



ZONING BOARD OF APPEALS REGULAR MEETING

MONDAY, FEBRUARY 10, 2020 - 7:00 p.m.

WINNETKA VILLAGE HALL COUNCIL CHAMBERS – 510 GREEN BAY ROAD

AGENDA

1. Call to Order & Roll Call.
2. Community Development Report.
3. Approval of December 9, 2019 meeting minutes.
4. Approval of January 13, 2020 meeting minutes.
5. **Case No. 20-06-V: 381 Fairview Avenue:** An application submitted by Jason and Julie Magnani seeking approval of zoning variations to allow an addition to the existing residence at 381 Fairview Avenue. The requested zoning variations would permit the residence (a) to exceed the maximum permitted building size; (b) to exceed the maximum permitted roofed lot coverage; (c) to exceed the maximum permitted front yard lot coverage; and (d) to exceed the maximum permitted width of a front-facing attached garage. The Zoning Board of Appeals has final jurisdiction on this request.
6. Winnetka Futures 2040 Plan Discussion.
7. Other Business.
 - a. Comprehensive Plan Status Update.
8. Next meeting – March 9, 2020 - Quorum check.
9. Public Comment.
10. Adjournment

Note: Public comment is permitted on all agenda items.

NOTICE

All agenda materials are available at villageofwinnetka.org (*Government > Boards & Commission > Agenda Packets*).

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510 Green Bay Road, Winnetka, Illinois 60093

Administration and Finance (847) 501-6000 Fire (847) 501-6029 Police (847) 501-6034 Community
Development (847) 716-3520

Public Works (847) 716-3568 Water and Electric (847) 716-3558

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**WINNETKA ZONING BOARD OF APPEALS
STUDY SESSION AND REGULAR MEETING
DECEMBER 9, 2019**

Zoning Board Members Present: Matt Bradley, Chairman
Sarah Balassa (present for regular meeting, absent for study session)
E. Gene Greable
Wally Greenough
Kimberly Handler

Zoning Board Members Absent: Lynn Hanley

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

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**Minutes of the Zoning Board of Appeals
Study Session
December 9, 2019**

Call to Order & Roll Call:

Chairman Bradley called the study session to order at 6:00 p.m.

Ms. Klaassen took roll call vote of the Board Members present noting Ms. Balassa and Ms. Hanley were absent.

Comprehensive Plan Workshop Session: The ZBA will continue to discuss ideas for inclusion in a new Comprehensive Plan.

Mr. Schoon stated at a previous meeting, the Board went through a SWOT analysis with regard to the community focusing mainly on land use, housing and neighborhood and urban design and community character items which are the items the Board worked most directly with. He stated the Board also provided comment on other items relating to the Comprehensive Plan. Mr. Schoon stated the Village staff summarized the ideas generated by the Board and grouped them into two main categories which are the community characteristics and features they would like to maintain and those they think need to be improved or changed. He stated the things they want to maintain are the quality of the educational system, a great place to raise a family and the number of quality parks, walkable and bike friendly community, as well as mass transit access particularly with regard to the three train stations. Mr. Schoon also noted it is a safe community and zoning is well organized in terms of having consistent housing stock, unique features such as access to Lake Michigan and the suburban forest created and maintained, as well as the walkable commercial districts and quality design and providing access to convenience goods. He stated they also discussed the fact the Village has its own water collection services and active and engaged residents. He stated they identified these are the items/categories as those they want to maintain and asked if there were any comments from the Board.

Chairman Bradley noted the items listed are in no particular order. Ms. Handler stated although she was not part of the last discussion, she stated while Metra was mentioned, they also have Pace buses which is a positive feature. She stated in terms of how they fit into the larger North Shore community, one of the strengths of the community is that they have 15 minute access to things they may not want in the

1 community such as car dealerships, Costco, Westfield Mall, etc. Ms. Handler stated when they develop
2 their retail district, it is important to recognize they complement and can be different from things which
3 are needs for the community. She also stated there is easy access to the expressway which she
4 commented is a huge plus.

5
6 Chairman Bradley stated in terms of access to the large number of parks, that is a strong point and
7 suggested adding the fact there are a number of locations for community interaction although they do
8 not have pools or similar other types of centers for community engagement. He referred to the items
9 which are able to foster places for community engagement and are part of the Village character in terms
10 of its size which is not large. Chairman Bradley also stated they have access to several different religious
11 churches of different faiths. Ms. Handler stated with regard to Village forests, she asked if they are
12 referring to maintaining a forest or specifically referring to Skokie Lagoon. Mr. Schoon responded they
13 are calling it a suburban forest canopy. Chairman Bradley stated the buffer provided by the forest
14 preserve creates a wall from a sound perspective. Ms. Handler also described it as an amenity in terms
15 of the trails and lagoon. Chairman Bradley also stated with regard to the three unique commercial
16 districts, they are all connected through one center thoroughfare and the Green Bay corridor is an artery
17 for all three. Ms. Handler stated with regard to the walkable and bike-able statement, it is also an
18 opportunity for improvement and a strength.

19
20 Mr. Schoon then stated in terms of things they would like to improve, they discussed high property
21 taxes and the burden it placed on residents, providing a variety of housing options, for those who want
22 to downsize and younger families, the changing retail environment and the need to be active and
23 responsive to it, ideas for entertainment options and experiential retail, redeveloping sites to further
24 enhance retail areas, changing workforce in terms of more individuals wanting access to shared services,
25 improving pedestrian access to community cores and transit hubs, modernizing elementary schools
26 while responding to the needs of all residents, planning for public infrastructure improvements and the
27 financial need for them, aging population becoming less diverse and the community impact keeping in
28 mind older resident needs and the ability to address those needs and the zoning and development
29 ordinances and improve them by looking at the regulation requirements and processes to make them
30 clearer and more transparent. He also stated they discussed defining a way to encourage engagement
31 from community members and getting the more transient community members involved to create and
32 provide support for local social services, infill development needs to be responsive to the needs of
33 nearby property owners and encouraging environmentally sustainable development. Mr. Schoon then
34 stated they discussed storm water infrastructure as well as looking at shoreline erosion control and the
35 need to prepare for the impact of changing technology on how they work and use vehicles. Mr. Schoon
36 stated the Village staff summarized these items as things the Village needed to work on and asked if
37 there were any questions.

38
39 Mr. Greenough referred to the slide presentation and noted flooding continued to be a problem for
40 many residents and the need to continue working on that problem. Ms. Handler referred to mandating
41 or incorporating something so specific such as the use of a green storm water infrastructure system
42 seemed too specific of an execution as opposed to a general guideline to incorporate thoughtful and
43 effective techniques to design storm water systems. Mr. Schoon stated the idea was as they deal with
44 storm water, to look at ways to restore as well as filter it before it gets to lakes and rivers and
45 responsibly manage it. Chairman Bradley suggested the use of the word "modern" as opposed to
46 "green" with regard to storm water management solutions. He then stated with regard to the need to
47 invest in schools, schools are also on the other side of the ledger identified as being a positive to
48 Winnetka. Mr. Schoon stated their intent was to identify things which they would want to further

1 improve which are not necessarily a negative. Mr. Greenough stated from the caucus perspective,
2 people are pleased with the school quality, there is a lot of community angst in terms of where the
3 money is going and there is room for improvement.
4

5 Ms. Handler commented there are too many thoughts included in item (e) and referred to the phrase
6 "modernize the educational system" which did not mean to overhaul the entire system. Chairman
7 Bradley agreed item (e) could be misinterpreted if left to the reader's interpretation. Ms. Handler
8 commented that phrase should be eliminated from the Comprehensive Plan. Mr. Greenough stated it
9 should be included. Chairman Bradley stated it seemed to be interpreted as a threat. Mr. Greenough
10 stated the residents' interpretation of children not learning like they used to 50 years ago is what blew
11 the referendum by 66% and described the key point as them not educating the children and that the
12 philosophy of the educational system has changed. Ms. Handler stated Mr. Greenough is referring to the
13 facilities and the phrase should eliminate "modernize the educational system" and refer to maintaining,
14 improving and keeping safe the school's facilities. Chairman Bradley stated when they say as part of the
15 community's characteristics and features they should maintain and enhance, high quality public, private
16 primary and secondary educational systems it is meant to say the children are learning what they should
17 be and they are keeping up with trends in terms of how students are learning, etc.
18

19 Mr. Schoon recalled the discussion on this item was they are working on improving the educational
20 system with the thing needing improvement on communicating with the residents. Mr. Greenough also
21 stated they are not listening to the community as far as what programs should be which he commented
22 is a big problem. Chairman Bradley stated the Board's charter is not to solve the problem of the school
23 system and the Board is to identify only there is a problem. Mr. Schoon stated they want to make sure it
24 is clear and referred to the referendum being significantly defeated with the thought being while there
25 is a need to modernize the facilities, there needs to be an improvement in that message about the need
26 so that the community can respond accordingly. Mr. Greenough suggested they identify there is a need
27 to better communicate. Ms. Handler stated she read there is a need to be responsive to the needs and
28 concerns of all residents which means the need to keep the tax burden on the residents and the
29 referendum was not acknowledging that.
30

31 Chairman Bradley stated item (e) is saying from this body the thought to be dealt with by others, it
32 needs to say there is a need to better align the communications between the schools and its residents as
33 to how to modernize the educational system which can include both what is happening in the classroom
34 as well as infrastructure. He stated they can state the reason the referendum failed was due to a lack of
35 communication of the real message and rational reason this investment is being put forward. Chairman
36 Bradley commented if the referendum had been more clearly stated, it would not have been as big of a
37 failure as it was. Mr. Greenough described the confusion with regard to the reserves in connection the
38 referendum. Chairman Bradley suggested they modify the wording to state: "A feature for improvement
39 is modernizing the educational system and ensure responsiveness to the needs and concerns of all
40 residents." Ms. Handler did not agree with the word "modernize". Mr. Greenough suggested the use of
41 the phrase "consider change." He also suggested wording which would suggest that middle schools are
42 also part of the issue as well. Chairman Bradley stated the phrase should read: "Considers the need to
43 modernize the educational system..." Mr. Schoon confirmed the word "responds" would be replaced
44 with "considers."
45

46 Ms. Handler questioned item (d) and improved lighting and Mr. Schoon responded that meant to
47 improve the lighting within the communities. Mr. Greenough asked what improvements did they mean
48 in terms of pedestrian access to the community cores and transit hubs and if that meant additional

1 sidewalks for example. Mr. Schoon stated the statement meant improving pedestrian access within the
2 community cores and examples would be streetlights and narrowing crosswalks. Mr. Greenough
3 suggested changing the word “to” to “within.” Chairman Bradley stated the discussion came out of
4 people scattering once exiting the train station and to improve pedestrian access in that regard.

5
6 Mr. Greable stated the Board should mention the responsibilities of the Board and Plan Commission;
7 there is no need for duplication in terms of their reviews. He suggested the Village Council should
8 separate and identify more clearly what planning and zoning should do and for zoning to consider any
9 items outside of the overlay district. Chairman Bradley stated item (h) addressed that concern in a broad
10 sense for the Board to consider streamlining the processes.

11
12 Ms. Handler referred to item (c) regarding facilitating the redevelopment through public/private
13 partnerships and described it as narrow and whether it predicated keeping it public or private. Chairman
14 Bradley stated the broader point was to address the change in the retail environment with examples
15 noted. Mr. Greenough suggested removing the words “through public/private partnerships.” Ms.
16 Handler then referred to item (b) and whether they wanted such charged language as housing options
17 for the poor, young and elderly and asked how would that be measured. She suggested the language
18 should refer to those who want to live in the community starting when they are young throughout their
19 entire lives. Mr. Greenough agreed with Ms. Handler’s comments. Chairman Bradley suggested striking
20 the wording after “options.” Mr. Greenough agreed downsizing for the elderly is a real issue and
21 guidance in that regard should be included. Chairman Bradley stated the Board is in agreement with the
22 need to have a variety of housing stock for those who wish to stay in the community in the atypical
23 fashion. He then referred to the use of coach houses for example which led to the zoning discussion. Mr.
24 Greenough suggested the following language for item (b): Provide opportunities for a variety of housing
25 options for those who find the community lacks affordable housing (e.g., coach houses, units above
26 garages, etc.), including elderly who wish to downsize or young families.” Chairman Bradley did not
27 agree with the inclusion of identifying elderly or young families. Mr. Greenough asked why
28 condominiums were left out the wording. Ms. Handler stated creative solutions such as coach houses
29 and units above garages address some of the issues relating to condominium ownership which are the
30 cost and additional assessments. Chairman Bradley confirmed the Board is in agreement of giving them
31 a rollout of what the Board discussed with the area of focus being to continue to provide a variety of
32 housing options beyond single family homes. He then commented the threats are fairly well worded.

33
34 Mr. Schoon stated the next step related to those areas in which the Board worked and asked if there
35 were any changes in order to maintain or improve those desired community characteristics or features.
36 He reviewed the ZBA’s involvement with zoning variations, special uses, subdivisions with variations,
37 and potentially zoning amendments. The Board is also responsible for appeals related the Zoning
38 Administrator's decisions or building official's decisions. The Board identified the following: (1) the
39 Village should perform a comprehensive review of the Village’s zoning and subdivision regulations; (2)
40 the Village should also consider amendments to zoning regulations that may minimize the need for
41 requesting zoning variations (e.g. the location of swimming pools on through lots, etc.); (3) The Village
42 should consider how to streamline the planning and zoning processes to minimize overlap between the
43 Zoning Board of Appeals and the Plan Commission; (4) Given the changing nature of outdoor residential
44 living spaces (outdoor kitchens, installation of TVs outdoor, etc.), need to look at how to regulate these
45 items; and (5) Often a zoning variation application will include variations for existing non-conformities,
46 could those be handled administratively by staff.

47
48 **Public Comment**

1 Chair Bradley asked if there was any public comment. No comments were made at this time.

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3 **Adjournment:**

4 The study session adjourned at 7:00 p.m.

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3 **Minutes of the Zoning Board of Appeals**
4 **Regular Meeting**
5 **December 9, 2019**

6 **Call to Order & Roll Call:**

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

8
9 Ms. Klaassen took roll call vote of the Board Members present noting Ms. Hanley is absent.

10
11 Chairman Bradley swore in those speaking to Case No. 19-29-SD for 419 and 429 Sheridan Road.

12
13 **Case No. 19-29-SD: 419 and 429 Sheridan Road: An application submitted by Muneer Satter seeking**
14 **approval of zoning variations as part of a Final Plat of Subdivision to consolidate the existing two lots**
15 **into a single lot of record and to construct a pergola. The requested zoning variations would permit**
16 **(a) the existing residence at 419 Sheridan Road to observe less than the minimum required side yard**
17 **setback from the south property line; (b) the existing boathouse at 419 Sheridan to observe less than**
18 **the minimum required front yard setback from the water's edge; and (c) the existing improvements**
19 **on the consolidated lot as well as the construction of a pergola that would provide less than the**
20 **minimum required total side yard setback. The Village Council has final jurisdiction on this request.**

21 Ms. Klaassen stated Muneer Satter is the owner of 419 and 429 Sheridan and has filed an
22 application seeking final subdivision plat approval to consolidate the two lots into a single larger lot of
23 record together with the following zoning relief: (1) a side yard setback of 10.32 feet from the south
24 property line to the existing residence at 419 Sheridan whereas a minimum of 12 feet is required, a
25 variation of 1.68 feet or 14% which is an existing nonconformity that will not change; (2) a total side
26 yard setback of 23 feet 5 inches for the existing improvements as well as a proposed pergola whereas a
27 minimum of 66 feet is required, a variation of 42.6 feet or 64%; and (3) a front yard setback of 37 feet
28 from the water's edge to existing boat house at 419 Sheridan whereas a minimum of 50 feet is required,
29 a variation of 13 feet or 26% noting this is also an existing nonconformity not impacted by the proposed
30 consolidation.

31
32 Ms. Klaassen stated the subject property is located on the east side of Sheridan between Willow Road
33 and Ash Street and is zoned R-2 Single Family Residential and currently consists of two buildable
34 lots measuring 64,716 square feet which is the 419 Sheridan parcel and 33,433 square feet for 429
35 Sheridan. She stated each lot is improved with a single family residence and various accessory buildings
36 noting the applicant resides at 419 Sheridan. Ms. Klaassen stated if approved, the applicant would
37 demolish the 429 Sheridan residence and consolidate the two parcels into one lot measuring
38 approximately 2.25 acres. Ms. Klaassen stated all of the existing improvements at 419 Sheridan would
39 remain and the pool and pool storage building at 429 Sheridan would also remain. She stated the
40 applicant intends to install extensive landscaping including an open pergola and shed to house the
41 driveway boiler. Ms. Klaassen stated the applicant also intends to maintain three existing driveway
42 entrances noting 419 Sheridan has a circular driveway with two entrances on Sheridan Road and the 419
43 Sheridan residence has one driveway entrance. Ms. Klaassen noted Village code allows a maximum
44 of two driveway access points on a lot and the Village Council will consider the applicant's request to
45 maintain the three existing driveway entrances at the time they consider the proposed consolidation.
46 She stated that aspect of the plan is not part of the Board's purview and is only provided for information
47 to help the Board understand the applicant's intent.

1 Ms. Klaassen noted the proposed consolidation complies with the minimum lot area, lot width and
2 lot depth requirements noting 429 Sheridan is currently nonconforming with regard to the lot width
3 which would be eliminated with the proposed consolidation. She stated the proposed consolidation has
4 the effect of increasing the average lot width up to 220 feet, resulting in an increase in the total side
5 yard setback requirement to 66 feet. Ms. Klaassen stated as a result, the proposed consolidated lot
6 renders the existing residence at 419 Sheridan along with the pool accessory structure on the 429
7 Sheridan parcel nonconforming with regard to the new total side yard requirements. She stated the
8 existing improvements provide total side yards of 23 feet 5 inches and is deficient with the new
9 requirement by 42.6 feet. Ms. Klaassen stated additionally, the applicant is proposing a pergola that
10 would provide a north side yard setback of 24 feet 1 inch and to comply with the total side yard
11 setback, the pergola would need to provide a setback of 54 feet from the north property line.
12

13 Ms. Klaassen noted there are two existing nonconformities that would remain on the consolidated lot,
14 which are the front yard setback to the boat house and the side yard setback for the 419 Sheridan
15 residence. She stated the nonconforming setback to the boat house was caused by a change in the
16 water level which has risen over time noting the boat house complied at the time it was built in 2013.
17 Ms. Klaassen also stated the proposed consolidation would eliminate two existing nonconformities due
18 to the change in the level of Lake Michigan, the existing improvements at 419 Sheridan currently exceed
19 the permitted GFA and the improvements at 429 Sheridan exceed the permitted impermeable lot
20 coverage. She stated the Board may recall for consolidations of lake front properties, the setback is
21 measured from the water's edge, so improvements that once complied may be deemed nonconforming
22 due to the change in the water level.
23

24 Ms. Klaassen stated the Plan Commission considered the request on November 20, 2019 and
25 recommended approval of the subdivision and associated variations with three conditions, one being
26 the signature blocks are in a format acceptable to the Village Attorney noting the applicant addressed
27 those issues. Ms. Klaassen stated the second condition is for the Village Council to approve the
28 applicant's request to allow three driveways to remain and the third condition is that the final plat of
29 consolidation be approved by IDOT and the IDNR which is required in this case since Sheridan Road is a
30 state road and because of it being a lake front property, the IDNR has to approve the request.
31

32 Ms. Klaassen stated the Board is to consider whether the requested zoning variation meets the
33 standards for granting such variation. She then stated following public comment and the Board's
34 discussion, the Board may make a recommendation to the Village Council and a draft motion is included
35 on page nos. 9 and 10 of the agenda report. Ms. Klaassen then asked if there were any questions.
36

37 Chairman Bradley also asked if there were any questions. He then stated while he did not attend
38 the Plan Commission meeting, the final vote contained a condition with regard to the three driveways,
39 and if the Village Council does not allow that, he asked is their approval is not in effect. Mr. Schoon
40 responded the Plan Commission is a recommending body and the Village Council can do whatever they
41 want. Ms. Klaassen stated the Plan Commission wanted to note they are looking at the overall proposal
42 understanding they did not have the jurisdiction to grant relief for that. Ms. Handler stated the
43 boat house was in compliance in 2013 and asked if the pool accessory building was in compliance. Ms.
44 Klaassen confirmed that is correct and noted that the lot width of 429 Sheridan is 79 feet currently,
45 which is nonconforming.
46

47 Chairman Bradley asked to what extent the landmark status had on the Board's discussion. Ms. Klaassen
48 stated they will go to Landmark Preservation Commission for an advisory review of exterior alterations

1 and improvements and it was only noted to make the Board aware that it is a landmark. Chairman
2 Bradley asked if there were any other questions. Ms. Balassa asked with regard to the water levels, how
3 did that work. Ms. Klaassen stated when a permit application is submitted, they are required to submit a
4 current plat of survey and the water would be surveyed at the water's edge at that time.

5
6 Patrick Boilini of Boilini Company informed the Board the applicant first contacted him in 2009 to design
7 a pool on the bluff at 419 Sheridan. He stated they determined nothing designed would complement the
8 historic home and the plan was shelved. Mr. Boilini stated the neighbor contacted Mr. Satter and asked
9 him to buy his home. He then stated the applicant bought the property and came back to him and
10 Mariani Landscaping to come up with a design for the bluff. Mr. Boilini stated the goal was to design
11 something for the beach and pool area and to improve the bluff. He stated the old home would have to
12 go and another home constructed to complement this home but that plan did not come to fruition. He
13 then stated after the pool was developed, they went to Plan B to remove the home and improve the
14 property with beautiful landscaping to complement the historic home.

15
16 Mr. Boilini referred to the view of photos of what was done so far on the bluff in the illustration. He also
17 identified the view of the equipment and changing room on the bluff noting it was built into the bluff
18 and you cannot see most of it. Mr. Boilini stated there is an infinity edge on the pool and a changing
19 room. He also identified the staircase to the beach with a boardwalk at the bottom, as well as the
20 view looking back to 419 Sheridan. Mr. Boilini noted the stone is the same as was used on the historic
21 home. He then identified the view of the beach work and green roof on top of the boathouse as well as
22 photos of the pool.

23
24 Mr. Boilini stated they planned to make a garden space and the variance is for the pergola which would
25 be an open structure. He stated the project would increase the amount of green space and noted they
26 would be doing the boiler structure within in all of the requirements with everything done so far within
27 code requirements.

28
29 Sarah Furlan introduced herself as the landscape architect and stated as the project evolved, purchasing
30 429 Sheridan and expanding the garden would bring it into the same aesthetic as the rest of the
31 property. She stated there is a prominent garden and green space on Sheridan and with regard to
32 the opportunity which came up as to how to use the space, the second home did not fulfill what
33 the family needed and they wanted more green space. Ms. Furlan stated in connection with the areas
34 for service vehicles and off-street parking, the home would be removed resulting in more open light and
35 air, especially for the north neighbor who wrote a letter in favor of the improvements. She stated it
36 would greatly increase the amount of permeable surface and overall greenspace. Ms. Furlan then stated
37 in lieu of a full home, the idea is to have an open pergola structure which would sit to the west of the
38 pool with a lake view. She stated the consolidation makes the setback skew and the video would help
39 them understand how the space would be developed.

40
41 Ms. Furlan first identified the street view and views into the property which is a park-like space. She
42 referred to the area which would accommodate service vehicles to maintain the garden. Ms. Furlan
43 stated they are planning for a beautiful entrance which would be in keeping with the 419 Sheridan
44 property using the same materials. Ms. Furlan noted there would be a great deal of effort to maintain
45 the mature trees on the property and noted there is a significant old silver Maple for which they have a
46 comprehensive plan to keep alive during demolition. She then identified the view from 419 Sheridan
47 and the walk-through through the mature trees to access 429 Sheridan. Ms. Furlan identified the new
48 greenspace view where the existing structure is and stated they planned to level the lawn space for the

1 children to play. She then identified a closer view of the pergola structure which is a primarily open
2 structure meant to be covered with flowering vines and which would not have a solid surface. She
3 informed the Board the properties are at different elevations and they would be putting in PVC piping to
4 bring oxygen to the tree roots. Ms. Furlan then identified the connection to 419 Sheridan showing
5 everything at the same elevation. She then described the process they would use to keep the old trees
6 alive and the progress they have had with that in the past noting Mr. Satter is very invested in keeping
7 the trees.

8
9 Mr. Greable asked what the video's date is. Ms. Furlan responded it was made with a computer
10 generated design and confirmed everything would be built to dimension.

11
12 Muneer Satter stated he would like to stress that everything done with the property was done in
13 conformity and approved by the Village. He then referred to the boat house and the other structure
14 down by the beach which was in compliance when it was built. Mr. Satter added they cannot control
15 the lake level. Mr. Satter then stated he would have been able to renovate the existing home or build
16 new large home with a 12 foot setback if he did not consolidate the two lots. He then stated he was
17 surprised when told the design with the pergola was not in compliance because the consolidation
18 setback line moved to 66 feet and he found out afterward he can build a home but not the pergola
19 because of the setback line movement. Mr. Satter reiterated everything else except the pergola is
20 in compliance and represented the core of the request.

