

Public comments received as of 5:00 pm Monday July 21, 2014

JAMES T. O'DONNELL
1 RIDGECROFT LANE
BARRINGTON HILLS, IL 60010

July 15, 2014

Ms. Judith Freeman, Chairperson
Patrick Bond, Esq., Counsel to the Zoning Board of Appeals
Village of Barrington Hills
112 Algonquin Road
Barrington Hills, Illinois 60010

Re: Consideration of Proposed Text Amendment to the Village Code Offered by Barrington Hills Riding Club

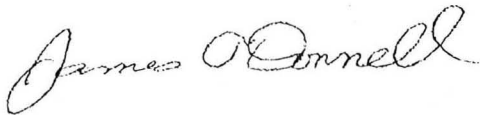
Dear Ms. Freeman and Mr. Bond,

The Riding Club of Barrington Hills (the "Riding Club") has proposed a text amendment ("Riding Club Text Amendment") to the Village Zoning Ordinance which the Barrington Hills Zoning Board of Appeals ("ZBA") is considering in its upcoming meeting on Monday, July 21, 2014. As you are aware, under the Village Code, the ZBA is the body charged with conducting hearings on proposed text amendments and making recommendations to the Village Board of Trustees.

Based on information that is available, it would appear that a number of the members of the ZBA are also members of the Riding Club (these would include yourself as Chairperson, Kurt Anderson, Karen Rosene and Clark Benkendorf). I also understand that the Riding Club has retained counsel to assist in the preparation of the Riding Club Text Amendment, and that there may have been contacts between one or more members of the ZBA (in their capacity as members of the Riding Club) and counsel for the Riding Club regarding the very text amendment that is before the ZBA. In any event, to the extent a ZBA member will benefit from the proposed Riding Club Text Amendment, a conflict of interest will result. It would be inappropriate, a violation of due process, and a severe conflict of interest for members of the ZBA who are also members of the Riding Club to participate in hearings on the Riding Club Text Amendment.

Therefore, I ask that the first order of any business convened at the hearing is to have the ZBA counsel (Mr. Bond) investigate these conflicts and provide his advice as to whether the ZBA members who are also Riding Club members have a conflict that would preclude their deliberation on this matter. To the extent a conflict exists, I would then request that such members recuse himself or herself from consideration of the Text Amendment or any other amendment that will directly benefit the interests of the Riding Club. A failure to recuse will taint the legislative process and subject any such ordinance ultimately adopted to legal challenge.

Very Truly Yours,



James O'Donnell



Dolores Trandel <clerk@barringtonhills-il.gov>

Opposition to the 2 proposed zoning amendments related to Horse Boarding

Craig Van der Voort <Craig_Van_der_Voort@ajg.com>

Fri, Jul 18, 2014 at 1:06 PM

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

As residents of Barrington Hills, my wife Jean, and I want to register our **opposition** to the two proposed zoning text amendments pertaining to the boarding of horses within our village. Please advise the zoning board of our opposition to approving either amendment. Thank you.

Craig & Jean Van der Voort

9 Oak Lake Drive

Barrington Hills, Il 60010



Dolores Trandel <clerk@barringtonhills-il.gov>

Comment on the proposed horse boarding regulations

Barrie Heath <bheath@caledonianinc.com>

Fri, Jul 18, 2014 at 12:25 PM

To: clerk@barringtonhills-il.gov

Dear Barrington Hills Clerk,

As a 32 year resident of Barrington Hills I strongly object to the two horse boarding expansion proposals that are being put before the zoning committee.

Something this important needs to be approved by the entire community via referendum. Every homeowner needs to have a say in a proposed change of this magnitude to our community.

I find the politics of board and committee members with financial and other ties to the horse industry to be unethical and inappropriate. Any elected official with an overt connection to the issues at hand must recuse themselves from voting.

Why does this have to be confrontational? If the majority of the homeowners want a change, then so be it. Why should a few elected individuals with conflicts of interest be allowed to make that decision for us?

Please let common sense and freedom of choice be the path we take.

Sincerely yours,

Barrie T. Heath

6 Fernwood Drive

Barrington Hills, IL 60010



Dolores Trandel <clerk@barringtonhills-il.gov>

Village Website -

David Stieper <dstieper@barringtonhills-il.gov>

Fri, May 30, 2014 at 11:20 AM

To: Clerk <clerk@barringtonhills-il.gov>

Cc: Robert Kosin <rkosin@barringtonhills-il.gov>, Judith Freeman <jfreeman@barringtonhills-il.gov>, mmclaughlin@barringtonhills-il.gov

Delores:

Please distribute this communication to all ZBA Board members.

Today, May 30, 2014, the Village website reads:

“The Zoning Board of Appeals is soliciting input from residents with respect to the continued appropriateness and clarity of the village zoning code as it pertains to the boarding of horses. Please work with neighbors to prepare suggestions that reflect collective viewpoints, while reserving the ability of any resident to propose individual suggestions. Please submit any suggestions and supporting material to the village clerk at clerk@vbi.com or before June 11, in order for those materials to be distributed to Board members in advance of the next regularly scheduled ZBA meeting on June 16, 2014.”

This morning I called the Village administrator, Robt. Kosin who represented this web communication was put up at the direction of ZBA Chairman, Judy Freeman through government gmail communication to the Village Clerk. My understanding is that Chairman Freeman’s communication was given only to the Village Clerk and Village Administrator for action; but not to other ZBA Board members. It certainly was not communicated to me.

I call the Village’s attention to this website communication wherein it states, *“The Zoning Board of Appeals is soliciting input from residents with respect to continued appropriateness and clarity of the village zoning code as it pertains to the boarding of horses”*. This statement presupposes that the ZBA voted to take such action. Not only did the ZBA not vote to take any action in this regard but any motion on this subject matter could not be called due to the questionable manner in which ZBA meeting was noticed. This was the legal opinion of Village attorney, Douglas Wambach.

First, in my opinion, *ex-parte* communications between the ZBA Chairman and Village Clerk while not illegal are inappropriate; all members of the ZBA Board should be copied through the Village Clerk on all communications by all Board members no matter the significance. This keeps everyone on the ZBA informed on what is happening at all times and minimizes any future claim of exclusion or worse, covert collaboration by a few. It is my understanding that other than running a meeting, a ZBA Chairman in our Village has no other special powers or authority; but I await clarity on this issue. *Second*, it is my concern that by the Chairman’s inexplicable haste to get some form of action by the ZBA on the commercial horse boarding issue, she is unintentionally undermining the process which will ultimately translate into lack of public confidence by residence in anything the ZBA accomplishes on this issue. Now is the time to be deliberative and thoughtful taking the

time to review the entire historicle record on this issue which is voluminous and not reactionary to an Appellate Court decision affecting a single property owner.

I trust after further review, the Village will weigh on the side of caution and remove this communication from the Village Website and return all public comments to their rightful owners until and if such time the ZBA actually approves to take such measures. Otherwise, it is my deep concern this unilateral and unexpected action taken by the ZBA Chairman will be viewed by anyone reviewing the record as *ultra vires* thus jeopardizing the entire process of the ZBA on this commecial boarding issue.

David Stieper, ZBA member

To ensure compliance with the Open Meetings Act, elected or appointed members of the public body may reply to this message, but they should not forward it or send a copy of the reply to other members of the public body.



Dolores Trandel <clerk@barringtonhills-il.gov>

ZBA Meeting - Horse Boarding

David Stieper <dstieper@barringtonhills-il.gov>

Sat, May 24, 2014 at 4:49 PM

To: Clerk <clerk@barringtonhills-il.gov>, Judith Freeman <jfreeman@kpmg.com>, mmclaughlin@barringtonhills-il.gov

Delores:

next time horse boarding is on agenda for the ZBA I would request that enforcement officer Don Schuman be present for informational purposes. I understand that he has rendered interpretation of the Home Occupation Ordinance both verbally and in writing.

