10/21/25

VILLAGE OF BARRINGTON

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ORDINANCE NO. 2025-4566

ZONING ORDINANCE VARIATION

RE: ZBA 25-03: Property of Daniel Pulvino and Kara Leman at 724 Lill Street - Request for Approval of a Variation from the Provisions of the Zoning Ordinance Relative to the Height of a Fence Proposed to be Installed Within a Front Yard

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ADOPTED BY

THE CORPORATE AUTHORITIES

OF THE VILLAGE OF BARRINGTON

THIS 10 DAY OF NOVEMBER, 2025

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Published in pamphlet form by authority of the Corporate Authorities of the Village of Barrington, Illinois, this 10 day of NOVEMBER, 2025

Ordinance No: 2025- 4566

ZONING ORDINANCE VARIATION

RE: ZBA 25-03: Property of Daniel Pulvino and Kara Leman at 724 Lill Street - Request for Approval of a Variation from the Provisions of the Zoning Ordinance Relative to the Height of a Fence Proposed to be Installed Within a Front Yard

WHEREAS, Daniel Pulvino and Kara Leman (hereinafter referred to as the "Owners" or the "Petitioners") are the owners of the property commonly known as 724 Lill Street, Barrington, Illinois, which is a corner lot located at the southwest corner of the intersection of Lill Street and Tower Road (hereinafter sometimes referred to as the "Subject Property"); and

WHEREAS, consistent with the respective requirements of the Village's Zoning Ordinance, the Petitioners propose to install a wooden picket fence four feet (4') in height and having the required thirty-three percent (33%) open surface along the front yard property line, i.e., along the North side, of the Subject Property, in order to provide a secure, enclosed yard for their family and pets and a safe play area on the Subject Property; and

WHEREAS, , the Petitioners have petitioned the Village for approval of a variation from Chapter 4, Part I, "General Regulations", Section 4.5, "Fences", Subsection A(1), "Front Yards", of the Village's Zoning Ordinance, to permit the Petitioners to install a wooden picket fence four feet (4') in height within a portion of the front yard of the Subject Property, in substantial compliance with the Approved Plans therefor attached hereto as Exhibit A and thereby made a part hereof, notwithstanding the fact that the Village's Zoning Ordinance requires fences constructed in a front yard to not exceed three feet (3') in height; and

WHEREAS, the Subject Property is located in the Village's R-5 Single-Family Residential Zoning District, is approximately 14,045 square feet in area (.32 acres more or less), is improved with an existing single-family residential structure, and is legally described as follows:

LOT 1 IN BLOCK 5 IN BARRINGTON HIGHLANDS, BEING A SUBDIVISION OF THAT PART OF THE WEST HALF (EXCEPT THE NORTH 10 RODS THEREOF), OF THE SOUTHWEST QUARTER OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF STATE HIGHWAY ROUTE 63 AS NOW LOCATED IN COOK COUNTY, ILLINOIS.
; and

WHEREAS, the matter was referred to the Zoning Board of Appeals ("ZBA") of the Village of Barrington (the "Village"), and after due publication and notice as provided by law, the ZBA held a public hearing on October 14, 2025 relative to the Petitioners' request, and submitted its report and recommendation to the Corporate Authorities of the Village recommending approval of the requested variation; and

WHEREAS, consistent with the recommendation of the Zoning Board of Appeals, the Corporate Authorities of the Village have determined 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 Petitioners' Property; and

WHEREAS, the Corporate Authorities of the Village considered the following findings of fact:

(1) Pursuant to Chapter 4 of the ZO, Section 4.5, Subsections (A)(1) and (C)(2), a fence within the front yard shall not exceed three feet in height and must also be open a minimum of 33% across the face of the fence; and
(2) Due to the unique location of the existing residence on the Subject Property and the fact that the front facade of the residence on the Subject Property faces Tower Road, that portion of the Subject Property located along Tower Road is considered the "front yard"; and