21
22 Chairman Bradley asked if the Board had any questions for the applicant. No questions were raised from
23 the Board at this time. He then asked if there were any comments from the audience.

24
25 Louise Holland, 545 Oak, introduced herself as the Chair of the Landmark Preservation Commission and
26 stated there are only two homes on the lake which have been restored to this quality with 419 Sheridan
27 being one of them. She described the restoration as absolutely beautiful and the consolidation
28 would prevent another home from being built at 429 Sheridan. Ms. Holland stated it would give light
29 and air to the home next door. She then described the plan as wonderful and although the Landmark
30 Preservation Commission has not opined on it yet, they are all pleased to see it.

31
32 Chairman Bradley asked if there were any other comments. No additional comment was made at this
33 time. He then called the matter in for discussion.

34
35 Ms. Balassa commented the design and video were very informative and beautifully done and stated
36 she had no questions no concerns. She then stated the fact the applicant went to such great lengths to
37 save the mature tree is wonderful and important to the lake front. Ms. Handler agreed with Ms.
38 Balassa's comments and described it as a fortunate and thoughtful preservation. She also stated the
39 design would restore, maintain and add green space to the community. Mr. Greenough commented
40 they have done a great job and it would improve the Village. He also stated the variations will improve
41 the appearance of the property for the north neighbor and everyone would be better off. Mr. Greable
42 stated he is solidly in favor and commented the video was beautiful. He described the property
43 as beautiful that has been preserved and he is fully supportive of the application. Mr. Greable then
44 stated a lot of information was addressed in the application and the Village staff did a tremendous job
45 which made it easy to come to a conclusion.

46
47 Chairman Bradley thanked the applicant for the thoughtful application for which he is in full support. He
48 then stated the consolidation would result in the betterment of the Village and would remedy a number

1 of existing nonconformities which are not the applicant's doing. Chairman Bradley then asked for a
2 motion to recommend approval.

3
4 Mr. Greenough moved to recommend approval of the variations based on the findings listed on pages 9
5 and 10 of the ZBA agenda report. Mr. Greable seconded the motion. A vote was taken and the motion
6 unanimously passed.

7
8 AYES: Balassa, Bradley, Handler, Greable, Greenough

9 NAYS: None

10
11 **Case No. 19-35-SU: 1015 Tower Court – Sole + Luna: An application submitted by Sole + Luna seeking**
12 **a Special Use Permit to allow a wellness center measuring approximately 3,400 square feet in the C-2**
13 **General Retail Commercial Zoning District at 1015 Tower Court.**

14 Chairman Bradley asked for a motion to recuse himself from this application since he had a personal
15 interest in the application and asked for a motion to allow Mr. Greenough to serve as Chair for this
16 agenda item. A motion was made by Mr. Greable and seconded by Ms. Handler and Ms. Balassa. The
17 motion passed by unanimous voice vote.

18
19 Chairman Greenough swore in those speaking to this matter.

20
21 Ms. Klaassen stated the application was submitted by Sole + Luna, 1015 Tower Court, for a special use
22 permit. She stated the applicant is seeking the approval of a special use permit to allow a wellness
23 center measuring approximately 3,400 square feet at 1015 Tower Court. Ms. Klaassen then stated the
24 subject property is located in a one story commercial building located on the west side of Tower Court
25 between Tower Road and Gage Street noting the space is currently vacant and was most recently
26 occupied by Sawbridge Studios. She also stated Strength Time is located to the north and BP is located
27 to the south. Ms. Klaassen stated it is important to note the applicant is not proposing to occupy
28 the Sawbridge Studio space on Green Bay Road.

29
30 Ms. Klaassen stated the subject property is located in the C-2 General Retail Commercial District but is
31 outside of the Commercial Overlay District. She stated the Board may recall in April 2019, the Village
32 Council amended the zoning ordinance regarding the uses and regulations in the three
33 commercial zoning districts. Ms. Klaassen noted the amendments include new definitions for allowed
34 land uses as well as new land uses that were previously not allowed. She stated the amendments were
35 intended to increase the number and types of allowed businesses and a new land use titled "personal
36 fitness studio" was established to differentiate such uses from the already listed "health club" use in the
37 zoning ordinance. Ms. Klaassen then stated prior to the changes adopted earlier in the year, all personal
38 fitness facilities required special use approval whether they were located in the overlay district or not.
39 She then stated with the recent amendment, a personal fitness studio measuring less than 2,500 square
40 feet is a permitted use if it is located in the C-2 district and outside of the overlay district. Ms. Klaassen
41 noted health clubs are still allowed as a special use in the C-2 district as well as the overlay district and
42 personal fitness studios are a permitted use in the C-2 district and are allowed as a special use in the C-1
43 and in the overlay district.

44
45 Ms. Klaassen then stated the application is subject to review as a special use since the proposed use is
46 classified as a health club because the occupancy of the proposed use would be approximately 3,400
47 square feet. She stated the applicant is proposing to operate a wellness studio and according to the
48 applicant's responses to the special use permit standards, they will provide services to improve mind,

1 body and soul along with a variety of unique retail products. Ms. Klaassen stated the business would be
2 by appointment only and would operate 5-6 days per week. She stated through a combination of
3 monthly memberships, packages and single session pricing, the applicant would offer a variety of daily
4 self-care treatments lasting from 8 to 60 minutes. Ms. Klaassen stated the space would provide room
5 for 5-7 clients to receive services at a time. She also stated there would be classes and workshops
6 sporadically which would accommodate a maximum of 20 guests. Ms. Klaassen then stated with regard
7 to employees, there would be more than 2-3 employees with hours of operation from 9:30am to 6pm.
8

9 Ms. Klaassen also stated the applicant conducted its own parking study. She stated the study was
10 analyzed by Village Engineer Steve Saunders and he found that the staff and customer level would not
11 create an adverse impact in the area and there would be sufficient parking for the proposed use. She
12 noted the Plan Commission would consider the application on December 18, 2019.
13

14 Ms. Klaassen then stated the Board is to consider whether the special use meets the standards for a
15 granting special use and following Board comment and discussion, the Board may make
16 a recommendation to the Village Council noting a draft motion is included on page 6 of the agenda
17 report. She asked if there were any questions.
18

19 Chairman Greenough also asked if there were any questions. No questions were raised at this time. Mr.
20 Schoon reminded the Board in order to forward a positive recommendation to the Village Council four
21 affirmative votes are required from the Board and not a simple majority.
22

23 Amy Bradley and Jessica Dietrich introduced themselves to the Board. Mrs. Bradley stated she worked
24 with the Village staff and they are here because they are bringing their passion and referred to the
25 emerging trend of wellness. She then stated they performed a lot of research over the past year to
26 figure out a way to bring their own thoughtfulness into one space. Mrs. Bradley then stated in the
27 process of doing that, they saw the Sawbridge space which is outside of the 2,500 square feet foot
28 recommendation limitation and that is the purpose of the application.
29

30 Ms. Dietrich stated in terms of square footage, she referred the Board to the layout in the packet of
31 materials and stated you can see the matter of it being 3,400 square feet and the services they are
32 supplying are under 2,500 square feet with about 1/3 of it being health services and 1/3 being a retail
33 component. Mrs. Bradley also stated they are considering experiential retail since it is difficult to sustain
34 retail in the area. She stated they are proud to be able to offer more than just services. Mrs. Bradley
35 then stated she and Ms. Dietrich are neighbors and came together to provide something which would
36 serve the community. She then stated in neighboring towns, they are seeing more and more of the idea
37 of self-care and wellness coming to fruition and feel it would be a massive benefit to the Village.
38

39 Ms. Dietrich stated with regard to emerging trends, this concept is not new and the onus is on them in
40 terms of marketing and communication. She informed the Board it existed on the west coast and New
41 York is doing a similar concept which was packed. Ms. Dietrich then stated by word of mouth and
42 research they performed, they see people going to neighboring communities such as Wilmette and
43 Highland Park and they want to bring a taste of all that under one roof and make it accessible in the
44 Village. Ms. Dietrich referred to the opportunity of them being located next to Strength Time and
45 building a wellness corridor there. She also referred to the new businesses in Hubbard Woods and
46 stated she could see a lot of different partnerships they can make in the area. She then referred to the
47 packet of materials and asked if there were any questions.
48

1 Chairman Greenough also asked if there were any questions. Ms. Balassa and Mr. Greable stated they
2 had no questions. Chairman Greenough stated there would be 2-3 staffers and asked if there are 20
3 customers, would that be considered a big group. Mrs. Bradley confirmed that would be considered a
4 workshop and done more in the evening in a workshop setting. Chairman Greenough asked if there is
5 room for 7 or 8 customers at a time being handled by 2 to 3 staff members. Ms. Dietrich responded that
6 is correct and noted the machines are self-operating or would require staff assistance. She also stated
7 there would be no food prep and ideally, they would have a grab and go refrigerator. Mrs. Bradley
8 confirmed they would not be preparing food and it would be self-serve. Chairman Greenough asked the
9 Village staff if the existence of a kitchen would have any impact on their proposal. Mr. Schoon
10 responded it would not. Mrs. Bradley stated it would not be a professional kitchen but a kitchenette for
11 staff use. Chairman Greenough asked if there were any other questions. No additional questions were
12 raised at this time. He then asked if there were any questions or comments from the audience. No
13 questions or comments were raised by the audience at this time. Chairman Greenough then called the
14 matter in for discussion.

15
16 Mr. Greable stated he looked at the application and was interested in Mr. Saunders' review of parking
17 and in terms of the concept and parking, he is satisfied with the application. Ms. Handler stated they
18 have the differentiation between a studio and health club since a health club meant a lot of people and
19 equipment and this would not be that kind of service and meets the intent of a studio and she would be
20 in support. Ms. Balassa agreed with the comments made.

21
22 Mr. Greable then moved to recommend approval of the application based on the findings on page 6 of
23 the agenda report. Ms. Handler seconded the motion. A vote was taken and the motion unanimously
24 passed.

25
26 AYES: Balassa, Greable, Greenough, Handler
27 NAYS: None
28 ABSTAIN: Bradley

29
30 Chairman Bradley rejoined meeting at this time.

31
32 **Other Business.**

33 No other business was discussed by the Board at this time.

34
35 **Comprehensive Plan Status Update.**

36 Mr. Schoon informed the Board the work with the consultant started with a kick-off meeting last week.
37 He stated the Board would be hearing about public participation activities at the end of January or early
38 February and they would keep the Board informed of that and how they will be involved as a Board
39 Member. Mr. Schoon told the Board to ask if they feel the need to discuss further some of the
40 issues. Chairman Bradley stated individual comments can be provided to the Village staff based on
41 the revision. Mr. Schoon also stated the Village staff would try to have a training session with the
42 full Board similar to that done with the Plan Commission at a future meeting.

43
44 Mr. Greenough asked about the status of the One Winnetka project. Mr. Schoon responded they are still
45 in court and they are trying to figure out their next steps.

46
47 **Next meeting – January 13, 2020 - Quorum check.**

1 Chairman Bradley stated the Board moved a couple items to that agenda. The Board Members discussed
2 their availability confirming all would be attending the January meeting.

3

4 **Public Comment.**

5 Chairman Bradley noted there is no one in the audience to comment.

6

7 **Adjournment:**

8 The meeting adjourned at 8:01 p.m.

9

10 Respectfully submitted,

11

12 Antionette Johnson

13 Recording Secretary

14

DRAFT

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**WINNETKA ZONING BOARD OF APPEALS
JANUARY 13, 2020**

Zoning Board Members Present: Matt Bradley, Chairman
Sarah Balassa
E. Gene Greable
Wally Greenough
Lynn Hanley
Kimberly Handler

Zoning Board Members Absent: None

Village Staff: David Schoon, Director of Community Development
Ann Klaassen, Senior Planner

**Minutes of the Zoning Board of Appeals
January 13, 2020**

Call to Order:

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

Call to Order & Roll Call

Ms. Klaassen took roll call of the Board Members present.

Community Development Report

Mr. Schoon stated the Village Council approved the special use for Sola + Luna at the last meeting as well as the 419 and 429 Sheridan Road consolidation. He also stated the Village Council approved an inter-governmental agreement with District 36 to use part of their property for storm water detention as part of the larger storm water master plan project. Mr. Schoon then stated as part of that, the Village Council also approved zoning relief which they are now able to do due to a recent code amendment which if in the future, the school wanted to build an addition on the property, it set parameters in terms of how much additional floor area, impervious surface and RLC would be allowed. He noted while the school is maxed out today, the School District would still have to go to the Village Council for any special use request.

Approval of November 11, 2019 meeting minutes.

Chairman Bradley asked if there were any comments or changes to be made to the November 11, 2019 minutes or a motion to approve. Mr. Greenough moved to approve the November 11, 2019 meeting minutes. Several Board Members seconded the motion. A vote was taken and the motion passed by unanimous voice vote.

Case No. 19-31-V2: 377 Walnut Street: An application submitted by Mark and Ashley Bransfield seeking approval of zoning variations to allow additions to the existing residence at 377 Walnut Street. The requested zoning variations would permit the residence (a) to exceed the maximum permitted building size; (b) to exceed the maximum permitted intensity of use of lot (roofed lot coverage); and (c) to provide less than the minimum required front yard setback.

1 Chairman Bradley stated the applicants have requested a continuance of the application to a date
2 uncertain. He then asked for a motion to continue. Mr. Schoon stated the request would have to be re-
3 noticed if the applicant wanted to come back before the Board.
4

5 **Continued from the November 11, 2019 meeting - Case No. 19-32-SU: 1255 Willow Road - Winnetka**
6 **Presbyterian Church: An amended application submitted by Winnetka Presbyterian Church seeking**
7 **approval of an amendment to an existing special use permit, which allowed the expansion of the**
8 **church building and reconfiguration of the parking lot to allow construction of a new plaza along**
9 **Hibbard Road at 1255 Willow Road. The plans have been amended to eliminate the previously**
10 **requested zoning variation to exceed the maximum permitted intensity of use of lot (impermeable lot**
11 **coverage). The Village Council has final jurisdiction on this request.**

12 Chairman Bradley then swore in those speaking to this matter.
13

14 Ms. Klaassen stated the request is a continuation of a public hearing for an amended application
15 submitted by the Winnetka Presbyterian Church. She stated the applicant now proposes the
16 construction of a plaza that only requires approval of an amendment to the previously approved special
17 use. Ms. Klaassen stated the request was continued from the November 11, 2019 meeting to provide
18 the applicant an opportunity to consider reducing the scope of the proposal as a result of the Board's
19 and the public's concerns. She stated specifically, the Board had concerns regarding the size of the
20 proposed plaza as well as whether the proposed crushed stone path was necessary. Ms. Klaassen then
21 stated given the existing improvements on the site currently exceed the permitted impermeable lot
22 coverage, there was discussion relating to reducing the overall size and scope of the project.
23

24 Ms. Klaassen stated the applicant submitted the revised plans which reflect the following changes: (1)
25 the elimination of the path identified in the illustration which reduced impermeable lot coverage by 256
26 square feet; and (2) to reduce the sidewalk width extending from the Willow Road public sidewalk from
27 16 feet to 7 feet and which also reduced 189 square feet of existing impermeable lot coverage. She also
28 stated Village Engineering staff confirmed the permeable pavement system proposed for the plaza is an
29 engineered system meaning the proposed plaza qualified for a 25% allowance on impermeable lot
30 coverage. Ms. Klaassen noted the size of the plaza did not change in size but that the area of the plaza is
31 counted at 75%, rather than 100%. Ms. Klaassen then stated as a result of the changes, there is a net
32 decrease of .25 square feet for impermeable lot coverage and the revised plans show a reduction in
33 impermeable lot coverage resulting in the impermeable lot coverage variance request being removed
34 from the request.
35

36 Ms. Klaassen stated the Plan Commission considered the special use permit on November 20, 2019
37 where the applicant presented a preliminary revised plan with the intent of addressing the Board's
38 concerns. She noted by a vote of 5-0, the Plan Commission recommended approval of the special use
39 subject to the alternate plan the applicant shared at the meeting reducing the amount of impermeable
40 lot coverage by eliminating the crushed stone path, installing the permeable pavers subject to the
41 Village Engineer's approval and replacing the entrance sidewalk width from 16 feet to 8 feet as was in
42 the original proposal. Ms. Klaassen informed the Board the revised plan before the Board addressed all
43 of the concerns the Plan Commission had for their recommendation. She noted the DRB also considered
44 a Certificate of Appropriateness for the exterior improvements and also recommended approval of the
45 request by a vote of 5 to 0 on November 21, 2019.
46

47 Ms. Klaassen stated the Board is to consider whether the requested special use meets the standards for
48 granting a special use and following public comment and Board discussion, the Board may make a

1 motion to recommend approval or denial. She noted there is a draft motion on page 9 of the agenda
2 report. Ms. Klaassen then asked if there were any questions. Chairman Bradley also asked if there were
3 any questions.
4

5 Mr. Greenough stated on the permeable pavers, he asked if the materials had not changed. Ms.
6 Klaassen confirmed they have not. Mr. Greenough then asked if the Village Engineer did not determine
7 that they qualify for a reduction. Ms. Klaassen responded the Village Engineer has to confirm the paver
8 system meets certain engineering standards which had not occurred prior to the ZBA meeting in
9 November. Mr. Greenough then asked if there was anything to prohibit the Board from putting a
10 condition on the proposal that the sidewalk be removed before the plaza is constructed and stated he
11 would like to see the sidewalk reduced so that the impermeable portion is taken away first. Ms.
12 Klaassen stated it would be part of the approved plan and it would be up to the Village Council to make
13 the final approval on the plan. She added the Board can make that a recommendation in their motion.
14 Ms. Klaassen then stated it would be reflected on the plan and if the Board wanted it to be more specific
15 in terms of order of construction, it can be added.
16

17 Ms. Balassa stated while the amount of impermeable surface decreased, it did not address the
18 neighbors' concerns with regard to water flow or alleviate their concerns regarding damming and the
19 other work done in 2000. She asked if there was any discussion to alleviate the neighbors' concerns.
20 Ms. Klaassen responded not at the Village staff level. She then stated she did not know if the church has
21 any thoughts. Ms. Klaassen noted they are not requiring them to reengineer the existing improvements
22 on the site and if they were proposing to redesign the parking lot, they would look at that. She
23 confirmed given the proposal, the applicant is not required to redesign the parking lot or address the
24 retaining wall. Chairman Bradley asked if there were any other comments. No additional comments
25 were made at this time.
26

27 Bob Lewis stated Ms. Klaassen summarized the request properly and he had nothing new to add.
28 Chairman Bradley asked if there was any public comment or additional questions from the Board for the
29 applicant. No comments were made at this time. He then called the matter in for discussion.
30

31 Mr. Greenough stated he would approve the request subject to the condition that the sidewalk be made
32 smaller before the plaza is put in. He stated he did not want an increase in impermeable surface given
33 the flooding concerns. Mr. Greenough then stated he appreciated the work of the church in working
34 with the Board's suggestions. Ms. Balassa stated she had the same concerns as at the last meeting and
35 while the reduction did not address the concerns of the neighbors, the sidewalk reduction is on
36 the other side of the building where there are not similar issues. She described it as a backdoor way of
37 getting the request passed and she is not in support. Ms. Hanley stated since they are addressing a
38 special use which is already in existence and are amending it, she had no problem with the application.
39 Mr. Greable stated the applicant fulfilled what the Board deliberated on at length at the last meeting
40 and have complied with the Board's request. He added there is no need to have a condition on the
41 approval and the request would have to go to the Village Council which has the final say. Mr. Greable
42 also stated the applicant fulfilled the charge to reduce the drainage problem and he would support the
43 request as is with no condition. Ms. Handler stated she would approve the proposed special use as it
44 exists. She also stated the applicant has met everything they asked for and the qualifications. Chairman
45 Bradley stated he would consider a motion to recommend approval of the application as presented and
46 commented the church has done a good job hearing the Board's concerns from November. He then
47 stated to Ms. Balassa's point with regard to the other issues, work still needs to be done in the
48 community and they should work to solve the issue affecting water runoff on the tree streets. He then

1 stated as to what relates to what is up to the Board and the special use, the decrease in impermeable
2 surface does not fail to meet the test. Chairman Bradley agreed help is needed to deal with the potential
3 water runoff on the property and other issues which need to be addressed. He stated rather than
4 considering it to be a backdoor method, he would view it piece by piece and when a parking lot project
5 comes up, the issue could be re-litigated. Chairman Bradley concluded he would support the request
6 without a condition and they should let the experts do the construction knowing what needs to get
7 done without micromanaging it. He then asked for a vote for a motion to recommend approval to the
8 Village Council as shown on page 8.

9
10 Mr. Greenough asked if he could amend the motion to include the recommendation he suggested and
11 he would still support the request. He then moved to recommend approval of the application with the
12 recommendation to the Village Council that the sidewalk be reduced prior to the plaza being built. The
13 motion was not seconded. Mr. Greable then referred to the motion on pages 8 and 9 of the agenda
14 report and moved to recommend approval of the amendment to the existing special use for the church.
15 Ms. Hanley seconded the motion. A vote was taken and the motion passed, 5 to 1.

16
17 AYES: Bradley, Greable, Greenough, Handler, Hanley

18 NAYS: Balassa

19
20 **Case No. 20-02-V: 191 Fuller Lane: An application submitted by William and Beth Cadigan seeking**
21 **approval of zoning variations to allow an addition to the existing residence at 191 Fuller Lane. The**
22 **requested zoning variations would permit the residence (1) to exceed the maximum permitted**
23 **building size; and (b) to provide less than the minimum required side yard setback from the north**
24 **property line. The Zoning Board of Appeals has final jurisdiction on this request.**

25 Ms. Klaassen stated the request is for a one story addition to the north side of the home and in terms of
26 GFA, the applicants are proposing 2,547 square feet whereas a maximum of 2,309 square feet is
27 permitted, a variation of 156 square feet or 6.5% and a side yard setback of 4 feet whereas a minimum
28 of 6.12 feet is required, a variation of 2.12 feet or 34.6%. Ms. Klaassen then stated the subject property
29 is located on the east side of Fuller Lane and has an existing 2.5 story residence with an attached garage
30 built in 1922. She stated subsequent building permits were issued over the last several years for
31 an addition and a bay window at the rear of the home. Ms. Klaassen informed the Board there was
32 one previous zoning case for the property in 1994 approving the addition of the bay window
33 and a variation for GFA.

34
35 Ms. Klaassen stated variations are being requested to add the garage and mudroom on the north side of
36 the home. She then stated the proposed addition would measure approximately 12.83 feet x 29.83 feet
37 and provide additional garage space and a mudroom which the home did not have. Ms. Klaassen
38 referred to the existing floor plan and the primary portion to the home. She also noted the existing
39 garage is located in the same location as the proposed addition. Ms. Klaassen then stated the garage
40 would be 2 feet wider and 2 feet longer than what is currently there and noted the existing garage has
41 an interior width of 10 feet and is 18 feet in depth. She stated the net increase in the building size would
42 be approximate 172 square feet. Ms. Klaassen informed the Board one written comment was received
43 from the adjacent property owner to the north and is included in the agenda report on page 27.

