

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS  
PUBLIC HEARING HELD TUESDAY, FEBRUARY 11, 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 8:02 P.M. Chairman Nass called the meeting to order and the Deputy Clerk called the roll:

Present: Warren Nass, John Cifonelli, Kelly Mazeski, and W. Gene McAlester

Absent: William Buecking, Janis Menges

Also Present: Kathy Nelander, Deputy Clerk

Melissa Roth, Trustee

Linda Starkey, Village President

Virginia Black, 110 Seminole Drive

Greg & Colleen Liszewski, 127 Osage Drive

Mike Sullivan, representing 127 Osage Drive

Fred Resnick, representing 27 Osage Drive

Joyce Best, 114 Mohawk Drive

Bo Jaremus, 581 Signal Hill Road

Peter Economos, 70 S. Wynstone Drive

Natalie P. Karney, Village Health Officer

Mike Barko, 575 Signal Hill Road

Roy & Roberta Svacha, 581 Onondaga Drive

Susan Allman, Village Forester

Evelyn Richer, 135 Mohawk Drive

Terry Cahill, 2099 Stonington Ave., Hoffman Estates

Louis Werderitch, 220 E. N.W. Hwy., Palatine

Mike Werderitch, 220 E. N.W. Hwy., Palatine

Andrea Pracht, Baxter & Woodman

Kelly Rafferty, Building & Zoning Officer

C. Pontikes, 22910 N. Hwy. 59, Barrington

J. W. Braithwaite, Village Attorney

2. The following variations are requested in the petition submitted by Mr. Greg Liszewski, 127 Osage Drive, North Barrington, Illinois 60010.

Chairman Nass welcomed the audience to the Zoning Board of Appeals Meeting and explained the variances to the code requested by Mr. Greg Liszewski.

ZR-5-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet.

The subject property (Lots 19, 20, 21 and 22 in Block 5 in Unit No. 3

of Biltmore Country Estates) is approximately 27,000 square feet in area.

ZR-8-2(A): From all roads or streets, the setback to any building or structure shall not be less than sixty (60) feet from the established center line of the road right-of-way.

Based on the 60 ft. wide road right-of-way established for Osage Drive, the required front setback shall be 30 ft. as measured from the front property line. The proposed addition will be located approximately 18 ft. from the front property line at its closest point. This represents a front yard setback encroachment of approximately 12 ft.

ZR-102(B) &  
ZR-1-7(A,2):

A non-conforming building or use shall not be expanded. The existing property is considered as being non-conforming because it does not comply with the minimum lot size requirements.

Chairman Nass explained that there had been no objections from the Health & Sanitation Officer, Village Forester or any neighbors to the proposed plan for the renovations and additions to the home at 127 Osage Drive. Chairman Nass then invited Mr. Greg Liszewski to address the Board and explain the plans for the home.

Chairman Nass asked that any person wishing to speak during the public hearing, stand in order to be sworn in. The witnesses were sworn in.

Greg Liszewski addressed the Board and explained that he had moved into the home approximately 11/2 years ago, and the home was located at the dead end of Osage Drive. He said that the existing greenhouse on the front of the house was unsightly, old, drafty, and posed security problems to the home. He explained that they wanted to demolish the existing greenhouse and construct a sunroom addition, and that addition would be four feet longer than the existing structure. He said that the old structure measuring 19x9" would be replaced with the new sunroom measuring 19"x13". He said that the old structure would be completely removed, including the foundation, that new concrete footings would be poured, and that once finished, the addition would be sided to match the existing house. There were some questions from the Board.

Motion: Kelly Mazeski moved that the Zoning Board recommended to the Village Board approval of the requested variances by Mr. Greg Liszewski to construct a sunroom addition to the home at 127 Osage Drive using the plans prepared by D.A. Schiller & Associates dated 12/10/02; seconded by Brian Johnson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: W. Gene McAlester, Warren J. Nass, Brian Johnson, John Cifonelli and Kelly Mazeski

Absent: William R. Buecking and Janis Menges

Nays: None  
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 February 24, 2003 at 7:30 p.m. and invited Mr. Liszewski to attend.

3. Discussion of the variation previously requested in the petition submitted by Louis Werderitch:

For a variation of the application of Section ZR-5-2 of the Zoning Ordinance of the Village of North Barrington and the proposed preliminary plat of subdivision to allow development and construction of three single family residences in an R-2 District (two acre) area. In addition, the petitioner seeks minimum average lot width variations for two lots as follows: proposed Lot 2 from 150 feet to 142.53 feet; and proposed lot 3 from 150 feet to 141.86 feet. The property comprises approximately 5 acres.

The Petitioner wishes to construct three single family residences on lots containing 1.40 acres, 1.46 acres and 1.61 acres, respectively.