WHEREAS, the Corporate Authorities of the Village, after reviewing the record of the proceedings and the report and recommendation of the ZBA, have considered the request of the Petitioners for the aforesaid variation and have determined that these are appropriate circumstances in which to grant the requested variations:

NOW THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Barrington, Cook and Lake Counties, Illinois, in exercise of the authority of this Village as a Home Rule unit, 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 practical difficulties associated with the Subject Property are that it is located at the southwest corner of Lill Street and Tower Road in a portion of the Village which does not have curbs or sidewalks. The front of the existing residence on the Subject Property faces Tower Road, and therefore, the lot line along Tower Road is considered to be the front lot line of the Subject Property. The Petitioners are requesting approval of a variation from the requirements of the Zoning Ordinance for front yard fences as the Zoning Ordinance provides that a fence in a front yard is limited to a maximum height of three feet (3') with a minimum of thirty-three percent (33%) open surface from one end of the fence to the other end. In compliance with the Village's Zoning Regulations, the Petitioners are proposing to install a wooden picket fence four feet (4') in height with a minimum of thirty-three percent (33%) open surface along the front yard property line of the Subject Property, , in order to provide a secure, enclosed yard for their family and pets and a safe play area on the Subject Property. The rear yard space on the Subject Property is limited, and the front and side yard provide the most usable yard space. 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 corner lot that is approximately 14,045 square feet in area (.32 acres more or less) and is improved with an existing single-family residential structure and is located in an area of the Village which does not have curbs or sidewalks. The majority of the usable yard space is located in the front and interior side yard, and that portion of the Subject Property along Tower Road is considered to be the front yard. The proposed height, location, and style of the fence will allow for adequate line of sight. All of this conditions create a unique physical condition on the Subject Property. 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 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 unique physical condition of the Subject Property has not been created by the Petitioners, and the existing residence on the Subject Property is located so as to have the most usable yard space in the front yard and the interior side yard, contrary to a traditional lot layout, thereby limiting the amount of useable private outdoor space on the Subject Property, which is a condition which was not created by the Petitioners. 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."

The aforesaid practical difficulties and unique physical condition of the Subject Property create circumstances which would hinder the Petitioners' ability to maximize and secure the useable yard space on the Subject Property, and therefore, without approval of the requested variation, the Petitioners would be denied certain substantial rights which are otherwise afforded to other property owners within the Village. 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 granting of the Petitioners' request for a variation would not constitute any special privilege(s). As a result of the location of the Subject property in an area of the Village which does not have curbs or sidewalks, the unique physical conditions of the Subject Property, and the limited yard area, in order to keep the Petitioners' yard secure, in compliance with the Village's Zoning Regulations, the Petitioners are requesting the approval of a variation from the fence requirements for front yard fences as set forth in Chapter 4, Part I, "General Regulations", Section 4.5, "Fences", Subsections A(1) and (C)(2) of the ZO to permit a wooden picket fence to be installed in the front yard and have a height of four feet (4'), notwithstanding the fact that a maximum fence height of three feet (3') is otherwise permitted in a front yard by the Zoning Ordinance. Therefore, this request does not constitute a special privilege, and 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 Petitioners' request is in harmony with the general and specific purposes of the Zoning Ordinance and Comprehensive Plan. Since the front property line of the Subject Property line faces Tower Road, without the Village's approval of the variation requested by the Petitioners, the Petitioners would not otherwise be able to install a fence on the Subject Property having a consistent height, a portion of which fence would be in excess of the three foot (3') height otherwise permitted by the Zoning Ordinance within the front yard of the Subject Property. 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."

The Subject Property is located in an area of the Village which does not have curbs or sidewalks. The variation herein granted would allow the installation of a fence within a portion of the front yard of the Subject Property not exceeding four feet (4') in height in order to afford the Petitioners more privacy on the Subject Property, as well as the future removal and replacement. The other alternative would be to install a fence three feet (3') in height in the front yard of the Subject Property, which alternative would significantly reduce the Petitioners' privacy and expose the existing private outdoor space located on the Subject Property. 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 Petitioners request to an increase in allowable height for a fence in the front yard by one (1) foot but would maintain the required minimum of thirty-three (33) percent open from one end of the fence to another. The requested variation is the minimum that is required to alleviate the hardship presented by the strict application of the Zoning Ordinance. Therefore, this standard has been or will be met.