44
45 Ms. Klaassen then stated the Board has final jurisdiction on the request and the Board is to consider
46 whether the requested variations meet the standards for granting variations. She stated Village staff
47 prepared draft resolutions for the Board to consider either approving or denying the request. She stated

1 following public comment and Board discussion, the Board can make a motion to adopt the resolution
2 either approving or denying the request. Ms. Klaassen then asked if there were any questions.
3

4 Chairman Bradley also asked if there were any questions. No questions were raised at this time.
5

6 Healy Rice introduced herself as the architect along with the property owner, William Cadigan. She
7 stated they planned to tear off the existing one car garage and rebuild it slightly larger and add a
8 mudroom at the rear of the addition to provide a more functional garage. Ms. Rice noted in terms of
9 hardships, the lot is small and the home is sited cockeyed on the property, along with the fact there is
10 currently no mudroom in the home. She also stated with regard to the way the home is sited, some of
11 the setbacks are being imbedded by that and the home is not square to the lot. Ms. Rice also stated
12 since there is no mudroom or first floor closet space, the proposal is to add storage space. She stated
13 the garage is not even a legal parking space and is used as a storage room since it cannot fit a car. Ms.
14 Rice stated the proposed garage would be wide enough to drive a car in. She also informed the Board
15 the one car garage is not accessible to the home and the revision would have stairs to a landing into the
16 family room from the garage to the home without being outside.
17

18 Ms. Rice then stated with regard to a conforming location, there is only space if they detached the
19 garage and put it in the rear yard which would fill the entire back quarter of the property as well as
20 increase the amount of impermeable surface by having to make the driveway longer. She noted Fuller
21 Lane is limited in terms of parking since it is near New Trier. Ms. Rice also stated most of the
22 homes have one car garages and the request would be in keeping with the neighborhood. Mr. Cadigan
23 then referred to the comment from the north neighbor who strongly supported the project. He also
24 stated the garage needs modernization and the look is outdated with the neighbors bearing the brunt of
25 the view since their windows look onto the garage and the result would be a much better structure. Ms.
26 Rice then asked if there were any questions. Chairman Bradley also asked if there were any questions.
27

28 Mr. Greenough referred to a window on the second floor of the proposed garage and asked if it would
29 be a storage area or decorative. Ms. Rice responded it would be both and it would not be habitable. Mr.
30 Greenough stated while he is sympathetic to the need of getting a car in the garage, he referred
31 to whether there are ways to reduce the amount of the requested variation and asked if thought was
32 given to pushing the garage back along the driveway to connect it to the home and taking out the
33 mudroom. Ms. Rice confirmed there is no door now and they planned to add a door from the family
34 room. She also stated they need space to have a landing. Mr. Greenough asked why not move the
35 garage back and take out space of the mudroom. Ms. Rice responded they felt the mudroom is a need
36 for the home and reiterated there is no closet or space to gain storage for a mudroom elsewhere in the
37 home. She then stated they could slide the garage back further. Mr. Cadigan informed the Board they
38 have an 11 year old who has lots of sports equipment.
39

40 Ms. Balassa asked where they keep their coats now. Mr. Cadigan responded on hooks on the side of the
41 front door. Chairman Bradley stated while he is sympathetic, the Board cannot consider the applicants'
42 needs and referred to the relevance of the value of a mudroom to Winnetka homes noting there is no
43 closet on the first floor which you tend to find in a Winnetka home. Chairman Bradley then asked if
44 there were any other questions.
45

46 Mr. Greable stated with regard to the mudroom, if they follow the history of the Board, a mudroom has
47 been viewed as important in homes today and would be viewed highly here as an addition to the home
48 because of its importance. He commented it would be a worthwhile addition to the home. Mr. Greable

1 then stated when he visited the home, it is a 100 year old home they are trying to help and as a Board
2 Member, when they see someone willing to stay in a 100 year old home, he referred to providing the
3 feeling of value of protecting older homes. Mr. Greable also stated the garage was built in 1922 the
4 applicants are asking for a very modest adjustment to the garage and extending it along the side and
5 reiterated a mudroom is a very important addition. He also stated for the adjustment to a 100 year old
6 garage, they should work with that to help the applicants out.

7
8 Chairman Bradley asked if there were any other questions. Ms. Handler stated with regard to the floor
9 plan, she referred to the room off the living and family room. Ms. Rice responded that is an eating area
10 which may have been a sunroom and an original piece of the home. She noted the family room was
11 done in the 1940's or 1950's.

12
13 Chairman Bradley asked if there is no back door to the home. Ms. Rice stated there is a small patio and
14 French doors but no back door. Chairman Bradley then stated it represented an emergency situation
15 since there is no back door. He also stated for the existing garage, it measured 10x18 feet which is
16 hardly enough width for a garage and they would be going to 12x20 feet with a net increase of 60
17 square feet. Ms. Klaassen stated the interior depth is 20 feet and they normally see requests for 20x20
18 foot garages. Chairman Bradley then stated in terms of the ability to further reduce the scope of the
19 variation, one of the standards is for the Board to see whether there are existing alternatives to
20 consider. He asked if there were any other comments.

21
22 Mr. Greenough stated if they were to push the garage back and make it 2-3 feet longer with no
23 mudroom and have the storage space there, he asked why would that not work. Ms. Rice responded
24 from a dedicated standpoint, the applicants want a garage to feel like a garage. She also stated while
25 they would be able to add storage, a mudroom is a need and not a want and they want to make
26 practical use of the space as they can. Ms. Rice then stated it would be a benefit to them and down the
27 road. She stated they want to dedicate the garage to the car and utility storage versus having coats
28 there which makes more sense. Ms. Rice concluded by stating while it is possible, it would not serve the
29 purpose of what they are trying to do.

30
31 Chairman Bradley asked if there were any other questions. Mr. Cadigan stated with regard to the Board
32 Members driving past the home, he referred to the bent tree in the front yard and which previously
33 had been a double trunk tree and is on the Village symbol. He informed the Board the tree came down
34 in 1984 and they replanted the tree and had a Native American specialist, Dennis Downs, shape the tree.
35 Mr. Cadigan then stated they have an appreciation for the home and community and hoped the tree
36 would be there for the next 300 years. He added they felt what Ms. Rice came up with would be in
37 keeping with the design of the home and neighborhood flavor. Mr. Cadigan concluded they appreciated
38 the Board's consideration. Chairman Bradley noted there is no one in the audience to comment and
39 called the matter in for discussion.

40
41 Ms. Balassa stated she is in support of the request which she described as very modest. She also stated
42 while she understood Mr. Greenough's concerns, she referred to the cold, damp climate and the fact
43 there is no closet for coats and for them to be in the garage is not acceptable. Ms. Balassa also stated
44 the garage they are asking for is tiny. She added with regard to the thoughtfulness of the plan, she
45 agreed the request would enhance the neighborhood and concluded she is strongly in favor. Mr.
46 Greenough questioned do the applicants need a mudroom as opposed to additional space in the garage
47 which would be taking up less of a variation if they were to move the garage.
48

1 Ms. Hanley stated she appreciated Mr. Greenough's comments on the need versus want on the
2 mudroom issue and commented the request was thoughtfully considered. She then stated the space is
3 necessary in the home and it is an existing nonconforming small lot where the lots are generally bigger
4 which forces them to have a small home and in giving up a closet, the applicants should not have to give
5 that up. She also described the mudroom as thoughtfully considered, well placed and not extraordinarily
6 large and is a reasonable request. Ms. Hanley then stated for the side yard, given the bend in Fuller
7 Lane, it results in the north home being angled away with more room to work with. She also stated the
8 neighbor had no objection and she is in full agreement when you park in the garage, you should be able
9 to open the door. Ms. Hanley stated if they were to decrease side yard, it would be a good side yard to
10 decrease and concluded she is in agreement with the proposal. Ms. Handler stated she is in full support
11 and described the variations as very reasonable and would add a humongous amount of functionality to
12 the home and make it more attractive than a flat roofed garage. She concluded she would be in support.
13 Mr. Greable stated they need to be as helpful as they can for older homes and a mudroom has been an
14 approved addition for many homes. He then stated while there is a bit of an issue, when you look at the
15 home, what they are doing would not impact the locality and he is fully in support.

16
17 Chairman Bradley stated he did not believe mudrooms are a need per se and there are plenty of homes
18 without them. He then stated while they are wonderful and add value, if they can be done within the
19 footprint and not require zoning relief, he would not be against it but in this instance, they view a
20 mudroom as essentially a function missing from the entirety of the first floor. Chairman Bradley then
21 stated it comes down to where to put coats and shoes on the first floor which is missing from the home,
22 it would be hard to say no to a mudroom. Chairman Bradley then stated the request would not alter the
23 character of the locality and moving it to the back of the property would open up tons of other issues
24 and he would not encourage an increase in impermeable area. He described the request as thoughtfully
25 done and would not over-extend what they are trying to do. Chairman Bradley then stated he is in
26 support of the functionality of a garage and for the side yard setback; he could get behind that noting
27 the neighbor to the north is in support. He added it is unique given the character of the home and he is
28 in support. He asked for a motion to adopt Resolution No. ZBA 1-2020, approving Case No. 20-02-V for
29 191 Fuller Lane.

30
31 A motion was made by Ms. Hanley and seconded by several Board Members. A vote was taken and the
32 motion unanimously passed, 6 to 0.

33
34 AYES: Balassa, Bradley, Greable, Greenough, Handler, Hanley

35 NAYS: None

36
37 **Other Business - Comprehensive Plan Update**

38 Mr. Schoon stated he sent an email to the Board asking who would be available for a 6pm meeting on
39 February 10. He then stated at that time he did not know how many applications there would be and
40 there is only one application for a variation. Mr. Schoon informed the Board there were two options, to
41 continue to meet at 6pm with two Board Members being unavailable or to meet at 7pm. He suggested
42 they can start at 7pm and spend an hour with the Comprehensive Plan with the consultant. Everyone
43 agreed that would be fine. Mr. Schoon then confirmed the meeting would start at the regular time of
44 7pm.

45
46 Mr. Schoon then stated they would be sending out invitations to community members to participate in
47 focus groups. He stated there would be two types with one calling for persona focus groups and they
48 would interview people at different stages of their life cycle to see how they viewed the community's

1 strengths and weaknesses. Mr. Schoon stated the other group would be more traditional groups,
2 community and service organizations, businesses and property owners and developers. He noted they
3 would be sending those invitations out this week and that the Board and Plan Commission would not
4 participate in that. Mr. Schoon then asked if they hear community members talking, to encourage them
5 to participate. He noted they would be inviting people to participate and it would not be open to the
6 public. Ms. Balassa asked if a summary would be provided of findings and Mr. Schoon confirmed that is
7 correct.

8
9 **Next meeting - February 10, 2020 - Quorum check.**

10 Chairman Bradley stated the quorum check had been confirmed.

11
12 **Public Comment**

13 Chairman Bradley noted there is no one present to comment.

14
15 **Adjournment:**

16 The meeting adjourned at 7:52 p.m.

17
18 Respectfully submitted,

19
20 Antionette Johnson

21 Recording Secretary

DRAFT



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: ANN KLAASSEN, SENIOR PLANNER
DATE: FEBRUARY 5, 2020
SUBJECT: CASE NO. 20-06-V: 381 FAIRVIEW AVENUE -VARIATIONS

INTRODUCTION

On February 10, 2020, the Zoning Board of Appeals will conduct a public hearing on an application filed by Jason and Julie Magnani (the "Applicants") as the owners of the property at 381 Fairview Avenue (the "Subject Property"). The Applicants request approval of the following zoning variations to allow an addition to the existing residence on the Subject Property:

1. Gross Floor Area (GFA) of 3,908.28 square feet, whereas a maximum of 3,705.4 square feet is permitted, a variation of 202.88 square feet (5.47%) [Section 17.30.040 – Maximum Building Size] [Note: The site currently contains 3,801.91 square feet of GFA. The proposed addition would add 106.37 square feet of GFA.];
2. Roofed Lot Coverage of 2,911.75 square feet, whereas a maximum of 2,552.04 square feet is permitted, a variation of 359.71 square feet (14.09%)[Section 17.30.030 – Intensity of Use of Lot];
3. Front Yard Lot Coverage of 734.1 square feet, whereas a maximum of 612 square feet is permitted, a variation of 122.1 square feet (19.95%) [Section 17.30.030 – Intensity of Use of Lot]; and
4. Front-facing attached garage width of 22.67 feet, whereas a maximum of 22 feet is permitted, a variation of 0.67 feet (3.04%) [Section 17.30.110 – Garages].

A mailed notice was sent to property owners within 250 feet of the Subject Property in compliance with the Zoning Ordinance. The hearing was properly noticed in the *Winnetka Current* on January 23, 2020. As of the date of this memo, staff has not received any written comments from the public regarding this application.

The Zoning Board of Appeals has final jurisdiction on this request as the Board has the authority to grant a variation to allow a zoning lot with a pre-FAR building (constructed prior to 1989) to exceed the maximum permitted gross floor area by no more than 10% and to exceed the maximum permitted intensity of use of lot by no more than 20%.

PROPERTY DESCRIPTION

The Subject Property, which is approximately 0.22 acres in size, is located on the east side of Fairview Avenue, between Willow Road and Ash Street, and contains an existing two-story residence (see Figure 1). The property is zoned R-4 Single Family Residential, and it is surrounded by R-4 Single Family Residential (see Figure 2). The Comprehensive Plan designates the Subject Property as appropriate for

single family residential development. The zoning of the property is consistent with the Comprehensive Plan.

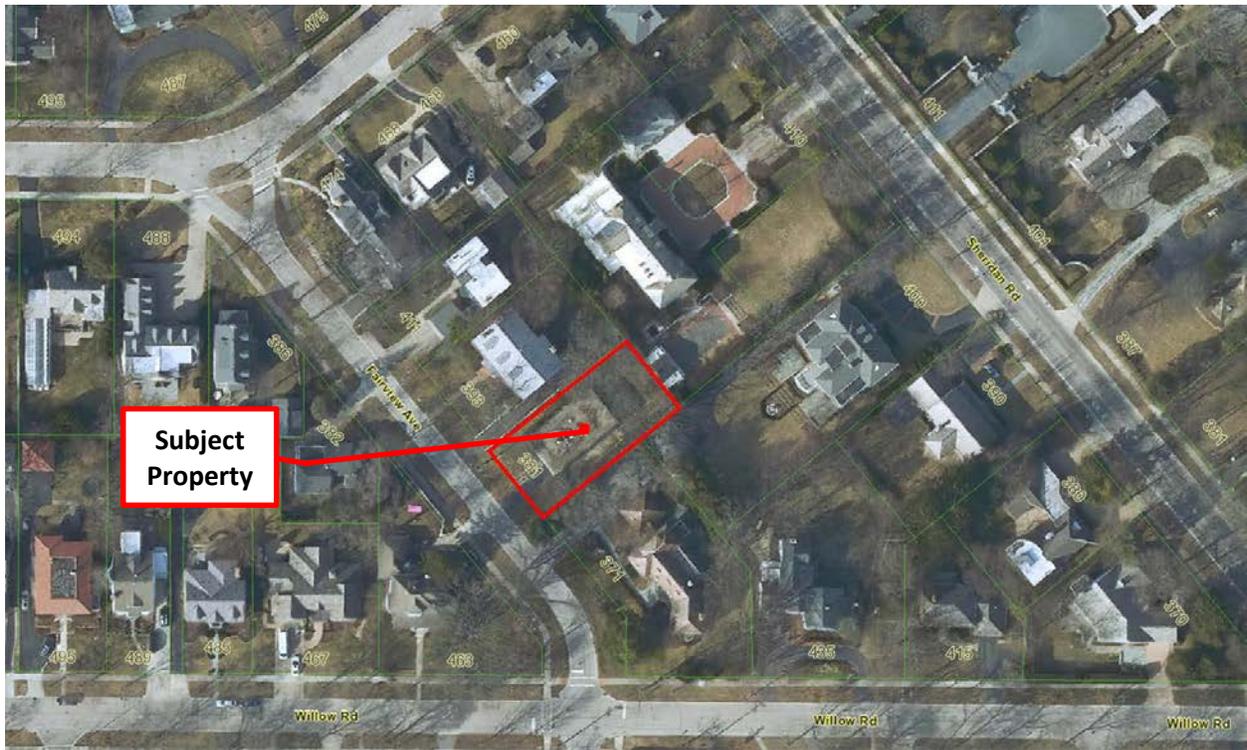


Figure 1 – Aerial Map

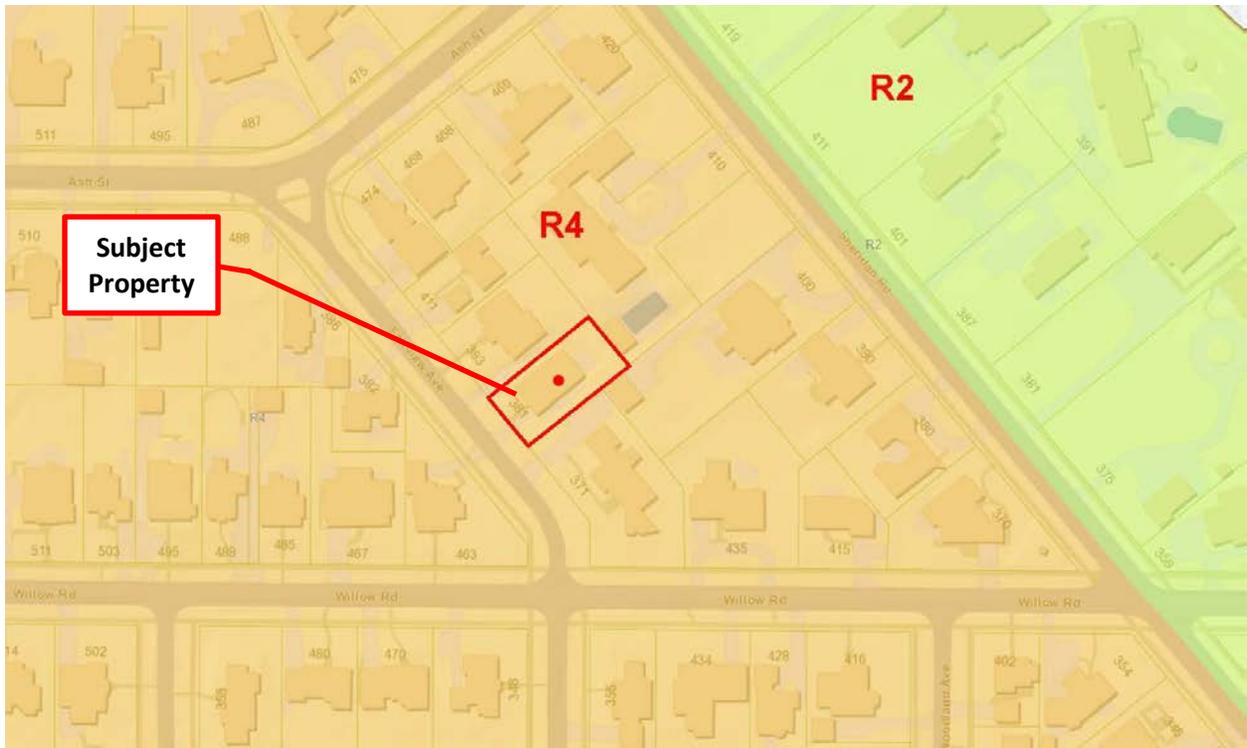


Figure 2 – Zoning Map

PROPERTY HISTORY AND PREVIOUS ZONING APPLICATIONS

The residence was built in 1971. Figures 3 through 5 contain photos of the site. Joseph Fujikawa was the architect and long-time owner of the Subject Property. The Applicants acquired the property in December 2019. There are no previous zoning cases on file for the Subject Property.



Figure 3 – Subject Property



Figure 4 – Subject Property



Figure 5 – Subject Property

PROPOSED PLAN

The variations are being requested in order to construct a two-story addition on the south side of the residence. The proposed addition is described as follows:

First Floor:

- Additional attached one-car garage measuring 11 feet by 23.33 feet (257 square feet);
- Mudroom measuring 11 feet by 8 feet (88 square feet); and
- Storage room measuring 9 feet by 18.67 feet (168 square feet).

Second Floor:

- Master suite measuring 11 feet by 30.25 feet (333 square feet).

Because the first floor level is not fully exposed above ground level, the methodology used for calculating basement gross floor area (GFA) is used to calculate the first floor in this case. For residences built before 1989, the portion of basement walls or lower levels such as this, exposed more than 4 feet above grade is included in GFA depending on the proportion of the basement so exposed. Therefore, the net increase in GFA is approximately 106 square feet. However, the increase in roofed lot coverage is 550 square feet.

As identified above in Figure 5, the existing south elevation of the residence is currently exposed to the same degree as the front of the residence where the garage is located. Due to the amount of exposure, the first floor currently contributes approximately 1,154 square feet to the existing GFA. The design of the proposed addition would reduce the exposure of the south building wall such that the exposure

reduces the extent to which the proposed addition contributes to the GFA. Consequently, the entire first floor would contribute approximately 890 square feet of GFA; this is why the net increase in GFA is 106 square feet, rather than the actual square footage of the proposed addition as outlined above. In effect, the majority of the proposed addition is considered a basement in terms of calculating GFA. Therefore, simply reducing the size of the proposed first floor addition does not have an equivalent effect on the total GFA.

It is also important to note that the area under the cantilevered portions of the residence, along both the front of the residence where the garage is located and rear elevation where there is an enclosed cantilevered balcony, are included in the GFA at both the first and second floor levels. These areas contribute approximately 478 square feet of GFA.

Excerpts of the proposed site plan, west building elevation, and floor plans are provided below as Figures 6 through 9. The complete set of plans representing the existing conditions as well as the proposed addition is provided in Attachment C.

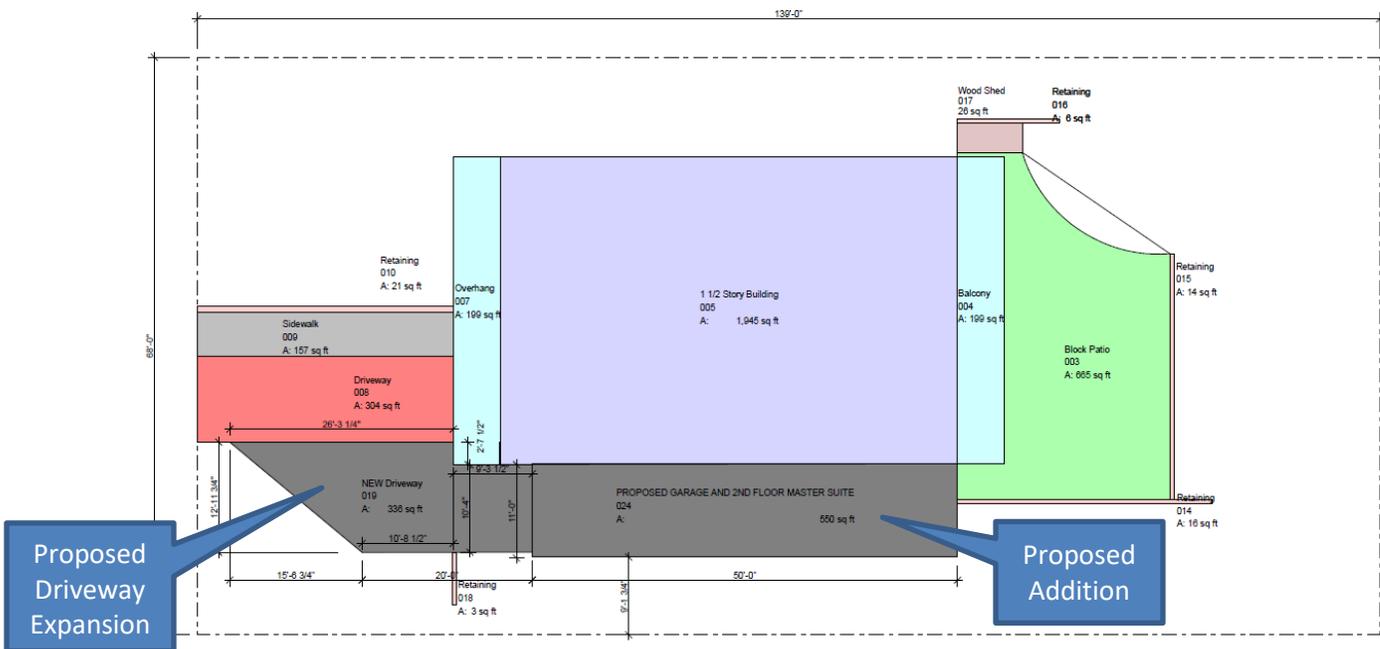
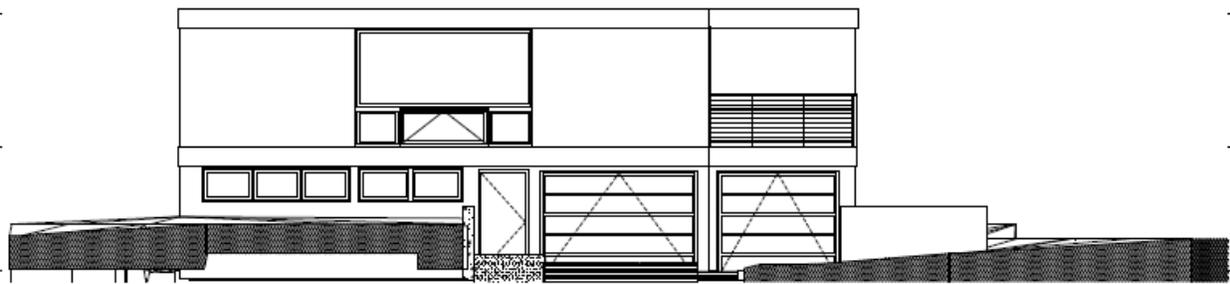


