

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS
PUBLIC HEARING HELD TUESDAY, AUGUST 10, 2004 AT 7:30 P.M. AT THE
NORTH BARRINGTON VILLAGE HALL, 111 OLD BARRINGTON ROAD, IN SAID VILLAGE

1. Call to Order & Roll Call

At 7:30 P.M. Chairman Nass called the hearing to order and the Village Clerk called the roll:

Present: Chairman Warren Nass, Vice Chairman John Cifonelli, W. Gene McAlester, Joe DiPino, Carleen Kreider
Absent: Janis Menges, Bryan McGonigal, Trustee Mazeski
Also Present: Kathy Nelander, Village Clerk
Thomas & Judith Hellgeth, 578 Golfview Drive
Carolyn Short, 586 Golfview Drive
Bob Sturgis, 211 N. Signal Hill Road
Collin, Ryco Landscaping, Lake in the Hills

Chairman Nass welcomed the audience to the Zoning Board of Appeals Meeting and asked that any person wishing to speak during the public hearing, stand in order to be sworn in. The witnesses were sworn in.

2. The following variations are requested in the petition submitted by Mr. and Mrs. Thomas Hellgeth, 578 Golfview Drive, North Barrington, Illinois 60010.

Chairman Nass explained the variances to the code as requested by Mr. and Mrs. Thomas Hellgeth.

ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet.

The lot area of the subject is 20,250 square feet.

ZR-10-1-2(B) and

ZR-10-4-2(A,1,b): A non-conforming building or use shall not be expanded.
The subject property is non-conforming on account of lot size.

Chairman Nass noted that there were no objections from neighbors or Village Staff to the proposed addition, although Health Officer Natalie Karney had concerns about the location of the existing septic system. Chairman Nass explained that she had asked that a site plan including the existing and proposed building, well and septic tanks and septic field location be submitted. Then, upon review of the site plan, she would determine if the garage addition met the set-back requirements from the existing septic system and if the addition infringed on any areas available for a septic replacement field. It was noted that a Property Alteration Permit from

the Lake County Health Department was also required.

Mr. Hellgeth explained that after receiving Ms. Karney's memo, he had the septic system located, and his architect had included the tank and field on a site plan. The trench lines were not identified and the well site was not properly marked on the site plan and Chairman Nass asked Mr. Hellgeth to identify and initial the trench lines and the well on the newly submitted site plan. Mr. Hellgeth said that he had forwarded this new site plan to Natalie Karney. He also noted that he had received the Alteration Permit from Lake County.

Chairman Nass explained that the variance was requested in order to build a garage addition to the home at 578 Golfview Drive. Chairman Nass explained that the variance was required due to the size of the lot, and that there were no setback variances required. Chairman Nass noted that the submitted plans were preliminary plans and that final architectural drawings were required for review and approval prior to the issuance of a building permit. There were some questions from the Board.

Motion: W. Gene McAlester moved to recommend to the Village Board approval of the requested variances for Mr. & Mrs. Thomas Hellgeth to construct a 12' x 28'1" garage addition to the home at 578 Golfview Drive, using the preliminary plans prepared by Tinaglia Architects, Inc. dated 6/28/04, subject to the approval of the Village Health Officer, and that final architectural drawings would be required for review and permitting purposes; seconded by John Cifonelli.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Chairman Warren Nass, Vice Chairman John Cifonelli, W. Gene McAlester, Joe DiPino, Carleen Kreider
	Nays:	None
	Absent:	Janis Menges, Bryan McGonigal
	Abstain:	None

Chairman Nass declared the motion approved and that the recommendation would be made to the Village Board. He stated that the next Village Board Meeting was scheduled for Monday, August 23, 2004 at 7:30 p.m. and invited Mr. & Mrs. Hellgeth to attend.

3. The following variations are requested in the petition submitted by Mr. and Mrs. Robert Sturgis, 211 Signal Hill Road, North Barrington, Illinois 60010.

Chairman Nass explained that there were three variances requested in this application, and he said that he wanted to view the variance requests separately, first the variance to Sections ZR-10-11-2 (A1 and A2) for the proposed fence and entry gates, and then for the variance to Section ZR-10-2-1 for the proposed garden house. Chairman Nass noted that all requirements had been met by the applicants and explained the first two variances to the code requested by Mr. & Mrs. Robert Sturgis.

ZR-10-11-2(A,1): No fence shall be permitted in front yards except ornamental fences. An ornamental fence is one which is for decorative purposes and the primary function of which is not an enclosure, barrier or means of protection or confinement.

