

**MINUTES OF THE PLAN COMMISSION & ZONING BOARD OF
APPEALS OF THE VILLAGE OF SOUTH BARRINGTON
Held Monday, January 25, 2016**

CALL TO ORDER

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

PRESENT: Commissioners Murarka, Fox, Gillis, White and Chairman McCombie.

ABSENT: Commissioners Kwasek and Decker.

A quorum was present. Also in attendance were Village Building Officer Michael Moreland, Village Engineer Natalie Karney, and Ms. Melissa Wolf of Storino, Ramello & Durkin, Village Attorney.

PUBLIC COMMENT - None

APPROVAL OF MINUTES

Chairman McCombie stated that the approval of the Minutes from the meeting held November 9, 2015 will be postponed until the next scheduled Plan Commission meeting.

AGENDA ITEMS

Chairman McCombie stated that the first item on the agenda was the Public Hearing for a request for variance regarding pool area located at 8 Terra Vita Drive in the Village of South Barrington, Cook County, Illinois. Chairman McCombie asked for a Motion from the Board to open the Public Hearing. Commissioner Gillis made a Motion. Commissioner Murarka seconded. By unanimous vote the Motion was passed.

Chairman McCombie stated that representing the petitioner was Mr. Pramod Kumar, owner of the property. Proof of Notification of Surrounding Properties were presented to the secretary. Chairman McCombie asked any person giving testimony on this matter to stand and be sworn in. Chairman McCombie asked if the testimony they were about to give was the truth and whole truth. All parties answered yes.

Chairman McCombie stated that there are two separate items for review this evening. One is the variance for the construction of the pool deck which was constructed approximately 9 inches beyond the 25 yard setback. The second item was for a pool fence that was installed nearly 8 feet beyond the same 25 yard setback. Chairman McCombie stated that Mr. Kumar had received during the time of construction a notice from the Village Building Officer that this was beyond the limits of the setback. Mr. Kumar stated that he did not personally receive the notice. Chairman McCombie stated that he had a copy of the notice dated 10/21/09 from Building Officer Ray Wolfel stating that the deck/fence may be closer than 25 feet to the side yard setback. Mr. Kumar stated that Barrington Pools were the ones who installed the pool.

Chairman McCombie stated that he checked with the Village and Barrington Pools and Mr. Kumar still have a deposit with the Village in the amount of \$5,000.00 and have not requested their money back. Chairman McCombie further stated that he felt a prudent man would request his deposit back if he felt he built something within the guidelines of the Village requirements. Mr. Kumar stated that he actually forgot about the deposit and is willing to comply with what the Village recommends.

Commissioner Fox asked why this issue was coming before the Board this evening if the notice and construction was done in 2009? Officer Moreland stated that the property is currently under review for a permit for a small addition to the home. Officer Moreland further stated that they want to correct this issue before the Village releases the permit.

Chairman McCombie stated that for a variance to be granted, there has to be a good reason. Chairman McCombie asked Officer Moreland if they could reduce the pool deck size without it being a safety issue? Officer Moreland stated they could reduce the pool deck size, however the Village requirement is 4 feet and they have not allowed less than this in the past. Chairman McCombie stated that he felt this was a hardship and did not know why Barrington Pools would not have measured the area correctly according to Village guidelines and requirements.

Chairman McCombie stated that he felt the landscaping fence location was a matter of taste and that there was no importance for the landscaping fence to be put in that location. Mr. Kumar stated that they had a contractor put in the landscape fence. Commissioner White asked why the landscape fence was put in on such an angle? Mr. Kumar stated that it was done that way to allow better access to the pool. Commissioner Fox asked if Barrington Pools had also put in the landscaping fence? Mr. Kumar stated that they had another contractor do the landscaping fence.

Commissioner Fox stated that because of the construction projects she done at her own home, she could see where the petitioner may have thought the contractors he hired obtained the proper permits and followed the Village guidelines.

Chairman McCombie stated that he felt that there is a hardship involving the location of the pool deck, however the landscape fence location has to be within the rules and regulations of the Village. Chairman McCombie further stated that the landscape fence has to be located inside the 25 yard setback with the exception of the circular dimension of the pool deck. Mr. Kumar agreed. Mr. Kumar stated that Barrington Pools will be coming back to repair leaking pipes for the pool. Commissioner Gillis agreed with Chairman McCombie on the location of the pool deck and stated he also felt the fence needs to be moved.