Figure 6 – Excerpt of Site Plan



Proposed West Elevation

Figure 7 – Proposed West Elevation

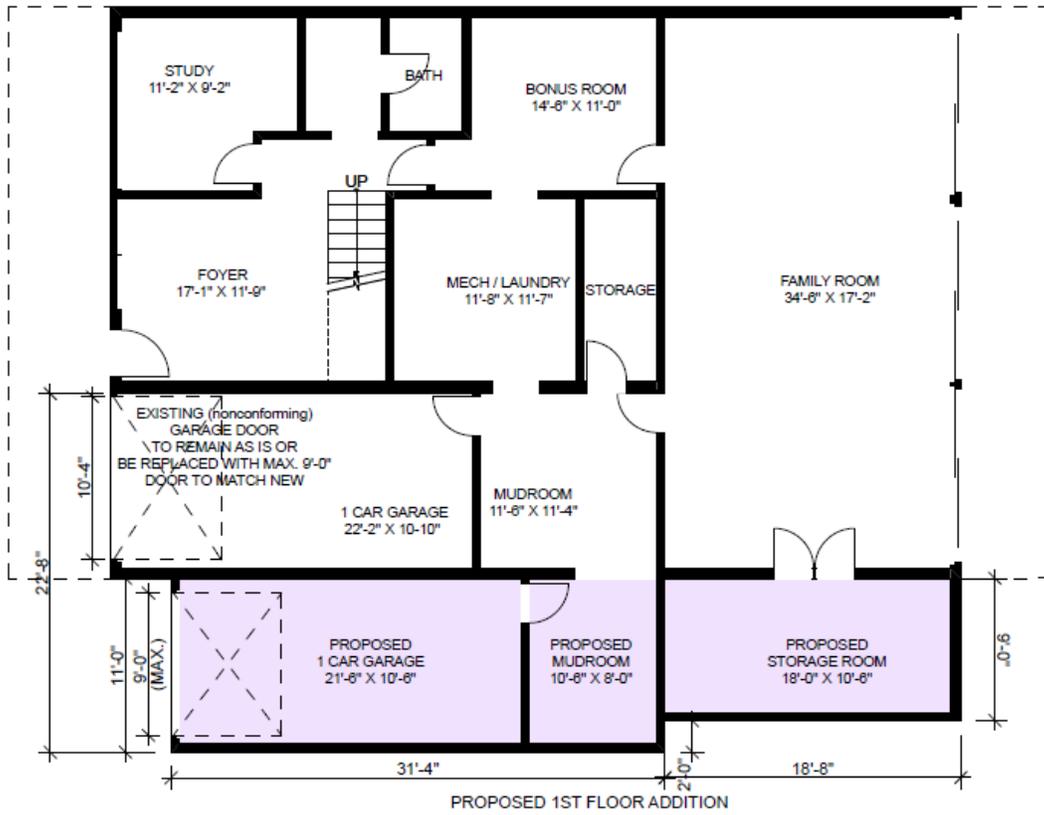


Figure 8 – Proposed First Floor Plan

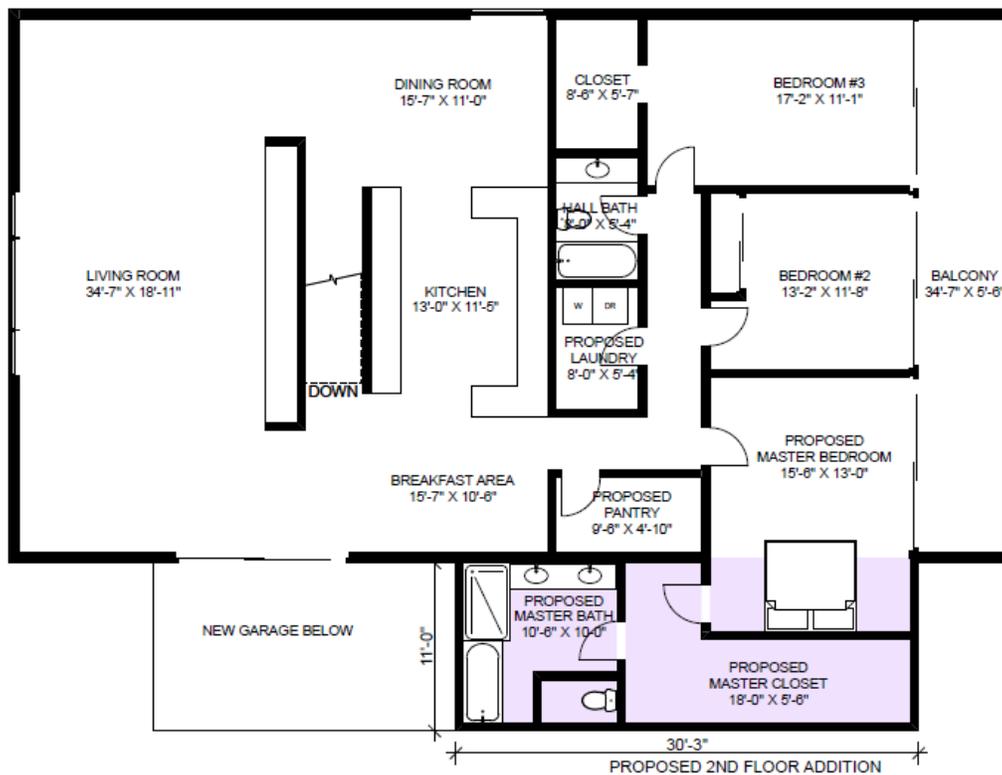


Figure 9 – Proposed Second Floor Plan

Given the ZBA often receives questions regarding the stormwater regulations applicable to a specific request being considered by the ZBA, attached is a Stormwater Matrix (Attachment B). Based on the proposed plan, it appears additional stormwater detention would not be required. However, a final determination will be made by Village Engineering staff. Additionally, Figure 10 below represents the Subject Property's proximity to the floodplain. The grey represents the 100-year flood area and the purple represents the 500-year flood area.



Figure 10 – GIS Floodplain Map

REQUESTED ZONING RELIEF

The attached zoning matrix highlights the existing lot and the proposed improvement's compliance with the R-4 zoning district (Attachment A). Four variations are being requested: (1) GFA; (2) Roofed Lot Coverage (RLC); (3) Front Yard Lot Coverage (FYLC); and (4) Front-facing attached garage width.

Gross Floor Area. The existing improvements on the site consist of approximately 3,802 square feet of GFA, exceeding the maximum permitted GFA by approximately 96 square feet. The net increase in GFA with the proposed addition is approximately 106 square feet; bringing the total GFA to 3,908.28 square feet, whereas a maximum of 3,705.4 square feet is permitted.

Roofed Lot Coverage. The site currently contains approximately 2,362 square feet of roofed lot coverage. In addition to the existing residence, there is an existing shed on site that contributes approximately 27 square feet to both the RLC and GFA. The proposed addition would add 550 square feet of RLC; bringing the total RLC to 2,911.75 square feet, whereas a maximum of 2,552.04 square is permitted.

Front Yard Lot Coverage. The existing improvements within the 30-foot front yard consist of 495 square feet of front yard lot coverage. In order to access the proposed garage addition, the driveway would be expanded to the south. The proposed driveway expansion would add approximately 239 square feet of FYLC; bringing the total FYLC to 734.1 square feet, whereas a maximum of 612 square feet is permitted.

Front-Facing Attached Garage. The existing front-facing attached garage is 11.67 feet in width. The proposed one-car garage addition would be 11 feet in width. This portion of the addition would be setback from the front wall of the existing garage by 3.5 feet so that the two garage doors are not on

the same plane; however, the total width of the attached garage would be 22.67 feet, whereas a maximum width of 22 feet is permitted for a front-facing attached garage.

REQUESTED ZONING CONSIDERATION

The Applicants are requesting approval of the following zoning variations to allow an addition to the existing residence on the Subject Property:

1. Gross Floor Area (GFA) of 3,908.28 square feet, whereas a maximum of 3,705.4 square feet is permitted, a variation of 202.88 square feet (5.47%) [Section 17.30.040 – Maximum Building Size];
2. Roofed Lot Coverage of 2,911.75 square feet, whereas a maximum of 2,552.04 square feet is permitted, a variation of 359.71 square feet (14.09%)[Section 17.30.030 – Intensity of Use of Lot];
3. Front Yard Lot Coverage of 734.1 square feet, whereas a maximum of 612 square feet is permitted, a variation of 122.1 square feet (19.95%) [Section 17.30.030 – Intensity of Use of Lot]; and
4. Front-facing attached garage width of 22.67 feet, whereas a maximum of 22 feet is permitted, a variation of 0.67 feet (3.04%) [Section 17.30.110 – Garages].

FINDINGS

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

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

ATTACHMENTS

Attachment A: Zoning Matrix

Attachment B: Stormwater Matrix

Attachment C: Application Materials

Attachment D: Draft Resolutions

ATTACHMENT A

ZONING MATRIX

ADDRESS: 381 Fairview Avenue

CASE NO: 20-06-V

ZONING: R-4

ITEM	MIN/MAX REQUIREMENT	EXISTING	PROPOSED	DIFFERENCE BETWEEN PROPOSED & EXISTING	ZONING CODE COMPLIANCE (2)
Min. Lot Size	12,600 SF	9,452 SF	N/A	N/A	EXISTING NONCONFORMING
Min. Average Lot Width	60 FT	68 FT	N/A	N/A	OK
Max. Roofed Lot Coverage	2,552.04 SF (1)	2,361.75 SF	2,911.75 SF	550 SF	359.71 SF (14.09%) VARIATION
Max. Gross Floor Area	3,705.4 SF (1)	3,801.91 SF	3,908.28 SF	106.37 SF	202.88 SF (5.47%) VARIATION
Max. Impermeable Lot Coverage	4,726 SF (1)	3,778.26 SF	4,408.41 SF	630.15 SF	OK
Max. Front Yard Lot Coverage	612 SF	495 SF	734.1 SF	239.1 SF	122.1 SF (19.95%) VARIATION
Min. Front Yard (Fairview/West)	30 FT	30.04 FT	30.04 FT	0 FT	OK
Min. Side Yard	6.8 FT	11.57 FT	9.23 FT	(-)2.34 FT	OK
Min. Total Side Yards	17 FT	31.8 FT	20.8 FT	(-)11 FT	OK
Min. Rear Yard (East)	20.85 FT	44.15 FT	44.15 FT	0 FT	OK

NOTES:

(1) Based on lot area of 9,452 s.f.

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

(3) Variation requested to allow front-facing attached garage width of 22.67 ft., whereas a maximum width of 22 ft. is permitted, a variation of 0.67 ft. (3.04%).

ATTACHMENT B
Stormwater Volume Requirements for Development Sites

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

	Storm Water Detention Volume Requirements	Applicable Requirement
A. New Home Construction - Previously Developed Lot	The amount of additional required storm water detention volume is based upon the difference between maximum impermeable lot coverage, per Zoning Code, and existing lot coverage, using the run-off coefficient for a 100-year storm event for both.	
B. New Home Construction - Previously <u>Undeveloped</u> Site	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
C. Redevelopment of Site for Different Use (e.g. single family to multi-family, or commercial)	The amount of required storm water detention volume is based upon the maximum impermeable lot coverage, using the run-off coefficient for 100-year storm event.	
D. Improvements to Existing Home and/or Lot, causing an increase in impermeable lot coverage <u>greater or equal to 25%</u>.	The amount of additional required storm water detention volume is based upon the difference between the proposed and existing impermeable lot coverage, using the run-off coefficient for 100 year storm event. (Note: If the increase in impermeable lot coverage is less than 25%, additional storm water detention volume is <u>not</u> required.)	<i>Applies to 381 Fairview Avenue</i> <i>Based upon preliminary review of information to date, it appears that 381 Fairview Avenue <u>would not</u> have to provide additional storm water detention volume. However, a final determination will be made by Village Engineering staff.</i>



VILLAGE OF WINNETKA, ILLINOIS
DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING VARIATION APPLICATION

Case No. 20-06-V

Property Information

Site Address: 381 Fairview Ave Winnetka

Owner Information

Name: Jason and Julie Magnani

Address: [REDACTED]

City, State, ZIP: Wilmette, IL 60091

Email: [REDACTED]

Primary Contact: Jason Magnani

Phone No. [REDACTED]

Date property acquired by owner: 12/10/2019

Architect Information

Name: NEWLOOK design | build + development

Primary Contact: Michael Freiburger

Address: 907 Ridge Rd

City, State, ZIP: Wilmette, IL 60093

Phone No. 224.408.2280

Email: michael@newlookdevelopment.com

Attorney Information

Name: N/A

Primary Contact: _____

Address: _____

City, State, Zip: _____

Phone No. _____

Email: _____

Nature of any restrictions on property: Architecturally significant and specific home that by design creates restrictions meeting existing zoning code terms

Brief explanation of variation(s) requested (attach separate sheet providing additional details):
Roofed Lot Coverage (due to architectural detail / covered porch inclusion)
Front Loaded Garage Below Grade

Property Owner Signature: [REDACTED]

Date: 12/11/2019

Standards for Granting of Zoning Variations

Project: **381 Fairview, Winnetka, IL minor additions and upgrades**

Project Address: **381 Fairview Ave,
Winnetka, IL 60093**

Owner / Buyer: Mr. and Mrs. Jason Magnani

Design-Builder: Newlook design | build + development
907 Ridge Rd.
Wilmette, IL 60091

Date: February 10, 2020 (meeting date)

1. *The property in question cannot yield a reasonable return if permitted to be used only under the conditions allow by regulations in that district;*
The property under current conditions would allow for only a single car garage as well as no "real" master suite, both of which are expected in our community.
2. *The plight of the owner is due to unique circumstances. Such circumstances must be associated with the characteristics of the property in questions, rather than being related to the occupants;*
The plight on this project is 100% associated to the property, although it is significant in nature and architecture, being the home of famed architect Fujikawa; it's the architecture itself that is truly causing the zoning variation request. Due to the overhangs at both front and rear of structure which blend perfectly with the midcentury modern style, its these overhangs (without any credit granted) that push the roofed lot coverage over allowable. In addition, the general design / character of the home being greater than ½ underground, provides for no choice but to request a variation for a front-loaded garage below grade.
3. *The variation, if granted, will not alter the essential character of the locality;*
No change to the essential character of the locality will be cause.
4. *An adequate supply of light and air to adjacent property will not be impaired;*
The only property remotely affected is that to the south, where light and air will not change. We are within the rights of side yard setback and are not exceeding existing heights and / or front / rear setbacks. In fact, the majority of addition is more than half below grade unaffacting both light / vent and the only portion fully above grade is on the SE corner.

5. *The hazard from fire and other damages to the property will not be increased;*
There will be no increase in any hazard from fire or other damages.

6. *The taxable value of the land and buildings throughout the Village will not diminish;*
The taxable value of the land and buildings will not diminish and would likely increase slightly by adding on to an architecturally significant home.

7. *The congestion in the public street will not increase; and*
There will be no increase to congestion in the public street.

8. *The public health, safety, comfort, morals and welfare of the inhabitants of the Village will not be otherwise impaired;*
There will be no impairment to public health, safety, comfort, morals and welfare of the inhabitants of the Village due to this request. In fact, I would argue that inhabitants would be happy to see significant existing property salvage and revitalized vs. demolition and new construction.

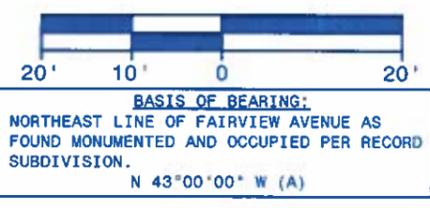
PLAT OF SURVEY OF

LEGEND

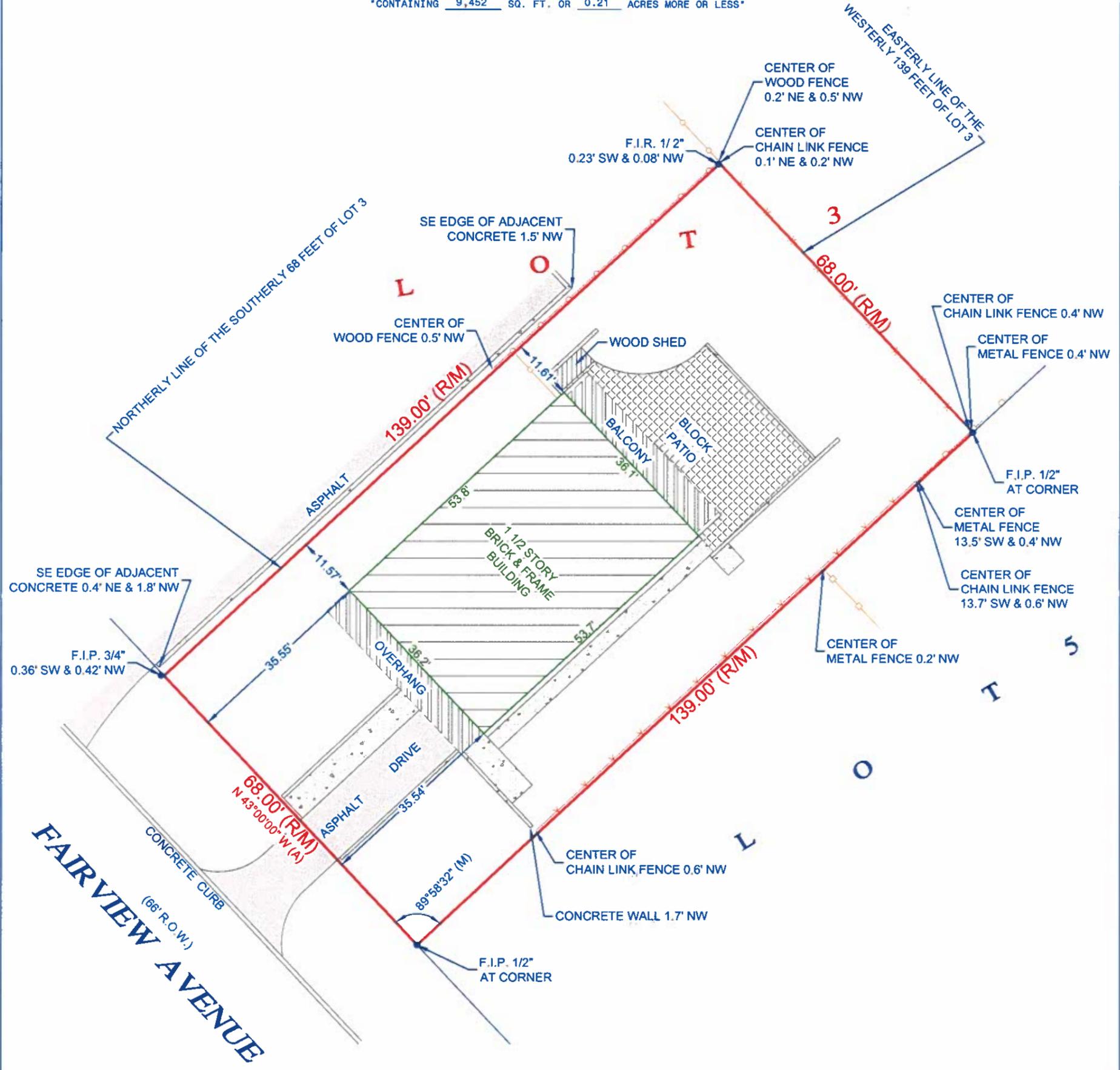
A = ASSUMED	NW = NORTHWEST
C = CALCULATED	P.O.B. = POINT OF BEGINNING
CH = CHORD	P.O.C. = POINT OF COMMENCEMENT
CL = CENTERLINE	R = RECORD
D = DEED	RAD = RADIUS
E = EAST	R.O.W. = RIGHT OF WAY
F.I.P. = FOUND IRON PIPE	S = SOUTH
F.I.R. = FOUND IRON ROD	S.I.P. = SET IRON PIPE
FT. = FEET/FOOT	S.I.R. = SET IRON ROD
L = ARC LENGTH	SE = SOUTHEAST
M = MEASURED	SW = SOUTHWEST
N = NORTH	W = WEST
NE = NORTHEAST	

	= CHAIN LINK FENCE
	= WOOD FENCE
	= METAL FENCE
	= VINYL FENCE
	= EASEMENT LINE
	= SETBACK LINE
	= INTERIOR LOT LINE

THE LAND REFERRED TO THIS COMMITMENT IS DESCRIBED AS FOLLOWS THE SOUTHERLY 68 FEET (AS MEASURED ON THE EASTERLY AND WESTERLY LINES THEREOF) OF THE WESTERLY 139 FEET OF LOT 3 IN GRAVES WINNETKA, BEING A SUBDIVISION OF THAT PART OF FRACTIONAL NORTH 1/2 OF FRACTIONAL SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, FORMERLY KNOWN AS VACATED BLOCKS 44, 68 AND 69 AND THE 33 FEET WEST OF AND ADJOINING BLOCKS 44 AND 68 IN THE VILLAGE OF WINNETKA, IN COOK COUNTY, ILLINOIS.



AREA OF SURVEY:
CONTAINING 9,452 SQ. FT. OR 0.21 ACRES MORE OR LESS



RECEIVED
JAN 14 2020
BY: _____



Morris Engineering, Inc.
515 Warrenville Road, Lisle, IL 60532
Phone: (630) 271-0770
FAX: (630) 271-0774

STATE OF ILLINOIS }
COUNTY OF DUPAGE } ss
I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.
DATED, THIS 6TH DAY OF DECEMBER, A.D., 2019, AT LISLE, ILLINOIS.
J. C. Morrison
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035-2317
TCFNFS EXPIRATION DATE NOVEMBER 30, 2020



NOTE:
1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

ADDRESS COMMONLY KNOWN AS 381 FAIRVIEW AVENUE
WINNETKA, ILLINOIS

CLIENT ZBA THAKRAB & ASSOCIATES, PC
FIELDWORK DATE (CREW) 12/05/2019 (MD/WM)

SITE TOPO

AVG. GRADE ESTABLISHED
FROM PROPERTY LINES
≈ 615.5

LEGEND

	EXISTING CONTOUR
	PROPOSED CONTOUR
	EXISTING ELEVATION
	PROPOSED ELEVATION
	EXISTING SANITARY
	COMBINATION SEWER
	PROPOSED SANITARY SEWER
	PROPOSED COMBINATION SEWER
	EXISTING STORM SEWER
	PROPOSED STORM SEWER
	PROPOSED PERFORATED PIPE
	EXISTING WATERMAIN
	PROPOSED WATERMAIN
	EXISTING GAS LINE
	EXISTING UNDERGROUND ELECTRIC
	EXISTING UNDERGROUND TELEPHONE
	EXISTING UNDERGROUND CABLE
	EXISTING TREE
	REMOVE TREE
	TEMPORARY TREE FENCE
	TEMPORARY SILT / CONSTRUCTION FENCE
	SUMP PUMP (PROPOSED/EXISTING)
	EJECTOR PUMP (PROPOSED/EXISTING)
	DOWNSPOUT (IN-GROUND) (PROPOSED)
	SWALE (PROPOSED)
	OUTLET / POP-UP EMITTER
	CATCH BASIN
	STORM MANHOLE
	SANITARY MANHOLE
	CLEANOUT
	B BOX
	WOOD UTILITY POLE
	LIGHT POLE
	FLARED END SECTION (F.E.S.)
	INLET / DRAIN
	WATER VALVE VAULT / WATER METER
	SIGN
	MANHOLE (UNCLASSIFIED)
	FIRE HYDRANT
	TREE TAG NO.
	STOP LIGHT
	GAS VALVE
	ROOT PRUNE
	AUGERING
	PATCHING
	TOP OF GARAGE SLAB
	TOP OF FOUNDATION
	FINISH FLOOR
	TOP OF WALL

SANITARY MANHOLE - 1
RIM 614.35
INV NW (8"VCP) 608.46
INV SE (8"VCP) 608.43
INV N (6"PVC) 608.66
INV NI (6"PVC) 608.66

STORM MANHOLE - 1
RIM 613.50
INV NW (8"VCP) 609.94
INV NE (6"PVC) 609.51
INV SE (10"VCP) 608.96

SLIC BENCHMARK
ELEV. 613.62

NOTE:
SITE BENCHMARK IS CUT CROSS ON EAST CURB ON APPROX. NORTH PROPERTY LINE EXTENDED. ELEV. 613.62. TRANSFERRED FROM WINNETKA 88 AT THE CENTERLINE OF BELLOV ROAD BETWEEN RESIDENCE 340 AND 347, ELEV. 613.05 NAVD88.