SECTION 3: A variation from the provisions of the Zoning Ordinance pertaining to fences located within the front yard of a property as provided in Chapter 4, Part I, "General Regulations", Section 4.5, "Fences", Subsection A(1), "Front Yards", is hereby granted to the Petitioners to permit the Petitioners to install a wooden picket fence having the required 33% open surface and not in excess of four feet (4') in height in a portion of the front yard of the Subject Property, which fence shall be constructed and installed in substantial compliance with the Approved Plans which are attached hereto as 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 Petitioners' timely and continued compliance with this Ordinance, the Barrington Village Code, the Zoning Ordinance, the Approved Plans, and the following conditions:

A. The variation herein granted shall only apply to the current request by the Petitioners relative to the wooden picket fence not exceeding four feet (4') in height to be installed within the front yard of the Subject Property, as well as the future removal and replacement of the proposed fence in the front yard. The entire fence to be constructed on the Subject Property shall be maintained in good condition, and no further variations(s), other than those described herein, shall be permitted without an amendment to this Ordinance.

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 Zoning Ordinance, the Village Code, or from the provisions of any other ordinances of the Village.

SECTION 5: The variation approved by this Ordinance shall be established within one (1) year as provided in the Zoning Ordinance. Upon application, such one (1) year period may be extended by the Corporate Authorities of the Village 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 Subject 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 Owners as provided below.

PASSED THIS 10 DAY OF NOVEMBER, 2025 BY ROLL CALL VOTE AS FOLLOWS:

AYES: Trustees Lohmeyer, Sholeen, Wondrasek, Duncan, Prigge, Klauer and President Moran

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

APPROVED THIS 10 DAY OF NOVEMBER 2025

Michael Moran, Village President

ATTESTED AND FILED THIS
10 DAY OF NOVEMBER, 2025.

James P. Dillon, Village Clerk

Published in Pamphlet Form the 10 Day of NOVEMBER, 2025.

Village of Barrington CORPORATE SEAL Cook & Lake Counties, IL

ACCEPTANCE

The undersigned states that they are the Owners of the Subject Property and the Petitioners, and that on behalf of themselves, and their respective heirs, successors and assigns, they hereby accept and agree to the provisions of the foregoing Ordinance this 13 day of November, 2025.

OWNERS OF RECORD AND PETITIONERS:

Daniel Pulvino

Kara Leman

EXHIBIT A

RE: ZBA 25-03: Property of Daniel Pulvino and Kara Leman at 724 Lill Street - Request for Approval of a Variation from the Provisions of the Zoning Ordinance Relative to the Height of a Fence Proposed to be Installed Within a Front Yard

FENCE PLANS

("APPROVED PLANS")

