



**Zoning Board of Appeals**  
**AGENDA & NOTICE OF MEETING**

Tuesday, January 17, 2017 ~ 6:30 pm  
112 Algonquin Road

1. Call to Order & Roll Call
2. Public Comments
3. [Vote] Minutes November 9, 2016

**PUBLIC HEARING**

4. 61 Otis Road - Special Use Boat House

**PUBLIC MEETING**

5. 153 Algonquin Road - Special Use - Hearing rescheduled upon proper notice
6. [Vote] 61 Otis Road - Special Use Boat House
7. Adjournment

Chairman: Dan Wolfgram

**NOTICE AS POSTED**

**VILLAGE OF BARRINGTON HILLS  
ZONING BOARD OF APPEALS – SPECIAL MEETING  
Countryside School  
Monday, November 9, 2016**

- 1. Call to Order/Roll Call:** The Meeting was called to Order at 6:30 p.m. by Chairman Dan Wolfgram. On roll call, the following members were present:

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

**Absent:** None

**Staff Present:** Robert Kosin, Village Administrator  
Anna Paul, Village Clerk  
Mary Dickson, Legal Counsel

- 2. Approval of Minutes**

**September 20, 2016**

Member Hennelly moved, seconded by Member Stieper, to approve the minutes of September 20, 2016. On a voice vote, all members voted “aye,” the Motion Carried.

**October 17, 2016**

Member Hennelly moved, seconded by Member Stieper, to approve the minutes of October 17, 2016. In discussion, Chairman Wolfgram corrected page 2, paragraph 3 to be “received” rather than “receive.” On a voice vote, all members voted “aye,” the Motion Carried.

- 3. Public Hearing - Text Amendment/Horse Boarding**

Chairman Wolfgram opened the public hearing relative to the text amendment to the horse boarding zoning text.

Administrator Kosin testified relative to notice of the hearing. At Chairman Wolfgram’s request, Member Stieper presented facts in support of the text amendment, which would remove all changes wrought by what has been referred to as the “Anderson II amendment” and reinstate the prior home occupation

ordinance under Section 5-2-1 and 5-3-4 of the Village Code as it relates to the boarding of horses and would repeal or redact the Anderson II Horse Boarding Ordinance in its entirety through amendment as written under Sections 5-2-1, 5-3-4(A), 5-3-4(D)2(b), 5-3-4(D)3(c)(2), 5-3-4(D)3(c)(8), 5-3-4(D)3(g), 5-5-2(a), 5-5-3 and 5-10-7 of the Village Zoning Code of Barrington Hills.

Member Stieper referenced the history of zoning allowance for boarding of horses in the Village. He stated that in recognition of the allowance of horse boarding for a fee, the Village Code was revised to allow it through adoption of revisions to the home occupation ordinance, but with the goal of preserving the residential tranquility of the neighborhood where such boarding existed. The home occupation provisions for horse boarding allowed for the operation of commercial horse boarding, but kept the Village peaceful and tranquil. Pursuant to the former home occupation ordinance, the horse boarding site must have the features of a residence, and the use as a commercial boarding operation must be secondary to the residential use of the property from an outward aspect. Adoption of "Anderson II", he testified, does violence to the Village Code, by allowing, as a permitted use, a commercial operation in the midst of a residential neighborhood. He pointed specifically to the change in the FAR allowed under home occupation and Anderson II, which allows the commercial operation of horse boarding to be the principal use of a property, rather than accessory to a residential use.

Opposition to the proposed text amendment was presented by several individuals. The focus of opposition centered on:

- the lack of complaints made to the Village following adoption of Anderson II;
- that the home occupation ordinance did not allow for the boarding of horses for a fee, which would result in existing commercial boarding operations being deemed illegal;
- elimination of Anderson II could negatively impact current operations, and horse boarding is a valuable resource in the Village which should be protected; and
- the text is not a protection of the status quo; the appellate court nullified horse boarding in the Village.

Testimony was also offered in support of the ZBA Text Amendment. These individuals focused on:

- the appearance that Anderson II was adopted solely to protect the LeCompte property and that it was passed illegally, therefore the ZBA Text Amendment protects residents from violation of the rules;
- Anderson II was not properly vetted, for example, there was no consideration as to who would care for private roads which would be impacted by allowance of commercial operations in a residential area;
- Home occupation prior to Anderson II worked, and Anderson II with its retroactivity clause was adopted solely to protect Oak Farms. Commercial

boarding should not be permitted, but allowed only through special use permit.

Following the close of all testimony, Member Goss moved, seconded by Member Stieper to close the public hearing. On voice vote, all members voted aye. The Motion Carried.

#### **4. Public Meeting**

Member Goss moved to approve the Text Amendment as submitted, seconded by Member Stieper. On discussion:

- Member Goss stated that he strongly believed Anderson II was a big step backward for the Village, which was prompted by fear induced after the appellate court ruling in Drury v. LeCompte. He believes repeal of Anderson II is warranted, then the ZBA would have the opportunity to study the issue of boarding and arrive at the best ordinance. Specifically, though, the Village should not be involved in the pending litigation between Drury and LeCompte.
- Member Chambers commented that there should be a limit on the number of animals, and not whether they are boarded or not.
- Member Stieper stated he was in favor of removing Anderson II because the process to enact it was contrived, unfair and fatally flawed, and not properly vetted. He stated there remain issues with the application of the Livestock Management Act and believes commercial boarding should be allowed only through special use permit.
- Member Hennelly is opposed to the text because it scares people to think they will simply get rid of Anderson II and go back to the old way. Instead of removing Anderson II, he would prefer to add text to Anderson II to reinstate homeowner rights. Further, he questioned why the ZBA recommends eliminating Anderson II if there is no back up plan for commercial boarding.
- Member Root stated that he believed Anderson II took away personal property rights, and if Anderson II is repealed everyone could go back to being neighbors.
- Member Buettner commented that she was not in favor of Anderson II, which puts open space at risk. With Anderson II repealed, the Board could determine the best way to carry the Village forward.

Following comment, Chairman Wolfgram called for a roll call vote:

	Aye	No	Absent
Dan Wolfgram	x		
Richard Chambers	x		
David Stieper	x		
Patrick J. Hennelly		x	
Jim Root	x		
Debra Buettner	x		



The Motion Carried.

Discussion ensued as to the next meeting, with Chairman Wolfram announcing there was no business to come before the Board, and, therefore, the November 14, 2016 meeting was canceled. The next meeting is December 12, 2016.

**5. Public Comment**

Chairman Wolfram opened public comment. There being no one in the audience wishing to comment, public comment was closed.

**6. Adjournment**

Motion to adjourn by Member Hennelly, seconded by Member Buettner at 9:58 p.m. On a voice vote, all members present voting "aye." The meeting stands adjourned.

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

President Martin J. McLaughlin  
Trustee Colleen Konicek Hannigan  
Trustee Fritz Gohl  
Trustee Michael Harrington  
Trustee Bryan C. Croll  
Trustee Michelle Nagy Maison  
Trustee Brian D. Cecola



112 Algonquin Road  
Barrington Hills, IL 60010  
847.551.3000

village@vbhil.gov  
www.vbhil.gov

## POSTED NOTICE - ZONING BOARD OF APPEALS

The Zoning Board of Appeals, in acting upon variations, special uses, amendments of the zoning ordinance, or appeals from action taken by the Zoning Enforcement Officer, hears all such cases at a public hearing at which neighboring property owners have a right to be heard.

If the subject to the hearing, as stated below, is of concern to you, you will have an opportunity to fully express your opinions whether for or against. For your guidance, a copy of the Zoning Ordinance is available in the Village Hall and online.

If it is inconvenient for you to appear at the hearing, you may file your opinion by letter or email to [clerk@vbhil.gov](mailto:clerk@vbhil.gov), giving the street and lot number of the property owned by you and for what it is now used. Please state fully what your position is regarding the subject.

You are, by this posting, notified that the subject stated below will be heard at a public hearing at the Village Hall of Barrington Hills, 112 Algonquin Road, Barrington Hills, Illinois 60010-5199.

**Date and Time of Hearing:** Tuesday, January 17, 2017 at 6:30 pm

**Applicant:** Ben A. Gabis and Elizabeth S. Gabis

**Address:** 61 Otis Road, Barrington Hills, IL 60010

**Subject:** A special use request to construct a boat house on Hawley Lake.

Chairman Dan Wolfgram  
Zoning Board of Appeals  
Village of Barrington Hills  
Publication Date: December 21, 2016

**PUBLIC HEARING**  
Before the  
Zoning Board of Appeals,  
Village of Barrington Hills,  
Re: 61 Otis Road

Notice is hereby given that a Public Hearing will be held on Tuesday January 17, 2016 at 6:30 p.m. or as soon thereafter as the matter may be heard by the Zoning Board of Appeals of the Village of Barrington Hills in the MacArthur Room of the Village Hall, 112 Algonquin Road, concerning the application for a Special Use being a boat house at 61 Otis Road ("Subject Property"), subject to the provisions of Section 5-10-7 of the Zoning Ordinance.

The application concerns the construction of a boat house on Hawley Lake. Pursuant to Section 5-5-3 of the Village Code, a private boat house is a Special Use in the R-1 Zoning District within which is located the Subject Property.

The Subject Property which is approximately 8 acres in size on which a residence is located and a portion of Hawley Lake. The current owner(s) is Ben A. Gabis and Elizabeth S. Gabis and petitioner(s) for the Special Use.

An application for the Special Use has been filed to address the provisions of Section 5-10-7 of the Zoning Ordinance containing there in the following legal description of the Subject Property at the east of Brinker Road, south of Otis Road as follows:

Lots 20 and 20A in Hawthorne Hills, being a subdivision of parts of Sections 2, 10 and 11, Township 42 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded in the Office of the Recorder of Deed of Cook County, Illinois on August 2, 1940 as Document 12524358 in the Township of Barrington, in Cook County, Illinois having the Real Estate Index No. : 01-11-105-049 and 01-11-105-050

A copy of the application for the Special Use is available for examination at the office of the Village Clerk at Barrington Hills Village Hall during the customary hours of operation. All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard.

Daniel Wolfgram,  
Chairman  
Zoning Board of Appeals  
Village of Barrington Hills  
Published in Daily Herald  
December 20, 2016 (4459955)

**CERTIFICATE OF PUBLICATION**

**Paddock Publications, Inc.**

**Daily Herald**

Corporation organized and existing under and by virtue of the laws of the State of Illinois, DOES HEREBY CERTIFY that it is the publisher of the **DAILY HERALD**. That said **DAILY HERALD** is a secular newspaper and has been circulated daily in the Village(s) of Algonquin, Antioch, Arlington Heights, Aurora, Barrington, Barrington Hills, Lake Barrington, North Barrington, South Barrington, Bartlett, Batavia, Buffalo Grove, Burlington, Campton Hills, Carpentersville, Cary, Deer Park, Des Plaines, South Elgin, East Dundee, Elburn, Elgin, Elk Grove Village, Fox Lake, Fox River Grove, Geneva, Gilberts, Grayslake, Green Oaks, Gurnee, Hainesville, Hampshire, 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, Round Lake, Round Lake Beach, Round Lake Heights, Round Lake park, Schaumburg, Sleepy Hollow, St. Charles, Streamwood, Tower Lakes, Vernon Hills, Volo, Wauconda, Wheeling, West Dundee, Wildwood, Sugar Grove, North Aurora, Glenview

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 December 21, 2016 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 *Danula Baltz*  
Authorized Agent

Control # 4459955

## VBH ZONING ORDINANCE

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### 5-10-7: SPECIAL USES:

(A) Purpose: The development and execution of a zoning ordinance is based upon the division of the Village into districts, within which districts the use of land and buildings and the bulk and location of buildings and structures in relation to the land are substantially uniform. It is recognized, however, that there are special uses which, because of their unique characteristics, cannot be properly classified in any particular district or districts without consideration, in each case, of the impact of those uses upon neighboring land and of the public or private need for the particular use at the particular location. Such special uses fall into two (2) categories:

1. Uses publicly operated or traditionally affected with a public interest.
2. Uses entirely private in character but of such an unusual nature that their operation may give rise to unique problems with respect to their impact upon neighboring property or public facilities.

(B) Initiation of Special Use: An application for a special use may be made by the owner of the subject property, or by another person having an interest therein with the written concurrence of the owner thereof, to use said property for one or more of the special uses provided for in this Zoning Title in the zoning district in which the land is situated.

(C) Application for Special Use: An application for a special use shall be filed in writing with the Enforcing Officer. The application shall contain such information as the Zoning Board of Appeals may from time to time, by rule, require. Notice of the time and place of such public hearing shall be published at least once, not less than fifteen (15) days nor more than thirty (30) days before the hearing in a newspaper of general circulation in the Village. The published notice may be supplemented by such additional form of notice as the Board, by rule, may require.

(D) Authorization: For each application for a special use the Zoning Board of Appeals shall report to the Board of Trustees of the Village its findings and recommendations, including the stipulations of additional conditions and guarantees that such conditions will be complied with when they are deemed necessary for the protection of the public interest.

The Board of Trustees may grant or deny any application for a special use; provided, however, that in the event of written protest against any proposed special use, signed and acknowledged by the owners of twenty percent (20%) of the property adjacent to the property proposed for a special use, and filed with the Village Clerk, such special use shall not be granted except by the favorable vote of two-thirds (2/3) of all the members of the Board of Trustees.

(E) Standards: No special use shall be recommended by the Zoning Board of Appeals unless said Board shall find:

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.

## VBH ZONING ORDINANCE

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[(E) Standards: con't]

2. That the special use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
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.
4. That adequate utilities, access roads, drainage and/or other necessary facilities have been or are being provided.
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.
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 recommendation of the zoning board of appeals.

