

**FINDINGS FROM THE PUBLIC HEARING  
BEFORE THE ZONING BOARD OF APPEALS  
January 22, 2014**

**Variance –Minimum Lot Area**

**Re: 241 Steeplechase**

**WHEREAS**, the Zoning Board of Appeals (“ZBA”) for the Village of Barrington Hills, Illinois (the “Village”) held a public hearing on January 22, 2014 to hear the Petition under Section 5-10-4 of the Village Zoning Ordinance (“Zoning Code”) for a variation from the Minimum Lot Area requirements under Section 5-5-4-1 of the Zoning Code in the R-1 Zoning District for the property located at 241 Steeplechase, Barrington Hills, Illinois 60010 (“Subject Property”) submitted by Robert and Nicole King (“Petitioner”), owner of the Subject Property;

**WHEREAS**, the Subject Property is described on Exhibit A attached hereto and made a part hereof;

**WHEREAS**, the Petitioner has designated a portion of the Subject Property containing 4.55 acres as a “Zoning Lot” (as defined in the Zoning Code) which is located in the R-1 Zoning District and requires a minimum lot area of at least 5 acres pursuant to Section 5-5-4-1 of the Zoning Code; and

**WHEREAS**, to grant a variation of the required minimum average lot width, 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 made the following findings and determinations with respect to the Subject Property at the January 22, 2014 public hearing of the ZBA:

1. Robert Kosin, Village Administrator, testified that the appropriate notices had been (i) published in a newspaper of general circulation, (ii) posted on the Subject Property, and (iii) delivered by certified mail to the adjoining property owners, all as required by Section 5-10-4(B) of the Zoning Code and the rules of the ZBA. The Petitioner testified that he had received no comments from his neighbors other than one Mr. Petraitis, who had simply inquired as whether they going to do anything with the Subject Property.

2. The Subject Property was created by subdivision in 1959. Subsequent to April 1, 1963 the boundary lines of the Subject Property were adjusted between adjoining land owners and, in doing so, the Subject Property was reconfigured so as lose its “lot of record” status under the Zoning Code. When the Petitioner purchased the Property they determined that the Subject Property did not have gross lot area of 5 acres. The Petitioner and its attorney approached the

Village in order to obtain a zoning certificate. The zoning certificate produced by the Village and the Village engineer determined that the Subject Property failed to meet both the gross lot area and minimum lot width requirements of the Zoning Code. In order to meet the average lot width requirement of 300 feet, the Petitioner had had to declare a zoning lot of less than 5 acres (which is cross-hatched on Exhibit A), requiring a variance for the minimum lot area. The Subject Property is a non-conforming lot without the variance requested.

3. With respect to the variance requested, the ZBA found that (1) the Subject Property could not 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 Petitioner is due to unique circumstances; and (3) the requested variation would not alter the essential character of the locality.

4. Bruce Pfaff, ZBA member, made a motion to approve the request of the Petitioner for the requested variation to the gross lot area requirements of Sections 5-5-4-1 of the Zoning Code for the designated zoning lot, which has a gross lot area of 4.55 acres. George Mullin, ZBA member, seconded the motion.

5. On a role call vote Mr. Pfaff's motion passed on a vote of seven (7) ayes and zero (0) nays.

6. The variation of the required gross lot area for the designated zoning lot within the Subject Property is hereby approved.

Dated this \_\_\_\_ day of February, 2014

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Judith Freeman, Chairman

**EXHIBIT A**

**LEGAL DESCRIPTION**

Lot 12 in Prairie Hill Estates, being a subdivision of part of the West half of the Southeast quarter and the Southeast quarter of the Southwest quarter of Section 7 in that part of the Northwest quarter of the Northwest quarter of Section 18, Township 42 North, Range 9, East of the Third Principal Meridian, according to the Plat thereof recorded October 2, 2000 as Document Number 00767450 in Cook County, Illinois.