



**Zoning Board of Appeals
AGENDA & NOTICE OF MEETING
MONDAY, JUNE 10, 2024 6:30 PM
Village Hall
112 Algonquin Road
Barrington Hills, IL 60010**

Audio Options:

- Dial: 312-626-6799 and enter meeting ID 889-5617-0602
- Link: [Zoom Meeting ID 889-5617-0602; Passcode: 849920](#)

1. Call to Order & Roll Call

2. Public Comment

Be advised public comment is limited to three (3) minutes per person. If you are unable to attend, send your comment to clerk@vbhil.gov and it will be forwarded to the ZBA members.

3. Minutes

- 3.1 [Vote] Minutes - March 11, 2024
[3-11-2024 ZBA Minutes - Draft.pdf](#)

4. [Vote] Code Modification to Public Hearing -- Fence Height

- 4.1 [Vote] Code Modification to Public Hearing -- Fence Height
[Fence Code DRAFT.pdf](#)

5. [Vote] Code Modification for Public Hearing -- Renewable Energy

- 5.1 [Vote] Code Modification to Public Hearing -- Renewable Energy
[Solar Code DRAFT.pdf](#)

6. THE LAND WE LOVE RUN 5K/10K +2-Mile Walk

Saturday, June 29 @ 7:30 AM
Register at vbhil.gov/race

7. Adjournment

NOTICE AS POSTED

Zoning Board of Appeals Agenda Item Report

Meeting Date: June 10, 2024

Submitted By: Nikki Panos

Submitting Department:

Item Type: Minutes

Agenda Section: Minutes

Subject:

[Vote] Minutes - March 11, 2024

Suggested Action:

Attachments:

[3-11-2024 ZBA Minutes - Draft.pdf](#)

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

**Village Hall, 112 Algonquin Road, Barrington Hills, IL
March 11, 2024**

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
Arnold Cernik
Jim Root
Gina Koertner
Justin Pawlik
John Gigerich

Absent: Edward Carfora

Staff Present: Anna Paul, Village Administrator
Mary Dickson, Village Attorney

2. Public Comment:

Brett Berval: Mr. Berval commented on the proposed text amendment concerning parking and storage of recreational vehicles, which had previously also pertained to agricultural uses of property. He owns and resides on property which he farms. He opposed the text amendment to the extent it could affect the use of agricultural property and undermine five-acre zoning. He made recommendations including (1) no including within its purview certain items such as trailers and boats, (2) grandfathering properties so that any change in text would not affect current uses, (3) excluding trailers associated with animal husbandry, (4) rather than limit to 2 recreational vehicles, create a lot ratio calculation, and (5) push back the effective date .

John Pappas: Mr. Pappas spoke in opposition to the text amendment. Horse trailers should be excluded from zoning; it appears that the text amendment is just another attached on boarding barns.

Dennis Kelly: Mr. Kelly questioned why the text amendment was being proposed. He asked whether it was in response to a complaint. If there have been no complaints, he recommends not moving forward with the text amendment.

Meghan West-Koll: Ms. West-Koll questioned why the text amendment was being proposed. She owns a small horse property and believes the text amendment would impact on the use. Moreover, for purposes of polo, there are oftentimes more trailers on properties, and she asked whether the increased numbers of trailers associated with the use would violate the text amendment.

Margaret Palmer: Ms. Palmer is vice-president of the Riding Club. She spoke in opposition to the text amendment, stating it will affect horse boarding and all those who have five acres.

Marie Holleis: Ms. Holleis spoke in opposition to the text amendment.

Chairman Wolfgram thanked the members of the public for coming to the meeting. He stated there have been instances where parking of recreational vehicles on property has had negative effects on neighboring properties. The text was not to impact horse-related activities.

3. Approval of Minutes – December 11, 2023 Meeting

Member Koertner moved, seconded by Member Pawlik, to approve the Minutes of the February 24, 2024 meeting, as presented.

Chairman Wolfgram pointed out a typographical error on page 2 of the minutes under the heading “Renewable Energy Text” point 3, which should state extend, not extant.

