## VILLAGE OF BARRINGTON HILLS Zoning Board of Appeals NOTICE OF MEETING



### Wednesday, March 16, 2016 ~ 7:30 pm Village Hall - 112 Algonquin Road

### AGENDA

- 1. Call to Order & Roll Call
- 2. Public Comments
- 3. [Vote] Minutes February 17, 2016

### **PUBLIC HEARING**

- 4. Continued 337 Ridge Road, St. Mark's Episcopal Church Special Use Rectory
- 5. Paganica HOA, Dormy Lane Variance Berm Height
- 6. 300 Ridge Road, Variance Gross Lot Area, Average Lot Width

### **PUBLIC MEETING**

- 7. [Vote] 337 Ridge Road, Special Use Amendment Rectory
- 8. [Vote] Paganica HOA, Variance
- 9. [Vote] 300 Ridge Road, Variance
- 10. Adjournment

Chairman: Dan Wolfgram

### NOTICE AS POSTED

112 Algonquin Road ~ Barrington Hills, IL 60010-5199 ~ 847.551.3000

#### VILLAGE OF BARRINGTON HILLS ZONING BOARD OF APPEALS MacArthur Room – Village Hall Wednesday, February 17, 2016

**1. Call to Order/Roll Call:** The Meeting was called to Order at 7:30 p.m. by Chairman Dan Wolfgram. On roll call, the following members were present:

Dan Wolfgram, Chairman Debra Buettner Jan Goss Patrick J. Hennelly David Stieper Jim Root

**Absent:** Richard Chambers

Staff Present:Robert Kosin, Village AdministratorSean Conway, Legal Counsel

#### 2. Public Comments:

Chairman Wolfgram made a call for public comment. There were no public comments.

#### 3. Minutes

#### November 16, 2015

Member Hennelly moved, seconded by Member Stieper to approve the minutes of November 16, 2015. Chairman Wolfgram called for discussion. There was no discussion.

On a voice vote, all Members voted "aye." The Motion Carried.

## 4. 98 Algonquin Road (Barrington United Methodist Church) – Special Use Amendment Signage

#### **Public Hearing:**

Chairman Wolfgram opened the Public Hearing on the Petition concerning 98 Algonquin Road, Special Use Amendment Signage.

All witnesses intending to provide testimony in the matter were sworn in by the Certified Shorthand Court Reporter.

Administrator Kosin provided background testimony on the Applicant's Application for zoning relief and testified to the notice of hearing having been provided.

The Applicant's Attorney, Arthur Janura, provided his introduction and identified witnesses in this matter including Wayne Child, Byron Schneider, Art Holland, and George Gill.

Attorney Janura introduced a number of exhibits in support of the Application including Petitioner's Exhibit 1 – Published Legal Notice; Petitioner's Exhibit 2 – Sign Notice; Petitioner's Exhibit 3 – Proof of Certified Mail Notice; Petitioner's Exhibit 4 – Sketch of Proposed Sign Amendments.

Petitioner's exhibits were accepted without objection.

Attorney Janura called witness George Gill to testify as to the sign proposal at issue.

George Gill provided testimony concerning the zoning relief requested. Specifically, George Gill provided testimony on the purpose and general design of the proposed religious institution sign.

Art Holland provided more detailed testimony on the design and impact of the proposed religious institution sign.

Member Goss questioned Mr. Holland on the proposed level of sign illumination and Mr. Holland responded that the sign would provide between 300 and 400 lumens of light.

Member Stieper asked about the amount of lighting that will be on the property, generally.

Byron Schneider provided testimony concerning current lighting on the property, generally.

Art Holland and Byron Schneider provided testimony on the duration of the proposed sign's lighting.

Member Stieper inquired as to any lighting interference with vehicular traffic and Art Holland testified that there would not be any interference given the level of lighting and distance of lighting from the road.

Chairman Wolfgram asked Administrator Kosin some general questions about Village permitting of signs to which Administrator Kosin provided a response.

George Gill provided testimony concerning the history of Barrington United Methodist Church in the Village and that he is not aware of any neighbor objections to the requested zoning relief.

Art Holland provided testimony on the ability to dim the sign lighting.

Attorney Janura called George Gill to testify to facts concerning the special use standards and George Gill provided fact testimony on the special use standards.

Member Stieper questioned whether the proposed sign was in conformance with the Village's sign regulations.

Administrator Kosin testified that the proposed sign is being evaluated within the special use process.

Member Stieper questioned ZBA Attorney Conway concerning any precedential effect of this special use matter on future special use matters.

ZBA Attorney Conway affirmed that there is no precedential effect of this special use matter on future special use matters and each special use matter is taken by the ZBA on a case-by-case basis.

Member Buettner question about the general history of past ZBA recommended approvals of back lit signage in the Village.

Administrator Kosin responded that he is not aware of such action mainly because the technology is relatively new.

Chairman Wolfram called for any additional testimony. No more testimony was provided.

Chairman Wolfgram closed the public hearing portion of the Applicant's request for zoning relief.

### **Public Meeting:**

Chairman Wolfgram opened the Public Meeting on the Petition concerning 98 Algonquin Road, Special Use Amendment Signage.

Chairman Wolfgram made a statement on the consideration and voting requirements for special use zoning relief.

Member Goss made a motion that the Applicant has satisfied the findings of fact required for the special use zoning relief requested by the Applicant. Member Hennelly seconded the Motion.

The ZBA Members has a discussion about the ZBA history in declining to recommend approval of symbol signage alone as opposed symbol signage that also provides identification for directional purposes.

Chairman Wolfgram called for discussion.

There was discussion on the duration of the lighting for the proposed sign. There was no further discussion.

### **Roll Call:**

	Y	N
Wolfgram	Х	
Buettner		Х
Chambers		
Goss	Х	
Hennelly	Х	
Root	Х	
Stieper	Х	

The Motion carried.

Member Hennelly made a motion to recommend approval of the Applicant's request for special use zoning relief to the Village Board. Member Goss seconded the Motion.

Chairman Wolfgram called for discussion.

Member Stieper commented that while symbol signs have been traditionally discouraged in the Village, he was inclined to vote to recommend approval based on the uniqueness of the location.

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#### **Roll Call:**

	Y	Ν
Wolfgram	Х	
Buettner		Х
Chambers		
Goss	Х	
Hennelly	Х	
Root	Х	
Stieper	Х	

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The Motion carried.

The Public Meeting on the Petition concerning 98 Algonquin Road, Special Use Amendment Signage was closed.

#### 5. 337 Ridge Road – Special Use Amendment Rectory

Chairman Wolfgram opened the Public Hearing on the Petition concerning 337 Ridge Road – Special Use Amendment Rectory.

Member Stieper recused himself from consideration and voting on 337 Ridge Road – Special Use Amendment Rectory.

All witnesses intending to provide testimony in the matter were sworn in by the Certified Shorthand Court Reporter.

Chairman Wolgram confirmed with the Applicant that it desired to move forward given the absence of one ZBA member and the recusal of Member Stieper. The Applicant confirmed that it desired to proceed with the hearing.

Administrator Kosin provided back ground testimony on the Applicant's Application for zoning relief and testified to the notice of hearing having been provided.

On behalf of the Applicant, Gina Erdman testified in support of the Application. Ms. Erdman provided background testimony concerning the zoning relief requested. Ms. Erdman testified that the Applicant is requesting to build a small three season's porch off the existing rectory building.

Member Goss inquired as to whether the Applicant has been previously granted a special use. Village Attorney Conway explained that under the Village Code the Applicant's property has a valid special use by operation of law because the Applicant's use was previously permitted under the former Village zoning provisions concerning religious institutions.

Administrator Kosin explained that alterations of an existing approved special use are required to go through the Village's zoning process.

Chairman Wolfgram asked if there is anyone else who wished to provide testimony.

Pauline Boyle stated that she did not receive notice of the public hearing on the Applicant's request for zoning relief. Ms. Boyle make a statement in opposition to the Applicant's requested zoning relief. Ms. Boyle raised her concerns involving drainage issues and water run-off onto her property. Ms. Boyle stated that human fecal matter emanating from the Applicant's property has been found present on her property.

Ms. Boyle requested that the ZBA recommend denial of the Applicant's request for zoning relief.

Member Buettner asked Ms. Boyle questions about her inspection reports.

Member Buettner asked Ms. Erdman about any past septic failures on the Applicant's property. Ms. Erdman stated that she was unaware of any such failures.

Ms. Erdman provided testimony concerning the situs of the Applicant's property compared to Ms. Boyle's property. Ms. Erdman providing testimony refuting Ms. Boyle's testimony concerning the sanitation issue.

Ms. Erdman provided testimony that the addition will not increase the occupants of the property and that the addition is proposed to be 17' x 16'. Ms. Erdman provided the ZBA current photographs of the property.

Ms. Boyle provided a photograph to the ZBA. Ms. Boyle testified that the photograph depicts property at the time the Applicant's septic system failed either in 2012 or 2013.

Ms. Erdman provided testimony concerning facts in connection with the special use standards.

Chairman Wolfgram questioned Administrator Kosin on the history of water issues around Ridge Road. Administrator Kosin provided testimony on the history of water issues around Ridge Road.

Ms. Boyle provided additional testimony concerning water issues on her property.

Ms. Erdman provided testimony that she has not heard any other objections to the Applicant's requested zoning relief.

Member Root questioned whether there have been any recent inspections identifying a sanitation issue emanating from the Applicant's property.

Member Hennelly made a motion to table the hearing on the Applicant's request for zoning relief until Gewalt Hamilton can provide the ZBA additional information on the sanitation issue.

Chairman Wolfgram questioned Administrator Kosin on his opinion as to whether it is possible to make a determination on the sanitation issue.

Administrator Kosin testified that the Village staff could provide the ZBA some additional information.

ZBA Attorney Conway made a point of procedure that there was a pending motion to table.

Chairman Wolfgram asked is there is a second to the motion to table. There was no second and the motion failed for lack of a second.

The members discussed whether it is useful to require additional evidence concerning the sanitation run-off issue.

Member Hennelly again stated that he would prefer to have additional information from Gewalt Hamilton concerning the sanitation run-off issue.

The members discussed the additional evidence that would aid in the consideration of Applicant's request for zoning relief.

Member Hennelly made another motion to table the hearing on the Applicant's request for zoning relief to the next ZBA Meeting for the taking of additional evidence. Member Buettner seconded the motion.

Chairman Wolfgram called for discussion. Member Root asked a clarification question which was answered by Ms. Erdman.

### **Roll Call:**

	Y	
Wolfgram	Х	
Buettner	Х	
Chambers		
Goss	Х	
Hennelly	Х	
Root	Х	
Stieper	Х	

The Motion carried.

### 6. Official Zoning Map – 2016 Edition

Chairman Wolfgram opened the Public Hearing on the Official Zoning Map – 2016 Edition.

Ν

Administrator Kosin provided background statements on the matter and testified to the notice of hearing having been provided. Administrator Kosin stated that there was no change to the map except the title.

Member Stieper made a recommendation that the Village's Zoning Map contain a footnote or some other indication that commercial horse boarding is a permitted use in the Village's R1 District.

ZBA Attorney Conway provided a legal recommendation that to the extent the ZBA would like to make a recommended approval of the Official Zoning Map -2016 Edition with a footnote or other indication, such map should be noticed by publication and subject to public hearing.

The members had further discussion on the merits of including a footnote or some other indication that commercial horse boarding is a permitted use in the Village's R1 District.

Administrator Kosin explained that primary purpose of a zoning map is to serve as a legend to the Village's Zoning Code.

Member Goss made a motion to recommend approval the Official Zoning Map - 2016 Edition as presented. Member Hennelly seconded the Motion.

Chairman Wolfgram called for discussion.

The members had further discussion on the merits of including a footnote or some other indication that commercial horse boarding is a permitted use in the Village's R1 District.

### **Roll Call:**

	Y	Ν
Wolfgram	Х	
Buettner	Х	
Chambers		
Goss	Х	
Hennelly	Х	
Root	Х	
Stieper		Х

The Motion carried.

### 7. Special Events Discussion

Chairman Wolfgram opened discussion on special events and questioned Administrator Kosin as to his opinion on whether there needs to be some change in the Village Code concerning special events.

Administrator Kosin offered his perspective.

The members discussed whether there needs to be a change in the Village Code concerning special events.

Chairman Wolfgram indicated that further discussion on this issue can occur at a subsequent meeting.

### 8. Adjournment

Motion to adjourn by Member Stieper, seconded by Member Goss at 10:05 p.m. On a voice vote, all members voting "aye." The meeting stands adjourned.

Approved: \_\_\_\_\_

Dated: \_\_\_\_\_

President Martin J. McLaughlin Trustee Colleen Konicek Hannigan Trustee Fritz Gohl Trustee Michael Harrington Trustee Bryan C. Croll Trustee Michelle Nagy Maison Trustee Brian D. Cecola



112 Algonquin Road Barrington Hills, IL 60010 847.551.3000

> village@vbhil.gov www.vbhil.gov

### **POSTED NOTICE - ZONING BOARD OF APPEALS**

The Zoning Board of Appeals, in acting upon variations, special uses, amendments of the zoning ordinance, or appeals from action taken by the Zoning Enforcement Officer, hears all such cases at a public hearing at which neighboring property owners have a right to be heard.