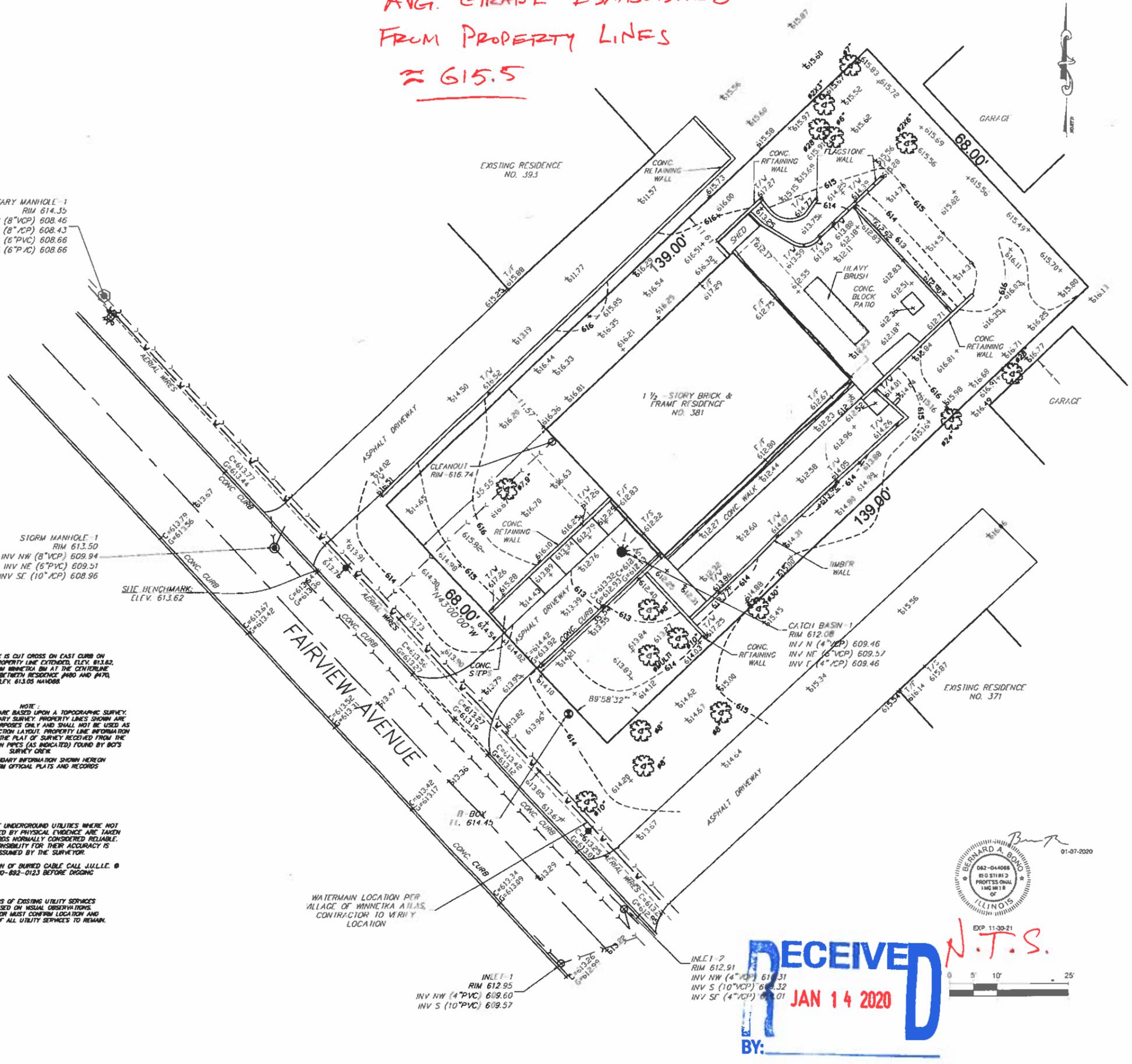
NOTE:
EXISTING CONDITIONS ARE BASED UPON A TOPOGRAPHIC SURVEY. THIS IS NOT A BOUNDARY SURVEY. PROPERTY LINES SHOWN ARE FOR INFORMATIONAL PURPOSES ONLY AND SHALL NOT BE USED AS A BASIS FOR CONSTRUCTION LAYOUTS. PROPERTY LINE INFORMATION SHOWN IS BASED ON THE PLAT OF SURVEY RECEIVED FROM THE OWNER AND ANY IRON PIPES (AS INDICATED) FOUND BY BCI'S SURVEY CREW.
PROPERTY BOUNDARY INFORMATION SHOWN HEREON IS TAKEN FROM OFFICIAL PLATS AND RECORDS.

LOCATION OF UNDERGROUND UTILITIES WHERE NOT SUBSTANTIATED BY PHYSICAL EVIDENCE ARE TAKEN FROM RECORDS NORMALLY CONSIDERED RELIABLE. NO RESPONSIBILITY FOR THEIR ACCURACY IS ASSUMED BY THE SURVEYOR.
FOR LOCATION OF BURIED CABLE CALL JULIE. @ 1-800-892-0123 BEFORE DIGGING.

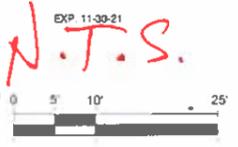
LOCATIONS OF EXISTING UTILITY SERVICES ARE BASED ON VISUAL OBSERVATIONS. CONTRACTOR MUST CONFIRM LOCATION AND CONDITION OF ALL UTILITY SERVICES TO REMAIN.

LEGAL DESCRIPTION:
THE LAND REFERRED TO THIS COMMITMENT IS DESCRIBED AS FOLLOWS, THE SOUTHERLY 68 FEET (AS MEASURED ON THE EASTERLY AND WESTERLY LINES THEREOF) OF THE WESTERLY 139 FEET OF LOT 3 IN GRAVES WINNETKA, BEING A SUBDIVISION OF THE PART OF FRACTIONAL NORTH 1/2 OF FRACTIONAL SECTION 21, TOWNSHIP 42 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, FORMERLY KNOWN AS VACATED BLOCKS 44, 68 AND 89 AND THE 33 FEET WEST OF AND ADJOINING BLOCKS 44 AND 88 IN THE VILLAGE OF WINNETKA, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS: 381 FAIRVIEW, WINNETKA, ILLINOIS.



RECEIVED
BY: _____
JAN 14 2020



DATE	REVISIONS
01-07-2020	ISSUE

BCI
BONO CONSULTING, INC.
CIVIL ENGINEERS
1018 BUSSE HIGHWAY
PARK RIDGE, IL 60068
PH: (847) 823-3300
FAX: (847) 823-3300
www.bonoc consulting.com
DESIGN FIRM NO. 184 002379

TOPOGRAPHIC SURVEY
381 FAIRVIEW AVE, WINNETKA, IL 60093

PROJECT NO:	20001
BASE FILE:	
SHEET FILE:	
ISSUE DATE:	JAN 07, 2020
SCALE:	1"=10'
SHEET NUMBER	C-1

SHEET INDEX

SD1	Cover Sheet
SD2	Existing Site Plan
SD3	Proposed Site Plan
SD4	Existing First Floor Plan
SD5	Existing Second Floor ...
SD6	Proposed First Floor Pl...
SD7	Proposed Second Floor
SD8	Existing Elevations
SD9	Existing Elevations
SD10	Proposed Elevations
SD11	Proposed Elevations
SD12	3D Views

NOTES:

Drawings for ZBA Meeting
2/10/20

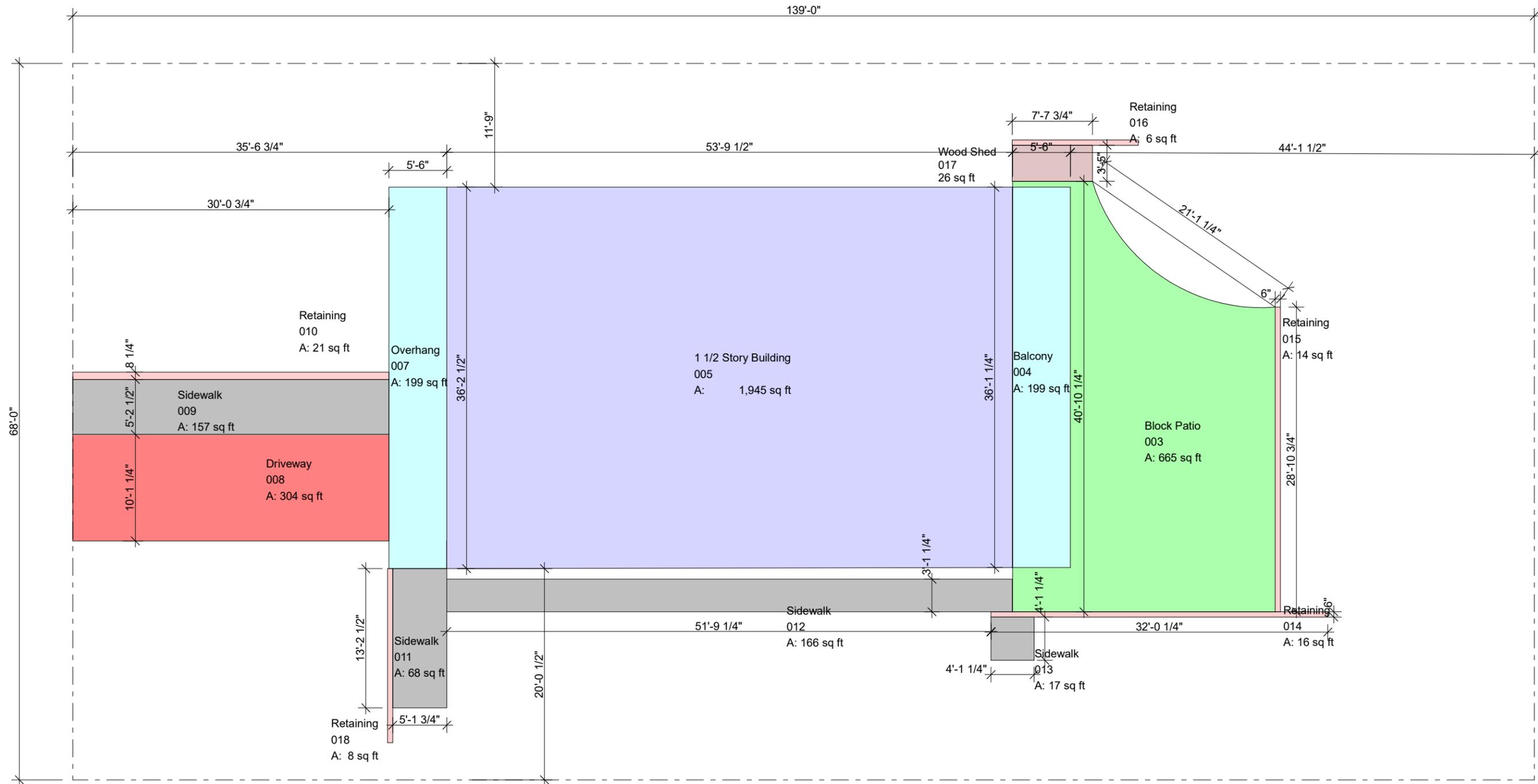
Project Scope of Work:

1. Add first floor 2nd garage bay, attached mudroom and storage room
2. Add minimal master bedroom suite extension above new mudroom / storage space

Requesting variance for:

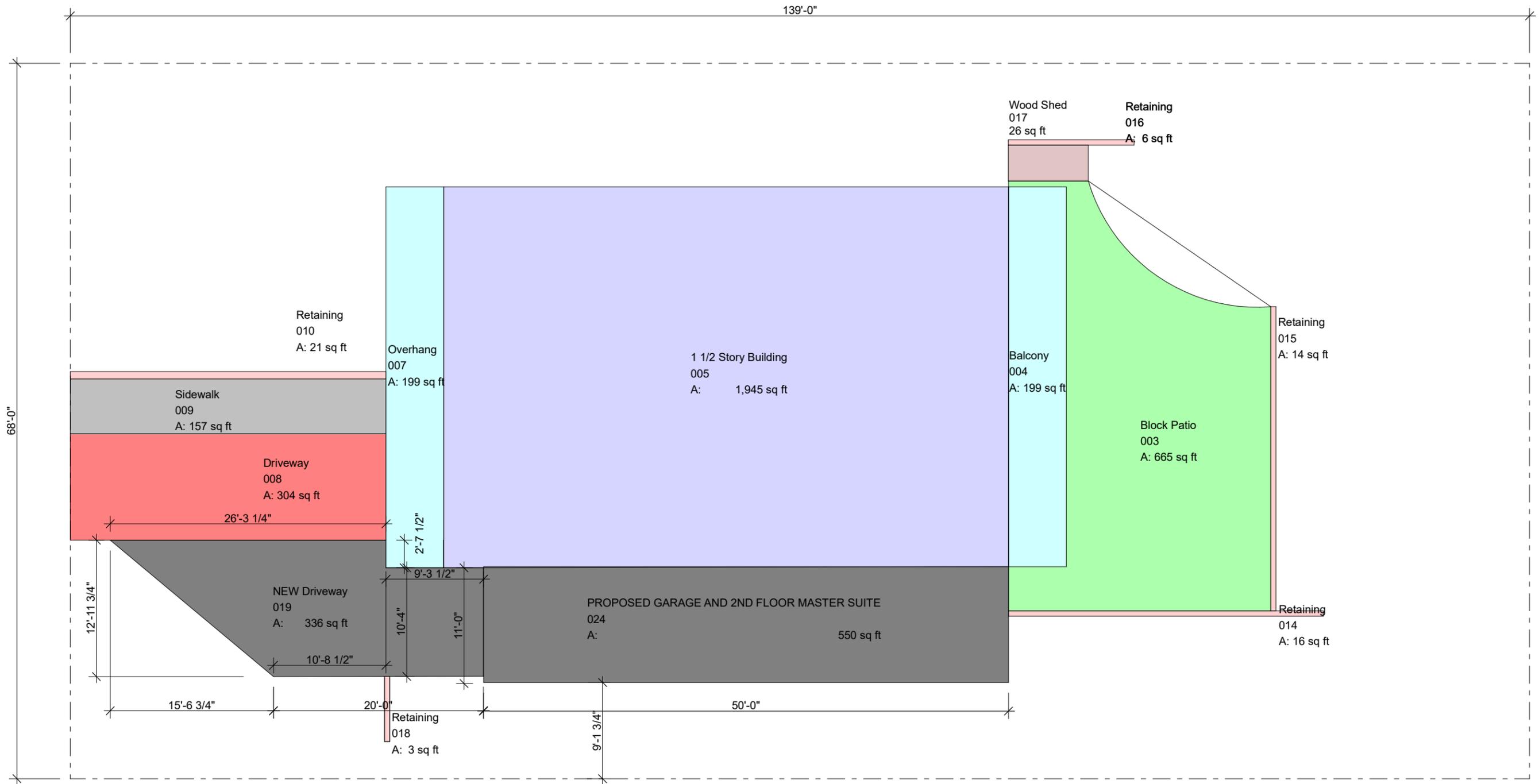
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2. FAR minor increase
3. Front Yard Lot Coverage minor increase
4. Garage width allowance minor increase

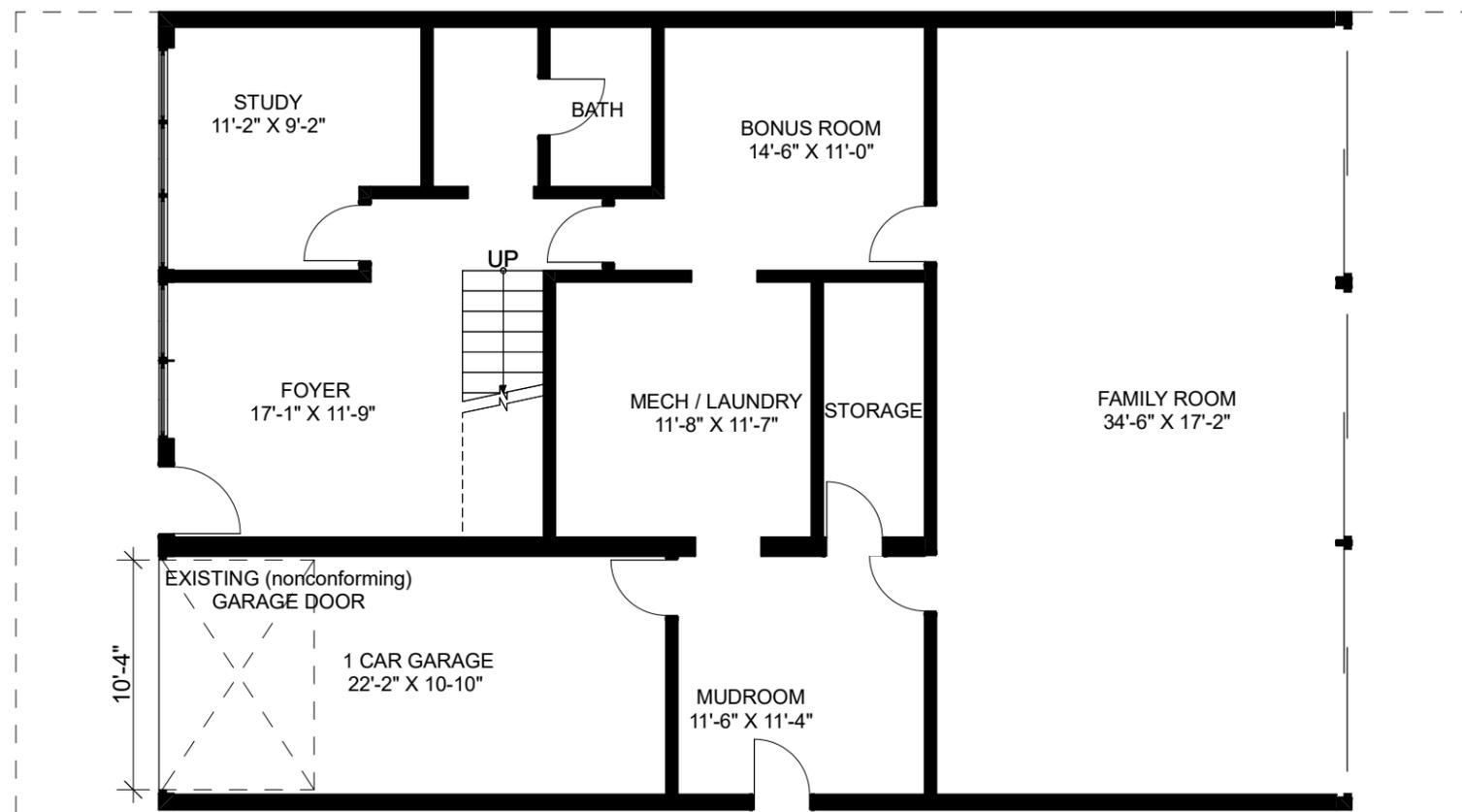




Existing Site Plan

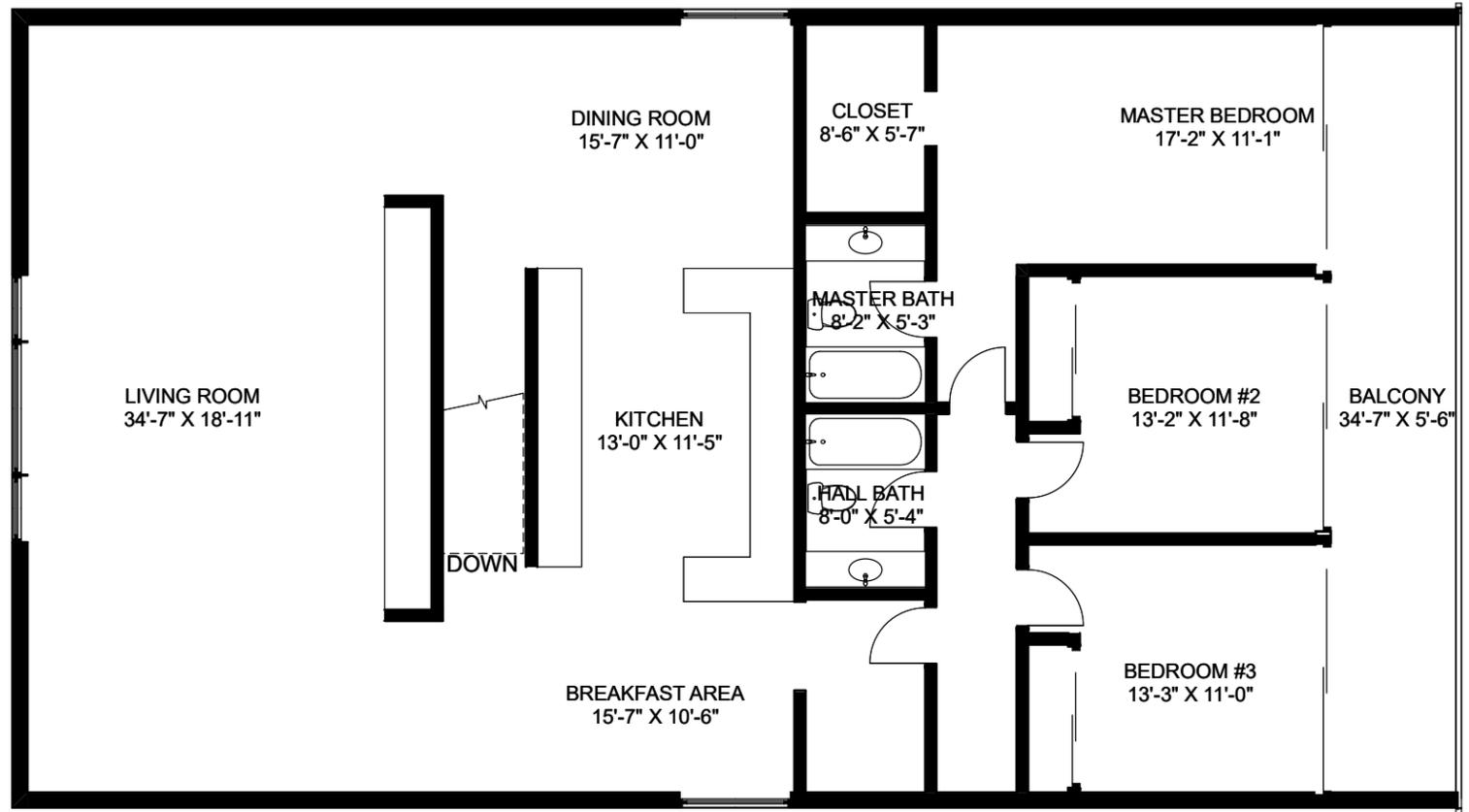
SCALE: 1" = 10'





Existing First Floor Plan

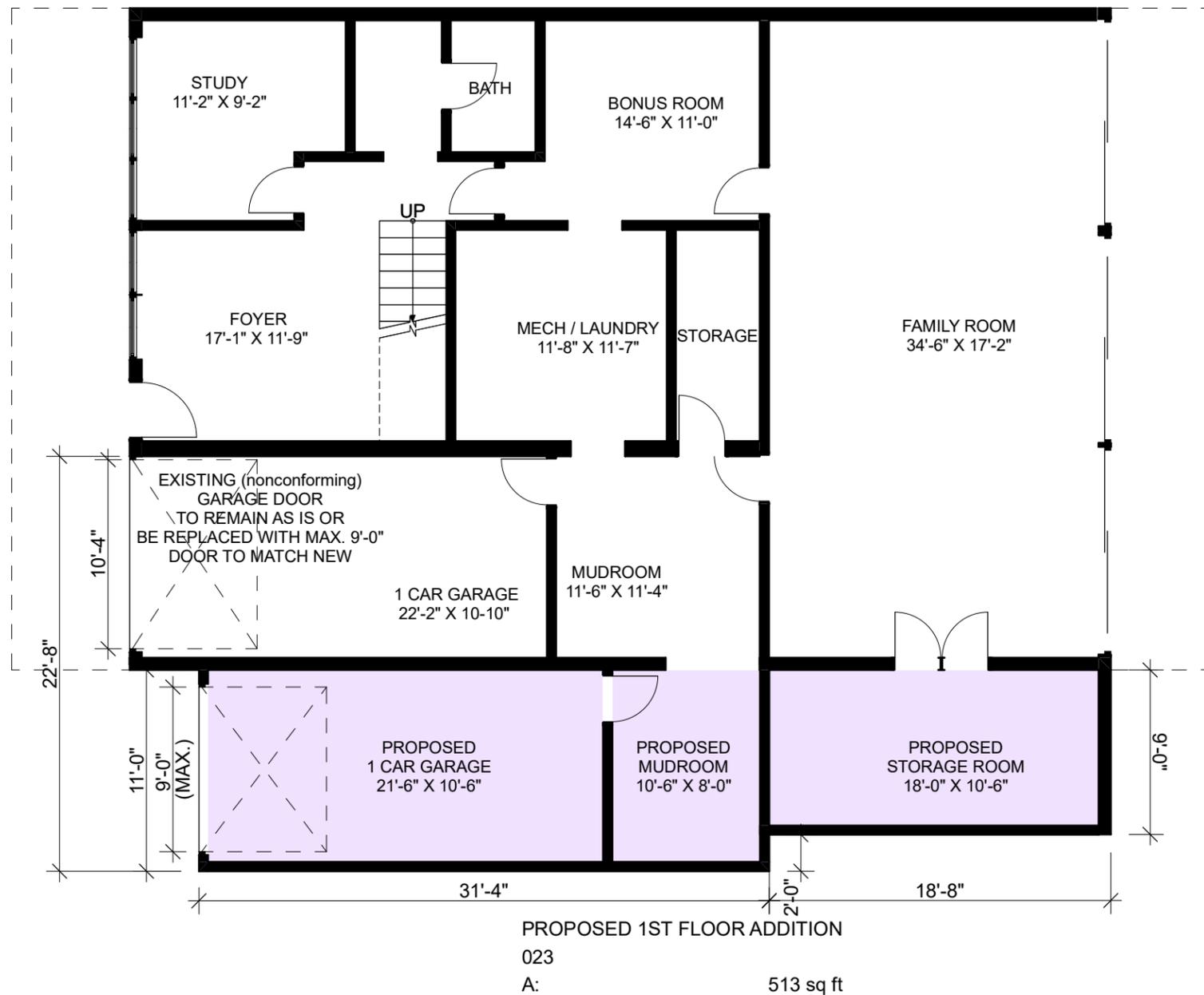
SCALE: 1/8" = 1'-0"



