

*Village of Barrington
Zoning Board of Appeals
Minutes Summary*

Date: November 9, 2021
Time: 7:00 p.m.
Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Anna Markley Bush, Chairperson
Daniel Hogan, Vice-Chairperson
Susan Ferry, Commissioner
Joann Lee, Commissioner

Staff Members: Andrew Binder, Planning & Zoning Coordinator

Call to Order

Chairperson Bush called the meeting to order at 7:00 p.m.

Roll call noted the following: David Holtermann, absent; Robert Windon, absent; Joann Lee, present; Susan Ferry, present; Vice-Chairperson Hogan, present; Chairperson Anna Markley Bush, present.

There being a quorum, the meeting proceeded.

Chairperson Bush announced the order of proceedings and swore in those wishing to address the Commission.

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New Business

ZBA 21-04: 501 N Hough Street – Public Hearing

PETITIONER: Commonwealth Edison Company; Billy Pegel, 3 Lincoln Center, Oakbrook Terrace, IL 60181

The applicant seeks approval of a variation from Chapter 4, Part I, Section 4.5, Subsection B and Subsection D of the Village of Barrington Zoning Ordinance to allow a six-foot-tall chain-link galvanized and barbed wire fence, to be placed along the western front or front yard of the property. The subject property is zoned P-L Public Lands District.

Doug Etscheid, from Arcadis that is the consultant for Comed, gave an overview of the project and the proposed fencing around the site.

Mr. Binder presented the Staff Report. He stated the Petitioner seeks approval of a variation from the Zoning Ordinance to allow a six-foot-tall chain-link galvanized and barbed wire fence to be placed along the western

front or front yard of the property to match into the existing 6'-0" chain link and barbed wire fence. He stated that the site comprised of substation building and electrical transmission equipment. ComEd has recently removed the electrical transmission equipment from the site and is now planning to demolish the substation building on the property. Since the substation building was a barrier to their electrical transmission equipment area, ComEd is requesting to place a chain-link fence in the fence opening where the substation building will be demolished to restrict property access. ComEd is looking to secure the gap of the previous substation building with a matching fence to restrict property access due to security concerns and the site's soil contamination. He reviewed the variation standards and concluded that Staff does believe the standards have been meet and recommends approval of the requested variation.

Chairperson Bush stated that the building is cool and asked when the site cleanup will be complete.

Mr. Etscheid indicated that ComEd is currently evaluating the site with the EPA. He stated that it could take several years but the plan is to be done within two years.

Commissioner Lee asked if the site will turn into a green space.

Mr. Etscheid stated that it may turn into a green space, but it depends on the soil with the EPA report.

Commissioner Lee asked about the site being excavated recently.

Mr. Etscheid indicated that work was related to the electrical transmission equipment being removed.

Vice-Chairperson Hogan moved to approve ZBA 21-04. Commissioner Lee seconded the motion.

Roll call Vote:

Ayes: Lee, Ferry, Hogan, Bush

Nays: None

Abstain: None

Absent: Holtermann, Windon

4-0 vote. Motion carried.

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ZBA 21-05: 1480 Lake Shore Drive S – Public Hearing

PETITIONER: Anne Coupe, 1480 Lake Shore Drive S, Barrington, IL 60010
Max McCaulley, 1387 The Point, Barrington, IL 60010

The applicant seeks approval of a Variation from Chapter 4, Section 4.2, Table 4.2 of the Village of Barrington Zoning Ordinance relative to the encroachment of an attached, uncovered and unenclosed deck into the required side yard on the west side of the property. The subject property is zoned R-3: Single-Family Residential District.

Max McCauley, the contractor of the project, presented the request. He gave an overview of the existing deck and how the new deck would have constraints if it were to meet the zoning regulations with the building code requirement for frost protection.

Commissioner Ferry asked how many feet will the deck be from the lot line.

Mr. McCauley responded that the requested deck will be nine feet from the property line.

Commissioner Lee asked if they are looking to match the existing 8 foot deck.

Mr. McCauley indicated that a small stair case was the existing structure in the side yard. He noted the new deck will extend towards the side yard and replace the small staircase.

Commissioner Lee asked if they got any approval with the neighbor. She also asked if the piers are all new.

Mr. McCauley indicated that they spoke with both next door neighbors and are good with the requested deck. He also responded that the piers are all new.

