

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS
PUBLIC HEARING HELD TUESDAY, AUGUST 12, 2003 AT 8:00 P.M.
AT THE NORTH BARRINGTON VILLAGE HALL,
111 OLD BARRINGTON ROAD, IN SAID VILLAGE

1. Call to Order & Roll Call

At 8:00 P.M. Chairman Nass called the meeting to order and the Village Clerk called the roll:

Present: Chairman Warren Nass, John Cifonelli, Brian Johnson, Gene McAlester

Absent: Janis Menges, Kelly Mazeski

Also Present: Kathy Nelander, Village Clerk

Frank Tripicchio, 241 Beachview Lane

Bill & Roslynn Riley, 435 Brookmont Lane

Linda Starkey, Village President

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. & Mrs. Frank C. Tripicchio, 241 Beachview Lane, North Barrington, Illinois 60010.

Chairman Nass noted that all requirements had been met by the applicant and explained the variances to the code requested by Mr. & Mrs. Frank C. Tripicchio.

ZR-1-2(B) and

ZR-1-7(A,2): A non-conforming building or use shall not be expanded

The subject property constitutes a legal non-conforming use on account of its lot area, average lot width, lot width at the front lot line and existing building setback encroachments.

ZR-5-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet, an average width of at least 130 feet, and a width at the front lot line of at least 115 feet.

The subject property (Lots 24 and 25 in Block 24 in Unit No. 1 of Biltmore County Estates) has an area of approximately 12,000 s.f., an average width of approximately 96 feet, and a width at the front lot of 100 feet.

ZR-8-2(C): From each side line, the setback shall not be less than 10 feet.

The existing house is located approximately 8.87 feet from the west side line.

ZR-8-2(D): From the rear line, the setback shall not be less than 40 feet.

The existing house is located approximately 26.1 feet from the rear line

Chairman Nass noted that there were no objections from neighbors or Village Staff to the

proposed addition. Chairman Nass invited Mr. Trippichio to address the Board and explain why he was requesting a variance from the Village Code. Mr. Trippichio stated that they had moved to the home three years ago and he had completed a significant amount of work on the home, including replacing windows and doors. Mr. Trippichio explained he wanted to construct a garage and porch addition to the home, as well as replace the existing driveway. He said that his current garage had an undersize garage door which is 14' wide, and by adding a second garage directly south of the existing garage, it would allow for the installation of a standard 16 foot door. He explained that the larger garage would enable him to get clearance in order to store a boat in the garage. He explained that there was a screened in porch above the existing garage and that another porch would be constructed above the garage addition. He explained that a deck would be constructed connecting the kitchen to the new porch.

Chairman Nass had concerns about the 25'8" addition to the front of the home and the possible impact to the neighboring homes, in particular the home directly to the east. There was some discussion on the esthetics of the resulting view from the neighbor's home and current distances between the homes. Chairman Nass said that he was also concerned about uniform setbacks in the Biltmore area, especially the homes on that side of Beachview Lane. There was further discussion.

Motion: Brian Johnson moved that the Zoning Board recommended to the Village Board approval of the requested variances for Mr. & Mrs. Frank Trippichio to construct a garage and porch addition to the home, using the preliminary plans as submitted to the Zoning Board of Appeals and that final architectural drawings would be required for permitting purposes; seconded by John Cifonelli.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	John Cifonelli, Gene McAlester and Brian Johnson
	Absent:	Janis Menges, Kelly Mazeski
	Nays:	Chairman Nass
	Abstain:	None

Chairman Nass declared that the motion did not carry as the motion required a majority of 4 votes. Chairman Nass said that a recommendation of "no recommendation" would be made to the Village Board, and that the Board of Trustees would consider the matter at the next Village Board Meeting scheduled for August 25, 2003 at 7:30 p.m. and invited Mr. & Mrs. Trippichio to attend. Mr. Trippichio said that he would be out of town for the next scheduled Board meeting, but that he could send a representative.

3. The following variations are requested in the petition submitted by Mr. & Mrs. William P. Riley, 435 Brookmont Lane, North Barrington, Illinois 60010.

Chairman Nass noted that all requirements had been met by the applicant and explained the variances to the code requested by Mr. & Mrs. William P. Riley.

- ZR-9A-2(B): Except as otherwise permitted by this Chapter or otherwise by the Village Code, no fence shall be more than three (3) feet in height.
The proposed fencing is six (6) feet in height.
- ZR-9A-2(I) Every fence shall be constructed with at least fifty percent (50%) open space between the elements of which the fence is constructed in order that one may see through the fence when viewed in a direction perpendicular to the fence.
The proposed fencing is a privacy-type fence which is constructed with no open space between the elements of which the fence is constructed.

Chairman Nass noted that there were no objections from Village Staff to the proposed addition, although there were objections from three neighbors, in the form of letters, submitted to the Board. Chairman Nass invited Mr. & Mrs. Riley to address the Board and explain why they were requesting a variance from the Village Code. Mr. Riley stated that they had recently moved to North Barrington from rural Virginia, where their dogs previously had the run of ten acres. Mr. Riley said that they would like to install a six foot fence privacy fence for the containment of the dogs, safety of their children, and to keep animals from entering the yard. Mr. Riley said that they had tried an electric fence at their previous home, although it did not work for them.

Chairman Nass reported that there already was a non-conforming 6 foot stockade type fence currently on the property. He explained that the Village did allow fences that were three feet high with 50% open space. Mr. Riley asked if he could change the fence to 5 feet, and later to 4 feet high. Chairman Nass said that the notice for the Public Hearing had been made available to the newspaper as well as the neighbors and that a change in the fence design and height would have to be reconsidered at another public hearing before the Zoning Board. There was further discussion.

Motion: Brian Johnson moved that the Zoning Board recommended to the Village Board denial of the requested variances by Mr. & Mrs. Bill Riley to install a six foot fence privacy fence at the home at 435 Brookmont Lane; seconded by W. Gene McAlester.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	W. Gene McAlester, Warren J. Nass, Brian Johnson, John Cifonelli
	Absent:	Kelly Mazeski, Janis Menges
	Nays:	None
	Abstain:	None

Chairman Nass declared the motion approved and that the recommendation for denial would be made to the Village Board. He stated that the next Village Board Meeting was scheduled for August 25, 2003 at 7:30 p.m. and invited Mr. & Mrs. Riley to attend.

3. Adjournment

Motion: John Cifonelli moved to adjourn the public hearing; seconded by W. Gene McAlester.
Discussion: There was no discussion.
The Voice Vote was unanimous.

At 8:40 p.m. Chairman Nass declared the meeting adjourned.

Respectfully submitted,

Kathy Nelander, Village Clerk
Page 4
ZBA 8/12/03

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