



**Zoning Board of Appeals - Special Meeting
AGENDA & NOTICE OF MEETING
MONDAY, MAY 10, 2021 6:30 PM
REMOTE PARTICIPATION ONLY**

Join via the link <https://us02web.zoom.us/j/88054553051>

OR

DIAL +1 312 626 6799 and Enter Webinar ID: 880 5455 3051

OR

ONE-TAP MOBILE: +13126266799,,88054553051# or
+19292056099,,88054553051#

In response to a Disaster Declaration made by the Governor related to public health concerns, an in-person meeting conducted under the purview of the Open Meetings Act is not practical or prudent. Therefore, remote participation is permitted. /s/ Dan Wolfgram, Chairman

INFORMATION FOR THOSE WISHING TO SPEAK

This meeting will only be conducted virtually. For facilitating those wishing to speak during the Public Comment and/or Public Hearing sessions, please submit by email your name, address (if providing testimony) and phone number (from which you will be calling) to clerk@barringtonhills-il.gov by 4:00 PM, May 10, 2021. Your name will be called during the agenda section, i.e. Public Comment and/or Public Hearing, for which you signed up to prompt your opportunity to make a comment and/or to ask questions. It is highly recommended to participate using a PC. If you will be using your mobile phone, please dial *6 to unmute your phone before speaking.

If you do not provide the clerk previous notice of your desire to comment, an opportunity to comment will be given during the meeting after those that noticed the Village by digitally raising your hand on your computer screen or, if using your mobile phone, by dialing *9.

- 1. CALL TO ORDER & ROLL CALL**
- 2. PUBLIC COMMENTS**

PUBLIC HEARING

For facilitating those wishing to provide testimony during Public Hearing, please submit by email your name, address and phone number from which you will be calling to clerk@barringtonhills-il.gov by 4:00 PM, May 10, 2021. Your name will be called during the Public Hearing to prompt your opportunity to make a comment and/or to ask questions. It is highly recommended to participate using a PC. If you will be using your mobile phone, please dial #6 to unmute your phone before speaking.

*If you do not provide the clerk previous notice of your desire to comment, an opportunity to comment will be given during the meeting after those that noticed the Village by digitally raising your hand on your computer screen or, if using your mobile phone, by dialing *9.*

3. **Text Amendment to Sections 5-6-3 (C)2 adding as a Permitted use in a B3 District: "Doggy Daycare with Grooming, Training and Boarding," AND to amend Sub-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 with enclosed fenced in yard with supervision as part of services provided."**

- 3.1 Documents
[MKES Text Amend Appl for Kennel.pdf](#)
[Doggie Daycare DH Cert of Pub.pdf](#)

PUBLIC MEETING

4. [VOTE] MINUTES

- 4.1 [Vote] Minutes - April 19, 2021
[04-19-2021 ZBA Minutes Draft.pdf](#)

5. **[Vote] Text Amendment to Sections 5-6-3 (C)2 adding as a Permitted Use in a B3 District: "Doggy Daycare with Grooming, Training and Boarding," AND to amend Sub-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 with enclosed fenced in yard with supervision as part of services provided."**

See 3.1 for supporting documents

ADJOURNMENT

NOTICE AS POSTED

**PETITION FOR TEXT AMENDMENT
TO THE VILLAGE OF BARRINGTON HILLS ZONING CODE**

APRIL 16, 2021

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

On this April 16, 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 May 17th, 2021 or as soon thereafter as can be accommodated by the ZBA.

Text Amendment is proposed pursuant to Section 5-6-3 of the Zoning Code and is proposed to amend Section 5-6-3(C)2 (Permitted Uses, B3 District) to add: Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding as permitted use. As well as to amend Sub-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 services provided.

Signed:  **Date:** 04-16-21

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 May 10, 2021 at 6:30 p.m. or as soon thereafter as the matter may be heard at a Special 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 5-6-3 (C)2 (Permitted Uses, B3 District) to add: Canine Daycare and/or Doggy Daycare with Grooming, Training and Boarding, as well as to amend Sub-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 with enclosed fenced in yard with supervision as part of services provided" filed by MKE5 Investments LLC.

In response to the COVID 19 pandemic, the meeting will be held virtually. The agenda will provide the link for participation and will be posted not later than the end of the day May 7, 2021 at vbhil.gov.

