

*Village of Barrington
Zoning Board of Appeals
DRAFT Minutes Summary*

Date: November 3, 2015

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Victoria Perille, Commissioner
William Fitzpatrick, Commissioner
David Holtermann, Commissioner
Kate Duncan, Commissioner
Kevin Connolly, Commissioner
Patricia Pokorski, Chairperson

Staff Members: Natalie Ossowski
Jean Emerick

Call to Order

Chairperson Pokorski called the meeting to order at 7:02 p.m.

Chairperson's Remarks

Chairperson Pokorski gave the order of business and explained the process and duties of the ZBA. She swore in those members of the audience that may speak during the meeting.

Roll Call noted the following: Victoria Perille, present; William Fitzpatrick, present; David Holtermann, present; Kevin Connolly, present; Kate Duncan, present Vice-Chairperson Ryan Julian, absent; Chairperson Patricia Pokorski, present.

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New Business

ZBA 15-08: 317 E. Lake Street - Public Hearing

Applicant: David Weekley Homes
1930 Thoreau Dr. N. #160
Schaumburg, IL 60173

The applicant seeks approval of a variation from Chapter 6, Section 6.12 of the Village of Barrington Zoning Ordinance relative to a variation for an increase in the maximum permitted height of a primary structure. The petitioner is additionally requesting approval of a variation from Chapter 6, Section 6.1, Subsection D of the Village of Barrington Zoning Ordinance relative

to an exception from the daylight plane requirement. The property is zoned R-6 Single-Family Residential.

Mr. Mike Creed, the Operations Director for David Weekley Homes, said that the property slopes from west to east and drops about 4½ feet. They are requesting a variation from the daylight plane. He believes they are in compliance in height.

Ms. Ossowski said 317 E. Lake Street is an interior lot. To the east of the property is a four-unit multi-family building. To the north is the Village Center District. It is a vacant property except for an asphalt driveway. There is a steep grade from west to east property line. They would like to construct a two-story single-family residence. The petitioner is requesting two variations, one for maximum height and the other is for daylight plane on one side. Building height is measured from the average predevelopment grade at the front face of the building. The maximum height is dictated by the primary slope of the roof. Daylight plane is to prevent a house from casting a large shadow on the neighboring property.

Ms. Ossowski said that the property has a naturally steep grade. The proposed house measures 36 feet 2½ inches. On a flat lot, the structure would be compliant. The actual structure measures about 31 feet. This creates a practical difficulty. The east property line is the lowest and this is where they measure it.

Two-story homes have become the norm for single-family houses. The request is in harmony with the purpose of the Zoning Ordinance and the Comprehensive Plan. There is no other remedy. Shifting the structure back or forward would not eliminate the problem. To meet our requirements, they would be limited to one story, which Staff does not believe is reasonable. The maximum height for this structure with the roof pitch is 32 feet. The actual is 31 feet.

Ms. Ossowski said that Staff recommends approval. They meet all other zoning requirements. The first variation is for an exception of 4 feet 9½ inches from the required 32 feet to allow for a maximum height of 36 feet and 2½ inches. The second variation is to grant an exception from daylight plane requirement on the east elevation.

Chairperson Pokorski asked for public comment; there was none.

Commissioner Connolly asked where on the elevations it says it is a 8/12 pitched roof. It looks like it is 7/12 or less.

Mr. Creed said they dropped it to 7/12.

Ms. Ossowski said that the 7/12 and the 8/12 have the same maximum height. The maximum height is 34; they are still allowing 36 feet 2½ inches, so the exception would be 2 feet 9½ inches exception.

Commissioner Perille said in reality if they changed the slope of the roof from 8/12 to 7/12, it would make it shorter.

Chairperson Pokorski said nowhere in the Zoning Code does not say it is a right to build a two-story house. It is more the norm. It is an assumption. In the recommendations, there should be limitations.

Ms. Ossowski said she thought it would be important to grant a height exception.

Commissioner Perille said it is an unusual situation that it slopes the way it does. There is less of an impact because the neighbor's house backs up to their side yard. It is a rather large intrusion into the daylight plane. Did they think about moving the garage?

Mr. Creed said they did. 90% of their architecture for these homes is for front-load garages and it would be more of an intrusion into the daylight plane if they were to shift the house over to accommodate a driveway to the back.

Commissioner Fitzpatrick asked about the condos to the east, with two stories on the front and one story on the rear. The house will tower over the other properties. He asked if the developer was working with the Village on stormwater management.

Ms. Ossowski said they were. The permit would not be approved without stormwater engineering.

Commissioner Holtermann asked what the height would be on the east elevation from the ground to the top.

Mr. Creed said it would be approximately 27 feet.

Commissioner Holtermann said it would be impossible to build this two-story house without the variation, but it may be possible for another two-story house.

Chairperson Pokorski said it is economic because they have preset designs, otherwise they would have to build a custom design and it would be more costly.

