restoration projects. Mr. DePree stated that as you can see here, if anyone here had purchased the property, they probably would have been doing other things and that there are an infinite amount of things which can be done with this property and the home. He stated that he attempted to bring everyone down the path of how they got to where they are. Mr. DePree stated that if there had been another owner, things might have been different and if there was another architect, there may have been a big glass box built on the bluff. He reiterated that they are attempting to be as respectful as they can with the existing home. Mr. DePree also stated that he knew that everyone had a different opinion of what they would do if the home was theirs. He concluded by stating that they are the only architects which were hired.

Ms. Good stated that the conclusion is that only one architect was consulted. She noted that there are a lot of architects here with differing opinions for the record.

Chairperson Holland asked for a motion to require an HAIS for 1175 Whitebridge Hill. A motion was made by Ms. Curry to require an HAIS for the property based on the fact the home, also known as the Jared Gage House, built in 1857 is among the oldest homes in the Village. In addition to the age of the home, there is significant history to the home, property, and owners which is very much a part of the texture of the entire Village. The motion was seconded by Ms. Garcia. A vote was taken and the motion was unanimously passed.

AYES: Curry, Garcia, Good, Grubb, Holland
NAYS: None

LANDMARK PRESERVATION COMMISSION
APRIL 1, 2013 MEETING MINUTES
(Excerpted Minutes)

Members Present: Louise Holland, Chairperson
Susan Curry
Marilyn Garcia
Laura Good
Anne Grubb
Beth Ann Papoutsis

Members Absent: None

Village Staff: Jill Morgan, Planning Assistant

Call to Order:

Chairperson Holland called the meeting to order at 7:33 p.m.

TEARDOWNS

Review of the Historical Architectural Impact Study (HAIS) for the Single Family Residence at 1175 Whitebridge Hill Rd. Case No. 12-31.

Chairperson Holland stated that Patty Van Cleave of the Winnetka Historical Society and Susan Benjamin of Benjamin Associates are here for the HAIS.

Susan Benjamin began by stating that the home has a rich and wonderful history and commented that it was a privilege to research it. She stated that before the presentation is made, she would like to thank people who assisted her and that because of the complexity of the history, it could not have otherwise been done. Ms. Benjamin thanked Laura Knapp who works with her. She also thanked Bob Seidman of Glencoe who she commented is a real scholar who helped her understand the significance of Jared Gage. She informed the Commission that she also talked to the two daughters of Lynn and Dora Williams. Ms. Benjamin stated that she got a lot of insights that she might not have had otherwise. She also thanked Ms. Van Cleave for her information from the Historical Society as well as, Marty Fahey on behalf of the O'Brien's who she stated were an enormous help. Ms. Benjamin noted that they worked hard and found things they were looking for and things that they did not know.

Ms. Good arrived at the meeting at this time.

Ms. Benjamin then referred to a photograph of the home as it looked today in the PowerPoint presentation. She stated that the property measured 2 acres and that it was once surrounded by a

huge amount of acreage (173 acres). Ms. Benjamin then stated that today, to the left, you can see an aerial view of the home on the property and the neighborhood, as well as the multitude of homes surrounding it. She identified the line which marked the boundary between Glencoe and Winnetka in 1869.

Ms. Benjamin described Jared Gage as an interesting and important man with regard to the history of Hubbard Woods. She noted that he was born in 1805 and first settled in Lake County. Ms. Benjamin then stated that he moved to Wildwood and that Gages Lake was named after the Gage family. She stated that he then moved to Chicago and that Gage became the owner of one of the first flour mills in Chicago. Ms. Benjamin stated that he was also a banker who partnered with John Haines who was his nephew.

Ms. Benjamin described the next photograph as incredible and identified the coach house, barn and porch facing the lake. She informed the Commission that the structure is an Italianate home topped with a cupola and molded brick chimney as the home evolved, which represented the only bits of evidence from this early period. Ms. Benjamin stated that Gage purchased the land and that they did extensive title work. She referred to the establishment of New Trier Township. Ms. Benjamin stated that the land was purchased from Anson Taylor and that it amounted to 173 acres of open and rural land. She then identified a photograph which was published in March 1935 in *The Winnetka Talk* which came from Jessie Gage Danley who was his granddaughter. Ms. Benjamin indicated that they had a difficult time establishing the dates of the photographs.

