

**AN ORDINANCE GRANTING AN AMENDMENT TO AN EXISTING SPECIAL USE PERMIT ALLOWING FOR THE INSTALLATION OF CERTAIN SIGNAGE AT 98 ALGONQUIN ROAD**

**WHEREAS**, Section 5-10-7 of the Zoning Code of the Village of Barrington Hills ("Village") authorizes the Village Zoning Board of Appeals ("ZBA") to recommend, and the Board of Trustees to approve, special uses within the zoning districts of the Village; and

**WHEREAS**, Barrington United Methodist Church ("Applicant") applied for the grant of an amendment of an existing Special Use Permit to allow for the installation of an illuminated dimensional wall sign on the canopy arc of the northwest elevation of the existing sanctuary building including another sign to be located above the canopy arc on its property at 98 Algonquin Road ("Property"), which Application is on file with the Village's Building Department as of the date of hearing; and

**WHEREAS**, on February 17, 2016 the ZBA, with six members present and voting on this matter, held a public hearing on the application for the amendment to the Special Use Permit, prior to which time all notice of the public hearing was published in a timely manner in the Daily Herald as well as posted in the Village Hall, and individual notice was provided to all property owners within two hundred fifty feet (250) of the Property, as recorded in the most recent County real estate tax records, and notice was properly posted on the Property; and

**WHEREAS**, Section 5-10-7(E) of the Village Zoning Code establishes standards which must be met before the ZBA may recommend approval of an amendment to a Special Use Permit; and

**WHEREAS**, at the close of the public hearing, the ZBA made all necessary findings of fact as to compliance with the standards set forth in Section 5-10-7(E) of the Village Zoning Code, and recommended on a 5 to 1 vote of the six members present that an amendment to the Special Use Permit be granted, as are set forth in the Findings of Fact and Recommendations in Exhibit A attached hereto and incorporated herein by reference.

**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 ONE:** The Special Use Permit is hereby amended to allow for the installation of an illuminated dimensional wall sign on the canopy arc of the northwest elevation of the existing sanctuary building including another sign to be located above the canopy arc on the Property as requested and depicted in the Applicant's drawing submissions.

**SECTION TWO:** If any part or provision of this Ordinance shall be held or deemed invalid, such invalidity shall not have the effect of rendering another part or provision of this Ordinance invalid.

**SECTION THREE:** This Ordinance shall be in full force and affect from and after its passage and approval as provided by law.

Ayes:      Nays:      Absent:

**PASSED AND APPROVED** by the President and Board of Trustees of the Village of Barrington Hills, Illinois, this 30<sup>th</sup> day of March, 2016.

APPROVED:

ATTEST:

\_\_\_\_\_  
Village President

\_\_\_\_\_  
Village Clerk

March 23, 2016

To: President and Board of Trustees  
Village of Barrington Hills

RE: Application for Special Use Permit Amendment  
To Allow Signage --98 Algonquin Road  
Barrington United Methodist Church

This is to advise you that at a public hearing of the Zoning Board of Appeals ("ZBA") held at 7:30 P.M. on Wednesday, February 17, 2016, in the MacArthur Room of the Village Hall, where a quorum was present, the ZBA considered the application of Barrington United Methodist Church ("Applicant") for the grant of an amendment of an existing Special Use Permit to allow the installation of an illuminated dimensional wall sign on the canopy arc of the northwest elevation of the existing sanctuary building including another sign to be located above the canopy arc on its property at 98 Algonquin Road ("Property"), identified as PIN 01-15-300-008.

Notice of the hearing was published in a timely manner in the Daily Herald as well as posted in the Village Hall. Proof of individual notice, by registered mail, return receipt requested, was submitted for all property owners within 250 feet as recorded in the office of the tax assessor of Barrington Township, and the notice of the hearing was properly posted on the Property.

The Applicant was represented at the initial public hearing by Attorney Arthur Janura, and testimony in support of the Application for amendment to the Special Use Permit was presented as follows.

### **FACTS**

The Village Board approved the existing Special Use Permit and associated Site Development Plan on January 22, 2001 by Resolution 01-02. Applicant seeks to amend the Site Development Plan to permit an illuminated dimensional wall sign extending 46 feet on the canopy arc of the northwest elevation of the existing sanctuary building stating "Barrington United Methodist Church" and including the symbol of the United Methodist Churches, an illuminated flame and cross covering an area of twelve inches (12") by seven feet (7') to be located above the canopy arc on the northwest elevation of the building. Both will be illuminated with internal LED module lighting.

Applicant owns the Property, which, is part of additional property equaling 32 acres. In 2003, the Church completed construction of the facilities located in the Village. The Applicant testified that the sign and symbol will provide visible identification of the

church as a Methodist congregation and encourage all who see the sign and are seeking a church home to investigate further and attend a service.

