11/17/25
12/04/25

VILLAGE OF BARRINGTON

ORDINANCE NO. 2025-4574

ZONING ORDINANCE VARIATION

RE: ZBA 25-05: Petitioner, Collina 1410, LLC
Property at 1410 S. Barrington Road –
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 and Corner Side Yards

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ADOPTED BY

THE CORPORATE AUTHORITIES

OF THE VILLAGE OF BARRINGTON

THIS 15 DAY OF DECEMBER, 2025

Published in pamphlet form by authority of the Corporate Authorities of the Village of Barrington, Illinois, this 15 day of DECEMBER, 2025

Ordinance No: 2025-4574

ZONING ORDINANCE VARIATION

RE: ZBA 25-05: Petitioner, Collina 1410, LLC
Property at 1410 S. Barrington Road –
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 and Corner Side Yards

WHEREAS, Collina 1410, LLC, the contract purchaser of the Subject Property commonly known as 1410 S. Barrington Road, Barrington, Illinois (the "Subject Property"), by its Managers, David and Maria Thoma (hereinafter referred to as the "Petitioner") petitioned the Village for a variation from Chapter 4, Part I, "General Regulations", Section 4.5, "Fences", Subsection (B)(1), "Front Yards", and Subsection (B)(2), "Corner Side Yards", of the Village's Zoning Ordinance, to permit the Petitioner to install in the front and corner side yards of the Subject Property a black aluminum fence with a wrought iron appearance (hereinafter referred to as the "black aluminum fence") six feet (6') in height and having the required thirty-three percent (33%) open surface, 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 in corner side yard not to exceed four feet (4') in height, all in substantial compliance with the Approved Plans therefor attached hereto as Exhibit B and thereby made a part hereof; and

WHEREAS, the Subject Property is located within the Village's B-3 Office District, and located thereon is an existing commercial structure within which a medical office and a Montessori School providing an Early Childhood Full Day Daycare Program for infants through primary age children and a Private Elementary School for Kindergarten through 5th grade, the Montessori School having recently expanded its elementary program, thereby increasing the need for an expanded outdoor play area on the Subject Property; and

WHEREAS, the Illinois Department of Children and Family Services (hereinafter, "DCFS") requires the school to have a minimum amount of outdoor play area for each child enclosed by a fence a minimum of four feet (4') in height; and

WHEREAS, the Subject Property is located along Barrington Road, which is a major thoroughfare in the Village, and therefore, the Petitioner is requesting the Village's approval of the installation of a black aluminum fence six feet (6') in height to enclose and secure the required outdoor play area to serve the children attending the Montessori School on the Subject Property, which fence will be located within the front and corner side yards of the Subject Property which is adjacent to Barrington Road; and

WHEREAS, the Subject Property is legally described on Exhibit A attached hereto and thereby made a part hereof; 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 November 11, 2025 relative to the Petitioner's 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 Petitioner's 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 (B)(1) and (C)(3), a fence located within a front yard shall not exceed three feet (3') in height and such a fence must also be open a minimum of 33% open from one end of the fence to another; and
(2) Pursuant to Chapter 4 of the ZO, Section 4.5, Subsections (B)(2) and (C)(3), a fence located within a corner side yard shall not exceed four feet (4') in height and such a fence must also be open a minimum of 33% open from one end of the fence to another; and
(3) The Subject Property is located on a corner lot along Barrington Road, and operating on the Subject Property for many years is a Montessori School which, among other things, is required to comply with the requirements of the DCFS; and
(4) Considering the fact that Subject Property is located along a major thoroughfare within the Village, allowing the Petitioner to install the proposed black aluminum fence which is proposed to be six feet (6') in height within the front and corner side yards of the Subject Property in order to comply with the security and outdoor play area requirements of the DCFS appears to be a reasonable request; 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 Petitioner 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 Subject Property is a corner lot located along the West side of Barrington Road and is improved with a commercial structure, a parking lot, and an existing outdoor play area for the children who attend the Montessori School located within the aforesaid commercial