# PLAT OF SURVEY

OF

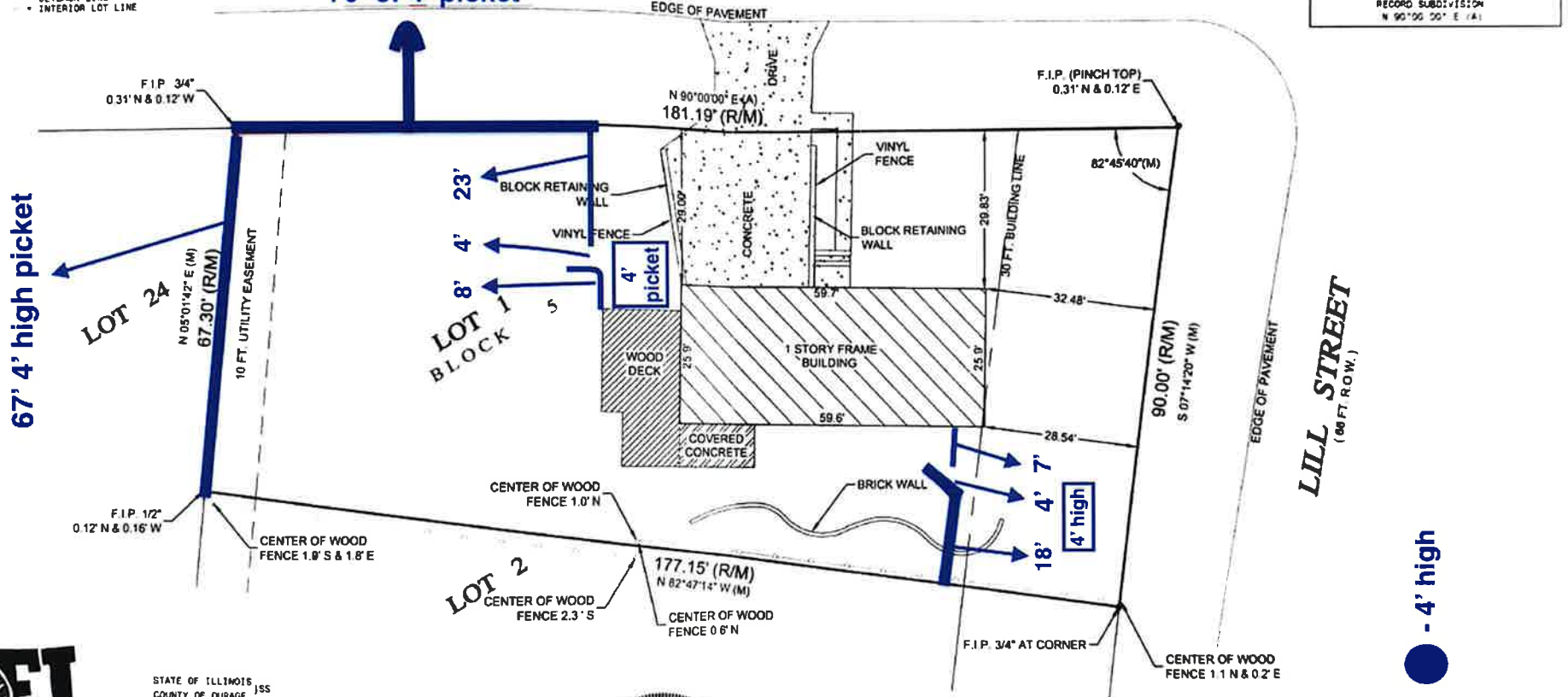
LOT 1 IN BLOCK 5 IN BARRINGTON HIGHLANDS BEING A SUBDIVISION OF THAT PART OF THE WEST 1/2 (EXCEPT THE NORTH 10 RODS THEREOF) OF THE SOUTHWEST 1/4 OF SECTION 1, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF STATE HIGHWAY ROUTE 63 AS NOW LOCATED IN COOK COUNTY, ILLINOIS.

AREA OF SURVEY:
"CONTAINING 14,045.0 SQ. FT. OR 0.32 ACRES MORE OR LESS"

LEGEND

| | |
|---|---|
| ABBR | NW = NORTHWEST |
| CALCULATED | P.O.B. = POINT OF BEGINNING |
| CHORD | P.O.C. = POINT OF COMMENCEMENT |
| CENTERLINE | R = RECORD |
| DEED | RAD = RADIUS |
| EAST | R.O.W. = RIGHT OF WAY |
| F.I.P. FOUND IRON PIPE | S = SOUTH |
| F.I.R. FOUND IRON ROD | S.I.P. = SET IRON PIPE |
| FEET/FOOT | S.I.R. = SET IRON ROD |
| ARC LENGTH | SE = SOUTHEAST |
| MEASURED | SW = SOUTHWEST |
| NORTH | W = WEST |
| NE = NORTHEAST | |