(F) Conditions And Guaranties: Prior to the granting of any special use, the zoning board of appeals may recommend, and the board of trustees shall stipulate, such conditions and restrictions upon the establishment, location, construction, maintenance and operation of the special use as deemed necessary for the protection of the public interest and to secure compliance with the standards and requirements specified in subsection (E) of this section. In all cases in which special uses are granted, the board of trustees shall require such evidence and guaranties as it may deem necessary as proof that the conditions stipulated in connection therewith are being, and will be, complied with.



December 8, 2016

To: The Board of Trustees - Village of Barrington Hills

**Petition for Special Use Permit – Boathouse on Private Lake**

We, Ben and Elizabeth Gabis, owners of 61 Otis Road, Barrington Hills IL 60010, are requesting a Special Use Permit for a boat house to provide year-round protection for our electric pontoon boat. The meeting before the Zoning Board is being requested for **January 23, 2017.**

In support of our request, we provide the following information:

Names and addresses of all owners - Ben A. Gabis and Elizabeth S. Gabis, 61 Otis Road, Barrington Hills IL 60010 (847) 917-2920. Legal description and local address of the property involved: 61 Otis Road, Barrington Hills IL 60010 PIN with house: 01-11-105-049 PIN in the lake: 01-11-105-050.

Names/addresses/PIN's of all owners of the contiguous and adjoining properties - Neighbors to the East: Steve and Karen Casey, 55 Otis Road, Barrington Hills IL 60010 PIN 01-11-105-044. Neighbors to the West: 65 Otis Road, Barrington Hills IL 60010 PIN 01-11-105-002.

Architect and Builder Information - Architect Dave Dolby, ALA Architects, ddolby@alaarchitects.com, 2600 Behan Road, Crystal Lake IL 60014. [www.alaarchitects.com](http://www.alaarchitects.com). Builder Will Hazen, Shore Werks, [shorewerks@gmail.com](mailto:shorewerks@gmail.com), 3415 Riverside Drove, Johnsburg IL 60050, [www.shorewerks.com](http://www.shorewerks.com).

The regulations ask us to affirm the following: 1. The establishment, maintenance or operation of the boat house will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare. The boathouse will be built entirely on the owner's property within Hawley Lake, a private lake owned by xx other neighbors; 2. The boat house will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood; 3. The establishment of the boat house will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district; 4. Adequate utilities, access roads, drainage and/or other necessary facilities will be obtained if necessary; 5. 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; and 6. The boat house 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 recommendation of the zoning board of appeals.

The zoning variance worksheet asks us to also address three additional issues: 1. the property in question cannot yield a reasonable return (non-monetary) if permitted to be used only under the conditions allowed by the zoning regulations. Special Use Ordinance 5-19-7 specifically allows for a boat house that follows the requirements of 5-3-11, which the Architect has used to draft the plans accordingly; 2. the plight of the owner is due to unique circumstances because the lakefront property is subject to receiving South-West winds and the boat needs a permanent, heavy duty structure to protect it from year-round weather, but especially wind and ice damage;

Attn: Ken Garret

Pls confirm  
the date  
so I can  
serve  
notice  
on  
neighbors  
thanks,  
Liz

117


[lizgabis@mac.com](mailto:lizgabis@mac.com)

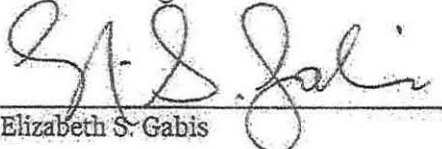
3. the variation, if granted, will not alter the essential character of the locality because the architectural plans call for a simple boat house, without walls or plumbing, consistent with the requirements of 5-3-11.

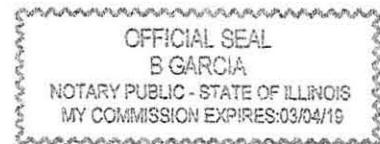
Respectfully submitted,

  
Ben A. Gabis


Subscribed and sworn to before me this 8<sup>th</sup> day of December

  
Notary Public Signature

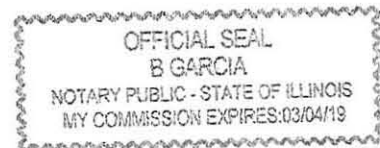
  
Elizabeth S. Gabis



Subscribed and sworn to before me this 8<sup>th</sup> day of December

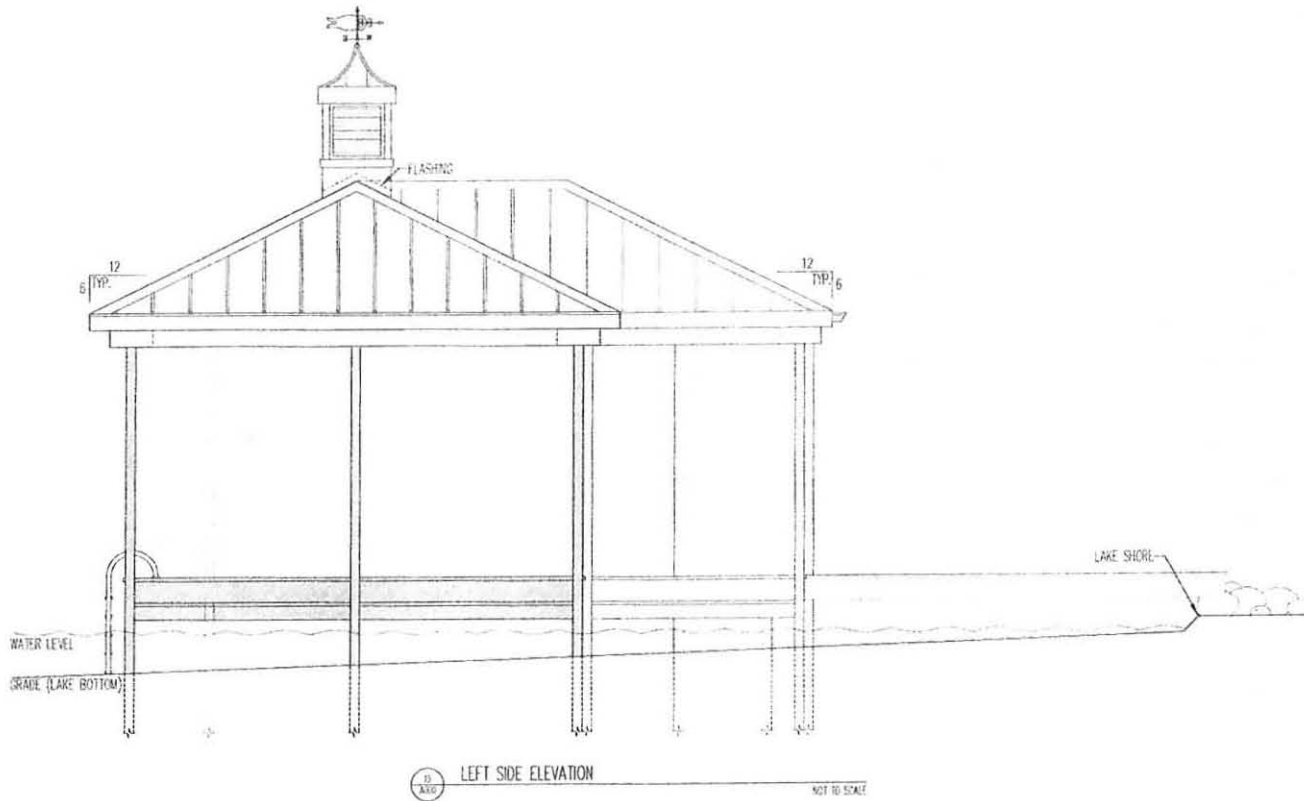
  
Notary Public Signature

ATTACHED: property tax bill as proof of ownership  
Plat of survey  
Architect plans



# GABIS BOAT HOUSE

## 61 OTIS ROAD BARRINGTON HILLS, IL 60010



**DESIGN LOADING VALUES**  
 SPS 20 PS PER SQ. FT.  
 SPS 20 PS PER SQ. FT.  
 SPS 20 PS PER SQ. FT.  
 SPS 20 PS PER SQ. FT.

**SITE NOTES:**  
 1. THE PROJECT WILL NOT BE A PERMANENT STRUCTURE.  
 2. THE FOUNDATION SHALL BE 12" WIDE AT THE BASE.  
 3. ALL FOUNDATION SHALL BE 12" WIDE AT THE BASE.  
 4. ALL FOUNDATION SHALL BE 12" WIDE AT THE BASE.  
 5. ALL FOUNDATION SHALL BE 12" WIDE AT THE BASE.

**STRUCTURAL NOTES:**  
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**ELECTRICAL NOTES:**  
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**NOTE TO CONTRACTORS:**  
 1. ALL CONTRACTORS SHALL BE 12" WIDE AT THE BASE.  
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**PLAN & ELEVATION SYMBOLS:**  
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**WINDOW & DOOR NOTES:**  
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**WALL TYPES:**  
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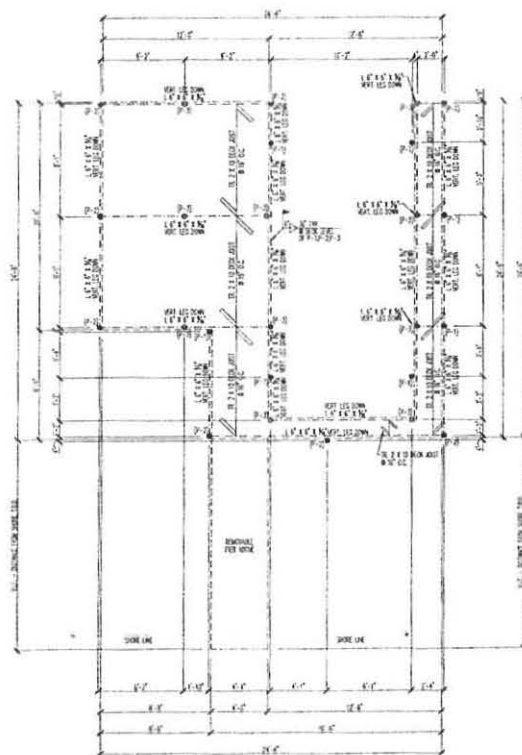
**CODE CONCERNANCE:**  
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 5. ALL CODE CONCERNANCE SHALL BE 12" WIDE AT THE BASE.

**DRAWING INDEX**  
 A000 LEFT SIDE ELEVATION  
 A100 BOAT HOUSE FOUNDATION PILE PLAN,  
 BOAT HOUSE ROOF PLAN,  
 BOAT HOUSE ROOF PLAN  
 A200 FRONT ELEVATION,  
 REAR ELEVATION,  
 RIGHT SIDE ELEVATION,  
 LEFT SIDE ELEVATION  
 A300 BUILDING SECTIONS

**ARCHITECT'S CERTIFICATION**  
 I, the undersigned, do hereby certify that the above is a true and correct copy of the original as submitted to me by the client, and that I am not responsible for any errors or omissions in the same.  
 001-018291 11/16  
 Carl W. [Signature]  
 16166

GABIS BOAT HOUSE  
 61 OTIS ROAD  
 BARRINGTON HILLS, IL 60010  
 ARCHITECTS & PLANNERS, INC.  
 1000 N. LAKE STREET  
 CHICAGO, ILL. 60610  
 PHONE (312) 555-1234  
 FAX (312) 555-1234  
 11/16

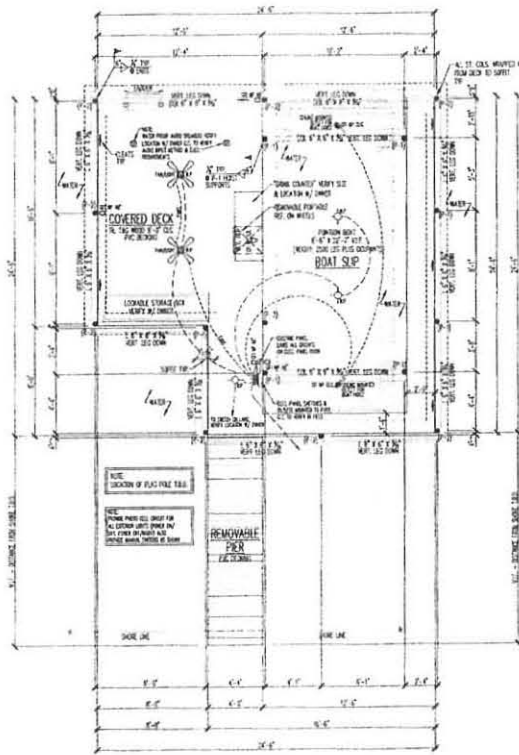




BOAT HOUSE FOUNDATION PILE PLAN

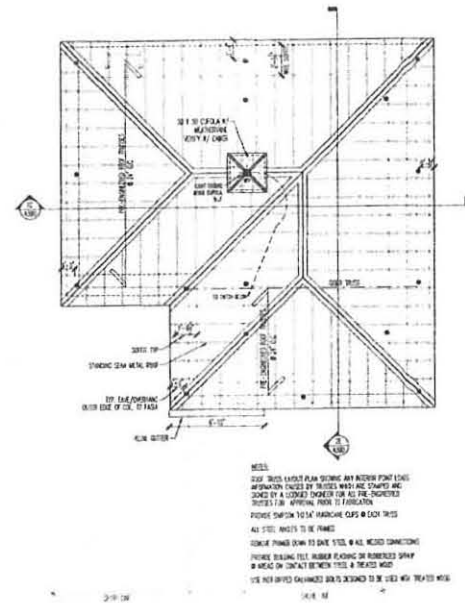
PILE SCHEDULE				
NO.	PILE REPORT	PILE SIZE	PILE WEIGHT	PILE DRIVEN TO
(P-1)	●	4" Ø	DRL. XTRA STRONG	13 KPS
(P-2)	●	4" Ø	DRL. XTRA STRONG	10 KPS
(P-3)	○	4" Ø	DRL. XTRA STRONG	5 KPS

● = PARTIAL HT. - LAKE BED TO BOTTOM OF DECK  
○ = FULL HT. - LAKE BED TO SOFFIT



BOAT HOUSE PLAN

SQUARE FOOTAGE CALCULATIONS		ACTUAL	ALLOWED
PERMANENT DECK AREA			
EXCLUDING AREA OF IN-WATER BOAT SLIP		294.75	300 MAX.
TOTAL COVERED AREA		536.25	600 MAX.



