



**Zoning Board of Appeals
AGENDA & NOTICE OF MEETING
MONDAY, JULY 19, 2021 6:30 PM
Village Hall - MacArthur Room
112 Algonquin Road
Barrington Hills, IL 60010**

1. Call to Order & Roll Call

2. Public Comment

Be advised that public comment at the meeting is limited to three (3) minutes per person. If you are not able to attend, send your comment to clerk@vbhil.gov and it will be forwarded to the ZBA members.

3. Minutes

- 3.1 [Vote] Minutes - Special Meeting May 10, 2021
[05-10-21 ZBA Minutes Draft.pdf](#)

PUBLIC HEARING

For those unable to attend and wish to submit comment may do so by emailing clerk@vbhil.gov prior to 2:00 PM on Monday, July 16, 2021.

4. Text Amendment - MKES Investments, LLC - Amending Section 5-6-4(C) Special Uses, B3 District, to add Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding; Day Care/Child Care/After School Care; and Church/House of Worship

- 4.1 Text Amendment - MKES Investments, LLC - Amending Section 5-6-4(C) Special Uses, B3 District, to add Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding; Day Care/Child Care/After School Care; and Church/House of Worship
[07-21 B3 Text Amend for Sp Uses Dog Kennel, Child Care, Church.pdf](#)
[MKES Text Amend DH Pub Notice.pdf](#)

PUBLIC MEETING

5. [Vote] Text Amendment - MKES Investments, LLC - Amending Section 5-6-4(C) Special Uses, B3 District, to add Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding; Day Care/Child Care/After School Care; and Church/House of Worship

See item 4.1. for attachment

6. Zoning Board of Appeals Overview

7. Adjournment

NOTICE AS POSTED

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

**Village Hall, 112 Algonquin Road, Barrington Hills, IL
Special Meeting, Monday, May 10, 2021**

Chairman Wolfgram announced that the meeting was being held remotely.

- 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
Jan Goss
John Gigerich
Gina Koertner
Jim Root

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

- 2. Public Comment:**

On Chairman Wolfgram's call for public comment, Linda Cools commented on the recitation of her testimony at the April meeting relative to the Al Azhar Islamic Foundation public hearing. She asked that the minutes be changed to reflect her full comments.

Chairman Wolfgram thanked David Stieper for his years of service to the ZBA and the Village.

- 3. PUBLIC HEARING – MKES Investments LLC – Application to add Canine Daycare and/or Doggy Daycare to the list of permitted uses in the B3 General Business District and for associated amendment to use outside of enclosed building**

Chairman Wolfgram opened the public hearing into the application of MKES Investments LLC to add to the list of permitted uses in the B3 zoning district the following to section 5-6-3(c)2: **Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding**, and to amend Section 5-6-3(C)1.c to read: **All business, servicing or processing, except for off street parking or loading, shall be conducted within completely enclosed buildings, except for Canine Daycare where some outdoor activities shall be permitted within enclosed fenced in yard with supervision as part of the services provided.**

Witnesses Anna Paul, for the Village, and Arnold Isakhanian, for the Applicant, were placed under oath. Ms. Paul testified as to the notice provided for the hearing. Mr. Isakhanian testified that the Applicant is the owner of property zoned B3 in the Village, and that it seeks to add to the list of permitted uses the following to section 5-6-3(c)2, to add **Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding**, and to amend Section 5-6-3(C)1.c to read: **All business, servicing or processing, except for off street parking or loading, shall be conducted within**

completely enclosed buildings, except for Canine Daycare where some outdoor activities shall be permitted within enclosed fenced in yard with supervision as part of the services provided.

Mr. Isakhanian testified that the canine daycare industry is regulated by the State, which requires properly trained staff, sanitation and safety. It is a licensed industry. The use of canine daycare is far less intrusive than other uses permitted in the B3 District. Allowing the amendment will allow the Applicant to bring a desirable business into the Village, which will be used by residents, and will allow the property the Applicant owns to be used in a way it should be.

ZBA members expressed their concern that allowance of a canine daycare would result in noise issues to nearby properties, and could increase traffic, as drop-off and pick-up of dogs would be a daily event. Questions also centered on the number of dogs such a facility could board overnight, and the impact of a large number of dogs being outside could have on the neighbors due to barking. Relative to traffic, the Applicant stated that when the property was used for child care, the police confirmed that there were no traffic issues related to the operation, as the property has two points of ingress/egress. Relative to noise, the Applicant said the owner/operator would keep noise from the dogs to a minimum, and would have to be responsive to any complaints which the barking of dogs could generate.

The Applicant testified that overnight kenneling is only one part of the permitted use; that the use would also allow for day care and grooming of dogs. Pursuant to state law, the Applicant stated that the owner/operator of the canine day care would not be required to be at the facility during night-time hours, but would have to install a fire alarm system.