I think both Don Schuman and Robt. Kosin can assist the ZBA with HOO interpretation and assist with the process offered by the Chairman. Please distribute to all members of the ZBA.

Thank you, David Stieper

To ensure compliance with the Open Meetings Act, elected or appointed members of the public body may reply to this message, but they should not forward it or send a copy of the reply to other members of the public body.



Dolores Trandel <clerk@barringtonhills-il.gov>

Breaking News on LeCompte/Drury Ruling -- Closure of Oakwood Farms

David A. Hollein, Sr. <oakwoodent@yahoo.com>

Tue, Jun 3, 2014 at 11:22 AM

Reply-To: "David A. Hollein, Sr." <oakwoodent@yahoo.com>

To: "lbenkendorf@comcast.net" <lbenkendorf@comcast.net>

Cc: mike murphy <mmurphy@vbhpd.net>, sabas parada <sparada@vbhpd.net>, dolores trandel <clerk@barringtonhills-il.gov>

Good Morning !

Doctor LeCompte's Letter is very significant.

Please identify our Riding Club of Barrington Hills plans.

Please identify future Riding Club Meetings.

Neighbors adjoining the Polo Fields have protested the Polo Events, so will the Polo Events be cancelled ?

Is the owner of Arlington Race Track in violation for boarding many horses owned by others on his estate ?

Is our next door neighbor in violation for boarding a couple horses ?

Best Wishes,

David Hollein
Riding Club Member since 1994
Neighborhood Watch Captain since 1994
101 Old Dundee Road

847-382-6538

On Tuesday, May 27, 2014 8:42 AM, Riding Club of Barrington Hills <info@ridingclubofbarringtonhills.com> wrote:



Dear David,

The following link opens a letter from Berry LeCompte, owner of Oakwood Farm, addressed to Oakwood Farm Family Members. The letter explains how a recent state appellate court ruling has forced the LeCompte's to close Oakwood and relates Dr. LeCompte's perspective on the history leading up to this event. The closure will obviously impact Riding Club members who have horses at Oakwood. As we have shared with our membership, the Club is even more concerned about the potential adverse impact of this ruling on other barns in the village.

Please read carefully and if possible attend the Village Board meeting on Wednesday, May 28, 6:30-9:30pm, in the MacArthur Room at Village Hall where there will be an agenda-approved discussion on Horse Boarding in Barrington Hills.

Closure of Oakwood Farm

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Forward this email

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Try it FREE today.

This email was sent to oakwoodent@yahoo.com by info@ridingclubofbarringtonhills.com |
Update Profile/Email Address | Instant removal with SafeUnsubscribe™ | Privacy Policy.

Riding Club of Barrington Hills | P.O. Box 418 | Barrington | IL | 60011

Benjamin B. LeCompte, III
350 Bateman Road
Barrington Hills, Illinois 60010

May 25, 2014

Dear Oakwood Farm Family Members,

I severely regret having to write this letter, and do so with a heavy heart and much consternation. As most of you know, Oakwood Farm and its equestrian operation is the fulfillment of Cathy's childhood dream, and Ashley has been looking forward to working with Meredith upon completing her master's degree in equine physiology at Michigan State.

For these reasons, despite my personal displeasure and frustration with the ongoing legal entanglements over the past seven years, I have endeavored to do everything possible to keep the barn open, while attempting to resolve the Village's January 2008 cease and desist letter. As a result of the Village's numerous contradictory interpretations of its zoning code, inconsistent actions relative to horse boarding, and incoherent definition of agricultural uses, the Illinois Appellate Court, in its June 2011 decision, adopted the Village's Zoning Board of Appeals' position that any horse boarding, irrespective of size, is prohibited by the Village code.

Accordingly, I have no choice but to comply with the Village's demand that I cease and desist boarding horses, by closing Oakwood Farm's boarding and training effective immediately, and kindly request that all boarded horses vacate the premises no later than Sunday, June 30, 2014. Any of your unused June board will be refunded on a prorated basis. I realize that this will place an unnecessary burden and inconvenience on all of you, and I sincerely apologize, as this is the last thing that either Cathy or I ever wanted to do.

I believe that I owe you at least a brief explanation for these events. When the June 30, 2011 Appellate opinion was issued in the agricultural usage case, we vehemently disagreed with the court's interpretation of the Village's code when it opined, **"We find that the commercial boarding of horses does not comport with the overall intent of the Zoning code"**. Recognizing the adverse consequences this language would have on Oakwood Farm and all other boarding barns in the Village, we filed a motion with the appellate court requesting that such language be stricken from the opinion, since the issue in the case was only over whether horse boarding was a permitted agricultural use.

The Village opposed our motion and the court sided with the Village, since the Village's own ZBA had argued to the appellate court in its brief: **"Because each piece of property within the Village is zoned for certain permitted uses, and horse boarding is not one of those permitted uses in an R-1 zoning district under the Village Code, Plaintiffs' use of the Property for a commercial horse boarding operation is unlawful."** Not only did the Village oppose our motion to strike this damaging language, it made the situation considerably worse for all other boarding operations by asking that the opinion be published, thus making it binding law of the land that all horse boarding in Barrington Hills is illegal.

In 2011 two neighbors, who for some reason had taken a disliking to us, exploited the situation and, despite having pursued their own equestrian interests on our property for years, used the Village's actions and Appellate Court decision to file suit against Cathy and me to shut down Oakwood Farm's horse boarding. However, at the time of the ZBA hearing, where my two neighbors complained of excessive traffic, noise, and congestion, the Village never made any effort to substantiate any of these allegations and did not even attempt a traffic study until four years later, which showed absolutely no evidence to validate any of the complaints.

The trial court in Cook County repeatedly agreed with us that the appellate court reached too far in its 2011 decision by outlawing all horse boarding in the Village, and three times dismissed the present case brought against us by our two neighbors. Because of the trial courts' rulings our barn, as well as others operating under the home occupation provision, have remained open, but under tenuous legal standing. Unfortunately, our neighbors appealed, and a recent appellate court decision overruled the lower court by reversing the dismissal and remanding the case back to the circuit court for further proceedings, holding that the June 2011 published opinion controls and horse boarding is prohibited by the Barrington Hills zoning code.

I believe, as do others, that the appellate court clearly misinterpreted the Village code relative to horse boarding. This error adversely affects me, those who board and train horses, those who make use of boarding and training facilities, as well as those who simply enjoy open land in our community. Over the past two months I have had numerous discussions with President McLaughlin, including a meeting with him and his attorney at the Village Hall, explaining the ramifications of this ruling on Oakwood Farm and every boarding barn in the Village. I have stressed the need for the Village to clarify its existing zoning code to legalize the horse boarding that has always taken place in our community.

All of this could very easily be solved with a one-paragraph amendment clarifying the zoning code, as it relates to horse boarding. Unfortunately, with the contentious political climate within the Village, President McLaughlin has shown no interest and, furthermore, has reportedly refused to allow the Board of Trustees to consider the issue. Simultaneously, Dave Stieper, a two-time candidate for trustee, was recently appointed to the ZBA by President McLaughlin and has actively spoken out against any discussion of horse boarding at the ZBA. I can only interpret this to mean that the present administration is in agreement with the 2011 appellate court's holding that horse boarding is prohibited in the Village, and has no desire to change that.

Please rest assured, I am in no way capitulating on this issue. I feel strongly that the appellate court erred in its decision and I shall continue to vigorously fight for my property rights by petitioning the Illinois Supreme Court to hear the recent appellate decision, and aggressively defending my actions should the case eventually end up back at the trial court. Additionally, the Village publicly acknowledged in 2010 that if Oakwood Farm was in violation of the code then so were multiple other barns, yet it only took action against Oakwood Farm. While I don't want to do anything to adversely affect the other barns or the equestrian community, I have no choice at this point but to file a federal equal protection suit against the Village for its actions against me.