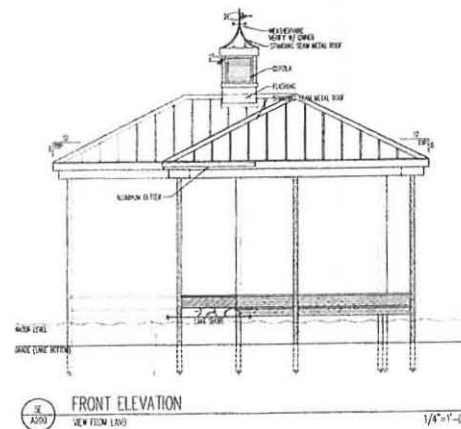
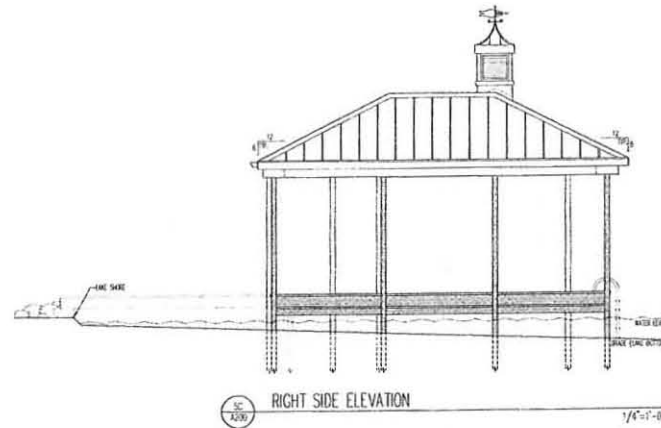
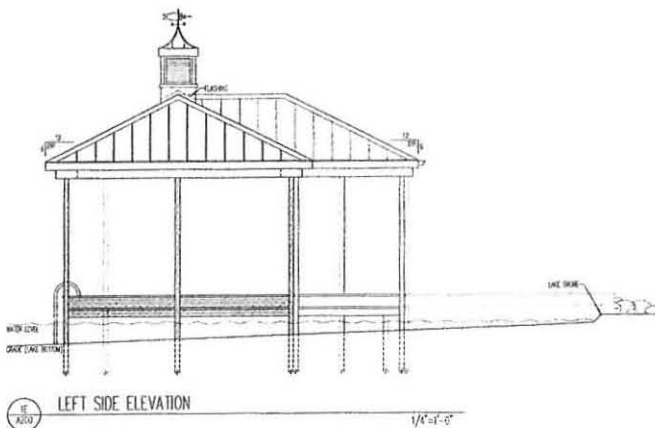
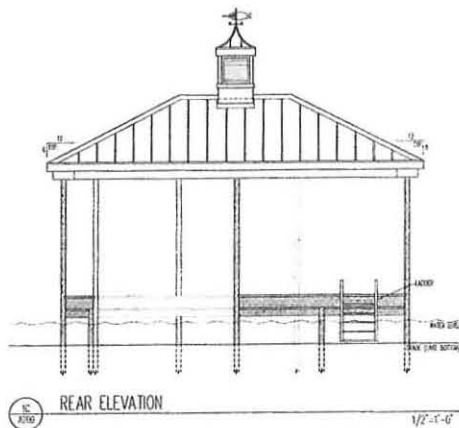
BOAT HOUSE ROOF PLAN

BOAT HOUSE FOUNDATION PILE PLAN  
BOAT HOUSE PLAN  
BOAT HOUSE ROOF PLAN

Architects & Planners, Inc.  
16105  
16105

ALLA

16105  
16105



**ELEVATION NOTES**

- \* DO NOT SCALE ELEVATIONS, VERIFY MEASUREMENTS WITH PLANS.
- \* CONTACT ARCHITECT FOR ANY DISCREPANCIES.
- \* WHEN INSPECTING TWO ROOF PLANES WITH DIFFERENT ROOF PITCHES, BLOCK TOP OF STUD WALL OR BEAM AS REQUIRED TO ALLOW FACEDS TO LINE UP RETAINING A COMMON EAVE DISTANCE.
- \* SEE ROOF PLAN FOR TYPICAL EAVE AND RAKE DISTANCES UNLESS OTHERWISE NOTED ON ELEVATIONS.
- \* IF ROOF AND GUTTER VENTS PRODUCE LESS THAN THE TYPE MINIMUM, ADD CAN VENTS AS NEEDED TO THE REAR AND SIDE ELEVATIONS.

PROJECT: GAZEBO HOUSE  
61015 ROAD  
BIRMINGHAM, AL 35203

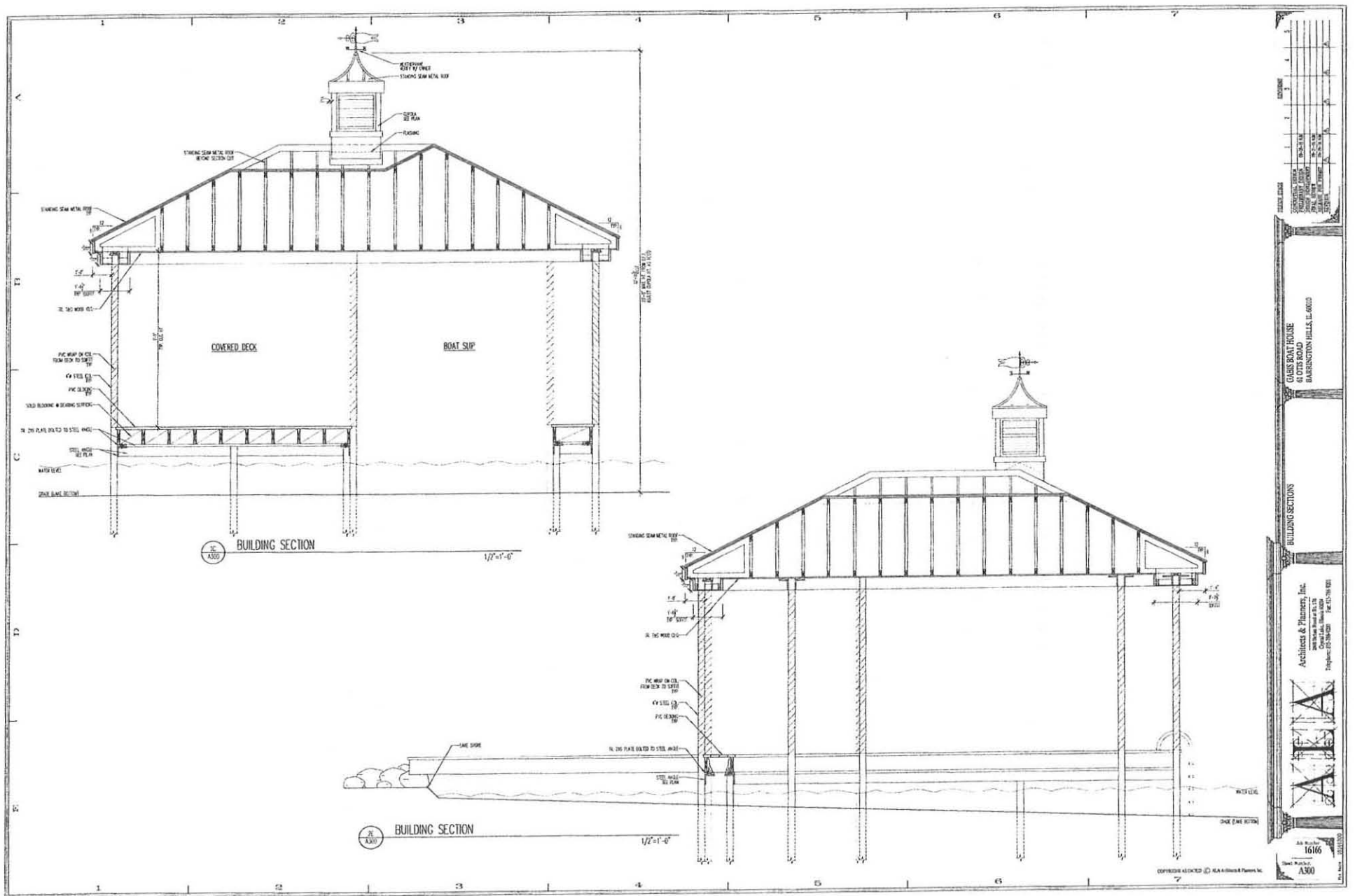
FRONT ELEVATION  
REAR ELEVATION  
LEFT SIDE ELEVATION  
RIGHT SIDE ELEVATION

Architect & Planners, Inc.  
3000 New South Blvd., N.W.  
Atlanta, GA 30328  
Tel: 404-525-1000  
Fax: 404-525-1001

**ALIX**

Architectural  
16166  
A200

Copyright © 2000, A.A. Architects & Planners, Inc.



January , 2016

Village of Barrington Hills, IL  
Attn: Robert Kosin, Director of Administration  
112 Algonquin Road  
Barrington Hills IL 60602

Re: Petition for Special Use Permit – 61 Otis Road, Barrington Hills

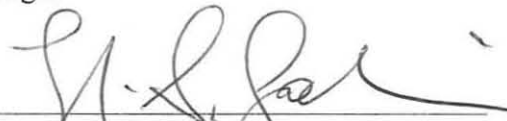
Dear Mr. Kosin:

Pursuant to your request, I am enclosing the additional information in support of our petition for a special use permit allowing the construction a boathouse.

- The certified mail receipts and the notice that was mailed on 12/21/16 to the contiguous and adjoining property owners within 250 feet of our property, and the corresponding tax parcel map with a list of PIN's.
- Photocopy of the sign that was placed in our front yard, within public view from Otis Road, posted since December 19, 2016.
- Survey showing proposed location of the boathouse

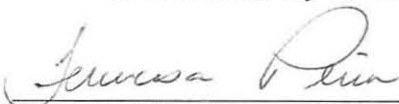
We swear that all information contained in the petition, and in this letter in support of the petition, is true and accurate to the best of our knowledge.

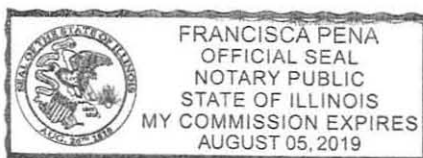
  
Ben Gabis  
61 Otis Road, Barrington IL 60010  
Telephone 847.917.2920

  
Elizabeth Gabis  
61 Otis Road, Barrington IL 60010  
Telephone 847.917.2920

STATE OF ILLINOIS     )  
COUNTY OF COOK     )

I, Francisca Peña, a notary public in and for the State of Illinois, DO  
HEREBY CERTIFY that Ben and Elizabeth Gabis, personally known to me to be the same persons  
whose names are subscribed to the foregoing instrument, appeared before me this day in person and  
acknowledged that they signed, sealed and delivered the said instrument as their free and voluntary act,  
for the uses and purposes therein set forth, including the release and waiver of the right of homestead.  
GIVEN under my hand and official seal this 11 day of Jan, 2017.

  
Notary Public



Dear Neighbors - I am required to send you this Notice by  
Certified mail. Please email me at lizgabis@mac.com  
or call my cell phone 847-917-2920 w/any questions.  
Thanks! Hope all is well. Liz Gabis  
+ Ben Gabis  
61 Otis Rd.

PUBLIC HEARING

Before the Zoning Board of Appeals,  
Village of Barrington Hills, Re: 61 Otis Road

Notice is hereby given that a Public Hearing will be held on Tuesday January 17, 2016 at 6:30 p.m. or as soon thereafter as the matter may be heard by the Zoning Board of Appeals of the Village of Barrington Hills in the MacArthur Room of the Village Hall, 112 Algonquin Road, concerning the application for a Special Use being a boat house at 61 Otis Road ("Subject Property"), subject to the provisions of Section 5-10-7 of the Zoning Ordinance.

