

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS  
"CONTINUED" PUBLIC HEARING HELD TUESDAY, APRIL 12, 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 7:30 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, Janis Menges, Bryan McGonigal and Carleen Kreider  
Absent: None  
Also Present: Kathy Nelander, Village Clerk  
Robert Knox, 75 Saddletree Lane  
Kelly Mazeski, Trustee

Chairman Nass welcomed the audience to the Zoning Board of Appeals "Continued Public Hearing" and noted that the hearing was a continuation from the March 15, 2005 Hearing, which was continued from the February 8, 2005 Hearing.

2. The following variations are requested in the petition submitted by Mr. & Mrs. Robert Knox, 75 Saddle Tree Lane, North Barrington, Illinois 60010.

Chairman Nass noted that all requirements had been met by the applicants and explained the variances to the code requested by Mr. & Mrs. Robert Knox.

Section 10-11-2(A,2): Except as otherwise permitted by the Village Code, no fence shall be more than three feet (3') in height.

The proposed fencing is five feet (5') in height.

Section 10-11-2(A,1): No fence shall be permitted in front yards except ornamental fences.  
purposes and the barrier or means of An ornamental fence is one which is for decorative primary function of which is not an enclosure, protection or confinement.

shall In accordance with the Village Zoning Ordinance, the front lot line be the line which abuts the ingress and egress to your property.  
The front yard is therefore considered to be the yard extending  
between side lot lines and between the front lot line and front  
building line. While the fence brochure submitted in support of the  
application describes the fencing style as being an "Ornamental

Aluminum Picket Fence”, the zoning ordinance defines an ornamental fence as one which is for “decorative purposes”, where the “primary function” is not an enclosure or barrier. It is clear that the proposed fence, which runs the entire perimeter of the property, is both an enclosure and barrier. Even if, in your eyes, the purpose of the fence is decorative, it cannot meet the primary function test. As such, the proposed fencing in the front yard is not exempted from the regulations of the zoning ordinance as being “ornamental”.

ZR-10-11-2(A,7): Except as otherwise permitted by this chapter, no fence that is of the form, shape or structure of a chain link or mesh like or wire fabric, made of any material (including, but not limited to, metal or plastic) is permitted.

coated Option #2 proposes 1,282 lineal feet of five foot (5') high vinyl chain link fencing.

Chairman Nass reminded the Board that they had recommended that Mr. Knox contact Trustee Forman (police liaison) as well as call the Lake County Sheriff's Police with regard to the neighboring dogs. Chairman Nass asked Mr. Knox to address the Board. Mr. Knox said that he was still pursuing the installation of a fence and he had not contacted Trustee Forman. Mr. Knox explained that he had spoke to his neighbors about the offending dogs, but that the dogs still appeared to be running loose. There was some discussion and the Board decided to continue the matter to the May 10th meeting date.

Motion: Joe DiPino moved to continue the Public Hearing to date certain, May 10, 2005 at 7:30 p.m; seconded by Vice Chairman Cifonelli.

Discussion: There was some discussion.

Vote on Motion:

The voice vote was unanimous in favor.

Chairman Nass declared the motion approved and matter continued to the May 10, 2005 Public Hearing.

### 3. Adjournment

There being no further business to come before the Board, Vice Chairman John Cifonelli moved to adjourn the Public Hearing to date certain, May 10, 2005; seconded by Joe DiPino.

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 Hearing held May 10, 2005.

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

Kathy Nelander, Village Clerk

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