Finally, in light of my decision to close the barn, I have been asked what, if any, effect this might have on the use of Oakwood Farm for other previously scheduled equestrian events, like the Kalaway Cup. Unfortunately, I cannot now answer this question, as in the wake of all the publicity I have been approached by several developers. If we are unable to pursue our hobby, the highest and best use of our 126 acres is to subdivide and sell them for development.

Again, I tremendously regret the need for this decision, but under the circumstances feel that I have no other choice. In conclusion, Cathy and I would like to thank each and every one of you for your patronage and support of Oakwood Farm over the years and wish you the very best in your future equestrian endeavors.

Sincerely,

Berry LeCompte



Dolores Trandel <clerk@barringtonhills-il.gov>

Village Website -

David Stieper <dstieper@barringtonhills-il.gov>

Wed, Jun 4, 2014 at 7:52 PM

To: Clerk <clerk@barringtonhills-il.gov>, Robert Kosin <rkosin@barringtonhills-il.gov>, mmclaughlin@barringtonhills-il.gov, Judith Freeman <jfreeman@barringtonhills-il.gov>

Mr. Kosin:

On May 30th, I sent an objection to the posting on the Village Website stating the ZBA had taken action relating to horse boarding when in fact the contrary is true. Specifically the statement that the ZBA was accepting comments from the public. As you are aware, due to defect in notice, the ZBA was legally barred from taking any action at the preceding meeting in which "horseboarding" appeared as a discussion item. If I am correct, I would request that all comments be returned to their rightful owner with explanation.

you were going to get back to me on this issue and if in agreement take immediate steps to remove this statement.

It has now been 5 days and I have not had the courtesy of a response. I, again, request the courtesy of a response to my e-mail dated May 30th in this regard.

David Stieper, ZBA member

On Fri, May 30, 2014 at 11:20 AM, David Stieper <dstieper@barringtonhills-il.gov> wrote:

[Quoted text hidden]

[Quoted text hidden]



Dolores Trandel <clerk@barringtonhills-il.gov>

VBH Web Page Usage

Robert Kosin <rkosin@barringtonhills-il.gov>

Thu, Jun 5, 2014 at 11:05 AM

To: "David M. Stieper" <dstieper@barringtonhills-il.gov>

Cc: "Anna L. Paul" <apaul@barringtonhills-il.gov>, Dolores Trandel <clerk@barringtonhills-il.gov>, "Martin J. McLaughlin" <mmclaughlin@barringtonhills-il.gov>

I write in response to your question regarding the posting to the Village web page specifically those pages as identified with a dotGOV extension. The page has been displayed since 1997 with availability for reference by or use of the appointed and elected officials of the Village. The practice as it exists with the paper process is information dispersed through the Chairs with ultimate editorial authority with the President and Board of Trustees. Some appointed bodies have availed themselves to more frequent use such as HEC www.barringtonhills-il.gov/green.html. General news is posted as well of a broader interest to multiple Boards and the community as a whole at <http://www.barringtonhills-il.gov/news.html>

The Police Department has its own domain, www.vbhp.net

If there is an interest in creating a standards for creating a page or providing information for posting, ether myself or Anna Paul can assist with compiling the mechanics of such a process.

--

Robert Kosin

Village of Barrington Hills

112 Algonquin Rd, Barrington Hills, IL 60010-5199

847.551.3000 | BarringtonHills-il.gov

To ensure compliance with the Open Meetings Act, elected or appointed members of the public body may reply to this message, but they should not forward it or send a copy of the reply to other members of the public body.

July 20, 2014

RE: LeCompte & Elder/RCBH Proposed Horse Boarding Text Amendments

Dear Members of the Barrington Hills Zoning Board of Appeals,

I am writing to express my opposition to both of the above-referenced proposed text amendments, reclassifying Commercial Horse Boarding under Agricultural Zoning. Agriculture by its very nature is quiet, peaceful and a largely unnoticed activity to the community (outside of planting and harvest seasons). A field of soybeans does not require much daily maintenance, and does not attract visitors. A commercial horse boarding operation does. I doubt that most residents would have an objection to living next to a cornfield, but would experience a drastic change to their way of life if the farmers next door decided to open a corn maze open to the public, or operate a farmstand.

Large-scale horse boarding is a revenue generating activity, and reclassification of R-1 zoned properties to Agricultural is improper, as the taxpayers who bought the adjacent homes and properties bought them under the valid assumption that the residential zoning around them would never change. It is unfair to neighbors to arbitrarily reclassify a property as Ag, solely for the purpose of permitting a commercial activity which benefits only the owner of the business, and creates hardships for the neighbors.

One of the top reasons that people buy homes in Barrington Hills is the privacy and quiet that the open 5 acre parcels provide. Sound travels farther in the village than in typical suburbs. Therefore, seemingly small annoyances are amplified and become more of a nuisance. The two proposed amendments do not offer neighboring properties adequate preservation of this expected tranquility with the overly generously hours of operation that both suggest. Employee hours need to be much more restricted, as do daily hours that boarders are allowed to be on the premises. Neighbors should not have to be burdened with instruction given to riders outdoors from sunrise to sunset. Neighbors also have a reasonable expectation that restrictions would be placed on storage or parking of trailers and vehicles owned by the boarders. The same goes for the parking of employee vehicles, delivery and maintenance trucks.

Most of these large boarding operations developed over a number of years on residential properties, with little planning of bathroom facilities for visiting boarders. It is unlikely that most of their septic systems were designed to accommodate numerous daily visitors. Outdoor porta-pottys should not be allowed. Therefore, new septic fields/tanks will probably be needed from a public health perspective.

In addition, we need to evaluate the fire safety protocols in these large stables. There are different building code standards for barns vs. residential structures. The village will likely be liable if a boarding facility would tragically sustain a fire,

and inadequate marking of exits, insufficient fire extinguishers and the like were not required of these operations. Fire department inspections of all these properties is essential.

A limit of one horse per acre is essential both for the protection of the neighbors, as well as the welfare of the animals. Also of concern is proper manure storage and removal, and managing water runoff in streams, groundwater and neighboring properties.

Lastly, no retroactive changes should be made to any property, particularly those suggested by the LeCompte proposal. It would be highly unethical to attempt to erase the past zoning violations by these property owners.

Realistically, the only way that Commercial Horse Boarding should be addressed is by Special Use Permit, on a case-by-case basis, which allows neighbors recourse if boarding operations become burdensome to the adjacent properties. Inspection of each facility is necessary to assure the safety of the animals, the boarders, employees and the neighboring homeowners.

The fast-tracking of these two current proposals is improper. There is no emergency situation, and the village is not in jeopardy of losing its equestrian identity. Horses are, and will always be, an important part of the identity of our Village. But I urge you to reject both of these proposals and seek out a broad range of resident opinions before drafting any other text amendments pertaining to commercial boarding. Let's take our time and do this the right way.

Sincerely yours,

Pamela A. Cools, D.D.S.



Dolores Trandel <clerk@barringtonhills-il.gov>

Zoning Board of Appeals

Joseph Luecke <joe32luecke@gmail.com>

Fri, Jul 18, 2014 at 7:10 PM

To: clerk@barringtonhills-il.gov

My wife and I think it would be a major mistake to make commercial horse boarding an agricultural exemption. The net effect will permit County and State to supersede village oversight of horse boarding operations. We much prefer continued oversight by the village, where we live and have confidence that our well-being and that of all residents of the village will be protected. We urge the Zoning Board of Appeals to not make commercial horse boarding an agricultural exemption.

Joyce and Joseph Luecke 94 Otis Road Barrington Hills, IL 60010



Dolores Trandel <clerk@barringtonhills-il.gov>

Proposed amendments re horse boarding.

Lauren Foos <laurenfoos101@gmail.com>

Sun, Jul 20, 2014 at 12:04 PM

To: apaul@barringtonhills-il.gov, village@barringtonhills-il.gov

Lauren & Doug Foos
90 Meadow Hill Rd
Barrington Hills, IL 60010

July 20, 2014

Subj: Proposed amendments re horse boarding. Please include this in the official public record on the issue.