If the subject to the hearing, as stated below, is of concern to you, you will have an opportunity to fully express your opinions whether for or against. For your guidance, a copy of the Zoning Ordinance is available in the Village Hall and online.

If it is inconvenient for you to appear at the hearing, you may file your opinion by letter or email to clerk@vbhil.gov, giving the street and lot number of the property owned by you and for what it is now used. Please state fully what your position is regarding the subject.

You are, by this posting, notified that the subject stated below will be heard at a public hearing at the Village Hall of Barrington Hills. 112 Algonquin Road, Barrington Hills, Illinois 60010-5199.

Date and Time of Hearing: Wednesday, February 17, 2016 at 7:30 pm Applicant: St. Mark's Episcopal Church

Address: 337 Ridge Road, Barrington Hills, IL 60010

**Subject:** A special use request for an religious institution including the ex

+isting church, rectory, columbarium and playground and to allow for the construction of a three seasons room addition to the rectory within 29 feet of the east lot line.

Chairman Dan Wolfgram Zoning Board of Appeals Village of Barrington Hills Publication Date: January 28, 2015

PUBLIC HEARING Before the Zoning Board of Appeals, Village of Barrington Hills,

Re: 337 Ridge Road

Re: 337 Kldge Roda Notice is hereby given that a Public Hearing will be held on Wednesday February 17, 2016 at 7:30 p.m. or as soon thereafter as the matter may be heard by the Zoning Board of Appeals of the Village of Barrington Hills in the MacArthur Room of the Village Hall, 112 Algonquin Road, concerning the application of the St. Mark's Episcopal Church for the amendment of their Special Use being a religious institution, subject to the provi-sions of Section 5-10-7 of the Zoning Ordinance.

special use requested to permit the use of the Subject Property for a religious in-stitution, including the existing church, rectory, co-lumbarium and playground. The existing Church was constructed precedent to the inclusion by the Village of religious institutions and ac-cessory uses as a Special Use in the R-1 district refer-enced in Section 5-5-3 of the Zoning Ordinance. The columbarium was granted a special use.

The purpose of this special use will be to bring the en-tire parcel and uses under the Special Use provision of Chapter 10 of the Zoning Ordinance and to allow for the construction of a three sea-sons room addition to the rectory within 29 feet of the east lot line.

The Church rectory, columbarium and playground are all on the same parcel having the common postal ad-dress of 337 Ridge Road and said parcel of approxi-mately 5 acres is more fully described in the application to amend the Special Use as

follows, that part of the North half of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Sec-tion 28, Township 43 North, Range 9 East of the 3rd Principal Meridian in Lake

County [REIN 13-28-1000-008] A copy of the application to amend the Special Use is amend the Special Use is available for examination at the office of the Village Clerk at Barrington Hills Village Hall during the cus-tomary hours of operation. All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. Daniel Wolfgram,

Chairman

Zoning Board of Appeals Village of Barrington Hills Published in Daily Herald

Jan. 28, 2016 (4430986)

### **CERTIFICATE OF PUBLICATION Paddock Publications, Inc.**



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and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published January 28, 2016 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

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BY Authorized Agent

Control # 4430986

### Village of Barrington Hills

#### 5-10-7: SPECIAL USES

(A) Purpose: The development and execution of a zoning ordinance is based upon the division of the Village into districts, within which districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are special uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public or private need for the particular use at the particular location. Such special uses fall into two (2) categories:

1. Uses publicly operated or traditionally affected with a public interest.

2. Uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

(B) Initiation of Special Use: An application for a special use may be made by the owner of the subject property, or by another person having an interest therein with the written concurrence of the owner thereof, to use said property for one or more of the special uses provided for in this Zoning Title in the zoning district in which the land is situated.

(C) Application for Special Use: An application for a special use shall be filed in writing with the Enforcing Officer. The application shall contain such information as the Zoning Board of Appeals may from time to time, by rule, require. Notice of the time and place of such public hearing shall be published at least once, not less than fifteen (15) days nor more than thirty (30) days before the hearing in a newspaper of general circulation in the Village. The published notice may be supplemented by such additional form of notice as the Board, by rule, may require.

(D) Authorization: For each application for a special use the Zoning Board of Appeals shall report to the Board of Trustees of the Village its findings and recommendations, including the stipulations of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest.

The Board of Trustees may grant or deny any application for a special use; provided, however, that in the event of written protest against any proposed special use, signed and acknowledged by the owners of twenty percent (20%) of the property adjacent to the property proposed for a special use, and filed with the Village Clerk, such special use shall not be granted except by the favorable vote of two-thirds (2/3) of all the members of the Board of Trustees.

(E) Standards: No special use shall be recommended by the Zoning Board of Appeals unless said Board shall find:

1. That the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

### Village of Barrington Hills

#### 5-10-7: SPECIAL USES

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.

3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

4. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads.

6. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the board of trustees pursuant to the recommendation of the zoning board of appeals.

(F) Conditions And Guaranties: Prior to the granting of any special use, the zoning board of appeals may recommend, and the board of trustees shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in subsection (E) of this section. In all cases in which special uses are granted, the board of trustees shall require such evidence and guaranties as it may deem necessary as proof that the conditions stipulated in connection therewith are being, and will be, complied with.

(G) Effect Of Denial Of A Special Use: No application for a special use which has been denied wholly or in part by the board of trustees shall be resubmitted for a period of one year from the date of said order of denial, except on the grounds of new evidence or proof of changed conditions found to be valid by the zoning board of appeals and the board of trustees.

(H) Revocation: In any case where a special use has not been established within six (6) months after the date of granting thereof, then without further action by the zoning board of appeals or the board of trustees, the special use authorization shall be null and void. The zoning board of appeals may, upon application filed within said six (6) months, and for good cause, extend said time an additional six (6) months.

(I) Special Uses On Historical Sites: An applicant may request as a unique historical use any permitted and/or special use allowed in any zoning district to be allowed in any other zoning district, subject to compliance with the following conditions:

1. Proof that the subject property or the improvements thereon are of historic value or significance and that preservation of the same will be enhanced, maintained or assisted by permitting the unique use as proposed.

### Village of Barrington Hills

### 5-10-7: SPECIAL USES

2. Proof that permitting the unique use will be of some affirmative benefit, from a land use or preservation standpoint, to the subject property, the surrounding properties and neighborhood, and the village.

3. The application shall have the burden of presenting clear and convincing proof that the unique use is justified and proper.





January 12, 2017

Dear Members of the Zoning Board,

Thank you for your time in taking into consideration our appeal for an amendment to the Special Use of the rectory at St. Mark's Church located at 337 Ridge Rd.

Enclosed are the requested materials:

- 1. Special Use Application Worksheet
- 2. Current Plat of Survey
- 3. Names of adjacent property owners
- 4. Letter that will be sent to the property owners
- 5. Check for \$200

Again, your time and input is appreciated. The screened in porch that we would like to add to the rectory will not change the current use of the home.

Regards,

Gina Erdman Director of Operations St. Mark's Episcopal Church

### SPECIAL USE APPLICATION

- 1. The establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare; because it will not alter the use of the home.
- 2. The special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood and described screened porch is similar to others in the neighborhood, is in keeping with the conservative size of the home and will not be in the view of any other neighboring homes.
- 3. THE ESTABLISHMENT OF THE SPECIAL USE WILL NOT IMPEDE THE NORMAL AND ORDERLY DEVELOPMENT AND IMPROVEMENT OF SURROUNDING PROPERTY FOR USES PERMITTED IN THE DISTRICT; AND WILL NOT BE AN EYESORE BECAUSE IT DOESN'T DIFFER ARCHITECTURALLY FROM OTHER HOMES IN THE NEIGHBORHOOD AND IMPROVES THE LOOK FOR THE HOME.
- 4. Adequate utilities, access roads, drainage and /or other necessary facilities have been or are being provided; and will not affect any existing utilities. All of the building codes and requirements will be addressed. No change will be necessary to the surrounding roads, utilities, drainage or other facilities.
- 5. Adequate measures have been or will be taken to provide ingress and egres so designed as to minimize traffic congestion in the public streets and roads; and will impact property only. The special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the board of trustees pursuant to the recommendation of the zoning board of appeals. The only modified condition is setback and we are keeping the existing driveway as it has been for the last 50 years the home has been in existence without any issues.

THEREFORE, ST. MARK'S REQUESTS THE ZBA TO AMEND THE SPECIAL USE AND GRANT US PERMISSION TO BUILD THE SCREEN PORCH

Jiva Edman Violetor of Operations St. M. Jaobs Church



The undersigned states that she has read the foregoing application signed by her and that all information contained within this application is true and accurate to the best of her knowledge.

This application for an amendment of a Special Use for St. Mark's Episcopal Church is respectfully submitted to the Barrington Hills Zoning Board of Appeals by

<u>M</u>\_date\_//27/16

Gina Erdman Director of Operations St. Mark's Episcopal Church 337 Ridge Road Barrington Hills, Illinois

Subscribed and Sworn

Notary Public, State of Illinois

My Commission Expires 6/22/2019

Notarized by: **"OFFICIAL SEAL"** Anna L. Paul

1000



January 15, 2016

This is to serve notice that Gina Erdman has been granted authority to speak on behalf of St. Mark's Episcopal Church at 337 Ridge Rd, Barrington Hills, IL to appeal for the variance to amend the Special Use for the screened in porch.