On a roll call vote to approve the minutes:

	<u>Aye</u>	<u>No</u>	<u>Absent</u>	<u>Abstain</u>
Dan Wolfgram, Chairman	X			
Arnold Cernik	X			
John Gigerich	X			
Justin Pawlik	X			
Jim Root	X			
Gine Koertner	X			
Edward Carfora			X	

The Motion Carried.

4. Code Modification Discussion – Recreational Vehicles And Renewable Energy and Fence Height

Chairman Wolfgram opened discussion of the proposed text amendments.

Fence Text: There were no additional comments concerning the text amendment for fence height.

Recreational Vehicles Text: the ZBA confirmed its intent to eliminate reference to items related to animal husbandry and equine trailers.

Renewable Energy:

The ZBA discussed the most recent version of the proposed text amendment which was distributed. Questions were raised relative to height standards for both solar energy and wind energy, whether the text was clear concerning the type of energy systems permitted (*i.e.* for personal use only), and whether ground mounted systems should be allowed.

At the conclusion of the discussion, staff was directed to review the current text, to remove redundancies and to investigate industry standards.

5. Adjournment

Member Gigerich moved, seconded by Member Koertner to adjourn the meeting.

On a voice vote, all members present voted “aye.”

The meeting stands adjourned at 7 p.m.

DRAFT

Zoning Board of Appeals Agenda Item Report

Meeting Date: June 10, 2024

Submitted By: Nikki Panos

Submitting Department:

Item Type: Vote

Agenda Section: [Vote] Code Modification to Public Hearing -- Fence Height

Subject:

[Vote] Code Modification to Public Hearing -- Fence Height

Suggested Action:

Attachments:

[Fence Code DRAFT.pdf](#)

Black text is the current code. ~~Red-strikethrough-text~~ is suggested deletions and Blue underlined text is suggested additions.

5-3-9: BULK REGULATIONS:

...

(F) Permitted Obstructions In Required Yards: The following shall not be considered to be obstructions when located in the required yards specified:

1. In All Yards: Open terraces but not including a permanently roofed over terrace or porch; awnings and canopies; steps which are necessary for access to a permitted building or for access to a zoning lot from a street or alley; chimneys projecting eighteen inches (18") or less into the yard; recreational and laundry drying equipment; arbors and trellises; flagpoles; fences, walls and manmade berms not exceeding six feet (6') ~~five feet (5')~~ in height above natural grade level; and open type fence exceeding six feet (6') ~~five feet (5')~~ in height, but not more than eight feet (8') in height, provided that visibility at right angles to any surface of such fence not be reduced by more than fifty percent (50%); and containers of one cubic yard or larger in which refuse, manure or similar substances are placed but only on the day preceding, the day of, and the day after scheduled pick up or collection of the contents of the container, provided that if the container is three (3) cubic yards or larger, then the container may remain in the required yard at all times if the container is screened, for its entire height, from the view of any adjacent lot and any public or private street and right of way.

Zoning Board of Appeals Agenda Item Report

Meeting Date: June 10, 2024

Submitted By: Nikki Panos

Submitting Department:

Item Type: Vote

Agenda Section: [Vote] Code Modification for Public Hearing -- Renewable Energy

Subject:

[Vote] Code Modification to Public Hearing -- Renewable Energy

Suggested Action:

Attachments:

[Solar Code DRAFT.pdf](#)

Renewable Energy

5-2-1 Definitions (Additions to existing code)

ACTIVE SOLAR ENERGY SYSTEM: A solar energy system whose primary purposes is to harvest energy by transforming solar energy into another form of energy or transferring heat from a collector to another medium using mechanical, electrical, or chemical means.

BUILDING-INTEGRATED SOLAR ENERGY SYSTEM: A solar energy system that is an integral part of a principal or accessory building, rather than a separate mechanical device, replacing or substituting for an architectural or structural component of a building. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.

GEOHERMAL ENERGY SYSTEM: A system which utilizes renewable energy generated from the interior of the Earth and used to produce energy for heating buildings or serving building, commercial or industrial processes. A Geothermal Energy System does not include systems that use energy independent of the geothermal source to raise the temperature of the extracted heat, such as heat pumps.

GROUND MOUNT: A solar energy system on a rack or pole that rests on or is attached to the ground.

LARGE WIND ENERGY SYSTEM: A wind energy conversion system consisting of a wind turbine, a tower or mounting, and associated control or conversion electronics, which is intended primarily to generate utility power at a scale greater than service to one residential property.