We fully support the RCBH proposed text amendment. The ZBA has done a thorough job investigating this issue. We encourage the board of trustees to take action on this issue and put this to a vote as soon as possible.

**Thank you,
Lauren and Douglas Foos**

Lauren B. Foos
847 751 4431
laurenfoos101@gmail.com



Dolores Trandel <clerk@barringtonhills-il.gov>

Proposed Amendment Re Horse Boarding

Holly <hedepor@t@gmail.com>

Sun, Jul 20, 2014 at 6:40 PM

To: "apaul@barringtonhills-il.gov" <apaul@barringtonhills-il.gov>, "village@barringtonhills-il.gov" <village@barringtonhills-il.gov>

Anna Paul,

We are fully against the new proposed text amendment from the Riding Club of Barrington Hills which would allow boarding of at least ten horses on a 5 acre property parcel. We have lived in Barrington Hills for twenty five years and have owned and boarded horses here in Barrington Hills all of those twenty five years. A half acre of land cannot possibly support one horse. Under this new proposed ordinance, the rural, clean and quiet atmosphere of Barrington Hills will be destroyed. Please vote no on this new proposed ordinance and keep our village beautiful, safe and clean with the amount of horses that our land can support without negatively affecting our environment.

Please include this in the official public record on the issue.

Thank you,

Gregory and Holly Porter

5 Hickory Lane



Dolores Trandel <clerk@barringtonhills-il.gov>

Horse Boarding in Barrington Hills

Sid Overbey <sid.overbey@gmail.com>

Sun, Jul 20, 2014 at 7:37 PM

To: mmclaughlin@barringtonhills-il.gov, fgohl@barringtonhills-il.gov, kselman@barringtonhills-il.gov, pmeroni@barringtonhills-il.gov, jmesser@barringtonhills-il.gov, ckonicek@barringtonhills-il.gov, mharrington@barringtonhills-il.gov

Cc: clerk@barringtonhills-il.gov

Dear Trustees and ZBA Board Members,

I would like to take this opportunity to weigh in on the current issue of horse boarding in our village. My wife and I moved to Barrington Hills in 1997 because we wanted to live in an equestrian community that was also close to the city of Chicago and had a nice quality of living. We felt comfortable that the zoning and rural qualities of the village also supported the higher home and land prices that the village commanded.

Since that time we have seen property value fall and the village fracture along both zoning and equestrian lines to the point that we have angry people on both extremes. This needs to be fixed for the good of the village and our lifestyles, which we consider equestrian.

My wife and I both support commercial boarding in our village as long as it does not detract from the character of the community. To us that means barns that limit the noise, pollution, and traffic which does not fit our area.

Also, we believe the number of horses should be such that each horse has access to pasture or paddock with no more than 2 per acre. Small scale boarding add to the character of our village, large barns can be a detriment.

Lastly, if we eliminate boarding or equestrian activities in the village it will lose it character. It is the rolling hills, rural environment, and equestrian nature of the village that make it charming and worth living in.

Find a compromise between the two extreme positions please.

Sincerely,
Sid and Barbara Overbey
85 Brinker Rd.



Dolores Trandel <clerk@barringtonhills-il.gov>

ZBA Meeting 7/21/14

Gary Tobias <garytobias@comcast.net>
To: clerk@barringtonhills-il.gov

Sun, Jul 20, 2014 at 9:34 PM

TO ZBA MEMBERS

I can't believe this text amendment making horse boarding an agricultural exemption.

This potential amendment will be a problem to the character of our community.

The additional horse waste, traffic, number of potential horses and lack of building codes will be a burden.

Keep commercial enterprises out of BH.

I am totally against it !!!

Gary Tobias
²³⁵
~~125~~ Donlea Road
Barrington Hills



Dolores Trandel <clerk@barringtonhills-il.gov>

ZBA public comment

Pauline <daydreampauline@yahoo.com>

Mon, Jul 21, 2014 at 6:47 AM

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

For the record my name is Pauline Boyle and I reside at 315 Ridge Road. I respectfully ask that the following statement be entered into the record as part of public comment with regards to the proposed text amendments for commercial boarding before the ZBA of the village of Barrington Hills.

I am opposed to accepting either of the proposed text amendments for numerous reasons. Most importantly is the fact that both are tremendously biased and were written by equestrian sympathizers with no input from the community at large. These 'equine sympathizers' met in violation of the Open Meetings Act to discuss these text amendments and how to quickly push their agenda for vote. Members of the ZBA committee as well as several trustees are deeply conflicted regarding their actions and should be held accountable with the Attorney General.

The honorable and correct action should be to table these text amendments and an appropriate balanced committee formed to address this issue that will reflect the needs of this community.

I thank you for your time.
Pauline Boyle

Sent from my iPad



Dolores Trandel <clerk@barringtonhills-il.gov>

amendment being considered by the ZBA about horse boarding

George nahra <drgeorgeanahra@yahoo.com>

Mon, Jul 21, 2014 at 7:11 AM

Reply-To: George nahra <drgeorgeanahra@yahoo.com>

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

Gentlemen,

I have been a resident of Barrington Hills for 22 years and the primary reason I build a house in this community is to live in peace and privacy away from the noise of commercial activities . I think this feeling is shared by the vast majority of all the residents and I am totally opposed to any form of commercial horse boarding in our community including the subterfuge of making it an agricultural exemption,

Respectfully,

George Nahra MD

361 ridge rd.

Barrington Hills IL.



Dolores Trandel <clerk@barringtonhills-il.gov>

Zoning Board Horse Boarding Code Amendment Proposals

Andrew Wright <awright@wrightdev.com>

Mon, Jul 21, 2014 at 8:21 AM

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

We have lived in Barrington Hills since 1979. We have boarded two horses on our neighbor's property. To date, nearly all property owners who board horses have conducted their operations in a fair, reasonable manner. Fifteen horses on a five acre parcel is not fair or reasonable.

Codifying future potential horse slums is not something that intelligent, reasonable people should consider, much less tolerate. A small group of people with undue influence seem to bring this issue up every other year.

Barrington Hills is a residential community that is equestrian friendly. Barrington Hills is not primarily an agricultural area made up of farming families. Frankly, professional farmers would not crowd 15 horses on five acres. These proposals are ridiculous, poorly conceived, and should be turned down by the Zoning Board of Appeals.

Sincerely,

Andrew & Elaine Wright
281 Steeplechase Rd
Barrington Hills, IL

Sent from my iPad



Dolores Trandel <clerk@barringtonhills-il.gov>

Changes to zoning regulations

Patricia M. Ballot <pmballot@sbcglobal.net>
To: clerk@barringtonhills-il.gov

Fri, Jul 18, 2014 at 3:01 PM

Unfortunately we shall not be able to attend the meeting on Monday July 21; however, my husband and I wish to be on record that we would be opposed to the proposed changes regarding the boarding and housing of horses in Barrington Hills and also building regulations.

We have lived in Barrington Hills for 40 years and on and off have had experiences with horses, boarding, and associated buildings. It is wonderful that we can live in a community that allows us the ability to keep horses on our properties, provides great horse trails and a riding club; we have availed ourselves of these. However, Barrington Hills is primarily a residential community and over the years has become even more so. Five acres is really not that much land when horses are involved and it seems even less when the horses start to encroach on the next door neighbor. I have also been involved in areas where there has been little or no regulation of number of horses, boarding or facilities. Over time many have become eyesores and the surrounding areas less than desirable.

It seems that these proposed changes are to accommodate a few enterprises in Barrington Hills with little consideration of how they will affect the lives of the majority of the population. This is not Lexington Kentucky and never has been. I am still a firm advocate of majority rule and these proposed changes seem to be in complete opposition.