Dail Cill

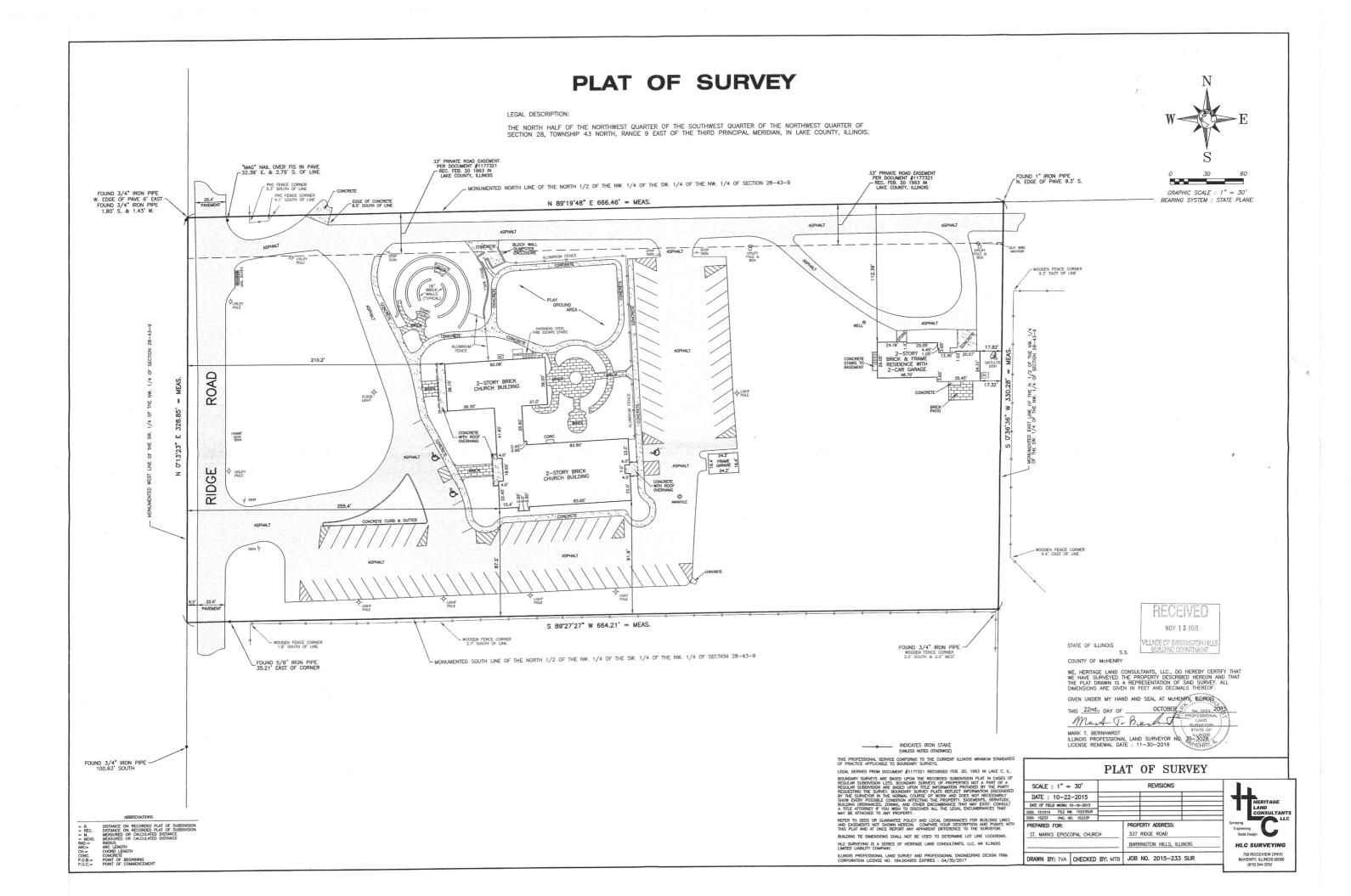
Rev. David A Gibbons Rector

#### LEGAL DESCRIPTION

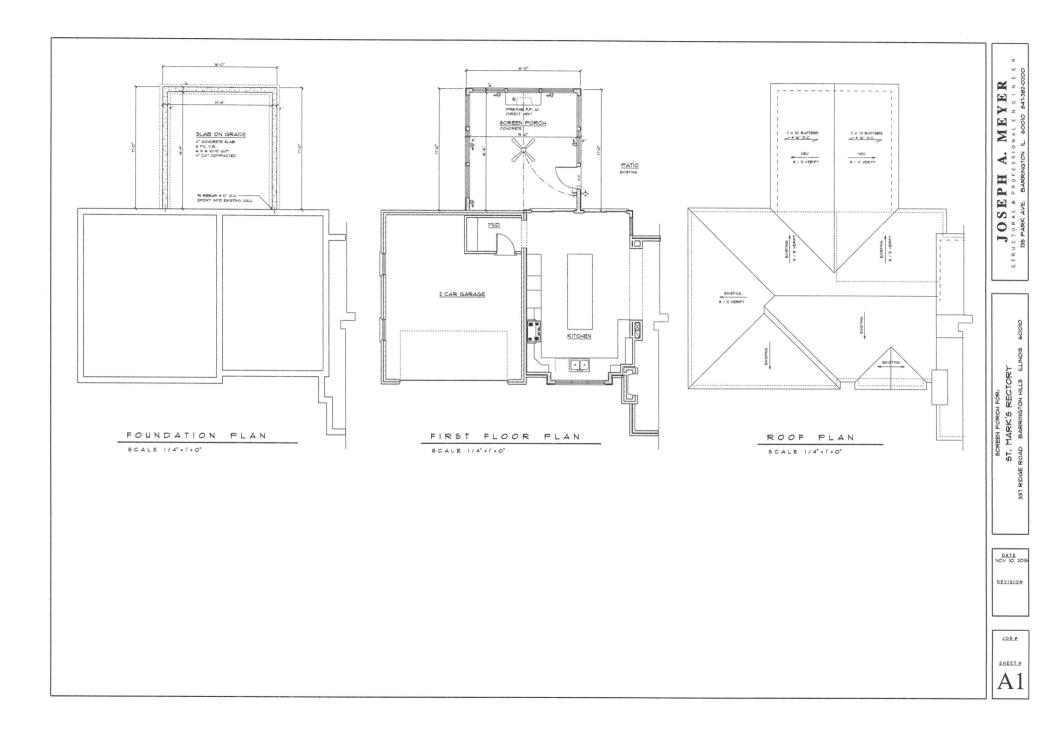
The North half of the Northwest Quarter of the Southwest Quarter of the Northwest Quarter of Section 28, Township 43 North, Range 9 East of the Third Principal Meridian in Lake County.

337 Ridge Road

13-28-100-008



MEYER c **A.** SCREEN PORCH FOR: JOSEPH STRUCTURAL & PROFE 135 PARK AVE. BARRIN ST. MARK'S RECTORY 60000 **ILLINOIS** 61, MARK'S RECTORY SHEET INDEX FOR. SHEET NUMBER SHEET DESCRIPTION AERIAL IMAGE INDEX / AERAIL & LOCATION MAP C5 NO SCALE AI SCREEN PORCH FLOOR PLANS 0 EXISTING DRIVEWAY A2 SCREEN PORCH ELEVATIONS 1.82 VILLAGE CODES EXISTING RESIDENCE 17.32 337 g Code 2004 Illinois State Plum PATIO 29.01 SCREEN PORCH ADDITION DATE NOV 10, 201 REVISION SITE PLAN SCALE 1" = 2 0' - 0" SIGNED: STRUCTURAL ENGINEER LICENSE NO. 081-002641 JOB # I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED UNDER MY DIRECT SUPERVISION AND TO THE BEST OF MY PROFESSIONAL KNOWLEDGE THEY CONFORT TO THE FULLAGE OF BARINGTON HILLS ZONING AND BUILDING CODES LOCATION MAP NO SCALE SHEET # CS COPYRIGHT







January 26, 2017

Dear Gary & Donna,

St. Mark's is currently renovating the existing rectory to make much needed improvements for Father David Gibbons and his family. We have filed with the Zoning Board at the Village of Barrington Hills to amend the Special Use to add a modest screened in porch for the rector and his family to escape the mosquitoes.

The porch would change the existing footprint of the home. It would be located 29.01 feet from the East lot line, and built on the South side of the home behind part of the existing garage and existing kitchen area. The structure will be in keeping with the current modest Cape Cod style of the home. It will have white painted siding to match the existing siding on the home, be a single story addition, and used for 3 seasons. It will be built on a slab, at grade and will be 17'x16'. The road and driveway would remain as it has existed since the house was built. It doesn't appear to impinge on anyone's vista since the east lot line has a fence and bushes. The Zoning Board of Appeals (ZBA) is scheduled to meet on February 17, 2016 at the Barrington Hills Village Hall. A plan of the porch is included in the letter in order to provide a visual of its modest size and discreet location. Please feel free to give me a call if I can answer any questions for you at 847-381-0596.

Thank you in advance for your consideration to allow the ZBA to grant us this amendment.

Gina 🕅 rdman

Director of Operations St. Mark's Episcopal Church





**Public Notification Map** 

337 Ridge Road Barrington Hills, IL

Date: 1/14/2016 Project: 9355.4

1 inch = <u>300</u> Feet

-88.19803 42.17918













#### S \_ ũ m П m F TE -1

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	PS Form 3800, July 2014	4	See Reverse for Instructions	



# VILLAGE OF BARRINGTON HILLS NOTICE OF A PUBLIC HEARING

USA

Zika virus threatens to hit USA POCKETS REMAIN IYSTERY

will be held at 7:30 o'clock p.m. on 02-17-2016 at Barrington Hills Village Hall 112 Algonquin Rd Regarding a SPECIAL USE for this property 13-28-1000-008 By St. Mark's Episcopal Church before the Zoning Board of Appeals (VBH Ord. 5-10-7)

> Daniel Wolfgram Chairman, ZBA

### **MEMORANDUM**

To: ZBA Members Robert Kosin, Village Administrator

- From: Dan Strahan, P.E., CFM Gewalt Hamilton Associates
- Date: March 12, 2016
- Re: St. Mark's Rectory Stormwater Review

**GERA GEWALT HAMILTON** associates, inc.

625 Forest Edge Drive, Vernon Hills, IL 60061 TEL 847.478.9700 
FAx 847.478.9701

www.gha-engineers.com

The Village has requested that our office summarize the stormwater management and septic system details associated with the proposed addition to the rectory at St. Mark's Church, 337 Ridge Road. Below is an overview of both topics with associated exhibits attached to this memo.

### Stormwater Management Overview

The proposed sunroom addition and patio project will result in a small increase (approximately 480 square feet) in the amount of impervious area on the site. The project is required to meet the provisions of the Lake County Watershed Development Ordinance (WDO). While the site currently has a high percentage of impervious surface relative to surrounding properties, detention requirements are based on "New" impervious surface area, defined by the ordinance as impervious surface area created after the original effective date of the WDO (10/18/92). A summary of the new impervious surface calculation based on the conceptual site plan is provided below:

Proposed Total Impervious Area	2.02 Acres
Pre-1993 Impervious Area	1.87 Acres
"New" Impervious Area	0.15 Acres*

\*Approximately 0.01 acres new impervious from pending permit application.

The WDO establishes development thresholds beyond which detention is required. Below is a review of the WDO detention thresholds listed in Article 300.06:

- Threshold #1- More than one (1) acre of new impervious surface area; (NOT MET The proposed addition will result in less than one acre of new impervious area).
- Threshold #2- More than three (3) acres of hydrologically disturbed area, unless the total new impervious surface area is less than one half of one (0.5) acre; (NOT MET The hydrologically disturbed area is less than three acres and the new impervious surface area is less than 0.5 acres).
- Threshold #3- An impervious surface area ratio of 50 percent or greater, unless the total new impervious surface area is less than one half of one (0.5) acre. (NOT MET The impervious surface area ratio is less than 50% of the site and the new impervious area is less than 0.5 acres.)

While the proposed improvements do not exceed the detention requirements, the WDO requires that *"concentrated stormwater discharges must be conveyed into a maintainable outlet with adequate downstream capacity (as defined in Appendix A: Definitions) and will not result in increased flood and drainage hazard"* (Section 502.03). Due to the increase in impervious area, the sunroom addition is expected to result in a small increase in the stormwater discharge to the onsite swale that runs into a shared depressional area to the south. This depressional area has no known outlet and has been

demonstrated to result in flooding of the accessory structure at 335 Ridge Road as well as yard flooding at 315 Ridge Road, 343 Ridge Road, and 570 Merri Oaks Road. As a result, we would recommend that as a condition to approval of the permit, the applicant demonstrate that adequate measures have been provided to mitigate the impacts of the increase in impervious area such that the proposed release rate is equal to or less than the existing release rate. This could take the form of a stormwater quality basin designed to release runoff at a controlled rate, store excess runoff, and infiltrate the "first flush" volume of a storm event.

### Septic System

As discussed at the previous ZBA meeting, the depressional area described above has also been the subject of water quality concerns, specifically related to septic systems within the drainage area. Septic systems can fail in one of two ways. First, if the system itself becomes clogged, sewage can back up into the house. Secondly, a system can fail due to the soils in which it is located either being too permeable (which can result in contamination of groundwater) or not permeable enough (in which case effluent can erupt at the ground surface. In response to previous concerns regarding water quality in the shared depressional area described above, our office had prepared (and has now updated) the attached exhibit graphically depicting the location of septic systems within or adjacent to the drainage area being referenced. Some properties do not have septic systems indicated as the Village only has records for septic systems that have been the subject of previous permit applications.

In 2011 our office received complaints in August and again in early December regarding concerns that a failing septic system on the property at St. Mark's church was resulting in septic effluent contaminating the pond at 335 Ridge, which floods and inundates the rear yard of 315 Ridge as well as other properties. Our office did not observe a surface failure on either occasion, though it was apparent that maintenance had recently occurred. We later learned that this maintenance included replacement of drop boxes and piping within the system as well as pumping of the tank and trenches.

It is noted that the septic system at 335 Ridge was relocated to its current location in 2014 after previous inquiries with the property owner (St. Mark's Church at that time) found that the existing septic system had been located within the area that had flooded during a 2013 storm event.

Since the February meeting, the applicant has submitted a permit application to replace the existing septic system serving the rectory as it has reached the end of its useful life. The drawings are currently under review and may require revision if stormwater measures discussed above are required in this area. The design engineer has been notified that the existing septic system is likely more extensive that what is shown based on photo documentation made in 2011 after the completion of septic maintenance on the property.

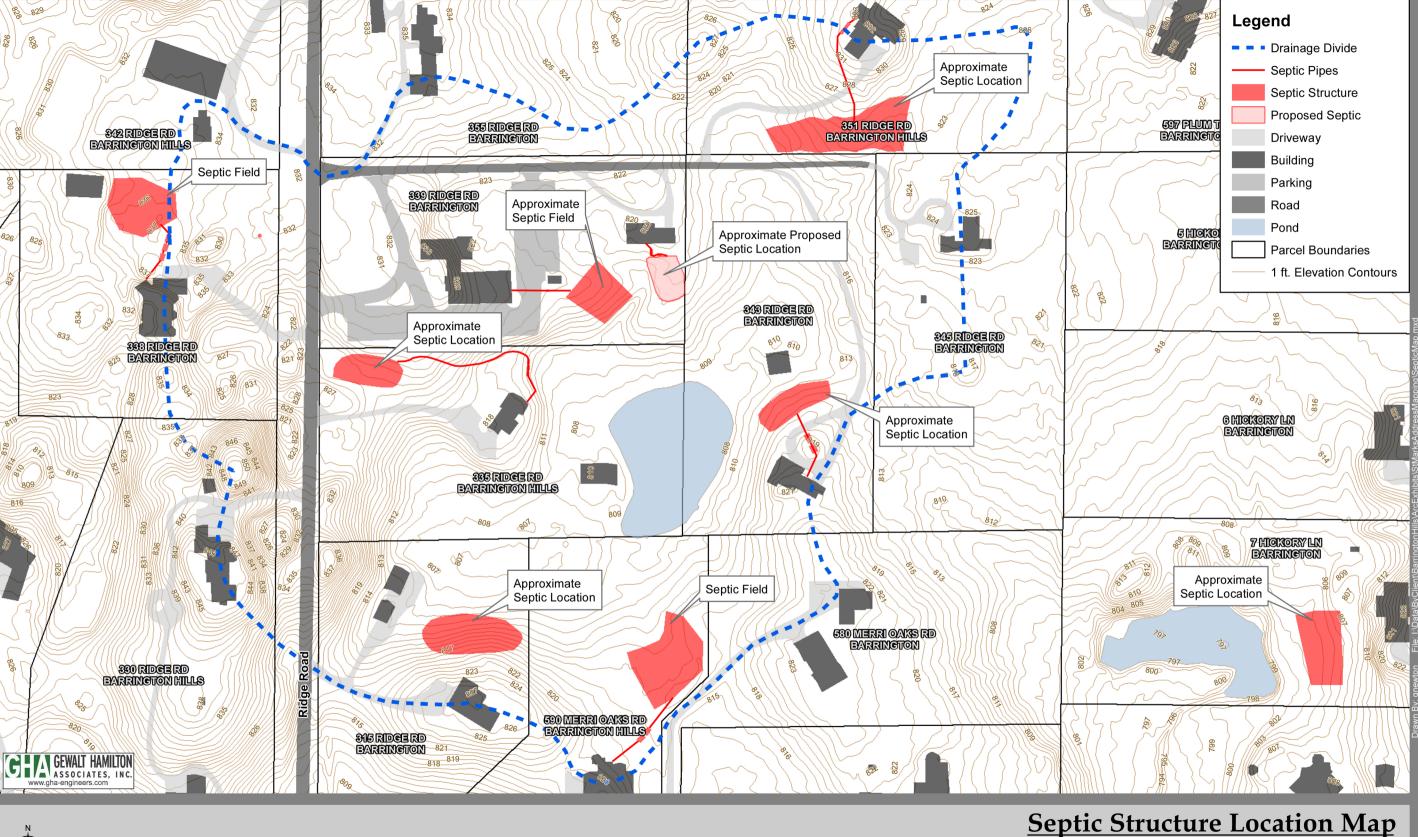




Feet

### **Existing Drainage Exhibit**

Ridge Rd & Merri Oaks Rd





Ridge Rd & Merri Oaks Rd

President Martin J. McLaughlin Trustee Colleen Konicek Hannigan Trustee Fritz Gohl Trustee Michael Harrington Trustee Bryan C. Croll Trustee Michelle Nagy Maison Trustee Brian D. Cecola



112 Algonquin Road Barrington Hills, IL 60010 847.551.3000

> village@vbhil.gov www.vbhil.gov

### **POSTED NOTICE - ZONING BOARD OF APPEALS**

The Zoning Board of Appeals, in acting upon variations, special uses, amendments of the zoning ordinance, or appeals from action taken by the Zoning Enforcement Officer, hears all such cases at a public hearing at which neighboring property owners have a right to be heard.

