

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

3 Wednesday, February 5, 2014

4 The meeting was called to order at 7:30 p.m. by Chairman Mr. Michael
5 McCombie. Roll call was taken.

6 PRESENT: Mr. Kwasek, Dr. Fox, Mr. McCombie, Mr. Gillis, Mr. White.

7 ABSENT: Dr. Murarka, Mr. Decker.

8 A quorum was present. Also in attendance was Mr. Raymond Wolfel,
9 Village Building Officer.

10 Mr. McCombie stated that the first item on the agenda was the approval of the
11 Minutes of the Plan Commission meeting held September 25, 2013. Mr. McCombie
12 asked for a Motion from the Board to approve the Minutes of the meeting held
13 September 25, 2013 as presented. Mr. Kwasek made a Motion. Mr. White
14 seconded. Roll call was taken. The Motion was passed. Dr. Fox and Mr. Gillis
15 abstained.

16 Mr. McCombie stated that the next item on the agenda was the Public Hearing
17 for the request for a variance for 12 E. Penny Road (Londergan). Mr. McCombie
18 asked for a Motion to open the Public Hearing. Dr. Fox made a Motion. Mr.
19 Gillis seconded. By unanimous vote the Motion was approved.

20 Mr. McCombie asked that anyone giving testimony to stand and be sworn
21 in. Mr. Nick Luisi of Sunset Pools & Spas, Inc. representative for the petitioner
22 and Mr. Raymond Wolfel, Village Building Officer were sworn in by Chairman
23 McCombie. Mr. McCombie presented the secretary with Proof of Notification
24 of Surrounding Properties for the Public Hearing.

25 Mr. Luisi stated that the petitioner is asking for a variance of the 12 foot

1 Swimming Pool Ordinance that requires the water's edge of the swimming pool be
2 within 12 feet of the primary building foundation. Mr. Luisi stated that the petitioner
3 would like to put in a new pool with a pool house and keep their existing patio.
4 Mr. Luisi further stated that in order to accomplish this, they are requesting a
5 variance to move the swimming pool further out into the backyard. Mr. Luisi
6 stated that the proposed pool house would be at the end of the pool which will
7 make it all usable space.

8 Mr. McCombie asked Mr. Wolfel what was the original purpose of the
9 Ordinance to have the pool within 12 feet of the home? Mr. Wolfel stated that it
10 was his understanding that the root of the Ordinance was the Village's wish to
11 group the uses close to the principal structure keeping as much grassy open
12 space between neighbors as possible. Mr. Wolfel further stated that the
13 Ordinance was rewritten to include a paragraph stating that if there was an
14 elevated deck structure within 12 feet of the pool, it would have to be more than
15 12 feet but not more than 40 feet from the main structure. Mr. McCombie asked
16 what is the distance between the proposed pool and the home? Mr. Wolfel stated
17 that the proposed hot tub with a water feature going into the pool is 39 feet 10
18 inches from the foundation of the home.

19 Mr. Kwasek stated that he felt the current Ordinance does not make any sense
20 because of the current sizes of the homes in the Village. Mr. Kwasek felt the 12
21 foot Ordinance does not allow enough space for landscaping and makes everything
22 look too close together. Mr. Wolfel stated that this is an old Ordinance that was
23 written when the homes in the Village were smaller.

24 Mr. McCombie asked if there were any issues with the proposed pool
25 house? Mr. Wolfel stated there were no problems with the pool house. Mr.
26 Gillis asked if there were any limits on the size of the pool house? Mr. Wolfel
27 stated no. Mr. Gillis asked what will be in the pool house? Mr. Luisi stated that
28 it will have a kitchenette area with a grill and have an open roof area which

1 will include a fireplace. Mr. Wolfel stated that everything zoning wise
2 on the proposal is fine with the exception of the water's edge not being within 12
3 feet of the main structure. Mr. Wolfel further stated that the Homeowner's
4 Association was also in favor of the plan and does allow pool houses. Being no
5 further questions, Mr. McCombie asked for a Motion from the Board to recommend
6 to the Board of Trustees, to grant the variance for the proposed swimming pool for
7 12 E. Penny Road to be located approximately 40 feet from the foundation of the
8 home as represented on drawing A2.1 dated 11/13/13. Mr. Kwasek made a
9 Motion. Dr. Fox seconded. Roll call was taken. Mr. Kwasek - yes, Dr. Fox - yes,
10 Mr. McCombie - yes, Mr. Gillis - yes, Mr. White - yes. By unanimous vote the
11 Motion was passed. Mr. McCombie informed Mr. Luisi that the Board will send
12 their recommendation to the Board of Trustees for their consideration at their March
13 meeting. Mr. McCombie asked for a Motion to close the Public Hearing. Mr.
14 Kwasek made a Motion. Dr. Fox seconded. By unanimous vote the Public Hearing
15 was closed.

