

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS
CONTINUED PUBLIC HEARING AND A REGULAR PUBLIC HEARING HELD TUESDAY,
DECEMBER 9, 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 8:00 P.M. Chairman Nass called the hearing to order and the Village Clerk called the roll:

Present: Chairman Warren Nass, Vice Chairman Kelly Mazeski, Janis Menges,
Bryan McGonigal, John Cifonelli

Absent: W. Gene McAlester

Also Present: Kathy Nelander, Village Clerk
Harry Burroughs, 533 North Avenue, Barrington
Mr. & Mrs. Frank Tripicchio, 241 Beachview Lane
George Dyer, 239 Beachview Lane
Robert Nelander, 237 Beachview Lane

Chairman Nass welcomed the audience to the Zoning Board of Appeals Hearing and stated that the hearing was a continuation of the November 12, 2003 hearing, which had been continued from the October 14, 2003 hearing, which had been continued from the September 9, 2003 hearing. 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. Chairman Nass explained that Vice Chairman Mazeski chaired the Continued Public Hearing for Mr. & Mrs. David Hoppe, as she had chaired the first Public Hearing held on September 9, 2003, and he would be chairing the Public Hearing for Mr. & Mrs. Frank Tripicchio.

2. The following variations are requested in the petition submitted by Mr. & Mrs. David Hoppe, 488 Pinewoods Drive, North Barrington, Illinois 60010.

Vice Chairman Mazeski noted that all the requirements to request a zoning variation had been met by the applicant, and explained that Mr. & Mrs. Hoppe were asking for variances from the following sections of the zoning code:

Plat of

Subdivision: 40 foot building line.
The recorded plat of subdivision for East Oaksbury depicts a 40 foot building setback line along Hewes Drive. The existing house and proposed garage addition are located approximately 26.38 feet from the property line along Hewes Drive representing existing and proposed building line encroachments of approximately 13.62 feet.

ZR-8-2(A)3: From all other public roads or streets the setback shall not be less

than sixty (60) feet from the established centerline.

Based on the 50 ft. wide right-of-way established for Hewes Drive, the setback shall not be less than 35 ft. as measured from the property line. The existing house and proposed garage addition are located approximately 26.38 feet from the property line along Hewes Drive representing existing and proposed building setback encroachments of approximately 8.62 feet.

ZR-1-2(B) and

ZR-1-7(A,2):

A non-conforming building or use shall not be expanded.

The subject property is non-conforming on account of the existing building setback encroachment.

Vice Chairman Mazeski explained that the applicant had appeared before the Zoning Board of Appeals in September, but the matter had been continued until certain matters could be resolved, including the submittal of a complete site plan showing the location of property lines, existing structures, all septic field components including the well, the submittal of an accurate tree survey and tree protection plan, as well as receiving a favorable recommendation from the Architectural Committee of the Oaksbury Homeowners Association. Vice Chairman Mazeski explained that the requested information had been submitted and referred to the updated memos from Village Staff members Susan Allman and Natalie Karney. Vice Chairman Mazeski also noted that the Architectural Committee of the Oaksbury homeowners Association had given a favorable recommendation regarding the proposed addition. Vice Chairman Mazeski explained that Mr. Hoppe was out of town and Mrs. Hoppe was home with a sick child, and their architect Harry Burroughs was in the audience to address the Board.

Mr. Burroughs explained that the Hoppe's were asking for the zoning variations in order to construct an addition and alternations to the home at 488 Pinewoods Drive. He explained that the garage at the home was in violation of the Village's setback requirement, but that a proposed garage addition would match the same setback as the current garage, and that no neighbors would be affected as it was the street side of the yard that needed the variance. Mr. Burroughs explained that the home was on a corner lot, and that the garage doors would face Lafferty Park, which is vacant property. He explained that currently the garage doors face Pinewoods Drive, and they were to be moved to face Hewes Drive. Mr. Burroughs explained that the other alterations to the home were in compliance with Village Code. Mr. Burroughs explained that the addition would require an amendment to the Title. There were questions from the Board and further discussion.

Motion: Janis Menges moved to recommend to the Village Board approval of the requested variances for Mr. & Mrs. David Hoppe to construct an addition and alterations to the home at 488 Pinewoods Drive using the preliminary plans prepared by HBB Architectural, last revised 11-10-03, and that final architectural drawings would be required for permitting purposes; seconded by John Cifonelli.