Mr. Binder presented the Staff Report and gave an overview. He noted that the Petitioner is proposing an 8'-0" wide deck that would encroach approximately 6 feet into the required interior side yard setback. The reasoning for the request is for the Petitioner to add an extension of the existing deck to create a safe and more accessible route from the side door of the house to the rear deck and rear of the property. However, due to the retaining wall and a steep elevation change along the northwest corner of the residence, the property owner is unable to create a flat, safe accessible route to the rear deck or rear yard without encroaching into the required interior side yard setback. The required interior side yard setback for a deck is 15 feet.

He continued that Staff is aware that other remedies would eliminate this variation request. He stated that other alternatives would include grade modifications and alterations to the existing retaining wall and all alternatives would require extensive grading work around the house and the area around the side property, which could affect the adjacent property owner and the subject property's foundation. He continued that Staff believes the request is not the minimum required. He noted that the standard sidewalk width is 5'-0" therefore staff stands that a 5'-0" wide deck is the minimum relief necessary to alleviate the practical difficulty on the subject property. He stated that Staff recommends approval of a 6'-0" wide deck which would encroach approximately 4'-0" into the interior side yard setback.

Commissioner Ferry asked with the Staff proposal will that effect the retaining wall and the grading.

Mr. McCauley indicated that with the Staff's request and due to the framing style, it would not be possible.

Vice-Chairperson Hogan asked if the Petitioner has any issue with the 7 foot request off the rear of the house.

Mr. McCauley responded that the grade changes make it difficult to meet the 7 foot request off the rear of the house.

Commissioner Lee asked what the elevation of the deck is from the grade.

Mr. McCualley responded that the deck will be 18 inches and 12 feet from the end of the deck. He noted that the deck is covering the walkout basement.

The Commissioners and the Petitioner discussed the 42" frost requirement for the deck piers.

Commissioner Lee asked if the difference is 2 feet.

Mr. Binder confirmed that the Petitioner is requesting an 8 foot deck within the side yard and Staff is recommending at 6 foot deck, due to the minimum required.

Vice-Chairperson Hogan stated that he understands the request and the understanding that the standards are there to minimize the impact and sees that there is no objection from the neighbor. He asked if the building inspector and the Petitioner discussed the deck board situation.

Mr. McCualley stated that he has not and gave a further explanation for the request due to size and safety concerns.

Commissioner Ferry stated that since the neighbor is OK with the request and the difficult of the request with the grading.

Chairperson Bush responded that the other side is that the homeowner knew that the grading and elevations existed.

Vice-Chairperson Hogan moved to recommend ZBA 21-05 with the following conditions:

1. The deck shall encroach six (6) feet within the interior side yard setback and shall not extend further than ten (10) feet from the rear face of the primary structure for the portion of the deck located within the interior side yard setback.
2. The deck within the side yard may not be enclosed and converted to living space in the future as this would alter the required interior side yard setback of the primary building.

Commissioner Ferry seconded the motion.

Vice-Chairperson Hogan noted that they are making an exception and a concession among the members that they are okay making the exception. He noted that he does not see any issue with the additional 2 feet needed.

Commissioner Lee asked that she is still not clear on the building issues with not having a 6 foot deck compared to an 8 foot deck.

Mr. McCualley noted that the way to construct the 6 foot deck, you will need to construct the deck with a certain bolt and the bolt does not work well or last as long with the proposed composite material.

Commissioner Ferry noted that since the proposed deck is not a room or a screened porch, it would be different. She stated that she does not have a problem with it.

Commissioner Lee stated that they are talking about 2 feet and if the next door neighbor is OK with it, she doesn't have an issue with the request.

Roll call Vote:

Ayes: Lee, Ferry, Hogan, Bush

Nays: None

Abstain: None

Absent: Holtermann, Windon

4-0 vote. Motion carried.

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Minutes

May 25, 2021 Meeting Minutes

Vice-Chairperson Hogan moved to approve the minutes from May 25, 2021. Commissioner Lee seconded the motion. A voice vote noted all ayes, and Chairperson Bush declared the motion approved.

August 10, 2021 Meeting Minutes

A quorum was not met to approve the August 10, 2021 minutes.

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Other Business

Consideration of 2022 Zoning Board of Appeals Meeting Schedule

Vice-Chairperson Hogan moved to approve the 2022 Zoning Board of Appeals Meeting Schedule.

Commissioner Ferry seconded the motion. A voice vote noted all ayes, and Chairperson Bush declared the motion approved.

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Adjournment

Vice-Chairperson Hogan made a motion and Commissioner Lee seconded to adjourn the meeting at 7:50 p.m.

Chairperson Bush declared the motion approved.

Respectfully submitted,

Andrew Binder

Planning & Zoning Coordinator

Approved: 4/26/2022