Patricia & Richard Ballot

Bateman Road



Dolores Trandel <clerk@barringtonhills-il.gov>

Horse Boarding in BH

Fred J. Weinert <fjweinert@gmail.com>
To: clerk@barringtonhills-il.gov
Cc: Silvia <silviaferreyraweinert@gmail.com>

Mon, Jul 21, 2014 at 10:12 AM

Dear Zoning Board of Appeals,

We understand this evening the ZBA is considering an amendment to clarify the horse boarding operations and to continue to allow for quality equestrian operations that have brought worldwide prestige to our community and added value to the property owners and in fact helps preserve the large acreage properties as viable equestrian operations vs dividing such beautiful expansive properties into smaller residential property development.

I also re-submit the letter we submitted last month to the Village that showed how such prestige commercial operations allowed for our daughter to train at the Class A show level and experience competition at the National level and then bring that experience and confidence gained to her college and now is a well-qualified trainer here in Barrington Hills and the Northern suburbs.

We support your efforts to preserve and allow for commercial boarding and training operations to allow other children and adults in the community to participate at a top level in such a beautiful activity and to maintain the equestrian charm of Barrington Hills that we have enjoyed for the last 25 years as residents.

Thank You for your service to our community.

Fred & Silvia Weinert and family

----- Forwarded message -----

From: **Fred J. Weinert** <fjweinert@gmail.com>
Date: Wed, Jun 4, 2014 at 6:45 PM
Subject: Horse Boarding in BH
To: clerk@barringtonhills-il.gov

[Quoted text hidden]



Dolores Trandel <clerk@barringtonhills-il.gov>

Fwd:

Anna Paul <apaul@barringtonhills-il.gov>
To: Dolores trandel <clerk@barringtonhills-il.gov>

Mon, Jul 21, 2014 at 10:22 AM

----- Forwarded message -----

From: **Chuck Prettyman** <chuck.prettyman@att.net>
Date: Mon, Jul 21, 2014 at 10:13 AM
Subject:
To: "apaul@barringtonhills-il.gov" <apaul@barringtonhills-il.gov>

We support the horse boarding amendment. Please include this in your records.

Chuck and Maureen Prettyman
119 Deepwood Road
Barrington, IL 60010

--
Anna Paul
Director of Communications & Deputy Clerk
Village of Barrington Hills
112 Algonquin Rd, Barrington Hills, IL 60010-5199
847.551.3000 | @BarrHills_IL

To ensure compliance with the Open Meetings Act, elected or appointed members of the public body may reply to this message, but they should not forward it or send a copy of the reply to other members of the public body.



Dolores Trandel <clerk@barringtonhills-il.gov>

FW: VBH

Bryan Croll <bryan@croll.org>
To: clerk@barringtonhills-il.gov

Mon, Jul 21, 2014 at 2:59 PM

Comment to ZBA regarding Elder's proposed reclassification of horse boarding from Home Occupation to Agriculture:

- 1) I believe it is important for the ZBA to define the problem that the proposed changes seek to address. Please answer publicly, how many commercial boarding operations in the Village of Barrington Hills are in violation of the existing home occupation ordinance allowing the boarding of horses?
- 2) I believe the changes being proposed should not be accepted by the ZBA because they will permit businesses with clients not seeking instruction in a skill to operate in residential communities with attendant undesirable traffic, noise, and security concerns, as well as barns without size limitation, commercial signage, and parking lots, all of which will disrupt communities and deprive residents of enjoyment of their property and likely harming their property values.
- 3) I submit that the proper solution to existing and future commercial horse boarding operations that do not meet the definition of a home occupation is to require them to obtain special use permits, as provided for in the village code. This will allow input by neighbors and the community as to the appropriateness of such operations, given that such operations are not allowed under the existing home occupation ordinance.
- 4) The current proposal seems to grant a permitted use reclassification to all current and future commercial horse boarding operations in violation of the spirit and the letter of the current zoning ordinances. If this were to pass, residents would have no recourse against commercial operations that may destroy the residential character of their neighborhoods. ZBA should not allow this to occur, and it should reject the proposed Elder amendment.

Respectfully submitted,

Bryan C. and Johanna S. Croll

262 Donlea Road



Dolores Trandel <clerk@barringtonhills-il.gov>

Proposed changes to zoning

Kari Magnus <karimagnus@yahoo.com>

Mon, Jul 21, 2014 at 2:25 PM

Reply-To: Kari Magnus <karimagnus@yahoo.com>

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

With this email, we, Tibor Gomory and Kari Magnus, of 10290 Church Rd., Barrington Hills, IL, are registering our opposition to both of the proposed text amendments to current Village's Zoning Ordinance, that proposed by Benjamin B. LeCompte and that proposed by Jason Elder for the Riding Club of Barrington Hills. We believe it is time, instead, for this Village to concern itself with the rights and privileges of all who live here, not just those who choose an equestrian lifestyle. To that end, we propose placing restrictions on the number of horses that can be kept relative to the size of a property and where those horses should be kept.

We propose allowing one horse per acre. On properties of ten acres or less, horses must be kept in stalls overnight. This is for the well-being of the neighbors as well as that of the horses.

We make these suggestions because our quality of life has been infringed upon simply because, at any given time over the past three years, our next door neighbors have had anywhere from nine to thirteen of their own horses on their five acre property. Their barn is not big enough to accommodate all the horses, so some are left out in the paddocks 24/7 (Yes, they have run-ins.). The smell is one thing. Being wakened at night by the cries of a frightened horse is another. We think it would be unconscionable for them to be permitted to have any more horses on that property. To do so would be showing nothing less than a wanton disregard for the rights of all homeowners in Barrington Hills.

We do not believe our property values would be diminished if "the equestrian way of life" is "not preserved" in Barrington Hills. We, like many other residents, moved here for the open spaces and quiet. Horses occupying a pastoral setting are a bonus, but not necessary to our happiness here. What will this community look like if there are no regulations on the size of barns or the number of horses a property owner can have? The property on the other side of us is for sale. We fear who will buy it and what they will do with it if restrictions are eased and horse properties are rezoned. Instead, we call for tighter restrictions to be put in place regarding the keeping of horses. Regarding commercial horse boarding, the Illinois Appellate Court has determined it is against the law. That's good enough for us.

Save Barrington Hills
117 S Cook St #178
Barrington, IL 60010

7-21-2014

We strongly oppose this
Amendment because of
environmental impact
it will have on the
community - Vote No!

The Cunningham Family
10019 Church Rd
Barrington Hills, IL 60010-9004

Roy Sandy & Will Cunningham

(Open for full details.)

A majority of the residents oppose this change because there are better ways to accommodate our equestrian friends while preserving our way of life in Barrington Hills.

But a small group of individuals are trying to sneak this change through. They will be at Monday's meeting in force.



Dolores Trandel <clerk@barringtonhills-il.gov>

Meeting ZBA - Proposed Changes

roger@lancaster.org <roger@lancaster.org>

Mon, Jul 21, 2014 at 12:59 PM

To: clerk@barringtonhills-il.gov

We are long term residents of Barrington Hills and we are both **STRONGLY AGAINST COMMERCIAL HORSE BOARDING.**

We believe that allowing commercial horse boarding will adversely change the nature of our village. We should have the same rules for all residents and not give a small group preferred status.

Roger Lancaster & CLJ Lancaster

2 Fernwood Drive

Barrington Hills IL 60010

847.426.2829



Dolores Trandel <clerk@barringtonhills-il.gov>

ZBA Text Amendment

Matt Yeterian <myeterian@hbcmd.com>

Mon, Jul 21, 2014 at 12:17 PM

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

I am sending this email on behalf of my wife Holly and I in support of the RCBH text amendment.

Matt and Holly Yeterian

13 Deepwood Rd.

Barrington Hills, IL 60010

July 21, 2014

Ms. Judith K. Freeman
Chair, Barrington Hills Zoning Board of Appeals
Village of Barrington Hills
112 Algonquin Rd
Barrington Hills, IL 60010

Ms. Freeman,

My wife and I have reviewed both horse boarding and training zoning text amendment proposals submitted by Mr. LeCompte and the Riding Club of Barrington Hills for consideration during a public hearing taking place tonight. We vehemently object to both for many reasons, two of which are at the top of the list.