- CHAIN LINK FENCE
- WOOD FENCE
- METAL FENCE
- VINYL FENCE
- EASEMENT LINE
- SETBACK LINE
- INTERIOR LOT LINE




20' 10' 0 20

BASIS OF BEARING:
SOUTHERLY LINE OF TOWER ROAD AS FOUND MONUMENTED AND OCCUPIED PER RECORD SUBDIVISION
N 90°00' 00" E (A)


Morris Engineering Inc
515 Warrenville Road Lisle IL 60532
Phone (630) 271-0770
FAX (630) 271-0774
WEBSITE WWW.ECIVIL.COM


STATE OF ILLINOIS }SS
COUNTY OF DUPAGE }

I, THE UNDERSIGNED, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT "THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY," AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION OF SAID SURVEY.

DATED, THIS 10TH DAY OF JANUARY, A.D., 2018, AT LISLE, ILLINOIS.

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 035 3253
LICENSE EXPIRATION DATE NOVEMBER 30, 2018
ILLINOIS BUSINESS REGISTRATION NO. 184.005245

JOSEPH P. MAIKISCH
3253
PROFESSIONAL LAND SURVEYOR
STATE OF ILLINOIS
LISLE, ILLINOIS

**NOTE: SOME IMPROVEMENTS MAY NOT BE SHOWN HEREON DUE TO SNOW COVER AT TIME OF SURVEY.**

NOTE:
1. ALL TIES SHOWN ON THIS SURVEY ARE MEASURED TO THE BUILDING'S SIDING (BRICK, FRAME, STUCCO, METAL, ETC.) AND NOT TO THE FOUNDATION, UNLESS NOTED OTHERWISE.
2. ROOF LINES AND OVERHANGS ARE TYPICALLY NOT SHOWN HEREON.
3. COMPARE ALL DISTANCES AND POINTS IN FIELD AND REPORT ANY DISCREPANCIES TO SURVEYOR AT ONCE.
4. NO DIMENSIONS SHALL BE ASSUMED BY SCALING.