structure. The practical difficulties associated with the Subject Property are that the location of the commercial structure which was previously constructed on the Subject Property results in having all available open space for use as an outdoor play area for the children located within the front and corner side yards of the Subject Property. As a result of the increased number of children attending the Montessori School operating on the Subject Property, in order to comply with the requirements of the DCFS, the Petitioner requests to expand and enclose the outdoor play area by installing a black aluminum fence around the outdoor play area having a minimum height of at least four feet (4') along the front and corner side lot lines of the Subject Property, the height of which fence would exceed and not comply with the current fence height requirements of the Village's Zoning Ordinance. Notwithstanding the fact that the Village's Zoning Ordinance limits the height of a fence located in a front yard to a maximum of three feet (3') in height and the height of a fence located in the corner side yard to a maximum four feet (4') in height, both with a minimum of thirty-three percent (33%) open surface from one end of the fence to the other end, in order to fully ensure the safety of the children and to best secure the expanded outdoor play area on the Subject Property, the Petitioner is requesting approval of a variation from the requirements of the Zoning Ordinance for front and corner yard fences in order to be permitted to install a black aluminum fence within the front and corner side yards of the Subject Property having a height of six feet (6') and meeting the Village's 33% open surface requirements. 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 along the West side of Barrington Road, is approximately 16,889 square feet in area (.383 acres more or less), and is improved with a commercial structure which contains a medical office and a Montessori School, which School is and has been operated on the Subject Property within the Village for many years. The operations of such School must comply with the requirements of the DCFS. The majority of the usable outdoor yard space is located in the front and corner side yards of the Subject Property. The proposed height, location, and type of black aluminum fence proposed to be installed on the Subject Property will allow for adequate line of sight and will not create a solid wall across the front of the Subject Property. All of these 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 Petitioner, and the existing commercial structure on the Subject Property is located to face a side street so as to have the most usable yard space in the front yard and the corner side yards, thereby limiting the amount of useable outdoor space on the Subject Property, which is a condition which was not created by the Petitioner. 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 Petitioner's ability to maximize and best secure the useable outdoor space on the Subject Property, and therefore, without approval of the requested variation, the Petitioner would be unable to comply with the requirements of the DCFS and 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 grant of the variation requested by the Petitioner would not constitute any special privilege(s). As a result of the location of the commercial structure on the Subject Property, the location of the limited outdoor play space, and the requirements of the DCFS, in order to best secure the safety of the children that would utilize the outdoor play area, the Petitioner plans to install a black aluminum fence not more than six feet (6') in height along the front and corner side lot lines of the Subject Property, and therefore is requesting the approval of a variation from the fence requirements for front and corner side yard fences as set forth in Chapter 4, Part I, "General Regulations", Section 4.5, "Fences", Subsections (B)(1), (B)(2) and (C)(3) of the ZO to permit the Petitioner to install a black aluminum fence six feet (6') in height within the front and corner side yards of the Subject Property, notwithstanding the fact that a maximum fence height of three feet (3') is otherwise permitted in a front yard and a maximum fence height of four feet (4') is otherwise permitted in the corner side 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 Petitioner's request is in harmony with the general and specific purposes of the Zoning Ordinance and Comprehensive Plan. The front property line of the Subject Property faces a

side street, and without the Village's approval of the variation requested by the Petitioner, the Petitioner would not otherwise be able to install a fence within the front and corner side yards of the Subject Property which would comply with the requirements of the DCFS, which fence would be in excess of the maximum three foot (3') height in the front yard and four foot (4') height in the corner side yard otherwise permitted by the Zoning Ordinance. The Petitioner's request for a variation, therefore, should be approved in order to secure the expanded outdoor play area on 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 along Barrington Road, which is a major thoroughfare with the Village. The only available outdoor space to expand the outdoor play area on the Subject Property, , is within the front and corner side yards, and approval of the variation requested by the Petitioner would allow the Petitioner to comply with the requirements of the DCFS by the installation of a black aluminum fence not exceeding six feet (6') in height within the front and corner side yards of the Subject Property in order to enclose and best secure the expanded outdoor play area and accommodate the needs of the children attending the Montessori School operating on the Subject Property, which fence would not otherwise be in compliance with the existing provisions of the Village's Zoning Ordinance. 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 black aluminum fence proposed to be installed by the Petitioner along the front and corner side yards of the Subject Property complies with the 33% open surface requirements of the Zoning Ordinance, and the Village's approval of the Petitioner's request for a variation which would allow the Petitioner to install a black aluminum fence that does not exceed six feet (6') in height but exceeds the maximum three foot (3') height in the front yard and maximum four foot (4') height in the corner side yard otherwise permitted by the Village's Zoning Ordinance within the front and corner side yards on the Subject Property is the minimum measure of relief necessary to alleviate a hardship or difficulty for the Petitioner as approval of the requested variation would allow the Petitioner to expand the existing outdoor play area on the Subject Property, best secure the outdoor play area, and comply with the requirements of the DCFS. 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 and corner side yards of a property as provided in Chapter 4, Part I, "General Regulations", Section 4.5, "Fences", Subsection (B)(1), "Front Yards", and (B)(2), "Corner Side Yards", is hereby granted to the Petitioner to permit the Petitioner to install a black aluminum fence having the required 33% open surface and a height not in excess of six feet (6') within the front and corner side yards of the Subject Property, which fence shall be of the materials

as set forth in and constructed and installed on the Subject Property in substantial compliance with the Approved Plans which are attached hereto as Exhibit B 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, the Approved Plans, and the following conditions:

A. The variation herein granted shall only apply to the current request by the Petitioner relative to the subject black aluminum fence not exceeding six feet (6') in height to be installed within the front and corner side yards of the Subject Property. 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. In addition to the variation herein granted for the Petitioner's installation of the subject black aluminum fence, the Petitioner, as the contract purchaser of the Subject Property, proposes to make certain modifications to the Subject Property, some of which modifications would require the execution of documents by the Petitioner and the Village, and all of said documents shall be required to be recorded by the Petitioner, or their attorney, against title to the Subject Property, and recorded copies of all of said documents shall be promptly provided to the Village prior to the Village's issuance of any Village permit for the fence.

C. 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 be recorded with the Cook County Clerk, Recording Division, 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 15 DAY OF DECEMBER, 2025 BY ROLL CALL VOTE AS FOLLOWS:

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

NAYS: NONE

ABSENT: NONE

ABSTAIN: NONE

APPROVED THIS 15 DAY OF DECEMBER 2025

Michael Moran, Village President

ATTESTED AND FILED THIS
15 DAY OF DECEMBER, 2025.

James P. Dillon, Village Clerk

Published in Pamphlet Form the 15 Day of DECEMBER, 2025.

Village of Barrington CORPORATE SEAL Cook & Lake Counties, IL

ACCEPTANCE

The undersigned state that they are the duly-authorized representatives of the Petitioner, which is the contract purchaser of the Subject Property, and that on behalf of themselves and the Petitioner, Collina 1410, LLC, and their respective heirs, successors and assigns, they hereby accept and agree to the provisions of this Ordinance this ____ day of _____, 2025.