If the subject to the hearing, as stated below, is of concern to you, you will have an opportunity to fully express your opinions whether for or against. For your guidance, a copy of the Zoning Ordinance is available in the Village Hall and online.

If it is inconvenient for you to appear at the hearing, you may file your opinion by letter or email to clerk@vbhil.gov, giving the street and lot number of the property owned by you and for what it is now used. Please state fully what your position is regarding the subject.

You are, by this posting, notified that the subject stated below will be heard at a public hearing at the Village Hall of Barrington Hills. 112 Algonquin Road, Barrington Hills, Illinois 60010-5199.

Date and Time of Hearing: Wednesday, March 16, 2016 at 7:30 pm
Applicant: Paganica Homeowners Association
Address: Community Area North of Dormy Lane
Subject: A variance to permit the construction of a 5' berm during the excavation for

compensatory stormwater storage having a height of 8' instead of 5' as required by the provision of the Zoning Ordinance.

Chairman Dan Wolfgram Zoning Board of Appeals Village of Barrington Hills Publication Date: February 26, 2016

# PUBLIC HEARING

PUBLIC HEARING Before the Zoning Board of Appeals, Village of Barrington Hills Re: Paganica Notice is hereby given that a Public Hearing will be held on Wednesday March 16, 2016 at 7:30 p.m. or as soon thereaf-ter as the matter may be heard by the Zoning Board of Ap-peals of the Village of Barrington Hills ("Village") in the MacArthur Room of the Village Hall, 112 Algonquin Road, concerning the application for a variance for the construc-tion, of a berm in the required yard on certain parcels ("Subject Property") owned by the Paganica Home Own-ers Association of a height greater than permited by re-quirements in Section 5-3-9(F) of the Zoning Ordinance as may be varied in accordance.

5-10-4 of the Zoning Ordinance. The application submitted on behalf of the Paganica Home Owners Association by Michael P. Hannigan, Board Presi-dent, concerns the proposed construction of an earthern berm during the excavatuion for compensatory stormwa-ter storage having a height of eight feet (8') were five feet (5') is otherwise limited by the provision of the Zoning Ordinance.

The location of the lot as owned by the Paganica HOA is fully described on the plat of survey to be found with the apfully described on the plat of survey to be found with the dp-plication for a variation as on file in the office of the Village Clerk and containing therewith a legal description of the lot to be found on the north side of Dormy Lane, and generally described in the Lake County portion of Barrington Hills as Lot 40 in Paganica, itself being a Subdivision of part of Lots 20, 21, 24 and 25 in Chicago Highlands, as found in part of Sections 34 and 35, Township 43 North, Range 9 East of the Third Principal Meridian according to the plat thereof re-corded December 19, 1967 as Document No. 1363082, in

Corded December 19, 1967 as Document No. 1363082, in Lake County, Illinois. (REIN 13-35-102-007) A copy of the application for a variation is available for ex-amination at the office of the Village Clerk at Barrington Hills Village Hall during customary hours of operation. All interested parties are invited to attend the Public Hear-ing and will be given an opportunity to be begard An interested parties are invited to different inter-oblic feet ing and will be given an opportunity to be heard. Daniel Wolfgram, Chairman Zoning Board of Appeals, Village of Barrington Hills Published in Daily Herald February 26, 2016(4433538)

### **CERTIFICATE OF PUBLICATION** Paddock Publications, Inc. Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

#### County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published \_ in said DAILY HERALD. February 26, 2016

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC. DAILY HERALD NEWSPAPERS

la BY

Control # 4433538

### 5-10-4: VARIATIONS:

(A) Purpose: The zoning board of appeals, after a public hearing, may determine and vary the regulations of this title in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the board makes findings of fact in accordance with the standards hereinafter prescribed, and further finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this title, relating to the use, construction or alteration of buildings or structures or the use of each portion of land.

(B) Application For Variation And Notice Of Hearing: An application for a variation shall be made by the owner of the subject property, or if by another person having an interest therein, with the written concurrence of the owner of the subject property. An application for a variation shall be filed in writing with the enforcing officer. The application shall contain such information as the zoning board of appeals may from time to time, by rule, require. Notice of the time and place of such public hearing shall be published at least once, not less than fifteen (15) days before the hearing, in a newspaper of general circulation in the village. The published notice may be supplemented by such additional form of notice as the board, by rule, may require.

(C) Standards For Variations: The zoning board of appeals shall not vary the regulations of this title, as authorized in subsection (A) of this section, unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district for which it is zoned; and

2. The plight of the owner is due to unique circumstances; and

3. The variation, if granted, will not alter the essential character of the locality.

The zoning board of appeals may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this subsection (C) to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this title. If the petitioner is in violation of any provision of this code or is subject to any fines or penalties imposed under any provision of this code, the zoning board of appeals may condition the granting of any variation upon the petitioner first correcting or curing any such violation or paying any such fines or penalties.

(D) Authorized Variations: Variations from the regulations of this title shall be granted by the zoning board of appeals only in accordance with the standards established in subsection (C) of this section, and may be granted only in the following instances and in no others:

1. To permit any yard or setback less than the yard or setback required by the applicable regulations.

2. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots but in no event shall the respective area and width of the lot or lots be less than ninety percent (90%) of the required area and width.

3. To permit the same off street parking facility to qualify as required facilities for two (2) or more uses provided the substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.

4. To reduce the applicable off street parking or loading facilities required by not more than one parking space or loading space or twenty percent (20%) of the applicable regulations, whichever number is greater.

5. To increase by not more than twenty five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served.

6. To increase by not more than twenty percent (20%) the gross area of any sign.

7. To increase by not more than ten percent (10%) the maximum gross floor area of any use so limited by the applicable regulations.

8. To exceed any of the authorized variations allowed under this subsection, when a lot of record or a zoning lot, vacant or legally used on April 1, 1963, is, by reason of the exercise of the right of eminent domain by an authorized governmental body or by reason of a conveyance under threat of an eminent domain proceeding, reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.

9. To permit increases in the height of fences and walls permitted as obstructions in required yards.

10. To permit the location of a satellite antenna, private, on a lot or lots where it would otherwise be prohibited solely because of insufficient screening, but in no event shall the requirement for screening be waived along the front yard line.

The concurring vote of five (5) members of the zoning board of appeals shall be necessary to grant a variation. No order of the zoning board of appeals granting a variation shall be valid for a period longer than six (6) months from the date of such order unless a building permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period. The zoning board of appeals may, upon application made within said six (6) months, for good cause, extend said time an additional six (6) months; provided, that said time limit shall not apply and there shall be no fixed time limit in cases where the variation granted is a variation as to the area or width of a lot or lots granted under subsection (D)2 of this section, if a plat containing the lot or lots in question, utilizing the said area or width variation as granted, and conforming to law, including the Barrington Hills subdivision ordinance (if applicable), shall be recorded in the office of the recorder of deeds or (if applicable) registered in the office of the registrar of titles, within two (2) years of the date of the order of the zoning board of appeals granting said variation.

A PROFESSIONAL CORPORATION TRIAL ATTORNEYS

IICEK & DII

January 20, 2016

Robert Kosin Anna Paul



RE: Formal Request for a Variance in Connection With Section 5-3-9(F) of the Village Code

Dear Mr. Kosin and Ms. Paul:

This letter shall serve as the formal request by the Paganica Home Owners Association for a Variance from Section 5-3-9(F) of the Village Code, which prohibits fences and walls (including earthen berms) exceeding five feet in height above natural grade within the building setback lines.

The Paganica Home Owners Association is accommodating both the Village of Barrington Hills and the developer of three new single family homes in Paganica to provide for the Flood Plain Volume Compensation on our common area. In order to excavate the area to provide for this storm water volume compensation, a rather large area of buckthorn and other invasive vegetation was removed which had been providing a screen from the homes in Paganica on Dormy Lane to the U.P. Railroad tracks and Route 14. To complete the flood plan compensation area, several thousand yards of earth must be moved.

The most efficient and beneficial use of the earth that must be moved is to create a berm of the North edge on Paganica's property line adjacent to the railroad right-of-way.

The railroad right-of-way and Route 14 in the section of Paganica's property line where this berm will be located are ten feet r more above the current grade level of Paganica's property. In other words, both the railroad bed and Route 14 are elevated well above grade north of Paganica's property line. Under the circumstances, a five foot berm would not serve the purposes of blocking both the view and some of the noise from the trains and highway.

In order to serve a meaningful purpose, the Paganica Homeowners Association is seeking a variance to create an earthen berm in excess of the current five foot limit on its north property line. This berm will extend from the existing high point on the east edge where it ties into the

### Page |2

natural prairie area Paganica has developed and is preserving to approximately fifty feet from the lowest point on the north border of Paganica's property line.

This berm will be finished with plantings to blend in with the natural border on Paganica's north property line where it meets the U.P. Railroad's right-of-way.

We ask that this matter be included on the ZBA's February 17, 2016 Agenda for public comment and review. We enclose the receipt for the payment of our \$200.00 application fee.

If we need to submit any other materials prior to February 17, 2016, please let us know.

Respectfully submitted Paganica Home Owners Association,

licka

Michael P. Hannigan Board President With authority of the Board

Using the facts or details of the property, circumstances of the project or their combination that requires an application for a variance, complete all of the following three (3) statements.

1. The property in question cannot yield a reasonable return1 if permitted to be used only under the conditions allowed by the regulations in the district for which it is zoned because

Paganica has agreed to provide an area on its common grounds Out-Lot-0 on its eastern border with the Union Pacific Railroad right-of-way and Route 14 for flood plain volume compensation. In order to create this increased area for flood waters, the contractor had to remove a significant stand of buckthorn and other invasive vegetation that served to provide a screen between the homes on Dormy Lane and the railroad tracks and Route 14, both of which are elevated well above our property grade level.

In an effort to reduce the costs associated with providing this increased flood plain volume area and in an effort to replace the screening that had been provided by the vegetation that was removed, we are building a natural sloping earthen berm that will be landscaped to blend into the surrounding area. To provide the noise containment and light and visual screen the vegetation had been providing and because the railroad's right-of-way and Route 14 are elevated more than ten (10) feet above our property grade in this area, the berm must be in excess of the five (5) feet wall restriction of the Village of Barrington Hills.

2. The plight of the owner is due to unique<sup>2</sup> circumstances because

The berm will be on the eastern most border of Paganica's property line at the railroad right-of-way and Route 14. There is no need to change the five foot ordinance as the area is a small area and only applies to a small area and only applies to Out-Lot-0. This berm in excess of the five foot ordinance will serve to block both noise and light from the railroad right-of-way; Route 14 and the commercial establishments north of Paganica on Route 14. The berm will serve to improve the use and enjoyment for the homes on Dormy Lane and to a lesser extent the homes on Paganica Drive and Oak Knoll east of Paganica Drive.

The berm will also blend naturally with the natural prairie area to the east of the flood plain volume compensation area, which Paganica has preserved and is striving to preserve.

3. The variation, if granted, will not alter the essential character of the locality<sup>3</sup> because

The berm will be a manageable height and will not visibly disrupt the character of the area where it is being created. The berm will be naturally sloped and will be naturally landscaped to blend in with the rest of the common area and pond that already exist. The area where the berm is being created is the northern most border of the common area of Out-Lot-0, the berm will not in any way change the current use of this common area, nor will it adversely Impact any of the homes on Dormy Lane and their case of use of their property.

The undersigned states the he has read the foregoing application signed by him and that all information contained within this application is true and accurate to the best of his knowledge.