The expanded operating hours proposed begin too early. An 8:00 a.m. start time weekdays and 9:00 a.m. on weekends and holidays is much more appropriate. For the record, in the entire twenty-three years we've enjoyed living here, I have refrained from starting my tractor, chain saw or other outdoor power equipment before 10:00 a.m. on weekends out of consideration for our neighbors.

The other issue for us, as it has been in the past, is the number of horses allowed per acre. Many communities such as ours in the Chicago area limit the number of horses to one per acre. I've cited this in previous comments submitted in previous efforts to enact proper horse boarding and keeping codes.

However, something I have not shared with the Zoning Board via comments is an email exchange I had back in 2011 with Mr. Scott Bayerl, Director of the Midwest Horse Welfare Foundation located in Pittsville, WI (www.equineadoption.com).

His organization will not allow anyone to adopt a healthy horse unless they can provide a minimum of one acre dedicated to the keeping of each horse, not the overall acreage of the property. In fact they suggest two acres per horse. The entire exchange in reverse order of email exchanges follows this letter. I encourage anyone concerned for the welfare of horses in these proposals to contact Scott directly.

Thank you.



James C. Hammond
2 Woodcreek Rd
Barrington Hills, IL
847.661.9190

Cc Barrington Hills Zoning Board of Appeals
Barrington Hills Board of Trustees
Village Clerk

Email correspondence between Jim Hammond and Scott Bayerl of MWHWF

That is correct.

Scott Bayerl, Director
Midwest Horse Welfare Foundation, Inc.
<http://www.equineadoption.com>

Midwest Creative Webs
<http://www.midwestcreativewebs.com>

Telephone Hours:
M-F: 4pm - 9pm
Weekends: 9am - 9pm
715-884-2215

----- Original Message -----

From: Jameschammond@aol.com
To: scott@equineadoption.com
Sent: Monday, August 08, 2011 8:27 AM
Subject: Re: Horse Per Acre Question

Scott,

Thank you for your prompt reply and guidance.

I've researched the zoning codes of villages similar to Barrington Hills, and many call for one horse per acre, but that's based on *gross* lot acreage including dwellings, stables, pools, ponds, etc. If I understand correctly from your message, a minimum of one acre dedicated solely to each horse's use (i.e. fenced pasture acreage) is required. Is that correct?

Once again, thanks Scott. This is very helpful.

Jim

In a message dated 8/7/2011 9:13:58 P.M. Central Daylight Time, scott@equineadoption.com writes:
Hello Jim,

Yes, MHWF requires a minimum of 1 acre per horse for adopted horses and suggests at two acres per horse if at all possible.

Scott Bayerl, Director
Midwest Horse Welfare Foundation, Inc.
<http://www.equineadoption.com>

Midwest Creative Webs
<http://www.midwestcreativewebs.com>

Telephone Hours:

M-F: 4pm - 9pm

Weekends: 9am - 9pm

715-884-2215

----- Original Message -----

From: Jameschammond@aol.com

To: karen@equineadoption.com ; scott@equineadoption.com

Sent: Sunday, August 07, 2011 11:14 AM

Subject: Horse Per Acre Question

Hello Karen and Scott.

Our Village, Barrington Hills, IL, is in the process of implementing standards for the keeping and boarding of horses within our Village. Currently equestrian properties in the Village range from 5 to over 400 acres, but I'd say the majority of the equestrian properties fall into the 5 acre category with about half of that 5 acres devoted to keeping horses. Most if not all of the smaller owners supplement the horse's diet with hay and oats, so the horses are not limited to grazing.

I didn't know which of you to ask, but could one of you tell me if the Midwest Horse Welfare Foundation recommends any guidelines on horse density per acre dedicated to the keeping of horses? I truly would appreciate and guidance in this matter. Thanks.

Regards,

Jim Hammond
2 Woodcreek Rd.
Barrington Hills, IL 60010
847.420.5743 - Cell



Dolores Trandel <clerk@barringtonhills-il.gov>

Opposition to make commercial horse boarding an agricultural exemption

VOY, JODI <jv1582@att.com>

Mon, Jul 21, 2014 at 11:26 AM

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

Dear Village Clerk,

As a residence of Barrington Hills, I vehemently oppose the proposed text amendment that would make commercial horse boarding an agricultural exemption.

My family moved to Barrington Hills 9 years ago specifically to enjoy the peace, tranquility and "near rural" lifestyle it offers. The proposed text amendment will lead to increased traffic on our roads and on our trails, increased safety risks as a result of increased traffic, (I run on the roads throughout Barrington Hills – increased traffic poses a very real risk to runners and bike riders' safety) and the potential for increased burglary and robbery as a result of increased non-Barrington Hills residents repeatedly traveling to our town.

This text amendment benefits no Barrington Hills resident.

This email serves as my voice as a resident of Barrington Hills to the Zoning Board of Appeals to **reject the text amendment which would make commercial horse boarding an agricultural exemption.**

Sincerely,

Juliet Voy

55 W. Surrey Lane

Barrington Hills, IL 60010

(Home) 847-516-2590

(Cell) 847-814-8893

I am submitting this open letter as my testimony before the Village of Barrington Hills, Zoning Board of Appeals (ZBA) public hearing, Monday, July 21, 2014. It addresses the two proposed changes to R1 Zoning before the ZBA. It touches on the historical, emotional and political effects of the proposed ZBA amendments.

Dear Friends and VBH Neighbors in Our Equestrian Community,

Please know that many non equestrian residents like me favor horse boarding in areas zoned R1. Further, under the proper circumstances, I, and many others, can accept larger scale commercial horse boarding.

*I want no major changes regarding horse boarding from what it has been since the VBH came into existence almost 60 years ago. This is why I will in no way accept the self-serving, community destroying, changes to zoning code wording being proposed at the ZBA Hearing Monday, July 21. Only the specific, single example of large scale, commercial horse boarding is being legally contested. The legal wrangling and probable pending court orders are out of our Village's hands. I will add that as this case grinds on, **it appears** more and more that the whole issue has been foisted on our community by trickery, deceit and maybe worse - skullduggery. (Note the phrase "it appears". Fact is, we still don't know the how or why behind Oakwood Farms stables being approved under the HOO special use. The explanations given by Dr. LeCompte and past president Abboud together with the circumstances surrounding the decision don't look right.)*

It is "The Affair LeCompte" that is the exception to the goodwill between riders and non riders that normally prevails in our community. - *There, I vented!*

I pray you look again at the two proposals: one being offered by Dr. LeCompte and the other by the Riding Club of Barrington Hills. Try to see how some of us, who would like to be supportive, can never support these two proposals.

I recognize and pay homage to the civic mindedness of our equestrian focused residents and this includes the LeCompte family. Many active Riding Club members have been leaders and active volunteers in our Village. There is fear that the Riding Club of Barrington Hills is changing from being one of the primary sources of cohesion and progress in our community to being the cause of the disintegration of all civility. A lot of us would like to be friends of the Riding Club and the greater equestrian community; but, we are not going to allow the protection we have under the VBH Zoning Code to be destroyed.

The overwhelming majority of you in the equestrian community have experienced no interference with boarding your horses the way you want and you will not be hurt by continuing the present zoning laws. Regrettably, a tiny few of our residents using Oakwood Farms have had to face uncertainty over their stabling arrangements. A single family and a small coalition with an unknown agenda will gain by creating a nearly unlimited right to do whatever they want and to hell with the noise, traffic, and inconvenience that they impose on their neighbors! They are spreading fear and using you for their gain.

I humbly suggest support for these two proposals is not worth the loss of goodwill and amity toward the Riding Club and the larger equestrian community that is likely to occur. Actually, to some extent this loss has already occurred. I spent part of the last two weeks in person, by email, on the phone, and on website blogs defending the Riding Club and extolling their civic mindedness to fellow residents.