Ms. Benjamin then referred to an illustration of the entrance to the property, the greenhouse and south wing of the home. She also referred to the general massing and composition of the home. Ms. Benjamin stated that the street was a continuation of Central which later became Scott leading to the train station. She then referred to an illustration where you can see the home as you approach it. Ms. Benjamin stated that the next illustration is of a photograph which was used as a Christmas card. She referred to an illustration which contained the chimneys and noted that there is one chimney left. Ms. Benjamin noted that the characteristics of an Italianate home are all there with the cupola and referred to the tall, slender windows, arches and porches which she described as pretty standard for an Italianate home.

Ms. Benjamin informed the Commission that a significant event took place with regard to the home and the sinking of the Lady Elgin which became an important story and had a huge impact on the history of Milwaukee. She stated that a luxury ship collided with a schooner and that there were 500 people on board, 300 of whom died. Ms. Benjamin stated that the story is that a bonfire was lit at the home so that people could find a place of refuge. She added that the home served as a hospital and morgue and described the event as important in connection with the history of Chicago and Milwaukee.

Ms. Benjamin stated that the second owners of the home after Gage were the Scott family which owned the home for many years. She noted that Gage was on the Board of Banks and that after the Depression in 1873, the bank folded and Gage lost money. Ms. Benjamin also stated that Gage died in 1880 in his son, Frank's home. She then stated that the home was empty for a few years and that it became a boarding home to raise money. Ms. Benjamin informed the Commission that when Gage died, the home was sold by his heirs to George and Robert Scott

who subdivided the land.

Ms. Benjamin then stated that with regard to changes to the home over time, you can see some of the changes with the addition of a port cochere and a sleeping porch over it. She stated that the home was then renamed "Swanscott" and that Robert and Sina lived there and had no children. Ms. Benjamin stated that the Scott family was huge and that they were constantly entertaining family. She then read that Robert was included in the biographical history of Chicago that was published in 1897 and was described as one of Chicago's most respected merchants. Ms. Benjamin then stated that in 1900, when he was living in the home, the census documented that he lived in the home with Sina and four servants.

Ms. Benjamin indicated that they learned a great deal about the Scott family thanks to a memoir which was written. She described it as a success story and that the family came to America and became a success. Ms. Benjamin informed the Commission that Robert and George worked in a drapery store in Ireland. She then stated that when 12 of the Scotts' children immigrated to the United States, they settled in the Midwest. Ms. Benjamin stated that at the behest of Pirie and Scott, they joined forces and formed Carson Pirie Scott & Co., as well as owned several stores in other areas of Illinois. She noted that the store expanded in 1904 and went to retail and wholesale and then back to retail. Ms. Benjamin then stated that 1904, they purchased the historic landmark store which she identified in an illustration.

Ms. Benjamin indicated that it was hard to track the ownership and referred to the Cluetts and questioned who they were. She noted that they never owned the property. Ms. Benjamin referred to an illustration of Emilie Cluett Scott and Robert Scott's wedding announcement. Ms. Benjamin stated that they owned the Cluett Peabody & Company and were a very successful company which manufactured shirt collars. She then referred to an illustration of the bridge to the property and referred to an illustration of the home as they are talking about it today.

Ms. Benjamin stated that when the Cluetts were married in August 1917, they reconstructed the home and that there were no balustrades or shutters. She indicated that the home became a Colonial Revival home with Federal details, which she commented was a very common thing happening in the 1910's and 1920's after the end of WWI. Ms. Benjamin stated that people were building Tudor Revival and Colonial Revival homes when the North Shore enjoyed a surge in population. She then identified the beautiful gardens and stated that the Cluetts entertained a lot.

Ms. Benjamin then referred the Commission to an illustration of the family compound diagram. She identified the Frederick Scott, John Williams Scott and Robert Cluetts' homes in the diagram. Ms. Benjamin stated that extensive research was done from every angle to find out who did the major remodeling work in 1917 and that they found no evidence that Edwin Clark did any work on the home. She then referred to an illustration of the garden in the back of the home.

Ms. Benjamin stated that the next owners were Dora and Lynn Williams. She informed the Commission that Lynn Williams was an executive with Stewart Warner and was the head of the Great Books Foundation after WWII. Ms. Benjamin also stated that he was in the Mackinac races at least 27 times. She stated that he ran for Congress and that Dora Williams marched with Martin Luther King and was active with the Winnetka schools, etc. Ms. Benjamin informed the

Commission that they hosted various events on the property and that her daughter described her mom as a woman of simple elegance.