This application for variance for the Paganica Home Owners Association respectfully submitted to the Barrington Hills Zoning Board of Appeals by

date 2 - 25 - 16, Pursuant to the attached

resolution of the Board of the Paganica Home Owners Association

Michael P. Hannigan President of Paganica Home Owners Association 803 Dormy Lane Barrington Hills, Illinois

Subscribed and Sworn

Notarized by:

"OFFICIAL SEAL" JULIE L. JACOB Notary Public, State of Illinois My Commission Expires 02/13/17 

PAGANICA HOMEOWNERS ASSN 807 DORMY LN BARRINGTON, IL 60010

E DR IL 60056

ERS ASSN

DR. JAMES H.GRIFFIN, TRUSTEE 244 OAK KNOLL RD BARRINGTON HILLS, IL 60010

UNION PACIFIC RAILROAD COMPANY 1400 DOUGLAS ST OMAHA, NE 68179

PAGANICA HOMEOWNERS ASSN 833 DORMY LN BARRINGTON, IL 60010

PAGANICA PART SEC 35 LOT 40

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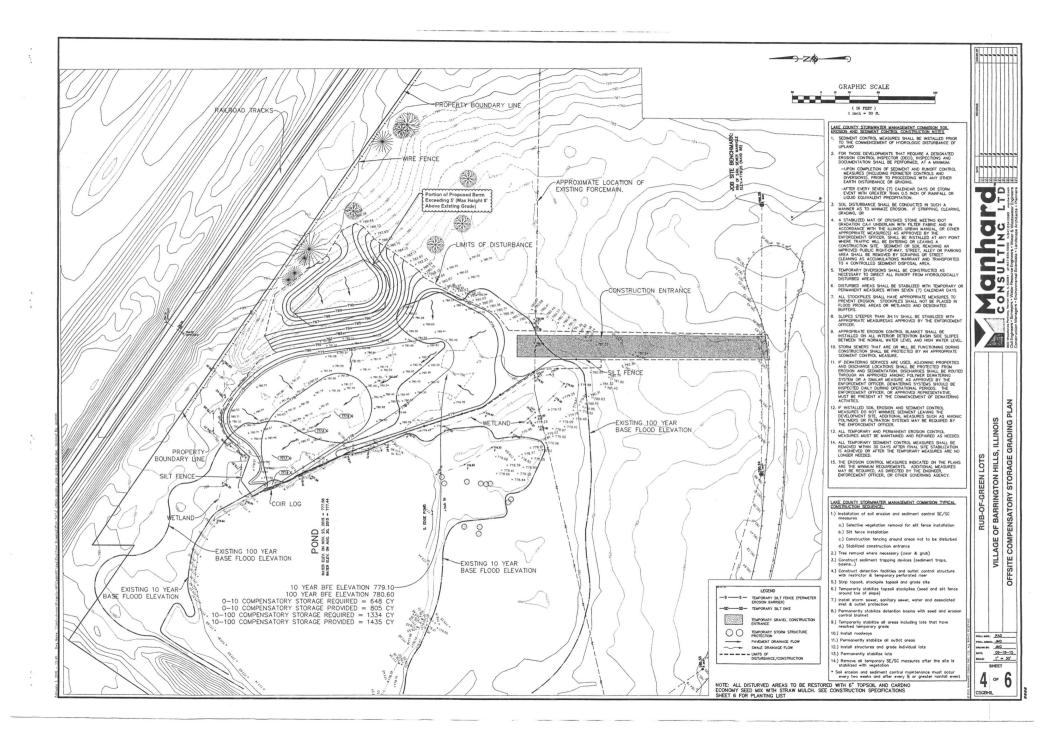
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HOLLY LYNNE BOWLING, TURSTEE 619 W WEATHERSFIELD WAY SCHAUMBURG, IL 60193

DR. JAMES H GRIFFIN, TRUSTEE 244 OAK KNOLL RD BARRINGTON HILLS, IL 60010

ROLF & INGRID SUPPES 230 OAK KNOLL RD BARRINGTON, IL 60010





Source: Pictometry Aerial Photograph (2013)



Wetland Aerial Photograph

Client: Mr. Jay Dulla, Cornerstone Service Group 903 Lakewood Drive Barrington, IL 60010

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# KONICEK & DILLON A PROFESSIONAL CORPORATION

#### TRIAL ATTORNEYS

February 8, 2016

Paganica Home Owners

Dear Neighbor:

The Paganica Homeowners Association is seeking a variance from the Village of Barrington Hills. The Village has a five (5) foot wall (including earthen berms) restriction. Paganica is providing Flood Plain Volume Compensation, in part to benefit the Village of Barrington Hills. In order to provide this flood plain area, we must remove in excess of 135 cubic yards of top soil from our common area adjacent to the south side of the Dormy Road pond. Rather than paying to have this soil removed, we are using it to build an earthen berm on the east side of our property line adjacent to the Union Pacific Railroad right-of-way. In order for the berm to serve the purpose of actually blocking the site lines from the homes on Dormy Lane to the railroad right-of-way and Route 14, it must exceed the five (5) foot wall restriction of the Village.

Therefore, at a Public Hearing of the Zoning Board of Appeals on March 16, 2016 at the Barrington Hills Village Hall located at 112 Algonquin Road, Barrington Hills, we will be asking the Board of Appeals to grant us a variance to the five (5) foot restriction. If you have any comments, concerns or want to object to our request for this variance, your opportunity to do so will be at the March 16, 2016 meeting of the Zoning Board of Appeals.

If you support our efforts, you might want to join us in our request to the Zoning Board on March 16, 2016.

If you would like additional information prior to the March 16, 2015 meeting, feel free to contact me at (847) 381-3391.

Sincerely, Paganica Home Owners Association,

MichaelPH

Michael P. Hannigan Board President

# PUBLIC HEARING Before the Zoning Board of Appeals, Village of Barrington Hills Re: Paganica

Notice is hereby given that a Public Hearing will be held on Wednesday March 16, 2016 at 7:30 p.m. or as soon thereafter as the matter may be heard by the Zoning Board of Appeals of the Village of Barrington Hills ("Village") in the MacArthur Room of the Village Hall, 112 Algonquin Road, concerning the application for a variance for the construction, of a berm in the required yard on certain parcels ("Subject Property") owned by the Paganica Home Owners Association of a height greater than permited by requirements in Section 5-3-9(F) of the Zoning Ordinance as may be varied in accordance with the provisions of Section 5-10-4 of the Zoning Ordinance.

The application submitted on behalf of the Paganica Home Owners Association by Michael P. Hannigan, Board President, concerns the proposed construction of an earthern berm during the excavatuion for compensatory stormwater storage having a height of eight feet (8') were five feet (5') is otherwise limited by the provision of the Zoning Ordinance.

The location of the lot as owned by the Paganica HOA is fully described on the plat of survey to be found with the application for a variation as on file in the office of the Village Clerk and containing therewith a legal description of the lot to be found on the north side of Dormy Lane, and generally described in the Lake County portion of Barrington Hills as Lot 40 in Paganica, itself being a Subdivision of part of Lots 20, 21, 24 and 25 in Chicago Highlands, as found in part of Sections 34 and 35, Township 43 North, Range 9 East of the Third Principal Meridian according to the plat thereof recorded December 19, 1967 as Document No. 1363082, in Lake County, Illinois. (REIN 13-35-102-007)

A copy of the application for a variation is available for examination at the office of the Village Clerk at Barrington Hills Village Hall during customary hours of operation. All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard.

Daniel Wolfgram, Chairman Zoning Board of Appeals Village of Barrington Hills



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PS Form 3800, April 2015 PSN 7530-0

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58	U.S. Postal Service <sup>™</sup> CERTIFIED MAIL <sup>®</sup> RECEIPT Domestic Mail Only			
8-78	For delivery information, visit our website at <i>www.usps.com</i> <sup>®</sup> .			
0001 9508	Certified Mail Fee \$ 3.45 Extra Services & Fees (check box, add fee as appropriate) Return Receipt (hardcopy) \$ \$0.00 Return Receipt (electronic) \$ \$0.00 Certified Mail Restricted Delivery \$ \$0.00 Adult Signature Required \$ \$0.00 Adult Signature Restricted Delivery \$			
BULDE	Postage \$ \$ Total Postage and Fees \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$ \$			
Sent To JEFFREY SMITH Street and Apt. No., or PO Box No. NG21 W. HALMA LN City, State, ZIP+48 WOODSTOCK IL 60998				
	PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions			

# VILLAGE OF BARRINGTON HILLS

Notice of a Public Hearing

Will be held at 7:30 o'clock p.m. 3-16-16 at <u>Barrington Hills Village Hall</u> <u>112 Algonquin Road</u> Regarding a variance for this property [REIN 13-35-102-007] By Paganica Homeowners Association before the Zoning Board of Appeals (VBH Ord. 5-10-4)

A STATIST

Dunial Wolfgram Chairman, ZBA 847-551-3000 January 28, 2016



## CONSULTING ENGINEERS

625 Forest Edge Drive, Vernon Hills, IL 60061 TEL 847.478.9700 
FAX 847.478.9701

www.gha-engineers.com

Mr. Joseph Gianni Manhard Consulting 900 Woodlands Parkway Vernon Hills, Illinois 60061

Re: Paganica Subdivision Lots 27-29 Engineering Plan Submittal Review #3

Dear Mr. Gianni:

Our office has reviewed the final engineering plan submittal for Lots 27-29 of Paganica Subdivision and the associated compensatory storage area. Our review is based on the following documents:

- Site Engineering Plans (6 sheets) prepared by Manhard Consulting, Ltd. dated January 7, 2016 and received on January 12, 2016.
- Cross Section Sheets (2 sheets), prepared by Manhard Consulting, Ltd. received January 12, 2016.
- Executed Watershed Development Permit Application dated January 12, 2016.
- Wetland Delineation Report, prepared by Midwest Ecological, dated January 4, 2016.

Based on our review there are minor revisions to the plans required prior to approval. The comments below summarize remaining plan issues as well as conditions to be met prior to permit approval:

- 1. Approval of a variance for fill exceeding 5' above existing grade for the proposed berm adjacent to the compensatory storage area. It is understood that this request will be made to the Zoning Board of Appeals at their March meeting.
- 2. As noted a jurisdictional determination and a letter of no impact shall be provided for work adjacent to existing wetlands. It is understood that the wetland delineation report has been submitted to the US Army Corps and is awaiting response.
- 3. Per email correspondence to your office dated December 23, 2014, there was agreement that the compensatory storage volume be expanded to include the volume required of the Village by the Lake County Stormwater Management Commission. Specifically, 113 cubic yards of compensatory storage should be provided below the 10-year high water elevation, and 297 cubic yards provided between the 10-year and 100-year high water elevations. Currently these additional volumes are only 52 CY and 115 CY, respectively.

If there are any questions or further clarification of the comments is needed, I can be reached at 847-478-9700 or via email at <u>dstrahan@gha-engineers.com</u>

Sincerely, Gewalt Hamilton Associates, Inc.

David Q. Stuch

Daniel J. Strahan, P.E., CFM Village Engineer

cc: Wendi Frisen, Village of Barrington Hills Jay Dulla, Owner

9355.600 Paganica Subdivision Lots 27-29 Grading & Utility Plan- Review #3

# VILLAGE OF BARRINGTON HILLS

Notice of a Public Hearing

Will be held at 7:30 o'clock p.m. 3-16-16 at <u>Barrington Hills Village Hall</u> <u>112 Algonquin Road</u> Regarding a variance for this property [REIN 13-35-102-007] By Paganica Homeowners Association before the Zoning Board of Appeals (VBH Ord. 5-10-4)

AL WE WAR

Daniel Wolfgram Chairman, ZBA 847-551-3000 President Martin J. McLaughlin Trustee Colleen Konicek Hannigan Trustee Fritz Gohl Trustee Michael Harrington Trustee Bryan C. Croll Trustee Michelle Nagy Maison Trustee Brian D. Cecola



112 Algonquin Road Barrington Hills, IL 60010 847.551.3000

> village@vbhil.gov www.vbhil.gov

# **POSTED NOTICE - ZONING BOARD OF APPEALS**

The Zoning Board of Appeals, in acting upon variations, special uses, amendments of the zoning ordinance, or appeals from action taken by the Zoning Enforcement Officer, hears all such cases at a public hearing at which neighboring property owners have a right to be heard.

If the subject to the hearing, as stated below, is of concern to you, you will have an opportunity to fully express your opinions whether for or against. For your guidance, a copy of the Zoning Ordinance is available in the Village Hall and online.

If it is inconvenient for you to appear at the hearing, you may file your opinion by letter or email to clerk@vbhil.gov, giving the street and lot number of the property owned by you and for what it is now used. Please state fully what your position is regarding the subject.

You are, by this posting, notified that the subject stated below will be heard at a public hearing at the Village Hall of Barrington Hills. 112 Algonquin Road, Barrington Hills, Illinois 60010-5199.

Date and Time of Hearing: Wednesday, March 16, 2016 at 7:30 pm
Applicant: Karen and Don Phillips
Address: 300 Ridge Road, Barrington Hills, IL 60010
Subject: A variance to permit the use of a lot in the R-1 District having an average lot width of 271' instead of 300' and a gross lot area of 4.8 acres instead of 5 acres as required by the Zoning Ordinance.

