

MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS PUBLIC HEARING
HELD TUESDAY, JUNE 13, 2006 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 Public Hearing to order and the Village Clerk called the roll:

Present: Chairman Warren Nass, W. Gene McAlester, Joe DiPino, Janis Menges and Carleen Kreider

Absent: Vice Chair John Cifonelli and Bryan McGonigal

Also Present: Kathy Nelander, Village Clerk

Jeff Katzbeck, 601 Brookside Road

David Berryhill, Contractor for 601 Brookside Road

Phil Leopold, 118 Stone Marsh Road

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. Approve Minutes from the May 9, 2006 Public Hearing

The Minutes of the May 9, 2006 Public Hearing were made available to the Board.

Motion: Janis Menges moved that the Minutes of the May 9, 2006 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 May 9, 2006 Public Hearing approved and put on file.

3. The following variations are requested in the petition submitted by Mr. & Mrs. Phillip Leopold, 118 Stone Marsh Lane, North Barrington, IL 60010:

Chairman Nass explained the variances to the code requested by Mr. & Mrs. Leopold:

ZR-10-6-2(A): R-2 Residential Zoning District requires that each lot have an area of at least two (2) acres.

The lot area of the subject property is approximately 1.90 acres.

ZR-10-1-2(B) and

ZR-10-4-2(A,1,b): A non-conforming building or use shall not be expanded.

The subject property is non-conforming on account of lot area.

Chairman Nass invited the applicant to address the Board and explain the plans for the addition. Mr. Leopold explained that he had submitted a building permit to construct a 16 ft. x 14 ft. three-season sunroom addition to his home. Mr. Leopold explained that in 1995, a majority of the property owners in Timber Creek Subdivision petitioned to have their properties annexed into the Village of North Barrington. As part of the Annexation Agreement, properties which were less than two acres were granted zoning variations allowing each to be used for a single family residence in R-2 zoning. Mr. Leopold explained that later, four properties, one of which was his property, were involuntary annexed into the Village, but did not receive the variances allowing for conforming lots that were less than two acres in size. Mr. Leopold explained that his lot is 1.90 acres and thus required a zoning variation.

Mr. Leopold explained the plans for the screened-in porch as well as the layout of the home. He said that the porch would be constructed on an existing deck, and the slope of the porch's roof would match the roofline at the rear of the home.

Chairman Nass reported that there were no concerns from the Village Forester or the Health Officer as the porch would be constructed on an existing deck. Proper notification to neighbors had also been submitted. There were some questions from the Board and further discussion.

Motion: Carleen Kreider moved to recommend to the Village Board approval of the variance requests for Mr. & Mrs. Phillip Leopold to construct an addition to the home at 118 Stone Marsh Lane using the plans prepared by K.F. Brandeis dated 4/6/06; seconded by Joe DiPino

Discussion: There was some discussion.

Vote on Motion

By Roll Call:

Ayes: Chairman Nass, W. Gene McAlester, Janis Menge, Joe DiPino and Carleen Kreider

Nays: None

Absent: Vice Chair John Cifonelli and Bryan McGonigal

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 Wednesday, June 28, 2006 at 7:30 p.m. and invited Mr. Leopold to attend.

4. The following variations are requested in the petition submitted by Mr. & Mrs. Jeff

Katzbeck, 601 Brookside Road, North Barrington, IL 60010:

Chairman Nass explained the variances to the code requested by Mr. Katzbeck:

ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet.

The lot area of the subject property is approximately 24,490 square feet.

ZR-10-9-2(B): From each side line, the setback shall not be less than ten percent (10%) of the average width of the lot, or ten feet (10'), whichever is greater.

The required side setback is 18.15 feet. The existing house is located 14.57 feet from the side property line, representing an existing setback encroachment of approximately 3.58 feet.

ZR-10-1-2(B) and

ZR-10-4-2(A,1,b): A non-conforming building or use shall not be expanded.

The subject property is non-conforming on account of lot area and building setback

Chairman Nass invited the applicant to address the Board and explain the plans for the addition. Mr. Katzbeck explained that he had submitted a building permit to construct a 16 ft. x 14 ft. screen porch addition to his home. Mr. Katzbeck introduced his builder, David Berryhill of Archadeck of Northern Chicagoland to the Board. Mr. Berryhill explained the plans for the patio and porch. An existing concrete patio will be removed and replaced with a paver patio. The porch will be constructed on a portion of the patio; the porch is not considered a viable living space, but the roof and full screen walls over the paver patio creates an outdoor space to shield from rain and insects. Mr. Berryhill noted that the patio and porch are located on the opposite side of the lot which has the existing setback encroachment.

Chairman Nass reported that there were no concerns from the Village Forester or the Health Officer, and that proper notification procedures had been met. There were some questions from the Board and further discussion.

Motion: Janis Menges moved to recommend to the Village Board approval of the variance requests for Mr. & Mrs. Jeff Katzbeck to construct an addition to the home at 601 Brookside Road using the preliminary plans as presented by Archadeck of Northern Chicagoland; seconded by Carleen Kreider.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:

Ayes: Chairman Nass, W. Gene McAlester, Janis Menges, Joe DiPino and Carleen Kreider

Nays: None

Absent: Vice Chair John Cifonelli and Bryan McGonigal
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 Wednesday, June 28, 2006 at 7:30 p.m. and invited Mr. Katzbeck and Mr. Berryhill to attend.

5. Adjournment

There being no further business to come before the Board, Carleen Kreider moved to adjourn the Public Hearing; seconded by Joe DiPino.

The voice vote was unanimous in favor.

At 8:15 p.m. Chairman Nass declared the meeting adjourned.

These Minutes were approved by the Zoning Board of Appeals at a Hearing held July 11, 2006.

Attest: _____
Kathy Nelander, Village Clerk