Existing Second Floor

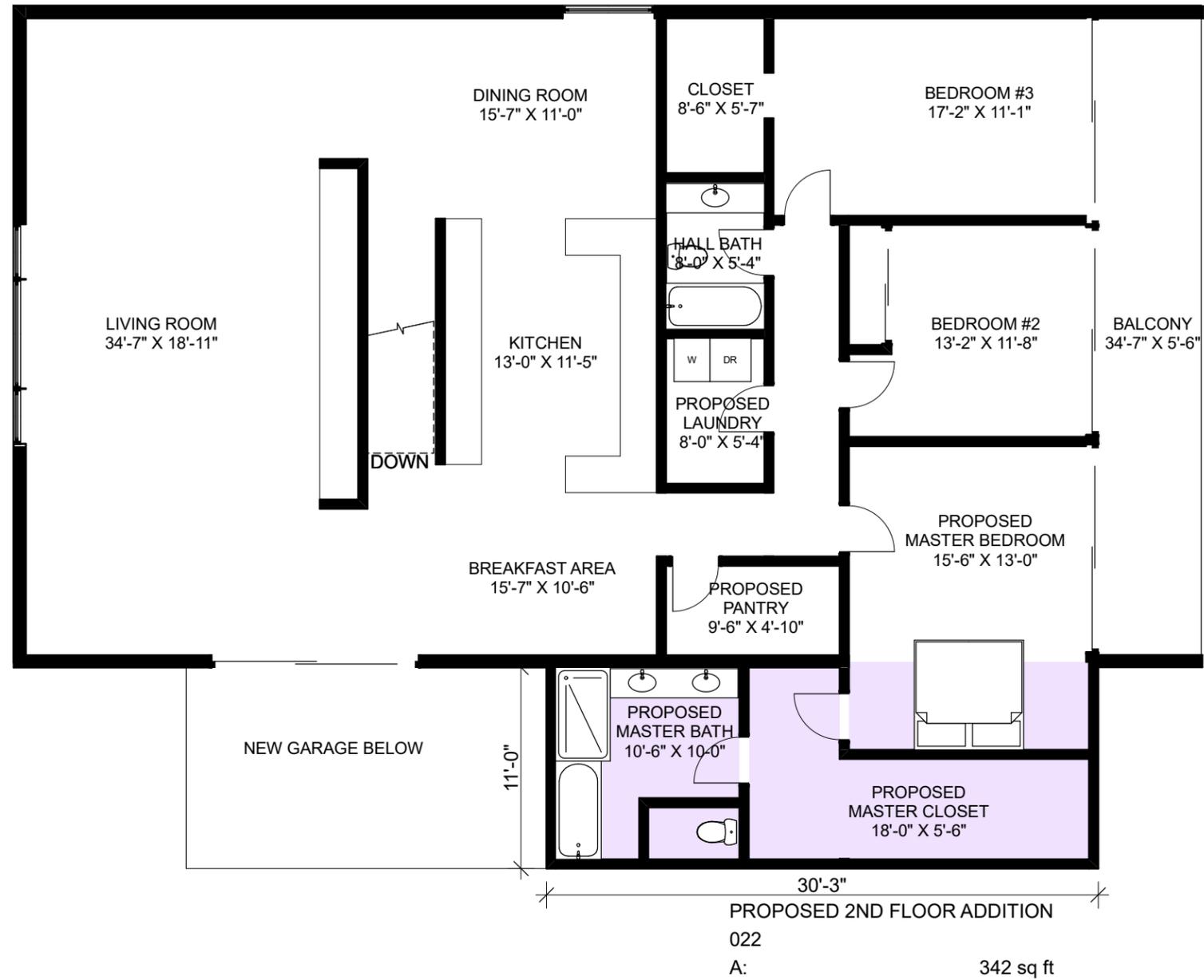
SCALE: 1/8" = 1'-0"

\\FCL\OUDEX\ULTRA\NewLook\NEWLOOK_Shared\001_Current Projects\381 Fairview (Magnani)\Magnani\381 Fairview ZBA Drawing FINAL REV1.dwg



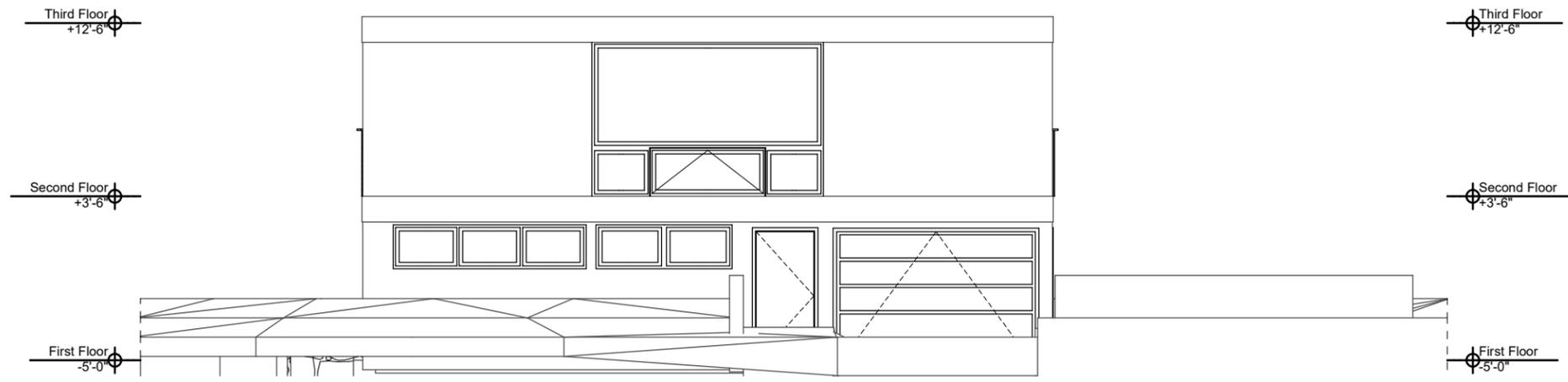
Proposed First Floor Plan

SCALE: 1/8" = 1'-0"



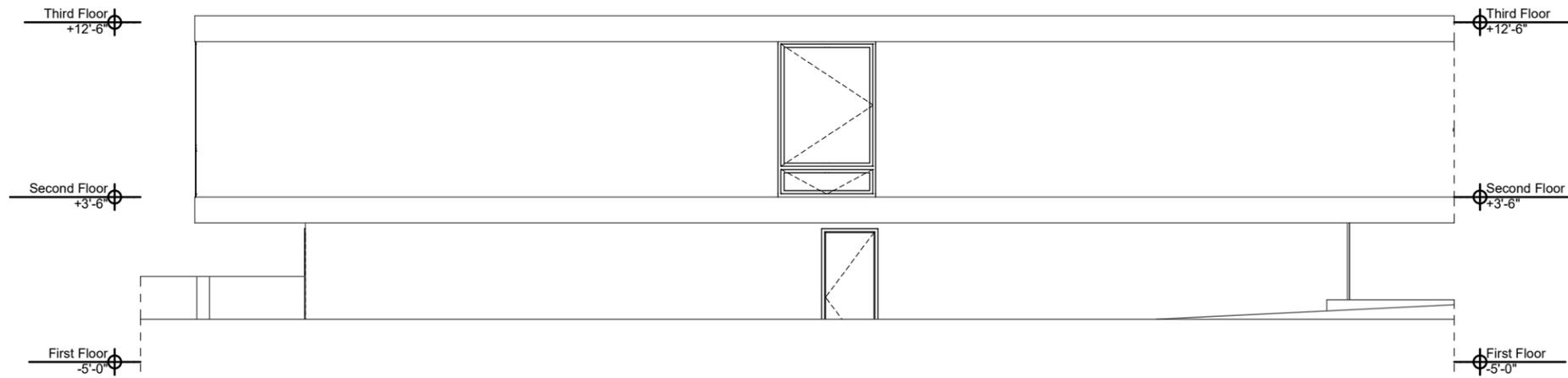
Proposed Second Floor Plan

SCALE: 1/8" = 1'-0"



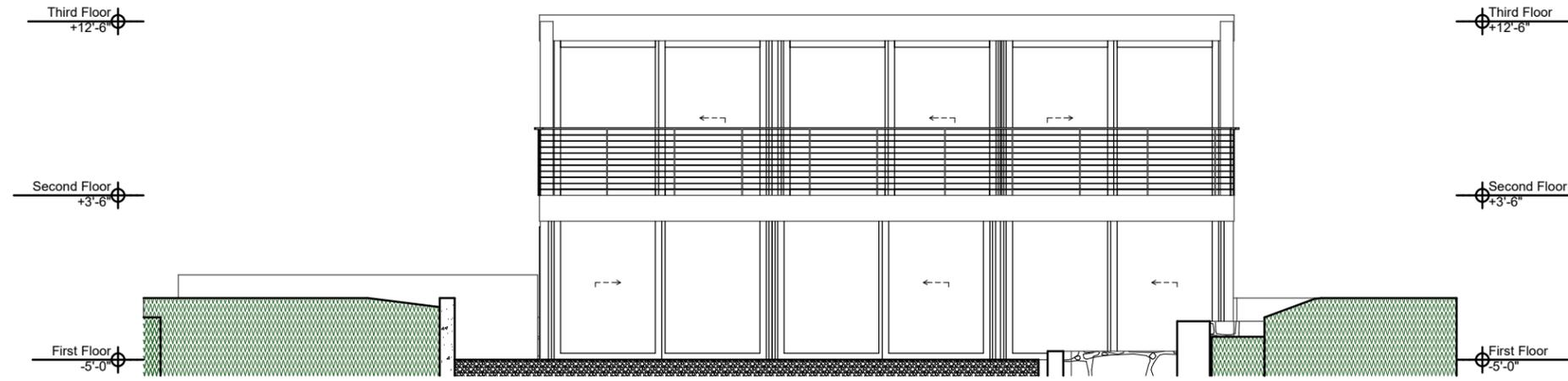
Existing West Elevation

SCALE: 1/8" = 1'-0"



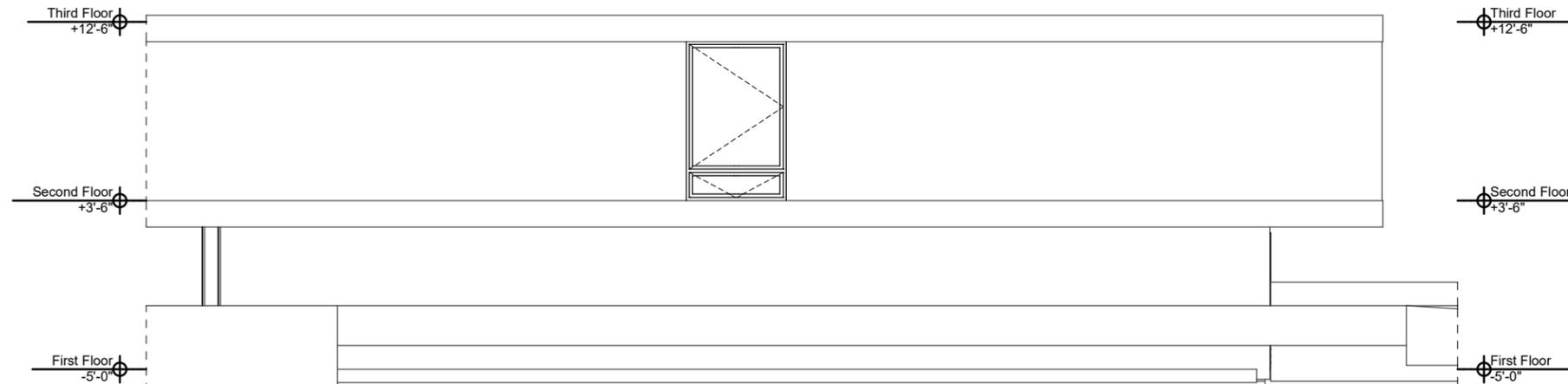
Existing South Elevation

SCALE: 1/8" = 1'-0"



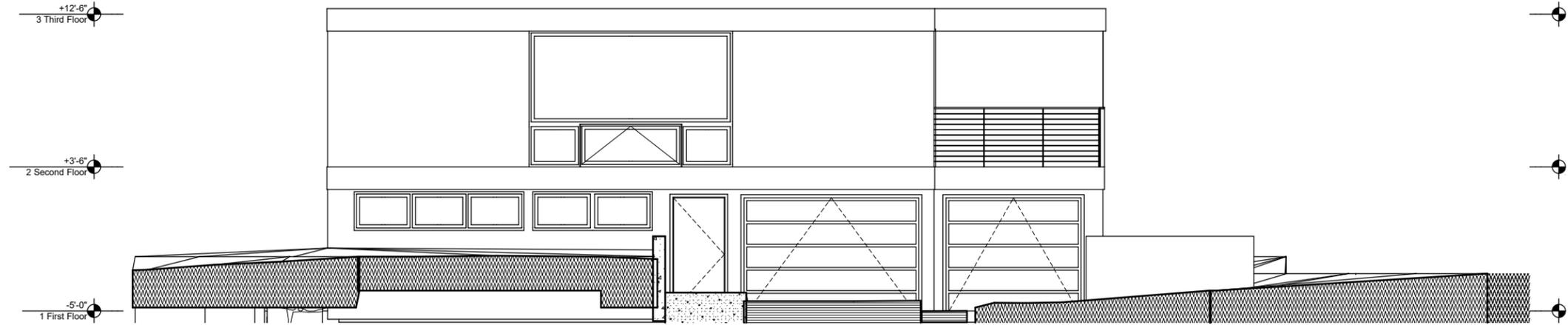
Existing East Elevation

SCALE: 1/8" = 1'-0"



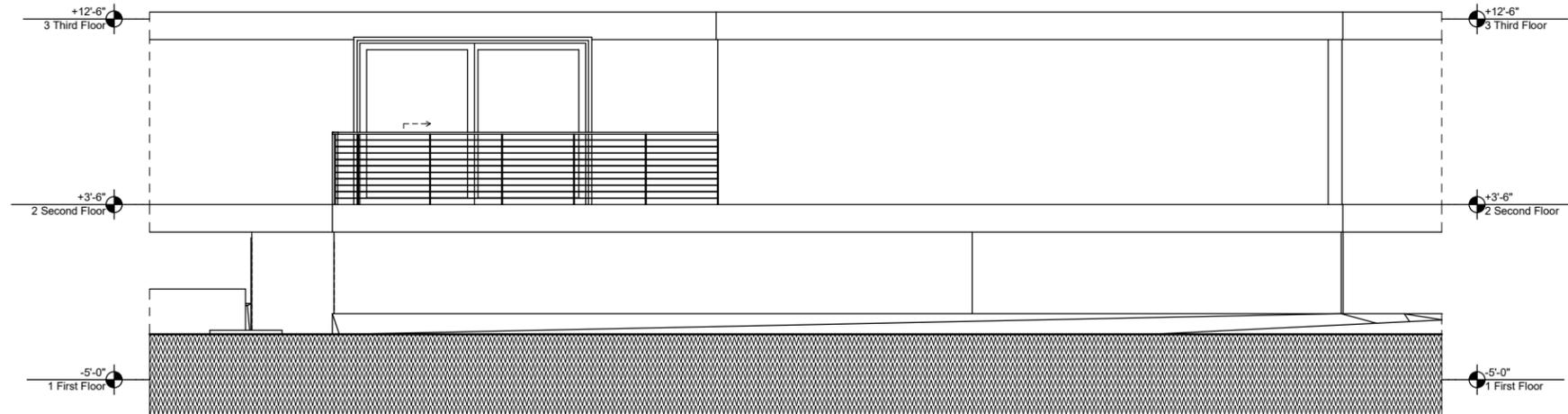
Existing North Elevation

SCALE: 1/8" = 1'-0"



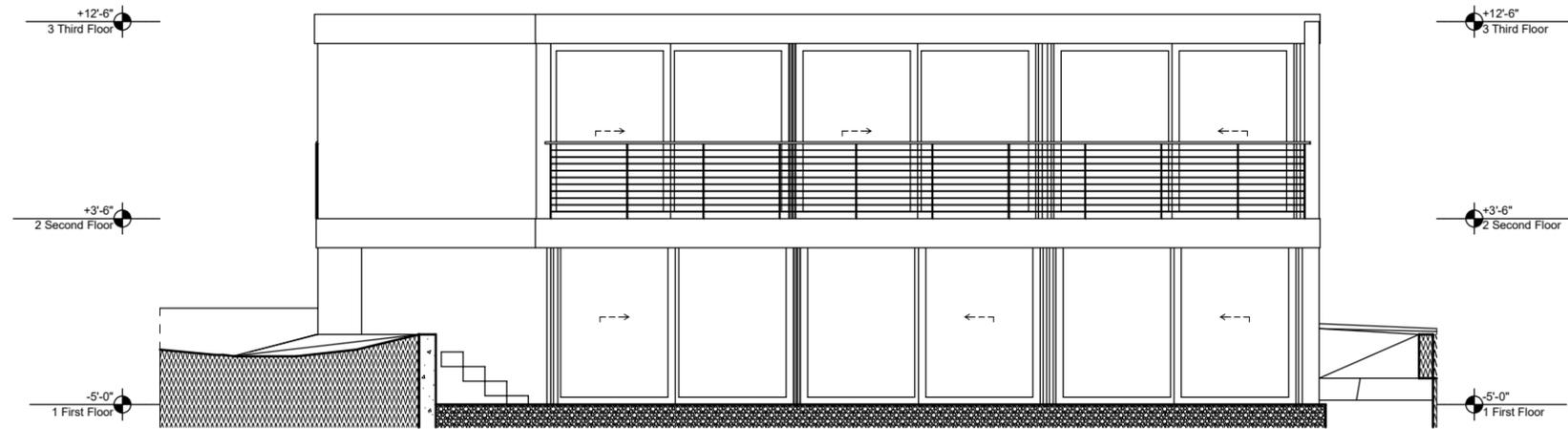
Proposed West Elevation

SCALE: 1/8" = 1'-0"



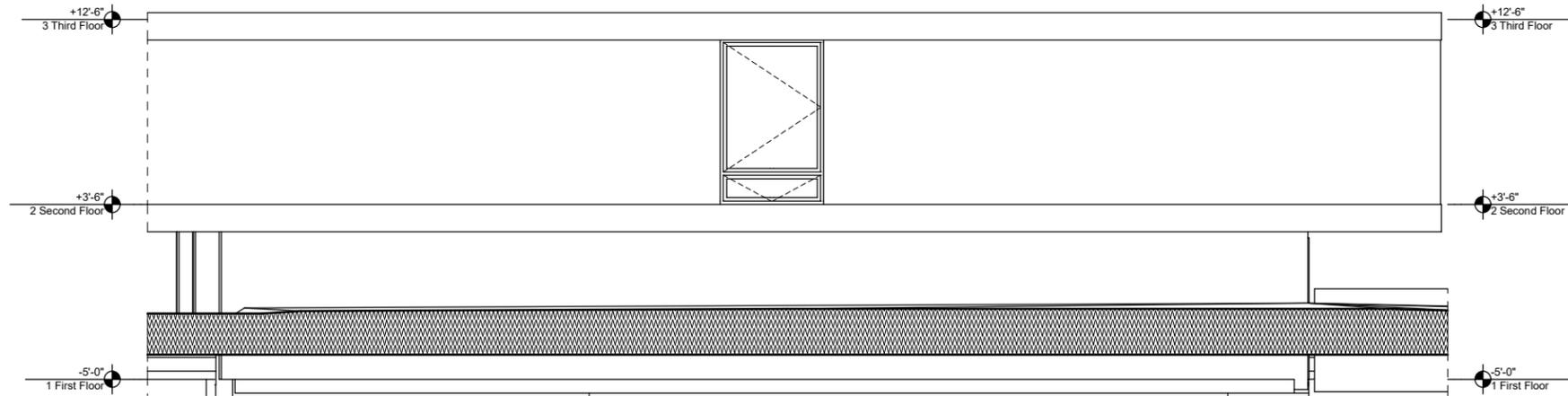
Proposed South Elevation

SCALE: 1/8" = 1'-0"



Proposed East Elevation

SCALE: 1/8" = 1'-0"



Proposed North Elevation

SCALE: 1/8" = 1'-0"



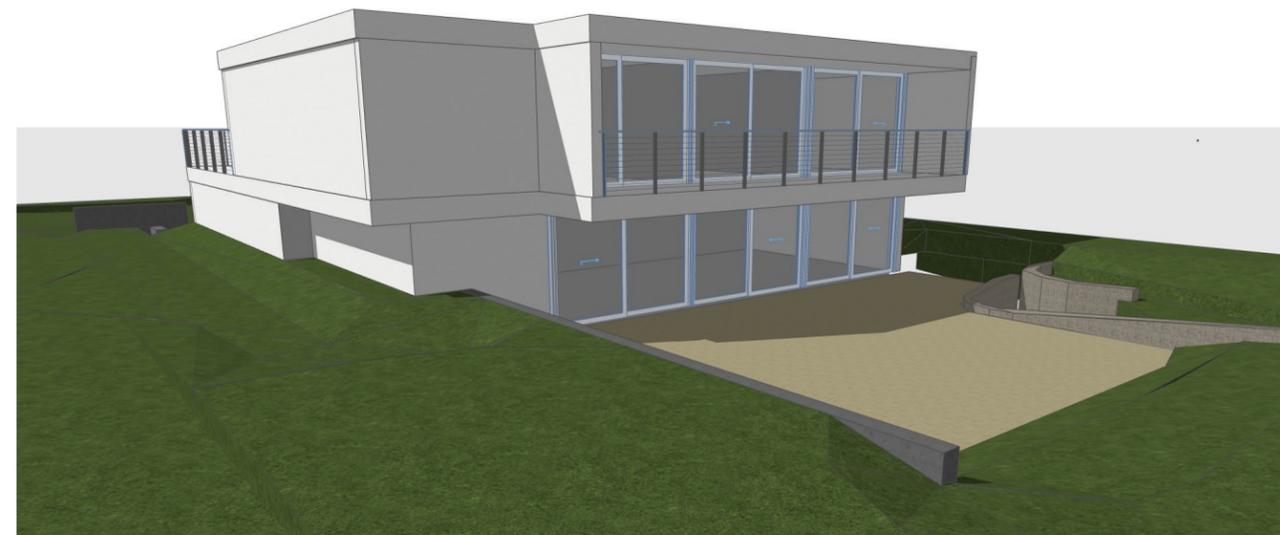
Existing Southwest View



Existing Southeast View



Proposed West View



Proposed Southeast View

ATTACHMENT D
RESOLUTION NO. ZBA-2-2020
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
APPROVAL OF ZBA CASE NO. 20-06-V – 381 FAIRVIEW AVENUE

WHEREAS, Jason and Julie Magnani (collectively, the “Applicant”) are the owners of the property commonly known as 381 Fairview Avenue, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

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

WHEREAS, the Subject Property is improved with a single family residence that is nonconforming with respect to the maximum building size requirement (“**Building**”); and

WHEREAS, the Applicant desires to construct on the Subject Property (i) a two-story addition to the Building, (ii) an expansion of the existing driveway within the front yard, and (iii) a front-facing attached garage 22.67 feet wide (collectively, “**Proposed Improvements**”); and

WHEREAS, pursuant to Section 17.30.030 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is permitted (i) a maximum roofed lot coverage of 2,552.04 square feet and (ii) a maximum front yard lot coverage of 612 square feet; and

WHEREAS, pursuant to Section 17.30.040 of the Zoning Ordinance, the Subject Property is permitted a maximum building size of 3,705.4 square feet; and

WHEREAS, pursuant to Section 17.30.110 of the Zoning Ordinance, the Subject Property is permitted a front-facing attached garage 22 feet wide; and

WHEREAS, the Applicant desires to construct the Proposed Improvements on the Subject Property with (i) a roofed lot coverage that exceeds the maximum permitted 2,552.04 square feet, a violation of Section 17.30.030 of the Zoning Ordinance, (ii) a front yard lot coverage that exceeds the maximum permitted 612 square feet, a violation of Section 17.30.030 of the Zoning Ordinance, (iii) a maximum building size that exceeds the maximum permitted 3,705.4 square feet, a violation of Section 17.30.040 of the Zoning Ordinance and (iv) a front-facing attached garage wider than 22 feet allowed of the R-4 Single Family Residential District, a violation of Section 17.30.110 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Sections 17.30.030, 17.30.040 and 17.30.110 of the Zoning Ordinance to permit construction of the Proposed Improvements on the Subject Property with (i) a roofed lot coverage of 2,911.75 square feet, (ii) a front yard lot coverage of 734.1 square feet, (iii) a maximum building size of 3,908.28 square feet and (iv) a front-facing attached garage 22.67 feet wide (collectively “**Requested Variations**”); and

WHEREAS, a public notice for the Requested Variations was duly published on January 23, 2020 in the “Winnetka Current” and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on February 10, 2020 for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on February 10, 2020; and

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

1. Application for the Requested Variations submitted by the Applicant, dated January 14, 2020, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variations.