PETITIONER:

COLLINA 1410, LLC

By: _____
David Thoma, Manager

By: _____
Maria Thoma, Manager

EXHIBIT A

RE: ZBA 25-05: Petitioner, Collina 1410, LLC
Property at 1410 S. Barrington Road –

LEGAL DESCRIPTION

TRACT 1
THE NORTH 217 FEET OF THE WEST 202.90 FEET OF THE EAST 353.05 FEET AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS.

EASEMENT: EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY MUTUAL GRANT OF INGRESS AND EGRESS EASEMENT BY AND BETWEEN HEALTH QUEST REALTY XII, AN INDIANA GENERAL PARTNERSHIP AND THE FIRST NATIONAL BANK AND TRUST COMPANY OF BARRINGTON, AS TRUSTEE UNDER TRUST NO. 568 DATED APRIL 30, 1984 AND RECORD MAY 1, 1984 AS DOCUMENT 27065750 FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND:
(A) THE SOUTH 14 FEET OF THE NORTH 217 FEET OF THE WEST 510.00 FEET OF THE EAST 560.05 FEET, AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY, OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THEREFROM THAT PART THEREOF LYING WEST OF THE EAST LINE OF PARCEL 1 AFORESAID), IN COOK COUNTY, ILLINOIS;
(B) THE SOUTH 14 FEET OF THE NORTH 231 FEET OF THE WEST 510.00 FEET OF THE EAST 560.05 FEET, AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY, OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THEREFROM THAT PART THEREOF LYING WEST OF THE EAST LINE OF PARCEL 1 AFORESAID EXTENDED SOUTH 14 FEET), IN COOK COUNTY, ILLINOIS;

TRACT 2
THE NORTH 217 FEET OF THE EAST 150.15 FEET AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS. EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT:

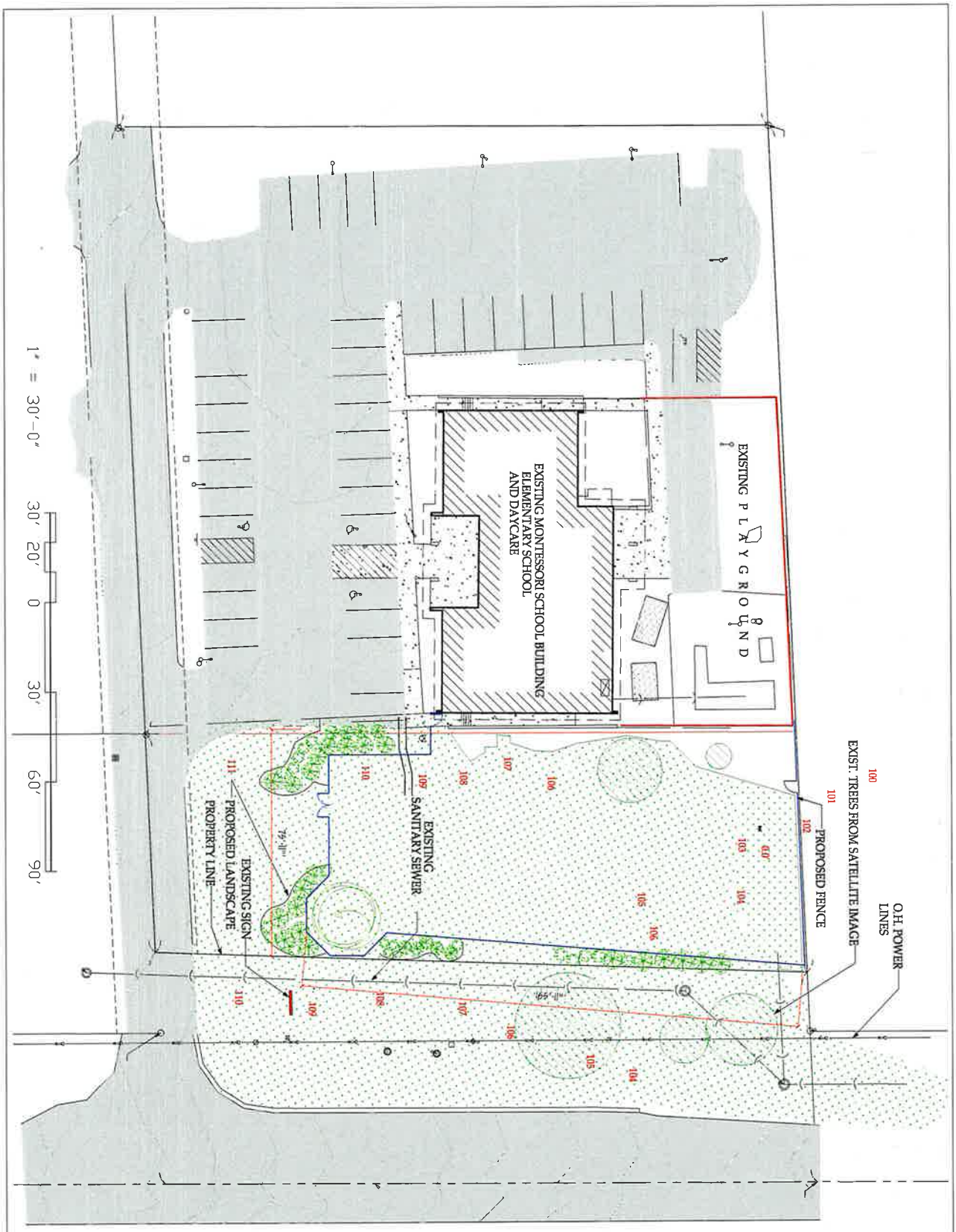
BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ NORTHWEST ¼ OF SAID SECTION 12; THENCE SOUTH 0 DEGREES 07 MINUTES 09 SECONDS WEST, ALONG THE EAST LINE OF THE SOUTHWEST ¼ NORTHWEST ¼ OF SAID SECTION 12, A DISTANCE OF 217.22 FEET TO THE SOUTH LINE OF THE NORTH 217 FEET OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ OF THE SAID NORTHWEST ¼; THENCE SOUTH 87 DEGREES 32 MINUTES 37 SECONDS WEST, ALONG SAID SOUTH LINE, 77.13 FEET; THENCE NORTH 02 DEGREES 01 MINUTES 59 SECONDS EAST, 217.67 FEET TO THE NORTH LINE OF THE SOUTH ¾ OF THE EAST ½ OF THE SOUTHWEST ¼ OF SAID NORTHWEST ¼; THENCE NORTH 87 DEGREES 32 MINUTES 37 SECONDS EAST, ALONG SAID NORTH LINE, 69.85 FEET TO SAID POINT OF BEGINNING.

