

**MINUTES OF THE NORTH BARRINGTON ZONING BOARD OF APPEALS PUBLIC HEARING HELD TUESDAY, JULY 10, 2007 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 7:55 P.M. Chairman Nass called the Public Hearing to order and the Village Clerk called the roll:

Present: Chairman Warren Nass, Vice Chair John Cifonelli, Joe DiPino, Carleen Kreider, W. Gene McAlester, Bryan McGonigal and Janis Menges  
Absent: None  
Also Present: Kris Lennon, Deputy Village Clerk  
Brian L. Allendorfer, 448 Eton Drive  
David Forte, Forte Architecture, Ltd., Evanston  
Martin Pais, 180 Clover Hill Lane  
Bill Powell, 230 Crooked Lane

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 April 10, 2007 Meeting**

The Minutes of the April 10, 2007 Meeting were made available to the Board.

Motion: Vice Chair John Cifonelli moved that the Minutes of the April 10, 2007 Meeting be approved as presented; seconded by Carleen Kreider.

Discussion: There was no discussion.

Vote on Motion:

The voice vote was unanimous in favor.

Chairman Nass declared the Minutes of the April 10, 2007 Meeting approved and put on file.

**3. The following variations are requested in the petition submitted Mr. & Mrs. Brian Allendorfer, 448 Eton Drive, North Barrington, IL 60010:**

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

**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 36,159 square 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 due to lot size.

Chairman Nass stated that the Environmental and Health Commission approved the septic variance request at a meeting held prior to the Zoning Board of Appeals meeting.

Chairman Nass invited the applicant to address the Zoning Board of Appeals. Mr. Allendorfer was accompanied by his architect, David Forte, of Forte Architecture Ltd. Vice Chairman Cifonelli asked Mr. Allendorfer to explain his particular hardships related to the variance request.

Mr. Allendorfer explained that his family is growing and that they have outgrown their house. Mr. Forte further explained that the Allendorfer's now have three children. It would be difficult and challenging to live in their house as is. The Allendorfer's prefer to live on the site, add an addition, and not move their family.

Chairman Nass commented that it is an extensive addition. Vice Chair Cifonelli asked about the square footage involved with the new addition. Mr. Forte replied that the existing square footage is approximately 1,700 square feet. The total square footage once the addition is completed will be approximately 4,500 square feet and does not include the basement or attic space.

Janis Menges inquired about the six bathrooms. Mr. Forte explained that there will be three full baths and three partial baths; a powder room in the basement, two powder rooms on the first floor, one master bath, and two additional full baths for the children.

Janis Menges asked about the new garage which is being extended further than the existing garage. Mr. Forte explained that the existing garage will be demolished and the new garage will be larger than a two car garage. There will be living space above the garage and a portion of the garage facing Eton Drive will extend further than the existing garage.

Vice Chair Cifonelli stated that it appears there are two garages face back to back; a two car garage in front and a two car garage on the side; additionally, Vice Chair Cifonelli inquired about the access to the garage on the western side of house. The garage is comparable to a "piggyback" garage which will allow additional cars to be parked in the garage located on the west side of the house. A side driveway will allow entrance into that garage.

Chairman Nass asked if there were further questions from the Board.

Janis Menges asked Mr. Allendorfer if they are adding more space to the basement. Mr. Forte stated that more space will be added to the basement. The existing basement is typical of the era in which it was built. It does not have a high ceiling and once expanded, will allow for uses other than storage.

It was noted that there were no objections from Village Forester, Susan Allman, Village Health Officer, Natalie Karney, or the adjacent neighbors to the variance request.

Motion: Janis Menges moved to recommend to the Village Board approval of the variance requests for Mr. & Mrs. Brian Allendorfer to construct additions and renovations to the existing home at 448 Eton Drive using the plans as prepared by David Forte of Forte Architecture Ltd., last dated June 19, 2007; seconded by W. Gene McAlester.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:

Ayes:	Chairman Warren Nass, Vice Chair John Cifonelli, Joe DiPino, Carleen Kreider, W. Gene McAlester, Bryan McGonigal, and Janis Menges
Nays:	None
Absent:	None
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 July 25, 2007 at 7:30 p.m. and encouraged Mr. & Mrs. Allendorfer to attend.