The application concerns the construction of a boat house on Hawley Lake. Pursuant to Section 5-5-3 of the Village Code, a private boat house is a Special Use in the R-1 Zoning District within which is located the Subject Property. (no walls or plumbing)

The Subject Property which is approximately 8 acres in size on which a residence is located and a portion of Hawley Lake. The current owner(s) is Ben A. Gabis and Elizabeth S. Gabis and petitioner(s) for the Special Use. 61 Otis Rd

An application for the Special Use has been filed to address the provisions of Section 5-10-7 of the Zoning Ordinance containing there in the following legal description of the Subject Property at the east of Brinker Road, south of Otis Road as follows:

Lots 20 and 20A in Hawthorne Hills, being a subdivision of parts of Sections 2, 10 and 11, Township 42 North, Range 9 East of the Third Principal Meridian, according to the plat thereof recorded in the Office of the Recorder of Deed of Cook County, Illinois on August 2, 1940 as Document 12524358 in the Township of Barrington, in Cook County, Illinois having the Real Estate Index No. : 01-11-105-049 and 01-11-105-050

A copy of the application for the Special Use is available for examination at the office of the Village Clerk at Barrington Hills Village Hall during the customary hours of operation. All interested parties are invited to attend the Public Hearing and will be given an opportunity to be heard. \*

Daniel Wolfgram, Chairman  
Zoning Board of Appeals  
Village of Barrington Hills

From: Liz Gabis lizgabis@mac.com  
Subject:  
Date: January 12, 2017 at 2:46 PM  
To: Liz Gabis lizgabis@mac.com



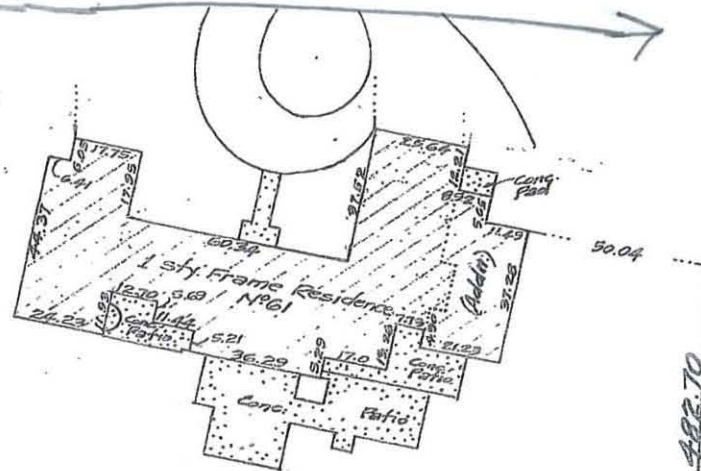
East Bound  
Otis sign



West Bound  
Otis sign

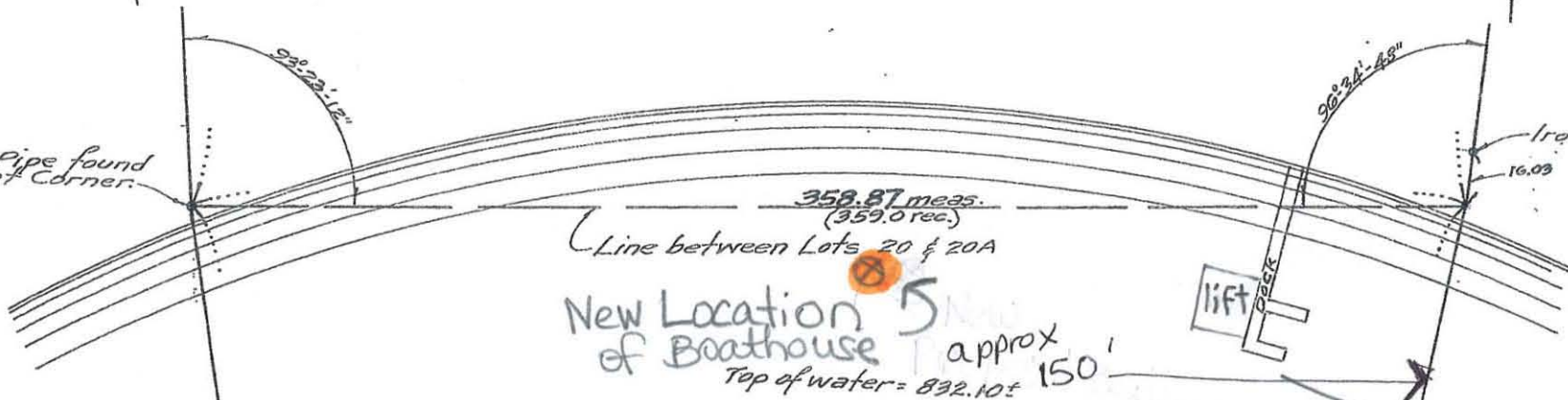
Sent from my iPhone

← OTIS ROAD.



LOT 20  
Area = 4.5273 Acs.

1 Pipe found  
Lot Corner.



Note: Base Flood Elevation = 833.39 per  
Village Flint Creek drainage  
study completed May, 1986.

HAWLEY LAKE

(not to scale)







61 OTIS ROAD

01-02-300-008

OWEN & CECILY WHEELER  
56 OTIS ROAD  
BARRNGTN HLS, IL 60010

20 LAKESIDE DRIVE  
S BARRINGTON, IL 60010

01-02-500-002

EJ&E RAILROAD

01-11-105-019

ROBERT J TEIK  
20 LAKESIDE DRIVE  
S BARRINGTON, IL 60010

01-02-300-009

JOHN FITZMAURICE  
52 OTIS RD  
BARRINGTON, IL 60010

01-11-105-007

JOHN & SUSAN SULLIVAN  
44 HAWTHORNE LN  
BARINGTON HL, IL 60010

01-11-105-044

STEVE CASEY  
55 OTIS RD  
BARRNGTN HLS, IL 60010

01-11-105-020

JOHN & SUSAN SULLIVAN  
44 HAWTHORNE LN  
BARINGTON HL, IL 60010

01-11-105-005

TIMOTHY&SHARON CARTER  
50 HAWTHORNE LN  
BARRNGTN HLS, IL 60010

01-11-105-028

Exempt

01-11-105-032

Exempt

01-11-105-018

TIMOTHY&SHARON CARTER  
50 HAWTHORNE LN  
BARRNGTN HLS, IL 60010

01-11-105-035

DONALD ANGELA SMITH  
90 HAWTHORNE RD  
BARRINGTON, IL 60010

01-11-105-006

SLL ENTERPRISES LLC

01-11-105-036

ANGELA SMITH

90 HAWTHORNE RD  
BARRINGTON, IL 60010

01-11-105-025

01-11-105-033

DAVID TONI  
92 HAWTHORNE LN  
BARRNGTN HLS, IL 60010

GEORGE A MOSER  
2500 W HIGGINS ROAD  
HOFFMAN ESTS, IL 60169

01-10-202-016

01-11-105-034

DAVID TONI  
92 HAWTHORNE LN  
BARRNGTN HLS, IL 60010

BRIAN & MARY CASEY  
77 HAWLEY WOODS RD  
BARRINGTON HL, IL 60010

01-11-105-024

01-11-999-001

Exempt

BRIAN & MARY CASEY  
77 HAWLEY WOODS RD  
BARRINGTON, IL 60010

01-11-105-026

JOHN LEGAT RES TRUST  
919 MARKET ST 506  
WILMINGTON, DE 19801

01-10-202-038

DUPREE ROBERT WOOTEN  
67 ROUND BARN RD  
BARRINGTON, IL 60010

01-11-105-030

85 HAWLEY WOODS RD  
BARRINGTON HILLS  
60010  
Township: BARRINGTON

01-11-105-042

DUPREE ROBERT WOOTEN  
67 ROUND BARN RD  
BARRINGTON, IL 60010

01-11-105-047

DIANA MOSER STONEGATE  
2500 W HIGGINS 400  
HOFFMAN ESTS, IL 60169

01-11-105-041

LAURA C RYMUT BOCK  
65 ROUND BARN ROAD  
BARRINGTON H, IL 60010

61 OTIS ROAD

01-11-105-040

LAURA C RYMUT BOCK TRU  
65 ROUND BARN ROAD  
BARRINGTON H, IL 60010

JIMMY SUN & FANG YU  
65 W OTIS RD  
BARRINGTON, IL 60010

01-11-105-038

ROBERT SCHIEWE  
66 ROUND BARN RD  
BARR HILLS, IL 60010

01-11-105-039

ROBERT SCHIEWE  
66 ROUND BARN RD  
BARR HILLS, IL 60010

01-11-105-045

D J BUTTITTA TR 42432  
400 W LAKE ST 304  
ROSELLE, IL 60172

01-11-105-015

JIMMY SUN & FANG YU  
65 OTIS RD  
BARRINGTON, IL 60010

01-11-105-002

## VILLAGE OF BARRINGTON HILLS

### Zoning Ordinance

#### 5-3-11: REGULATIONS FOR SPECIAL USES:

\* \* \*

(C) No special use permit shall be granted for a private boathouse unless the size of the private boathouse complies with all of the following requirements:

1. Floor Area: No private boathouse shall exceed an overall floor area of three hundred (300) square feet, excluding the area of in-water boat slips.
2. Height: No private boathouse shall exceed an overall height of twenty feet (20') as measured by the vertical distance from the base flood elevation of the watercourse on which the boathouse is located or adjoins opposite the center of the front of the boathouse to the highest point on the boathouse.
3. Covered Area: No private boathouse shall have a permanent covered area exceeding six hundred (600) square feet. When calculating the covered area of a private boathouse, the covered area of the in water boat slips shall be included in the calculations.

**GERALD K. BUNTING**  
**Architectural Plan Review**

January 9, 2017

Building and Zoning Department  
Village of Barrington Hills  
112 Algonquin Road  
Barrington, Illinois 60010

Gabis / ALA Architects and Planners: 16033A  
61 Otis Road  
Boat Slip and Covered Deck

**ZBA REVIEW**

Item 1: Plans indicate 285 square feet.

Item 2: Elevations scale 16 feet to the top of the roof and 22 feet to the top of the weather vane on the cupola.

Item 3: Plans indicate 524 square feet.

A handwritten signature in black ink that reads "GK Bunting". The signature is stylized, with the first letters of the first and last names being prominent.

Gerald K. Bunting  
Architectural Plan Review

January 13, 2017

625 Forest Edge Drive, Vernon Hills, IL 60061

TEL 847.478.9700 ■ FAX 847.478.9701

[www.gha-engineers.com](http://www.gha-engineers.com)

Ms. Ken Garrett  
Building & Zoning Enforcement Department  
Village of Barrington Hills  
112 Algonquin Road  
Barrington Hills, Illinois 60010

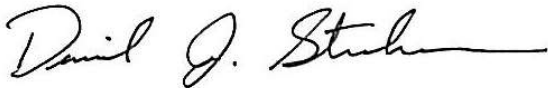
Re: 61 Otis Road – Boathouse  
Preliminary Review- Special Use Permit Application

Dear Mr. Garrett:

Our office has reviewed the proposed special use permit application for the proposed boathouse at 61 Otis Road. The boathouse is proposed within the surface area of Hawley Lake, a Zone A floodplain in the Village of Barrington Hills. A base flood elevation of 833.39 was approved as calculated by a 1986 Flint Creek drainage study prepared by Lindley & Sons, Inc.

Based on our review, the proposed boathouse is permissible under the Lake County WDO, if the structure is non-habitable, does not block flood flows, and does not reduce flood storage. Based on these criteria, we have no objection to the proposed boathouse provided that the elevation of the bottom of the deck is at or above the base flood elevation.

Sincerely,  
Gewalt Hamilton Associates, Inc.



Daniel J. Strahan, P.E., CFM  
Village Engineer



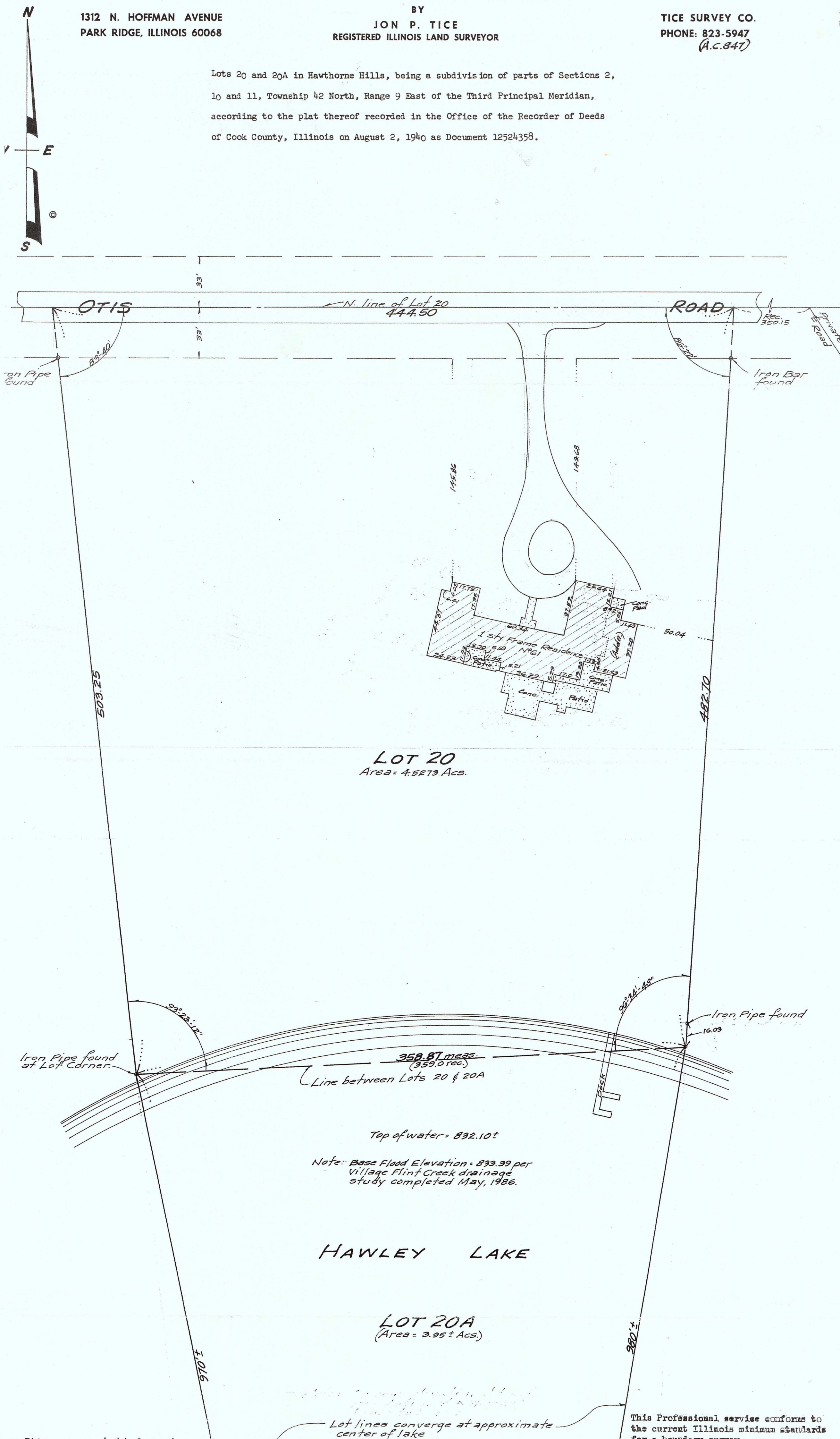
# PLAT OF SURVEY

1312 N. HOFFMAN AVENUE  
PARK RIDGE, ILLINOIS 60068

BY  
JON P. TICE  
REGISTERED ILLINOIS LAND SURVEYOR

TICE SURVEY CO.  
PHONE: 823-5947  
(A.C. 847)

Lots 20 and 20A in Hawthorne Hills, being a subdivision of parts of Sections 2,  
10 and 11, Township 42 North, Range 9 East of the Third Principal Meridian,  
according to the plat thereof recorded in the Office of the Recorder of Deeds  
of Cook County, Illinois on August 2, 1940 as Document 12524358.