Chairman Dan Wolfgram Zoning Board of Appeals Village of Barrington Hills Publication Date: February 26, 2016 Public Hearing Before the Zoning Board of Appeals

Village of Barrington Hills RE: 300 Ridge Road

Notice is hereby given that a public hearing will be held on Wednesday, March 16, 2009 at 7:30 PM or as soon thereafter as the matter may be heard by the Zoning Board of Appeals of the Village of Barrington Hills in the MacArthur Room of the Village Hall, 112 Algonquin Road, Barrington Hills, concerning the application for a variance from the average lot width and minimum lot area requirements of the R-1 five acre Zoning District as found in Section 5-5-5 and 5-5-4 respectfully of the Zoning Code, both being subject to the provisions of Section 5-10-4 of the Code.

The application submitted by Corey Dune, an architect, on behalf of Karen and Don Phillips concerns the proposed use of a lot having an average lot width of approximately 271 feet were 300 feet is otherwise required and the lot area is approximately 4.8 acres were 5 acres is the minimum lot area for the Zoning District. The location of the lot is fully described on the plat of survey to be found with the application for the variance as on file in the office of the Village Clerk and containing therewith a legal description of the lot to be found on the west side of Ridge Road, and commonly described as 300 Ridge Road in the McHenry County portion of Barrington Hills (REIN 20-29-400-009).

A copy of the application for a variation is available for examination at the office of the Village Clerk at Barrington Hills Village Hall during customary hours of operation.

All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. Daniel Wolfgram, Chairman Zoning Board of Appeals Village of Barrington Hills

Published in Daily Herald Feb. 26, 2016 (4433483)

# CERTIFICATE OF PUBLICATION Paddock Publications, Inc. Daily Herald

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the DAILY HERALD. That said DAILY HERALD is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora

### County(ies) of Cook, Kane, Lake, McHenry

and State of Illinois, continuously for more than one year prior to the date of the first publication of the notice hereinafter referred to and is of general circulation throughout said Village(s), County(ies) and State.

I further certify that the DAILY HERALD is a newspaper as defined in "an Act to revise the law in relation to notices" as amended in 1992 Illinois Compiled Statutes, Chapter 7150, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published February 26, 2016 in said DAILY HERALD.

IN WITNESS WHEREOF, the undersigned, the said PADDOCK PUBLICATIONS, Inc., has caused this certificate to be signed by, this authorized agent, at Arlington Heights, Illinois.

PADDOCK PUBLICATIONS, INC. DAILY HERALD NEWSPAPERS

BY Authorized Agent

0

Control # 4433483

# 5-10-4: VARIATIONS:

(A) Purpose: The zoning board of appeals, after a public hearing, may determine and vary the regulations of this title in harmony with their general purpose and intent, only in the specific instances hereinafter set forth, where the board makes findings of fact in accordance with the standards hereinafter prescribed, and further finds that there are practical difficulties or particular hardships in the way of carrying out the strict letter of the regulations of this title, relating to the use, construction or alteration of buildings or structures or the use of each portion of land.

(B) Application For Variation And Notice Of Hearing: An application for a variation shall be made by the owner of the subject property, or if by another person having an interest therein, with the written concurrence of the owner of the subject property. An application for a variation shall be filed in writing with the enforcing officer. The application shall contain such information as the zoning board of appeals may from time to time, by rule, require. Notice of the time and place of such public hearing shall be published at least once, not less than fifteen (15) days before the hearing, in a newspaper of general circulation in the village. The published notice may be supplemented by such additional form of notice as the board, by rule, may require.

(C) Standards For Variations: The zoning board of appeals shall not vary the regulations of this title, as authorized in subsection (A) of this section, unless it shall make findings based upon the evidence presented to it in each specific case that:

1. The property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district for which it is zoned; and

2. The plight of the owner is due to unique circumstances; and

3. The variation, if granted, will not alter the essential character of the locality.

The zoning board of appeals may impose such conditions and restrictions upon the premises benefited by a variation as may be necessary to comply with the standards established in this subsection (C) to reduce or minimize the effect of such variation upon other property in the neighborhood, and to better carry out the general intent of this title. If the petitioner is in violation of any provision of this code or is subject to any fines or penalties imposed under any provision of this code, the zoning board of appeals may condition the granting of any variation upon the petitioner first correcting or curing any such violation or paying any such fines or penalties.

(D) Authorized Variations: Variations from the regulations of this title shall be granted by the zoning board of appeals only in accordance with the standards established in subsection (C) of this section, and may be granted only in the following instances and in no others:

1. To permit any yard or setback less than the yard or setback required by the applicable regulations.

2. To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots but in no event shall the respective area and width of the lot or lots be less than ninety percent (90%) of the required area and width.

3. To permit the same off street parking facility to qualify as required facilities for two (2) or more uses provided the substantial use of such facility by each user does not take place at approximately the same hours of the same days of the week.

4. To reduce the applicable off street parking or loading facilities required by not more than one parking space or loading space or twenty percent (20%) of the applicable regulations, whichever number is greater.

5. To increase by not more than twenty five percent (25%) the maximum distance that required parking spaces are permitted to be located from the use served.

6. To increase by not more than twenty percent (20%) the gross area of any sign.

7. To increase by not more than ten percent (10%) the maximum gross floor area of any use so limited by the applicable regulations.

8. To exceed any of the authorized variations allowed under this subsection, when a lot of record or a zoning lot, vacant or legally used on April 1, 1963, is, by reason of the exercise of the right of eminent domain by an authorized governmental body or by reason of a conveyance under threat of an eminent domain proceeding, reduced in size so that the remainder of said lot of record or zoning lot or structure on said lot does not conform with one or more of the regulations of the district in which said lot of record or zoning lot or structure is located.

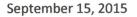
9. To permit increases in the height of fences and walls permitted as obstructions in required yards.

10. To permit the location of a satellite antenna, private, on a lot or lots where it would otherwise be prohibited solely because of insufficient screening, but in no event shall the requirement for screening be waived along the front yard line.

The concurring vote of five (5) members of the zoning board of appeals shall be necessary to grant a variation. No order of the zoning board of appeals granting a variation shall be valid for a period longer than six (6) months from the date of such order unless a building permit is obtained within such period and the erection or alteration of a building is started or the use is commenced within such period. The zoning board of appeals may, upon application made within said six (6) months, for good cause, extend said time an additional six (6) months; provided, that said time limit shall not apply and there shall be no fixed time limit in cases where the variation granted is a variation as to the area or width of a lot or lots granted under subsection (D)2 of this section, if a plat containing the lot or lots in question, utilizing the said area or width variation as granted, and conforming to law, including the Barrington Hills subdivision ordinance (if applicable), shall be recorded in the office of the recorder of deeds or (if applicable) registered in the office of the registrar of titles, within two (2) years of the date of the order of the zoning board of appeals granting said variation.

HARRY B. BURROUGHS, ARCHITECT HBB ARCHITECTURAL

533 NORTH AVENUE BARRINGTON, ILLINOIS 60010 847-381-7664 FAX: 847-381-6904



Building and Zoning Department—Zoning Board of Appeals Village of Barrington Hills 112 Algonquin Road Barrington Hills, Illinois 60010

Subject: Karen & Don Phillips Garage Addition & Driveway Replacement 300 Ridge Road Barrington Hills, Illinois

\*\*See Plat of Survey for complete legal description of property—P.I.N. is 20-29-400-009

\*\*See enclosed list and map of all contiguous and adjoining property owners within 250 feet of this property.

The Phillips propose to add one additional stall to their existing garage and replace their asphalt driveway with brick pavers in the front yard and redo the asphalt paving in the rear yard.

To make these changes, variances for the minimum lot area of 5 acres and the minimum average lot width are required. The original lot was a lot of record at 4.5988 acres and had an average lot width of less than the 300 feet required. The Phillips purchased land from their neighbor to the north bringing their lot area to 4.8040 acres. This now gives them enough land area to meet the F.A.R. of 5% but the lot is still undersized and below the average lot width required.

The request for these variances meet the standards for variances as per Section 5-10-4-C in the zoning ordinance:

<u>Section 5-10-4-C1</u>—The property cannot yield a reasonable financial return because without the variance, the property cannot be improved or structurally enlarged. This subsequently causes a devaluation of the property compared to other surrounding Barrington Hills properties.

<u>Section 5-10-4-C2</u>—The plight of the owner is due to unique circumstances. This problem is not of the Phillips' creation because the lot of record had been subdivided preceding the current zoning standards.

<u>Section 5-10-4-C3</u>—If granted, these variances will not alter the essential character of the locality because they are for the same use and design that are currently in place.

<u>Section 5-10-4-D</u>—Authorized Variations—The variations must meet one of the 10 listed circumstances and it does comply with <u>Section 10-5-4-D2</u> which refers to lots prohibited solely because of insufficient

A

area or the width of the lot. It is required that the respective area and width of the lot not be less than 90% of the required area and width. The 4.8080 acres is 96% of the lot area required and the average lot width was calculated at 270.7 feet by the Village staff and that is more than the 90% of 300 feet (or 270.00 feet).

Because the Phillips meet these minimum requirements for authorizing variances and comply with the standards for variations as previously discussed, it is respectfully requested that the Zoning Board of Appeals approve these variances.

Sincerely,

# COREY DUNNE

Harry B. Burroughs—Architect For Karen and Don Phillips

I, Harry B. Burroughs, architect, attest to the facts as presented in this letter in regard to variations in the lot area and the average lot width.

Harry B. Burroughs

Notary



# Architects + interiors

The undersigned states that he has read the foregoing application signed by him and that all information contained within this application is true and accurate to the best of his knowledge.

This application for a variance at 300 Ridge Road for Don and Karen Phillips is respectfully submitted to the Barrington Hills Zoning Board of Appeals by

date

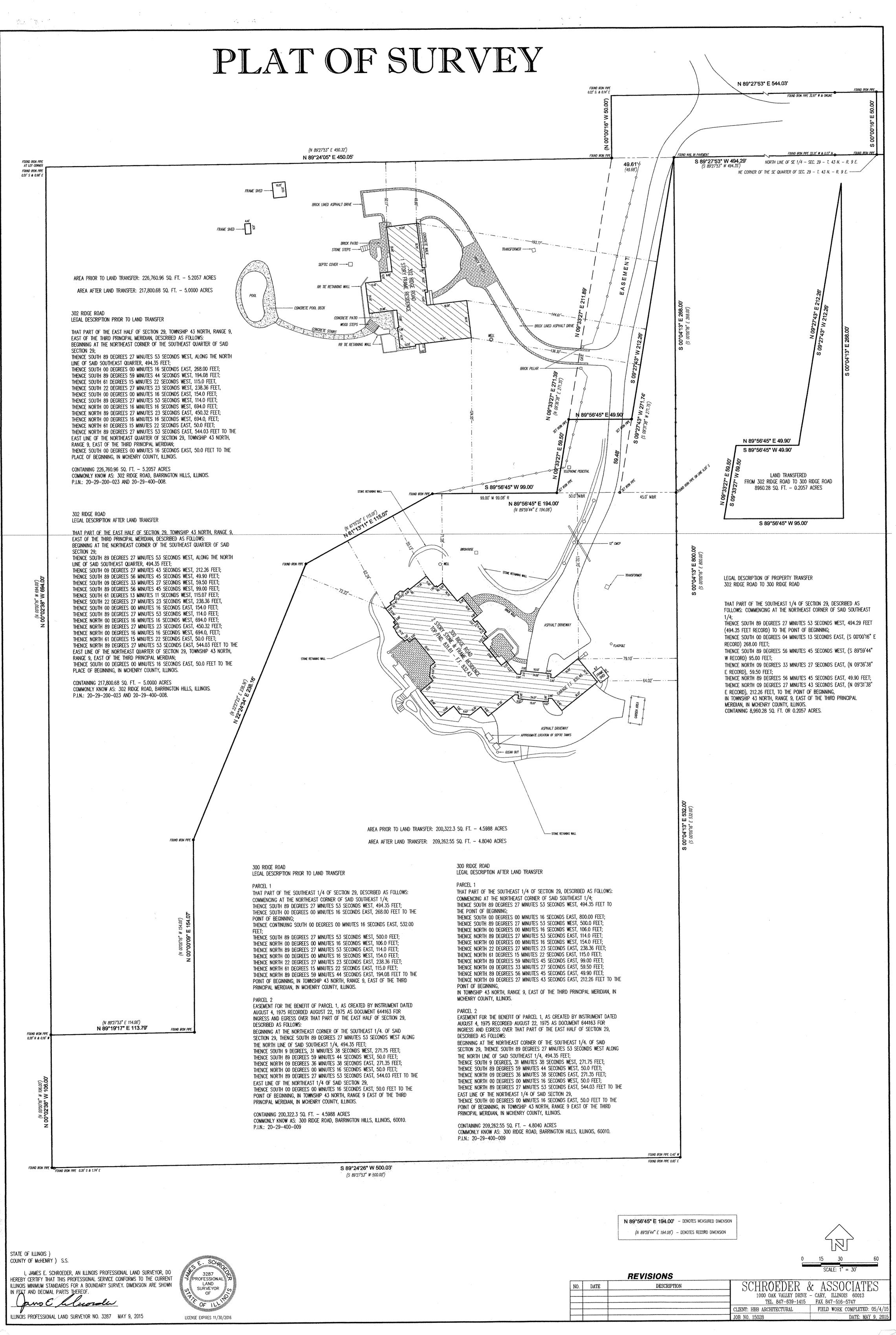
Corey Dunne Principal Architect **D+K** Architects 1147 W Ohio St, Suite 103 Chicago, IL 60642

