

Benjamin B. LeCompte, III
350 Bateman Road
Barrington Hills, Illinois 60010

May 25, 2014

Dear Oakwood Farm Family Members,

I severely regret having to write this letter, and do so with a heavy heart and much consternation. As most of you know, Oakwood Farm and its equestrian operation is the fulfillment of Cathy's childhood dream, and Ashley has been looking forward to working with Meredith upon completing her master's degree in equine physiology at Michigan State.

For these reasons, despite my personal displeasure and frustration with the ongoing legal entanglements over the past seven years, I have endeavored to do everything possible to keep the barn open, while attempting to resolve the Village's January 2008 cease and desist letter. As a result of the Village's numerous contradictory interpretations of its zoning code, inconsistent actions relative to horse boarding, and incoherent definition of agricultural uses, the Illinois Appellate Court, in its June 2011 decision, adopted *the Village's Zoning Board of Appeals' position that any horse boarding, irrespective of size, is prohibited by the Village code.*

Accordingly, I have no choice but to comply with the Village's demand that I cease and desist boarding horses, by closing Oakwood Farm's boarding and training effective immediately, and kindly request that all boarded horses vacate the premises no later than Sunday, June 30, 2014. Any of your unused June board will be refunded on a prorated basis. I realize that this will place an unnecessary burden and inconvenience on all of you, and I sincerely apologize, as this is the last thing that either Cathy or I ever wanted to do.

I believe that I owe you at least a brief explanation for these events. When the June 30, 2011 Appellate opinion was issued in the agricultural usage case, we vehemently disagreed with the court's interpretation of the Village's code when it opined, ***"We find that the commercial boarding of horses does not comport with the overall intent of the Zoning code"***. Recognizing the adverse consequences this language *would* have on Oakwood Farm *and* all other boarding barns in the Village, we filed a motion with the appellate court requesting that such language be stricken from the opinion, since the issue in the case was only over whether horse boarding was a permitted agricultural use.

The Village opposed our motion and the court sided with the Village, since the Village's own ZBA had argued to the appellate court in its brief: ***"Because each piece of property within the Village is zoned for certain permitted uses, and horse boarding is not one of those permitted uses in an R-1 zoning district under the Village Code, Plaintiffs' use of the Property for a commercial horse boarding operation is unlawful."*** Not only did the Village oppose our motion to strike this damaging language, it made the situation considerably worse for all other boarding operations by asking that the opinion be published, thus making it binding law of the land that all horse boarding in Barrington Hills is illegal.

In 2011 two neighbors, who for some reason had taken a disliking to us, exploited the situation and, despite having pursued their own equestrian interests on our property for years, used the Village's actions and Appellate Court decision to file suit against Cathy and me to shut down Oakwood Farm's horse boarding. However, at the time of the ZBA hearing, where my two neighbors complained of excessive traffic, noise, and congestion, the Village never made any effort to substantiate any of these allegations and did not even attempt a traffic study until four years later, which showed absolutely no evidence to validate any of the complaints.

The trial court in Cook County repeatedly agreed with us that the appellate court reached too far in its 2011 decision by outlawing all horse boarding in the Village, and three times dismissed the present case brought against us by our two neighbors. Because of the trial courts' rulings our barn, as well as others operating under the home occupation provision, have remained open, but under tenuous legal standing. Unfortunately, our neighbors appealed, and a recent appellate court decision overruled the lower court by reversing the dismissal and remanding the case back to the circuit court for further proceedings, holding that the June 2011 published opinion controls and horse boarding is prohibited by the Barrington Hills zoning code.

I believe, as do others, that the appellate court clearly misinterpreted the Village code relative to horse boarding. This error adversely affects me, those who board and train horses, those who make use of boarding and training facilities, as well as those who simply enjoy open land in our community. Over the past two months I have had numerous discussions with President McLaughlin, including a meeting with him and his attorney at the Village Hall, explaining the ramifications of this ruling on Oakwood Farm and every boarding barn in the Village. I have stressed the need for the Village to clarify its existing zoning code to legalize the horse boarding that has always taken place in our community.

All of this could very easily be solved with a one-paragraph amendment clarifying the zoning code, as it relates to horse boarding. Unfortunately, with the contentious political climate within the Village, President McLaughlin has shown no interest and, furthermore, has reportedly refused to allow the Board of Trustees to consider the issue. Simultaneously, Dave Stieper, a two-time candidate for trustee, was recently appointed to the ZBA by President McLaughlin and has actively spoken out against any discussion of horse boarding at the ZBA. I can only interpret this to mean that the present administration is in agreement with the 2011 appellate court's holding that horse boarding is prohibited in the Village, and has no desire to change that.

Please rest assured, I am in no way capitulating on this issue. I feel strongly that the appellate court erred in its decision and I shall continue to vigorously fight for my property rights by petitioning the Illinois Supreme Court to hear the recent appellate decision, and aggressively defending my actions should the case eventually end up back at the trial court. Additionally, the Village publicly acknowledged in 2010 that if Oakwood Farm was in violation of the code then so were multiple other barns, yet it only took action against Oakwood Farm. While I don't want to do anything to adversely affect the other barns or the equestrian community, I have no choice at this point but to file a federal equal protection suit against the Village for its actions against me.

Finally, in light of my decision to close the barn, I have been asked what, if any, effect this might have on the use of Oakwood Farm for other previously scheduled equestrian events, like the Kalaway Cup. Unfortunately, I cannot now answer this question, as in the wake of all the publicity I have been approached by several developers. If we are unable to pursue our hobby, the highest and best use of our 126 acres is to subdivide and sell them for development.

Again, I tremendously regret the need for this decision, but under the circumstances feel that I have no other choice. In conclusion, Cathy and I would like to thank each and every one of you for your patronage and support of Oakwood Farm over the years and wish you the very best in your future equestrian endeavors.

Sincerely,

Berry LeCompte