07/23/26

VILLAGE OF BARRINGTON

ORDINANCE NO. 2026-4666

ZONING ORDINANCE VARIATION

(RE: ZBA 26-01: Property of Derek Hummel, at 236 George Street - Request for Approval of a Front Yard Setback Variation)

ADOPTED BY

THE CORPORATE AUTHORITIES

OF THE VILLAGE OF BARRINGTON

THIS 10 DAY OF AUGUST, 2026

Published in pamphlet form by authority of the Corporate Authorities of the Village of Barrington, Illinois, this 10 day of AUGUST, 2026

Ordinance No: 2026-4666

ZONING ORDINANCE VARIATION

(RE: ZBA 26-01: Property of Derek Hummel, at 236 George Street - Request for Approval of a Front Yard Setback Variation)

WHEREAS, Derek Hummel (hereinafter referred to as "Owner" or the "Petitioner") is the reported owner of record of the vacant property commonly known as 236 George Street, Barrington, Illinois (hereinafter, the "Subject Property") and is the Petitioner for the Zoning Variations which are the subject of this Ordinance; and

WHEREAS, the Subject Property is located in the Village's R-8 General Residential Zoning District where a thirty foot (30') front yard setback is required, was platted before the Village adopted its current zoning regulations, and is, therefore, considered a legal nonconforming lot which is buildable, is approximately 7,046 square feet in area, notwithstanding the fact that a lot area of 7,500 square feet is otherwise required in the R-8 Zoning District, and is legally described as follows:

THAT PART OF LOT A IN OWNER'S SUBDIVISION OF SUNDRY LOTS IN WALBAUM'S ADDITION TO BARRINGTON OF PART OF THE WEST HALF OF THE NORTHEAST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN WHICH LIES SOUTH OF THE SOUTH LINE OF LOT 15 IN SAID WALBAUM'S ADDITION TO BARRINGTON, TAKEN AS A TRACT, EXCEPTING FROM SAID TRACT THE NORTH 164 FEET AS MEASURED ON THE EAST AND WEST LINES THEREOF AND ALSO EXCEPTING THAT PART OF SAID TRACT DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT; THENCE NORTHWESTERLY ALONG THE SOUTHWESTERLY LINE OF SAID TRACT, 146.32 FEET TO THE SOUTHWEST CORNER THEREOF, THENCE NORTH ALONG THE WEST LINE OF SAID TRACT, 140.28 FEET; THENCE SOUTHEASTERLY TO A POINT ON THE EAST LINE OF SAID TRACT, 140 FEET TO THE PLACE OF BEGINNING; (EXCEPT ANY PART IN MEWS CONDOMINIUM NORTHERLY DESCRIBED IN PLAT AND DECLARATION FILES SEPTEMBER 1, 1981 AS DOCUMENT LR3230386 AND EXCEPT ANY PART IN TRACTS SOUTHERLY DESCRIBED IN DEED DOCUMENTS 1718639067 AND 0322326127) ALL IN COOK COUNTY, ILLINOIS.

PIN(s): 01-01-20-3024
(hereinafter, the "Subject Property"); and

WHEREAS, the Petitioner desires to construct a single-family residence and a detached one-car garage on the Subject Property, however, there are unique circumstances and existing requirements related to the Subject Property, including but not limited to its substandard size, triangular shape, and a requirement for on-site stormwater detention, which create certain practical difficulties for the Petitioner relative to the Subject Property, all of which would negatively impact on and create a hardship for the Petitioner's ability to construct a structure on the Subject Property without the Village's approval of a front yard setback variation, all as more fully set forth herein; and

WHEREAS, in consideration of the above, the Petitioner is requesting the Village's approval of a variation from Subsection E.1 of Section 6.9, "R-8, General Residential District", of the Village's Zoning Ordinance (the "ZO") relative to the thirty foot (30') front yard setback which would otherwise be required in order to allow the Petitioner to construct a single-family residential structure and detached one-car garage at a location on the Subject Property having only a twenty foot (20') front yard setback; and