Finally, I offer this advice as a long time student of political science and as one who in the past was politically active: Learn to count.

Ask yourself, what percent of Barrington Hills voters are members of the Riding Club or own horses?

And further, what percent of voters are non horse owners concerned primarily about property values and enjoying the peace and quiet of their BH homes?

Nearly everyone in Barrington Hills likes horses and, at least in the past, liked horse owners. I hope this never changes; but, it might.

The Bottom Line: There should be no rush to judgement. When the Appellate Court decision of March 28, 2014 came down, the wisest counsel was, "Current village officials should do nothing until this issue plays out in the courts." When all litigation is finished, it may be advisable to review our internal procedures and the text of our zoning codes to try and prevent future problems. Until then, these proposals and all further official discussion should be tabled.

Sincerely,
Jan C. Goss
jangoss@marmothall.net

Subject: Text Amendment

To: Zoning board

From: Bonnie & William Nurre

Date 21 July 2014

We have lived in Birmingham for 28 years. We have supported the equine community as we ^{are} horse owners ourselves.

It is our recommendation that the Village maintain a status quo on the amendment, we are quite satisfied with the present ordinance.

Sincerely,

William Nurre
Bonnie Nurre



Dolores Trandel <clerk@barringtonhills-il.gov>

7/21

Hoffman, Laura <lhoffman@oecbusinessinteriors.com>
To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

Mon, Jul 21, 2014 at 11:08 AM

Village Clerk

Please be notified that I am against the Amendment to make commercial horse boarding an agricultural exemption.

Thank you,

Larry Kubacki

6 Saville Row

Barrington Hills, IL 60010



Dolores Trandel <clerk@barringtonhills-il.gov>

7/21

Hoffman, Laura <lhoffman@oecbusinessinteriors.com>
To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

Mon, Jul 21, 2014 at 11:09 AM

Village Clerk

Please be notified that I am against the Amendment to make commercial horse boarding an agricultural exemption.

Thank you,

Joseph J. Riha

6 Saville Row

Barrington Hills, IL 60010

Donato Cantalupo, 1800 Burning Oak Trail, Barrington Hills, IL, 60010. Email: donato1800@comcast.net

It seems like yesterday that the Village citizens were meeting about horse boarding and much was stated and later submitted in writing. I believe the result of the statements made at those meetings and the written comments submitted to the ZBA for its' considered, resulted in the June 26th of 2006, amendment of sections 5-2-1 and 5-3-4 of the Village Code, copy attached.

I thought that our Village Code as amended on June 26th of 2006, put the question to rest for our Village.

Now we are told that the Lawyer for the BHRC is of the opinion that any barn owner boarding horses can be sued for simply following the Village Code as amended in 2006. He therefore suggested that the Village Citizens agree to amend the Village Code as he suggests, copy in the possession of the Village ZBA.

As I read the Village Code amendment submitted by the BHRC it would allow large scale boarding facilities (depending on size of the real property involved) with little or no control by the Village officials elected and those appointed by the elected officials to carry out the running of the Village in an orderly and safe manner.

I believe it would be a grave error to proceed to act on the proposed Village Code amendments tonight July 21, 2014, without first having the Oakwood Farms case **finally decided**, and reviewed by our Village and Zoning board lawyers and also an Illinois Municipal Law specialist, of the Villages choosing, to advise the ZBA and the Village Citizens who will have to live with the result before any action is taken.

There should be no RUSH TO JUDGMENT BEFORE THE CITIZENS OF THE VILLAGE ARE FULLY INFORMED.

Also the BHRC representatives should not be saying you must pass this amendment or the open space of our Village as we live it will be gone.

We must not act in haste we all need more information and the advice of our lawyers.

Submitted to the ZBA of Barrington Hills, IL, on, July 21, 2014, @4:00PM; By Donato Cantalupo



ORDINANCE AMENDING SECTIONS 5-2-1 AND 5-3-4 OF THE VILLAGE CODE BY REDEFINING AND ADDING RULES AND REGULATIONS PERTAINING TO "HOME OCCUPATIONS" WITHIN THE VILLAGE

WHEREAS, the Village of Barrington Hills (the "Village") regulates "Home Occupations" operating within the boundaries of the Village in order to provide peace, quiet and domestic tranquility within all residential neighborhoods within the Village and in order to guarantee to all residents freedom from nuisances, fire hazards, excessive noise, light and traffic, and other possible effects of business or commercial uses being conducted in residential districts; and

WHEREAS, Section 5-2-1 of the Village Code, presently contains the following definition of Home Occupation:

A 'home occupation' is any occupation or profession carried on by a member of the immediate family residing on the premises, in connection with which there is no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that of a dwelling; there is no commodity sold upon the premises; no person is employed other than a member of the immediate family residing on the premises; and no mechanical or electrical equipment used except such as is permissible for purely domestic or household purposes. A professional person may use his residence for consultation, emergency treatment or performance of religious rites but not for the general practice of his profession. No accessory building shall be used for such home occupation. Notwithstanding the foregoing, the boarding of horses in a stable and the training of horses and their riders shall be a permitted home occupation; provided further that no persons engaged to facilitate such boarding, other than the immediate family residing on the premises, shall be permitted to carry out their functions except between the hours of 8:00 AM and 8:00 PM or sunset, whichever is later, and additionally provided that no vehicles or machinery, other than that belonging to the immediate family residing on the premises shall be permitted to be operated on the premises except during the hours of 8:00 AM and 8:00 PM or sunset, whichever is later.

WHEREAS, in order to promote the health, safety, morals and general welfare of the Village and to better and more accurately regulate Home Occupations within the Village, the President and the Board of Trustees of the Village find and believe it to be in the best interest of the Village that Sections 5-2-1 and 5-3-4 of the Village Code be amended as provided in this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake and McHenry Counties, Illinois, as a home rule municipality, the following:

Section 1. Incorporation of Preambles. The Village Board hereby finds that the recitals contained in the preambles to this Ordinance are true and correct and does incorporate them into this Ordinance by this reference.

Section 2. Definitions. That portion of Section 5-2-1 of the Village Code, Definitions, titled, "Home Occupation," shall be, and the same hereby is, deleted in its entirety.

Section 3. Regulations for Specific Uses. Section 5-3-4 of the Village Code, Regulations for Specific Uses, shall be, and the same hereby is, amended by adding the following:

"(D) HOME OCCUPATION

INTENT AND PURPOSE:

The intent of this section is to provide peace, quiet and domestic tranquility within all residential neighborhoods within the Village and in order to guarantee to all residents freedom from nuisances, fire hazards, excessive noise, light and traffic, and other possible effects of business or commercial uses being conducted in residential districts. It is further the intent of this Section to regulate the operation of a home occupation so that the general public will be unaware of its existence. A home occupation shall be conducted in a manner which does not give an outward appearance nor manifest characteristics of a business which would infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their dwelling units or infringe upon or change the intent or character of the residential district.

1. Authorization. Subject to the limitations of this Section, any home occupation that is customarily incidental to the principle use of a building as a dwelling shall be permitted in any residential zoning district.
2. Definition. A home occupation is any lawful business, profession, occupation or trade conducted from a principal building or an accessory building in a residential district that:
 - a. Is conducted for gain or support by a full-time occupant of a dwelling unit; and
 - b. Is incidental and secondary to the principal use of such dwelling unit for residential occupancy purposes; and
 - c. Does not change the essential residential character of such dwelling unit or the surrounding neighborhood.

3. Use Limitations.

a. Employee Limitations.

- (1) The owner of every home occupation shall be a person that is a full-time occupant of the dwelling unit where such occupation is conducted.
- (2) No more than two employees or subcontractors, other than the full-time occupants of a dwelling unit shall be engaged or employed in connection with, or otherwise participate in the operation of, a home occupation at any one time. This limitation on the number of employees or subcontractors shall not apply to employees or subcontractors who are not present and do not work at the dwelling unit devoted to such home occupation.

b. Structural Limitations.