Subscribed and Sworn February 25, 2016 Colleen Dunne

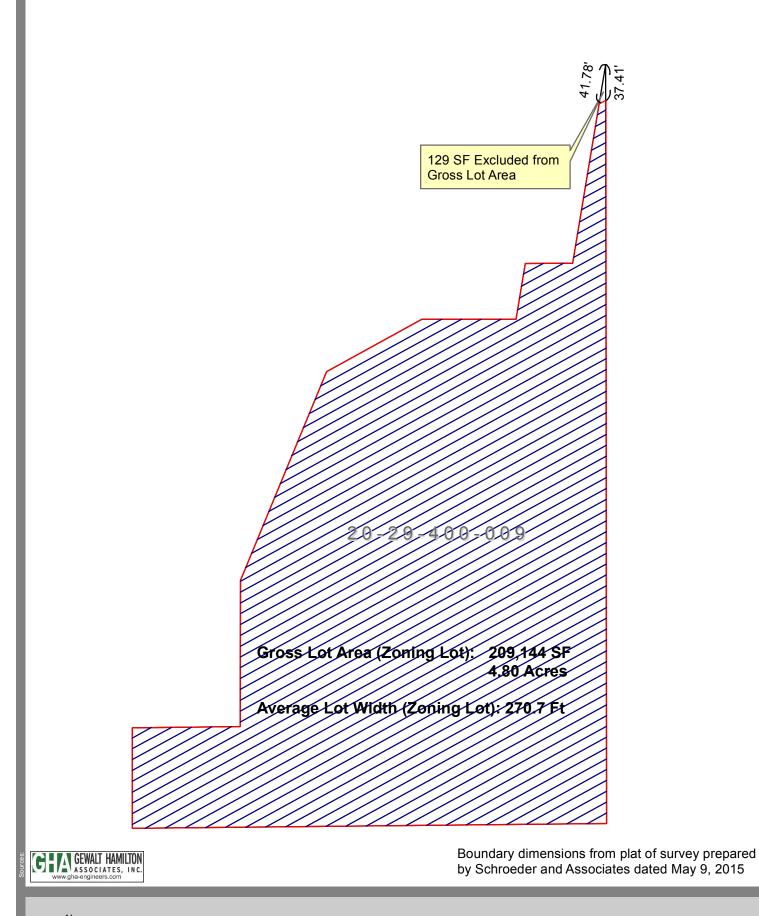
Notarized by:

OFFICIAL SEAL COLLEEN DUNNE NOTARY PUBLIC, STATE OF ILLINOIS My Commission Expires Feb. 28, 2018

Dunne + Kozlowski Architects + 1147 West Ohio Street, Suite 103 + Chicago, Illinois 60642 PHONE (312) 573-2490 · FAX (312) 573-2491 · www.dk-arch.com



Zoning Certificate Requirements					
Village of Barring	Special Use				
Village Use Only Received Missing	Lot of Record				
	Real Estate Index No.: Lot No. and Subdivision Postal Mailing Address Name of Owner(s) <u>Philli</u> Zoning District <u>R-1</u> Legal description of propert North arrow 1"=50' maximum scale Two corner monuments Measured bearing and dista Lot area in square feet using Existing building(s) or struct Distance of building(s)) to n	y; lot recorded on $7/23/2015$ 1'' = 50' ances for all sides g measured distance tures(s), height earest lot lines			
	Company Name Schr	oeder & Associates			
Village Engineer F	Review:	As Measured	As Recorded		
Deed Lot Area Right-of-Way Area Area Below Base Flood Elevation Deduction for Area Below BFE Gross Lot Area Average Lot Width		209,263 SF 0 SF 0 SF 0 SF 0 SF 0 SF 0 SF 0 F 0 F 0 F 0 F 0 F 0 F 0 F 0	SF SF SF SF SF FT		
Zoning Lot Area (See Diagram)       Yes       X       No       209,144       SF       SF         Average Lot Width (Zoning Lot)       Yes       X       No       270.7       FT       FT         Notes:					
Revie Revised 8/2006	ewed By:	Ren Blen Septer	mber 15, 2015 Date		

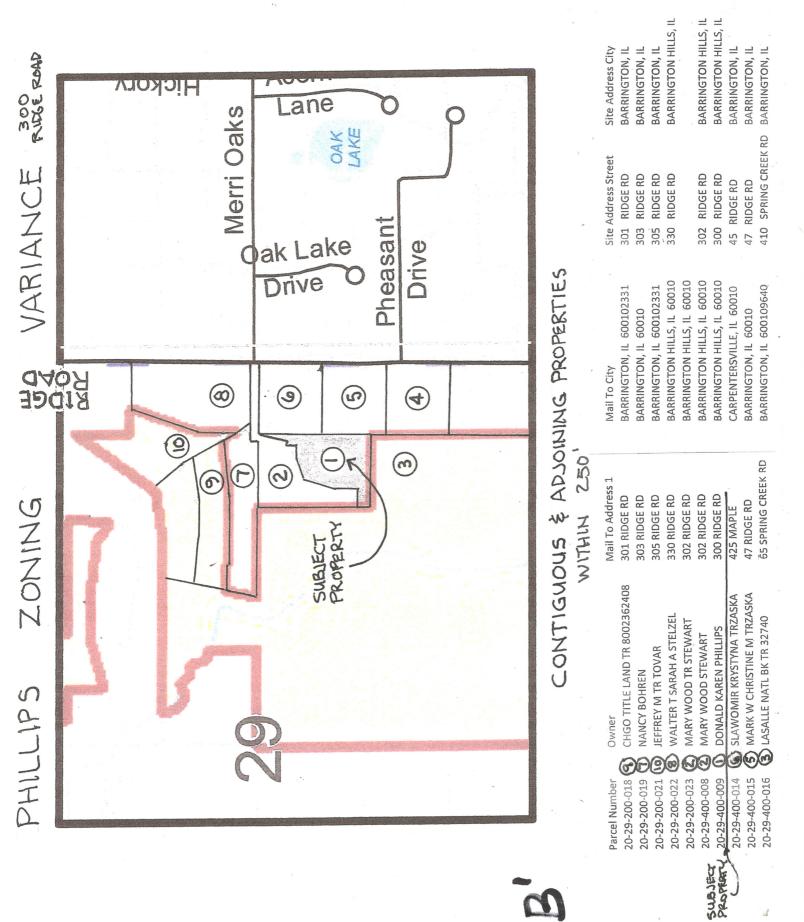


100 1 inch = Feet

Zoning Lot Boundary

Legend

300 Ridge Road Barrington Hills, Illinois



\$ (R)	COUNTY OF THE OWNER AND					
WARRANTY DEED ILLINOIS STATUTORY (Individual to Individual)	* 2 0 1 5 R 0 0 2 6 9 7 4 4 * PHYLLIS K. WALTERS RECORDER-MCHENRY COUNTY, IL 2015R0026974					
MAIL TO: <u>Gregory J. Naples</u> Attorney at Law <u>M 18045 Lamplighter Lane</u> Brookfield, WI 53045	07/23/2015 03:33PN PAGES 4 RECORDING FEE 26.00 GIS FEE 15.00 STATE STAMP FEE 15.00 COUNTY STAMP FEE 7.50 RHSPS HOUSING FEE 9.00					
NAME & ADDRESS OF TAXPAYER: Donald W. and Karen L. Phi 300 Ridge Road Barrington Hills, IL 60010						
مات کاللوند عدم یوداد م ۲۹۵۵ THE GRANTOR THE GRANTOR of the Village of Barrington	ART, divorced and not since remarried, Hills County of McHenry State of Illinois					
for and in consideration of <u>Ten and No Hundredths</u> (10.00) DOLLARS and other good and valuable considerations in hand paid, CONVEY(S) AND WARRANT(S) to <u>DONALD W. PHILLIPS</u> and <u>KAREN J. PHILLIPS</u> , Husband and Wife, together as JOINT TENANTS and NOT as Tenants in Common						
(GRANTEES'ADDRESS) <u>300 Ridge Road</u> of the Village of <u>Barrington Hills</u> County of <u>McHenry</u> State of <u>Illinois</u> all interest in the following described real estate situated in the County of <u>McHenry</u> , in the State of Illinois, to wit: Legal description is attached hereto and made a part hereof as incorporated by reference						
POOR QUALITY FOR IMAGING						
	tional space is required for legal - attach on separate t, with a minimum of 1/2" clear margin on all sides.					
Permanent Index Number(s): 20-29-200-	and by virtue of the Homestead Exemption Laws of the State of Illinois. ransfer of unimproved land from PIN(s) -023 and $20-29-400-008$ to PIN $20-29-400-009$					
Property Address: From 302 Ridge R	Road to 300 Ridge Road, Barrington Hills, IL 60010					
Dated this 10 NR day of	July         XX 2015         (Seal)         (Seal)					
Mary W. Stewart	(Seal) (Seal)					
NOTE: PLEASE TYP	PE OR PRINT NAME BELOW ALL SIGNATURES					
COMPLIMENTS O	DF Chicago Title Insurance Company					

STATE OF ILLINOIS } ss. County of McHenry }	~
	for said County, in the State aforesaid, CERTIFY THAT ary W. Stewart
personally known to me to be the same person whose appeared before me this day in person, and acknowl instrument as her free and voluntary act, for the us	
right of homestead.* Given under my hand and notarial seal, this	10t day of July , XX 2015.
My commission expires on Sept 24, 2018	, XX _ 201.5 Notary Public
	OFFICIAL SEAL LESLIE A BROCK Notary Public - State of Illinois My Commission Expires Sep 24, 2018
IMPRESS SEAL HERE	McHenry COUNTY - ILLINOIS TRANSFER STAMP

\* If Grantor is also Grantee you may want to strike Release & Waiver of Homestead Rights.

NAME and ADDRESS OF PREPARER:

EXEMPT UNDER PROVISIONS OF PARAGRAPH SECTION 4, REAL ESTATE TRANSFER ACT DATE:

Attorney at Law 18045 Lamplighter Lane Brookfield, WI 53045

Gregory J. Naples

Signature of Buyer, Seller or Representative

\*\* This conveyance must contain the name and address of the Grantee for tax billing purposes: (55 ILCS 5/3-5020) and name and address of the person preparing the instrument: (55 ILCS 5/3-5022).

WARRANTY DEED ILLINOIS STATUTORY FROM Mary W. Steward TO onald W. and Karen L. Phillip
---

# LEGAL DESCRIPTION OF PROPERTY TRANSFER 302 RIDGE ROAD TO 300 RIDGE ROAD

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 29, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4;

THENCE SOUTH 89 DEGREES 27 MINUTES 53 SECONDS WEST, 494.29 FEET (494.35 FEET RECORD) TO THE POINT OF BEGINNING;

THENCE SOUTH 00 DEGREES 04 MINUTES 13 SECONDS EAST, (S 00°00'16" E RECORD) 268.00 FEET;

THENCE SOUTH 89 DEGREES 56 MINUTES 45 SECONDS WEST, (S 89°59'44" W RECORD) 95.00 FEET;

THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS EAST, (N 09°36'38" E RECORD), 59.50 FEET;

THENCE NORTH 89 DEGREES 56 MINUTES 45 SECONDS EAST, 49.90 FEET;

THENCE NORTH 09 DEGREES 27 MINUTES 43 SECONDS EAST, (N 09°31'38" E RECORD), 212.26 FEET, TO THE POINT OF BEGINNING,

IN TOWNSHIP 43 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS. CONTAINING 8,960.28 SQ. FT. OR 0.2057 ACRES.

300 RIDGE ROAD LEGAL DESCRIPTION AFTER LAND TRANSFER

PARCEL 1

THAT PART OF THE SOUTHEAST 1/4 OF SECTION 29, DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHEAST 1/4: THENCE SOUTH 89 DEGREES 27 MINUTES 53 SECONDS WEST, 494.35 FEET TO THE POINT OF BEGINNING: THENCE SOUTH OO DEGREES OO MINUTES 16 SECONDS EAST, 800.00 FEET; THENCE SOUTH 89 DEGREES 27 MINUTES 53 SECONDS WEST, 500.0 FEET; THENCE NORTH OO DEGREES OO MINUTES 16 SECONDS WEST, 106.0 FEET; THENCE NORTH 89 DEGREES 27 MINUTES 53 SECONDS EAST, 114.0 FEET; THENCE NORTH OO DEGREES OO MINUTES 16 SECONDS WEST, 154.0 FEET; THENCE NORTH 22 DEGREES 27 MINUTES 23 SECONDS EAST, 238.36 FEET; THENCE NORTH 61 DEGREES 15 MINUTES 22 SECONDS EAST, 115.0 FEET; THENCE NORTH 89 DEGREES 59 MINUTES 45 SECONDS EAST, 99.00 FEET; THENCE NORTH 09 DEGREES 33 MINUTES 27 SECONDS EAST, 59.50 FEET; THENCE NORTH 89 DEGREES 56 MINUTES 45 SECONDS EAST, 49.90 FEET; THENCE NORTH 09 DEGREES 27 MINUTES 43 SECONDS EAST, 212.26 FEET TO THE POINT OF BEGINNING,

IN TOWNSHIP 43 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.