Commissioner Holtermann asked what would they need to do to make it compliant.

Mr. Creed said they have already modified the design; to modify it further they would lose square footage in the bedrooms, possibly making it a 2½-bedroom home. They are trying to comply as much as they can.

Ms. Ossowski said the daylight plane on the east hits right above the first floor. Even with a one story, it would still be difficult to make.

Commissioner Perille wondered if it is a necessary variation. There are other configurations that may work.

Ms. Ossowski said she has not received any negative feedback from the neighbors. It is Staff's perspective that these two variations go hand-in-hand because they are coming from the same problem.

Commissioner Duncan wanted to confirm that if this was a flat lot, there would be no need for the height or the daylight plane variation.

Ms. Ossowski said this was correct.

Commissioner Fitzpatrick questioned the wording of the recommendation.

Ms. Ossowski said granting an exception of up to 2 feet 9½ inches from the required 34-foot maximum height requirement for a primary structure with a slope not to exceed 7/12 to allow a height not more than 36 feet 2½ inches.

Commissioner Holtermann said it is great to see plans for the vacant lot and he appreciated the modifications that the petitioner has made. He believes that a two-story home could be built, but it may be more expensive. He would be interested in seeing a rendering of the daylight plane and how it affects the lot next door.

Chairperson Pokorski suggested that the Staff Report under Practical Difficulty should read, the naturally steep slope of the lot presents significant challenges and makes it practically difficult.

Commissioner Fitzpatrick said appearance is important, too. It needs to fit into the neighborhood.

Ms. Ossowski suggested that they can use "this proposed house" rather than "two-story house" in the Staff Report.

Commissioner Fitzpatrick moved to approve ZBA 15-08: 1) Granting a variation of up to 2 feet 9½ inches from the required 34 feet maximum height requirement for a primary structure with a slope of not to exceed 7/12 to allow a height of not more than 36 feet and 2½ inches and 2) Granting an exception from the daylight plane requirement on the east elevation as shown on the revised front elevation exhibit. Commissioner Duncan seconded the motion.

Roll Call Vote: Ms. Perille, no; Mr. Fitzpatrick, aye; Mr. Julian, absent; Mr. Holtermann, no; Mr. Connolly, no; Ms. Duncan, aye; Ms. Pokorski, no; the vote was 2 ayes to 4 noes. Chairperson Pokorski declared the motion denied.

Chairperson Pokorski explained that the petitioner can appeal to the Village Board. The ZBA's recommendation is discretionary.

Mr. Creed said when they purchase a property they do an economic feasibility study. If they were to build a custom home to fit into this lot, it would not be economically feasible.

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Minutes

August 4, 2015

Commissioner Fitzpatrick moved to approve the August 4, 2015 meeting minutes and Commissioner Holtermann seconded. A voice vote recorded all ayes to approve the minutes of the August 4, 2015 meeting. Chairperson Pokorski declared the minutes approved.

July 7, 2015

Commissioner Perille moved to approve the July 7, 2015 meeting minutes and Commissioner Duncan seconded. A voice vote recorded all ayes to approve the minutes of the July 7, 2015 meeting. Chairperson Pokorski declared the minutes approved.

Planners Report

Chairperson Pokorski stated for the record, as the chairperson but not speaking on behalf of the Commission, there were two matters that the Commission did not approve. The Lohman matter, which failed 6 or 7 of the 8 standards and the Howard matter, which most of the standards were not met for the fence. One of the cases the Board supported and the other the Board overturned. Chairperson Pokorski thinks that the way the rulings were set forth, it undercuts the efficacy of the ZBA and calls into question the value of the Commission and the precedent setting that if you do not like the ruling or know someone, it can be overturned. She has concern and confusion regarding those rulings.

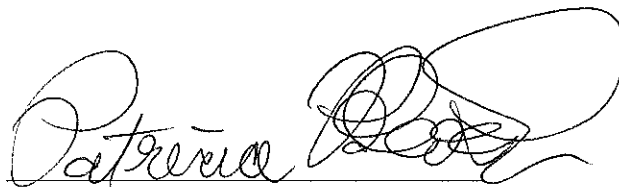
Ms. Ossowski said 124 Walton has their building permit. The Special Use for the Tavern, Alley 59, will open next week. The 100 South Cook project is going forward. The Bosworthfield setback variation was denied. The petitioner came in with plans for a compliant screened-in porch, which has been approved. The new garage with setback variations at 518 E. Russell building permit is in review. The fence variation, which Staff and ZBA recommended denial for, the Board overturned. Their building permit was applied for and issued. There will probably be no December meeting.

Adjournment

Commissioner Fitzpatrick moved to adjourn the meeting and Commissioner Connolly seconded. Chairperson Pokorski adjourned the meeting at 8:15 p.m.

Respectfully submitted,

Jean M. Emerick
Recording Secretary



Ms. Pokorski, Chairperson
Zoning Board of Appeals

Approval Date: