

**FINDINGS FROM THE PUBLIC HEARINGS
BEFORE THE ZONING BOARD OF APPEALS
September 17, 2012
Variance Minimum Interior Side Yard Setback
Re: 107 County Line**

WHEREAS, the Zoning Board of Appeals ("ZBA") for the Village of Barrington Hills, Illinois (the "Village") held public hearing September 17, 2012 to hear the Petition for a Zoning Variance to "construct an addition onto the existing barn" located on the property at 107 County Line, Barrington Hills, Illinois 60010 ("Subject Property"), legally described on Exhibit A attached hereto and made a part hereof, submitted by George M. and Norma J. Sachs, owners of the Subject Property ("Petitioners");

WHEREAS, pursuant to Section 5-10-4(B) of the Village Zoning Ordinance, the application for variation was properly filed and the notice requirements were properly met;

WHEREAS, the Subject Property is zoned R-1 which requires that interior side yards shall be at least fifty feet (50') for Accessory Use, pursuant to Section 5-5-7-3 of the Village Zoning Ordinance, and the owners of the Subject Property desire to construct an addition onto the existing barn on the Subject Property at a distance of 21.5 feet from the interior side lot line on the east side of the Subject Property; and

WHEREAS, the existing barn is a pre-existing non-conforming structure, which predated the Zoning Ordinance and is located 23.7 feet west of the easterly lot line;

WHEREAS, to grant the variation of "Minimum Interior Side Yard, Accessory Uses" the ZBA must find: "(1) the property in question cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations in the district for which it is zoned; (2) the plight of the owner is due to unique circumstances; and (3) the variation, if granted, will not alter the essential character of the locality." See Section 5-10-4(C) of the Village Zoning Code.

NOW THEREFORE, the ZBA makes the following findings and determinations regarding the Petition:

1. With regard to the request for a variance under Section 5-5-7-3, the ZBA found that (1) without being permitted to construct the addition to the existing barn on the Subject Property the Subject Property could not yield a reasonable return; (2) the plight of the owners of the Subject Property is due to the unique circumstances of the Subject Property, specifically that due to the unusual topography of the Subject Property there is no alternative location on which to construct the addition; and (3) the proposed addition will upgrade the existing barn to current community standards and will not alter the essential character of the locality.

2. Ms. Nancy Masterson, ZBA member, made a motion to approve the request of Petitioners for a variation of "Minimum Interior Side Yard, Accessory Uses" for the Subject Property to grant the variance under Section 5-5-7-3 to permit construction of an addition onto the existing barn on the Subject Property at a minimum distance of 21.5' from the interior side lot

line on the east side of the Subject Property where one hundred feet (100') is otherwise required in the R-1 district. ZBA member Dora Valin seconded the motion.

3. Member Masterson's motion was carried on a vote of seven (7) ayes and zero (0) nays.

4. A variation of the "Minimum Interior Side Yard, Accessory Uses" for the Subject Property was granted.

Dated this ____ day of September, 2012

Judith Freeman, Chairman

EXHIBIT A

LEGAL DESCRIPTION

107 County Line Road

THE PART OF THE WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{2}$ OF SECTION 4, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH LINE OF THE WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SAID SECTION 6,233 FEET EAST OF THE NORTHWEST CORNER THEREOF; THENCE SOUTH 8 DEGREES 16 MINUTES EAST, 731.18 FEET TO A POINT 337.68 FEET EAST OF THE WEST LINE OF SAID WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THENCE SOUTH 8 DEGREES 82 MINUTES EAST PARALLEL WITH THE EAST LINE OF SAID WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$, 166.31 FEET; THENCE SOUTH 89 DEGREES 42 MINUTES EAST PARALLEL WITH THE NORTH LINE OF SAID WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ 324.81 FEET TO THE EAST LINE OF SAID WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THENCE NORTH 8 DEGREES 92 MINUTES WEST ALONG SAID EAST LINE 889.38 FEET TO NORTH LINE OF SAID WEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$; THENCE NORTH 89 DEGREES 42 MINUTES WEST, ALONG SAID NORTH LINE 429.45 FEET TO THE POINT OF BEGINNING, IN COOK COUNTY, ILLINOIS.

COMMONLY KNOWN AS 107 COUNTY LINE ROAD, BARRINGTON HILLS, ILLINOIS.