

**MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS  
“CONTINUED” PUBLIC HEARING HELD TUESDAY, FEBRUARY 16, 2010 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 Public Hearing to order and the Deputy Village Clerk called the roll:

Present in Person: Chairman Warren Nass, Joe DiPino, Carleen Kreider, W. Gene McAlester  
Absent: Vice Chair Cifonelli, Bryan McGonigal, Paru Thondavadi  
Also Present: Kris Lennon, Deputy Village Clerk  
Mrs. Beth Benck, 301 Glen Circle

Chairman Nass noted that the hearing was a continuation from the Public Hearing held February 9, 2010 at 7:30 p.m.

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

**2. Approve Minutes from the November 10, 2009 Meeting**

The Minutes of the November 10, 2009 Meeting were made available to the Board.

Chairman Nass asked the Zoning Board of Appeals if there were any revisions to the Minutes. No one wished to speak.

Motion: Carleen Kreider moved that the Minutes of the November 10, 2009 Meeting be approved; seconded by Joe DiPino.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

Chairman Nass declared the Minutes of the November 10, 2009 Meeting approved and put on file.

**3. The following variations are requested in the petition submitted by  
Mr. & Mrs. Steve Benck, 301 Glen Circle, North Barrington, IL 60010:**

Chairman Nass explained the variances to the code previously requested by Mr. & Mrs. Steve Benck.

**ZONING VARIATIONS NEEDED:**

**ZR-10-1-2(B) and**

**ZR-10-4-2(A1b): A non-conforming building or use shall not be expanded.**

The existing house and wood decks are non-conforming due to front and side yard building setback encroachments.

**ZR-10-9-2(A3): From all other public roads or streets the setback shall not be less than 60 feet from the established centerline.**

Based on the 60 foot right-of-way established for Glen Circle, the required setback shall be 30 feet as measured from the front property line. The existing house is located approximately 18.70 feet from the front property line, representing an existing front yard setback encroachment of approximately 11.3 feet.

**ZR-10-9-2(B): From each side line that does not border on a road or street, the setback shall not be less than 10% of the average width of the lot.**

Based on an average lot width of approximately 195 feet, the required side yard setback shall be 19.5 feet as measured from the side property line.

The existing house is located approximately 10.66 feet from the side property line, representing an existing setback encroachment of approximately 8.84 feet. The existing wood decks and deck stairs are located approximately 7 feet from the side property line, representing an existing setback encroachment of approximately 12.5 feet.

The proposed new upper and lower wood decks and deck stairs will be located approximately 11.5 feet from the side property line, representing a proposed setback encroachment of approximately 8 feet.

The proposed lower Screen Porch will be located approximately 14.5 feet from the side property line, representing a proposed setback encroachment of approximately 5 feet.

Chairman Nass invited the applicant to address the Zoning Board of Appeals (ZBA). Chairman Nass explained that Mr. & Mrs. Benck are seeking a zoning variation in order to replace the existing upper and lower wood decks and construct a new lower screen porch; the location of the existing house and wood decks do not conform to the building set back requirements and according to the Village Zoning Ordinance a non-conforming building or use may be continued and maintained, but not expanded.

Mrs. Beth Benck, 301 Glen Circle, addressed the Board. She explained that in 2005, they obtained a permit in order to construct an addition. Currently, the back upper and lower decks are falling off of the house. They desire to replace both decks and add a screened in porch on the lower level.

Chairman Nass asked the applicant to explain in further detail the deck plans.

Ms. Benck explained that the new decks will be situated on the back of the home, similar in shape to the original deck and will not encroach any closer than the existing deck to the neighbor's property. The upper deck will be extended in order to create a larger area for entertaining. The staircase will turn back toward their property toward the screened in porch instead of going toward their neighbor's property.

It was noted that there will be no change to the existing piers.

Carleen Kreider made reference to a letter sent to the Village by Jeff Robinson, 297 Glen Circle. Mr. Robinson lot is contiguous to the Benck's property; Mr. Robinson fully supports the project and has no objection with the proximity to his property.

There was discussion among the ZBA and Ms. Benck about the construction path. Ms. Benck explained that the wood will be brought in manually as it is difficult to get to the back of the house.

It was noted that the septic field is located on the north side of the house. Village Health Officer Natalie Karney was satisfied with the proposed plan.

It was noted that Lake County approved a variance for the proposed deck to be located over the existing well. There will be an access door on the deck floor for maintenance on the well. Ms. Benck noted that any well work will be completed prior to the construction of the decks and screen porch.

Joe DiPino asked Ms. Benck to review the approved well variance. Ms. Benck stated that pressure tank will be relocated inside the house and the access door will be located inside the screened in porch.

It was noted that a tree removal permit was not required per Village Forester Susan Allman; no trees will be removed during construction.

It was noted that there were no objections from the neighbors.

Motion: Carleen Kreider moved to recommend to the Village Board approval of the variance request for Mr. & Mrs. Steve Benck to replace the existing dilapidated upper and lower wood decks with a new upper wood deck and a new lower wood deck and new lower screened porch to the existing home at 301 Glen Circle pursuant to and subject to the architectural plans as prepared by Shaffer, Coath & Potter Architects, last dated 5/4/09; seconded by Joe DiPino.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:

Ayes:	Chairman Warren Nass, Joe DiPino, Carleen Kreider, W. Gene McAlester
Nays:	None
Absent:	Vice Chair John Cifonelli, Bryan McGonigal, Paru Thondavadi

Abstain:       None

Chairman Nass declared the motion approved and that the recommendation for approval would be made to the Village Board. He stated that the next Village Board Meeting was scheduled for February 24, 2010 at 7:30 p.m.

**4.     Adjournment**

There being no further business to come before the Board, W. Gene McAlester moved to adjourn the Public Hearing; seconded by Carleen Kreider.

The voice vote was unanimous in favor.

At 7:45 p.m. Chairman Nass declared the meeting adjourned.

These Minutes were approved by the Zoning Board of Appeals at a Meeting held June 8, 2010.

Attest: \_\_\_\_\_  
Kris Lennon, Deputy Village Clerk