WHEREAS, following factors were considered by the Village relative to the Petitioner's request:

(1) The Petitioner has requested a zoning variation in order to construct a single-family residential structure and one-car detached garage at a location on the Subject Property having a twenty foot (20'), rather than a thirty foot (30'), front yard setback; and

(2) The Subject Property is only 7,046 square feet in area, and a square foot area of 7,500 square feet is otherwise required in the R-8 Residential Zoning District. However, the Subject Property is a buildable legal nonconforming lot as it was platted prior to the Village's adoption of its current Zoning Ordinance; and

(3) The Subject Property is located in an "Inadequate Downstream Capacity Area", which means that the area to which the Subject Property drains has inadequate storm sewer capacity, and the natural grade of the Subject Property would require on-site stormwater detention facilities to be provided for all new impervious surface which would be located in the rear yard of the Subject Property; and

(4) The Subject Property is triangular in shape, being considerably wider in the front and approximately 100 feet in length along George Street, with the angular southerly property line running northwesterly and narrowing down to approximately 15 feet in the rear; and

WHEREAS, the matter was referred to the Zoning Board of Appeals ("ZBA") of the Village, and after due publication and notice as provided by law, the ZBA held a public hearing on July 14, 2026, and submitted its report and recommendation to the Corporate Authorities of the Village recommending approval of the Petitioner's request, with certain modifications, which recommendation sets forth the necessary and approximate findings of fact in support of such report and recommendation; and

WHEREAS, it appears that there are practical difficulties and particular and undue hardships resulting from the strict application of the aforesaid provisions of the Zoning Ordinance to the Property; and

WHEREAS, the Corporate Authorities of the Village, after reviewing the record of the proceedings and the report and recommendations of the ZBA, have considered the Petitioner's request for the aforesaid variation and have determined that this is an appropriate circumstance in which to grant a variation for the Subject Property for construction of the proposed new single-family residence and detached one-car garage:

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, that:

SECTION 1: The Corporate Authorities of the Village of Barrington hereby find that the statements in the preamble to this Ordinance are true and correct and are incorporated herein as its findings of fact the same as if each had been set forth in its entirety in the text of this Ordinance.

SECTION 2: The Corporate Authorities of this Village also hereby make the following additional findings of fact:

A. Practical Difficulty:

"No variation shall be granted unless the applicant shall establish that carrying out the strict letter of the provisions of this Ordinance would create a particular hardship or a practical difficulty."

The Subject Property is a substandard size lot, having a lot area of only approximately 7,046 square feet, within the Village's R-8 Residential Zoning District, which Zoning District otherwise requires a lot area of 7,500 square feet and a thirty foot (30') front yard setback. The Subject Property has an unusual triangular shape of approximately one hundred feet (100') along the front (east) property line along George Street, substantially narrowing to the rear along the southerly property line which runs on a northwesterly angle to create a rear (west) property line of only approximately fifteen feet (15") in width. The Subject Property is also located in an area of the Village identified as having inadequate downstream storm sewer capacity which requires the installation of a large on-site stormwater detention system at the rear of the Subject Property to accommodate all impervious surfaces. Due to the natural grade of the Subject Property, the most practical design and location of the required large, on-site stormwater detention system would be in the rear yard of the Subject Property. All of the aforesaid circumstances make building placement difficult and do not make it feasible for the Petitioner to locate the proposed residential structure and one-car detached garage any further back than twenty feet (20') from the front (east) property line of the Subject Property. These factors combine to create practical difficulties for the Petitioner's strict compliance with the thirty foot (30') front yard setback requirements of the ZO. Therefore, this standard has been or will be met.

B. Unique Physical Condition:

"The Subject Property is exceptional as compared to other properties subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming, irregular or substandard shape or size, exceptional topographical features, or other extraordinary physical conditions peculiar to, and inherent in, the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the property rather than the personal situation of the current owner of the property."