Discussion ensued relative to the village code allowance for Animal Rescue Shelters found in section 5-3-4(E). The Applicant responded that the canine day care facility is not an animal rescue shelter, and the provision would not allow the use. This section is also applicable only to allow animal rescue shelters in the R1 District, as a special use.

Written comment in opposition to the text amendment was made by resident Pamela Cools, and tendered to all members of the ZBA.

Dawn Rosch, 308 N. River Road, Fox River Grove, testified that she intends to purchase the property and operate the canine day care from the facility. The current facility has three large rooms allowing the dogs to be separated. Most dogs will not be in overnight care. All dogs will go outside in shifts 2-3 times each day, with only 10-15 dogs outside at any one time.

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

On a roll call vote:

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

The Motion Carried.

4. Approval of Minutes – April 19, 2021

Member Hennelly moved, seconded by Member Gigerich, to approve the minutes of the April 19, 2021 meeting. In response to public comment by resident Linda Cools, the minutes will be revised to include the comments she believed should have been a part of the minutes. Member Hennelly also requested the minutes be revised on page 2, to reflect the requirement of “low temperature color” lighting. Members Hennelly and Gigerich agreed to the modification of their motion to include these changes in the minutes.

On a roll call vote:

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

The Motion Carried.

5. **PUBLIC MEETING – MKES Investments LLC – Application to add Canine Daycare and/or Doggy Daycare to the list of permitted uses in the B3 General Business District and for associated amendment to use outside of enclosed building**

Member Goss moved, seconded by Member Hennelly to accept the facts as set forth by the Applicant and recommend approval of the Application.

In discussion, members voiced concern over the noise which could be created by allowance of a canine day care at the property; the regulation of the facility in that the Village does not have its own regulations in place; the unintended consequences of adding to the list of permitted uses in the B3 zoning district; and whether the amendment is for the good of the Village or merely to benefit the Applicant. Discussion was also had relative to the history of the zoning and use of the Applicant’s property and the number of properties currently zoned B3 in the Village.

On a roll call vote:

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

The Motion Failed, as it requires a vote of four in the affirmative to pass.

6. Adjournment

Member Hennelly moved, seconded by Member Root, to adjourn the meeting at 8:13 p.m.

On a roll call vote:

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

The Motion Carried.

The meeting stands adjourned.

**PETITION FOR TEXT AMENDMENT
TO THE VILLAGE OF BARRINGTON HILLS ZONING CODE
JUNE 2nd 2021**

To: Zoning Enforcement Officer, Village of Barrington Hills, Illinois

On this June 2nd 2021, the undersigned, Arnold Isakhanian, agent of MKES Investments LLC, the owner of the property located at 32W939 Algonquin Road, Village of Barrington Hills, Illinois ("Village"), herein petitions the Village of Barrington Hills, for the following Text Amendment to the Village Code (hereafter, "Zoning Code"), and request that a Zoning Board of Appeals ("ZBA") notice of hearing on these amendment be published as prescribed by code, and hearing on such amendment be held on July 19, 2021 or as soon thereafter as can be accommodated by the ZBA.

Text Amendment is proposed pursuant to Section 5-6-4 of the Zoning Code and is proposed to amend Section 5-6-4(C) (Special Uses) to add the following uses to the list of permitted special uses:

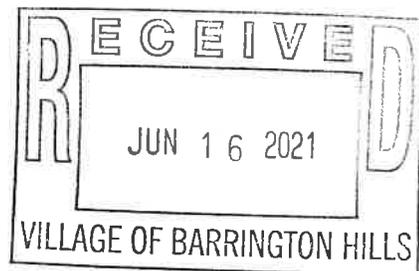
1. Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding
2. Day Care / Child Care / After School Care
3. Church / House of Warship

Such amendment is in keeping with the list of special uses already provided for in Section 5-6-4, and will not negatively impact existing property values. Adoption of such an amendment is in the public interest and is not solely in the interest of the applicant.



Arnold Isakhanian

06-16-21
Date



PUBLIC HEARING

Before the Zoning Board of Appeals,
Village of Barrington Hills

Re: Text Amendment

Notice is hereby given that a Public Hearing will be held on July 19, 2021 at 6:30 PM or as soon thereafter as the matter may be heard at a Meeting of the Zoning Board of Appeals of the Village of Barrington Hills ("Village"), concerning the application for a Text Amendment subject to the provisions of sections 5-6-3 of the Zoning Ordinance and is proposed to amend Section 5-6-4 (C) (Special Uses, B3 District) to add: Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding, and Day Care/Child Care/After School Care, and Church/House of Worship filed by MKES Investments LLC.

All those interested will be given an opportunity to be heard. Written comments on the application will be made part of the record of the proceeding, and any questions posed in such comment will be asked. All written comments should be mailed/emailed to the Village Clerk to be received by 3:00 PM, July 19, 2021.

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

By: Village Clerk
Village of Barrington Hills
112 Algonquin Road
Barrington Hills, IL 60010
clerk@vbhil.gov

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