**Call to Order**

The meeting was called to order at 7:37 p.m.

**Roll Call**

Roll Call was answered by Vice Chair Craig Shully, Christine Bolger, Rick Cavenaugh, David Dziura, June Kramer, Marilyn McAlester. Absent: Chairman John Cifonelli.

Also present were Village Administrator John Lobaito, Deputy Village Clerk Kris Lennon, Village Trustee Martin Pais, Mr. & Mrs. Lucas Dyer, 198 N. IL Route 59, North Barrington, IL 60010.

In accordance with the Governor’s Executive Order #2020-07, in person attendance requirements under the Open Meetings Act have been suspended and relaxed.

Village President Sweet McDonnell determined that an in-person meeting was not practical or prudent because of the COVID-19 disaster, therefore, the meeting included audio and/or video conference. The Village followed social distance requirements for all meeting attendees and allowed remote attendance via Zoom.

**Minutes from the August 13, 2019 Public Hearing Meeting**

Motion by Rick Cavenaugh and seconded by David Dziura to approve the August 13, 2019 Public Hearing Minutes. On roll call vote Rick Cavenaugh, David Dziura, Vice Chair Shully, Christine Bolger, June Kramer, Marilyn McAlester voted aye. No Nays. Motion Carried.

**The following variations are requested in the petition submitted** **by** **Tina and Lucas Dyer, 198 N. IL**

**Route 59, North Barrington, IL 60010 to erect approximately 1,230 lineal feet of fencing on portions**

**of the 5.386 acre property located at 198 N. IL Route 59, North Barrington, IL 60010.**

**ZONING VARIATION REQUESTED:**

**ZR-10-11-2(A) No fence shall be located in a front yard, except to contain horses in the R-1 Zoning District.**

Approximately 777 lineal feet of fencing is proposed for installation within the front yard.

**ZR-10-11-2(B) Except as otherwise permitted or required by this chapter or by this Code, no fence shall be more than forty-two inches (42”) in height at any point, including vertical posts, columns or pillars, except fences to contain horses in the R-1 Zoning District may be sixty inches (60”) in height.**

The proposed fencing is forty-eight inches (48”) and seventy-two inches (72”) in height.

**ZR-10-11-2(E) All fences must be located completely within the property which the fence is serving.**

Approximately 60 lineal feet of fencing in the rear yard is proposed to extend onto the adjoining property to the north at 204 N. IL Route 59 in order to tie into existing fencing located on the adjoining property.

**ZR-10-11-2(F):** **Every fence shall be constructed with at least fifty percent (50%) open space between the elements of which the fence is constructed in order that one may see through the fence when viewed in a direction perpendicular to the fence.**

The 444 lineal feet of fencing along the IL Route 59 frontage of the property is proposed to be a Shadowbox style wooden privacy fencing which cannot be seen through when viewed in a direction perpendicular to the fence.

Vice Chair Shully welcomed the audience to the Zoning Board of Appeals (ZBA) public hearing and asked that any person wishing to speak during the public hearing, be sworn in. Lucas Dyer was sworn in.

Mr. Dyer addressed the Zoning Board of Appeals and explained their petition. Mr. Dyer explained they wish to construct approximately 444 lineal feet of six-foot (6’) high wooden privacy fencing along the IL Route 59 frontage of the property and 333 lineal feet of four-foot (4’) high ornamental aluminum picket fencing enclosing a portion of the rear yard.

Mr. Dyer explained that trees and brush cover the frontage along IL Route 59. The proposed fencing will be located approximately eight-feet inside the property line behind the trees and brush.

Mr. Dyer also noted that he plans to erect 333 lineal feet of four-foot (4’) high ornamental aluminum picket fencing along the south property line.

Mr. Dyer indicated that the purpose of the fence was to provide safety to his children and pets from traffic on IL Route 59.

Mr. Dyer stated that he is requesting to attach the fence to the neighbor’s existing fence located at 204 N. IL Route 59. It was noted that Mr. Dyer discussed the project with his neighbor who has no objections to the proposed fencing.

David Dziura inquired about the sixty (60) lineal feet encroachment onto the neighbor’s property located at 204 N. IL Route 59.

Mr. Dyer reviewed the Plat of Survey and explained the “exception” as it applied to his and his neighbor’s property. He noted that he misread the survey and that there would be no encroachment.

Christine Bolger asked Mr. Dyer to clarify that no portion of the proposed fence will encroach on his neighbor’s property located at 204 N. IL Route 59. Mr. Dyer responded that no portion of the proposed fence will be located on his neighbor’s property.

Rick Cavenaugh inquired about a gate.

Vice Chair Shully announced for the record that there were no objections from the Village Forester or Village Health Officer.

Deputy Clerk Lennon noted that the Village did not receive any objections or complaints from any neighbors about the proposed variations.

**Public Comment**

There was no public comment.

Vice Chair Shully introduced Village Administrator John Lobaito who addressed the ZBA to discuss an update to the process. Village Administrator Lobaito indicated that there would need to be two motions including:

1. The recommendation to the Village Board on the zoning variations.
2. Approval of the Findings of Fact.

Christine Bolger inquired whether the ZBA would need to recommend a variance for ZR-10-11-2(E).

Village Administrator Lobaito indicated that the recommendation may include a condition that the fence be located solely within the subject property.

Motion by Christine Bolger and seconded by June Kramer to approve the zoning variation as requested with the condition that the fencing be erected solely on the applicant’s property however; should the fence encroach onto the property located at 204 N. IL Route 59, approval is subject to written approval from the owner located at 204 N. IL Route 59. On roll call vote Christine Bolger, June Kramer, Vice Chair Shully, Rick Cavenaugh, David Dziura, Marilyn McAlester voted Aye. No Nays. Motion Carried.

Motion by Rick Cavenaugh and seconded by Christine Bolger to approve the Findings of Fact as presented. On roll call vote Rick Cavenaugh, Christine Bolger, Vice Chair Shully, David Dziura, June Kramer, Marilyn McAlester voted Aye. No Nays. Motion Carried.

It was noted that the ZBA would make a favorable recommendation to the Board. The Village Board meeting is scheduled for Wednesday, October 21, 2020. The applicants were encouraged to attend.

Vice Chair Shully recognized Rick Cavenaugh for serving on the ZBA over the past 5 years. It was noted that Rick’s term was coming to an end and that he would not be renewing his term. Vice Chair Shully thanked Rick for his efforts and contributions to the ZBA and North Barrington community.

**Adjournment**

Motion by Marilyn McAlester and seconded by Rick Cavenaugh to adjourn the meeting. On roll call vote Marilyn McAlester, Rick Cavenaugh, Vice Chair Shully, Christine Bolger, David Dziura, June Kramer voted Aye. No Nays. Motion Carried.

The meeting was adjourned at 7:56 p.m.

Submitted by,

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Kris Lennon, Deputy Village Clerk

Approved: December 8, 2020