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/mailed to the Village Clerk to be received by 4:00 p.m. May 10, 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
Published in Daily Herald April 24, 2021 (4562560)

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, Bannockburn, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Crystal Lake, Deerfield, Deer Park, Des Plaines, Elburn, East Dundee, Elgin, South Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Franklin Park, Geneva, Gilberts, Glenview, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, Hanover Park, Hawthorn Woods, Highland Park, Highwood, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Bluff, Lake Forest, Lake in the Hills, Lake Villa, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Melrose Park, Montgomery, Morton Grove, Mt. Prospect, Mundelein, Niles, Northbrook, Northfield, Northlake, Palatine, Park Ridge, Prospect Heights, River Grove, Riverwoods, Rolling Meadows, Rosemont, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake Park, Schaumburg, Schiller Park, Sleepy Hollow, St. Charles, Streamwood, Sugar Grove, Third Lake, Tower Lakes, Vernon Hills, Volo, Wadsworth, Wauconda, Waukegan, West Dundee, Wheeling, Wildwood, Wilmette

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 715, Act 5, Section 1 and 5. That a notice of which the annexed printed slip is a true copy, was published 04/24/2021 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 Daule Baltz
Authorized Agent

Control # 4562560

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

**Village Hall, 112 Algonquin Road, Barrington Hills, IL
Monday, April 19, 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

Absent: Jim Root

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

- 2. Public Comment:**

On Chairman Wolfgram’s call for public comment, Jerome Levy requested that the ZBA keep the public aware of the Pastor Wallace situation, as there has been a lack of communications in regard to his use of property. Chairman Wolfgram responded that there is no issue pending before the ZBA regarding Mr. Wallace’s use of property.

- 3. Approval of Minutes – March 15, 2021**

Member Hennelly moved, seconded by Member Cernik, to approve the minutes of the March 15, 2021 meeting. Chairman Wolfgram noted a scrivener’s error on page 8 which will be corrected.

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. PUBLIC HEARING – Amendment to Existing Special Use Permit – Al Azhar Islamic Foundation

Chairman Wolfgram opened the public hearing into the application of the Al Azhar Islamic Foundation to amend its existing special use permit to allow an increase in parking to 45 spots. This is a reduction in a prior application made by the Applicant which was withdrawn.

Witnesses for the Village and the Applicant were placed under oath. Ms. Paul testified as to the notice provided for the hearing.

Applicant Attorney Thomas Gardiner testified that the Applicant had sought zoning relief to expand its parking lot and that the ZBA had approved the Application, but that Village Board had concerns which prompted the Applicant to revise its plans and withdraw its prior Application. It is now applying to expand its existing parking lot to 45 spaces and has removed the spaces bordering on neighboring properties. It has also committed to planting 100 additional trees to provide a buffer, and that with the downsizing of the parking it no longer has any issue to address with storm water movement. Relative to concerns about lighting, the Applicant is committed to motion-activated lights. Mr. Gardiner referenced the response to the finding of facts required for issuance of the amended special use permit, contained in the Application. If approved, the Applicant acknowledges it will be subject to all permitting requirements of the Village, and that it has taken steps to address all engineering concerns.

Amr Abdelmonem, the President of the Board, was placed under oath and testified that the increase in parking is from 19 to 45 spots, and that the Applicant has an occupancy limit of 130; thus the parking is compatible with this limit. With the reduction in parking, the Applicant will require pre-registration for events to limit the number of people attending, and that certain events will now not be held at the Foundation property. In response to questions relative to stacking of cars awaiting ingress, Mr. Abdelmonem responded that it is not an issue now.

Resident Carolyn Wells, 189 Old Dundee Road, was placed under oath and testified in opposition to the Application, on behalf of herself and neighbors Mike and Carolyn Collins, and Roberto Rizzo. She requested that the ZBA consider requiring a 100-foot set back of the parking from the property line, rather than the current setback.

Brett Burval, 128 Old Dundee Road, was placed under oath and testified questioning whether the Applicant would consider installing low temperature lighting to reduce the brightness of the lights in consideration of the neighboring properties.

Anthony Priola, 150 Hawthorne Road, was placed under oath and testified in support of the Application. He testified that the Foundation has been a great neighbor and that the plan which has been put together is an attempt to be a good neighbor to all in the community. He asked the ZBA to approve the Application.

Lynn Levy, 227 Westfield Way, was placed under oath and testified that she is happy to see the number of parking spaces requested to 45. Her primary concern is the safety of ingress/egress and the plan to plant arborvitae on the property, as this species is very

popular with the deer population. Relative to ingress, Ms. Levy questioned whether it is legal to allow traffic to cross the existing double yellow road lane markings to access the property.

Linda Cools, 32 Little Bend Road, was placed under oath and testified that the property is located in the R1 residential district and that it is admirable that the Applicant reduced the size of the parking they are requesting.

Roberto Rizzo, 129 Old Dundee, was placed under oath and testified in support of the proposed 100-foot setback, to allow greater green space to exist between the proposed parking and the neighbors.

Mr. Abdelmonem testified that the Foundation would consider using low temperature lighting and increase the setback if it could, as they want to be a good neighbor.

In response, Member Goss stated it was not necessary to do so. He felt that the idea of a 100-foot setback is nice, but not necessary in this instance. He stated sometimes it is a matter of people just not wanting a particular use in the residential community. Member Gigerich stated he believed the 50-foot setback was reasonable. Member Hennelly stated the ZBA had already approved the 50-foot setback when the Applicant was before the ZBA on its prior application.

At the close of the hearing, Member Gigerich moved, seconded by Member Cernik 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.

PUBLIC MEETING – Al Azhar Islamic Foundation

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, the ZBA discussed the request for additional set back and lighting, and also the concern over ingress and egress. Counsel reported that it is legal to cross the double yellow line as it was indicated currently occurs.

