

# **PUBLIC COMMENTS**

Public Comments are submitted by the public and are not reviewed for accuracy or endorsed by the Village.



Village Clerk <clerk@barringtonhills-il.gov>

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## Horse Boarding Code

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Earl Billman <e-billman@sbcglobal.net>  
To: bot@vbhil.gov

Sat, Sep 19, 2015 at 10:59 AM

### **THOUGHTS REGARDING A COMMERCIAL HORSE-BOARDING CODE**

- A stringent and detailed code, including fees, violations, fines, repeal of license, etc.**
- Code enforced by the Village.**
- The only new structures for boarding that would be permitted would be replacement structures of like size.**
- A neighbor's quality of life and property values should be a major consideration when licensing a boarding stable.**
- Horse population limited to 6 horses per 5 acres.**
- Boarding stable license fee determined by size and number of horses.**
- All expense incurred to the Village for administering and enforcement of code be assessed to the boarding stables and boarders**

**Earl E. Billman**

**238 Oak Knoll Road**



Village Clerk <clerk@barringtonhills-il.gov>

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## Boarding Barns Law Suit

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**William F Springer** <w.f.springer@comcast.net>  
To: clerk@vbhil.gov

Mon, Sep 21, 2015 at 9:20 AM

Carolyn and I feel strongly that the Village should settle the law suit and proceed to redraft new codes.

Bill and Carolyn Springer  
2 Middlebury Rd  
BH  
[REDACTED]

**Bruce Pfaff**  
**254 Otis Road**  
**Barrington Hills**  
9/21/15

Re: Comments to rumored settlement of *Drury v. VBH* litigation; hearing 9/23/15

Dear Village Board,

I write to give my views and would ask that this letter be made part of whatever official record the Village has concerning this issue. I cannot attend the special meeting set on 9/23/15 due to a work commitment.

I am very familiar with the text amendment for horse boarding. In the past 7 years, I served on the Village's Legal Committee, the Equestrian Commission, and the Zoning Board. The issue of commercial horse boarding has been loudly debated in our Village for the five years before it became law. There has been no shortage of opinions or papers submitted.

I believe the following:

- The Village's communication about the Drury lawsuit is misleadingly incomplete.
- The Village likely does not have the legal authority to settle the Drury lawsuit at this time.
- The Drury lawsuit is without merit and should not be settled.

**The Village's Communication about the *Drury* Lawsuit  
Is Misleadingly Incomplete.**

In the e-packet available on the Village's website 9/21/15, a copy of the lawsuit appears. As everyone knows, a lawsuit is a series of allegations. The Village is required under Court rules to file a written answer to the complaint. The Village's website does not include its answer to the complaint or any motion challenging the complaint. It would be good for Village residents to know what the Village's written response to the allegations of the complaint are. Why was this not provided?<sup>1</sup> Has the Village moved to dismiss the complaint? Has the Village denied the essential allegations of the case?

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<sup>1</sup> Such pleadings are not available on line through the Circuit Clerk's office at this time. Anyone who would wish to see those documents from a public source would need to travel to the Daley Center and visit the clerk between the hours of 8:30 and 4:30.

The complaint is phrased in three counts. Counts 1 and 2 have already been dismissed. Why didn't the Village notify readers of its e-packet that two-third of the case has already been dismissed?

Most glaring is the current administration's failure to give notice that three parties have filed motions to intervene in the lawsuit to support the text amendment. The Court is scheduled in upcoming weeks to decide whether the petitions will be allowed. Until the rights of the petitioners have been adjudicated, there can be no settlement of the case. Why didn't the Village notify the residents that petitions to intervene have been filed and that the Court will not permit any settlement until the petitioners' rights have been considered?

### **The Case Cannot Now Be Settled**

The Court will not permit a settlement of *Drury v. VBH* without taking into consideration the rights of those parties who have filed petitions to intervene. Even talking about a potential settlement without considering the rights of the petitioners, who are landowners in the Village, is a poor use of Board time and Village resident time.

### **The Drury Lawsuit Is Without Merit and Should Not Be Settled.**

The one Count remaining, Count 3, argues that the amendment "bears no relation to the public health, safety, comfort, morals or general welfare." What were the five years of meetings and hearings about then? Every party interested in the subject for more than five years has had a chance to be heard to explain why the amendment was good or bad for public health, safety, etc. The Drury group lost the vote at the ZBA and the Board level and that is why we have an enforceable text amendment. The Drury group lost the legislative battles. Filing a lawsuit to undo legislation might be legally permissible, but is it the right thing to do?