Distances are marked in feet and decimal parts thereof.

Order No. 8183

Scale: 1 inch = 40 feet.

Date July 24, 1981

Owner

Ordered by Nathan Palmer

State of Illinois } ss  
County of Cook }

I, JON P. TICE, a Reg. Ill. Land Surveyor, do hereby certify that I have located the building on the above property.

*Jon P. Tice*  
Reg. Ill. Land Surveyor

Compare all points before building by same and at once report any difference.  
Refer to deed or abstract for building restrictions.  
Use Order Number for all future reference.

State of Illinois } ss  
County of Cook }

I, JON P. TICE, a Reg. Ill. Land Surveyor, do hereby certify that I have surveyed the above described property and that the plat hereon drawn is a correct representation of said survey corrected to a temperature of 68° Fahrenheit.

Survey not valid without  
RAISED embossed seal of  
Surveyor preparing same.

*Jon P. Tice*  
Reg. Ill. Land Surveyor No. 1705

12-09-14 Addn. located for Carl Rubick  
09-21-11 Rederified for Nathan Palmer  
8-14-08 Resurveyed for Nathan Palmer  
12-5-95 Additions for Levinson, Murray & Jensen



LAW OFFICES  
**ZUKOWSKI, ROGERS, FLOOD & McARDLE**  
50 VIRGINIA STREET  
CRYSTAL LAKE, ILLINOIS 60014

**MICHAEL J. SMORON**  
msmoron@zrfmlaw.com

(815) 459-2050  
Facsimile (815) 459-9057  
[www.zrfmlaw.com](http://www.zrfmlaw.com)

January 17, 2017

**Via E-Mail**

Anna Paul, Village Clerk  
Village of Barrington Hills  
112 Algonquin Road  
Barrington Hills, IL 60010

**Re: Supplemental Information and Documents in support of Gabis Family  
Petition for Special Use Permit (Boathouse) for 61 Otis Road**

Dear Ms. Paul:

In connection with tonight's public hearing before the Zoning Board of Appeals at 6:30 p.m., attached please find supplemental information and documents for this evening in support of the petition. My understanding is that you have offered to forward these to the Chairman and members of the Zoning Board of Appeals. In addition, we will be bringing oversized copies of the architectural plans of the proposed boathouse, as well as oversized versions of the plats of survey in the event that the Chairman or members of the Zoning Board of Appeals wish to review same during the presentation. Thank you for your assistance.

Sincerely,



Michael J. Smoron

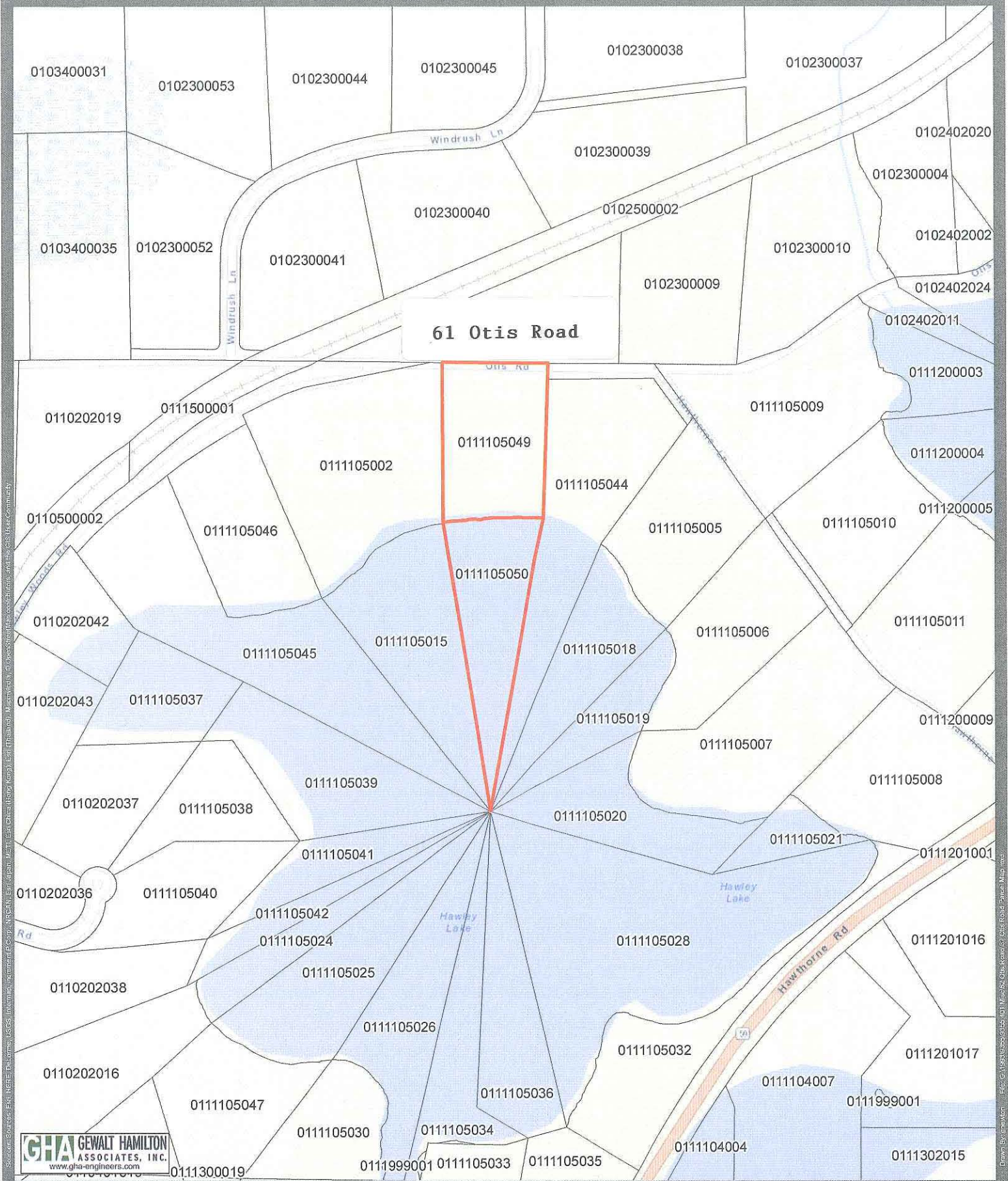
MJS:cw  
Attachment

cc: Liz Gabis (via email; w/enc.)  
Dave Dolby (via email; w/enc.)  
David McArdle (via email; w/enc.)



<u>Page No.</u>	<u>Description</u>
1	Bird's eye view of 61 Otis Road, Hawley Lake and surrounding properties
2	Modified portion of plat of survey for 61 Otis Road which shows the existing pier, house orientation and the proposed location of the proposed boathouse
3	Picture of existing pier and boat shelter for 61 Otis Road
4	Picture of damaged boat lift canopy and supports from severe winds
5	Depiction of the north end of Hawley Lake proximate to 61 Otis Road  Google Maps aerial view of 61 Otis Road showing strong Southwest winds hitting directly at the boat lift and dock. <a href="https://www.google.com/maps/place/61+Otis+Rd,+Barrington,+IL+60010/@42.1365763,-88.1547473,153m/data=!3m1!1e3!4m5!3m4!1s0x880fa74dcb770a79:0xb2111c5d932b282a!8m2!3d42.138537!4d-88.156117">https://www.google.com/maps/place/61+Otis+Rd,+Barrington,+IL+60010/@42.1365763,-88.1547473,153m/data=!3m1!1e3!4m5!3m4!1s0x880fa74dcb770a79:0xb2111c5d932b282a!8m2!3d42.138537!4d-88.156117</a>
6-10	Reduced version of the architectural plans for proposed boathouse prepared by ALA Architects and Planners, Inc.
11	Reduced cupola detail
12	Photo showing storage of canopy and pier left at the end of the lawn at 61 Otis Road
13	Information received from the Village setting forth the specific criteria for private boathouse
14	Document received from Village's architect indicating a basic review regarding the criteria associated with the proposed boathouse for 61 Otis Road
15	Guidelines for use of Hawley Lake
16	Depiction of boathouse <i>concept</i>
17	Letters from neighbors in support of petition





**GHA GEWALT HAMILTON**  
ASSOCIATES, INC.  
www.gha-engineers.com



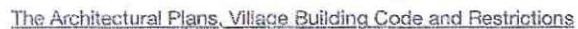
1 inch = 400  
Feet

Page 1

**Tax Parcel Map**

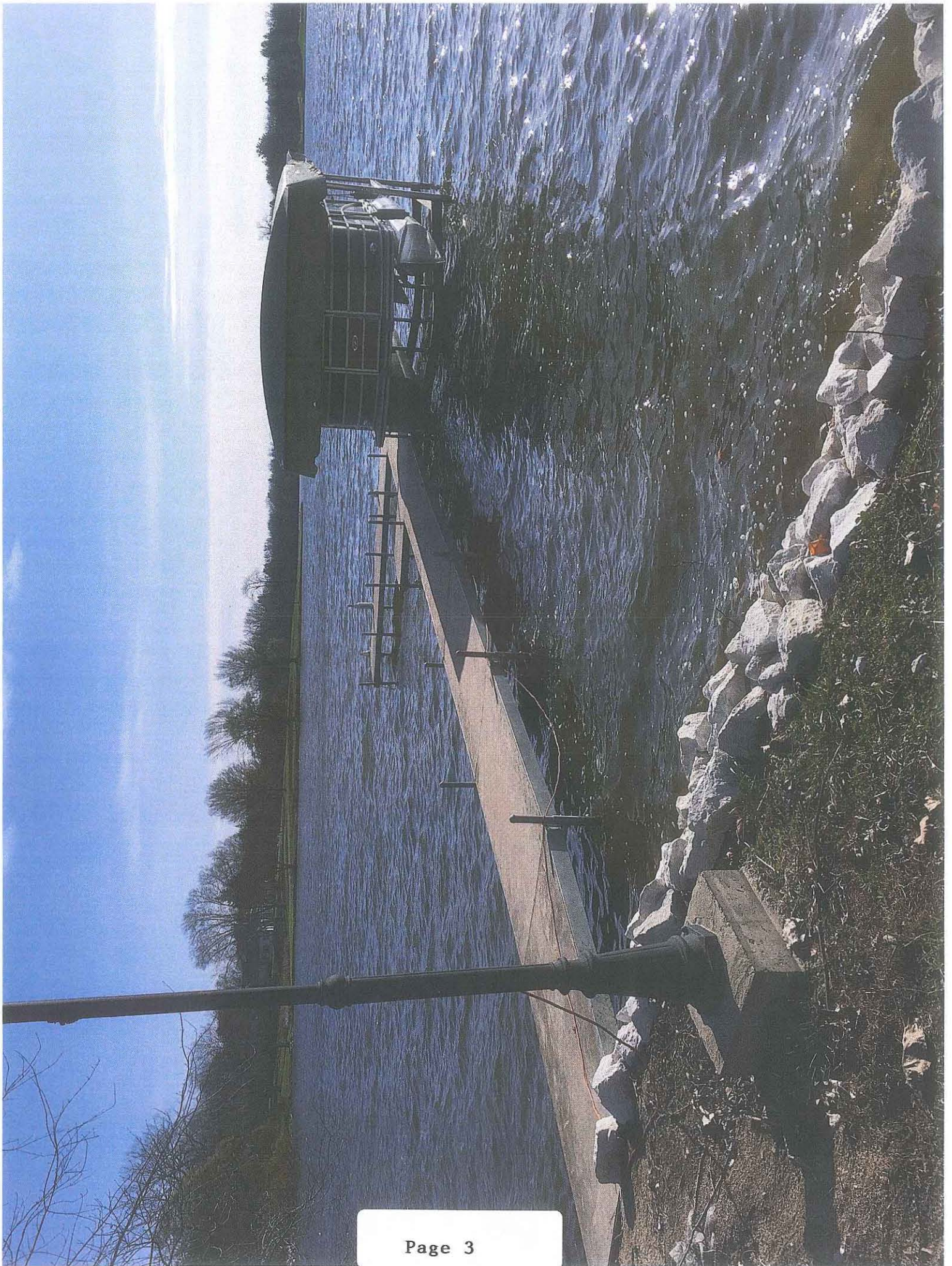
61 Otis Rd  
Village of Barrington Hills, IL



