

*Village of Barrington
Zoning Board of Appeals
Minutes Summary*

Date: October 8, 2019

Time: 7:00 p.m.

Location: Village Board Room
200 South Hough Street
Barrington, Illinois

In Attendance: Anna Markley Bush, Chairperson
Dan Hogan, Vice-Chairperson
Robert Windon, Commissioner
Jeff Anderson, Commissioner
Richard Ehrle, Commissioner

Staff Members: Andrew Binder
Jennifer Tennant

Call to Order

Chairperson Bush called the meeting to order at 7:00 p.m.

Roll call noted the following: Robert Windon, present; Richard Ehrle, absent (*late*); Jeff Anderson, present; Susan Ferry, absent; Joann Lee, absent; Vice-Chairperson Hogan, present; Chairperson Anna Markley Bush, present.

There being a quorum, the meeting proceeded.

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Old Business

New Business

ZBA 19-02: Tavern Special Use (108 Barrington Commons Court)

PETITIONER: SIP Barrington LLC by Douglas and Tammy Brewer
1032 Heather Court
Fox River Grove, IL 60021

PROPERTY OWNER: Rita Florio
108-110 Barrington Commons Plaza
Barrington, IL 60010

The Petitioner is requesting approval of a Special Use for a Tavern in the B-4 Village Center District. 108 S Barrington Commons Court is located in the middle tenant space on the east side of the Barrington Commons Center. The Petitioner was granted a liquor license in February of 2019 and has been in operation since then without an approved Zoning Certificate.

Tom Bastian, the attorney representing the petitioner, presented the special use request to the ZBA. Tom indicated that his client's businesses intention was to open a restaurant with a service of alcohol. Tom continued that SIP Barrington opened in early 2019 prior to receiving its food license from the Lake County health department. Tom said his client's business currently has 45% of the sales coming from the sale of food and the remaining 55% coming from the sale of alcohol, but SIP Barrington is intending to reach the 60% of sales of food. Tom mentioned that his client didn't read or understood the code, so now they are applying for the Special Use. Tom believes this client will reach Tom is requesting that the ZBA give their special use request a positive recommendation to the Village Board for approval.

Mr. Binder presented the staff report and discussed how we got to this special use request. The Village noticed the business was in operation in February of 2019 without an approved Business Registration/Zoning Certificate. When Staff reached out to the business for the application, Staff received an incomplete Business Registration/Zoning Certificate on April 1st, 2019. The submitted Business Registration/Zoning Certificate did not have a detailed business description, which prompted Village Staff to reach out to the applicant to receive more information on the business. On April 19th, 2019, the applicant responded with a business description stating that the business had three (3) food items on the menu. Staff determined that the business was classified as a "Tavern" use and not a "Restaurant" use, which would require a Special Use Permit. In order for the business to be classified as a Restaurant use, the business would have to meet the 60% percent of the sales coming from food. Ultimately, a Notice of Violation ticket was issued to the applicant for the business to be in operation without a Special Use approval. The applicant did appear at the administrative hearing for the Notice of Violation ticket. The Administrative Hearing Officer determined that the applicant must apply and be granted a Special Use permit for the business to be in compliance with the Zoning Ordinance.

Mr. Binder indicated that the business has applied for a sign permit and outdoor café permit, but both applications are not fully compliant and cannot be issued until the Special Use application and permit is complete. Mr. Binder also mentioned that business did not obtain a Village food license. Staff recommends that three conditions be added to the special use request, requiring that a sign permit, outdoor café application and Village food establishment license is submitted and reviewed by Staff before the Zoning Certificate is issued to ensure compliance with the Village of Barrington Zoning Ordinance.

Tom Bastian indicated that he had no problem with conditions made by staff, but with the food license, the business obtained a food inspection from the county. Additionally, the business does have a full menu now that the business has been in operation for some time now.

John Decadersmith, a resident of Barrington and adjacent business owner to SIP Barrington at 119 Barrington Commons Ct, indicated that SIP Barrington has been excellent neighbors and have not have a problem with their

business. John believes that SIP Barrington is good for business and good for Barrington, and supports the special use request.

(Commissioner Ehrle arrived late to meeting and was noted as present).

Commissioner Anderson motioned and Commissioner Ehrle seconded the motion to approve ZBA 19-02 for a special use for a tavern use at 108 Barrington Commons Court, subject to the following conditions recommended by Staff; requiring that a sign permit, outdoor café application and Village food establishment license is submitted and reviewed by Staff before the Zoning Certificate is issued to ensure compliance with the Village of Barrington Zoning Ordinance.

Roll call Vote: Mr. Windon, yes; Ms. Lee, absent; Ms. Ferry, absent; Mr. Anderson, yes; Mr. Ehrle, yes; Vice-Chairperson Hogan, yes; and Chairperson Bush, yes. The vote was 5-0; the motion carried.

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Minutes

July 23, 2019

Commissioner Windon made a motion to approve the July 23, 2019 meeting minutes. Commissioner Anderson seconded the motion. A voice vote noted all ayes, and Chairperson Bush declared the motion approved.

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Adjournment

Commissioner Windon made a motion and Commissioner Hogan seconded to adjourn the meeting at 7:11 p.m. Chairperson Bush declared the motion approved.

Respectfully submitted,

Andrew Binder
Planning & Zoning Coordinator

Approved: November 12, 2019