More importantly, having enacted the text amendment, the Village is required to defend it. The current Board President is opposed to the amendment, but he lost that vote when the Board approved it. Mr. Drury donated a large sum of money to Mr. McLaughlin's campaign, and now Mr. McLaughlin wants the Village to discuss settling Mr. Drury's lawsuit? Doesn't that sound that something that should have been disclosed in the e-packet? Shouldn't members of the public get a full report of campaign donations from the *Drury* plaintiffs to all Board members and PACs that supported them?

I believe that full disclosure of the campaign contributions should be made so that the residents can take that information into account in assessing the reasons behind different Board members' recommendations or decisions on this issue.

### **DISCLAIMER**

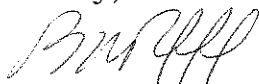
My wife and I have lived in the Village for twenty one years. We erected a barn on our current property that houses three equines. We do not board horses for anyone nor do we plan to do so.

While I am a practicing lawyer, I have not and do not represent anyone in relation to this issue.

### **CONCLUSION**

There should be no settlement of the *Drury* case at this time. The Court process should be allowed to continue to determine the rights of the Village, the intervenors and Mr. Drury and his cohorts. All those Board members who received donations from any of the plaintiffs (Drury, Reich and O'Donnell) should full disclose all campaign donations they received and that the PACs associated with their campaign received.

Sincerely,

  
Bruce R. Pfaff



Village Clerk <clerk@barringtonhills-il.gov>

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## Comment Re Drury Suit

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Jameschammond@aol.com <Jameschammond@aol.com>

Tue, Sep 22, 2015 at 8:38 AM

To: clerk@vbhil.gov

To the honorable Trustees of Barrington Hills:

I believe the Board of Trustees should repeal the recently enacted Commercial Horse Boarding amendment to our village code not because of the lawsuit filed by Jim Drury, but because it's just bad legislation that's the result of a highly subjective and flawed process.

If voiding the ordinance causes Mr. Drury to drop his suit, so much the better.

Thank you for your service.

A handwritten signature in black ink, appearing to read "Jim Hammond", with a stylized flourish at the end.

Jim Hammond  
Resident



Village Clerk <clerk@barringtonhills-il.gov>

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## Commercial horse boarding

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**Cinder Dowling** <Cindowling@comcast.net>

Mon, Sep 21, 2015 at 7:24 PM

To: "clerk@vbhil.gov" <clerk@vbhil.gov>

Please settle this case.....void the text amendment and draft new codes. We need to stand by court decisions....not by out of office politicians!

Jane S. Dowling

Edward G. Dowling

Sent from my iPad





Anna Paul <apaul@barringtonhills-il.gov>

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## Drury v. VBH litigation; meeting 9/23/15

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Louis Iacovelli <louis.iacovelli@comcast.net>

Tue, Sep 22, 2015 at 1:12 PM

To: apaul@barringtonhills-il.gov

ATTENTION VILLAGE CLERK.

I wish to provide these remarks for distribution to the Board of Trustees for consideration.

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To: The Board of Trustees of Barrington Hills, IL

From: Louis and Jennifer Iacovelli  
12 Deepwood Road  
Barrington Hills, IL 60010

Regarding: Drury v. VBH litigation; meeting 9/23/15

Jennifer and I fully support the text amendment as adopted; we oppose any settlement of the litigation. The Village must defend the text amendment. Any attempt at settlement would violate proper process and procedure and expose the Village to further unnecessary litigation.



Village Clerk <clerk@barringtonhills-il.gov>

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## Horse Boarding Text Amendment

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Jon Traub <jontraub@yahoo.com>

Tue, Sep 22, 2015 at 10:38 AM

To: clerk@vbhil.gov

Cc: Jonathan Traub <jontraub@yahoo.com>, Christy Traub <christytraub@yahoo.com>

Dear Village Board,

I am unable to attend the special meeting tomorrow night, but I would like these comments to be part of the record. I live at 2 Far Hills Road in Barrington Hills and purchased the property in May of 2013 because my wife was taking lessons and boarding at Oakwood Farms. When Oakwood had to close down a few months later we were shocked and felt blind sided as this was the main reason we moved to Barrington Hills. Clearly there are several larger barns with boarding operations around the village and Oakwood was being unfairly targeted to close. As I learned more of the history of the situation it became clear that this is a dispute amongst neighbors that has spilled over to effect many residents unfairly. I do not have a barn on my property and I have a large family of four to care for. We do not want to build our own barn and boarding at a facility like Oakwood is our only option. The social aspect of being part of a larger barn with your friends and neighbors is also a unique aspect of our village. My five year old daughter has joined my wife's love of horses and has begun to ride as well.