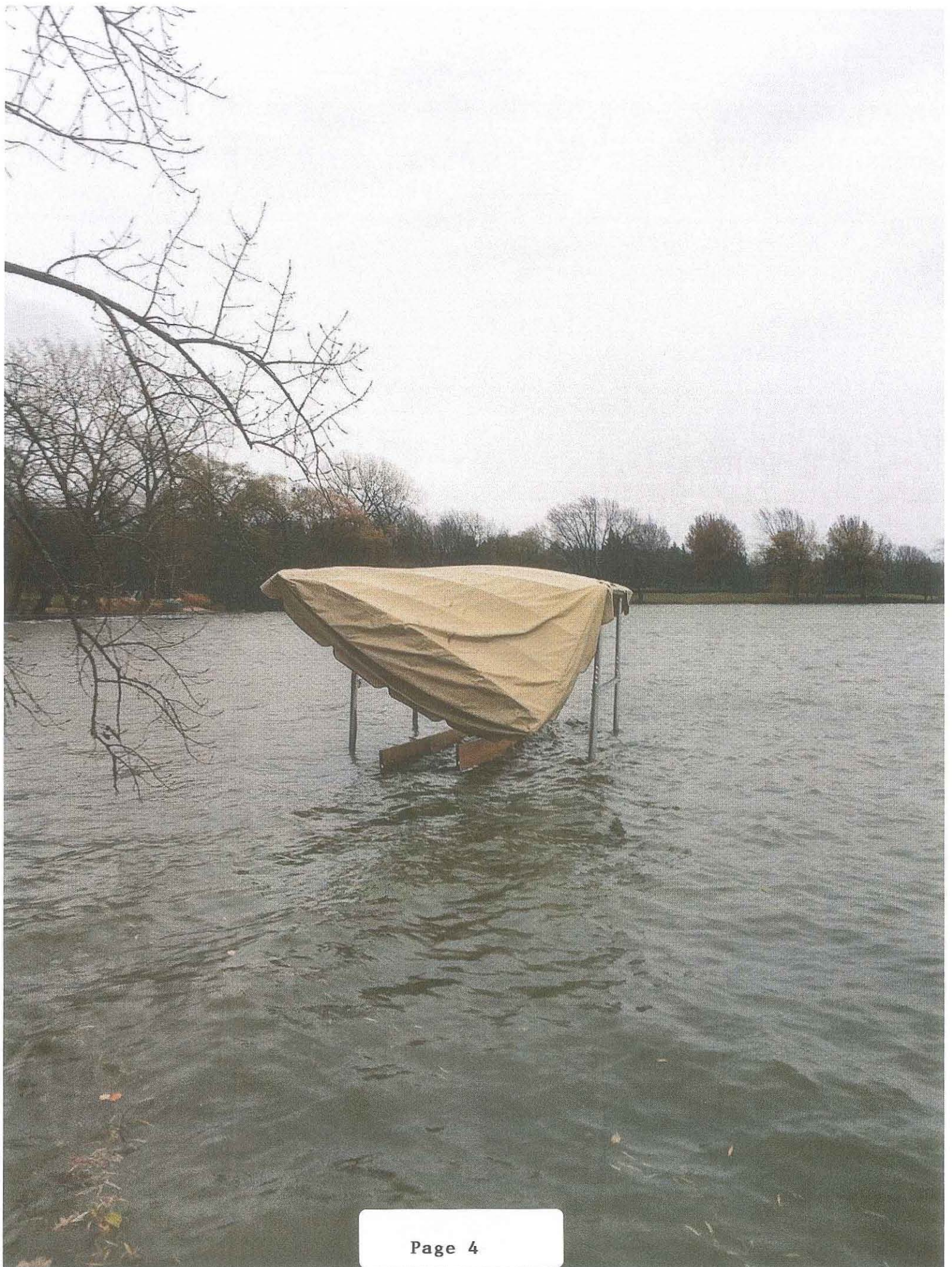


The Village's architectural review of the boathouse was done by Gerald Bunting (attached) and indicates substantial compliance, with the exception of the weather vane on the copola, but the architect plans indicate that the actual design and size have yet to be verified with the owners. The existing pier and boat lift go out 72 feet into the water, and measures approximately 34' wide by 15' high. The proposed boathouse would get moved to the West (see the orange mark on the attachment) and go out approximately 40 feet, and measure 24' 6" wide by 20' high.









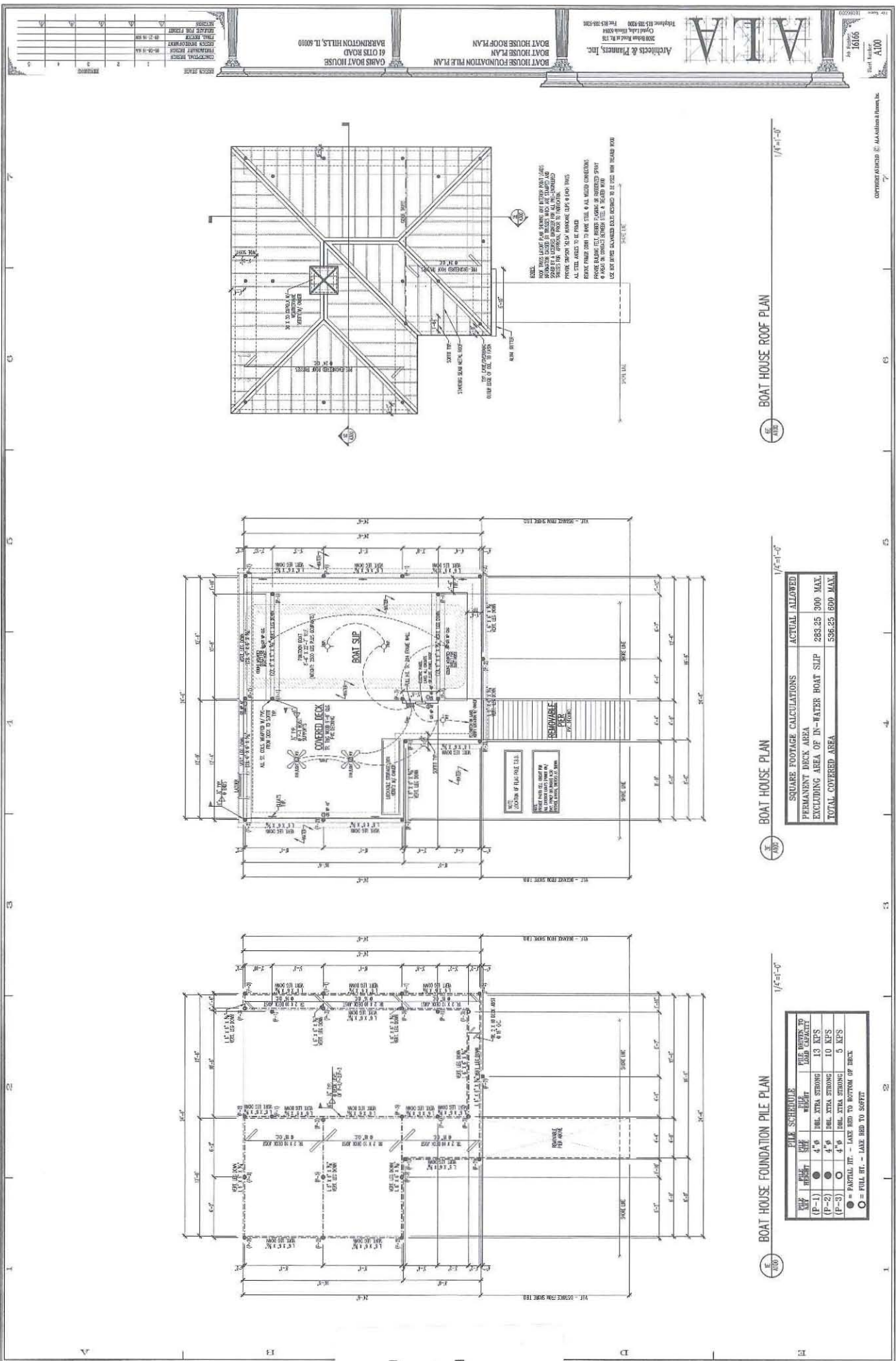


Google Maps









PILE SCHEDULE	PILE TYPE	PILE CAPACITY
(P-1)	4" x 8"	13 KIPS
(P-2)	4" x 8"	10 KIPS
(P-3)	4" x 8"	5 KIPS

SQUARE FOOTAGE CALCULATIONS	ACTUAL ALLOWED
PERMANENT DECK AREA EXCLUDING AREA OF IN-WATER BOAT SLIP	283.25 3000 MAX.
TOTAL COVERED AREA	556.25 6000 MAX.



Architects & Planners, Inc.  
2000 North Lincoln Road, Suite 100  
Naperville, IL 60563-1000 Tel. 630-759-5500  
Fax 630-759-5501

FRONT ELEVATION  
LEFT SIDE ELEVATION  
RIGHT SIDE ELEVATION

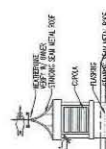
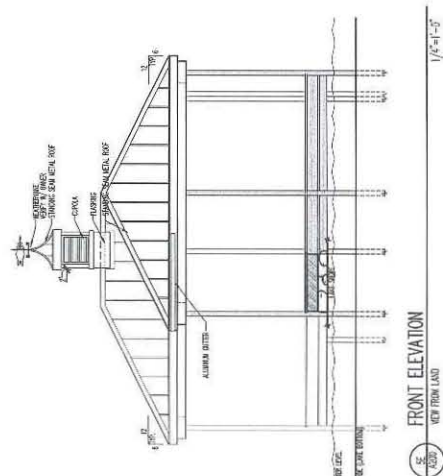
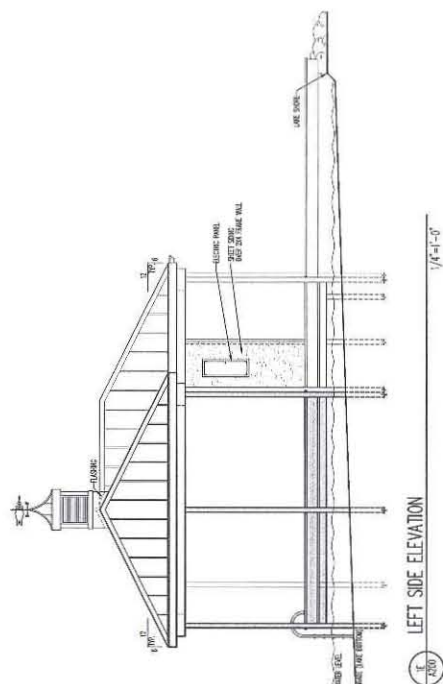
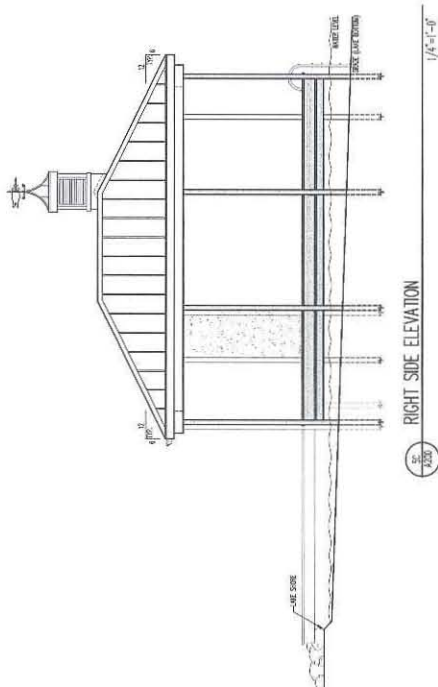
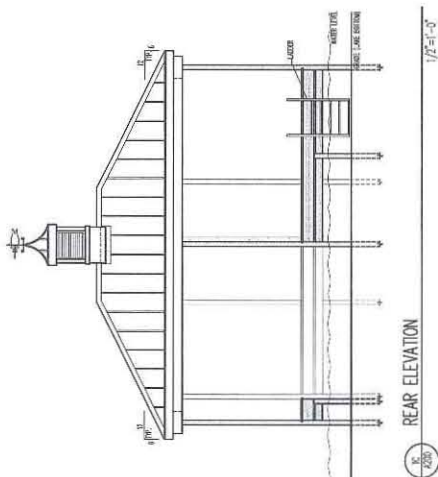
DAVIS BOAT HOUSE  
61 OTTS ROAD  
BARRINGTON HILLS, IL 60010

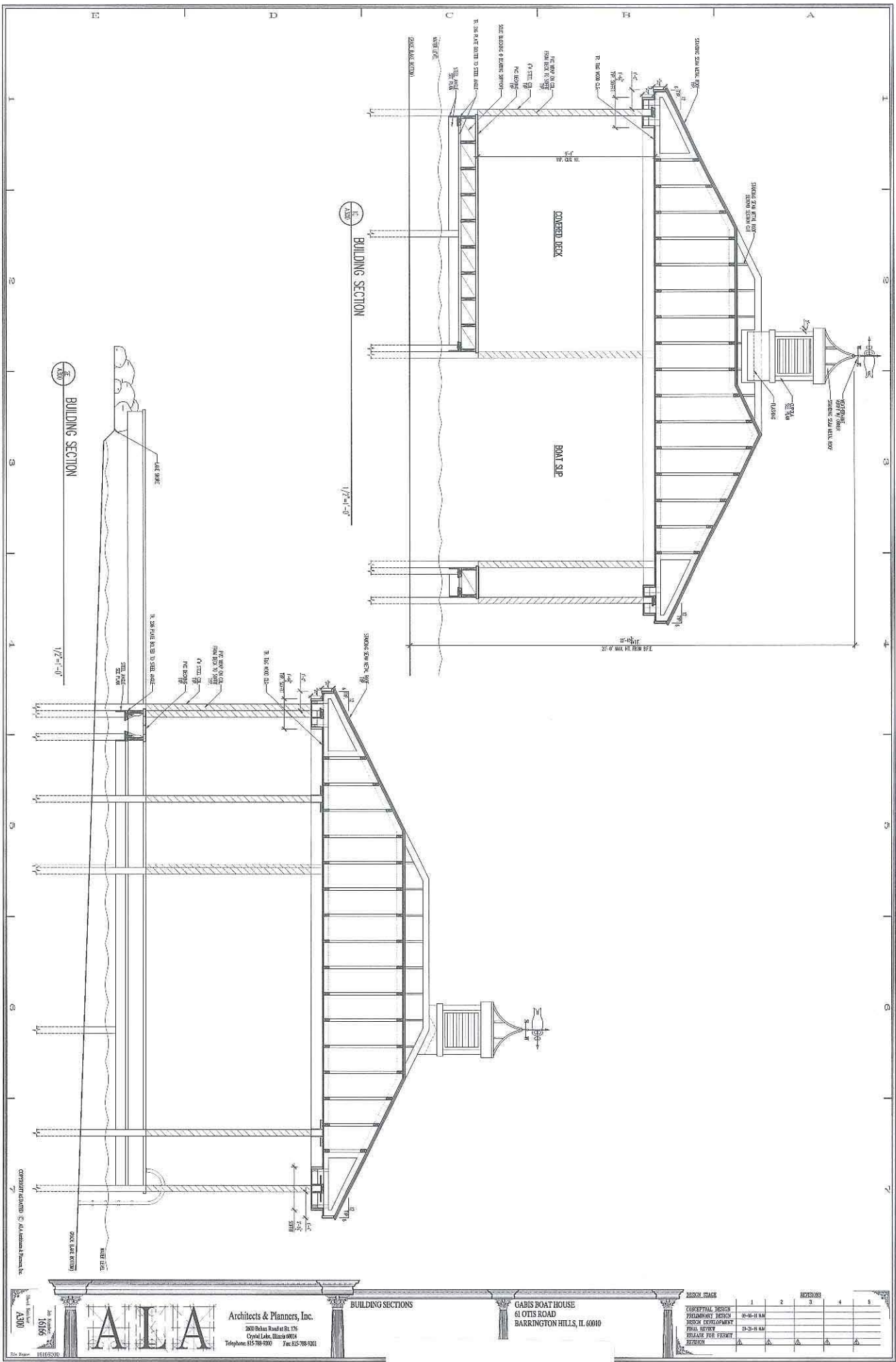
DATE	DESCRIPTION
01-11-01	CONCEPT DESIGN
02-12-01	SCHEMATIC DESIGN
03-12-01	FINAL DESIGN
04-12-01	FINAL PLAN REVIEW