EXHIBIT B

RE: ZBA 25-05: Petitioner, Collina 1410, LLC
Property at 1410 S. Barrington Road –

FENCE PLANS

("APPROVED PLANS")

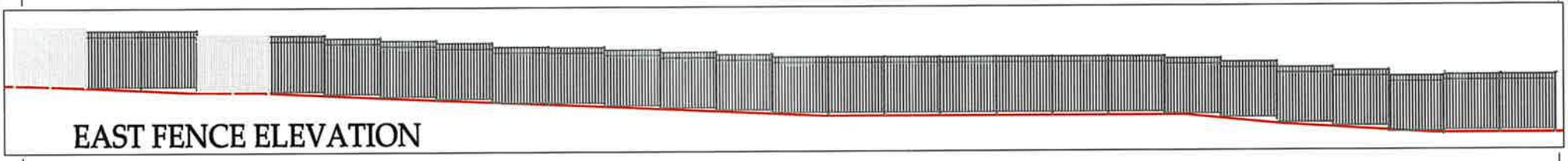


PROPOSED LAYOUT FOR FENCED PLAYFIELD
ELEMENTARY CLASSROOM EXPANSION
1410 S. BARRINGTON ROAD
BARRINGTON IL 60010

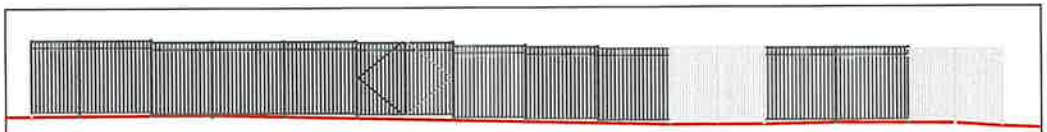
SITE PLAN

DRAWN SEPTEMBER 20, 2025

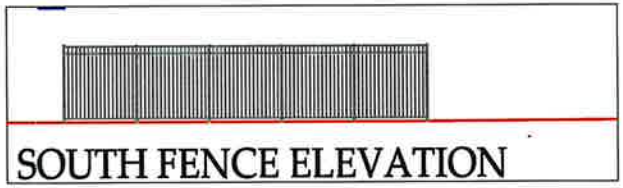
DAVID THOMA ARCHITECT PLLC
1216 S. COOK STREET BARRINGTON ILLINOIS 60010
847 224 7901 dthoma@stratfordcompany.com



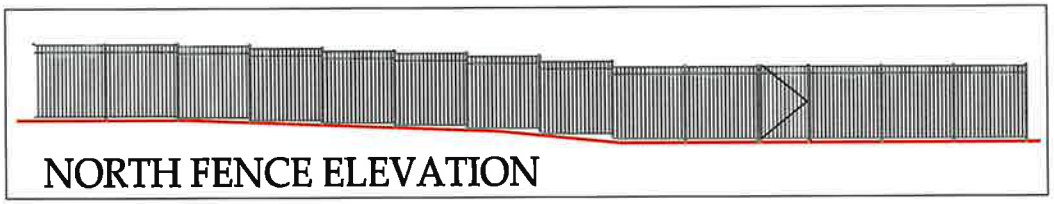
EAST FENCE ELEVATION



SOUTH FENCE ELEVATION



SOUTH FENCE ELEVATION



NORTH FENCE ELEVATION

1" = 10'-0"

10' 0 10' 20' 30'

PHOTO OF PROPOSED
ALUMINUM PICKET FENCE

· DAVID THOMA · ARCHITECT PLLC
1216 S. COOK STREET BARRINGTON ILLINOIS 60010
847 224 7901 dthoma@davidthomacompany.com

PROPOSED LAYOUT FOR FENCED PLAYFIELD
ELEMENTARY CLASSROOM EXPANSION
1410 S. BARRINGTON ROAD
BARRINGTON IL 60010

BARRINGTON
Be Inspired.

November 24, 2025

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

Re: ZBA 25-05 – 1410 S. Barrington Road - Variation

Dear President Moran and Board of Trustees:

The Petitioners are seeking approval of a Variation for the purpose of constructing 6'-0" tall black aluminum fence in the front and corner side yards at 1410 S. Barrington Road pursuant to ZO Section 4.5-B.1 and B.2.