PHOTOVOLTAIC SYSTEM: A solar energy system that converts solar energy directly into electricity.

ROOF MOUNT: A solar energy system that is mounted on a rack that is fastened onto a roof.

SMALL WIND ENERGY SYSTEM: A system that uses the power of the wind to capture, distribute, and/or store energy for on-site consumption of utility power within a principal or accessory structure.

SOLAR ENERGY SYSTEM: A system that uses the power of the sun to capture, distribute, and/or store energy for on-site consumption of utility power within a principal or accessory structure.

SOLAR ENERGY SYSTEM, PRIVATE: A collection of one (1) or more solar collectors designed for use by the occupant(s) of the zoning lot on which said system is located; excess power generation is limited to net metering or similar technology with regulations set by the local power utility, community, county and state. Private solar energy system equipment shall conform to applicable industry standards, and

applicants for building permits for private solar energy systems shall submit certificates from equipment manufacturers that the equipment is manufactured in compliance with industry standards.

SOLAR FARM: A commercial facility that converts sunlight into electricity, whether by photovoltaic, concentrating solar thermal devices or other conversation technology, for the primary purpose of wholesale sales of generated electricity.

5-3-15 SOLAR ENERGY SYSTEM REGULATIONS

A. Purposes: The purposes of this section are to preserve the health, safety, and welfare of the village by promoting the safe, effective, and efficient use of solar energy systems. For such purposes this section:

1. Establishes zoning regulations relative to the installation and operation of solar energy systems permitted to be installed within the village.
2. Accommodates sustainable energy production from a renewable energy source.
3. Preserves the character and aesthetics of the village's zoning districts in the interest of maintaining property values, and promoting the public health, safety and welfare of village residents and businesses.

B. Permitted Accessory Use: Solar energy systems, private, as defined herein, are permitted accessory uses in all zoning districts where structures of any sort are allowed, subject to the requirements set forth in this section.

C. General Requirements: The requirements set forth in this section shall govern the Solar Energy Systems which may be installed within the village. The provisions of this section are intended to establish zoning regulations for Solar Energy Systems which may be installed in the village. Solar Farms are not permitted within any zoning district of the village.

1. Use: A Solar Energy System shall be accessory to the principal permitted use of zoning lot.
2. Approvals: Any approval granted for a Solar Energy System shall not under the provisions of this section be construed to prevent ordinary or permitted building, landscaping, or other accessory improvements on adjacent any other properties.

D. Permitting and Installation:

1. A building permit is required to be obtained from the village prior to commencement of any construction activity relative to the installation of any Solar Energy System.
2. The owner of a Solar Energy System shall ensure that it is installed and maintained in good condition and in compliance with all applicable provisions of the village code and the laws, statutes, codes, and regulations enforced by any State or Federal agency of competent jurisdiction.
3. All wiring associated with a Solar Energy System shall be underground or contained within a raceway that complements the building materials of the principal structure.
4. Interconnection: Energy produced by a Solar Energy System shall be utilized on-site, subject to legal provisions that allow the sale of excess energy back to the electric grid.
5. Illumination of a Solar Energy System shall be prohibited, except to accommodate co-installation of parking lot lighting luminaries, where applicable.
6. Signage: Other than safety signage, no commercial signage or attention-getting device is permitted on any Solar Energy System.
7. All ground mounted equipment shall be totally screened, for its entire height, from view at ground level from any adjacent lot or street, public or private. Screening shall be provided by any one or more of the following: the dwelling on the lot where such the equipment is located; garages, storage buildings, or other accessory buildings which meet all provisions of this title; or landscaping and plantings which provide year-round screening.
8. Height:
 - a. Roof-Mounted Solar Energy System:
 - (i) When installed on a flat roof, a Roof-Mounted Solar Energy System shall not exceed a maximum height of six feet (6') as measured from the roof surface of the building on which the system will be mounted to the highest point of the system as installed;
 - (ii) When installed on a pitched roof, a Roof-Mounted Solar Energy System shall be mounted parallel to the pitch of the roof and not extend more than one (1) foot off the roof surface.
 - b. Ground mounted Solar Energy System

- (i) Ground or pole-mounted Solar Energy Systems shall not exceed six (6) feet in height when oriented at maximum tilt.