Ms. Benjamin went on to state that in 1954, the Williams subdivided the property and identified the Fred Scott home which has since been demolished. She informed the Commission that when the Williams first moved to this area, they bought the William V. Scott home which she identified in an illustration and which is now gone. Ms. Benjamin stated that they lived there for years until they bought the Gage home from the Scott family. She noted that the woman lived there while her husband was the chairman of Quaker. Ms. Benjamin stated that when she died, the home was sold.

Ms. Benjamin stated that in the 1970's, the state did a windshield survey of the whole state and selected certain buildings which were photographed and documented and referred to an illustration of a photograph of the home. She indicated that it is interesting that some of the things were missing like the balustrade and that the windows were different. Ms. Benjamin described it as very important documentation for future thoughts with regard to what would happen to the home. She then stated that Gerhard and Helga Schulmeyer owned the home from 1985 to 1996, followed by Edgar and Deborah Jannotta and John and Patricia O'Brien.

Ms. Benjamin stated that she would now run through photographs of the home as it existed today. She then stated that with regard to the front, all of the windows have been changed and that the stairs were reconfigured slightly. Ms. Benjamin then identified the lake and east elevation with a large terrace off of the back. She stated that on the north elevation, the limestone foundation remained after the Gage years and that on the south elevation, she referred to the molded brick chimney and garages which were added in the 1940's or 1950's. Ms. Benjamin then identified the different rooms on the interior of the home. She referred to the front entrance, the stair hall, the living room, the sun room and the library, the dining room and the service wing and kitchen. She stated that on the second floor, there is a bedroom suite and two more bedrooms with steps to the service wing. Ms. Benjamin stated that in the basement, the photograph showed the water damage.

Ms. Benjamin then referred to an illustration of the neighboring homes and that they were asked to give an opinion with regard to the impact of the demolition on the neighborhood. She stated that they concluded that there would be no impact since the home was once located in a large area and that now, it is surrounded by a lot of homes, many of which date to the 1950's and 1960's. Ms. Benjamin also stated that the only home which is comparable to the Gage home is the coach home, but that it has had a lot of additions.

Ms. Benjamin then identified 1165 Whitebridge Hill on the location where the greenhouse was may have been an expansion of that home. She also referred to 1135 Whitebridge Hill which she commented is an architecturally significant home which faced Sheridan Road.

Ms. Benjamin stated that the next illustration showed the homes as grouped by style and that there are several Colonial Revival homes, Historic Revival and other modern homes. She noted that they do not have a relationship to the Gage home and that there are other homes which were built in 2000. Ms. Benjamin stated that it is her hope that they found the information interesting

and commented that the property has an incredible history.

Chairperson Holland described the presentation as one of the most interesting HAIS presentations she has ever seen. She also stated that it was very well researched. Chairperson Holland then stated that the first thing the Commission is to do is to go through the sections of the Village code and enter findings on the issues relating to the HAIS and that then they would go to the audience for comment, followed by the Commission's questions and general discussion.

Chairperson Holland stated that with regard to Section 15.52.060 of the Village code, the Commission is to enter findings on the following issues:

a. whether the HAIS is complete.

The Commission determined that the HAIS is complete.

b. Whether the proposed demolition would have a significant negative architectural or historical impact on either the Village as a whole or on the immediate neighborhood.

The Commission determined this finding is correct.

c. whether demolition should be delayed in order to explore alternatives to total demolition.

The Commission determined that they would like to discuss the request more when they hear from the present owner and whether the Commission can look at a timeline for alternatives.

Chairperson Holland then stated that the Commission also is to consider the following:

a. the HAIS;
b. the preliminary property history study;
c. comments from the Winnetka Historical Society on the HAIS; and
d. any other information, comment or evidence received by the Commission at the impact determination meeting or at the preliminary review meeting.

Chairperson Holland asked Ms. Van Cleave if she had any comments.

Ms. Van Cleave described Ms. Benjamin's report as incredibly complete and that she had nothing to add.

Chairperson Holland then stated that the building or structure shall be considered historically or architecturally significant if the Commission determined that it met one or more of the following standards:

a. the structure exhibits a high quality of architectural design without regard to the time built or historic associations;

The Commission determined that the building has changed quite a bit.

b. the structure exhibits a high quality of architectural design that is not the result of a change or a series of changes in the original structure;

The Commission determined that this standard is not applicable.

c. the structure exemplifies an architectural style, construction technique or building type once common in the Village;

The Commission determined that this standard is not applicable.

d. the structure exhibits an unusual, distinctive or eccentric design or construction technique that contributes to the architectural interest of its environs as an accent or counterpart; or

e. that the property has been designated a landmark pursuant to Chapter 15.64 of the Village code, has been included in the most recent Illinois Historic Structure Survey conducted under the auspices of the Illinois Department of Conservation, or has been listed on the National Register of Historic Places or the Illinois Register of Historic places.