I have attended several of the village meetings and followed the text amendment legal proceedings as the new amendment was made into law. The amendment was long over due and outlines rules for all barn owners that are fair, limits the number of horses, outlines proper manure management rules, and provides for proper protection of our water system and all village residents.

I think another key point that has not been emphasized enough is how generous Oakwood Farms is to the community as a whole. In our two and a half years since we have been here, Oakwood allows all the large events at the public riding facility to use there fields for parking even though on several occasions I have seen the fields torn up because of poor weather. Oakwood also hosts the annual polo event that over 2000 community members attend and enjoy every year.

I am strongly in favor of the current text amendment and believe our board should defend it against this frivolous lawsuit. I am happy to discuss further or help in anyway I can as a new resident who hopefully will continue to raise my family here for the next 30 years.

Sincerely,

Jonathan Traub  
[REDACTED]



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**Comment: Text Amendment Meeting 9/23/15**

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shirleymitchell4@aol.com <shirleymitchell4@aol.com>  
To: clerk@vbhil.gov

Tue, Sep 22, 2015 at 11:25 AM

Dear Trustees:

I will not be able to make the September 23 meeting at the school. I would like to submit my simple comments to you for your information and use, but do not wish to have my name read in public at this meeting.

**Comment:**

I am a Village resident with a 9 stall barn and indoor riding arena. I have not boarded horses, but I have that ability and value that I have that choice.

I do not see the need for this text Amendment and I think it goes too far. It appears to me that the current Home Occupation Ordinance is sufficient to allow and control all horse boarding operations. It just has to be followed and then enforced by the Village.

To be clear, I am in favor of allowing home owners to board horses in addition to their own. I don't even see a need to limit this because it's not about the number of horses rather it's all about how it is done, how it looks, and how it impacts surrounding neighbors.

I also believe special use permits can work if reviewed and approved as reasonable exceptions to Village zoning rules. This would likely require stringent restrictions to afford neighbors their right to the enjoyment of their properties.

As Trustees you have the responsibility to lead our Village into a future that continues the historic tradition of horses living here which includes neighbors and their friends riding the Hills. Personally, I welcome more horses and riders, but it must be done right.

Not everyone will agree on how to control large horse boarding operations that are not personal, rather businesses. I pray for you to have wisdom and strength to do the right thing for our Village's future. A tall task that is worth the energy should you ever question that!

Sincerely,

**Shirley Mitchell**

## **Public Comment for the Special Village Board Meeting Scheduled for September 23, 2015**

Barrington Hills Farm submits this letter to encourage the Village of Barrington Hills not to settle this lawsuit prior to understanding how the potential settlement terms – still unknown – may impact property rights in the Village. Because the Notices regarding this Special Meeting did not include any proposed terms to be included in the potential settlement being discussed tonight, Barrington Hills Farm is unable to submit a more detailed position on this settlement. However, Barrington Hills Farm is deeply concerned with the impact this lawsuit, and any settlement thereof, may have on its property rights and the character of the Barrington Hills community. Barrington Hills Farm is equally concerned with the improper process being followed.

The Village of Barrington Hills (the “Village”) is a longstanding equestrian community. Since its incorporation in 1957, the Village has worked diligently to preserve this identity and to ensure that its members are able to utilize their land for equestrian purposes. In an effort to maintain this identity, the Village recently passed an amendment to its Village Code regulating horse boarding on residential property, Ordinance No. 14-19 (the “Horse Boarding Amendment”). Initial proposals regarding the language and structure for the Amendment came from multiple residents. It then took months of political process, Village meetings, and public comment to agree on the language ultimately included in the Horse Boarding Amendment. Then the Horse Boarding Amendment was presented for public hearing, recommended for approval by the Village’s Zoning Board of Appeals (the “ZBA”), approved by the Village Board, and ultimately re-approved when the Village Board exercised its power to override the President’s veto and approve the Horse Boarding Amendment. This Amendment was properly enacted and supported by a substantial number of Village residents concerned that horse boarding and

equestrian uses would be diminished without such an amendment to the Village Code. In short, the 2015 Horse Boarding Amendment got to the right answer in the right way.

