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August 18, 2010

Arnold J. Klehm  
Klehm Boys Partnership  
17N371 Binnie Lakes Trail  
Dundee, IL 60118

Dear Mr. Klehm

In regards to the solicitation of interest in establishing a funeral home and the precedent rezoning of your family's property to accomplish that use, the responsive direction would be to petition the Zoning Board of Appeals. It is through the public administrative process of the Zoning Board of Appeals, that the features and characteristics of the use would be considered and serve as a recommendation to the Board of Trustees. A voice message of this nature was left for you but whether received or not, the process remains the same.

Further direction may be found in the Zoning Code pertaining to map and text amendments which an excerpted section is included with this letter.

Sincerely,

Robert Kosin  
Director of Administration

enc.

**VBH Zoning Code**  
**5-10-6: AMENDMENTS:**

- (A) Authority: For the purposes of promoting the public health, safety, morals, comfort and general welfare, conserving the values of property throughout the Village, and lessening or avoiding congestion in the public roads and highways, the President and the Board of Trustees of the Village may, from time to time, in the manner hereinafter set forth, amend the regulations imposed and the districts created by this Title; provided, that in all amendatory ordinances adopted under the authority of this Section, due allowance shall be made for existing conditions, the conservation of property values, the directions of building development to the best advantage of the entire Village, and the uses to which property is devoted at the time of the effective date hereof.
- (B) Initiation of Amendment: Amendments may be proposed by a Trustee, the Zoning Board of Appeals, the Enforcing Officer or by any person owning or having an interest in the subject property.
- (C) Application for Amendment: An application for an amendment shall be filed with the Enforcing Officer, in such form and accompanied by such information as required by the Zoning Board of Appeals.
- (D) Hearing on Application: The Zoning Board of Appeals shall hold a public hearing on each application for an amendment at such time and place within the Village as shall be established by the Zoning Board of Appeals. The hearing shall be conducted and a record of such proceedings shall be preserved in such manner as the Zoning Board of Appeals shall, by rule, prescribe from time to time.
- (E) Notice of Public Hearing:
1. Notice of the time and place of such hearing shall be published in a newspaper of general circulation in the Village not more than thirty (30) nor less than fifteen (15) days before such hearing. Supplemental or additional notices may be published or distributed as the Zoning Board of appeals may, by rule, prescribe from time to time.
  2. Where the amendment is initiated by a Trustee, the Zoning Board of Appeals, or the Enforcing Officer, and proposes a change of district classification of a particular property, a true copy of the application or of the Board's order shall be served upon the owner or owners of record in person or by certified United States mail within ten (10) days after the filing of the application or the entry of the Board order initiating the proceeding. Where the application is filed by a person having an interest in the subject property, a notice and copy of the application shall be served in like manner upon each of the other co-owners or those having an interest. The foregoing notice and service requirements shall be in addition to the publishing requirements of this subsection.
- (F) Findings of Fact and Recommendations of the Zoning Board of Appeals: Within a reasonable time after the close of the hearing on a proposed amendment, the Zoning Board of Appeals shall make written findings of fact and shall submit same together with its recommendation to the Board of Trustees of the Village. Where the purpose and effect of the proposed amendment is to change the zoning classification of particular property, the Zoning Board of Appeals shall make findings based upon the evidence presented to it in each specific case with respect to the following matters:

1. Existing uses of property within the general area of the property in question.
2. The zoning classification of property within the general area of the property in question.
3. The suitability of the property in question for the uses permitted under the existing zoning classification.
4. The trend of development, if any, in the general area of the property in question, including changes, if any, which may have taken place since the day the property in question was placed in its present zoning classification.

The Zoning Board of Appeals shall not recommend the adoption of a proposed amendment unless it finds that the adoption of such an amendment is in the public interest and is not solely for the interest of the applicant. The Zoning Board of Appeals may recommend the adoption of an amendment changing the zoning classification of the property in question to any higher classification than that requested by the applicant. For the purpose of this paragraph the R1 District shall be considered the highest classification and the Light Industrial District shall be considered the lowest classification.

(G) Action by the Board of Trustees:

1. The Board of Trustees of the Village shall not act upon a proposed amendment to this Title until it shall have received a written report and recommendation from the Zoning Board of Appeals on the proposed amendment.
2. In cases where the Zoning Board of Appeals recommends that a proposed amendment not be adopted or in case of written protest against any proposed amendment signed and acknowledged by the owners of twenty percent (20%) of the property proposed to be altered or by the owners of twenty percent (20%) of the property adjacent to the property proposed to be altered, and filed with the Clerk of the Village, such amendment shall not be passed except by the favorable vote of two-thirds ( $\frac{2}{3}$ ) of all members of the Board of Trustees.
3. If an application for a proposed amendment is not acted upon finally by the Board of Trustees of the Village within sixty (60) days of the time of receipt of the Zoning Board of Appeals' recommendations, it shall be deemed to have been denied.

(H) Minimum Size of Parcel: A lot, lots or parcel of land shall not qualify for a zoning amendment unless it possesses a minimum of one hundred fifty feet (150') of frontage and contains a minimum of forty thousand (40,000) square feet of area, or adjoins a lot, lots or parcel of land which bears the same zoning district classification as the proposed zoning amendment.

July 27, 2010

Arnold J. Klehm, Partner  
Klehm Boys Partnership  
17N371 Binnie Lakes Trail  
Dundee, IL 60118

Joseph S. Messer, Trustee  
Building & Zoning  
Village of Barrington Hills  
112 Algonquin Road  
Barrington Hills, IL 60010-5199

Dear Trustee Messer,

I have been contacted by Anthony J. and Ross Morizzo, father and son, through Realtors Rich Pietrini and Kelly Miller of Coldwell Banker in Cary, Illinois. The Morizzos are interested in my family's property located on the northwest corner of routes 59, 68 and 62 in Barrington Hills, as a place to erect and operate a funeral home. Anthony and Ross Morizzo seem to be very upright people. Anthony has owned and operated well respected funeral homes in Chicago, still does funerals for people that come to him, and is involved in community affairs. His son, Ross, after graduating college, for several years worked for a large company in their real estate department, acquiring and developing properties for their retail locations. On his own he decided to follow in the family tradition and entered mortuary school, will apprentice with his father, and together they want to start Ross in the business. Anthony lives just down the road in Crabtree Trails, so has a vested interest in the quality of the area. They think that the Klehm property is well suited for them, as it is situated between two churches at a large intersection with good road presence, has high ground to build on and enough area for nicely landscaped grounds. The building would be of high quality and single use, the use being occasional and relatively light. I think that this would be an excellent use for this property.

We all met with Robert Kosin on June 28, 2010 at the Village Hall to discuss this, and Robert said he would talk about it with two zoning trustees that evening, to include yourself, as there was a meeting scheduled. I next was able to communicate with Robert on July 16, when he said he would talk to you on Monday the 19<sup>th</sup>, when you would return from vacation, and that he would call me that day after talking to you. He has not contacted me.

We are looking for feedback from the Village to see if there is any interest from the Village in having a funeral home on this site, after which we would continue to develop the concept with the Village. Please contact me, the Morizzos or the Realtors at your earliest convenience.

Sincerely,



Arnold J. Klehm  
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[klehmgro@aol.com](mailto:klehmgro@aol.com)

cc:

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