16 Mr. McCombie stated that the next item on the agenda was the Public Hearing
17 for a request for a zoning change for 15 W. Penny Road (Fox). Mr. McCombie
18 asked for a Motion to open the Public Hearing. Mr. Kwasek made a Motion. Mr.
19 White seconded. By unanimous vote the Motion was passed. Mr. McCombie
20 presented the secretary with Proof of Notification of Surrounding Properties for the
21 Public Hearing. Dr. Fox excused herself from the Commissioner's table because the
22 zoning request was for her personal residence at 15 W. Penny Road.

23 Mr. McCombie stated that there were no audience members opposed to the
24 zoning request. Mr. McCombie stated that Mr. Wolfel will be testifying for the
25 Village. Mr. Wolfel stated that there was one neighbor that had come to the
26 Village Hall, but had no objections to the zoning request.

27 Mr. McCombie stated that the petitioner is requesting a zoning change from
28 A-1 to A-2 zoning. Mr. McCombie further stated that from the Building Officer's

1 information, there are no items that would not allow the Board to recommend
2 the zoning change to the Village Board. Mr. McCombie stated that there are
3 no variations being requested, therefore it is simply a request to change from
4 A-1 to A-2. Mr. Wolfel stated that the property meets both the requirements
5 for A-1 and A-2 zoning. Mr. McCombie asked for comments from the Board.
6 Being no further comments, Mr. McCombie asked for a Motion from the
7 Board to recommend to the Board of Trustees, the request to change 15 W.
8 Penny Road from A-1 to A-2 zoning. Mr. Kwasek made a Motion. Mr.
9 Gillis seconded. Roll call was taken. Mr. Kwasek - yes, Mr. McCombie - yes,
10 Mr. Gillis - yes, Mr. White - yes. By unanimous vote the Motion was passed.
11 Mr. McCombie asked for a Motion from the Board to adjourn the Public
12 Hearing. Mr. Kwasek made a Motion. Mr. Gillis seconded. By unanimous
13 vote the Motion was passed.

14 Mr. McCombie asked if there was any new business? Mr. Kwasek asked
15 when the meeting was scheduled for The Glen - Unit 14? Mr. Wolfel stated
16 that it has been scheduled for February 19th and the Village Engineers are
17 working on the reviews and should have them done by the end of the week.
18 Mr. Wolfel stated that there has not been a landscape plan submitted and no
19 inventory list of the trees on the property. Mr. Wolfel stated that he will be
20 making comments about the trees. Mr. Kwasek asked if the road layout, as it
21 is shown, matches the original plan for The Glen? Mr. Wolfel stated yes but
22 not exactly as it is now. Mr. Wolfel stated that there were originally 142 lots
23 and now there are 134 lots. Mr. Wolfel stated that the land is not really a part
24 of The Glen yet, it is Rose's 25 acres. Mr. McCombie asked if this will
25 eventually be a part of The Glen? Mr. Wolfel stated yes, but they did not
26 include a current copy of the Covenants for The Glen and he has not
27 received a letter from The Glen on this issue. Mr. Kwasek asked if the
28 main road will meet the standard requirements? Mr. Wolfel stated yes.

1 Mr. McCombie asked if the road will be owned by The Glen? Mr. Wolfel stated
2 that he thought it would be owned by The Glen. Mr. Wolfel further stated that
3 they are only coming in for a Preliminary Plan approval. Mr. Wolfel stated that part
4 of the reason for doing this now is that MWRD, the sewer company will have a new
5 set of ordinances going into effect as of May 1. Mr. Wolfel stated that Mr. Fuller, the
6 petitioners attorney, feels if the Village sends Glen Unit 14 to MWRD to be put on a
7 list, they get grandfathered into the old storm water requirements for a period of one
8 year from May 1st. Mr. Wolfel stated that he has asked the Village Engineers what
9 will be the difference between the new requirements and the Village's requirements.
10 Mr. Wolfel stated that he has not heard from the Village Engineers on this matter, but
11 hopefully will have an answer by the meeting on the 19th.

12 Mr. Gillis suggested that the Board go to see the property before the meeting.
13 Mr. Wolfel stated that they can try to get it arranged. Mr. McCombie asked if The
14 Glen has been notified? Mr. Wolfel stated that it depends on how it was set up, but
15 he will check with the Village Attorney. The Board was in agreement that they
16 would like to hear from The Glen before the meeting on the 19th. Mr. Wolfel stated
17 that he will get more information to the Board before the February 19th meeting.

18 Being no further business, Mr. McCombie asked the Board for a Motion to
19 adjourn the meeting. Mr. Gillis made a Motion. Mr. White seconded. By unanimous
20 vote the meeting was adjourned at 8:25 p.m.

21 Respectfully Submitted,

22 _____
23 Christine Latoria, Secretary

24 These Minutes were approved on
25 this ____ day of _____, 2014

