

MINUTES OF THE NORTH BARRINGTON PLAN COMMISSION MEETING WHICH WAS HELD AUGUST 9, 2004 AT THE NORTH BARRINGTON VILLAGE HALL, 111 OLD BARRINGTON ROAD, IN SAID VILLAGE

1. Call to Order and Roll Call

At 7:30 P.M. Chairman Pais called the meeting to order and the Clerk called the roll:

Present: Chairman Martin Pais, Bill Bishop, Denis Taillon, Jim Archer, Terry Banach, Dan Nass, Eleanor McDonnell, Jason Hagen

Absent: None

Also Present: Trustee Sidney Bartlett

2. Approve Minutes: Plan Commission Meeting, July 12, 2004

The Minutes of the 7/12/04 Meeting were made available to the Commission.

Motion: Terry Banach moved that the Minutes of the 7/12/04 Meeting be approved as presented; seconded by Bill Bishop.

Discussion: There was no discussion.

Vote on Motion

By Roll Call: Ayes: Chairman Martin Pais, Bill Bishop, Denis Taillon, Jim Archer, Terry Banach, Dan Nass, and Jason Hagen

Nays: None

Absent: None

Abstain: Eleanor McDonnell

Chairman Pais declared the Minutes of the 7/12/04 Meeting approved and put on file.

Chairman Pais reported to the Commission that Terry Banach was appointed Vice Chairman of the Commission at the July Village Board Meeting. Chairman Pais also welcomed Jason Hagen to the Commission, who was appointed to the Plan Commission at the July Village Board meeting.

3. Status Report on Tear-Down Ordinance

a. Bill Bishop – Architectural Committee Presentation

Bill Bishop gave an overview of Oaksbury's Protective Covenants and the Architectural Committee. He explained that the Oaksbury Subdivision has an architectural review and approval process, and that subdivision approval must be obtained in writing prior to submitting a building permit application to the Village. He explained that each new homeowner is presented with the Covenants upon moving into the neighborhood via the Homeowners Association. Bill

Bishop explained that the Architectural Review Committee works because of neighbor cooperation and the Committee's findings have never been challenged. He explained that the Committee's intent is to retain the overall appearance of the neighborhood, retain property values, and retain some control of the finished product. There was further discussion.

b. Terry Banach – Architectural Committee Presentation

Terry Banach explained that the Wynstone Staff Architect Mimi Troy, was scheduled to address the Commission at the September meeting regarding Wynstone's Architectural Review Guidelines and Committee. He explained that Wynstone's Covenants, Conditions and Restrictions do not list specific design items necessary for plan approval; rather the power to approve or disapprove individual building plans is the responsibility of the Architectural Review Committee. He explained that the Committee was not to restrict, but to maintain within the overall community the aesthetic relationship between homes, natural amenities, the golf course, and surrounding neighbors. He briefly explained the application process.

There was lengthy discussion on the topic of whether or not the Biltmore area could set up a homeowners association or architectural review committee, and if there was a need for such a committee, and the difficulty of developing an all encompassing yet fair ordinance.

c. Dan Nass – Presentation on Basis for Floor Area

Dan Nass gave a presentation on Floor Area Ratio. He distributed a Zoning Ordinance Amendment for the town of Scarsdale, New York. He explained that the ordinance established a floor area ratio cap to address the recent trend of tearing down existing houses and replacing them with larger houses or building large additions to existing houses. He explained that they established a maximum FAR for homes in certain "zones", but also took into consideration the desire of residents to enlarge their homes to meet the needs of their families and to preserve neighborhood character by requiring houses to appear to be of the same or similar scale to others in the neighborhood.

Dan Nass explained that the ordinance was well written, and had been tested in court. He asked that the Commission review the document for further discussion on how it could possibly be used for North Barrington.

d. Martin Pais – Presentation on Floor Area Ratio data

The discussion was included in section c.

e. Martin Pais – Clarification on Village home size restriction for Wynstone

Chairman Pais clarified a portion of the PUD Ordinance for Wynstone which involved lot area.

4. Fence Ordinance

a. Martin Pais – Definition of allowable fence

Chairman Pais explained that Village Staff had asked that the Plan Commission review the recently enacted Fence Ordinance. He explained there were some concerns about what constituted an ornamental fence and enforcement issues. The discussion was postponed until the next meeting.

b. Denis Taillon – Presentation on Pool Fence Requirements

Denis Taillon distributed some information regarding Lake County and required pool fencing. The topic was to be discussed at the next meeting.

5. Enforcement Issues

a. Terry Banach – Presentation on Ordinance Enforcement Process within Wynstone

Terry Banach explained the enforcement process for violations within the Wynstone subdivision. He explained that when you purchase in the subdivision, you agree to comply with all covenants and restrictions, and if the homeowner does not comply, fines can be imposed, and/or the violation will be brought into compliance and the homeowner can be charged for the work. There was further discussion about the lack of an enforcement officer, or a way to enforce code violations in the Village. Dan Nass said that he would research how other Villages enforce their ordinances.

6. Martin Pais – Clarification on Village Owned parcels

The Commission reviewed the locations of some Village owned parcels and had some discussion about vacant parcels in the Village.

7. Old/New Business

Trustee Bartlett explained that there was a Zoning violation in the Oaksbury subdivision regarding the placement of a playground set. Trustee Bartlett explained that the playground equipment was erected without researching the Village's setback regulations for accessory structures. She explained that children's playhouses and playground equipment are considered accessory structures, and must be located ten feet from the side and rear lot lines, and 85 feet from the front lot line. She asked if the Commission wanted to review the Zoning Ordinance with regard to playground equipment, either by removing the item from the definition of "accessory structure" or requiring playground equipment to be located in the rear yard. The Plan Commission said that they did not see the need to amend the Zoning Ordinance, that the

homeowner should seek a variance for the placement of the equipment.

8. Adjournment

Motion: Terry Banach moved the meeting be adjourned; seconded by Bill Bishop.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

At 9:40 P.M. Chairman Pais declared the Meeting adjourned.

These Minutes were approved at the Plan Commission Meeting held September 13, 2004.

ATTEST:

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Kathy Nelander, Village Clerk