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

WHEREAS, the Zoning Board of Appeals has determined that the requested variations to provide (i) more than the maximum permitted roofed lot coverage, (ii) more than the maximum permitted front yard lot coverage, (iii) more than the maximum permitted building size and (iv) more than the maximum permitted front-facing attached garage width do satisfy the standards for variations provided in Sections 17.60.040 and 17.60.050 of the Winnetka Zoning Ordinance; and

WHEREAS, the Zoning Board of Appeals has determined that it will serve and be in the best interest of the Village and its residents to grant the application for the (i) roofed lot coverage variation, (ii) front yard lot coverage variation, (iii) maximum building size variation and (iv) front-facing attached garage width variation, in accordance with, and subject to, the conditions, restrictions, and provisions of this Resolution;

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

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

SECTION 2. APPROVAL OF VARIATION. Subject to and contingent upon the conditions, restrictions, and provisions set forth in Section Three of this Resolution, the requested (i) maximum roofed lot coverage variation from Section 17.30.030 of the Zoning Ordinance, (ii) maximum front yard lot coverage variation from Section 17.30.030 of the Zoning Ordinance, (iii) maximum building size variation from Section 17.30.040 of the Zoning Ordinance and (iv) maximum front-facing attached garage width variation from Section 17.30.110 of the Zoning Ordinance to permit the construction of the proposed addition on the Subject Property is hereby granted, in accordance with and pursuant to Chapter 17.60 of the Zoning Ordinance and the home rule powers of the Village.

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

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

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

SECTION 5. FAILURE TO COMPLY WITH CONDITIONS. Upon the failure or refusal of the Applicant to comply with any or all of the conditions, restrictions, or provisions of this Resolution, the approval granted in Section Two of this Resolution will, at the sole discretion of the Zoning Board of Appeals, by Resolution duly adopted, be revoked and become null and void; provided, however, that the Zoning Board of Appeals may not so revoke the approval granted in Section Two of this Resolution unless it first provides the Applicant with two months advance written notice of the reasons for revocation and an opportunity to be heard at a regular meeting of the Zoning Board of Appeals. In the event of revocation, the development and use of the Subject Property will be governed solely by the applicable regulations of the Winnetka Zoning Ordinance, including, without limitation, (i) the maximum roofed lot coverage requirement set forth in Section 17.30.030 of the Winnetka Zoning Ordinance, (ii) the maximum front yard lot coverage requirement set forth in Section 17.30.030 of the Winnetka Zoning Ordinance, (iii) the maximum building size requirement set forth in Section 17.30.040 of the Winnetka Zoning Ordinance and (iv) the maximum front-facing attached garage width requirement set forth in Section 17.30.110 of the Winnetka Zoning Ordinance. Further, in the event of such revocation, the Village Manager and Village Attorney are hereby authorized and directed to bring such zoning enforcement action as may be appropriate under the circumstances.

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

SECTION 7. EFFECTIVE DATE.

- A. This Resolution will be effective only upon the occurrence of all of the following events:
 - 1. Passage by the Zoning Board of Appeals in the manner required by law; and
 - 2. The filing by the Applicant with the Village Clerk of an Unconditional Agreement and Consent, in the form of **Exhibit C** attached to and, by this reference, made a part of this Resolution, to accept and abide by each and all of the terms, conditions, and limitations set forth in this Resolution and to

indemnify the Village for any claims that may arise in connection with the approval of this Resolution.

B. In the event that the Applicant does not file fully executed copies of the Unconditional Agreement and Consent, as required by Section 7.A.2 of this Resolution, within 30 days after the date of final passage of this Resolution by the Zoning Board of Appeals, the Zoning Board of Appeals will have the right, in its sole discretion, to declare this Resolution null and void and of no force or effect.

ADOPTED this 10th day of February, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

The Southerly 68 Feet (as measured on the Easterly and Westerly lines thereof) of the Westerly 139 Feet of Lot 3 in Graves Winnetka, being a subdivision of that part of Fractional North ½ of Fractional Section 21, Township 42 North, Range 13, East of the Third Principal Meridian, formerly known as Vacated Blocks 44, 68 and 69 and the 33 Feet West of and adjoining Blocks 44 and 68 in the Village of Winnetka, in Cook County, Illinois.

Commonly known as 381 Fairview Avenue, Winnetka, Illinois.

Parcel Index Number: 05-21-201-021-0000

EXHIBIT B
PLANS
(SEE ATTACHED EXHIBIT B)

EXHIBIT B

SHEET INDEX

SD1	Cover Sheet
SD2	Existing Site Plan
SD3	Proposed Site Plan
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SD5	Existing Second Floor ...
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SD11	Proposed Elevations
SD12	3D Views

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2/10/20

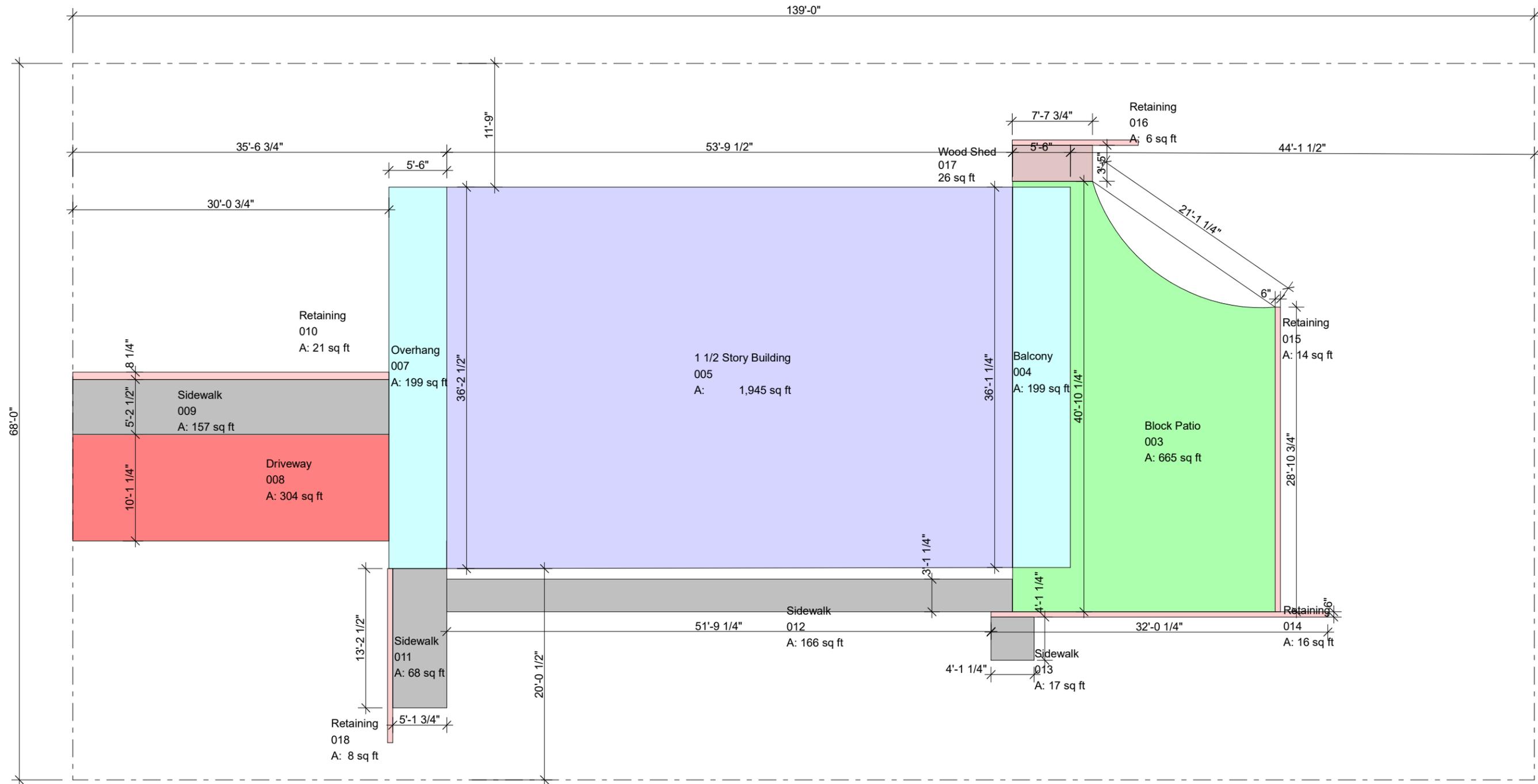
Project Scope of Work:

1. Add first floor 2nd garage bay, attached mudroom and storage room
2. Add minimal master bedroom suite extension above new mudroom / storage space

Requesting variance for:

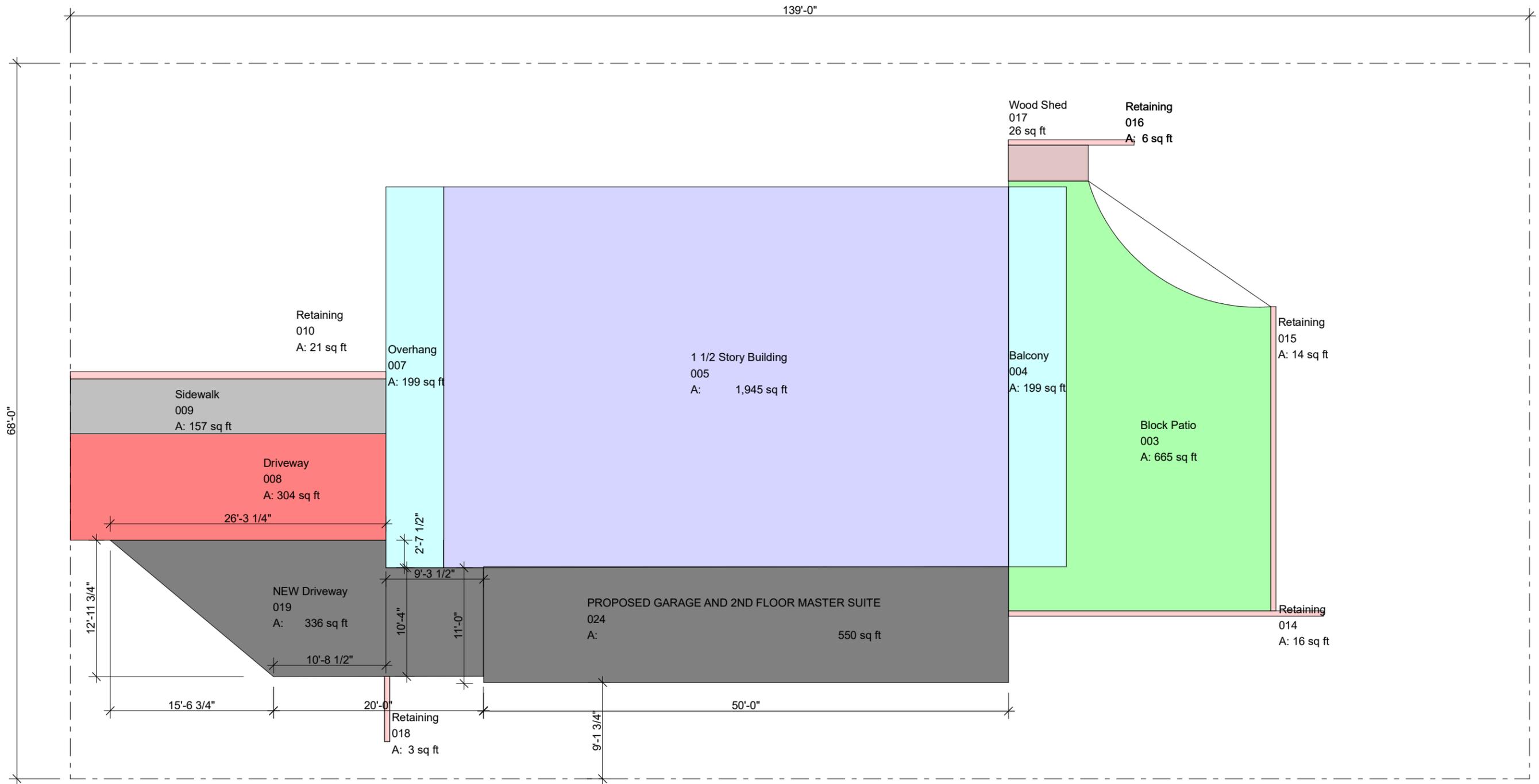
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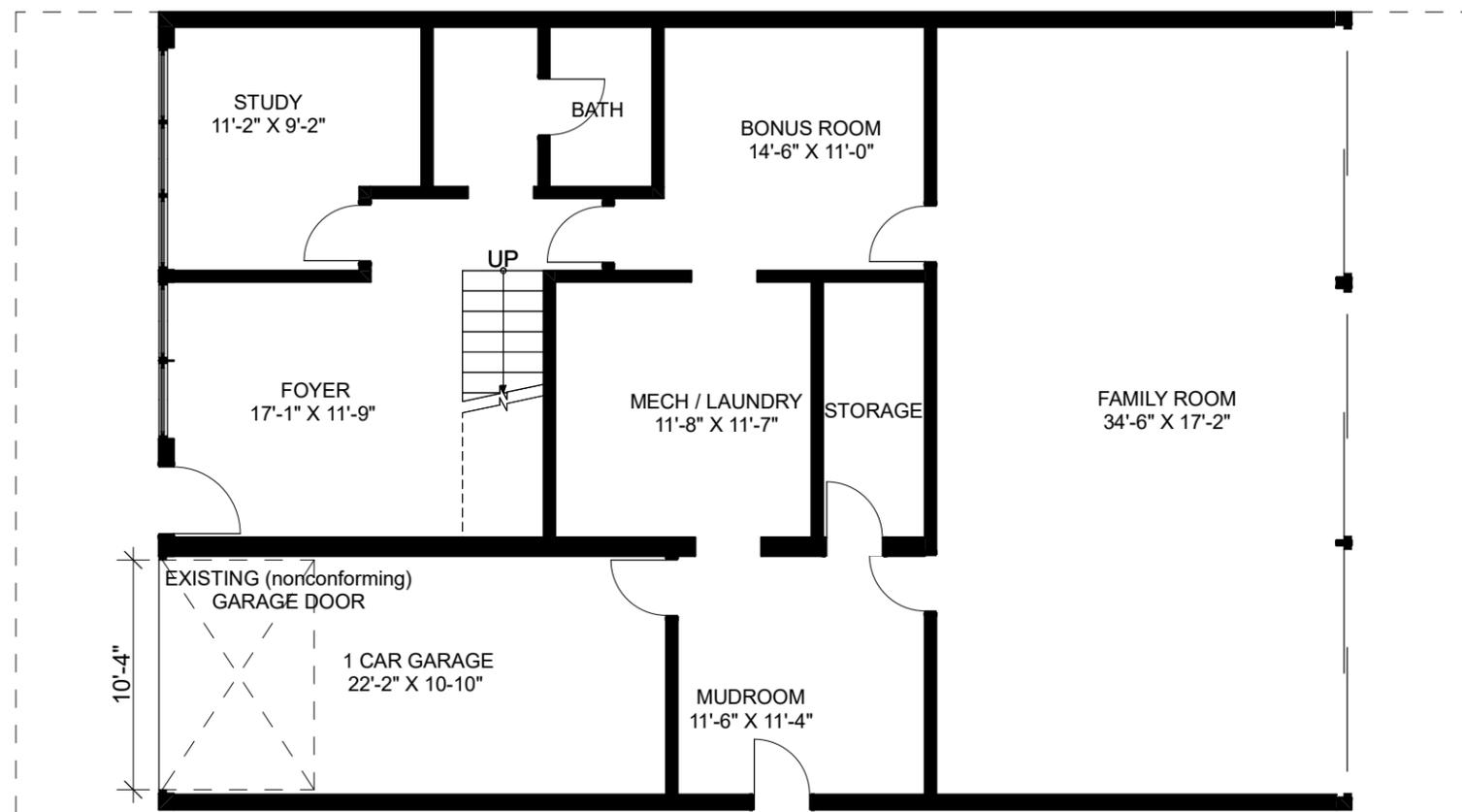




Existing Site Plan

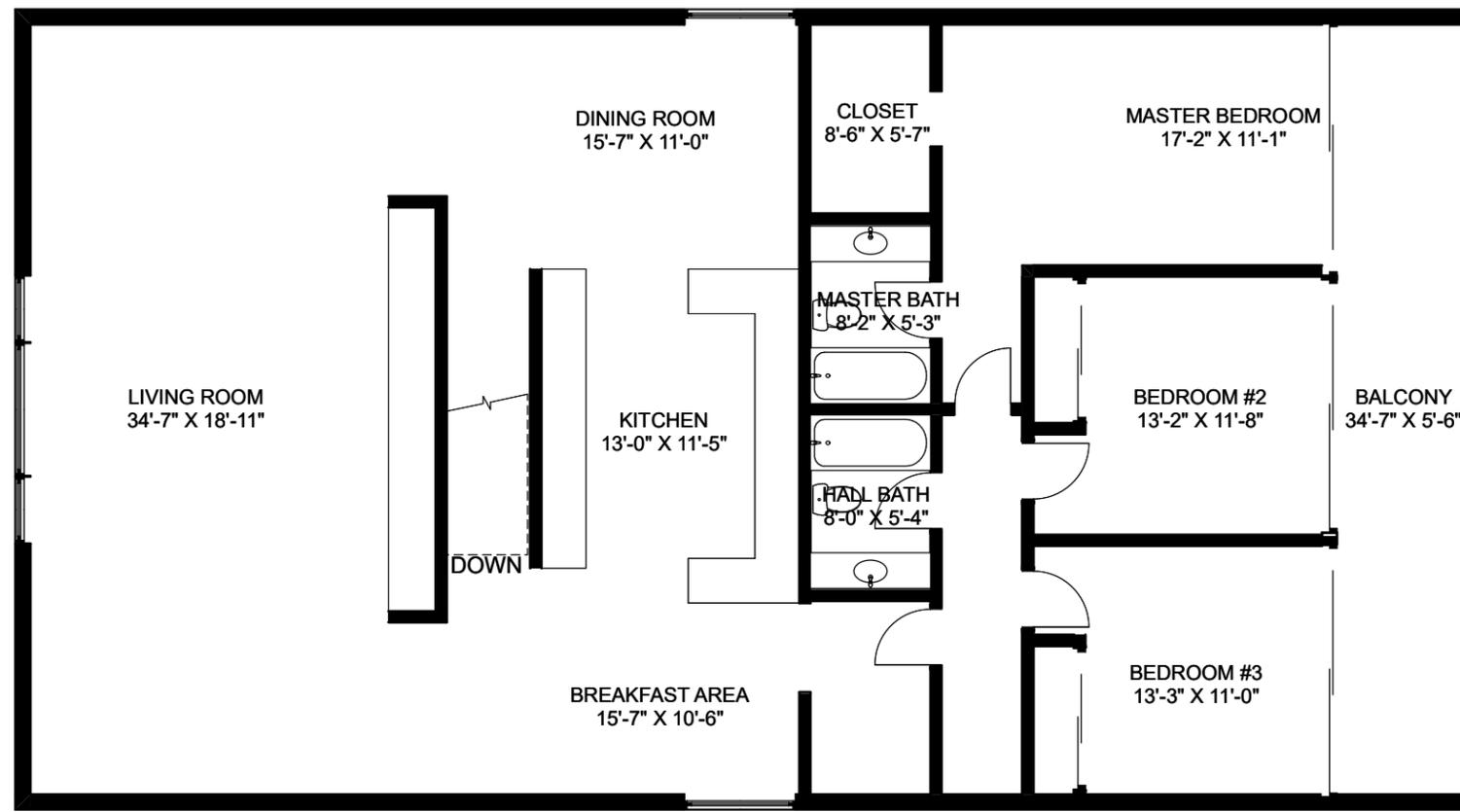
SCALE: 1" = 10'





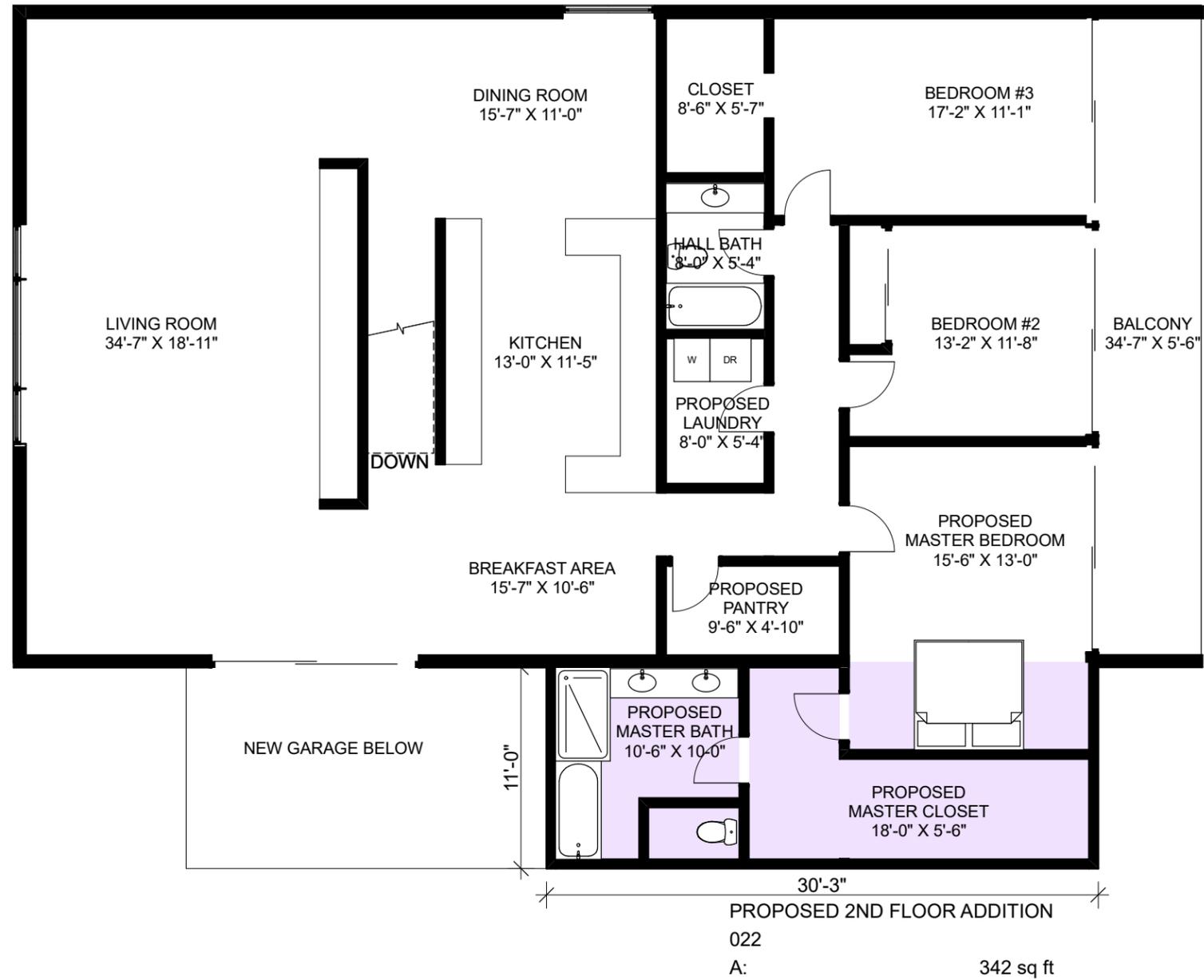
Existing First Floor Plan

SCALE: 1/8" = 1'-0"



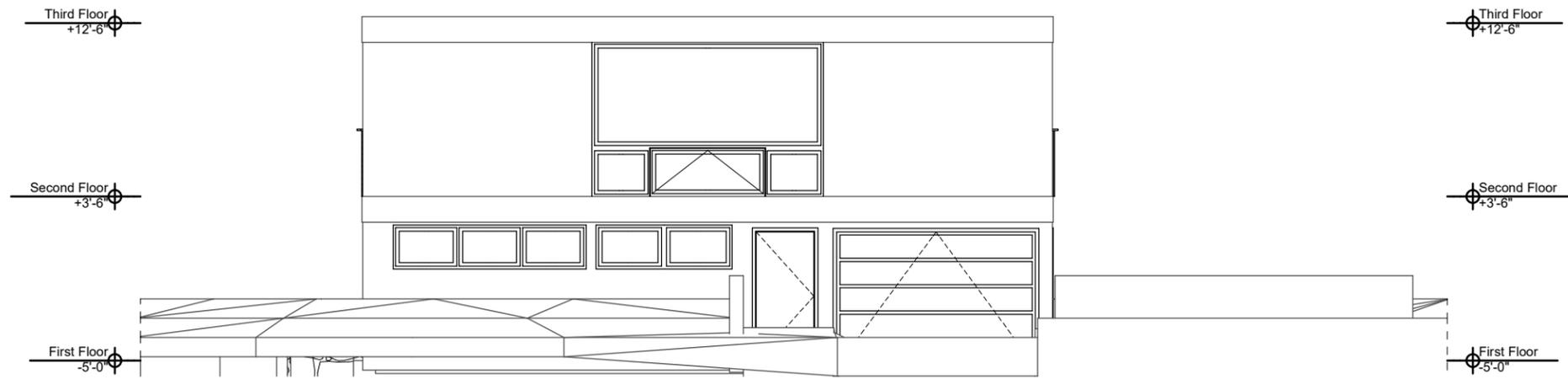
Existing Second Floor

SCALE: 1/8" = 1'-0"