**4. The following variation is requested in the petition submitted by Mr. Martin Pais, 180 Clover Hill Lane, North Barrington, IL 60010:**

Chairman Nass explained the variance to the code requested by Mr. Martin Pais.

**ZR-10-2-1: Accessory vehicular storage structures shall have a maximum area of seven hundred fifty (750) square feet.**

The existing detached garage is approximately 517 square feet in area. The proposed addition will be approximately 522 square feet in area. The total area of the detached garage will be approximately 1,039 square feet.

Chairman Nass invited the applicant to address the Zoning Board of Appeals. Mr. Pais is seeking a zoning variance in order to build a larger garage. Mr. Pais resides on 4.2 acres of land which is a heavily wooded area. He has notified the neighbors of his request and his current real estate taxes have been paid.

Mr. Pais began by describing his construction plans. He explained that the existing garage is detached from his house. There are two sheds which will be torn down; a lean-to shed that is located directly behind the existing garage and another shed/old horse barn that is located just west of the house on the property. Mr. Pais said that the existing detached garage is approximately 517 square feet in area. The proposed addition will be approximately 522 square feet in area. The total area of the proposed detached garage will be approximately 1,039 square feet. The view from the front of the house will remain the same; the garage will be extended from the rear. It will be a two car garage plus workshop. Mr. Pais is requesting an additional 300

square feet to the 750 maximum required by the Village Zoning Ordinance. The driveway will not be altered and the trees on the property will not be affected.

Vice Chair Cifonelli inquired about the materials which will be used for construction. Mr. Pais replied that it will be all cedar wood and will match the house.

Chairman Nass stated that Mr. Pais is cleaning up his property by tearing down the two old sheds and that the width of the house will remain the same.

Janis Menges recommended having a sump pump located in the garage because the area has a tendency to stay wet. Mr. Pais agreed.

It was noted that there were no objections from Village Forester, Susan Allman, Village Health Officer, Natalie Karney, or the adjacent neighbors to the variance request.

Motion: Vice Chair Cifonelli moved to recommend to the Village Board approval of the variance request for Mr. Martin Pais to construct an addition onto the existing detached garage for the existing home at 180 Clover Hill Lane by using the proposed plans as submitted; seconded by Carleen Kreider.

Discussion: There was some discussion.

Vote on Motion

By Roll Call:

Ayes:	Chairman Warren Nass, Vice Chair John Cifonelli, Joe DiPino, Carleen Kreider, W. Gene McAlester, Bryan McGonigal, and Janis Menges
Nays:	None
Absent:	None
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 July 25, 2007 at 7:30 p.m. and encouraged Mr. Martin Pais to attend.

**5. The following variation is requested in the petition submitted by Mr. & Mrs. William Powell, 230 Crooked Lane, North Barrington, IL 60010:**

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

**ZR-10-6-3(A): R-3 Residential Zoning District requires that each lot have an area of at least 40,000 square feet, a width of 115 feet at the front lot line and an average width of at least 130 feet.**

The subject property has a lot area of approximately 31,785 square feet, a lot width of 100 feet at the front lot line and an average width of approximately 100 feet. As such, the subject property is non-conforming.

**ZR-10-1-2(B) and  
ZR-10-4-2(A1b): A non-conforming building or use shall not be expanded.**

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

**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 subject property has an average lot width of the approximately 100 feet therefore the required side setback shall be 10 feet. The proposed wood deck will be located approximately 1 foot from the side lot line, representing a side setback encroachment of approximately 9 feet.

Chairman Nass invited the applicant to address the Zoning Board of Appeals. Chairman Nass began by asking Mr. Powell about a letter sent to the Village by the Powell's next door neighbors, Mr. & Mrs. Lessman, 234 Crooked Lane. Mr. & Mrs. Lessman are not objecting to the Powell's request for a variance regarding the proposed deck. Mr. Powell confirmed that his neighbors sent the letter to the Village.

