

**AN ORDINANCE GRANTING AN AMENDMENT TO A SPECIAL USE PERMIT
ALLOWING A BOAT HOUSE AT 54 BRINKER 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, on April 24, 2000, the Village Board adopted Resolution No. 00-6 captioned "Resolution Granting a Special Use Permit for a Boat House at 54 Brinker Road," granting a special use permit to allow construction of a boathouse on the property commonly known as 54 Brinker Road in Barrington Hills and legally described in Exhibit A attached hereto and made a part hereof ("Property"); and

WHEREAS, Donna Lyon ("Applicant") applied for an Amendment to the Special Use Permit to allow the reconfiguration, on the same foot-print, of the Boat House previously permitted within the R-1 Residential District; and

WHEREAS, Section 5-5-3(A) of the Village Zoning Code classifies a boat house as a special use within the residential zoning district; and

WHEREAS, on June 18, 2014, the Zoning Board of Appeals ("ZBA"), with a quorum of four members present and voting on this matter, held a public hearing on the application for amendment, 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 office of the Barrington Township Tax Assessor 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 a special use; 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 unanimous vote of the four members present and voting that the special use be granted, as are set forth in the Findings of Fact and Recommendations in Exhibit B 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 amendment to the special use permit is hereby granted, to run with the land, to allow a Boat House on the Property, in substantial compliance with the plans submitted for purposes of the ZBA public hearing on June 18, 2014 by Musetti Architects, and that said

reconfiguration is hereby granted, subject to the following conditions, in keeping with the standards set forth in Section 5-10-7(E):

1. The Applicant shall complete the renovation of the Boat House within six (6) months of the date of approval of this Ordinance.

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.

APPROVED THIS 28TH DAY OF JULY, 2014.

AYES 5; NAYS 0; ABSENT 2; ABSTAIN 0.


Village President

ATTEST:


Village Clerk