AN ORDINANCE GRANTING A SPECIAL USE PERMIT FOR A CELL ANTENNA INSTALLATION AT THE FIRST PRESBYTERIAN CHURCH, 6 BRINKER ROAD

WHEREAS, the Village of Barrington Hills ("Village") is a duly organized and existing Illinois home rule municipality pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1 *et seq.*; and

WHEREAS, Section 5-10-7 of the Village's Zoning Code authorizes the 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, Section 5-3-12 of the Village's Zoning Code permits personal wireless service facilities in any zoning district pursuant to a special use permit, provided, however, no special use permit for personal wireless service facilities shall be granted unless such personal wireless service facilities comply with the provisions of said section; and

WHEREAS, First Presbyterian Church, as owner of the property identified as 6 Brinker Road, and Verizon Wireless, as applicant ("Applicant"), have applied for the grant of a special use permit to allow the construction and placement of commercial wireless antennas and equipment inside the steeple and basement of the First Presbyterian Church at 6 Brinker Road ("Property"), within the R-1 Residential District, identified by Property Index Nos. 01-03-100-009-0000 and 01-03-100-015-0000; and

WHEREAS, the First Presbyterian Church already exists at the Property pursuaut to a special use in accordance with section 5-5-3(A); and

WHEREAS, Section 5-3-12 of the Village Zoning Code permits the construction and installation of personal wireless facilities in all zoning district, pursuant to a special use permit; and

WHEREAS, on January 28, 2019, at special session assembled, the ZBA, with a quorum present and voting on this matter, held a public hearing on the application for a special use permit, prior to which time a 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 1500 feet of the Property as required by section 5-3-12 and notice of said hearing was properly posted on the Property; and

WHEREAS, Section 5-10-7(D) of the Village Zoning Code provides that for each application for a special use, the ZBA 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; and

WHEREAS, Section 5-3-12 and Section 5-10-7(E) of the Village Zoning Code establish standards which must be met before the ZBA may recommend approval of the special use permit; and

WHEREAS, at the close of the public hearing, the ZBA made all necessary findings of fact, as set forth in the attached Exhibit A, as to compliance with the standards set forth in Sections 5-3-12 and 5-10-7(E) of the Village Zoning Code, and recommended that the requested special use be granted, and if the recommendation is to grant the petition that it be subject to the following conditions:

1. That the installation plan be approved by the Barrington Countryside Fire Protection District, and
2. That the installation be internal to the property.

NOW, THEREFORE, BE IT ORDAINED, by the President and Board of Trustees of the Village of Barrington Hills, Cook, Kane, Lake aud McHenry Counties, Illinois, as a home rule municipality the following:

Section One: The ZBA's findings of fact and recommendation as set forth in Exhibit A is accepted and incorporated herein by reference.

Section Two: The special use permit for the purposes set forth herein is hereby granted, subject to the following conditions:

1. That the installation plan be approved by the Barrington Countryside Fire Protection District, and
2. That the installation be internal to the property.

Section Three: 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 Four: This Ordinance shall be in full force and effect from and after its passage and approval as provided by law.

PASSED AND APPROVED by the President aud Board of Trustees of the Village of Barrington Hills, Illinois, this 28th day of January, 2019.

Ayes: 5 Nays: 0 Absent: 2

APPROVED:

Village President

ATTEST:

Village Clerk