The Subject Property is a triangular lot of 7,046 sq. ft. in area, which does not comply with the current minimum lot size area requirement of 7,500 sq. ft. in the R-8 Residential Zoning

District. The dimensions of this lot, being approximately 100 feet in width at the front property line and narrowing on a northwest angle to approximately 15 feet in width at the rear property line make building placement difficult, especially when combined with the on-site stormwater detention requirement due to the location of the Subject Property within the inadequate downstream capacity area. All of these requirements combined create both a practical difficulty and a unique physical condition not applicable to almost any other residential lots in the Village. Therefore, this standard has been or will be met.

C. Not Self-Created:

"The aforesaid unique physical condition is not the result of any action or inaction of the owners and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Ordinance."

The condition, location, dimensions, and requirements relative to the Subject Property were not self-created. The Subject Property was platted as an individual lot zoned for residential development long before the Village adopted its current zoning regulations. Therefore, this standard has been or will be met.

D. Denied Substantial Rights:

"The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the Subject Property of substantial rights commonly enjoyed by owners of other properties subject to the same provision."

There are certain practical difficulties and particular hardships which impact the Subject Property, in part, due to the unique physical dimensions of and the stormwater management requirements applicable to the Subject Property, which would prevent the Petitioner from being able to construct a single-family residential structure and one-car detached garage on the Subject Property without the Village granting certain zoning relief. The Petitioner has made substantial efforts to meet the Village's zoning requirements, and if it were not for the inclusion of the Subject Property in the inadequate downstream capacity area and the resulting requirement for installation of a large stormwater detention system on the Subject Property, it is likely that full compliance with the applicable provisions of the ZO could have been achieved because the large, on-site stormwater detention system would not have been required and the proposed structures could have been constructed on the Subject Property at a location which has a compliant front yard setback. Therefore, this standard has been or will be met.

E. Not Merely Special Privilege:

"The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the Subject Property."

The requested variation does not constitute a special privilege in that the Petitioner is requesting the minimum amount of relief necessary to alleviate the established practical difficulties and hardship. The proposed residential structure and one-car detached garage are modest in size and meet all other applicable zoning requirements. Therefore, this standard has been or will be met.

F. Ordinance and Plan Purposes:

"The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this Ordinance, and the provision from which a variation is sought, was enacted or the general purpose and intent of the Comprehensive Plan."

The R-8 Residential Zoning District permits a variety of housing types including single-family, two-family and multi-family housing. Each housing type has different setback requirements. The minimum front yard setback for multi-family housing is twenty (20) feet. The lot directly to the north of the Subject Property is a multi-family housing unit with a front yard setback of approximately 24 feet and the next building to the north is also multi-family housing with the front yard setback of approximately 15 feet. In consideration of these facts, the Petitioner's request is compatible with the front yard setbacks of the neighboring buildings. Therefore, this standard has been or will be met.

G. No Other Remedy:

"There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property."

Due to the substandard size and unique shape of the Subject Property and the on-site stormwater detention requirement, there is no other remedy to permit strict compliance with the thirty foot (30') front yard setback otherwise required while meeting all of the other zoning and Village Code requirements. The practical difficulty of being located in the inadequate downstream capacity zone and the natural topography of the Subject Property necessitate that the stormwater detention system would be required to be located in the rear of the Subject Property which limits the possibilities for location of a residential structure and one-car detached garage on the Subject Property due to the size and shape of the lot. Most of the Subject Property and block is currently improved and built property line-to-property line, which leaves minimal space to expand. Therefore, this standard has been or will be met.

H. Minimum Required:

"The requested variation is a minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of the provisions of the Zoning Ordinance."

The Petitioner is requesting the minimum relief necessary to construct a modest size single-family residential structure and one-car detached garage on the Subject Property while

meeting all other zoning and Village Code requirements. Therefore, this standard has been or will be met.