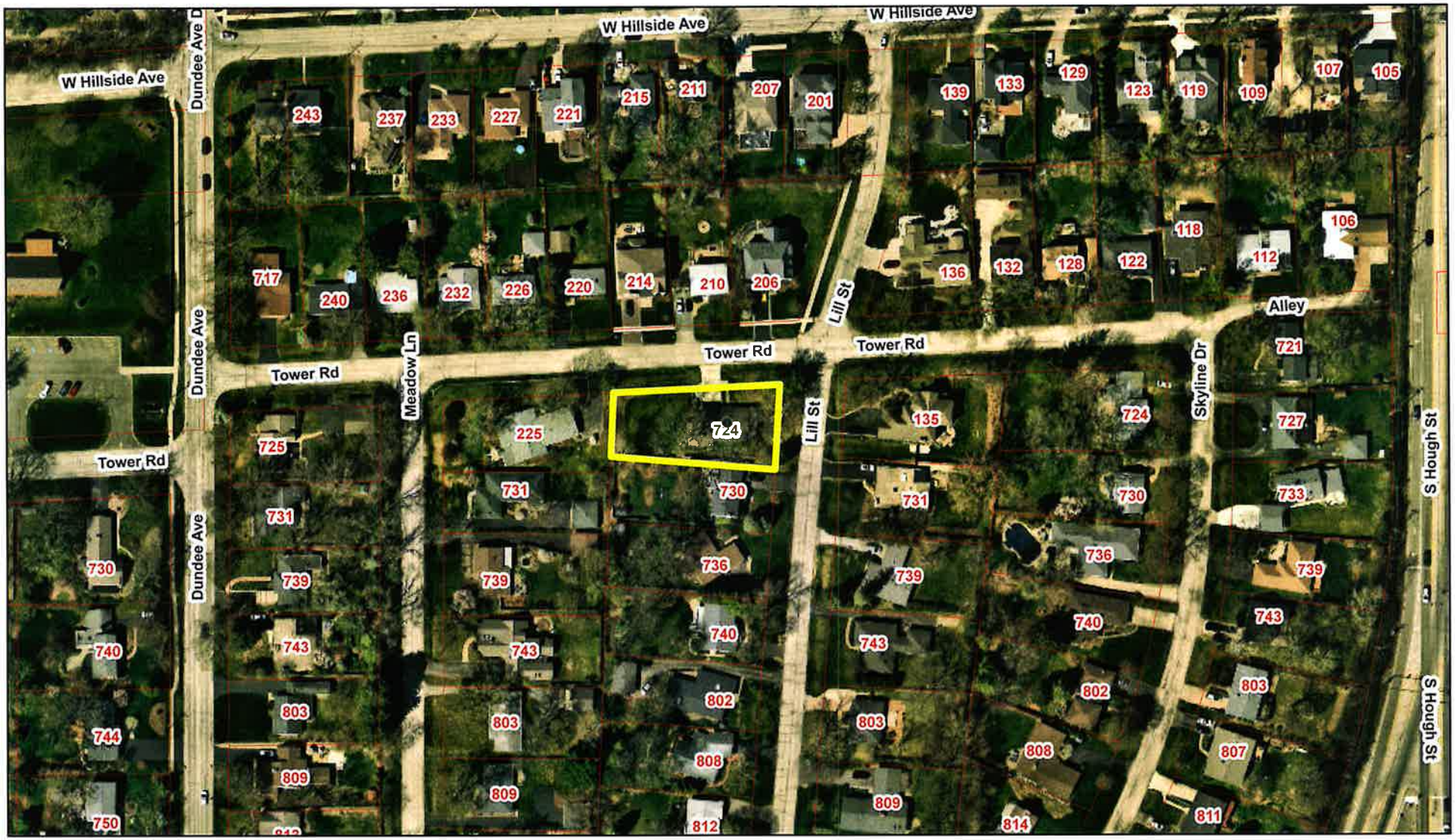
ADDRESS COMMONLY KNOWN AS 724 LILL STREET
BARRINGTON, ILLINOIS

CLIENT LAW OFFICE OF BARBARA K. HYMAN

FIELDWORK DATE 10-27-2017

DRAWN BY JB SECTION JOB NO

# 724 Lill Street




10/10/2025, 10:33:49 AM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.09 km

Maxar, Microsoft

Address

Village Boundary

Parcels

Disclaimer of Liability:

GIS data provided AS IS, without warranties to its accuracy & completeness, is intended for reference purposes only. Any use of such data is done solely at the user's own risk.

**Daniel Pulvino**
724 Lill St
Barrington, IL 60010
9/8/2025

Village of Barrington
Zoning Board of Appeals

**Project Summary – Fence Variation Request at 724 Lill Street**

Dear Members of the Zoning Board of Appeals,

I am submitting this letter in support of my application for a variation to allow a 4-foot fence in the side yard of my property at **724 Lill Street**, which exceeds the 3-foot maximum allowed under Village zoning regulations.

**Project Overview:**
The project consists of installing a wooden dog-eared picket fence with vertical posts 2" apart along the side yard of my residence. The side yard of my residence serves as my backyard. The purpose of the fence is to provide a safe and enclosed yard for my family and pets, create a safer environment for neighbors by keeping pets and play contained, and maintain consistency with other properties in the neighborhood.

**Estimated Construction Schedule:**
Pending Village approval, I anticipate beginning construction at the end of this year or in the spring of 2026. Installation will be performed by a licensed contractor in compliance with Village building codes. Though no timeline is clear at this time, we anticipate it taking no more than 1 week to complete the project.

I respectfully request approval of this variation. I believe it meets the standards outlined in the Variation Standards and does not present any adverse impacts to the community.

Thank you for your time and consideration.

Sincerely,
Daniel Pulvino
Homeowner – 724 Lill Street