The Commission determined that this standard is not applicable.

Chairperson Holland stated that the consensus of the Commission is that the HAIS is complete. She then thanked the present owners for allowing the HAIS to be done. Chairperson Holland described it as wonderful reading and a wonderful history of a special structure. She then asked if there were any comments from the audience.

John Vinchey described the facade as a very important facade which is unusual in respect of the fact that it takes the traditional classical facade and challenges you to look at it in an asymmetrical way with its entrance being located off center. He stated that it is beautiful in the way it cantilevered out and that it could have been done by Arthur Hugh or George Mayer. Mr. Vinchey commented that he did not think it is a home of accident and described it as a carefully designed home. He also stated that the fact that they do not know who the architect is lent even more to its credit. He stated that in the best sense, the home should remain, at least its facade and described it as historically noble.

Mr. Vinchey then stated that Martin Luther King gave it history himself. He stated that the site is important not only because it is architecturally important, but because it has a strong elegant presentation to the neighborhood. Mr. Vinchey suggested that there is more research which could be done with regard to the Scotts' papers. He concluded by stating that in spite of all of the changes which are slight, the body of the home is still there and that it should be respected.

Chairperson Holland asked if there were any other comments.

A gentleman in the audience informed the Commission that they had a meeting a couple months ago with Edgar and Deborah Jannotta who were the prior owners of the home and that they lived

in the home for 20 years. He stated that they had to sell the home and that they thought it was the right decision due to their difficulty in their ability to move around in the home. He noted that they sold the home to the O'Brien's who were in Europe at the time and whom they never met during the discussions. He stated that they met them after the demolition permit came around. He stated that they decided that it was a good thing to get to know the owners well.

He described it as an interesting time and that in a month, they were able to work out something which would still be appealing to the owners and the neighborhood affected by it. He informed the Commission that they made a lot of progress in the discussions and that he would like to give Mr. O'Brien a lot of credit to slow down the process and consider the neighbors' ideas. He also informed the Commission that they moved next door into the Ed Austin home.

He then stated that while he is not an architect or whether he would impose that they hire a guy who knew a lot about older homes, they got Mr. Vinchey who has been a big help in providing guidance. He stated that he realized that people have different views and needs and that they needed judgment as to what is important. He reiterated that they are making good progress in their conversations and that although in today's meeting they did not get far, now is not the time to give up. He concluded by stating that if they come to a point where the fundamental attractive architectural character of the home is maintained, yet the O'Brien's get a home which is built according to the needs of their family, he is hopeful with regard to that outcome and that it would still be worth the effort to come to some resolution.

Chairperson Holland asked if there were any other comments.

John O'Brien informed the Commission that they came to an impasse and that they have come a long way with his wife, Pat and the design team. He noted that they started the process by purchasing the home as preservationists. Mr. O'Brien informed the Commission that they won an award in Glencoe in connection with restoring their home in 2000. He stated that they had a vision for the property and described the history of the home as incredible. Mr. O'Brien stated that it is their vision to build something which would last for the next 100 years.

Mr. O'Brien informed the Commission that the impasse related to the agreement to move the front facade forward and that they wanted to move the home closer to the lake. He noted that they are all in agreement with that. Mr. O'Brien stated that they ran into a major issue in connection with it being 4 feet over the north setback line and that they have exhausted solutions. He indicated that he thought that they came up with a compromise in moving 90% of the facade forward. Mr. O'Brien described Mr. Vinchey as quite outspoken who either wanted to move the entire facade and that otherwise, it is not considered preservation. He indicated that he did not think of preservation as that black and white. Mr. O'Brien stated that he respected Mr. Vinchey's point of view and that to move the facade 100% would push them 4 feet past the north setback line. He informed the Commission that they contacted the Larsen's to the north and whether an option is possible to buy their home, which would be a great inconvenience to her. Mr. O'Brien stated that the other option would be to go into redraw which would push them out to September or October and that they are nervous with regard to winter.

Mr. Vinchey stated that this has been going on for three months and that they have a lot of time

in it already and that in relation to 160 years of history, he referred to another three months in order to work out a solution. He added that the facility has been there forever and that it is worth the extra time and energy.