SECTION 3: A variation of ten feet (10') from the provisions of Subsection E.1 of Section 6.9, "R-8, General Residential District", of the Village's Zoning Ordinance (the "ZO") relative to the thirty foot (30') front yard setback which would otherwise be required is hereby granted to the Petitioner for the Subject Property in order to allow the Petitioner to construct a single-family residential structure and one-car detached garage at a location on the Subject Property having a twenty foot (20') front yard setback, subject to the conditions hereinafter set forth, all subject to the Petitioner's construction of the proposed residential structure and garage in substantial compliance with the plans for same which have been submitted to and approved by the Corporate Authorities of the Village, but only for the purpose of the zoning variation herein granted, copies of which plans are attached hereto as Group Exhibit A and thereby made a part hereof.

SECTION 4: The following are conditions of the variation herein granted and the grant of this variation is expressly subject to the Petitioner's timely and continued compliance with this Ordinance, the Barrington Village Code, the Zoning Ordinance, and the following conditions:

A. The Petitioner shall obtain all required permit(s) from the Village for construction of the proposed new residential structure and one-car detached garage and shall construct said structures at a location on the Subject Property in substantial compliance with this Ordinance and the approved plans attached to this Ordinance as Group Exhibit A and thereby made a part hereof.

B. Except as expressly granted herein, nothing contained in this Ordinance shall imply or be construed as approving or granting any other variation, waiver, or exception from any other provisions of the Village of Barrington Zoning Ordinance, the Village of Barrington Village Code, or from the provisions of any other ordinances of the Village of Barrington.

SECTION 5: The proposed new residential structure and one-car detached garage and the related variation approved by this Ordinance shall be established within one (1) year of the Village's issuance of the required permit(s) therefor as required by the Zoning Ordinance, but such one (1) year period may be extended by the Board of Trustees if the facts and circumstances of the case warrant an extension after such one (1) year period has expired. The variation herein granted shall run with the land and shall be binding upon all owners from time to time of all or any portion of the Property.

SECTION 6: This Ordinance shall be published in pamphlet form and shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law and its acceptance and approval by the Owner as provided below.

PASSED THIS 10 DAY OF AUGUST, 2026 BY ROLL CALL VOTE AS FOLLOWS:

AYES: Trustees Lehmegr, Wordrasek, Duncan, Prigge, Klauer and President Moran

NAYS: NONE

ABSENT: Trustee Sholeen

ABSTAIN: NONE

APPROVED THIS 10 DAY OF AUGUST, 2026

Michael D. Moran, Village President

ATTESTED AND FILED THIS
10 DAY OF AUGUST, 2026.

James P. Dillon, Village Clerk

Published in Pamphlet Form the 10 Day of AUGUST, 2026.

Village of Barrington CORPORATE SEAL Cook & Lake Counties, IL

ACCEPTANCE

The undersigned states that he is the Owner of the Subject Property and the Petitioner herein, and that on behalf of himself, as the Petitioner, and his heirs, successors and assigns, the Petitioner hereby accepts and agrees to the provisions of the foregoing Ordinance this _____ day of _____ _____, 2026.

OWNER OF RECORD AND PETITIONER:

By: _____
Derek Hummel

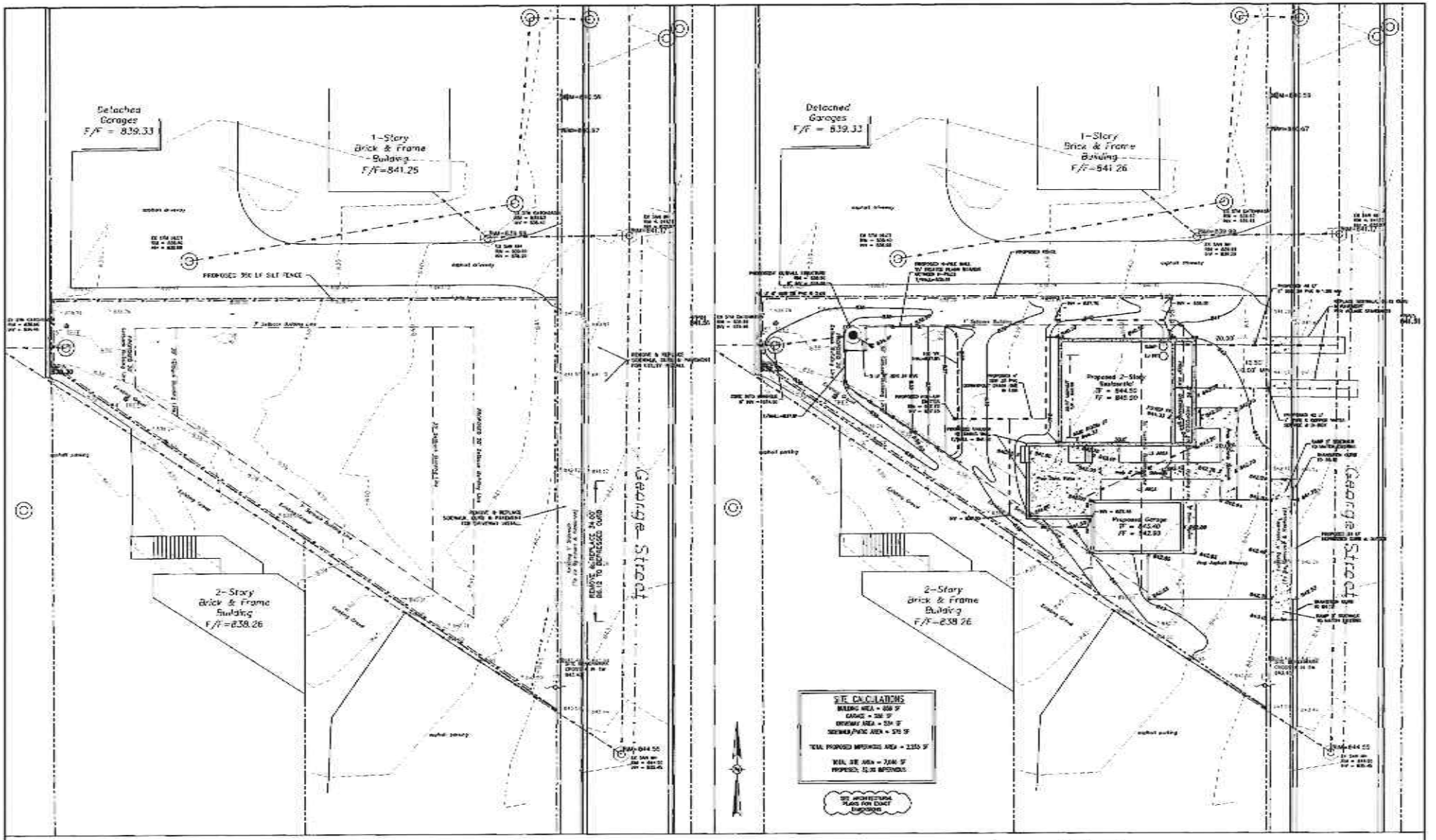
GROUP EXHIBIT A

ZONING ORDINANCE VARIATION

(RE: ZBA 26-01: Property of Derek Hummel, at 236 George Street - Request for Approval of a Front Yard Setback Variation)

APPROVED PLANS

A-1 Plat of Survey
A-2 Site Plan



Existing/Demo Site Plan
1" = 10'

SCALE IN FEET

Proposed Site Plan
1" = 10'