Katie Rivard, Village Planner, presented the staff report. Ms. Rivard gave an overview of the project and an explanation of the requested Variation. Staff finds that all applicable standards are met and recommends approval of the requested Variation.

The Plan Commission discussed the request in relation to the applicable standards and determined that all standards were satisfied. The Plan Commission recommended approval of ZBA 25-05 subject to the findings listed in the Staff Report.

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

Motion:
Commissioner Windon moved to recommend approval of ZBA 25-05 subject to the findings in the Staff Report and Commissioner Ferry seconded the motion. The motion carried, 5-0.

Respectfully Submitted,
Katie Rivard, Village Planner

BARRINGTON
Be Inspired.

Zoning Board of Appeals Staff Report

HEARING DATE: November 11, 2025 – Public Hearing
PREPARED BY: Katie Rivard, Village Planner

ZBA 25-05: 1410 S. Barrington Road – Variation Request

PETITIONER(s): David and Maria Thoma, 1216 S. Cook Street, Barrington, IL 60013
PROPERTY OWNER(s): David and Maria Thoma, 1216 S. Cook Street, Barrington, IL 60013 and Village of Barrington, 200 S. Hough Street, Barrington, IL 60013
EXISTING ZONING: B-3: Office District
EXISTING LAND USE: School and Medical Office
PROPERTY SIZE: 16,889 sq. ft. (0.383 acres)

The Petitioner is requesting a variation from ZO Section 4.5 Fences to install a six (6) foot tall black aluminum fence in the front and corner side yards. The maximum allowable height in the front yard is 3'-0" and 4'-0" in the corner side yard, with a minimum of thirty-three (33) percent open from one end of the fence to another for both yards. The subject property is currently Creative Care Montessori School that offers an Early Childhood Full Day Daycare Program for infants through primary age children and a Private Elementary School for Kindergarten through 5th grade. In April 2025, the Village Board approved the sale of surplus real estate of the vacant lot adjacent to the subject property to the Petitioners to expand the outdoor play space. The approval was subject to this area being used for open play space only (no structures or parking is allowed) with fencing and landscaping. The Petitioners have indicated that per DCFS, they are required to have a minimum 4'-0" tall fence and a minimum amount of outdoor space per child. The school recently expanded their elementary program to allow for 45 additional students; and, therefore, increasing the need for additional outdoor play space.

SUBMITTALS/DOCUMENTATION

1. Project Summary
2. Location Map
3. Plat of Survey
4. Proposed Site Plan
5. Fence Elevations
6. Photos of Subject Property

VARIATION STANDARDS

1. 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 Petitioner is requesting a variation to increase the allowable height for a fence in the front and corner side yards. The lot line which the front of the building faces is considered to be the front lot line. Based on the location of the building on the lot and the existing conditions of the subject property, all available open space is within the front and corner side yards of the subject property. The rest of

the subject property is improved with a parking lot and existing outdoor play area. Staff finds that strict application of the zoning restriction will create a particular hardship and practical difficulty by preventing the Petitioners from expanding and creating a secure outdoor play area with the only available open space on the subject property. *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 a corner lot containing a building with a school and medical office. The building is situated such that a majority of the useable open space on the site is located in the front and corner side yards. The intent of the ZO is to prevent a wall of tall fences in the front yard. However, the proposed height, style and setback of the fence from the road will allow for adequate line of sight and will not create a sold wall across the front of the property. Attractive landscaping is also proposed around the perimeter of the fence. Staff finds that the unique orientation of the building on the site facing the "wrong way" (the side street, instead of Barrington Rd.) and this being the only available space to expand the school's outdoor space creates a unique physical condition for the subject property. *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 school initially opened for early childhood care up to elementary age children, but it has since expanded to include elementary-aged children. The subject building is situated on the lot such that the remaining useable yard space is within the front and corner side yards of the property due to the fact that building faces the "wrong way" on the site (facing the side street, instead of Barrington Rd.). Staff finds that the practical difficulty and unique physical condition of the subject property are not self-created by the Petitioner. *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 practical difficulty and unique physical condition of the subject property deny the Petitioner the ability to expand their existing outdoor play space in a compliant and secure way for the students. *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 proposed request would allow the Petitioners to utilize a vacant open space with additional outdoor play space for their existing school that would not include any structures, including outdoor play equipment, or parking. Staff finds that the requested variation does not constitute a special privilege due to the unique physical condition established herein and the fact that said unique physical condition is not self-created by the Petitioner. *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 proposed fence would be compatible and in harmony with the subject property and surrounding neighborhood, and it will not have a negative impact on the property values. The proposed fencing and landscape design will still create an open air feeling and will not impact any sight distance views for turning in the area. Staff finds that this standard is met.

7. 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.**

   Most of the subject property is currently improved, which leaves minimal space to expand the outdoor area. *Staff finds that the requested variation is minor in nature and that this standard is met.*

8. Minimum Required: **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 an increase in the allowable height for a fence in the front and corner side yard to provide a safe open space for their school. While 4'-0" is required per DCFS, the Petitioners would like added safety and security with a 6'-0" tall fence. The proposed fence style 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. *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 25-05 to the Village Board of Trustees subject to the following considerations and conditions of approval. The exception should include the existing fence in the corner side yard to allow for removal and replacement in the future.

Conditions:
None.

PROJECT SUMMARY

Request for approval to construct a fence on the property between 1410 S. Barrington Road and the Barrington Road Right-of-Way.

