

**MINUTES OF PLAN COMMISSION& ZONING BOARD OF APPEALS
OF THE VILLAGE OF SOUTH BARRINGTON**

Wednesday, March 13, 2013

7:30 P.M.

CALL TO ORDER

The meeting was called to order at 7:45 p.m. by Chairman Michael McCombie.

ROLL CALL was taken.

PRESENT: Commissioners Fox, Gillis, Kwasek, Chairman McCombie.

ABSENT: Decker, Murarka

A QUORUM was declared.

ALSO PRESENT: Petitioners Richard and Susan Fitzgerald of 30 N Witt Road; James Bodkin of The Coves Architectural Review Committee; Building Officer Raymond Wolfel; Administrator Mark Masciola.

Approval of minutes

MOTION made by Commissioner Gillis to approve the minutes of October 30, 2012 as presented.

SECOND made by Commissioner Kwasek.

The motion passed by voice vote with Commissioner Fox abstaining.

Appeal to the Zoning Board of Appeals of the interpretation that patios are subject to the side yard setback requirement.

Chairman McCombie opened the meeting explaining the decision of the Commission would be binding either in support of the Building Officer's decision or in support of the Petitioner.

Mr. Bodkin handed out The Coves Architectural Review Committee Summary and explained the reasons why the patio was acceptable to them. He said he had sent the Building Officer the approval by email.

Commissioner White arrived at 7:55 p.m.

Discussion followed regarding the wording of the ordinance on required setbacks. The Petitioner stated she did not think a patio is a permanent structure. Building Officer Ray Wolfel gave the definition of a structure as the assembly of materials for occupancy or use.

Commissioner Gillis stated it is the intent of the ordinance to keep structures away from the lot line. Chairman McCombie stated the Building Officer's interpretation brings consistency to the Village and if the patio is approved, anything could be built within a foot of the lot line. Commissioner Kwasek stated his concern that it would be setting a precedence as well.

Chairman McCombie said Commissioner Fox stated the Fitzgerald's could request a public hearing, ask neighbors to agree, and document it for future buyers. However, Chairman McCombie reiterated that the one foot was really close.

Withdrawal of Request by Petitioner

The Petitioner acknowledged this meeting provided information and clarification and withdrew their request. Chairman McCombie said no motion was needed since the request was withdrawn.

It was the consensus of the Commission that the Village Board be advised that the ordinances were not clearly written in all cases and suggested they may want the Building Officer to review the ones he felt were lacking in clarity.

OLD BUSINESS

None

NEW BUSINESS

None

ADJOURNMENT

MOTION MADE by Commissioner Kwasek to close the meeting.

SECONDED by Commissioner Gillis.

MOTION APPROVED by unanimous voice vote. The meeting was adjourned at 8:20 p.m.

Respectfully submitted,
Linda Hooker, Deputy Clerk