Chairman Nass explained that this request had been before the Zoning Board of Appeals at the previous joint Public Hearing with the Plan Commission on January 14, 2003. He also noted that the Plan Commission had reviewed the access and annexation issues the previous evening, and that no determination had been made. Chairman Nass explained that it was the Zoning Board of Appeals job to recommend to the Village Board whether to allow two or three lots and the issue of the side yard variations. He referenced Village Attorney J.W. Braithwaite's memo of 1/20/03 and said that the recommendation should be based on the assumption that access will not be onto Route 59, but that the final decision would be made by the Village Board. Chairman Nass said that Mr. Werderitch had appeared before the Health & Sanitation Commission to get a variation from the Village Code regarding percolation rates and the mound system, and had received a positive recommendation from that Commission.

Chairman Nass gave a brief synopsis of the Plan Commission's meeting including the discussion of the character of the neighborhood and the Village's Comprehensive Plan for properties annexed into the Village. Chairman Nass read a portion of the Village's Comprehensive Plan regarding planned residential developments or subdivisions with varying lot sizes and that they should be "feathered" so that the larger lots are located at the periphery adjacent to lots of similar size on abutting property. He explained that the current neighborhood was comprised of home sites that ranged from 1/3 of an acre to over an acre, and that these lots were to be 1.40 acres, 1.46 acres and 1.61 acres. He explained that the major question was access to the lots on the property. Chairman Nass invited Village Engineer Andrea Pracht to explain her memo regarding access to the property. She described the pros and cons, from an engineering basis, to each suggested alternative: Iroquois Drive from Signal Hill Road, Iroquois

Drive from Onondaga Drive, Out Lot 1 from State Route 59. Ms. Pracht explained that the Illinois Department of Transportation (IDOT) rates Route 59 as a SRA (Strategic Regional Arterial) and that this rating applies to roads with high traffic and safety concerns. Ms. Pracht said that Lot 4's access on Route 59 is only for one lot and if the lot were subdivided it would be unlikely that IDOT would approve the access for two or more lots. There was some discussion about the 25 acre Skoville property, located to the south of the Werderitch property, and that probable access in the future would be through Iroquois Drive. Village Attorney, J.W. Braithwaite explained that the Village had the right to improve Iroquois Drive, but the Village did not have to install the road for a developer, and that all road improvements were the developer's responsibility. There was further discussion.

Village Attorney J.W. Braithwaite explained that if the Werderitch property were annexed into the Village, according to the Comprehensive Plan, it would be zoned for two acre zoning. He said that the petitioner was asking for three lots, that the roads and access issue applied to the "hardship" consideration, and the reason for the requested variances. There were questions about the property if it remained in the County. It was stated that Mr. Werderitch would have to apply to the County for a zoning variation from the current five acre zoning for two acre zoning. Access to property if it remained in the County was also discussed.

Mr. Peter Economos introduced himself to the ZBA as the attorney representing Mr. Louis Werderitch. He reminded the Board that Mr. Werderitch was petitioning the Village for annexation subject to the approval of a zoning variance to develop the property as three single family residences. Mr. Economos explained that variance requests involved a "hardship" and that the Route 59 access defined that "hardship", and that the three homes would defray the costs for access onto Onondaga Drive or Iroquois Drive. There were questions from the Board about two homes verses three homes and the size of the properties in the area. There were questions about the size of the proposed houses. It was stated that the proposed homes would probably be in the \$675,000 to \$750,000 range.

Chairman Nass asked if there were any neighbors who wanted to address the Board.

Views on the proposed subdivision were expressed by:

Evelyn Richer, 135 Mohawk Drive, expressed opposition to the proposed subdivision.

Virginia Black, 110 Seminole, expressed opposition to the proposed subdivision.

Roy & Bobbi Svacha, 581 Onondaga Drive, expressed opposition to the proposed subdivision.

Bo Jaremus, 581 Signal Hill Road, expressed concerns with access onto Signal Hill Road.

There was further discussion and many questions. Village Attorney J.W. Braithwaite explained to the ZBA that options for the ZBA included to recommend denial of the variation request, recommend acceptance of the request as presented, or recommend approval of the request with conditions and that the recommendation would be made to the Village Board.

Motion: Brian Johnson moved that the Zoning Board recommended to the Village Board

approval of the requested variances by Mr. Werderitch for variation of the application of Section ZR-5-2 of the Zoning Ordinance of the Village of North Barrington to allow development and construction of three single family residences in an R-2 District (two acre) area and to allow minimum average lot width variations for two lots as follows: proposed Lot 2 from 150 feet to 142.53 feet; and proposed lot 3 from 150 feet to 141.86 feet subject that access to the properties be from Signal Hill Road onto Iroquois Drive; seconded by John Cifonelli.

Discussion: There was lengthy discussion.

Vote on Motion

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

Chairman Nass declared the motion approved and that the recommendation would be made to the Village Board.

#### 4. 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 9:30 p.m. Chairman Nass declared the meeting adjourned.

Respectfully submitted,

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Kathy Nelander, Deputy Village Clerk

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