

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS
PUBLIC HEARING HELD TUESDAY, MAY 13, 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 meeting to order and the Clerk called the roll:

Present: Chairman Warren Nass, John Cifonelli, Brian Johnson, Janis Menges,
William Buecking, Kelly Mazeski

Absent: Gene McAlester

Also Present: Kathy Nelander, Clerk

Michael Kelly, 229 N. Hwy 59

Dr. Sunil & Lata Kadakia, 212 N. Signal Hill Road

Mark Majurcik, Geo. Hiller & Son, Johnsburg

Robert Mazurek, 225 Essex Lane

Todd Beige, 199 Orchard St, Fox River Grove

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

2. The following variations are requested in the petition submitted by Mr. Michael Kelly, 229 N. Hwy. 59, North Barrington, Illinois 60010.

Chairman Nass noted that all requirements had been met by the applicant and explained the variances to the code requested by Mr. Michael Kelly.

ZR-9-2(A): No fence shall be permitted in front yards except ornamental fences. The proposed privacy fencing, entry gates and split-rail fencing are all located within the front yard of the property.

ZR-9A-2(B): Except as otherwise permitted by this Chapter or otherwise by the Village Code, no fence shall be more than three (3) feet in height. The proposed privacy fencing and driveway entry gates/pillars are eight (8) feet in height.

ZR-9A-2(I): Every fence shall be constructed with at least fifty percent (50%) open space between the elements of which the fence is constructed in order that one may see through the fence when viewed in a direction perpendicular to the fence.

The proposed privacy fencing is constructed with zero percent (0%) open space between the elements of which the fence is constructed.

Chairman Nass invited Mr. Michael Kelly to address the Board and explain why he was requesting a variance from the Village Code. Mr. Kelly explained that he wanted to install approximately 210 lineal feet of eight foot privacy fence at the front property line for the security of their children and dog, as well as to provide some noise control from Route 59. He said that there would be an electronic gate for the driveway, flanked by stone pillars on either side. He said that the neighbors on either side of him had six foot stockade privacy fences, and that the proposed fence would be more concealed due to existing shrubs and evergreens. He said that the cedar fence would be facing Route 59. He also is requesting to install 254 lineal feet of 3 foot high 2-rail split rail fencing along the north side of the property to be attached to the front of the house. He said the fencing would probably be installed by Aronson Fence in Wauconda. There were questions from the Board about the existing 50 feet of six foot stockade fence at the south portion of the lot. Mr. Kelly said that the new fence would run behind that portion, and he did not know if he was going to leave it there or tear it down. The Board asked if the existing fencing could be removed to give a more uniform look. Mr. Kelly agreed to remove that portion and initialed Chairman Nass' Plat of Survey indicating as such. There was further discussion.

Motion: Kelly Mazeski moved that the Zoning Board recommended to the Village Board approval of the requested variances for Michael Kelly to install approximately 210 lineal feet of 8 foot high cedar privacy fencing along the front of the property at 229 N. Hwy. 59, with driveway entry gates/pillars, to remove the existing 50 feet of 6 foot stockade fencing at the south portion of the lot, and to install approximately 254 lineal feet of 3 foot high 2-rail, split-rail fencing along the north side of the property; seconded by Brian Johnson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Chairman Nass, Brian Johnson, John Cifonelli, Gene McAlester Kelly Mazeski and Janis Menges
	Absent:	Gene McAlester
	Nays:	None
	Abstain:	None

Chairman Nass 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 May 19, 2003 at 7:30 p.m. and invited Mr. Kelly to attend.

3. The following variations are requested in the petition submitted by Dr. & Mrs. Sunil Kadakia, 212 N. Signal Hill Road, North Barrington, Illinois 60010.

Chairman Nass explained the variance to the code requested by Dr. & Mrs. Kadakia.

