



**Zoning Board of Appeals
AGENDA & NOTICE OF MEETING
MONDAY, OCTOBER 18, 2021 6:30 PM
Village Hall with Limited Capacity
112 Algonquin Road
Barrington Hills, IL 60010**

**To listen to the meeting, dial 508-924-1464.
Remote participation is unavailable.**

- 1. Call to Order & Roll Call**
- 2. Public Comments**
- 3. Minutes**
 - 3.1 [Vote] Minutes - Special Meeting September 28, 2021
[09-28-21 ZBA Minutes Draft.pdf](#)
- 4. Zoning Code Updates Discussion**
- 5. Adjournment**

NOTICE AS POSTED

Zoning Board of Appeals Agenda Item Report

Meeting Date: October 18, 2021

Submitted By: Anna Paul

Submitting Department:

Item Type: Minutes

Agenda Section: Minutes

Subject:

[Vote] Minutes - Special Meeting September 28, 2021

Suggested Action:

Attachments:

[09-28-21 ZBA Minutes Draft.pdf](#)

**VILLAGE OF BARRINGTON HILLS
ZONING BOARD OF APPEALS SPECIAL MEETING**

**Village Hall, 112 Algonquin Road, Barrington Hills, IL
Tuesday, September 28, 2021**

1. **Call to Order/Roll Call:** The Meeting was called to Order at 6:30 p.m. by Chairman Dan Wolfgram. On roll call, the following members were present:

Dan Wolfgram, Chairman
Patrick J. Hennelly
Arnold Cernik
John Gigerich*
Gary Gabriel**
Gina Koertner

Absent:
Jim Root

*Entered the meeting at 7:00 p.m.
**Entered the meeting at 7:13 pm

Staff Present: Anna Paul, Village Administrator
Mary Dickson, Legal Counsel

2. **Public Comment:**

On Chairman Wolfgram's call for public comment, none was made.

3. **Approval of Minutes – July 19, 2021**

Member Cernik moved, seconded by Member Koertner, to approve the minutes of the July 19, 2021 meeting.

On a roll call vote:

	Aye	No	Absent	Abstain
Dan Wolfgram	X			
Patrick J. Hennelly	X			
Jim Root			X	
Gary Gabriel			X	
Arnold Cernik	X			
John Gigerich			X	
Gina Koertner	X			

The Motion Carried.

4. **PUBLIC HEARING – Special Use Application (Non-Commercial Event Facility): Jeffrey T. Sanfilippo – 789 Plum Tree Road**

Chairman Wolfgram opened the public hearing into the application of Jeffrey T. Sanfilippo, owner of 789 Plum Tree Road for a Special Use Application for a Non-Commercial Event Facility.

All witnesses intending to testify and present at the time were placed under oath.

Witness Anna Paul, for the Village, testified relative to notice of the hearing.

Applicant Jeffrey Sanfilippo testified in support of the application, stating that since the 1990s, his parents allowed use of the property for charitable purposes, by allowing charities to host events at the property. The property itself is a draw for these charities in that it features antique collections of note. The intent in applying for the special use permit is to allow his parents legacy to continue, which benefits both the charities and families in the Village. The applicant does not intend to expand on the current charitable use of the property, or to host bigger events.

Andrew Kolb, attorney for the Applicant, testified that the application for special use is in compliance with the recent text amendment to the zoning code which provides for non-commercial event facilities of this type. Mr. Kolb also testified to the notice provided for the hearing and tendered proof of certified mailing. Rather than recite the findings and facts relevant thereto, Mr. Kolb directed the ZBA members to the application itself, which also contains a traffic management plan, noise evaluation, and photometric information. A rider attached to the application was submitted into the record of hearing.

Gregory Leifel, the Director of the Sanfilippo Foundation testified that he met with Police Chief Colditz and the Fire Protection District to ensure that use of the property was appropriate for both safety and traffic planning. He further testified to the impact on charitable funding the use of the property has had, hosting over the years events for greater than 300 charities. A report prepared in support of the charitable use of the property was submitted into the record.

Rusty Hernandez, Mr. Sanfilippo's spouse and a resident of the property testified that in recent years, the use of the property has come into question, and in response, he testified that the Foundation does not provide alcohol, food, tickets, casino gaming at the property. Use of the vintage gaming machines is offered, but not for monetary gain. The carousel on site is fully permitted in accordance with State law.

[Member Gigerich entered the meeting].

In response to Member Hennelly's questions regarding sound emanating from the property, Dr. Tom Thunder testified. Mr. Thunder is a sound engineer who was engaged by the applicant to study sound emanating from the property. As a result of his investigation, Dr. Thunder testified that the use of the property is compliance with the Village's noise ordinance.