Discussion over possible conditions, resulted in the following being recommended:

1. To require the setback of the pavement of the parking lot to be at least 50 feet from the property line of adjacent properties; and
2. To require low temperature lighting installation.

Members Goss and Hennelly agreed to amend the motion to include these conditions.

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.

PUBLIC HEARING – Special Use (recreational facility) Dundee Township Park District – South and Parallel to the Longmeadow Parkway near Algonquin.

Chairman Wolfgram opened the public hearing relative to the Application of Dundee Township Park District for a recreational facility at property it owns located generally South and parallel to the Longmeadow Parkway near Algonquin Road.

All witnesses were placed under oath.

Ms. Paul testified to the notice provided of the hearing on the Application.

Dave Peterson, Executive Director of the Park District, testified in support of the Application. He provided an overview of the District, and stated that the District’s Strategic Plan, predicated on a community wide survey, is to enhance the quality of life through proper programming. Relative to the Application, Mr. Peterson testified that the Park District was successful in securing an OSLAD grant for development of the planned park which is to cost \$727,600. Presenting the 13.36-acre parcel is open space, with an underused baseball field on the west side. Park Designer Joe Brusseau testified relative to the plan for the property, which will include a 21-space parking lot, which had been determined adequate for the use of the property. The new plan for the property calls for construction of a walking trail, mountain bike trail, bike repair station, playground, picnic shelter, disc golf, Baggo courts, a ½ basketball court, and a soccer free play area. Directly north of the parcel and running its entire length is a Kane County constructed bike path to serve the community and the region. An inclusive trail system through the park will connect the Long Meadow Parkway to the residential area on the other side of the park.

Members questioned the Applicant on whether fencing is necessary to separate the park from adjacent residential properties, whether ingress/egress to the park is appropriate, whether there is any plan for overflow parking, the lighting on site, security of the park after dark and signage planned on the park.

In response, the Applicant testified that ingress/egress has not been deemed an issue by the Kane County Department of Transportation which has reviewed the plan, and no light is being required. The District does not believe overflow parking will be needed. There is no lighting planned at the park, which will close at dusk. Mark Simon, Superintendent of Parks, testified to general park maintenance and the regular site visits conducted. Relative to security concerns the park property is in the Village, which means that Village Police will be required to provide police protection. Ms. Paul stated that the Police Chief raised no comments on the proposal.

Concerning signage, the District representatives testified that it planned a two-side sign, similar to that in use at 21 Washington St, Carpentersville, which was an exhibit during the hearing.

Relative to concerns over storm water, Jim Glascott testified that the Property is subject to the Lake County Storm Water Ordinance, and there has been no concern raised.

Concerning the location of the parking lot, ZBA counsel Dickson stated that the Village Code provides that the ZBA delineate the required setback in this instance, and that it should do so to ensure that the parking lot is not within the setback.

Residents Don and Terry Hein, 1 Autumn Trail, were placed under oath and Terry Hein testified that they were pleased when the District demolished a structure at 2 Autumn Trail due to its state of disrepair. She was not happy with the plan to develop the park, and the use the park may engender.

Pat McGrath, 814 Navajo, Carpentersville, testified as to a concern over parking, as the 21 parking spaces planned appeared small, and he was concerned about overflow onto Navajo. Director Peterson testified that the District has intentionally planned only for open soccer and a ½ court basketball court which will not allow programmed play, but merely pick up play, which will limit demand for parking.

At the close of testimony, member Goss, seconded by member Gigerich, moved 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.

PUBLIC MEETING - Special Use (recreational facility) Dundee Township Park District – South and Parallel to the Longmeadow Parkway near Algonquin.

Member Hennelly moved, seconded by Member Goss, to adopt the findings of facts as submitted by the Applicant and to recommend approval of the special use permit.

In discussion, Member Goss stated he was worried about the impact the planned improvements to the park would have on the comfort and welfare of the nearby residents, in that the number of people using the park could be a problem. Member Gigerich agreed with Member Goss, noting that it was possible most individuals using the park would not be Village residents, in that the park is on the border of the Village. Member Cernik stated his concern that the use of the park would draw people and be a drain on Village resources. Member Koertner stated she believed residents of the Village would use the park as planned to be developed.

A question was directed to Ms. Paul relative to current zoning of the property. She and Ms. Dickson stated it is R1 residential as Ms. Paul could not locate any prior zoning approvals for the property.

Consideration was given to whether the matter should be continued, however Ms. Paul stated that concerns over security can be answered by Chief Colditz prior to the Village Board meeting.

Members discussed adding the following conditions to their recommended approval:

1. that the setback be noted to be 15 feet for the parking lot; and
2. that the sign be in accordance with the Village’s sign requirements.

Members Hennelly and Goss agreed to this amendment to their Motion.

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.

8. Adjournment

Member Goss moved, seconded by Member Hennelly, to adjourn the meeting at 9:56 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.

DRAFT