We are the owners of the commercial office building at 1410 S. Barrington Rd and Creative Learning Montessori School which is the principal tenant. The school occupies a total of 8000 square feet of the 10,000 square foot building. The other tenant is Family Foot and Ankle, a Podiatry provider owned by Dr. James Baird.

Creative Learning Montessori School offers both an ***Early Childhood Full Day Care Program*** for Infants through Primary age children and a ***Private Elementary School*** for Kindergarten through 5th grade.

As required by the licensing authority, (DCFS), the school has an outdoor playground which is sized for the entire School population (92 children) in accordance with DCFS regulations which also require two separated play areas:

- One area for the Infants and Toddlers with age appropriate equipment. It is fenced to separate them from the more physical activities of older children.
- a play area for the rest of the school with a play structure (slides, climbing area, etc.), a sandbox and a hard surfaced area for wheeled toys and a basketball hoop.

While this arrangement is within the DCFS regulations it combines the Preprimary and Primary age students, (2-5) with the Elementary age children. With age comes bigger bodies, which require teaching new physical and social skills. This is best accomplished in a larger open space to allow the children to stretch their bodies and safely allow faster movement and different types of activities.

The school recently expanded the Elementary Program to allow for 45 students and so the need to accommodate these children when playing outside has become even more acute.

To this end we have worked with the Village of Barrington to purchase the open green space between the School building and Barrington Road with the understanding that it will not be allowed to contain a structure or parking that would take away from the original intention of creating a green space corridor along Barrington Road as the gateway to the Village.

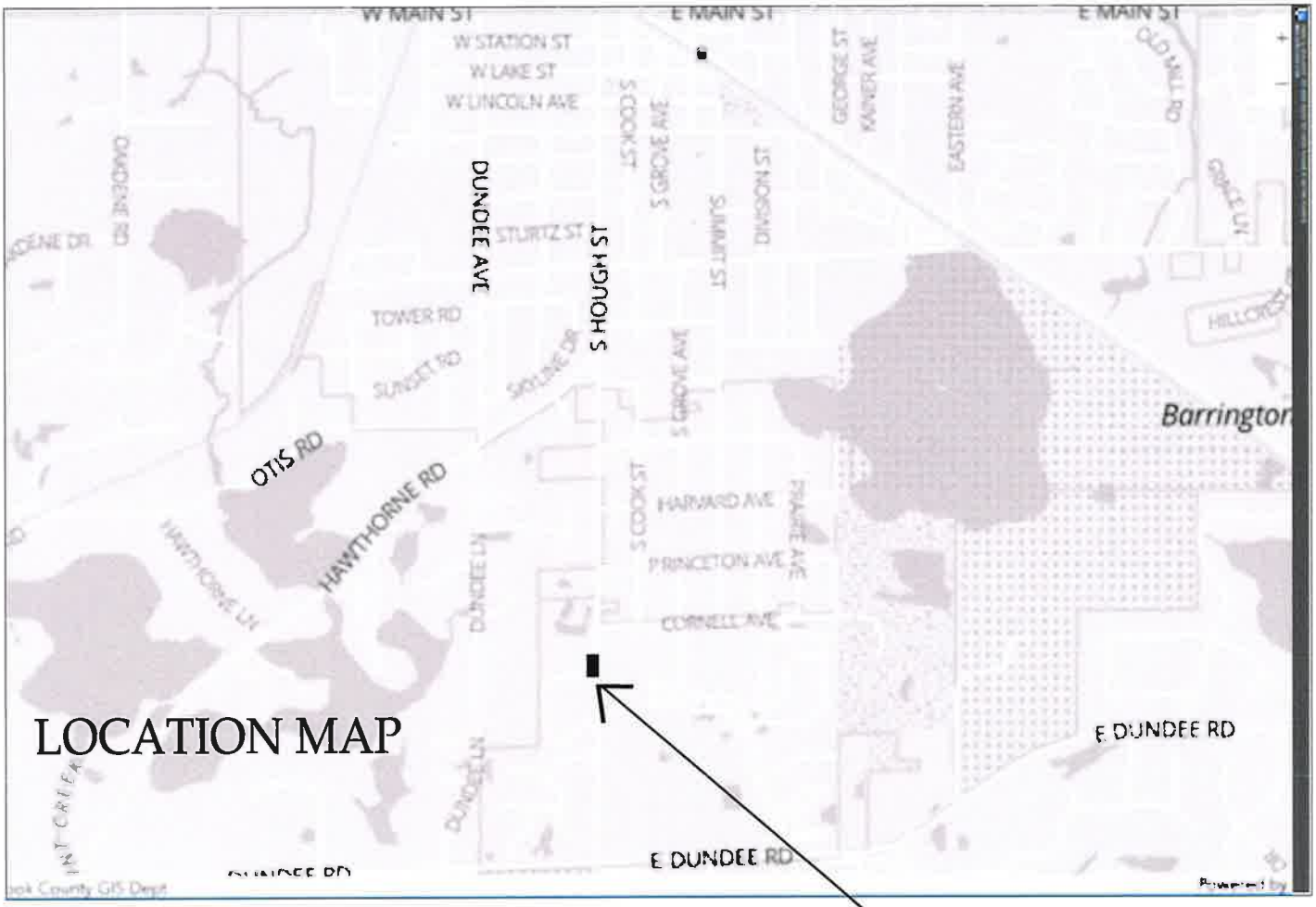
The area will be used as an open grassy play field with no play structures. It is not intended as a field to play team games, such as soccer or baseball so no additional structure will