[Member Gabriel entered the meeting].

In response to questions from Chairman Wolfgram:

1. the Applicant stated there would be no fireworks used at the property
2. while charities are charged to use the home, the Sanfilippo family is not profiting from use of the home for its non-commercial event use; and
3. use of the property as a non-commercial event facility would be in compliance with the zoning code. No deviations are being sought.

Martin McLaughlin, 34 Ridge Road, testified in support of the Application, stating the property is unique, and a treasure to the Village. Continued use of the property will protect the value of properties in the Village and will recognize that the Sanfilippo's benefit the community through allowing the use of the property in support of charities.

Sharon Meroni, 1 West Surrey Lane, testified in opposition to the Application. She stated she lives directly across from the property and the use of the property impacts the quiet enjoyment of her own home. She questioned whether proper notice of the hearing was made as a neighbor, Liz Doheni, had not received certified mail notice and, while wanting to attend, did not receive notice in time to attend.

Ms. Merino encouraged the ZBA to investigate a number of illegal activities occurring on the property, and she accused the Village of not enforcing its zoning code which should not have allowed use of the property as other than a single-family home. She tendered for purposes of the record, a petition previously submitted in 2015, a report of upcoming events at the Sanfilippo Foundation property, and correspondence to the Village in opposition to the Application accusing the Village of ignoring zoning violations existing at the property. She disputes the sound report, stating from her house she can hear music from the carousel which causes her house to vibrate, and that she can hear the voices of people leaving the property after events and the slamming of their car doors. She testified that the sound is persistent, and annoying, and that the use of the Property for parking so close to the road results in noise at her property, and the use of her property for people turning around.

David Stieper, 1304 Braeburn, testified in support of the Application. He stated that the special use permit for a non-commercial event facility provides the framework to address Ms. Meroni's concerns and will protect the Village by giving it governance over the use of the property. He introduced into the record a letter dated May 12, 2015, to Jasper Sanfilippo, ostensibly from Ms. Meroni's mother.

Michelle Maison, 906 Rub of the Green Lane, testified in support of the Application, testifying that many individuals in the Village support charities and the use of the property allows events to happen at a lower cost to the charities. She stated the Applicant has earned the special use permit by the tradition of what they are doing and have done in the community.

Aaron Muller, 23 W. County Line Road, testified in support of the Application. He informed the Board of the importance of the use of the home to charities, and that use of the home leads to the betterment of peoples' lives. Relative to notice to neighbors, Mr. Muller also testified that there was a sign in front of the property, thus notice of the hearing was made, even if no letter was received.

Karen Trzaska, 230 Otis Road, also testified in support of the Application, testifying as to the number of good causes use of the Property supports

Mr. Sanfilippo provided closing remarks, in which he requested the permit be approved so that the legacy of his parents in support of charitable causes could be continued.

Member Hennelly moved, seconded by Member Gigerich, to close the public hearing.

To allow participation in the vote, Member Gabriel took the Oath of Office.

On a roll call vote:

	Aye	No	Absent	Abstain
Dan Wolfgram	X			
Patrick J. Hennelly	X			
Jim Root			X	
Gary Gabriel	X			
Arnold Cernik	X			
John Gigerich	X			
Gina Koertner	X			

The Motion Carried.

5. PUBLIC MEETING – Special Use Application (Non-Commercial Event Facility): Jeffrey T. Sanfilippo – 789 Plum Tree Road

Member Cernik moved, seconded by Member Hennelly to approve the Application for a Special Use Permit for a Non-Commercial Event Facility adopting the facts as set forth by the Applicant.

In discussion, Chairman Wolfgram raised a question concerning property taxes on the property. Ms. Paul responded that the zoning of property does not affect its taxation.

On a roll call vote:

	Aye	No	Absent	Abstain
Dan Wolfgram	X			
Patrick J. Hennelly	X			
Jim Root			X	
Gary Gabriel				X
Arnold Cernik	X			
John Gigerich	X			
Gina Koertner	X			

The Motion is adopted, and the Application will be forwarded to the Village Board for with a recommendation for approval.

8. Adjournment

Member Hennelly moved, seconded by Member Gigerich, to adjourn the meeting at 8:40 p.m.

On a roll call vote:

	Aye	No	Absent	Abstain
Dan Wolfgram	X			
Patrick J. Hennelly	X			
Jim Root			X	
Gary Gabriel	X			
Arnold Cernik	X			
John Gigerich	X			
Gina Koertner	X			

The Motion Carried.

The meeting stands adjourned.