9. Setback:

- a. No Solar Energy System shall be allowed to be placed in any setback of any property.
- b. Roof-mounted Solar Energy Systems shall not extend beyond the exterior perimeter of the building on which the system is mounted.

10. Lot Coverage:

- a. Ground-mounted systems shall not count toward floor area ratio calculations.

5-3-16 SMALL WIND ENERGY SYSTEMS:

- A. Purposes: The purposes of this section are to preserve the health, safety, and welfare of the village by promoting the safe, effective, and efficient use of small wind energy systems. For such purposes this section:
 - 1. Establishes zoning regulations relative to the installation and operation of small wind energy systems permitted to be installed within the village.
 - 2. Accommodates sustainable energy production from a renewable energy source.
 - 3. Preserves the character and aesthetics of the village's zoning districts in the interest of maintaining property values, and promoting the public health, safety and welfare of village residents and businesses.
- B. Permitted Accessory Use: Small wind energy systems, as delineated herein, are permitted accessory uses in all zoning districts where structures of any sort are allowed, subject to the requirements set forth in this section.
- C. General Requirements: The requirements set forth in this section shall govern the Small Wind Energy Systems which may be installed within the village. The provisions of this section are intended to establish zoning regulations for Small Wind Energy Systems which may be installed in the village. Large Wind Energy Systems are not permitted within any zoning district of the village.
- D. Permitting and Installation:

1. A building permit is required to be obtained from the village prior to commencement of any construction activity relative to the installation of any Wind Energy System.
2. The owner of a Wind Energy System shall ensure that it is installed and maintained in good condition and in compliance with all applicable provisions of the village code and the laws, statutes, codes, and regulations enforced by any State or Federal agency of competent jurisdiction.
3. Interconnection: Energy produced by a Wind Energy System shall be utilized on-site, subject to legal provisions that allow the sale of excess energy back to the electric grid.
4. Building-Mounted Small Wind Energy System:
 - a. Building-Mounted Small Wind Energy Systems shall be permitted in each zoning district and shall be installed in compliance with the requirements of this section and the other applicable provisions of this village code.
 - b. Maximum Permitted Height: The maximum total permitted height of a Building-Mounted Small Wind Energy System shall not exceed ten feet (10') above the peak roof height of the building upon which said System is installed.
 - c. Location:
 - (i) Building-Mounted Small Wind Energy Systems shall be affixed to the roof deck of a flat roof or to the ridge or slope of a pitched roof and may not be affixed to the parapet or chimney of any structure.
 - (ii) Such systems shall be set back a minimum of five feet (5') from the edge or eave of the roof.
 - (iii) Such system shall not extend into any setback.
5. Ground-Mounted Small Wind Energy System:
 - a. Shall be permitted in each zoning district of the village and shall be installed in compliance with the requirements of this section and the other applicable provisions of this village code.
 - b. Shall be permanently ground mounted. No such system shall be installed on a portable or movable structure, such as a trailer.

- c. Shall be totally screened, for its entire height, from view at ground level from any adjacent lot or street, public or private. Screening shall be provided by any one or more of the following: the dwelling on the lot where such system is located; garages, storage buildings, or other accessory buildings which meet all provisions of this title; or landscaping and plantings which provide year-round screening.
 - d. Shall not be placed in any setback.
 - e. All provisions of the building code, title 4 of this code, as may pertain to Small Wind Energy Systems, shall be met.
6. All Small Wind Energy Systems shall be equipped with manual and/or automatic controls to limit rotation of blades to a speed below the manufacturer's designed limits.
7. Setback:
- a. No Solar Energy System shall be allowed to be placed in any setback of any property.
 - b. Roof-mounted Solar Energy Systems shall not extend beyond the exterior perimeter of the building on which the system is mounted.
8. Lot Coverage:
- a. Ground-mounted systems shall not count toward floor area ratio calculations.

5-3-17 Decommissioning

- A. A decommissioning plan shall be required to be submitted to the village at the time of the building permit application to ensure that all energy systems are properly removed after their useful life.
- B. The decommissioning plan shall include provisions for removal of all structures and foundations, and for restoration of soil and vegetation.