TEBRUGGE ENGINEERING

NO	DATE	NOTES
1	7-11-25	

REVISIONS

PREPARED FOR:
DEREK HUMMEL
139 RAYMOND AVE, BARRINGTON, IL

236 GEORGE ST SITE PLAN
SITE PLAN

PROJECT NO. 26 034 01
SCALE 1" = 10'
DATE 10 5, 2026

SHEET NO 2 OF 4 SHEETS

BARRINGTON
Be Inspired

July 27, 2026

Village President Mike Moran & Village Board of Trustees
200 South Hough Street
Barrington, Illinois 60010

Re: ZBA 26-01 – 236 George Street – Variation

Dear President Moran and Board of Trustees:

The Petitioner is requesting a Variation from ZO Section 7.5-H.5 Minimum Yard Requirements for a reduction in the required front yard setback for a single-family residence in the R-8 District from thirty (30) feet to twenty (20) feet.

Jennifer Tennant, Director of Development Services, presented the staff report. Ms. Tennant gave an overview of the project and explanation of the requested Variation. Staff finds that all applicable standards are met and recommends approval of the requested Variation.

The Zoning Board of Appeals discussed the request in relation to the applicable standards and determined that all standards were satisfied. The Zoning Board of Appeals recommended approval of ZBA 26-01 subject to the findings listed in the Staff Report.

No members of the public were present in regard to this request. No members of the public commented.

Motion:
Vice-Chairperson Holtermann moved to recommend approval of ZBA 26-01 subject to the findings in the Staff Report and Commissioner Lee seconded the motion. The motion carried, 5-0.

Respectfully Submitted,
Jennifer Tennant, Director of Development Services

BARRINGTON
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Zoning Board of Appeals Staff Report

HEARING DATE: July 14, 2026
PREPARED BY: Jennifer Tennant, Director of Development Services

ZBA 26-01: 236 George Street – Variation Request

PETITIONER(s): Derek Hummel
PROPERTY OWNER(s): Same
EXISTING ZONING: R-8 General Residential District
COMP PLAN LAND USE: Single Family Residential
PARCEL SIZE: 7,046 sq. ft.

The Petitioner is requesting a Variation from ZO Section 7.5-H.5 Minimum Yard Requirements for a reduction in the required front yard setback for a single-family residence in the R-8 District from thirty (30) feet to twenty (20) feet.

FACTORS TO CONSIDER

1. The lot size is substandard. The required minimum lot size is 7,500 sq. ft. The lot is legal nonconforming with a lot size of 7,046 sq. ft.
2. The lot is located in an Inadequate Downstream Capacity Area. This means that the area that this site drains to has inadequate storm sewer capacity and on-site detention must be provide for all new impervious surface.
3. The lot is triangular in shape which is extremely uncommon.
4. The lot was platted before current zoning regulation and therefore is considered a legal nonconforming lot which is buildable.

SUBMITTALS/DOCUMENTATION

1. Project Summary
2. Location Map
3. Photos of Subject Property
4. Plat of Survey
5. Site Plan
6. Preliminary Architectural Plans
7. Preliminary Engineering Plans

VARIATION STANDARDS

1. <u>Practical Difficulty</u>: **No variation shall be granted unless the applicant shall establish that carrying out the strict letter of the provisions of this Ordinance would create a particular hardship or a practical difficulty.**

   The subject property is a substandard size with an unusual triangular shape. In addition, this property is located in an area identified as having inadequate downstream storm sewer capacity; therefore, on-site detention is required for all impervious surface. Due to this requirement, a large on-site detention system is required and the natural grade of the site requires that the detention be located in the rear yard in in

order to accomplish the most practical engineering design. It would not be feasible to push the house any further back on the lot while accommodating the on-site detention requirements. These three factors combine to create a practical difficulty in adhering to the strict front yard setback. *Staff finds that this standard is met.*

2. Unique Physical Condition: **The subject property is exceptional as compared to other properties subject to the same provision by reason of a unique physical condition, including presence of an existing use, structure, or sign, whether conforming or nonconforming, irregular or substandard shape or size, exceptional topographical features, or other extraordinary physical conditions peculiar to, and inherent in, the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the property rather than the personal situation of the current owner of the property.**