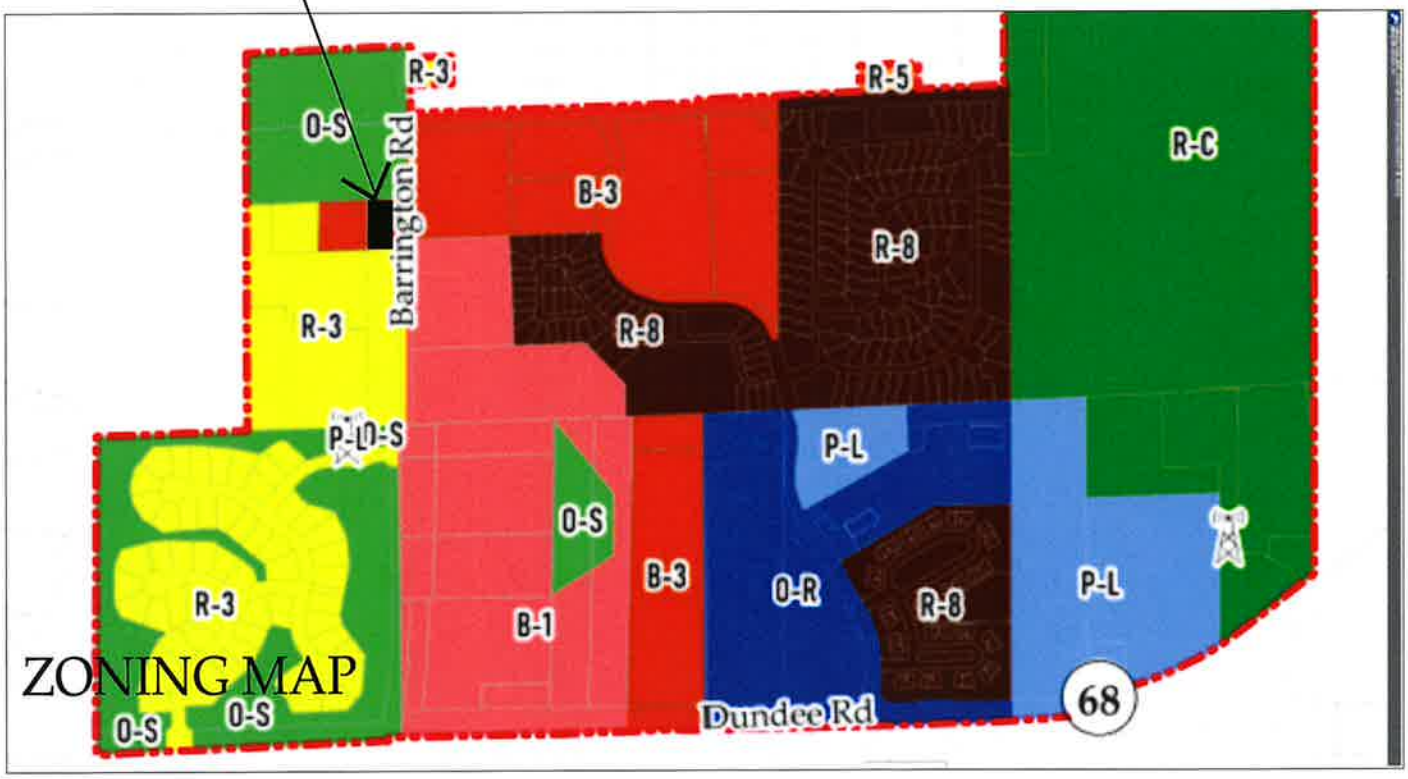
be built. The slope of the ground (10' from north to south) eliminates the possibility of using it for this purpose.

The desire is to use it for recess periods during the day to burn off youthful energy and learn related social skills which are accessory to elementary age learning.

THEREFORE; We propose to install a 6' tall black powder coated aluminum picket style fence with 2" x 2" black metal posts at 6' on center and fence panels which are made of tubular aluminum pickets and 3 tubular aluminum horizontal rails. The pickets are spaced 4" on center for the safe containment of the children and balls. The 6' tall fence and its setback from the Barrington Road pavement (50') will eliminate concerns of errant balls reaching Barrington Road.

Additionally this area will be landscaped to enhance the appearance of the open space for people passing by on Barrington Road.





