

Minutes

Zoning Board of Appeals & Plan Commission / Public Hearing

Village of Port Barrington

69 S. Circle Avenue, Port Barrington, IL 60010

Tuesday, April 9, 2019

8:00 p.m.

I. Call to Order

The meeting was called to order at 8:01 p.m.

II. Roll Call

Present: Chairman Weiner, Ashley, Benson, Kotarski, Disclafani and Nelson. Others included Deputy Clerk Schroeder, Petitioner Herb Waltenspiel and members of the audience.

III. Consideration of Approval of the Minutes of the March 12, 2019 meeting

Motion: Benson moved, seconded by Kotarski, to approve the minutes of the March 12, 2019.

All Ayes – Motion Carried – 5/0

IV. PUBLIC HEARING: Application for Zoning Variation Relative to Front Yard Setbacks for the Property Commonly Known as 423 Riverside Drive Port Barrington, IL

Chairman Weiner opened the public hearing at 8:05 p.m. The Petitioners and those wishing to speak this evening were sworn into the public hearing.

Petitioner Herb Waltenspiel was present requesting approval of construction of house setback from the road at 423 Riverside Drive, Port Barrington, IL.

Civil Engineer Dave Kraft of Hey and Associates was present on behalf of the Petitioner. Mr. Kraft explained that the Petitioner was requesting a variation from the required 30

foot setback distance from the road. The foundation of the new home is 31 feet from the road off the northeast corner and 24 feet from the road off the northwest corner. Additionally, the new home will have a roof overhang and stoop encroaching into the 30 foot setback. The original home that was demolished was approximately 15 feet from the road and many of the existing residences adjacent to the new home is approximately 15 feet from the road providing the precedence for this variation.

The property is affected by the Regulatory Floodplain and Floodway of the Fox River. The current location of the house is located outside the Regulatory Floodway, which was verified by IDNR-OWR. If the house is relocated to meet the setback, the house would be in the Regulatory Floodway, which is not an appropriate use.

It was pointed out that the plans for the house were reviewed and accepted by the Village in October 2018. The construction of the new home has already begun and the foundation has been constructed. Petitioner expressed the cost to moving the foundation.

Public Comment:

Resident Donna Erfort read a response for Petitioner Cindy Waltenspiel (see attached).

After further deliberation, the BPZ/PC recommended the following motion:

Motion: Benson moved, seconded by Nelson, to recommend that the Village Board of Trustees approve the variance and providing additional information: architectural modification for increased flood elevation and flood protection level must be increased to a full two feet. It is less than that now. Compensatory storage calculations must be reviewed by engineers.

Ayes: Disclafani, Kotarski, Nelson, Benson, Ashley and Weiner

Nays: None

Motion Carried. 6-0

Chairman Weiner informed the Petitioner the request and recommendation will move forward to the Village Board of Trustees for final consideration.

- V. PUBLIC HEARING: Village of Port Barrington to Consider Amendments to the Village of Port Barrington Code of Ordinances and the Village of Port Barrington Zoning Code to Chapter 54, “Groundwater Protection Regulations”, of Title V, “Public Works”: Amendments to Section 54.16, “Coal Tar Sealant Products, Use and/or Sale Prohibited”, prohibiting the use of coal tar sealants on “permitted surfaces” as defined in Chapter 72; Chapter 72, “Parking Regulations”, of Title VII, “Traffic Code”: Section 72.01, “Parking Prohibited”, and Section 72.02, “Parking on Property Zoned for Residential Uses”, amending said Sections relative to the parking of vehicles on private property zoned for residential uses, and adding a new Section 72.03 thereto, “Definitions”; Chapter 150, “Building Regulations”, of Title XV, “Land Usage”: Section 150.03, “Building Regulations Adopted”, and specifically, amending Section R309.1, “Floor Surface”, of the 2012 Residential Code relative to sidewalks, concrete patios, garage slabs, and all interior floor slabs, and the respective reinforcement and vapor barrier requirements for same; Chapter 153, “Subdivision Control”, of Title XV, “Land Usage”: Section 153.013, “Definitions”, amending the definition of an approach or driveway apron; and amending Section 153.047, “Right-of-Way, Development, and Subdivision Standards”, relative to driveway approaches; and Chapter 154, “Zoning Code”, of Title XV, “Land Usage”: Amendments to: Section 154.095, “Driveways”, relative to points of ingress and egress for any use; Section 154.121, “Temporary Uses”, relative to location of portable storage units on private property; and the addition of a new Section 154.122, “Alternative Energy Systems”, establishing regulations relative to alternative energy systems (solar energy).**

Chairman Weiner opened the public hearing at 8:29 p.m. Chairman Weiner explained the proposed ordinance as it was presented.

Motion: Kotarski moved, seconded by Nelson, to recommend the approval of the proposed ordinance as presented.

Ayes: Ashley, Benson, Weiner, Kotarski, Disclafani and Nelson

Nays: None

Motion Carried. 6-0

VI. UPDATE: Preliminary Variance Request: Broken Oar, 614 Rawson Bridge Road, Variance from Floodplain Regulations, to construct an addition to the existing building

Chairman Weiner provided an update on this item. No further updates at this time.

VII. Any and/or All New or Old Business

None

VIII. Adjourn

Motion: Benson moved, seconded by Disclafani, to adjourn at 8:58 p.m.

All Ayes – Motion Carried – 6/0

Respectfully Submitted,

Elizabeth Schroeder

Elizabeth Schroeder, Deputy Clerk

Chairman Michael Weiner