- (1) No alteration of any kind shall be made to the dwelling unit where a home occupation is conducted that would change its residential character as a dwelling unit, including the enlargement of public utility services beyond that customarily required for residential use.
- (2) No separate entrance from the outside of the building where the home occupation is located shall be added to such building for the sole use of the home occupation.

c. Operational Limitations.

- (1) Every home occupation shall be conducted wholly within either (i) a principal building or (ii) an accessory building, but not both.
- (2) The floor area ratio (FAR) of the area of the building used for any such home occupation shall not exceed .01 (exclusive of garage floor area devoted to permissible parking of vehicles used in connection with the home occupation).
- (3) There shall be no direct retail sales of merchandise, other than by personal invitation or appointment, nor any permanent display shelves or racks for the display of merchandise to be sold in connection with the home occupation.
- (4) No routine attendance of patients, clients, customers, subcontractors, or employees (except employees and subcontractors as provided in Subparagraph 3.a.(2) of this Section)

associated with any home occupation shall be permitted at the premises of the home occupation, provided, however, that the attendance of up to four persons at any one time may be allowed for the purpose of receiving private instruction in any subject of skill. "Routine attendance" means that the conduct of the home occupation requires persons, other than the owner or permitted employees and subcontractors, to visit the premises of the home occupation as part of the regular conduct of the occupation, without regard to the number, frequency, or duration of such visits.

- (5) No vehicle or mechanical, electrical, or other equipment, that produces noise, electrical or magnetic interference, vibration, heat, glare, emissions, odor, or radiation outside the principal building or accessory building containing the home occupation that is greater or more frequent than that typical of vehicles or equipment used in connection with residential occupancy shall be used in connection with any home occupation.
- (6) All storage of goods, materials, products or merchandise used or sold in conjunction with a home occupation shall be wholly within the principal building or accessory building containing the home occupation.
- (7) No refuse in excess of the amount permitted under Section 5-3-9 of this Title shall be generated by any home occupation.

d. Signage and Visibility.

- (1) No exterior business signs on a principal building, accessory building or vehicle used in connection with the home occupation, shall be permitted in connection with any home occupation unless otherwise permitted under Section 5-5-11 of this Title.
- (2) There shall be no exterior indications of the home occupation or exterior variations from the residential character of the principal building or accessory building containing the home occupation.

e. Traffic Limitations. No home occupation shall generate significantly greater vehicular or pedestrian traffic than is typical of residences in the surrounding neighborhood of the home occupation.

f. Nuisance Causing Activities. In addition to the foregoing specific limitations, no home occupation shall cause or create any act, which endangers public health or results in annoyance or discomfort to the public, said act being defined as a nuisance under Title 7, Chapter 1 of the Village Code.

- g. Boarding and Training of Horses. Notwithstanding anything to the contrary contained in this Section 5-3-4(D), the boarding of horses in a stable and the training of horses and their riders shall be a permitted home occupation; provided that no persons engaged to facilitate such boarding, other than the immediate family residing on the premises, shall be permitted to carry out their functions except between the hours of 8:00 AM and 8:00 PM or sunset, whichever is later, and further provided that no vehicles or machinery, other than that belonging to the immediate family residing on the premises shall be permitted to be operated on the premises except during the hours of 8:00 AM and 8:00 PM or sunset, whichever is later.”

Section 4. Validity. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof other than the part declared to be invalid.

Section 5. Superseder and Effective Date. All resolutions, motions and orders, or parts thereof, in conflict herewith, are to the extent of such conflict hereby superseded; and this Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED THIS 26th day of June, 2006.

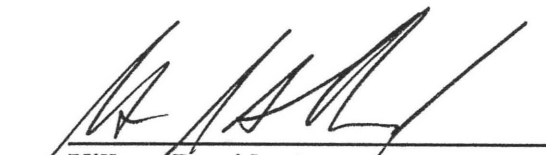
AYES: 7 NAYS: 0 ABSENT: 0.

APPROVED THIS 26th day of June, 2006.

ATTEST:



Village Clerk, Deputy



Village President

CERTIFICATE OF PUBLICATION

Paddock Publications, Inc.

Daily Herald

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 Monday, June 19, 2006 at 7:30 p.m. by the Zoning Board of Appeals of the Village of Barrington Hills at the Village Hall, 112 Algonquin Road, Barrington Hills, concerning a proposed text amendment to the Village's Zoning Ordinance, Title 5 of the Village Code; specifically an amendment to Section 5-2-1 Definitions as it applies to Home Occupation.

A copy of the Zoning Ordinance and the proposed amendment is available for examination at the office of the Village Clerk at the Village Hall, weekdays between 9:00 a.m. and 5:00 p.m.

All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard.

By: Elaine Romesh, Clerk
Village of Barrington Hills
Published in Daily Herald
June 1, 2006
(3754800)N

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, Arlington Heights, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Gurnee, Hampshire, Hainesville, Hanover Park, Hawthorn Woods, Hoffman Estates, Huntley, Inverness, Island Lake, Kildeer, Lake Villa, Lake in the Hills, Lake Zurich, Libertyville, Lincolnshire, Lindenhurst, Long Grove, Mt. Prospect, Mundelein, Palatine, Prospect Heights, Rolling Meadows, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Green Oaks

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 June 1, 2006 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 Noley Bratoneck
Authorized Agent

Control # T3754800

7-21-14

To: Village Clerk;

Village of Bannington Hills.

112 Algoquin Pl. Bannington Hills, Ill 60010-5197

Please forward this statement to ZBA.

(Salvatore M. Falco)
I, Sal Falco, 360 Bateman Cir, Bannington
Hills, Ill 60010.

In reference to the Amendment making

Commercial Horse boarding an agricultural exemption.

I do not favor the boarding of horses in any way.

This Amendment should not go forward
under any circumstances. Put this note
in public record.

Salvatore M Falco

FAXED TO 847-551-3050 - 3:06 PM



Dolores Trandel <clerk@barringtonhills-il.gov>

Commercial horse boarding

Lina Nahra <lina_nahra@yahoo.com>

Mon, Jul 21, 2014 at 4:55 PM

To: "clerk@barringtonhills-il.gov" <clerk@barringtonhills-il.gov>

We are very concerned about what is going on re.commercial horse boarding and reasoning our village to an agricultural community ! Please keep our beautiful Barrington hills as it is!!!

Lina Nahra
361 ridge rd

Sent from my iPad



Dolores Trandel <clerk@barringtonhills-il.gov>

Commercialization of Barrington Hills

sandra@sandraboston.com <sandra@sandraboston.com>

Mon, Jul 21, 2014 at 4:42 PM

To: clerk@barringtonhills-il.gov

Good afternoon,

I am contacting you regarding the “commercialization” of Barrington Hills. I have experienced such a “commercialization” when living in Naperville, 1987 – 2006. Bigger is not always better!! Naperville evolved from a quiet, tight-knit community to a mega-city with excessive traffic, excessive noise, and very excessive stress among its residents, due to the growth of the city and its accompanying overcrowding. It is disheartening to think that the current officials in Barrington Hills would even consider bringing commercialization into the village. This year it is commercial horse boarding; next year, who knows what they will want to commercialize?

When I moved to the village in 2004, I accepted the enormous tax bill I bear, because I was buying a “lifestyle.” Now you want to take that away? Will you also be taking my tax bill away...reducing it to 4 figures vs the current hefty 5 figures?

In addition to compromising the quality of life in Barrington Hills for its human residents, I am very very concerned about the quality of life of the equine residents who become victims of commercial boarding... which is essentially hoarding, however, it is not for the “love of animals” but to make a buck off of them as is typical of such “mill” situations. Disappointingly it all comes down to making a buck of the backs of animals rather than caring about their quality of life.

My understanding is this entire situation is being addressed because a minority of village residents want “change.” What about the majority? The village officials might try to keep in mind that it is not a minority, but rather a majority that is needed to re-elect them.

Sandra Boston
18 Little Bend Road
Barrington Hills