

RESOLUTION

Protest and Objection

to the

Reclassification of the Barrington Farms property as

proposed in the

Petition of Housing Resources Company, LC, Gateway Company, LC and Edward R. James Partners, LLC for and Amendment to the Zoning Ordinance of McHenry County, Illinois for a Reclassification to Planned Development- Residential District (PD-R), Petition Number 06-8.

WHEREAS, the Village of Barrington Hills is a Home Rule municipality in accordance with Article VII, Section 6 of the 1970 Illinois Constitution; and

WHEREAS, the Village of Barrington Hills has formed a Plan Commission in accordance with the applicable provisions of the Illinois Municipal Code and the Village Code; and

WHEREAS, the Village of Barrington Hills has adopted a Comprehensive Plan in accordance with the provisions of the Illinois Municipal Code, and

WHEREAS, the Village of Barrington Hills has enacted a Zoning Ordinance which purpose is to promote and protect the public health, safety, morals, convenience and the general welfare of the people, zone all properties in such a manner as to reflect their best use and to conserve and enhance their value and to prevent congestion by limiting the development of land to a degree consistent with the capacity of the Village to furnish adequate public services, and

WHEREAS, the Fritz Duda Company, managing partner of Housing Resources Company, LC, and Gateway Company, LC, hereinafter Petitioner, has filed a petition for reclassification of 368.35 acres of property with the McHenry County Zoning Board of Appeals (Petition Number 06-8) , said property, hereinafter known as Barrington Farms, was disconnected from the Village of Barrington Hills and is located on the Village's northern boundary, and

WHEREAS, Petitioner seeks the reclassification of Barrington Farms property from A-1 to PD-R, and

WHEREAS, the petition for reclassifications of the property PD-R allows for the development of 371 residential lots on the property and the use of a land application waste water disposal system, and

WHEREAS, proposed reclassification of this property would result in a density of less than one acre per lot, this inconsistent with the of Village of Barrington Hills Comprehensive Plan and Zoning Ordinance, and

WHEREAS, the property subject to the Petition for Reclassification, Barrington Farms, is within the Villages statutory 1 ½ mile planning jurisdiction, and

WHEREAS, pursuant to the Illinois County Code, Section 5/5-12014 (55 ILCS 5/512014), where the land affected lies within 1 1/2 miles of the limits of a zoned municipality, or in the case of a proposed text amendment to the Zoning Ordinance, by resolution of the corporate authorities of the zoned municipality with limits nearest adjacent, filed with the county clerk, such amendment shall not be passed except by the favorable vote of 3/4 of all the members of the county board, and

WHEREAS, the proposed reclassification is inconsistent with the Village Comprehensive Plan and according to the testimony of the Village experts, does not promote and protect the public health, safety, convenience and the general welfare of the people of the Village, and the Village Board believes it is in the best interest of the Village to object to the reclassification of the property subject to the Petition for Reclassification.

NOW, THEREFORE, BE IT RESOLVED by the President and Board of Trustees of the Village of Barrington Hills, located in the counties of Cook, Kane, Lake and McHenry in the State of Illinois as a home rule municipality as follows:

Section 1: The foregoing recitals are hereby incorporated into this Resolution as findings of the President and Board of Trustees.

Section 2: The Village of Barrington Hills objects to the reclassification of the Barrington Farms property by the County of McHenry as proposed in the Petition of Housing Resources Company LC, Gateway Company LC and Edward R. James Partners LLC for and Amendment to the Zoning Ordinance of McHenry County, Illinois For a Reclassification to Planned Development- Residential District (PD-R) as being inconsistent with the land use plans and zoning in the Village of Barrington Hills.

Section 3: The Village of Barrington Hills requests that the McHenry County Board deny the Petitioner's petition for reclassification of the Barrington Farms property by the County of McHenry as proposed in the Petition of Housing Resources Company LC, Gateway Company LC and Edward R. James Partners LLC for and Amendment to the Zoning Ordinance of McHenry County, Illinois For a Reclassification to Planned Development- Residential District (PD-R).

Section 4: This Resolution shall be in full force an effect from and after its approval and publication according to law.

PASSED and APPROVED this 24th day of July, 2006.

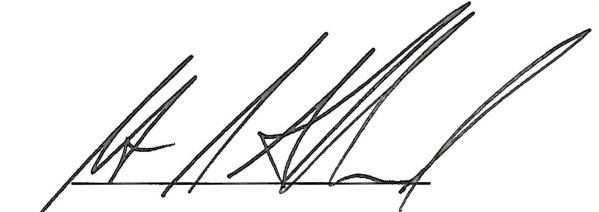
AYES: 6, NAYS: 0, ABSENT: 1.

APPROVED THIS 24th day of July, 2006.

ATTEST:

Elaine M. Kamesch

Village Clerk



Village President

Robert G. Abbard