Chairman Nass asked Mr. Powell to explain why he wants to build a deck that will be located approximately 1 foot from the side lot line. Mr. Powell explained that he has an unusual lot which is rectangular in shape. Mr. Powell stated the north side lot line extends approximately 10 feet farther on the first half of the total length of the property and indents 10 feet for the remaining length of the property. Mr. Powell stated he is not proposing to extend the proposed deck any farther than the width of the house.

Chairman Nass asked if the Plat of Survey dated April 10, 2007 was the most current and final plat submitted. Mr. Powell affirmed that it was.

Vice Chair Cifonelli asked Mr. Powell to please read the letter aloud from Mr. & Mrs. Lessman at 234 Crooked Lane to the Commission. Mr. Powell read the letter dated May 8, 2007 addressed to Kelly Rafferty, Village Building and Zoning Officer. The letter stated that Mr. & Mrs. Lessman do not object to the proposed plans.

Janis Menges asked how far the Lessman's house is from the side lot line. Mr. Powell stated that it is quite a ways back and that there is a wooded area between the two houses which include pine trees and arborvitae. The driveway is approximately 20 feet past the side lot line and the Lessman's house is further north of the driveway.

Chairman Nass stated that the Board has never allowed a deck to be approximately 1 foot from the side lot line. It would establish a precedent if the variance request it is allowed.

Vice Chair Cifonelli asked why they chose that particular location for the proposed deck. Mr. Powell's response was that there is an existing patio which includes a sloping area. If the patio was extended, the patio would have to be elevated approximately three to four feet.

Vice Chair Cifonelli asked how high the proposed deck will be off of the ground. Mr. Powell stated that the proposed deck will be approximately 3 feet off the ground and will include 2 x 6 inch railings, six concrete piers 8 x 42 inches deep, and cedar decking. The approximate size of the deck will be 16 x 20 feet and no trees will be removed as a result of the construction.

Chairman Nass asked Mr. Powell what his claim for hardship was. Mr. Powell stated that they have an existing patio, and the only logical place to build a deck is above the patio.

Janis Menges asked about the square footage of the existing patio. Mr. Powell stated it is twice the size of the proposed deck, that it is approximately 500-600 square feet and that it is an existing two level brick patio.

Chairman Nass stated that the only objection he has about the proposed deck is that it is 1 foot from the side lot line.

There was discussion about how the Zoning Board of Appeals has dealt with this issue in the past.

Janis Menges asked Mr. Powell if he could re-design the deck. Mr. Powell replied that the deck would look odd if it was redesigned and if they just built a patio, it would be a major job due to the sloping area. A wall would need to be constructed on the north side due to the sloping area and it would be worse than the proposed deck. He considers that a hardship.

Bryan McGonigal asked if there would be any enclosures on the deck. Mr. Powell stated that there would not be any enclosures.

There was further discussion about different alternatives but Mr. Powell reiterated that due to his unusual side lot line, it would be difficult to redesign the deck to look good aesthetically.

It was noted that there were no objections from Village Forester, Susan Allman, Village Health Officer, Natalie Karney, or the adjacent neighbors to the variance request.

Motion: Carleen Kreider moved to recommend to the Village Board approval of the variance requests for Mr. & Mrs. William Powell to construct a wood deck to the existing home at 230 Crooked Lane as depicted on the Plat of Survey dated April 10, 2007 and submitted sketch; seconded by W. Gene McAlester.

Discussion: There was lengthy discussion.

Vote on Motion

By Roll Call:

Ayes:	Vice Chair John Cifonelli, Joe DiPino, Carleen Kreider, W. Gene McAlester, and Janis Menges
Nays:	Chairman Nass, Bryan McGonigal

Absent:       None  
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 July 25, 2007 at 7:30 p.m. and encouraged Mr. & Mrs. Powell to attend.

**6.     Adjournment**

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

The voice vote was unanimous in favor.

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

These Minutes were approved by the Zoning Board of Appeals at a Meeting held August 14, 2007.

Attest: \_\_\_\_\_  
Kris Lennon, Deputy Village Clerk