ZR-2-1: Accessory structures shall not exceed 250 square feet in area and shall be clad in wood, stucco, brick only, except for greenhouses. Any metal or plastic exterior materials are prohibited.

The proposed accessory structure is approximately 2,400 square feet in area

with an aluminum framed, glass sunroof/conservatory roof structure.

Chairman Nass invited Dr. Kadakia to address the Board and explain the proposed structure. Dr. Kadakia said that initially he did not realize he needed a variation as he did not consider the addition as an accessory structure. He explained that the 2400 square foot spa/fountain room would contain an exercise area, hot tub, spa and eight fountains. He said that the room is attached to the home with a seven foot corridor, which may be considered longer than average for a room connection. He said that the addition would match the existing home, 100% brick with windows, but with a glass roof. He said that the glass roof was to get maximum light, as the room is more of a sunroom/conservatory. He explained that the addition would attach at the walk out portion of the home, that the highest point would be 17 feet. Dr. Kadakia said that he had approached all his neighbors explaining the plans for the addition and that there were not objections. He also provided additional statements from the neighbors stating their support of the addition. There were many questions from the Board and further discussion about materials.

Motion: John Cifonelli moved that the Zoning Board recommended to the Village Board approval of the requested variance for Dr. & Mrs. Sunil Kadakia to construct a 2400 square foot indoor spa/fountain room with a glass sunroof/conservatory roof using the plans prepared by Eugene Paul Architects, Inc. as submitted to the Zoning Board of Appeals; seconded by Brian Johnson.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Chairman Nass, Brian Johnson, John Cifonelli, Gene McAlester Kelly Mazeski and Janis Menges
	Absent:	Gene McAlester
	Nays:	None
	Abstain:	None

Chairman Nass 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 May 19, 2003 at 7:30 p.m. and invited Dr. & Mrs. Kadakia to attend.

4. The following variations are requested in the petition submitted by Mr. & Mrs. Robert Mazurek, 255 Essex Lane North Barrington, Illinois 60010.

Chairman Nass explained the variance to the code requested by Mr. & Mrs. Robert Mazurek.

ZR-8-2(D): From the rear line, the setback shall not be less than forty (40) feet or twenty percent (20%) of the depth of the lot, whichever amount is larger. Based on a lot depth of 145.79 ft., the required rear setback shall be forty (40) feet. The existing house is located approximately thirty five (35) feet from the rear line and the proposed addition will be located approximately thirty three (33) feet from the rear line.

ZR-1-2(B) and

ZR-1-7(A,2) A non-conforming building or use shall not be expanded.
The existing house is considered as being non-conforming because it does not comply with the required rear setback.

Chairman Nass invited Mr. Mazurek to address the Board and explain the proposed structure. Mr. Masurek said that he was proposing to construct a Breakfast Nook and Kitchen addition to the rear of the home. He explained that the kitchen was being remodeled and expanded into the area where the existing deck is and that the deck would be removed. There was further discussion and questions from the Board.

Motion: Janis Menges moved that the Zoning Board recommended to the Village Board approval of the requested variances for Mr. & Mrs. Mazurek to construct a Breakfast Nook and Kitchen addition to the rear of the home at 255 Essex Lane, using the plans prepared by American Landmark Architecture Associates, Inc. dated 4/8/03; seconded by Kelly Mazeski.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:	Ayes:	Chairman Nass, Brian Johnson, John Cifonelli, Gene McAlester Kelly Mazeski and Janis Menges
	Absent:	Gene McAlester
	Nays:	None
	Abstain:	None

Chairman Nass 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 May 19, 2003 at 7:30 p.m. and invited Mr. & Mrs. Mazurek to attend.

5. Adjournment

Motion: Brian Johnson moved to adjourn the public hearing; seconded by William Buecking.

Discussion: There was no discussion.

The Voice Vote was unanimous.

At 8:45 p.m. Chairman Nass declared the meeting adjourned.

Respectfully submitted,

Kathy Nelander, Village Clerk

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