The proposed wrought iron driveway entrance gates/monuments are located in the front yard and the primary function is that of a barrier or means of protection.

ZR-10-11-2(A,2): Except as otherwise permitted by this chapter or by the Village code, no fence shall be more than three feet (3') in height.

The proposed wrought iron driveway entrance gates and stone/brick entry monuments will be approximately six (6) feet in height.

Chairman Nass explained that the Village had amended the Village Zoning Ordinance regarding fence regulations in November of 2002. Chairman Nass explained that although there were many fences located in the front yards on N. Signal Hill Road, each fence could fall under different circumstances. He explained that for instance, the one immediately to the south of Mr. Sturgis at 205 N. Signal Hill Road was in violation of two sections to Village Code because the fence is over three feet in height, was serving as both an enclosure and a barrier, and had been erected without a permit. Chairman Nass explained that the resident at 205 N. Signal Hill Road had been notified of the violation by the Village, and was told to seek a Zoning variation or remove the fence.

Chairman Nass also noted a fence at 167 N. Signal Hill Road, which is over four feet in height, located in the front yard, and currently under repair. He explained that the fence at 167 N. Signal Hill Road did not require a Zoning variation for the repair, as the fence was not only erected, but repaired with a permit, and that the Village Code had different provisions for lots of three acres or more.

Chairman Nass invited Mr. Robert Sturgis to address the Board and explain the fencing, entry monuments and gate to the Board. Mr. Sturgis explained that there would be four, six-foot columns constructed of brick and stone to match the fascia of the house, six foot high wrought iron fencing, and a six foot wrought iron electronic gate. He explained that they wanted to be able to control access to the property, via the gate. There were questions about the fencing, if it would serve for decorative purposes, barrier purposes and if it would enclose the property. Mr. Sturgis said that gate was to control access to the home via the driveway and to keep out solicitors, but the fence did not enclose the property. There was lengthy discussion about the purpose of the fence, and the interpretation of the Fence Ordinance and whether or not the fence served as a barrier if it did not enclose the property. Chairman Nass noted that the Plan Commission was currently reviewing certain portions of the Fence Ordinance.

Motion: Vice Chairman Cifonelli moved to recommend to the Village Board approval of the requested variances from Sections ZR-10-11-2 (A1 and A2) for the proposed fence and entry gates as depicted in the site/landscape/front entry gate plan as prepared by RYCO

Landscaping, dated 5/7/04; seconded by Joe DiPino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Chairman Warren Nass, Vice Chairman John Cifonelli, W. Gene McAlester, Joe DiPino, Carleen Kreider
Nays: None
Absent: Janis Menges, Bryan McGonigal
Abstain: None

Chairman Nass declared the motion approved.

Chairman Nass explained the second portion to the variance request.

ZR-10-2-1: Accessory structures shall not exceed two hundred fifty (250) square feet in area. The proposed Garden House structure has an overall area of 410 square feet (250 s.f. enclosed + 160 s.f. covered porch).

Chairman Nass invited Mr. Robert Sturgis to address the Board and explain why they were requesting variances from the Village Code.

Mr. Sturgis explained that the garden house's interior was 250 square feet, and code compliant, but it was the additional covered porch which caused the variance from code. He explained that the roof was to provide shelter from the elements and to prevent snow from accumulating at the doors. He said that the garden house was to be constructed of the same materials used for the house: brick, stone and cedar. There questions from the Board and further discussion.

Motion: Joe DiPino moved to recommend to the Village Board approval of the requested variance from Section ZR-10-2-1 for Mr. & Mrs. Robert Sturgis to construct a detached garden house at 211 N. Signal Hill Road using the plans prepared by Mark Elmore Associates Architects, dated 5/5/04; seconded by W. Gene McAlester.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Chairman Warren Nass, Vice Chairman John Cifonelli, W. Gene McAlester, Joe DiPino, Carleen Kreider
Nays: None
Absent: Janis Menges, Bryan McGonigal
Abstain: None

Chairman Nass declared the motion approved and that the recommendation would be made to the Village Board. He stated that the next Village Board Meeting was scheduled for Monday, August 23, 2004 at 7:30 p.m. and invited Mr.& Mrs. Sturgis to attend.

4. Adjournment

Motion: Joseph DiPino moved to adjourn the Public Hearing; seconded by Vice Chairman Cifonelli.

Discussion: There was no discussion.

The Voice Vote was unanimous.

At 8:05 p.m. Chairman Nass declared the meeting adjourned.

Respectfully submitted,

Kathy Nelander, Village Clerk

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