Being no further discussion, Chairman McCombie asked for a Motion from the Board to recommend to the Board of Trustees to give the petitioner a variance for the pool deck as it is presently constructed and allow the fence around that part of the pool deck, which extends into the 25 foot setback, to be within 3 inches of the pool deck and that at no time will it be into the setback greater than one foot and that the entire rest of the time it will be outside of the 25 foot setback. Commissioner White made a Motion. Commissioner Fox seconded. Roll call was taken. Commissioner Murarka - yes, Commissioner Fox - yes, Chairman McCombie - yes, Commissioner Gillis - yes, Commissioner White - yes. By unanimous vote the Motion was passed.

Chairman McCombie asked for a Motion from the Board to close the Public Hearing. Commissioner Gillis made a Motion. Commissioner White seconded. By unanimous vote the Motion was passed.

Chairman McCombie stated that the second item on the agenda was the Public Hearing for a request to amend the Woods of South Barrington Planned Unit Development in the Village of South Barrington, Cook County, Illinois (revised engineering plans).

Chairman McCombie asked for a Motion from the Board to open the Public Hearing. Commissioner Fox made a Motion. Commissioner Murarka seconded. By unanimous vote the Motion was passed.

Chairman McCombie asked all parties that will be giving testimony to stand and be sworn in. Chairman McCombie asked if the testimony they were about to give was the truth and whole truth. All parties answered yes.

Proof of Notification of Surrounding Properties were presented to the secretary.

Representing the petitioner was Mr. Matt Tazelaar from ESE Consultants, Inc. Chairman McCombie asked for a brief overview of the current situation. Mr. Tazelaar stated that they are having grading and drainage issues with the property development. Mr. Tazelaar further stated that they had compared the pre-development Topo for the property to the current grading of the property and found discrepancies. Mr. Tazelaar stated that some of the swales were at 1% instead of 2% so they took the opportunity to make the swales 2% for better drainage. Mr. Tazelaar further stated that the second issue that occurred were some of the proposed homes had drop garages which they are going to eliminate. Mr. Tazelaar stated that they also adjusted some of the berms along Route 59 and planted additional landscaping as a noise barrier along with extending the berm. Mr. Tazelaar stated that their main goal is to get better drainage. Chairman McCombie asked if the new design is going to work well with the existing homes that are in the development? Mr. Tazelaar stated yes and that they have not changed drainage patterns. Commissioner Gillis asked if the amount of dirt is staying the same and are they just moving it around and not bringing in any additional dirt onto the site? Mr. Tazelaar answered yes.

Chairman McCombie stated that they had submitted this petition back in September and asked what happened between then and now which took so long to get this resubmitted? Mr. Tazelaar stated that they had some staffing changes at Toll Brothers and the legal Notifications of Surrounding Properties were not done on time.

Village Engineer Karney stated that she had looked at the existing lots that were adjacent to the proposed changes and took those into account in her review. Engineer Karney further stated that what the Village requested was one full change for all the lots as one whole unit. Mr. Tazelaar stated that the existing homes are shown on the plan. Officer Moreland stated that the changes are reasonably small and it will result in better drainage.

Being no further discussion, Chairman McCombie asked for a Motion from the Board to recommend to the Board of Trustees the approval for the elevation and drainage changes as presented on the revised engineering documents presented to the Board. Commissioner Gillis made a Motion. Commissioner Fox seconded. Roll call was taken. Commissioner Murarka - yes, Commissioner Fox - yes, Chairman McCombie - yes, Commissioner Gillis - yes, Commissioner White - yes. By unanimous vote the Motion was passed.

Chairman McCombie asked for a Motion to close the Public Hearing. Commissioner Fox made a Motion. Commissioner Murarka seconded. By unanimous vote the Motion was passed.

OLD BUSINESS - None

NEW BUSINESS - None

ADJOURNMENT

Being no further business, Chairman McCombie asked for a Motion from the Board to adjourn the meeting. Commissioner Murarka made a Motion. Commissioner White seconded. By unanimous vote the Motion was passed and the meeting was adjourned at 8:05 p.m.

Respectfully Submitted,

Christine Latoria
Secretary

These Minutes were approved this
_____ day of _____, 20__

