

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS  
"CONTINUED" PUBLIC HEARING HELD TUESDAY, FEBRUARY 8, 2005 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 7:36 P.M. Chairman Nass called the hearing to order and the Village Clerk called the roll:

Present: Chairman Nass, Vice Chairman Cifonelli, W. Gene McAlester, Joe DiPino and Carleen Kreider

Absent: Janis Menges, Bryan McGonigal

Also Present: Kathy Nelander, Village Clerk  
Angus Hollis and Wayne Leonardi, 471 Miller Road  
Robert Knox, 75 Saddletree Lane  
Susan Allman, Village Forester  
Andrew Venamore, Airoom  
Nick Farina and Jane Jedlicka, 269 Brookside Road

2. Approve Minutes from January 11, 2005 Continued Public Hearing

The Minutes of the January 11, 2005 Continued Public Hearing were made available to the Board.

Motion: Carleen Kreider moved that the Minutes of the January 11, 2005 Continued Public Hearing be approved as presented; seconded by W. Gene McAlester.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

Chairman Nass declared the Minutes of the January 11, 2005 Continued Public Hearing approved and put on file.

3. The following variations are requested in the petition submitted by Ms. Hollis Angus and Mr. Wayne Leonardi, 471 Miller Road, North Barrington, Illinois 60010.

Chairman Nass reminded the Board that that the detached hot tub enclosure structure was constructed on the property without the benefit of a building permit, and an after-the-fact building permit was needed from the Village in order to legally maintain and occupy the accessory structure in its present form and location. Chairman Nass explained that in addition to being constructed without the benefit of a building permit, the location and exterior materials of the accessory structure did not meet or conform to the applicable provisions of the Village

Zoning Ordinance. Chairman Nass explained the requested variances from the Village Zoning Ordinance:

- Section 10-2-1: The exterior of accessory structures shall be clad in wood, stucco or brick only. Any metal or plastic exterior materials on an accessory structure are prohibited.  
The accessory structure has corrugated plastic roof panels and tarpaulin fabric exterior wall panels.
- Section 10-9-4: Accessory buildings and structures, except garages and fences, shall be located at least eighty five feet (85') in back of the front of the lot or right of way.  
The accessory structure is located approximately forty feet (40') from the front of the lot and road right of way.

Chairman Nass reminded the Board that the applicants had been before the ZBA at the December 14, 2004 meeting, where after some discussion, the matter was given a recommendation for approval and the variance request was forwarded to the Village Board for review. At the December Village Board meeting, the request was discussed at length, and ultimately the matter was sent back to the ZBA for further review. The Board felt that the ZBA should work with the homeowners with suggestions for alternate locations for the structure, improving the esthetics of the structure, as well as looking into methods of shielding the structure from view.

Chairman Nass recapped that during the January ZBA meeting; the ZBA suggested bringing the structure into compliance with regard to materials used in order to match the design and colors of the existing house; which would give the structure a more finished look. This could include replacing the corrugated plastic roof panels with a traditional, shingled roof to match the home. This roof could include skylights. Also, wooden panels could cover the bottom portion of the structure, from the top of the bench to the base of the structure, again to match the siding of the home. There were also suggestions for removing the tarps and installing screening to make the structure resemble a gazebo. Subsequently, shrubbery could be installed to further shield the structure from view. Mr. Leonardi was instructed to contact Building and Zoning Officer Kelly Rafferty with regard to bringing the structure into compliance with the materials used. Sketches on how the structure could be changed should then be submitted to Kelly Rafferty for review, and then the matter would again be reviewed by the ZBA.

Chairman Nass referred to a memo from Building and Zoning Officer Kelly Rafferty dated 1/31/05 explaining that Mr. Leonardi had submitted drawings which depicted the proposed changes to the exterior materials of the hot tub enclosure. Kelly Rafferty states in his memo that based on the examination of the drawings submitted the proposed changes to the exterior materials of the hot tub enclosure would serve to bring it into compliance with Section 10-2-1 of the Village Zoning Ordinance. The hot tub enclosure would still require a zoning variation for the location of the accessory structure on the property.

Chairman Nass invited Mr. Leonardi to address the Board. Chairman Nass asked if the structure could be moved to a different site. Mr. Leonardi said that the back portion of the property is very wet and there was no other location for the hot tub structure due to water collecting in the backyard. Mr. Leonardi went into a lengthy discussion about drainage problems on the lot and said there was no other location for the hot tub structure. Mr. Leonardi said that he did contact Barb Potter of the Environmental Commission, as previously suggested, regarding stormwater concerns on the lot. Mr. Leonardi asked that the hot tub structure be given the zoning variance for location as he was going to comply with the materials that were used on the structure. There was further discussion.

Motion: Carleen Kreider moved to recommend to the Village Board approval of the requested variance to Section 10-9-4 for Ms. Hollis Angus and Mr. Wayne Leonardi to maintain the hot tub in the existing location at 471 Miller Road on the condition that the existing structure be brought into compliance with the Village Zoning Ordinance with regard to Section 10-2-1; seconded by W. Gene McAlester.

Discussion: There was lengthy discussion.

Vote on Motion

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

The Village Clerk declared that the motion did not carry as the motion required a majority of four 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 their next Village Board Meeting scheduled for February 28, 2005 at 7:30 p.m. and invited Ms. Angus and Mr. Leonardi to attend.

#### 4. Adjournment

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

The voice vote was unanimous in favor.

At 7:55 p.m. Chairman Nass declared the meeting adjourned.

These Minutes were approved by the Zoning Board of Appeals at a Hearing held April 12, 2005.

Attest: \_\_\_\_\_

Kathy Nelander, Village Clerk

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