PARCEL 2

EASEMENT FOR THE BENEFIT OF PARCEL 1, AS CREATED BY INSTRUMENT DATED AUGUST 4, 1975 RECORDED AUGUST 22, 1975 AS DOCUMENT 644163 FOR INGRESS AND EGRESS OVER THAT PART OF THE EAST HALF OF SECTION 29, DESCRIBED AS FOLLOWS: BEGINNING AT THE NORTHEAST CORNER OF THE SOUTHEAST 1/4. OF SAID SECTION 29, THENCE SOUTH 89 DEGREES 27 MINUTES 53 SECONDS WEST ALONG THE NORTH LINE OF SAID SOUTHEAST 1/4, 494.35 FEET; THENCE SOUTH 9 DEGREES, 31 MINUTES 38 SECONDS WEST, 271.75 FEET; THENCE SOUTH 89 DEGREES 59 MINUTES 44 SECONDS WEST, 50.0 FEET; THENCE NORTH 09 DEGREES 36 MINUTES 38 SECONDS EAST, 271.35 FEET; THENCE NORTH OO DEGREES OO MINUTES 16 SECONDS WEST, 50.0 FEET: THENCE NORTH 89 DEGREES 27 MINUTES 53 SECONDS EAST, 544.03 FEET TO THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 29, THENCE SOUTH OO DEGREES OO MINUTES 16 SECONDS EAST, 50.0 FEET TO THE POINT OF BEGINNING, IN TOWNSHIP 43 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, IN MCHENRY COUNTY, ILLINOIS.

CONTAINING 209,262.55 SQ. FT. - 4.8040 ACRES COMMONLY KNOW AS: 300 RIDGE ROAD, BARRINGTON HILLS, ILLINOIS, 60010. P.I.N.: 20-29-400-009 PHYLLIS K. WALTERS McHenry County Recorder

E-mail: <u>pkwalters@co.mchenry.il.us</u> Web: <u>www.co.mchenry.il.us/countydpt/recorder</u>



McHenry County Government Center

Administration Building 2200 North Seminary Avenue Woodstock IL 60098 Phone 815-334-4110 Fax 815-338-9612

# PLAT ACT AFFIDAVIT OF METES AND BOUNDS

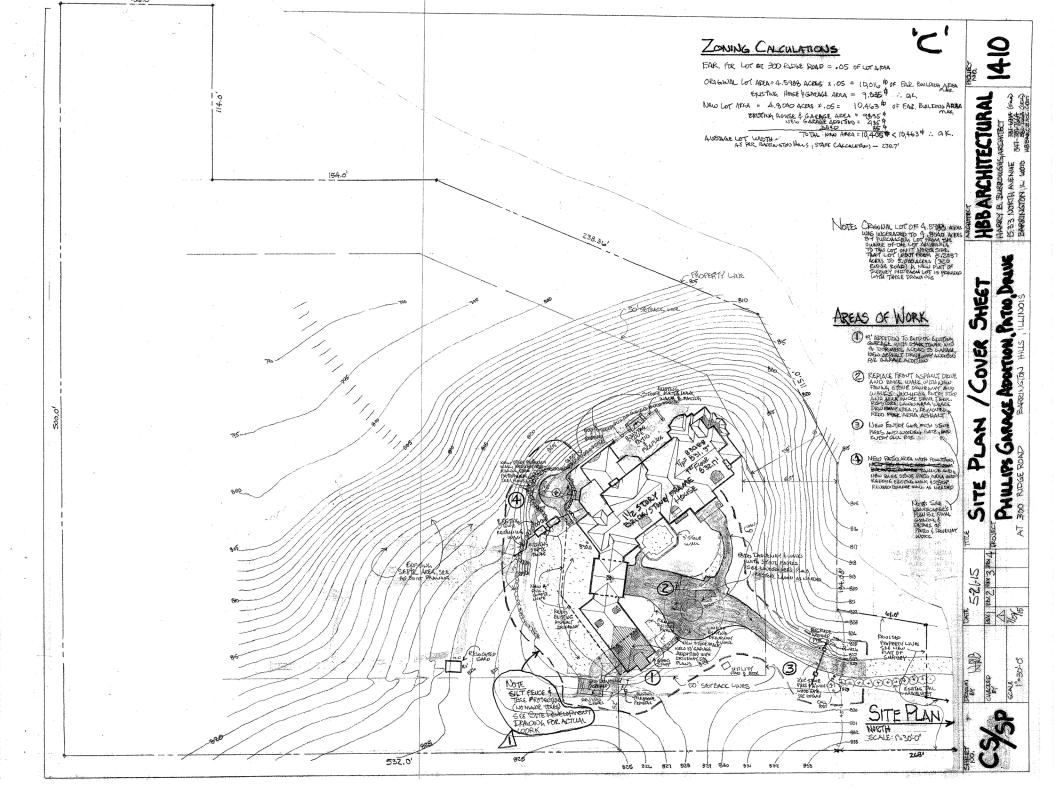
STATE OF ILLINOIS )ss		
COUNTY OF MCHENRY), Gregory J. Naples	· · · ·	
Gregory J. Naples	, Attorney at Law	being duly sworn on oath,
states that affiant resides at	18045 Lamplighter Lane	, Brookfield, WI 53045

And further states that: (please check the appropriate box)

- A. [] That the attached deed is not in violation of 765 ILCS 205/1 (a), in that the sale or exchange is of an entire tract of land not being a part of a larger tract of land; or
- B. [X] That the attached deed is not in violation of 765 ILCS 205/1 (b) for one of the following reasons: (please circle the appropriate number)
- 1. The division or subdivision of land into parcels or tracts of 5.0 acres or more in size which does not involve any new streets or easements of access;
- 2. The division of lots or blocks of less than one (1) acre in any recorded subdivision which does not involve any new streets or easements of access;
- 3. The sale or exchange of parcels of land between owners of adjoining and contiguous land;
- 4. The conveyance of parcels of land or interests therein for use as a right of way for railroads or other public utility facilities and other pipe lines which does not involve any new streets or easements of access;
- 5. The conveyance of land owned by a railroad or other public utility which does not involve any new streets or easements of access;
- 6. The conveyance of land for highway or other public purposes or grants or conveyances relating to the dedication of land for public use or instruments relating to the vacation of land impressed with a public use;
- 7. Conveyances made to correct descriptions in prior conveyances;
- The sale or exchange of parcels or tracts of land following the division into no more than two (2) parts of a
  particular parcel or tract of land existing on July 17, 1959 and not involving any new streets or easements
  of access;
- 9. The sale of a single lot of less than 5.0 acres from a larger tract when a survey is made by an Illinois Registered Land Surveyor; provided, that this exemption shall not apply to the sale of any subsequent lots from the same larger tract of land, as determined by the dimensions and configuration of the larger tract on October 1, 1973, and provided also that this exemption does not invalidate any local requirements applicable to the subdivision of land;
- 10. The preparation of a plat for wind energy devices under Section 10-620 of the Property Tax Code.

AFFIANT further states that \_\_\_he makes this affidavit for the purpose of inducing the County Recorder of McHenry County, Illinois to accept the attached deed for recording.

SUBSCRIBED AND SWORN TO BEFORE ME. day of Helly This Signature of Affiant Signature of Notary Public (02/2009)





Dear Chicago Title Land Trust,

Don and Karen Phillips are looking to renovate their existing garage by adding an extra stall. This improvement will maintain the original character and function of the home, while adding value to the neighborhood. We have filed with the Zoning Board at the Village of Barrington Hills on the Phillips' behalf to seek a variance for the minimum lot area and the minimum average lot width, as their original lot is slightly undersized in these regards.

The original subdivided area of the lot (prior to current zoning standards) was recorded as 4.5988 acres compared to the current minimum of 5.0 acres, and was below the minimum width of 300 feet. The Phillips purchased land from a neighbor to bring their lot area up to 4.8040 acres, but will remain below the required minimums. The style of the garage addition will match to the existing home. Please feel free to give me a call if I can answer any questions for you at 773-391-5540.

Thank you in advance for your consideration to allow the ZBA to grant us this variance.



Dear Nancy,

Don and Karen Phillips are looking to renovate their existing garage by adding an extra stall. This improvement will maintain the original character and function of the home, while adding value to the neighborhood. We have filed with the Zoning Board at the Village of Barrington Hills on the Phillips' behalf to seek a variance for the minimum lot area and the minimum average lot width, as their original lot is slightly undersized in these regards.

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Dear Jeffrey,

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Thank you in advance for your consideration to allow the ZBA to grant us this variance.



Dear Walter and Sarah,

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Dear Mary,

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Dear Slawomir and Krystyna,

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Dear Mark and Christine,

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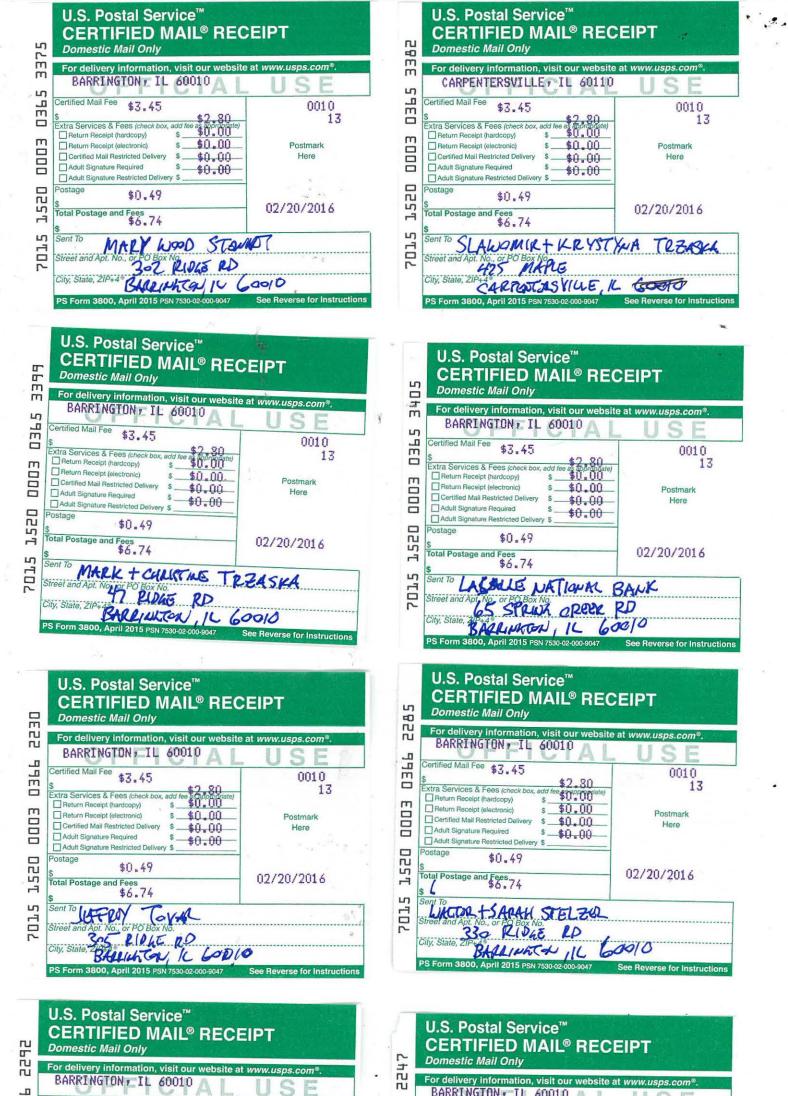


Dear LaSalle National Bank,

Don and Karen Phillips are looking to renovate their existing garage by adding an extra stall. This improvement will maintain the original character and function of the home, while adding value to the neighborhood. We have filed with the Zoning Board at the Village of Barrington Hills on the Phillips' behalf to seek a variance for the minimum lot area and the minimum average lot width, as their original lot is slightly undersized in these regards.

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Certified Mail Fee \$3.45 0010 ED \$2.80 \$2.80 \$0.00 Extra Services & Fees (check box, add fe Return Receipt (hardcopy) m Return Receipt (electronic) \$0.00 Postmark Certified Mail Restricted Delivery \$\_\$0.00 Here Adult Signature Required \$0.00 Adult Signature Restricted Deli

Postage

BARRINGTON, IL 60010 \_ Certified Mail Fee \$3.45 36 0010 xtra Services & Fees (check box, add fee as approprie Return Receipt (hardcopy) 13 Return Receipt (hardcopy) m Return Receipt (electronic) \$\_\$0.00 Postmark Certified Mail Restricted Delivery \$\_\_\_\_\_\$0.00 Here Adult Signature Required \$ \$0.00 Adult Signature Restricted Deliv



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# VILLAGE OF BARRINGTON HILLS

# of a Public Hearing

will be held at 7:30 p.m. March 16th, 2016 at <u>Barrington Hills Village Hall</u> <u>112 Algonquin Road</u> Regarding a variance for this property REIN 20-29-400-009 By Karen and Don Phillips before the Zoning Board of Appeals (VBH Ord. 5-10-4-C)

Daniel Wolfgram Chairman, ZBA 847-551-3000

Kirk: Obama should pick a nominee

Daily Herald

Unions sue Lincolnshire