Yet, just four days after passing the Horse Boarding Amendment, on February 27, 2015, a lawsuit was filed in Cook County seeking to reverse the Amendment.<sup>1</sup> This lawsuit did not take place in a vacuum. The lawsuit was filed after the Village Board President publicly commissioned an investigation of the former Village Board members who voted for the Amendment. Additionally, while the Village is the defendant in this case, it has not submitted any filing to the Court in defense of the Amendment.<sup>2</sup> Thus, a few concerned residents of the Village, including Barrington Hills Farm, were forced to file petitions in defense of the Horse Boarding Amendment. In other words, after the Village passed the Amendment, the Village did not defend the Amendment, and private residents were forced to expend private funds to defend the Amendment on behalf of the Village. While the Court needs time to sort out these issues, the Village is seeking public comment regarding a potential settlement of this lawsuit –without any proposed terms – tonight.

This is a very important issue for Barrington Hills Farm because it recently acquired a substantial portion of land in and adjacent to the Village with the intention of boarding horses for two non-profit organizations, the Hooved Animal Rescue & Protection Society of Barrington, Illinois (“HARPS”) and Veterans R&R. HARPS is a non-profit organization that takes in, rehabilitates, and finds new homes for horses and other hooved animals that have been abused and neglected by their owners. Veterans R&R is a non-profit organization that works to improve the lives of Veterans and Active Duty Military members. As

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<sup>1</sup> *James J. Drury III v. Village of Barrington Hills*, Case No. 2015 CH 3461.

<sup>2</sup> The Village did file an appearance on April 6, 2015; however, it has yet to file an answer to the Plaintiff’s complaint or any other substantive motion in defense of the Horse Boarding Amendment.

part of these efforts, Veterans R&R has established a Military Equestrian Leadership Program through which it will train veterans to ride horses for both recreational and event-related purposes. Veterans R&R plans to adopt horses to be used for this program from various military units, and currently is in negotiations with Barrington Hills Farm to use the Farm's facilities for boarding the horses and hosting the Leadership Program. Barrington Hills Farm invested significant money and effort based on the Village's identity as an equestrian community and consistent with its Comprehensive Plan and Village Code. Barrington Hills Farm is committed to providing a benefit to the community at large and to veterans. This commitment is compatible with the Village's Comprehensive Plan and the lawfully passed Horse Boarding Amendment. Both the Village's longstanding image as an equestrian community, and Barrington Hills Farm's purpose in acquiring land in Barrington Hills, will be devastated if this lawsuit succeeds in nullifying the Horse Boarding Amendment.

If there is to be a change in the Village's Comprehensive Plan or to the Horse Boarding Amendment, those who could be effected have the right to due process, including the opportunity to participate in hearings through the appropriate Village Committees and ultimately by the Village Board. This is particularly important given that Barrington Hills Farm has made commitments to third parties, in good faith, based on existing law. If the law is changed by legislative means, in a manner impacting these commitments, we would expect the protection of a provision grandfathering the plans and commitments made by Barrington Hills Farm based on existing law. However, the current lawsuit, which we believe began as a two-party dispute, now threatens to unfairly damage Barrington Hills Farm without allowing us to participate in the process. Settling the current lawsuit may cause that same grievous harm to Barrington Hills Farm. We believe that all residents of the Village should be concerned with the troubling

precedent that may be created by a settlement of this lawsuit. A precedent that would say: in Barrington Hills, a person or organization may act in good faith reliance on a valid law, and later learn that a lawsuit, to which it is not even a party, may be settled in a way that deprives this person or organization of the property rights it relied on. In this case, Barrington Hills Farm is firmly committed to using these property rights to serve a very noble, non-profit mission.