Mr. O'Brien referred to the amount of time spent, the cost and the design. He stated that they are trying to take 4. feet which he described as tricky. Mr. O'Brien informed the Commission that they have spent hundreds of hours on each inch for 2 years which he also described as tricky and that it cannot be done in seconds. He stated that they are attached to their ideas and drawings. Mr. O'Brien also stated that there is emotion in each room and inch of floor space as well as the cost and that a delay would push them into September or October. Mr. O'Brien added that they will have more conversation with Laura.

The applicants architect from Northworks, E. Austin DePree provided the Commission with a quick image of how contextual they are attempting to be with the move. He referred to the rendering of the proposed front of the home and stated that they would be taking 90% of the front facade and keeping it intact. Mr. DePree stated that they discussed the masonry issues which are inherent with a structure of this age and noted that they planned to build structural waterproofing behind the wall. He stated that the compromise as it is now would still preserve the character and details of the home. Mr. DePree also stated that the physical brick and limestone would still be there and that it represents a continuation of what is there. He then stated that given the context, they are doing what could be done in trying to be respectful of the neighbors and the community.

Mr. DePree then stated that since the last meeting, there were comments in connection with the height of the front facade. He informed the Commission that they lowered it originally and after the discussions, they dropped the floor court 2 feet to preserve the water table and the same amount from the steps to the front door. DePree then stated that with regard to the HAIS and in looking at the photograph, they planned to bring back the original window configuration as well as that above the front door, along with the shutters which were lost.

Mr. DePree informed the Commission that they met with Mr. Vinchey three times to work around the idea of redesigning the center core of the home. He noted that they redesigned the entire first and second floor of the home and did another rendering with the existing facade. He then stated that with regard to them being over the setbacks, they went to the head of Community Development to determine if there is any way an adjustment can be made to get a variance for the setback which would mean that the applicant would not have to pay for a complete redesign. He informed the Commission that it is considered new construction and that they would need to go to through the Zoning Board of Appeals process or completely redesign the entire home. He indicated that they have come a long way over the last few months and that the O'Brien's hearts are in the right place and that they are asking for the neighborhood to respect how far they have come. He referred to moving the front facade when looking at the rendering and images of old photographs relating to the continuity of moving a large portion of the facade.

Chairperson Holland asked the Commission members for their comments.

Ms. Curry commented that she is grateful that everyone is working to preserve the home. She

described the home as so iconic to the Village which was summed up in the history of home. Ms. Curry then stated that if it was her home, she would feel honored to be included in the club of important and interesting people who have lived in the home. She also stated that they are lucky it has been here and reiterated that wonderful people lived in it. Ms. Curry stated that it is her hope that the owners would be the same and that they remember how important Winnetka is which is the collection of history and the home. She suggested that they think about what made Winnetka such a special place and that they should be asking themselves if living in the home would be as wonderful as they found it.

Ms. Good agreed that the design has come a long way since the last meeting. She commented that she is thrilled about the collaboration which is going on and that she hoped the dialog continued. Ms. Good then stated that the O'Brien's should be thanked for being open to hearing the arguments and attending the meetings. She described it as the greatest collaborative effort since she has sat on the LPC to save the history of a property and that she would like to commend all of the parties.

Ms. Good then stated that she is torn because you see the home as it is today which she commented is beautiful and that it would be hard for her to imagine it not being good enough the way it is, although she understands the family's issues, etc. She described it as a wonderful property and that the community has voiced a strong opinion, as well as the Commission. Ms. Good described it as an opportunity for the village residents to go before the Village Council and hear their voices. She stated that [the Village Council] needed to hear it because they think preservation in Winnetka is the minority and that [the Village Council] should hear more voices. She urged the people to speak up. Ms. Good stated that she hoped everyone would present their opinions to the Village Council and that the ordinance needed to be changed. She concluded by stating that the history, architecture and art are worth preserving.

Ms. Garcia stated that she agreed with the comments made and thanked Ms. Benjamin for the HAIS. She indicated that it read like a novel and that there is so much rich history. Ms. Garcia stated that she had nothing more to add and thanked everyone for coming.

Ms. Grubb indicated that she is amazed at what the change was and that they have come 180 degrees in working together to make it better and that it is much better than when they first saw it. She also stated that she agreed with the comments made and that it is a shame that it has to come down. Ms. Grubb indicated that she is happy that everyone came together and consulted with experts and the property owners, etc. and that they are down to 4 feet which she commented did not seem like that big of a thing. She suggested having another meeting with the Commission and those involved to see if they can jump over the zoning hurdle in order to make that happen. Ms. Grubb stated that something has to give and that then, they can go forward.