## **FINDINGS**

The ZBA, after having examined the facts as presented, and taking in consideration the testimony set forth during the public hearing, voted 5 to 1, to recommend approval of the Application for amendment to the Special Use Permit, finding that the facts set forth in the Application, and as testified to at public hearing, are sufficient for the approval of the grant of the amendment to the Special Use Permit, those facts being:

### **Standards for Special Use Permit:**

1. That the establishment, maintenance, or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

**The property is located at the intersection of IL Rt. 68 and IL Rt. 59, which is a major intersection in the Village and extremely well traveled. Signs similar to the proposed already exist near the intersection, and they have not changed or damaged the residential character of the surrounding areas of the Village.**

2. That the special use permit will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish property or impair property values within the neighborhood.

**The amendment will have no impact on property values as the church has been in this location for more than a decade and the church has caused no decline in property values. The sign and symbol will not be visible to residential properties as it is on the northwest elevation of the sanctuary.**

3. That the establishment of the special use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.

**Normal and orderly development and improvement of surrounding properties has continued since 2003 for the uses permitted in the zoning district and the church is unaware of any negative effect, nor will the use of signage affect or impede development.**

4. That adequate utilities, access roads, drainage and/or other facilities have been or are being provided.

**Approval of the signage does not implicate utilities, access roads, drainage and/or other facilities.**

5. That adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads.

**Approval of the signage does not implicate measures to provide ingress and egress so designed as to minimize traffic congestion in the public streets and roads.**

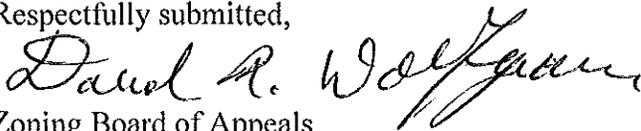
6. That the special use shall in all other respects conform to the applicable regulations of the district in which it is located, except as such regulations may in each instance be modified by the board of trustees pursuant to the recommendations of the zoning board of appeals.

**The use of the Applicant will continue as allowed under the existing Special Use Permit.**

### **RECOMMENDATION**

The Zoning Board of Appeals recommends that the Village Board approve the request for the amendment to the existing Special Use Permit to allow the installation of an illuminated dimensional wall sign on the canopy arc of the northwest elevation of the existing sanctuary building including another sign to be located above the canopy arc on its property at 98 Algonquin Road as applied for.

Respectfully submitted,



Zoning Board of Appeals  
Village of Barrington Hills

**VILLAGE OF BARRINGTON HILLS  
ZONING BOARD OF APPEALS  
MacArthur Room – Village Hall  
Wednesday, February 17, 2016**

- 1. Call to Order/Roll Call:** The Meeting was called to Order at 7:30 p.m. by Chairman Dan Wolfgram. On roll call, the following members were present:

Dan Wolfgram, Chairman  
Debra Buettner  
Jan Goss  
Patrick J. Hennelly  
David Stieper  
Jim Root

**Absent:** Richard Chambers

**Staff Present:** Robert Kosin, Village Administrator  
Sean Conway, Legal Counsel

**2. Public Comments:**

Chairman Wolfgram made a call for public comment. There were no public comments.

**3. Minutes**

**November 16, 2015**

Member Hennelly moved, seconded by Member Stieper to approve the minutes of November 16, 2015. Chairman Wolfgram called for discussion. There was no discussion.

On a voice vote, all Members voted “aye.” The Motion Carried.

**4. 98 Algonquin Road (Barrington United Methodist Church) – Special Use Amendment Signage**

**Public Hearing:**

Chairman Wolfgram opened the Public Hearing on the Petition concerning 98 Algonquin Road, Special Use Amendment Signage.

All witnesses intending to provide testimony in the matter were sworn in by the Certified Shorthand Court Reporter.

Administrator Kosin provided background testimony on the Applicant’s Application for zoning relief and testified to the notice of hearing having been provided.

The Applicant’s Attorney, Arthur Janura, provided his introduction and identified witnesses in this matter including Wayne Child, Byron Schneider, Art Holland, and George Gill.

Attorney Janura introduced a number of exhibits in support of the Application including Petitioner’s Exhibit 1 – Published Legal Notice; Petitioner’s Exhibit 2 – Sign Notice; Petitioner’s Exhibit 3 – Proof of Certified Mail Notice; Petitioner’s Exhibit 4 – Sketch of Proposed Sign Amendments.

Petitioner's exhibits were accepted without objection.

Attorney Janura called witness George Gill to testify as to the sign proposal at issue.

George Gill provided testimony concerning the zoning relief requested. Specifically, George Gill provided testimony on the purpose and general design of the proposed religious institution sign.

Art Holland provided more detailed testimony on the design and impact of the proposed religious institution sign.

