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ORDINANCE NO. M-12-2005

**AN ORDINANCE ESTABLISHING 455 BIRCH STREET
AS A DESIGNATED LANDMARK**

WHEREAS, the owner of the property commonly known as 455 Birch Street, Winnetka, Illinois (the "Subject Property"), which is legally described as follows:

Lots 9, 10 and 11 in Carlton Park Subdivision of Block 34 (except the South 80 feet of the Northeast $\frac{1}{4}$ and except the North 80 feet of the Southeast $\frac{1}{4}$) in Winnetka, a subdivision of the Northeast $\frac{1}{4}$ of Section 20 and the fractional North $\frac{1}{2}$ of fractional Section 21, Township 42 North, Range 12 East of the Third Principal Meridian, in the Village of Winnetka, Cook County, Illinois,

Permanent Real Estate Index Number (PIN) of 05-20-216-013

has submitted an application seeking designation of the Subject Property as a certified Village of Winnetka landmark; and;

WHEREAS, pursuant to Article VII, Section 6 of the Constitution of the State of Illinois of 1970, the Village of Winnetka, a home rule municipality, has the authority, except as limited by said Section 6 of Article VII, to exercise any power and perform any function pertaining to the government and affairs of the Village, including, but not limited to, the powers to regulate for the protection of the public health, safety, morals and welfare; and

WHEREAS, the identification, designation and preservation of buildings and structures in the Village that are historically, culturally, and architecturally significant, and the encouragement of the restoration and rehabilitation of those buildings and structures, is a matter of the government and affairs of the Village; and

WHEREAS, Chapter 15.64 of Title 15 of the Winnetka Village Code, "Landmark Preservation," establishes the standards and procedures for the preservation, protection, enhancement, rehabilitation and regulation of buildings, structures, objects, and places of historical, cultural or architectural importance; and

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WHEREAS, the Council of the Village of Winnetka have determined that it is in the best interests of the Village and its residents that participation in the landmark designation process shall be limited to those owners who voluntarily elect to participate in that process; and

WHEREAS, pursuant to the provisions of Chapter 15.64 of the Winnetka Village Code (the "Landmark Ordinance") and notice duly published and sent, the Landmark Preservation Commission conducted a public hearing on October 4, 2004, to consider the owners' application for landmark designation of the Subject Property; and

WHEREAS, the Landmark Preservation Commission applied the Village's System for the Evaluation of Landmarks to the information received at the hearing and made findings regarding the Subject Property, including the following:

- (1) The architectural type is extremely rare, in that: (a) the Lola Maverick Lloyd house was constructed in 1920 in a style that transcends three decades of architectural style: Arts & Crafts, Art Deco, and WPA; (b) the residence's simple features, low roofline, exposed rafter tails and hand-crafted ornamentation are all reflective of the Arts & Crafts style; (c) the vertical board and batten siding, window boxes, clipped gables and strong coloration suggest the influence of its Swedish architect;
- (2) The method of construction is extremely rare, in that: (a) the builder of the residence, Charles Haag, was dedicated to hand craftsmanship, as evidenced by the clipped gables, the unusual windows, board-and-batten siding and the homes' colors, which are Swedish in origin; (b) the roof line is broken by numerous dormers, clad in vertical board-and-batten siding painted brick red with clipped gable ends; (c) the lower exterior is stuccoed and painted a strong golden yellow with aqua trim and barn red siding above; (d) heavy shaped braces support the open gabled front porch roof; (e) there are two square bays projecting from the long north wall; (f) the windows are of many shapes and styles and placed irregularly according to the interior plan, and include a triple window on the west, three small windows on the second floor of the south

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façade which are decorated with a long window box, and a window on the west elevation that is ornamented with carved doves;

- (3) The Subject Property is associated with a person of historical significance as well as a master builder, in that it was designed and built by Charles Haag, a Swedish sculptor who trained in Paris and later emigrated to the U.S., and whose sculptures are still on display through the state;
- (4) The Subject Property is a symbol of the neighborhood and a conspicuous and familiar structure in the context of the entire Village, because it is situated on the corner of Birch and Cherry Streets in a native hardwood grove which contains a remarkable variety of trees and native wildflowers, making this prominent setting and unusual house a familiar visual landmark for the Village; and
- (5) The Subject Property received the highest rating for originality and design integrity because the home has been left virtually unchanged.

WHEREAS, based on its findings, the Landmark Preservation Commission has concluded that the residence located at 455 Birch is unique and meets the criteria of the Landmark Ordinance and the Commission members present at the October 4, 2004, meeting have unanimously recommended that it be so designated; and

WHEREAS, the Council of the Village of Winnetka have considered the recommendation of the Landmark Preservation Commission and have determined that it is in the best interest of the Village and its residents to establish the house located at 455 Birch as a designated, certified landmark.

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

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

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SECTION 2: That the property located at 455 Birch Street, permanent real estate index number 05-20-216-013, is hereby designated a certified landmark under the Landmark Ordinance, in accordance with the findings and recommendations of the Landmark Preservation Commission.

SECTION 3: This Ordinance is adopted by the Council of the Village of Winnetka in the exercise of its home rule powers pursuant to Section 6 of Article VII of the Illinois Constitution of 1970.

SECTION 4: This Ordinance shall take effect immediately upon its passage, approval and posting as provided by law.

PASSED this 19th day of July, 200~~3~~⁵ pursuant to the following roll call vote:

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

NAYS: None

ABSENT: President Woodbury

APPROVED this 19th day of July, 2005.

Signed:

Acting Village President

Countersigned:

[Signature]
Village Clerk

Introduced: June 21, 2005

Posted: June 22, 2005

Passed and Approved: July 19, 2005

Posted: July 21, 2005