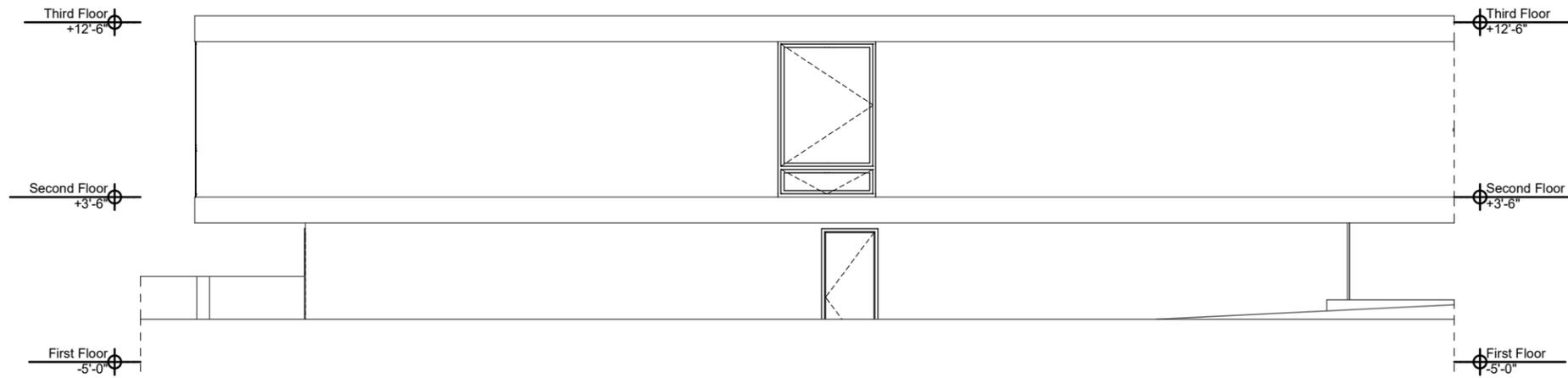
Proposed Second Floor Plan

SCALE: 1/8" = 1'-0"



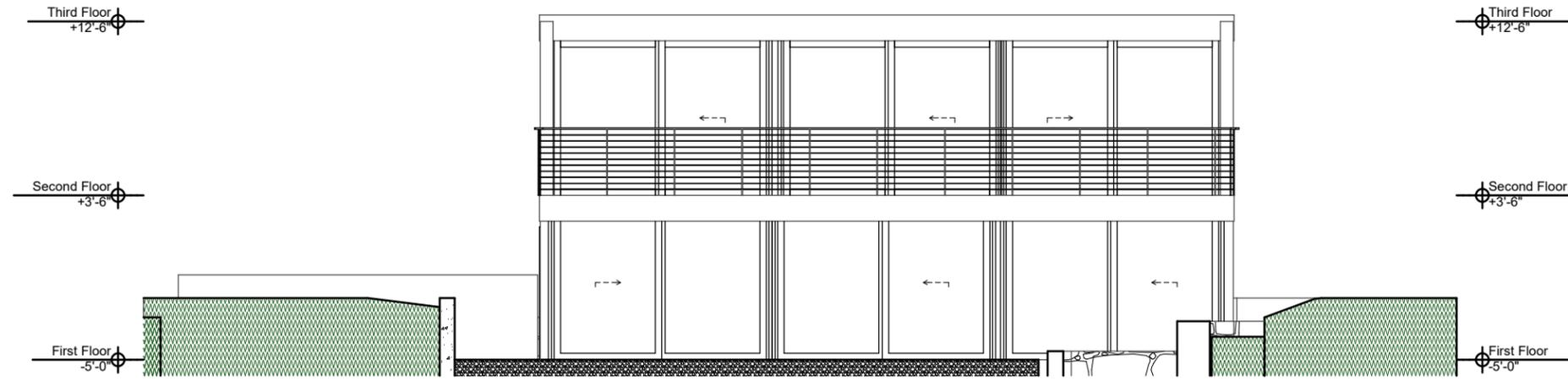
Existing West Elevation

SCALE: 1/8" = 1'-0"



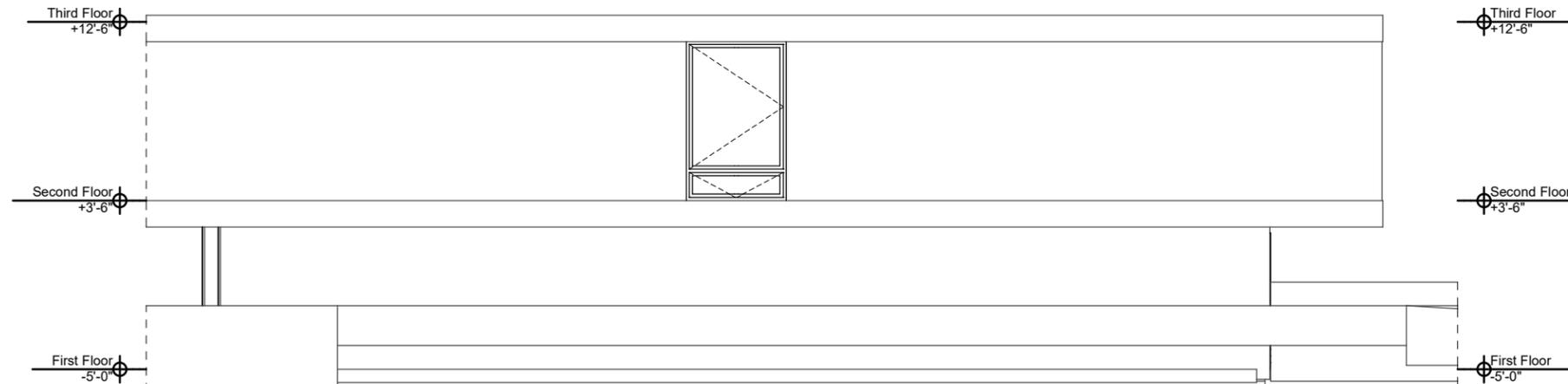
Existing South Elevation

SCALE: 1/8" = 1'-0"



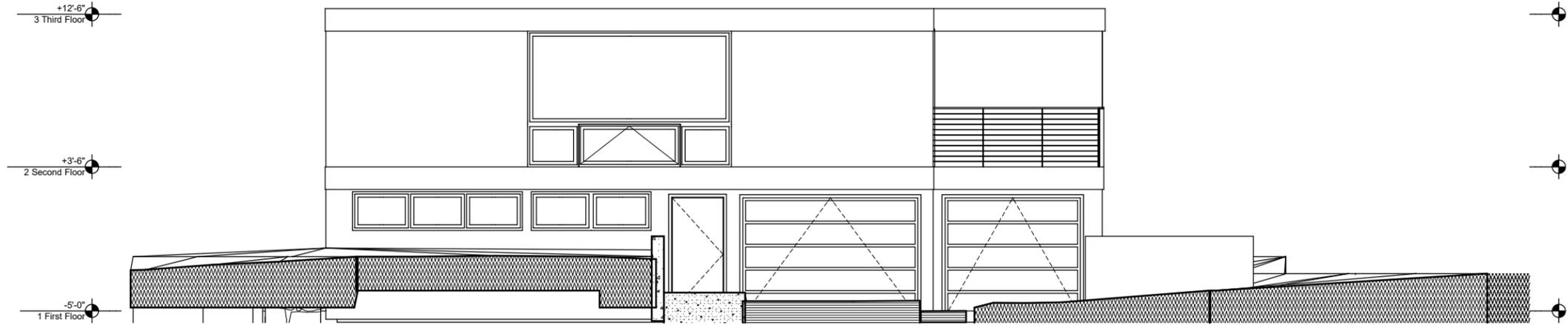
Existing East Elevation

SCALE: 1/8" = 1'-0"



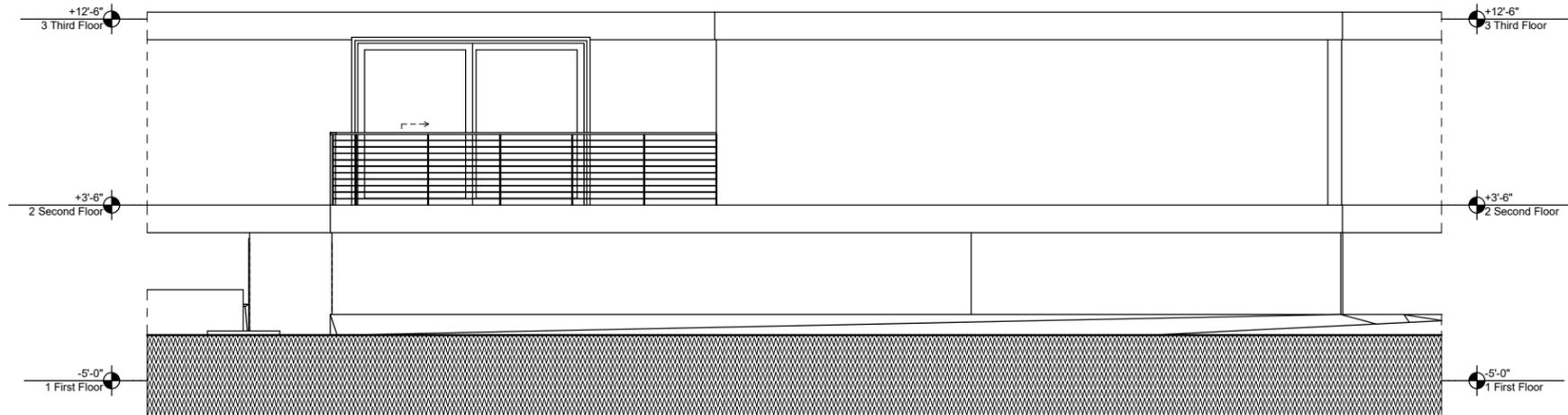
Existing North Elevation

SCALE: 1/8" = 1'-0"



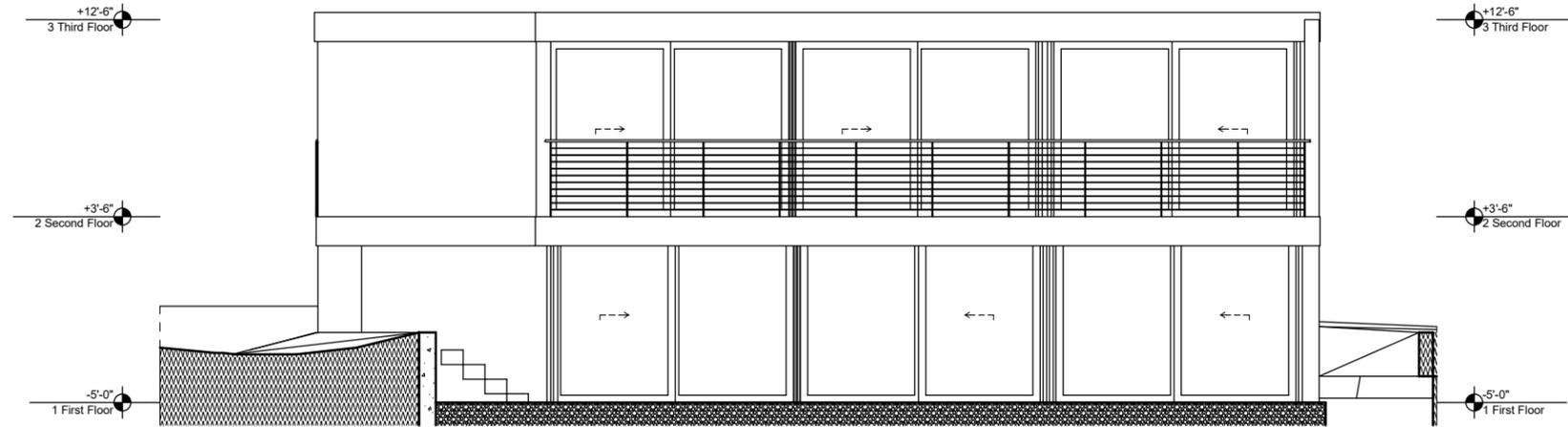
Proposed West Elevation

SCALE: 1/8" = 1'-0"



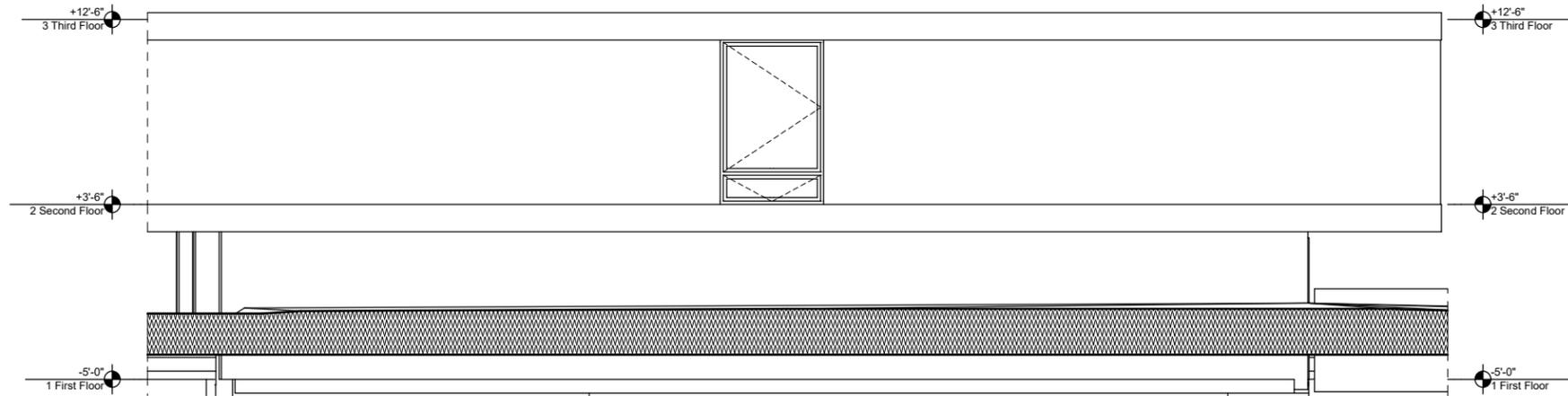
Proposed South Elevation

SCALE: 1/8" = 1'-0"



Proposed East Elevation

SCALE: 1/8" = 1'-0"



Proposed North Elevation

SCALE: 1/8" = 1'-0"



Existing Southwest View



Existing Southeast View



Proposed West View



Proposed Southeast View

EXHIBIT C

UNCONDITIONAL AGREEMENT AND CONSENT

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

WHEREAS, Jason and Julie Magnani (collectively, "**Owners**") are the owners of record of that certain real property located at 381 Fairview Avenue, Winnetka, Illinois ("**Property**"); and

WHEREAS, Resolution No. ZBA-2-2020, adopted by the Winnetka Zoning Board of Appeals on February 10, 2020 ("**Resolution**"), grants variations to construct an addition on the Subject Property; and

WHEREAS, Section 7.A.2 of the Resolution provides, among other things, that the Resolution will be of no force or effect unless and until the Owners have filed, within 30 days following the passage of the Resolution, their unconditional agreement and consent to accept and abide by each and all of the terms, conditions, and limitations set forth in the Resolution;

NOW, THEREFORE, the Owners do hereby agree and covenant as follows:

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

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

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

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

[SIGNATURES ON FOLLOWING PAGE]

Dated: _____, 2020.

ATTEST

By: _____

Name: _____

OWNERS

By: _____

Julie Magnani

By: _____

Jason Magnani

RESOLUTION NO. ZBA-2-2020
VILLAGE OF WINNETKA
ZONING BOARD OF APPEALS
DENIAL OF ZBA CASE NO. 20-06-V – 381 FAIRVIEW AVENUE

WHEREAS, Jason and Julie Magnani (collectively, the “Applicant”) are the owners of the property commonly known as 381 Fairview Avenue, Winnetka, Illinois, and legally described in **Exhibit A** attached to and, by this reference, made part of this Resolution (“**Subject Property**”); and

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

WHEREAS, the Subject Property is improved with a single family residence that is nonconforming with respect to the maximum building size requirement (“**Building**”); and

WHEREAS, the Applicant desires to construct on the Subject Property (i) a two-story addition to the Building, (ii) an expansion of the existing driveway within the front yard, and (iii) a front-facing attached garage 22.67 feet wide (“**Proposed Improvement**”); and

WHEREAS, pursuant to Section 17.30.030 of the Winnetka Zoning Ordinance (“**Zoning Ordinance**”), the Subject Property is permitted (i) a maximum roofed lot coverage of 2,552.04 square feet and (ii) a maximum front yard lot coverage of 612 square feet; and

WHEREAS, pursuant to Section 17.30.040 of the Zoning Ordinance, the Subject Property is permitted a maximum building size of 3,705.4 square feet; and

WHEREAS, pursuant to Section 17.30.110 of the Zoning Ordinance, the Subject Property is permitted a front-facing attached garage 22 feet wide; and

WHEREAS, the Applicant desires to construct the Proposed Improvements on the Subject Property with (i) a roofed lot coverage that exceeds the maximum permitted 2,552.04 square feet, a violation of Section 17.30.030 of the Zoning Ordinance, (ii) a front yard lot coverage that exceeds the maximum permitted 612 square feet, a violation of Section 17.30.030 of the Zoning Ordinance, (iii) a maximum building size that exceeds the maximum permitted 3,705.4 square feet, a violation of Section 17.30.040 of the Zoning Ordinance and (iv) a front-facing attached garage wider than 22 feet allowed of the R-4 Single Family Residential District, a violation of Section 17.30.110 of the Zoning Ordinance; and

WHEREAS, the Applicant filed an application for variations from Sections 17.30.030, 17.30.040 and 17.30.110 of the Zoning Ordinance to permit construction of the Proposed Improvements on the Subject Property with (i) a roofed lot coverage of 2,911.75 square feet, (ii) a front yard lot coverage of 734.1 square feet, (iii) a maximum building size of 3,908.28 square feet and (iv) a front-facing attached garage 22.67 feet wide (“**Requested Variations**”); and

WHEREAS, a public notice for the Requested Variations was duly published on January 23, 2020 in the “Winnetka Current” and notice was mailed to the owners of record of all properties within 250 feet of the Subject Property as required by the Zoning Ordinance; and

WHEREAS, a public hearing was held by the Winnetka Zoning Board of Appeals during a meeting held on February 10, 2020 for the purpose of considering the Requested Variations with the final decision being rendered at the Zoning Board of Appeal's Regular Meeting on February 10, 2020; and

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

1. Application for the Requested Variations submitted by the Applicant, dated January 14, 2020, including all attachments as well as all subsequent additions and revisions to these application materials and attachments; and
2. All written and oral testimony concerning the Requested Variation.

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

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

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

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

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

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

[SIGNATURES ON FOLLOWING PAGE]

ADOPTED this 10th day of February, 2020, pursuant to the following roll call vote:

AYES: _____

NAYS: _____

ABSENT: _____

ABSTAIN: _____

Signed:

Matthew Bradley, Chairperson

Countersigned:

Village Clerk

EXHIBIT A
LEGAL DESCRIPTION OF SUBJECT PROPERTY

The Southerly 68 Feet (as measured on the Easterly and Westerly lines thereof) of the Westerly 139 Feet of Lot 3 in Graves Winnetka, being a subdivision of that part of Fractional North ½ of Fractional Section 21, Township 42 North, Range 13, East of the Third Principal Meridian, formerly known as Vacated Blocks 44, 68 and 69 and the 33 Feet West of and adjoining Blocks 44 and 68 in the Village of Winnetka, in Cook County, Illinois.

Commonly known as 381 Fairview Avenue, Winnetka, Illinois.

Parcel Index Number: 05-21-201-021-0000



MEMORANDUM VILLAGE OF WINNETKA

COMMUNITY DEVELOPMENT DEPARTMENT

TO: ZONING BOARD OF APPEALS
FROM: DAVID SCHOON, DIRECTOR
DATE: FEBRUARY 5, 2020
SUBJECT: COMPREHENSIVE PLAN DISCUSSION

At the February 10, 2020, Zoning Board of Appeals meeting, the comprehensive plan consultant team, headed by The Lakota Group, will hold a discussion session with the Board regarding zoning-related issues in the community. Attached is a sheet of questions that the consultant will guide you through at the meeting. We are providing it to you now so you can start thinking about the questions. Staff has shared the Board's ideas from the recent SWOT analysis with the consultant team.

Attached is a flyer providing an overview of the comprehensive plan process. If you have more questions regarding the comprehensive plan and the process of developing the plan, please visit the project website at www.winnetkafutures.org.

ATTACHMENTS

Attachment A: Zoning Board of Appeals Focus Group Questions
Attachment B: Comprehensive Plan Project Overview





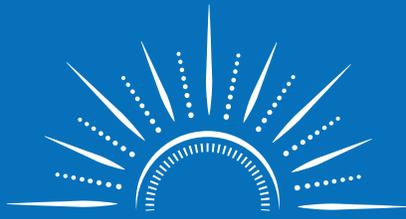
WINNETKA COMPREHENSIVE PLAN

Zoning Board of Appeals

Focus Group Discussion

QUESTIONS:

- **Zoning Variations; Review and Decision-Making Authority**
 - Are the current thresholds for decision-making on zoning variations working?
 - Are there variations (or other zoning matters) now requiring higher-level decision-making that could be assigned to the zoning administrator or zoning board of appeals?
 - Are there types of zoning variation requests that have become routine, perhaps suggesting that the underlying regulation may be due for adjustment?
- **Special Uses**
 - Are there matters now requiring special use approval that could be handled in different ways?
- **Review and Decision-Making (General)**
 - Are the roles of the various zoning-related boards, commissions and committees clear? Are there obvious opportunities to consolidate and/or streamline review processes?
- **Public Notice**
 - Are the current notice requirements for rezonings, variations and other zoning matters effective--in terms of reaching affected persons and communicating what is being proposed?
- **Infill**
 - Are current zoning regulations/procedures effective in helping ensure that new infill projects fit the established character/context of the area in which they are located?
 - What are some of the typical concerns raised by neighbors when new residential infill occurs?
- **Retail Overlay**
 - Is the C2 Retail Overlay producing the intended results?
- **Other**
 - Other observations about how zoning regulations and procedures should be updated and modernized to meet the needs of the village?



Winnetka Futures 2040 PLAN

ABOUT THE PLAN

The Village of Winnetka is engaged in the creation of the Winnetka Futures 2040 Plan. The Plan will explore how Winnetka can better understand and address changing times, such as a radically changed retail environment; transportation mobility innovations; an aging population; evolving housing preferences; changing work and commuting habits; and an increased focus on environmental issues and sustainability. As a plural, “Winnetka Futures” communicates the many alternative possibilities available to Winnetka by the year 2040 and will inform high-level conversations about the future of the Village. How can we envision a future that meets the goals and aspirations of Winnetkans, regardless of their stage of life? That is what The Winnetka Futures 2040 Plan seeks to discover.

GET INVOLVED

Public input in the planning process is critical, as a successful plan must reflect the unique values and aspirations of the Winnetka community. On behalf of the Village, The Lakota Group will hear from community members through several public open houses, pop-up events, and online surveys. Additionally, the team will engage residents and business owners in thoughtful conversations about the future of the Village. Stakeholder interviews and focus groups will be held in February 2020, and the first Community Open House is planned for March 2020. To stay up to date on project updates and upcoming events, sign up to receive emails via the project website—www.WinnetkaFutures.org. Any thoughts or ideas for The Winnetka Futures 2040 Plan can be sent to the planning team via the contact section of the website.

TIMELINE

PHASE 1:



ANALYZE

NOVEMBER 2019 - JUNE 2020

The first phase establishes a dynamic community planning process and creates an information base to understand the existing conditions in Winnetka.

PHASE 2:



VISIONING

JUNE - OCTOBER 2020

During this phase, the vision and goals of the plan are outlined, and concepts and recommendations for future land use and development are crafted.

PHASE 3:



PLAN MAKING

OCTOBER 2020 - APRIL 2021

In this phase, The Winnetka Futures 2040 Plan will be drafted, refined and adopted with feedback from Village staff, residents, Plan Commission, and the Village Council.

VISIT WWW.WINNETKAFUTURES.ORG TO LEARN MORE

THE
LAKOTA
GROUP.