Member Goss questioned Mr. Holland on the proposed level of sign illumination and Mr. Holland responded that the sign would provide between 300 and 400 lumens of light.

Member Stieper asked about the amount of lighting that will be on the property, generally.

Byron Schneider provided testimony concerning current lighting on the property, generally.

Art Holland and Byron Schneider provided testimony on the duration of the proposed sign's lighting.

Member Stieper inquired as to any lighting interference with vehicular traffic and Art Holland testified that there would not be any interference given the level of lighting and distance of lighting from the road.

Chairman Wolfgram asked Administrator Kosin some general questions about Village permitting of signs to which Administrator Kosin provided a response.

George Gill provided testimony concerning the history of Barrington United Methodist Church in the Village and that he is not aware of any neighbor objections to the requested zoning relief.

Art Holland provided testimony on the ability to dim the sign lighting.

Attorney Janura called George Gill to testify to facts concerning the special use standards and George Gill provided fact testimony on the special use standards.

Member Stieper questioned whether the proposed sign was in conformance with the Village's sign regulations.

Administrator Kosin testified that the proposed sign is being evaluated within the special use process.

Member Stieper questioned ZBA Attorney Conway concerning any precedential effect of this special use matter on future special use matters.

ZBA Attorney Conway affirmed that there is no precedential effect of this special use matter on future special use matters and each special use matter is taken by the ZBA on a case-by-case basis.

Member Buettner question about the general history of past ZBA recommended approvals of back lit signage in the Village.

Administrator Kosin responded that he is not aware of such action mainly because the technology is relatively new.

Chairman Wolfram called for any additional testimony. No more testimony was provided.

Chairman Wolfram closed the public hearing portion of the Applicant's request for zoning relief.

**Public Meeting:**

Chairman Wolfram opened the Public Meeting on the Petition concerning 98 Algonquin Road, Special Use Amendment Signage.

Chairman Wolfram made a statement on the consideration and voting requirements for special use zoning relief.

Member Goss made a motion that the Applicant has satisfied the findings of fact required for the special use zoning relief requested by the Applicant. Member Hennelly seconded the Motion.

The ZBA Members has a discussion about the ZBA history in declining to recommend approval of symbol signage alone as opposed symbol signage that also provides identification for directional purposes.

Chairman Wolfram called for discussion.

There was discussion on the duration of the lighting for the proposed sign. There was no further discussion.

**Roll Call:**

	Y	N
Wolfram	X	
Buettner		X
Chambers		
Goss	X	
Hennelly	X	
Root	X	
Stieper	X	

The Motion carried.

Member Hennelly made a motion to recommend approval of the Applicant's request for special use zoning relief to the Village Board. Member Goss seconded the Motion.

Chairman Wolfram called for discussion.

Member Stieper commented that while symbol signs have been traditionally discouraged in the Village, he was inclined to vote to recommend approval based on the uniqueness of the location.

**Roll Call:**

	Y	N
Wolfram	X	
Buettner		X
Chambers		
Goss	X	

Hennelly	X
Root	X
Stieper	X

The Motion carried.

The Public Meeting on the Petition concerning 98 Algonquin Road, Special Use Amendment Signage was closed.

### **5. 337 Ridge Road – Special Use Amendment Rectory**

Chairman Wolfgram opened the Public Hearing on the Petition concerning 337 Ridge Road – Special Use Amendment Rectory.

Member Stieper recused himself from consideration and voting on 337 Ridge Road – Special Use Amendment Rectory.

All witnesses intending to provide testimony in the matter were sworn in by the Certified Shorthand Court Reporter.

Chairman Wolgram confirmed with the Applicant that it desired to move forward given the absence of one ZBA member and the recusal of Member Stieper. The Applicant confirmed that it desired to proceed with the hearing.

Administrator Kosin provided back ground testimony on the Applicant's Application for zoning relief and testified to the notice of hearing having been provided.

On behalf of the Applicant, Gina Erdman testified in support of the Application. Ms. Erdman provided background testimony concerning the zoning relief requested. Ms. Erdman testified that the Applicant is requesting to build a small three season's porch off the existing rectory building.

Member Goss inquired as to whether the Applicant has been previously granted a special use. Village Attorney Conway explained that under the Village Code the Applicant's property has a valid special use by operation of law because the Applicant's use was previously permitted under the former Village zoning provisions concerning religious institutions.

Administrator Kosin explained that alterations of an existing approved special use are required to go through the Village's zoning process.

Chairman Wolfgram asked if there is anyone else who wished to provide testimony.

Pauline Boyle stated that she did not receive notice of the public hearing on the Applicant's request for zoning relief. Ms. Boyle make a statement in opposition to the Applicant's requested zoning relief. Ms. Boyle raised her concerns involving drainage issues and water run-off onto her property. Ms. Boyle stated that human fecal matter emanating from the Applicant's property has been found present on her property.