September 22, 2015

Board of Trustees  
Village of Barrington Hills  
112 Algonquin Road  
Barrington Hills, Illinois 60010

Dear President McLaughlin and Board of Trustees,

I am writing to urge the Board of Trustees to settle the current lawsuit against the Village on the issue of the flawed Commercial Horse Boarding Ordinance which was enacted earlier this year. The Ordinance clearly was written to favor one party (LeCompte) involved in private litigation with a neighbor. It has long been my opinion that our Village should have waited until that litigation was resolved before making any changes to our Village Code regarding boarding. If there is any question about the Ordinance showing favoritism to a particular party in that lawsuit, look no further than the retroactivity provision. What purpose does that clause serve except to help Oakwood Farms? You, the members of the current Board of Trustees, are under no obligation to defend this partisan-crafted Ordinance or to expend our tax dollars on it.

The hasty process to craft the ordinance was plagued with potential Open Meetings Act violations, and with complete failure to heed the public's legitimate concerns about conflicts of interest by persons who were members of the Zoning Board of Appeals and the Board of Trustees at that time. Residents of this Village cannot have any confidence that the decisions made by those board members were free of the shadow of impropriety, or at the very least, favoritism, given their close personal associations, as well as equestrian club affiliations with two of the parties (LeCompte and Elder/RCBH) who submitted two of the four Boarding Amendment proposals. The fact that none of the members of the ZBA or BOT recused themselves from discussing or voting on any of the amendments is troubling.

Attached is a copy of the remarks that I delivered to the Board of Trustees *exactly one year ago today*, expressing my concerns about the draft Anderson Amendment. My feelings have only strengthened with the passage of time. I ask this Board to settle the current lawsuit, rescind the ordinance in its present form, and then wait until the dust clears.

Ideally, I feel that we should return boarding on 5 acre parcels to the same rules as other HOOs, that we should establish a maximum of total (personal and boarded) horses on a 5 acre property, and that we should require large scale boarding facilities to apply for Special Use/Conditional Use permits to ensure adequate protections for neighboring homeowners.

Sincerely,

Pamela A. Cools  
32 Little Bend Road  
Barrington Hills, IL 60010

I have several comments to make tonight.

- 1) I feel that it would be irresponsible and a betrayal of the public trust for this board to even consider any changes to our zoning code at this time. Approving an amendment now has the strong potential to expose this village to new lawsuits by residents. And, if there is anything that this village does not need is more spending on legal fees that we could easily avoid by taking a slow and deliberate approach.
- 2) The Anderson Amendment that is on the agenda tonight has not been exposed to proper scrutiny by our residents. Although the ZBA chair felt that it was not necessary to hold a separate public hearing, it is obvious to anyone who compares the Anderson Amendment to the LeCompte Amendment, that the changes that it contains are considerable and they merit thorough review by the residents. Failure to do so could yet again expose our community to further litigation.
- 3) If any measures are taken by this Board to regulate large-scale commercial horse boarding, it should be done under Special Use Permit, and not under agriculture. Special Use allows the unique characteristics of each boarding operation to be addressed, while giving neighbors more security and protection against potential nuisances.
- 4) While it may seem convenient to categorize horse boarding as agricultural, such a categorization fails to recognize a very important distinction. The definition of Agriculture in our code\* specifically lists relatively passive activities which do not attract visitors or members of the public. This is an extremely important point, which is also apparent throughout our Comprehensive Plan.

Now, I live in very close proximity to the Duda property, and I pass the fields of corn, soybeans, and pastures of cows, goats and free chickens every day. Never have I seen families coming to visit the soybeans, ride the goats or take the chickens out for the day in their trailer. Our code permits bee-keeping and the growing of grapes and flowers, but does not allow farmstands for the sale of their products. And, if our code goes so far to limit each property owner to two two-day garage sales per year, why would we ever consider an amendment which would allow unlimited visitors to those properties 365 days of the year?

- 5) There is a way to find a compromise to satisfy nearly everyone's concerns which would allow commercial horse boarding to continue in the village, which is what we all want. But it seems that the current ZBA is not willing to listen to all sides. If this amendment is approved tonight, I would like to remind everyone here that the next village election is 197 days away. So vote wisely tonight. If you don't, rest assured, we will vote wisely in April.