Sheet No. 16166  
Drawing No. A200

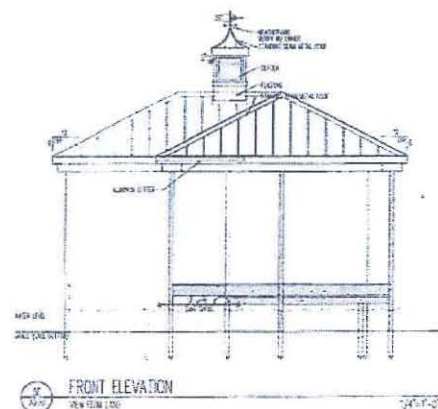
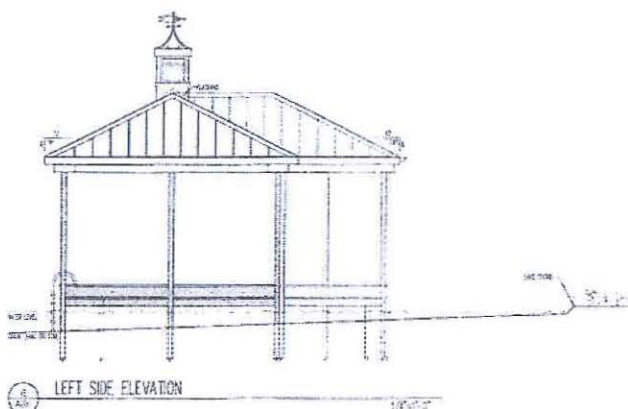
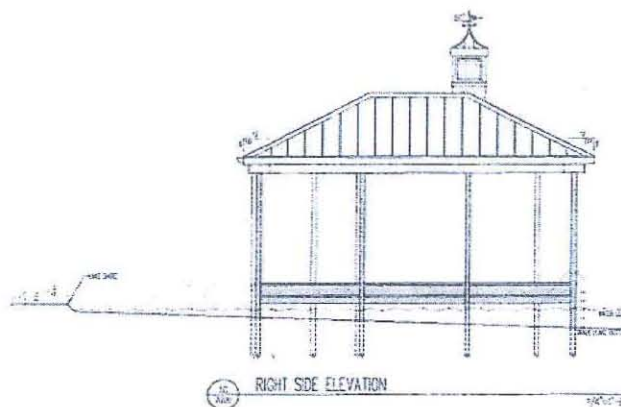
ELEVATION NOTES

- DO NOT SCALE ELEPHANTS, REPTILS WILL HIDE WITH PLANTS, CONTACT PROTECTED WITH ANY DISSEMINATIONS  
BEEN INTERFERING WITH ROOF PLANTS, BUT DIFFERENT ROOF PLANTS, BLEND TOP OF  
SLOPED END OF BEAM AS REQUIRED TO ALLOW PASSAGE TO LINE UP REPAIRING A COMMON  
EDGE DISTANCE  
SEE ROOF PLAN FOR TYPICAL DATE AND DOME INSTANCES UNLESS OTHERWISE NOTED ON  
ELEVATIONS  
F ROOF AND SLOTTED REENTS PROVIDE LESS THAN THE CODE MINIMUM  
AND GROUND VENTS AS NOTED TO THE REAR AND SIDE ELEVATIONS





The proposed boathouse has a New England design with some coastal touches. The color scheme will match the Cape Cod house: gray and white, with black accent fixtures. It is a simple design, without walls or plumbing. The roof is going to be a standing seam metal roof, with possibly a cupola if we can find one that we like with the right dimensions. There will be one boat slip for the electric pontoon, a covered area with mosquito curtains for lounging and relaxing in the shade, a built in storage box for life vests, sunscreen and towels, and a ladder for getting down into the water. The pier will connect the boathouse to the beach, picnic and garden areas. (See architect plans.)



**ELEVATION NOTES**

- DO NOT SCALE ELEVATIONS, VERIFY WALL HEIGHTS WITH PLUMB
- CONTACT ARCHITECT FOR ANY DISCREPANCIES
- WHEN INTERSECTING TWO ROOMS, RECORD BOTH FLOOR FINISHES, LOWER TOP OF ONE ROOM AS MEAN AS POSSIBLE TO ALLOW FLOORING TO LIE ON BOTH SIDES A CORNER
- TAKE DISTANCE
- GET ROOM PLAN FOR ROOMS, DATE AND NAME, OBTAINED PRIOR TO STARTING NOTES ON ELEVATIONS
- IF FLOOR AND CEILING FINISHES PROVIDED, RECORD THEM AS WELL AS MINIMUM, ALL ROOMS MUST BE NOTED TO THE REAR AND SIDE ELEVATIONS

Page 10

6300 1/2 N 10TH AVE  
DENVER CO 80231

FRONT ELEVATION  
REAR ELEVATION  
LEFT SIDE ELEVATION

**Architects & Planners, Inc.**  
10075 Van Riper Rd. #8, 178

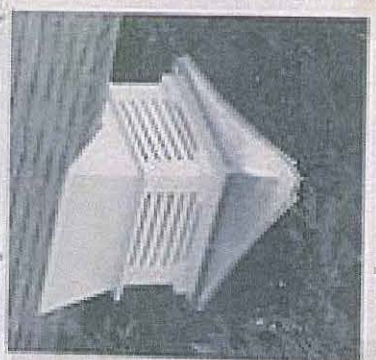
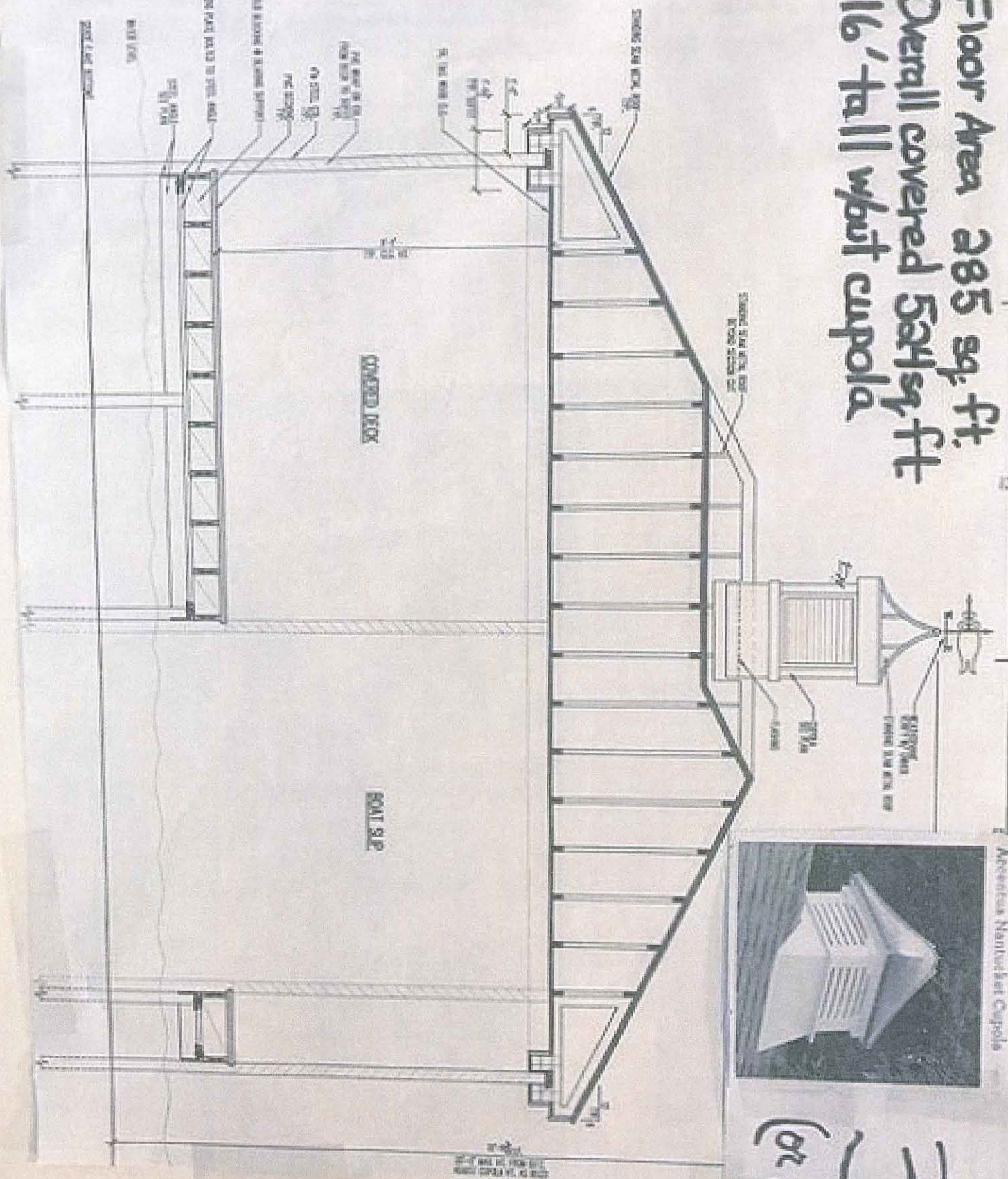
# ATA

1526

100



Floor Area 285 sq. ft.  
 Overall covered 544 sq. ft.  
 16' tall w/out cupola



Adventure Nantucket Cupola

31" #  
 (or 2.6')







VILLAGE OF BARRINGTON HILLS

Zoning Ordinance

5-3-11: REGULATIONS FOR SPECIAL USES:

\* \* \*

(C) No special use permit shall be granted for a private boathouse unless the size of the private boathouse complies with all of the following requirements:

1. Floor Area: No private boathouse shall exceed an overall floor area of three hundred (300) square feet, excluding the area of in-water boat slips.
2. Height: No private boathouse shall exceed an overall height of twenty feet (20') as measured by the vertical distance from the base flood elevation of the watercourse on which the boathouse is located or adjoins opposite the center of the front of the boathouse to the highest point on the boathouse.
3. Covered Area: No private boathouse shall have a permanent covered area exceeding six hundred (600) square feet. When calculating the covered area of a private boathouse, the covered area of the in water boat slips shall be included in the calculations.



**GERALD K. BUNTING**  
**Architectural Plan Review**

January 9, 2017

Building and Zoning Department  
Village of Barrington Hills  
112 Algonquin Road  
Barrington, Illinois 60010

Gabis / ALA Architects and Planners: 16033A  
61 Otis Road  
Boat Slip and Covered Deck

**ZBA REVIEW**

Item 1: Plans indicate 285 square feet.

Item 2: Elevations scale 16 feet to the top of the roof and 22 feet to the top of the weather vane on the cupola.

Item 3: Plans indicate 524 square feet.



Gerald K. Bunting  
Architectural Plan Review

## Guidelines for Use of Hawley Lake

In order to promote the common use of Hawley Lake by owners, their families and guests in a tranquil and neighborly environment the guidelines below have been recommended for approval at the 2007 annual meeting by the members of the Hawley Lake Association.

1. Engines

We shall continue a forty year tradition barring gasoline engines, motor boats, jet skis, snowmobiles and any other vehicle or appliance which would disturb the peace and tranquility of our lake setting. Only electric motors with a maximum combined thrust of 40 lbs. will be allowed.

2. Boats

While sailboats are predominant; we shall rely on the good judgment of an owner concerning the size, class, configuration and design of his boat.

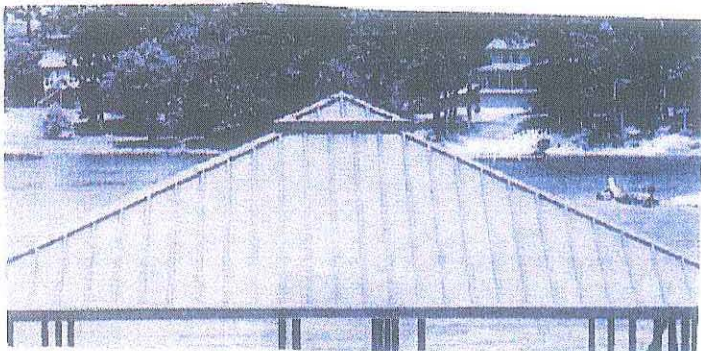
3. Fishing

We shall continue our long standing "catch and release" policy, which with our stocking program has made Hawley Lake one of the best fishing lakes in Illinois.

Owners, their families and guests shall enjoy full and free access to the entire lake. If a fishing boat, however is in direct view of a home, the fisherman shall stay at least 50 yards offshore and remain at that location for no longer than 30-40 minutes.