Ms. Boyle requested that the ZBA recommend denial of the Applicant's request for zoning relief.

Member Buettner asked Ms. Boyle questions about her inspection reports.

Member Buettner asked Ms. Erdman about any past septic failures on the Applicant's property. Ms. Erdman stated that she was unaware of any such failures.

Ms. Erdman provided testimony concerning the situs of the Applicant's property compared to Ms. Boyle's property. Ms. Erdman providing testimony refuting Ms. Boyle's testimony concerning the sanitation issue.

Ms. Erdman provided testimony that the addition will not increase the occupants of the property and that the addition is proposed to be 17' x 16'. Ms. Erdman provided the ZBA current photographs of the property.

Ms. Boyle provided a photograph to the ZBA. Ms. Boyle testified that the photograph depicts property at the time the Applicant's septic system failed either in 2012 or 2013.

Ms. Erdman provided testimony concerning facts in connection with the special use standards.

Chairman Wolfgram questioned Administrator Kosin on the history of water issues around Ridge Road. Administrator Kosin provided testimony on the history of water issues around Ridge Road.

Ms. Boyle provided additional testimony concerning water issues on her property.

Ms. Erdman provided testimony that she has not heard any other objections to the Applicant's requested zoning relief.

Member Root questioned whether there have been any recent inspections identifying a sanitation issue emanating from the Applicant's property.

Member Hennelly made a motion to table the hearing on the Applicant's request for zoning relief until Gewalt Hamilton can provide the ZBA additional information on the sanitation issue.

Chairman Wolfgram questioned Administrator Kosin on his opinion as to whether it is possible to make a determination on the sanitation issue.

Administrator Kosin testified that the Village staff could provide the ZBA some additional information.

ZBA Attorney Conway made a point of procedure that there was a pending motion to table.

Chairman Wolfgram asked is there is a second to the motion to table. There was no second and the motion failed for lack of a second.

The members discussed whether it is useful to require additional evidence concerning the sanitation run-off issue.

Member Hennelly again stated that he would prefer to have additional information from Gewalt Hamilton concerning the sanitation run-off issue.

The members discussed the additional evidence that would aid in the consideration of Applicant's request for zoning relief.

Member Hennelly made another motion to table the hearing on the Applicant's request for zoning relief to the next ZBA Meeting for the taking of additional evidence. Member Buettner seconded the motion.

Chairman Wolfgram called for discussion. Member Root asked a clarification question which was answered by Ms. Erdman.

**Roll Call:**

	Y	N
Wolfgram	X	
Buettner	X	
Chambers		
Goss	X	
Hennelly	X	
Root	X	
Stieper	X	

The Motion carried.

**6. Official Zoning Map – 2016 Edition**

Chairman Wolfgram opened the Public Hearing on the Official Zoning Map – 2016 Edition.

Administrator Kosin provided background statements on the matter and testified to the notice of hearing having been provided. Administrator Kosin stated that there was no change to the map except the title.

Member Stieper made a recommendation that the Village’s Zoning Map contain a footnote or some other indication that commercial horse boarding is a permitted use in the Village’s R1 District.

ZBA Attorney Conway provided a legal recommendation that to the extent the ZBA would like to make a recommended approval of the Official Zoning Map – 2016 Edition with a footnote or other indication, such map should be noticed by publication and subject to public hearing.

The members had further discussion on the merits of including a footnote or some other indication that commercial horse boarding is a permitted use in the Village’s R1 District.

Administrator Kosin explained that primary purpose of a zoning map is to serve as a legend to the Village’s Zoning Code.

Member Goss made a motion to recommend approval the Official Zoning Map – 2016 Edition as presented. Member Hennelly seconded the Motion.

Chairman Wolfgram called for discussion.

The members had further discussion on the merits of including a footnote or some other indication that commercial horse boarding is a permitted use in the Village’s R1 District.

**Roll Call:**

	Y	N
Wolfgram	X	
Buettner	X	
Chambers		

Goss	X	
Hennelly	X	
Root	X	
Stieper		X

The Motion carried.

**7. Special Events Discussion**

Chairman Wolfgram opened discussion on special events and questioned Administrator Kosin as to his opinion on whether there needs to be some change in the Village Code concerning special events.

Administrator Kosin offered his perspective.

The members discussed whether there needs to be a change in the Village Code concerning special events.

Chairman Wolfgram indicated that further discussion on this issue can occur at a subsequent meeting.

**8. Adjournment**

Motion to adjourn by Member Stieper, seconded by Member Goss at 10:05 p.m. On a voice vote, all members voting “aye.” The meeting stands adjourned.

Approved: \_\_\_\_\_

Dated: \_\_\_\_\_