Discussion: There was some discussion.

Vote on Motion

By Roll Call: Ayes: Chairman Warren Nass, Vice Chairman Kelly Mazeski, Janis Menges, Bryan McGonigal, John Cifonelli
Absent: W. Gene McAlester
Nays: None
Abstain: None

Vice Chairman Mazeski 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 Monday, December 15, 2003 at 7:30 p.m. and invited Mr. & Mrs. Hoppe, or a representative, to attend.

4. The following variations are requested in the petition submitted by Mr. & Mrs. Frank C. Tripicchio, 241 Beachview Lane, North Barrington, Illinois 60010.

Chairman Nass noted that all the requirements to request a zoning variation had been met by the applicant, and explained that Mr. & Mrs. Tripicchio were asking for variances from the following sections of the zoning code:

ZR-1-2(B) and

ZR-1-7(A,2): A non-conforming building or use shall not be expanded
The subject property constitutes a legal non-conforming use on account of its lot area, average lot width, lot width at the front lot line and existing building setback encroachments.

ZR-5-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet, an average width of at least 130 feet, and a width at the front lot line of at least 115 feet.
The subject property (Lots 24 and 25 in Block 24 in Unit No. 1 of Biltmore County Estates) has an area of approximately 12,000 s.f., an average width of approximately 96 feet, and a width at the front lot of 100 feet.

ZR-8-2(C): From each side line, the setback shall not be less than 10 feet.
The existing house is located approximately 8.87 feet from the west side line.

ZR-8-2(D): From the rear line, the setback shall not be less than 40 feet.
The existing house is located approximately 26.1 feet from the rear line

Chairman Nass explained that the Zoning Board of Appeals had heard a previous request from Mr. & Mrs. Tripicchio in August of 2003 which did not get a recommendation from the Zoning Board of Appeals, and then was denied by the Board of Trustees. Chairman Nass explained that Mr. Tripicchio was here again before the Board with revised plans.

Mr. Tripicchio explained that the previous proposal was for a two story addition which would extend 25'8" from the front of the existing garage to include a garage with a three season porch above it, with the same dimension. He explained that the current plans provided for a 21 foot extension of the garage with a three season room above which extended 18'10". Mr. Tripicchio explained that the existing screened porch would be converted into an expanded master bedroom. Mr. Tripicchio explained that his daughter with her husband and future child had moved into the home, that his other daughter would also be moving in upon graduation in May, and that the existing garage was undersized for the family's needs. Mr. Tripicchio explained that the existing garage would stay intact, and with the addition of another garage, the garage would be a double stacked garage.

There were many questions from the Board. Chairman Nass explained that there were concerns from neighbors in the form of letters from Mr. Brookman at 246 Biltmore Drive, and Mr. Dyer at 239 Beachview Lane, that the addition would have a negative effect on the surrounding area. Chairman Nass asked if there were any members of the audience that wanted to address the Board.

Robert Nelander, 237 Beachview Lane, said that he was opposed to the expansion of the home. He explained that the lot was too small for the expansion and would put a hardship on the lot.

George Dyer, 239 Beachview Lane, said that he was opposed to the expansion of the home. He said that the height and length of the addition would have a negative effect on the value of his property and would block the current view from his home. He said that he felt that Mr. Tripicchio was making permanent extension of the building to meet a temporary situation.

There was lengthy discussion about the proposed addition.

Motion: John Cifonelli moved to recommend to the Village Board approval of the requested variances for Mr. & Mrs. Frank Tripicchio to construct a two story addition to the home at 241 Beachview Lane using the preliminary architectural plans prepared by Amzor Architects, Inc., last revised October 20, 2003 and that final architectural drawing would be required for permitting purposes; seconded by Janis Menges.

Discussion: There was lengthy discussion.

Vote on Motion

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

Chairman Nass declared that the motion did not carry as the motion required a majority of 4 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 the next Village Board Meeting scheduled for Monday, December 15, 2003 at 7:30 p.m. and invited Mr. & Mrs.

Tripicchio to attend.

5. Adjournment

Motion: John Cifonelli moved to adjourn the continued public hearing; seconded by Bryan McGonigal.

Discussion: There was no discussion.

The Voice Vote was unanimous.

At 8:40 p.m. Chairman Nass declared the meeting adjourned.

Respectfully submitted,

Kathy Nelander, Village Clerk

Page 5

ZBA 12/9/03

zba031209