Ms. Papoutsis stated that she would like to commend all of the effort given in respecting the integrity of the home and the neighborhood. She informed the Commission that she lives in an old home and that she understood the challenges. Ms. Papoutsis stated that it is indeed a travesty to lose a beautiful iconic home in the community. She indicated that she hoped that they can reach a plan that everyone felt comfortable with and preserve the beautiful history. Ms. Papoutsis reiterated that it is a travesty to the community and the history and thanked everyone

for the effort which she realized is not easy. She reiterated that they do appreciate the effort made and hoped that they can reach a decision which would make everyone content.

Chairperson Holland stated that there are some options. She explained to the O'Brien's and the neighbors that the Commission can put a two month delay on what she did not want to say is demolition and that an effort should be made to save the facade of the home. Chairperson Holland described it as a hurdle and suggested to the Commission that they can impose by ordinance a two month delay. She then stated that when an agreement is hammered out which everyone is happy with, the Commission can call a special meeting so that the two month delay would end. Chairperson Holland stated that the Commission can then vote on the permit to demolish the rear of the home and proceed with saving the front facade in whatever form it takes. She indicated that it could be done next week and that they would be required to give notice of 10 days in advance and that the notice is to be published in the newspapers.

Chairperson Holland then stated that she would like to lend thanks to everyone who came together and to do something which is very unusual in the Village because of the iconic home which is special to history. She stated that this has never been done before and that the way in which they proceed with demolition permits is very cut and dry in that sometimes, the Commission does impose a delay and that it is rather unusual when that is done. Chairperson Holland indicated that she hoped that the conversation continued between the neighbors and the property owners to come up with something that everyone can be happy with. She then stated that the Commission can stop the delay immediately and call a special meeting of the Commission to save time. Chairperson Holland indicated that it is unfortunate that the request had gone to the Village Council and asked for an administrative zoning approval for 42 inches and that because it is considered new construction, they cannot do it. She indicated that she hoped that they can find a middle of the road answer to save the wonderful home with a wonderful history and which is very special to all of them. Chairperson Holland then thanked everyone for coming and that she hoped that a final meeting can take place in the Village Council chambers. She reiterated that the Commission would have to impose a delay and then asked for a motion with an addendum that as soon as a consensus is reached, the Commission would publish notice of a special meeting.

A motion was made by Ms. Curry to issue a two month delay on the demolition of 1175 Whitebridge Hill with the addendum that as soon as a consensus is reached, the Commission would publish notice of a special meeting. Ms. Garcia seconded the motion. A vote was taken and the motion was unanimously passed.

AYES: Curry, Garcia, Good, Grubb, Holland, Papoutsis
NAYS: None

ATTACHMENT H

Statement from LPC to ZBA

Good evening, Louise Holland, Chairperson of the Landmark Preservation Commission. The variation request before you is one that has never occurred in the many years of my involvement in Village Government. 1175 Whitebridge Hill is the third oldest home in Winnetka (and that includes the Schmidt Burnham Log Home on Willow road built in 1837). Mr. and Mrs. O'Brien wish to stabilize the asymmetrical façade of the home and move it to the east 45 feet. The side yard variation if approved will allow the move of the front portion of the house and guarantee the historical façade that is so very critical to 1175. The LPC has worked with the O'Brien's and the neighbors of this very important home to reach a solution approved of by all. We feel that we have reached that point and we respectfully ask that the Zoning Board of Appeals approve the variation request. Thank You.

ATTACHMENT I

MELTZER, PURTILL & STELLE LLC

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June 26, 2013

Mr. Michael D'Onofrio
Director of Community Development
Village of Winnetka
510 Green Bay Road
Winnetka, IL 60093

RE: 1175 Whitebridge Hill Road/Request for Zoning Variation

Dear Mr. D'Onofrio:

We are pleased the Zoning Board of Appeals voted unanimously on June 10th to recommend to the Village Council the approval of our client's request for a zoning variation. For time sensitivity reasons our client respectfully requests that the Village Council waive first reading of an ordinance granting the requested variation and adopt such ordinance at the Council's July 2nd meeting.

Very truly yours,

MELTZER, PURTILL & STELLE LLC

Harold W. Francke

cc (by e-mail):
Katherine Janega
Martin Fahey
E. Austin DePree
David Moore

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