\*AGRICULTURE: The use of and for agricultural purposes including farming, dairying, pasturing, apiculture, horticulture, floriculture, viticulture and animal and poultry husbandry (including the breeding and raising of horses as an occupation) and the necessary accessory uses for handling or storing the produce; provided however that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities



Village Clerk <clerk@barringtonhills-il.gov>

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## Drury Vs. LeCompte

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**Laurie Wolf** <lwolf001@gmail.com>

Tue, Sep 22, 2015 at 8:07 PM

To: clerk@vbhil.gov

Cc: Laurie Wolf <lwolf001@gmail.com>, Greg Wolf <gwolf001@gmail.com>

Greg and Laurie Wolf

We support Drury in this dispute and believe it is unlawful to have large scale horse boarding operations in the village.

35 Lakeview Lane  
Barrington Hills, IL. 60010-5115

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Laurie Wolf



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## Horse Boarding Text Amendment

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Christy Traub <christytraub@yahoo.com>

Wed, Sep 23, 2015 at 7:53 AM

To: "clerk@vbhil.gov" <clerk@vbhil.gov>

Hello,

I am writing in regards to the Horse Boarding text amendment for the Drury lawsuit. I am strongly in favor of the current text amendment and think we need to defend it.

I am greatly in favor of horse boarding in Barrington Hills. It is why I moved here. My dream has come true to live in a beautiful horse community that has great schools for my children and resources all around. We are so fortunate. I love seeing the rolling hills with large barns and pastures with horses grazing or running free. I love driving thru my neighborhood and seeing all the smaller run barns and horses there waiting to go out on trail rides thru our community and visits to the Riding Center.

We need to preserve and keep these large run barns to bring people together and have places for their children to ride and board horses or for neighbors to be able to ride together and see one another. I would not have moved here if I had not been riding at Oakwood Farm for the year prior to finding our dream home in the same neighborhood as Oakwood Farm.

After boarding at a small barn I realize how much I miss being at a large run boarding facility, in particular Oakwood Farm, to be able to see and socialize with people everyday. I used to sublease at Oakwood and have lessons there for myself and now my daughter who is 5 is starting lessons there for herself. I had been riding at Oakwood for 3 years and moved 2 years ago to Barrington Hills. I loved riding there and seeing friendly faces every day and having the care of the horse I was subleasing well cared for so I could take care of my own children and have an indoor arena where you can ride in on rainy or winter days. What also makes Oakwood so unique is their proximity to the Riding Center. Another very unique and fortunate thing our community has. Along with the trail system and forest preserve we are able to use in this community. We need outside boarders to help maintain these trails and the riding center so we can keep our community well cared for and to be able to talk with and socialize with one another and bring people to love our community as much as I have so we can bring people to move here instead of moving out.

We all need to get along with each other and not separate or more and more people will be divided and want to leave and our community will fall apart. Also we don't want to loose the large run horse barns or they could sell off to small lots for homes and slowly we could loose our 5 acre zoning which makes our community so unique. We have enough homes we don't need more lots to build more homes. What makes our community so unique is seeing the rolling hills full of pastures and horses. This is my dream to see this everyday and without it I would now be here today. I want to raise my 4 children in such a beautiful community and great school district and see these rolling hills and pastures full of horses as well as to ride thru horse trails thru beautiful hills and forests. This is we are so fortunate to have what we have and what makes us so unique.

Also, Oakwood Farm has been so giving to our community and trying to bring everyone together by hosting the Polo event and letting people park on their horse pastures. They have also let horse events at the Riding Center use their pastures to park their cars as well.

Now that I have horses of my own I think it is important to be able to be at a riding facility where u can board your horse and have it well cared for. Whether it's a large or small run barn. What is also very unique and helpful with a large run barn is that most have an indoor riding arena where you can see and talk to friendly faces every day. I am unable to have horses on my property to care for them and ride them as I do not own a barn nor do I have the time to care for them with 4 young children, the youngest being 6 months old. Plus I need to have a place close by time wise so I can be home for my children and their busy schedules (3 of my 4 children are at 3 different schools in Barrington 220).

I hope you take great thought into knowing the importance of having large run boarding facilities in Barrington Hills.

I am strongly in favor of the current lawsuit and think we need to defend it.

