

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS PUBLIC HEARING HELD TUESDAY, OCTOBER 13, 2009 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, Vice Chair Cifonelli, Joe DiPino,
W. Gene McAlester, Bryan McGonigal, Paru Thondavadi
Absent: Carleen Kreider
Also Present: Kris Lennon, Deputy Village Clerk
Sandy McAninch, 205 N. Clover Hill Road
Mark Brodzeller, 9715 Stonecastle Lane, Lakewood

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 March 10, 2009 Meeting

The Minutes of the March 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: Vice Chair John Cifonelli moved that the Minutes of the March 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 March 10, 2009 Meeting approved and put on file.

3. The following variations are requested in the petition submitted by Mr. Richard Webster (Property Owner) and Ms. Sandy McAninch (Contract Purchaser), 205 Clover Hill Lane, North Barrington, IL 60010:

Chairman Nass explained the variances to the code previously requested by Mr. Richard Webster and Ms. Sandy McAninch.

ZONING VARIATIONS NEEDED:

Section 10-11-2(B): Except as otherwise permitted or required by this chapter or by this code, no fence shall be more than forty two inches (42") in height at any point.

The proposed fencing is fifty-four inches (54") in height.

Chairman Nass invited the applicants to address the Zoning Board of Appeals (ZBA). Chairman Nass stated that there are existing fences on five acre properties located on N. Signal Hill Road with horses and horse fencing ranging from forty-eight inches (48") to fifty-six inches (56"); it was noted that the fences have been there for a long period of time. Chairman Nass asked the applicants to explain their hardship and request for the zoning variation.

Mark Brodzeller, 9715 Stonecastle Lane, Lakewood, IL explained that fencing previously existed when the property was annexed in 1992. Mr. Brodzeller stated that the existing fence had to be taken down and that the current owner, Mr. Webster did not own horses. The contract purchaser desires to have horses on the property and that a replacement fence is necessary. Mr. Brodzeller stated that he believes that the covenants allow for a replacement fence.

Chairman Nass asked what type of horses and how many horses will occupy the property. Sandy McAninch, 205 Clover Hill Lane, stated she is planning to have two (2) riding horses with the possibility of purchasing a pony at a later date for her grandchildren. Ms. McAninch explained that a fifty-four inch (54") fence is appropriate for the type of horses she owns. Ms. McAninch explained that she currently resides in Indiana and has a fence for her horses ranging from fifty-four inches (54") to fifty-six inches (56"). She noted that the fence needs to be at a height so that the horses cannot jump over it.

Chairman Nass asked if there was anything currently on the land where the fence will be constructed. Mr. Brodzeller stated that it is open land.

Chairman Nass asked about the materials to be used for the fencing. Mr. Brodzeller explained that a picture of the fence was submitted to the ZBA. Ms. McAninch explained that the fence will be constructed by Penrod with four-board fencing using rough cut oak; she noted that oak lasts longer.

There was discussion among the ZBA and the applicants about adequate height requirements for fencing horses. Ms. McAninch stated that she's had horses all of her life and has taken care of other people's horses for 30 years. She's never had a problem.

Gene McAlester referred to the Topographic Survey submitted by the applicants which highlighted the area for the fence. Ms. McAninch stated that she is planning to construct two eight foot (8') pipe gates as each horse will have in its own pasture.

Chairman Nass asked about the maintenance of the grass and how the horses affect its condition. Ms. McAninch stated that the horses are placed in the barn each night which allows grass to grow; the horses are kept off the grass in the spring and; the grass need to be cut regularly in order to allow grass growth.

Vice Chair Cifonelli noted that the Zoning Regulations should be reviewed relevant to horse fences as there are quite a few horses within the Village and specifically referred to the property located at Route 59 and Highway 22.

There was discussion among the ZBA about the type of fencing located at Route 59 and Highway 22. It was noted that the fence may be synthetic however; its appearance is wood.

Motion: Vice Chair Cifonelli moved to recommend to the Village Board approval of the variance request for Mr. Richard Webster and Ms. Sandy McAninch to construct a fifty-four inch (54") high 4-board fence using six inch (6") treated pine round posts and 1 1/8" x 6" x 16" oak boards at the existing house located at 205 Clover Hill Lane pursuant to and subject to the Topographic Survey as prepared by Vanderstappen Surveying, Inc. dated 6/3/2002 and; the photograph dated 9/28/09 as provided by Mr. Richard Webster (Property Owner) and Ms. Sandy McAninch (Contract Purchaser); seconded by Bryan McGonigal.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:

Ayes:	Chairman Warren Nass, Vice Chair John Cifonelli, Joe DiPino, W. Gene McAlester, Bryan McGonigal and Paru Thondavadi
Nays:	None
Absent:	Carleen Kreider
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 October 28, 2009 at 7:30 p.m. and encouraged Mr. Webster, Mr. Brodzeller and Ms. Sandy McAninch to attend.

4. Adjournment

There being no further business to come before the Board, Vice Chair Cifonelli moved to adjourn the Public Hearing; seconded by Bryan McGonigal.

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 November 10, 2009.

Attest: _____
Kris Lennon, Deputy Village Clerk