   The subject property is 7,046 sq. ft. which is substandard compared to the current minimum lot size of 7,500 sq. ft. Even more unique is the triangular shape of the lot which makes building placement difficult, especially when combined with the on-site detention requirement because of the location within the inadequate downstream capacity area. All of these requirements combined create both a practical difficulty and a unique physical condition not applicable to almost any other residential lots in the Village. *Staff finds that this standard is met.*

3. Not Self-Created: **The aforesaid unique physical condition is not the result of any action or inaction of the owner and existed at the time of the enactment of the provisions from which a variance is sought or was created by natural forces or was the result of governmental action, other than the adoption of this Ordinance.**

   The subject property has been plated as an induvial lot zoned for residential development long before the current zoning regulations . Staff finds that the unique physical condition is not self-created. *Staff finds that this standard is met.*

4. Denied Substantial Rights: **The carrying out of the strict letter of the provision from which a variance is sought would deprive the owner of the subject property of substantial rights commonly enjoyed by owners of other properties subject to the same provision.**

   Staff finds that the established practical difficulty and unique physical condition prevent the Petitioner from being able to construct a house and garage on the property without zoning relief. Staff finds that the Petitioner has made substantial effort to meet every zoning requirement and if not for the subject property's inclusion in the inadequate downstream capacity area, it is likely that full compliance could have been reached because the on-site detention location would not have prevented the proposed structure from being moved back to a compliant front yard setback. *Staff finds that this standard is met.*

5. Not Merely Special Privilege: **The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject property.**

   The requested variance does not constitute a special privilege The Petitioner is requesting the minimum amount of relief necessary to alleviate the established practical difficulty and hardship. The proposed structure is modest in size and meets all other applicable zoning requirements *Staff finds that this standard is met.*

6. Ordinance and Plan Purposes: **The variation would not result in a use or development of the subject property that would not be in harmony with the general and specific purposes for which this Ordinance,**

and the provision from which a variation is sought, was enacted or the general purpose and intent of the Comprehensive Plan.

The R-8 Residential District permits a variety of housing types including single-family, two-family and multi-family housing. Each housing type has different setback requirements. The minimum front yard setback for multi-family housing is twenty (20) feet. The lot directly to the north is multi-family housing unit with a front yard setback of approximately 24 feet and the next building to the north is also multi-family housing with the front yard setback of approximately 15 feet. Staff finds that this request is compatible with the front yard setbacks of the neighboring buildings. *Staff finds that this standard is met.*

7. <u>No Other Remedy</u>: **There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject property.**

   Due to the substandard size, unique shape and on-site detention requirement, there is no other remedy to meet the required front yard setback while meeting all of the other zoning and Village Code requirements. The practical difficulty of being located in the inadequate downstream capacity zone and the natural topography of the site necessitate the detention to be located in the rear of the property which limits the location a house on the site due to the size and shape of the lot. Most of the subject property and block is currently improved and built property line-to-property line, which leaves minimal space to expand. Additionally, the subject property currently encroaches in the rear yard setback. *Staff finds that the requested variation is minor in nature and that this standard is met.*

8. <u>Minimum Required</u>: **The requested variation is the minimum measure of relief necessary to alleviate the alleged hardship or difficulty presented by the strict application of this Ordinance.**

   The Petitioner is requesting the minimum measure of relief necessary to construct a modest size house and one-car garage on the subject property while meeting all other zoning and Village Code requirements. *Staff finds that this standard is met.*

STAFF RECOMMENDATION

If the Zoning Board of Appeals concurs with the above findings of fact, Staff recommends that the Zoning Board of Appeals adopt this finding of fact and make a motion to recommend approval of ZBA 26-01 to the Village Board of Trustees.