Thank you  
Christy Traub

Sent from my iPhone

## Cliff Notes for the Horse Boarding Text Amendment in Barrington Hills

Submitted by Jennifer Rousseau, 127 Buckley Rd, Barrington Hills, IL

What the ZBA Text Amendment, as passed in December 2014, **does:**

- Adds the words “boarding and training of horses and riders” to the **existing** definition of **permitted** agricultural use, **within** a residentially zoned property:
  - Existing permitted uses: Farming, dairying, pasturage, horticulture, floriculture, viticulture, breeding and animal husbandry including the breeding of horses.
- Recognizes that the buildings associated with breeding, boarding and training of horses and riders may exceed the size of the residence.
- Provides that properties under ten acres continue to be regulated under home occupation, with a limit of one horse per acre, and properties of ten or more acres be regulated under agriculture, with a maximum of two horses per acre.
- Protects the trustees who presided between 2006 and 2014, as well as the landowners who boarded horses during this time period, from any legal action, by applying this recognition retroactively to 2006, corresponding with the date when the **vague and indefensible** “notwithstanding” clause which was added to the zoning rules: *Notwithstanding anything to the contrary contained in this subsection (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 eight o'clock (8:00) A.M. and eight o'clock and eight o'clock (8:00) P.M. 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 eight o'clock (8:00) A.M. and (8:00) P.M. or sunset, whichever is later. (Ord. 06-12, 6-26-2006). **The 2011 published court opinion in Drury v LeCompte clearly stated that horse boarding did not comport with this zoning code language, therefore landowners and trustees alike may be exposed.***

- Requires that all buildings adhere to the existing setback rules, and that the maximum floor area ratio adheres to the existing code for residential properties.
- Added specific hours for farm employees, riding instruction, and the operation of equipment.
- Limits and regulates waste management, lighting and nuisance such that it conforms to the existing zoning language.
- Addresses excessive road use and prohibits the use of portable toilets.
- **Balances the rights of all residents, equestrian and non-equestrian, while protecting our large equestrian tracts of land under the most long-term effective categorization, which is agriculture.**
- **Mirrors the language which has protected our greatest historical equestrian communities, such as Middleburg, VA and Lexington, KY.**

What the ZBA Text Amendment, as passed in December 2014, **does not do:**

- Does not open the door to commercial zoning of any kind, because it is very specific to agriculture. Gas stations and 7-11's are not agriculture.
- Does not change the rate of taxation of properties to agriculture. The State of Illinois has its own criteria for what constitutes agricultural property – **that has not changed.** All of Barrington Hills is zoned residential, and the first five acres is taxed as such – **that has not changed. Barrington Hills permits agricultural activities within their residential zoning – that has not changed.**
- Does not incentivise residents to start mass boarding of horses – **bees and beehives would be a much cheaper and easier way to get an agricultural tax break.**

I support the 2014 ZBA Text Amendment as was legally passed and enacted by the Board of Trustees in December 2014. I absolutely do not support the village settling any lawsuit which could undermine this legal and binding amendment. In particular, I am incensed that the trustees are allowing someone with a big check book, James Drury, to force the village into changing laws to suit his financial interests. How dare you? The current zoning language protects horse boarding. The previous zoning code did not. If I were in your shoes, I would be asking myself: What is right for the good of the whole community, not what is in the best

Jennifer Rousseau



Village Clerk <clerk@barringtonhills-il.gov>

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## Horse Boarding

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r victoria jodis <porschedrivers@gmail.com>

Wed, Sep 23, 2015 at 10:29 AM

To: clerk@vbhil.gov

To the residents of Barrington Hills

My daughter and I have ridden the Barrington trails for almost a decade and a half to lose the horse boarding and camaraderie that goes with it would be almost ... criminal!!

This is what makes Barrington Hills UNIQUE and should never be changed. Those that are against it and the horse community can certainly choose to move to any other municipality that fits their lifestyle, not the other way around.

R Victoria Jodis



*R Victoria Jodis  
Executive Producer / Host*

<http://site300.strikingly.com/>  
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Robert Kosin <rkosin@barringtonhills-il.gov>

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## Special Meeting Re: Horse Boarding Sept 23

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**Matt Yeterian** <myeterian@hbcmd.com>

Wed, Sep 23, 2015 at 1:19 PM

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

Dear Board of Trustees

Please accept this email as our opposition to settlement talks. In the event the Board is so inclined to change the current boarding ordinance, then it should propose those changes for consideration. It should also vigorously defend the baseless allegations in the complaint against the Village.

Respectfully,

Matt and Holly Yeterian  
13 Deepwood Rd  
Barrington Hills, IL