A guest shall have at hand the name and telephone number of the host or written authorization from the host covering that fishing day.

Enjoy the Lake!



From: Mary Casey [REDACTED]  
Subject: Re: public hearing  
Date: January 7, 2017 at 4:03 PM  
To: Liz Gabis lizgabis@mac.com  
Cc: [REDACTED]

MC

You will get no complaints from us, it looks great, mary casey

Sent from my iPhone

From: Joyce Fitzgerald [REDACTED]  
Subject: Re: public hearing  
Date: January 7, 2017 at 4:07 PM  
To: Liz Gabis lizgabis@mac.com  
Cc: [REDACTED]

JF

Looks great! Good luck!

Joyce Fitzgerald  
[REDACTED]

Sent from my iPhone

From: Larisa Berry [REDACTED]  
Subject: Re: public hearing  
Date: January 8, 2017 at 7:23 AM  
To: Liz Gabis lizgabis@mac.com  
Cc: [REDACTED]

LB

It looks lovely Liz, good luck. I think it's a great idea and adds value to the neighborhood.

Lara



4  
From: Brian T. Casey [REDACTED]  
Subject: Re: public hearing  
Date: January 7, 2017 at 12:10 PM  
To: Liz Gabis lizgabis@mac.com

Looks nice Liz!

Sent from my iPhone

5  
From: Robert J. Teik [REDACTED]  
Subject: Re: public hearing  
Date: January 9, 2017 at 12:37 PM  
To: Joyce Fitzgerald [REDACTED]  
Cc: [REDACTED]

Beautiful!!!

Robert J. Teik

On Jan 7, 2017, at 4:04 PM, Joyce Fitzgerald <joyce@hogan.com> wrote:

6  
From: Laura Bock [REDACTED]  
Subject: Re: public hearing  
Date: January 8, 2017 at 9:34 AM  
To: Liz Gabis lizgabis@mac.com  
Cc: [REDACTED]

Liz,

Thank you for being so considerate to your neighbors. It looks great!

Laura

7  
From: Angela Smith [REDACTED]  
Subject: Re: public hearing  
Date: January 7, 2017 at 4:45 PM  
To: Liz Gabis lizgabis@mac.com

Fine by us.

Sent from my iPhone

On Jan 7, 2017, at 5:29 PM, Liz Gabis <lizgabis@mac.com> wrote:

Thanks Joyce! We will have an extra guest charging station in case you guys need to charge your battery again. I did give Ben a couple of those emergency collapsible row paddles for xmas. Hopefully we don't ever need to use them, but good to have!

Sent from my iPhone

On Jan 7, 2017, at 4:04 PM, Joyce Fitzgerald [REDACTED] wrote:

Love you! Good luck!

Joyce Fitzgerald  
547-887-1901  
[REDACTED]

Sent from my iPhone

On Jan 7, 2017, at 12:41 PM, Liz Gabis <lizgabis@mac.com> wrote:

Hi Hazel! The Nighthawks. Most of us take out our puns and boat lifts every winter to prevent ice damage. Ben and I would like to undertake a small maintenance project and recently filed a permit request with the village to build a permanent boat house on our property in the water. Angela who owns property in the water has a separate tax PIN for that water property. It is going to be basically a pier and boat lift (without walls or plumbing) with a roof, instead of a canopy roof, so that it can be used in the water year round. The village required me to put a sign up in the yard, and mail out atleast 600 mailed notices to certain contiguous or adjoining property owners. I am taking the additional step in emailing all of you a notice of the boathouse. I've attached a set of architectural plans and photos as an illustration of the village if you are interested in viewing them. You are all invited and have the right to attend the permit meeting on 1/17/17 at 6:30 pm at the Barrington Hills Village Hall, 112 Algonquin Rd. Angela is doing and if you have any questions or concerns, you will be heard by the Committee. Here's what the sign in my yard says, and the Daily Herald newspaper notice. See also the attached boathouse sketch. I have now completed my duty of providing notice-thanks! Liz

Best Mom

NOTICE OF PUBLIC HEARING ON 1/17/17 AT 6:30PM

AT BARRINGTON HILLS VLG HALL, 112 ALGONQUIN RD

RE: A BOATHOUSE FOR THIS PROPERTY PINS 01-11-105-049 AND 050

REQUESTED BY BEN & LIZ GABIS BEFORE THE ZONING BOARD AND

ITS CHAIRMAN DANIEL WOJTCZAK MD-351-8000 PURSUANT TO VBH ORD 2-10-1

8  
From: Michael Okun [REDACTED]  
Subject: RE: public hearing  
Date: January 8, 2017 at 6:15 PM  
To: Liz Gabis lizgabis@mac.com

Hi Liz,

Not sure how this works but if you need us to come support it for you we will.

As I stated we have no problem with it and think it will make the lake look even nicer than it already is.

My best always,

Michael



Dear Liz and Ben

I wanted to write to let you know that I support your design ideas for a boathouse on your property on Hawley Lake. I think the design is in keeping with the design of your house, which is really the only authentic Lakehouse, built as a fishing cabin long ago, on our lake. To me it seems fitting that you would want to build a housing for your boat and other lake activity supplies, such as rafts and tubes, etc. I think you have done an amazing job updating the old fishing cottage, so I know anything you would put on your property would be in keeping with your good taste, and that of the neighborhood. I have studied your drawings, I think the boathouse would be a great way to clean up the dock. Actually I think it could be an improvement to a canvas and aluminum covering. I understand that some people are concerned that everyone might follow by building boathouses, but I don't believe this will happen. We only have about 5 pontoon boats on the lake, and I remember when the Board tried to outlaw any pontoons because of fears that everyone would go out and buy a pontoon boat. It didn't happen, and I don't think everyone will build a boat house. However I will tell everyone, that last summer I spent a day out on Green Lake in Wisconsin with friends. And I remember noticing that some houses had beautiful boathouses, and some had big sprawling docks, with multicolored tarps covering their boats. Personally I found the architecturally sensitive boathouses more pleasing to the eye. I hope you can come to some solution/compromise with our neighbors who are leery of a structure being built on the lakefront. You have certainly gone above and beyond in your presentation of your plans to the neighborhood. Thank you, your neighbor across the lake, Mary Casey,

# **PUBLIC COMMENTS**

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



## BUTTITTA LAW GROUP

*A Limited Liability Company*

DOMINIC J. BUTTITTA, JR. \*\*  
ATTORNEY

DOMINIQUE A. BUTTITTA  
ATTORNEY

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117 SOUTH COOK STREET

2<sup>nd</sup> FLOOR

BARRINGTON, ILLINOIS, 60010

TEL: 847.382.4000

FAX: 847.382.4003

\*\* LICENSED IN ILLINOIS & WISCONSIN \*\*

**ADDITIONAL OFFICE LOCATIONS IN**

**ROSELLE**

400 W. LAKE STREET, SUITE 200  
ROSELLE, ILLINOIS 60172

&

**CHICAGO**

321 N. CLARK STREET, 5<sup>TH</sup> FLOOR  
CHICAGO, ILLINOIS 60654  
(BY APPOINTMENT ONLY)

Dominique A. Buttitta, Esq.  
Dominique@ButtittaLaw.com

(Via Hand Delivery and email to mmclaughlin@barringtonhills-il.gov)

January 13, 2017

Martin J. McLaughlin  
Village President  
Village of Barrington Hills  
112 Algonquin Road  
Barrington Hills, IL 60010-5199

**Re: Letter in Opposition to Petition for Special Use Permit – Boathouse on Hawley Lake**  
**Petitioners/Owners: Ben and Elizabeth Gabis**  
**Property Address: 61 Otis Road, Barrington Hills, IL 60010**

Dear President McLaughlin:

We represent four (4) neighboring homeowners regarding the above reference matter, namely:

Dominic J. and Michaelene R. Buttitta of 61 Hawley Woods Road, Barrington Hills, IL 60010;  
Steve and Karen Casey of 55 Otis Road, Barrington Hills, IL 60010;  
George A. and Diana Moser of 82 Hawley Woods Road, Barrington Hills, IL 60010; and  
Don and Joan Olson of 73 Hawley Woods Road, Barrington Hills, IL 60010.

We are voicing strong opposition on their behalves to the proposed boathouse on Hawley Lake (the "Lake") by Ben and Elizabeth Gabis, owners of 61 Otis Road, Barrington Hills, Illinois 60010 ("Petitioners"). Three (3) of the aforementioned neighboring homeowners are past presidents of the Hawley Lake Association, all of which have resided on the Lake for over thirty (30) years. The Casey Family is a contiguous homeowner to the proposed boathouse.

### **Refuting the Petition**

**(1) The establishment, maintenance and operation of the boat house will be detrimental to or endanger the public health, safety, morals, comfort or general welfare.** The location of the proposed permanent boathouse is located in the actual lake itself, not to be confused with the adjoining land where the Petitioners' residence is located. The Lake does not have one (1) permanent structure located in the Lake. This proposed boathouse is approximately 25 feet x 25 feet with a height of 20 feet, located about

20 feet from the shoreline in the Lake. Consequently, the proposed boathouse would extend 45 feet into the water and be visible across the entire Lake.

**(2) The boathouse will be injurious to the use and enjoyment of other property in the immediate vicinity for purposes already permitted, and will substantially diminish and impair property values within the neighborhood.** The right of passage over the Lake would be impaired by this proposed permanent structure in the Lake. The proposed boathouse also includes a swim ladder and covered deck. This appears to be contrary to the intent of the Special Use Ordinance which does not provide for construction of a permanent boathouse inclusive of a swim ladder and covered deck in the Lake. Per Chapter 2, Zoning Definitions, Boathouse Private is defined as follows, “A detached accessory building without sanitary facilities *on or near the water* for the *exclusive purpose of storing a boat or boats to be used on the water adjacent to the boathouse and primarily intended for the use of the residents of the property on which the boathouse is located.*” (*emphasis added*) Further, Chapter 1, Section 5-1-2(H) of the Ordinance states, in part, the intent and purpose “to preserve and to improve the ecological balance in the area subject to this Title... to preserve the character of the community by preserving the area as a green belt area not subject to high density uses; *to preserve the natural vegetation; and to avoid the ecological evils of urbanization.* (Ord. 72-16, 12-18-72, *emphasis added*). The face of the Village of Barrington Hills website states,” A unique rural equestrian community... an oasis of another time.” Allowing a boathouse in the water would negatively impact the unique integrity of the surrounding area and directly contradict The Village of Barrington Hills’ goal of being a rural community of another time.

**(3) The establishment of the boat house will impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.** The construction impedes the view of the Lake in that it creates an obstructed view for every neighbor. Depending upon the proposed final location of the boathouse, it is also possible that it could cast a shadow upon contiguous property.

Contrary to the Petitioners’ application, the plight of the owners is not due to unique circumstances as every owner on the Lake is subject to receiving winds. There is not one (1) permanent boathouse in the Lake. Allowing this boathouse creates a slippery slope that may encourage future boathouses to be built in the Lake, residents of such do not want their serene picturesque views obstructed by one (1) boathouse which will likely lead to a myriad of boathouses over time and directly contradicts the Village’s goal of avoiding urbanization or the appearance thereof. The proposed boathouse is a gross deviation of the goals that this Village has maintained since its inception.

By way of background, Hawley Lake is the largest natural lake located within Barrington Hills. Many of the neighbors on the Lake have voiced their opposition to the proposed boathouse. No Hawley Lake Association or formal neighborhood meetings have been held to address the concerns of neighbors, some that have lived on the Lake for over thirty (30) years. The boathouse addresses the needs of one (1) resident on the Lake as opposed to what is best for the community as a whole. This was never brought up at the homeowners’ association annual meeting, nor was it brought up at the annual picnic hosted by the Petitioners, nor was a special meeting called by the current President of the Association, who is also the Petitioner, to discuss the proposed boathouse. It has been my clients’ experiences in the past that any special uses or unique circumstances are brought before the association as a courtesy to all neighbors and is paramount to maintain the integrity of this unique community. These longstanding homeowners on the Lake deplore any plan to erect any permanent boathouse in this natural body of water. A single boathouse in the Lake will be visible from miles around the Lake and will alter the essential character and setting of the natural untouched beauty of the Lake. Furthermore, construction of such boathouse could disturb the delicate ecosystem in the Lake.

The current proposed boathouse will result in significant, unavoidable adverse impacts on the scenic resources of Hawley Lake. The boathouse will have substantial adverse effects by degrading the visual quality of the Lake and its surroundings and upset the natural balance of our rural environment. We

strongly encourage you deny the petition for a special use permit as it's effect would have an adverse visual impact on Hawley Lake, it would have a substantial adverse effect on neighboring properties and would be inconsistent with the stated goals of the Village of Barrington Hills.

We strongly urge the respected members of the Board of Trustees of the Village of Barrington Hills to deny this petition for special use permit.

Respectfully,

BUTTITTA LAW GROUP, LLC

A handwritten signature in cursive script that reads "Dominique A. Buttitta". The signature is written in black ink and is positioned above the printed name.

Dominique A. Buttitta

Attachments (4): 2016 – Current Unobstructed Views of Hawley Lake

cc: Village of Barrington Hills Board of Trustees  
Colleen Konicek Hannigan (ckonicek@barringtonhills-il.gov)  
Fritz Gohl (fgohl@barringtonhills-il.gov)  
Michael Harrington (mharrington@barringtonhills-il.gov)  
Bryan C. Croll (bcroll@barringtonhills-il.gov)  
Michelle Nagy Maison (mmaison@barringtonhills-il.gov)  
Brian D. Cecola (bcecola@barringtonhills-il.gov)  
Daniel Wolfgram, Village of Barrington Hills Zoning Board of Appeals Chairman  
Robert Kosin, Director of Administration (rkosin@barringtonhills-il.gov)  
Dominic J. and Michaelene R. Buttitta  
Steve and Karen Casey  
George A. and Diana Moser  
Don and Joan Olson