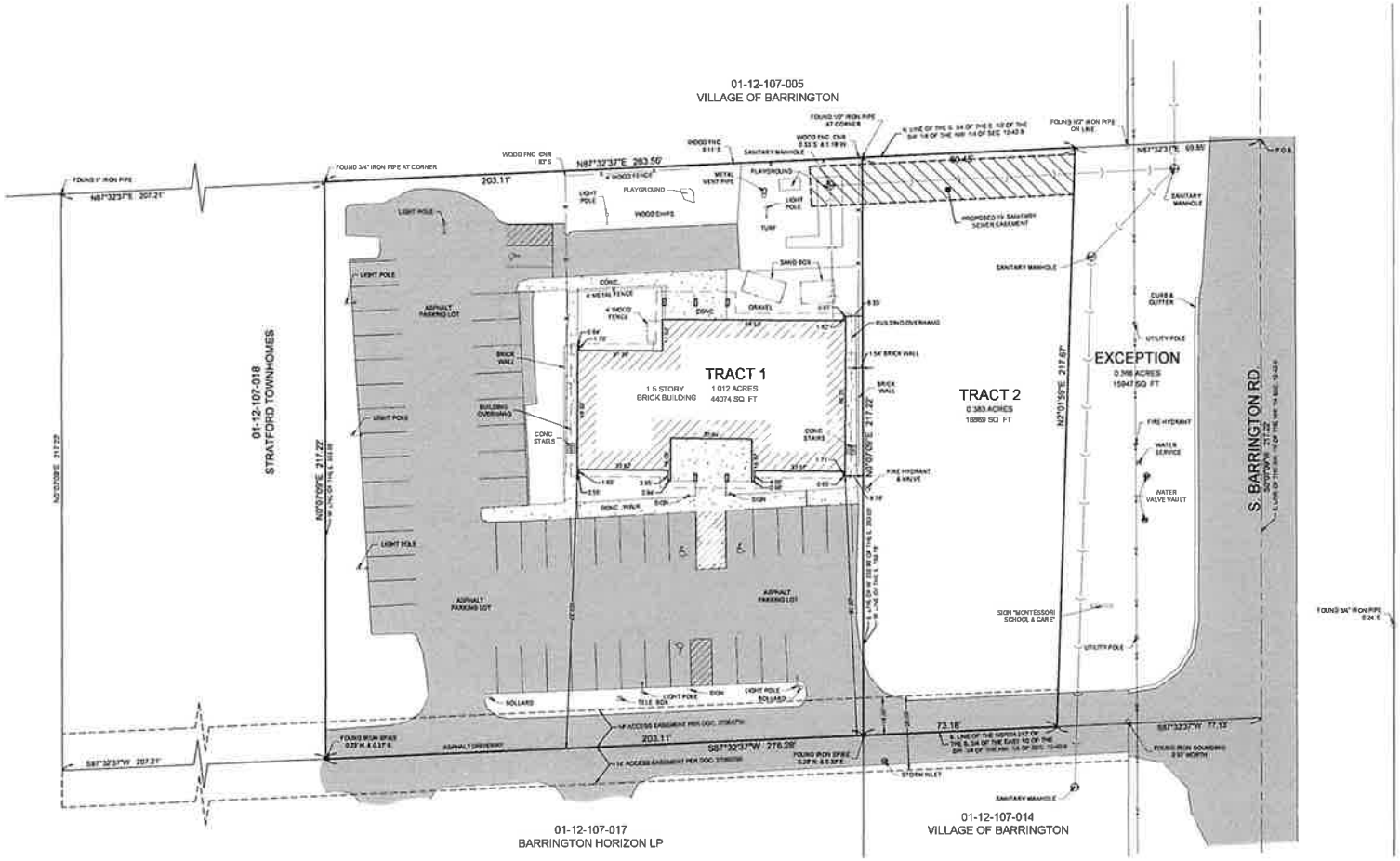
1410 S. BARRINGTON ROAD
BARRINGTON IL 60010

DAVID THOMA ARCHITECT PLLC

1216 S. COOK STREET BARRINGTON ILLINOIS 60010
847 224 7901 dthoma@stratfordcompany.com

TAX P.I.N.: 01-12-107-021
01-12-107-020

PLAT OF SURVEY
OF
1410 S. BARRINGTON ROAD, BARRINGTON, ILLINOIS 60010



GRAPHIC SCALE IN FEET
20 0 10 20 40
1" = 20' @ 24X36

BASIS OF BEARINGS

ALL BEARINGS SHOWN ARE BASED ON GRID NORTH OF THE ILLINOIS COORDINATE SYSTEM OF 1983, EAST ZONE (1201), NORTH AMERICAN DATUM OF 1983

SURVEYOR'S NOTES

1 FIELD WORK COMPLETED ON MAY 14, 2025
2 UNDERGROUND UTILITIES NOT SHOWN
3 MEASUREMENTS ARE MADE IN FEET AND DECIMAL FEET, MEASUREMENTS SHOWN IN PARENTHESES EX.(100 00') ARE RECORD DIMENSIONS
4 IRON PIPES SET AT ALL CORNERS UNLESS OTHERWISE DENOTED

LEGAL DESCRIPTION

TRACT 1

THE NORTH 217 FEET OF THE WEST 202 80 FEET OF THE EAST 353 05 FEET AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN, IN COOK COUNTY, ILLINOIS

EASEMENT

EASEMENT FOR THE BENEFIT OF PARCEL 1 AS CREATED BY MUTUAL GRANT OF INGRESS AND EGRESS EASEMENT BY AND BETWEEN HEALTH QUEST REALTY XII, AN INDIANA GENERAL PARTNERSHIP AND THE FIRST NATIONAL BANK AND TRUST COMPANY OF BARRINGTON, AS TRUSTEE UNDER TRUST NO 968 DATED APRIL 30, 1984 AND RECORD MAY 1, 1984 AS DOCUMENT 27065750 FOR INGRESS AND EGRESS OVER THE FOLLOWING DESCRIBED LAND

(A)

THE SOUTH 14 FEET OF THE NORTH 217 FEET OF THE WEST 510 00 FEET OF THE EAST 560 05 FEET, AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY, OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPT THEREFROM THAT PART THEREOF LYING WEST OF THE EAST LINE OF PARCEL 1 AFORESAID), IN COOK COUNTY, ILLINOIS;

(B)

THE SOUTH 14 FEET OF THE NORTH 231 FEET OF THE WEST 510.00 FEET OF THE EAST 560.05 FEET, AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY, OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN (EXCEPTING THEREFROM THAT PART THEREOF LYING WEST OF THE WEST LINE OF PARCEL 1 AFORESAID EXTENDED SOUTH 14 FEET), IN COOK COUNTY, ILLINOIS

TRACT 2

THE NORTH 217 FEET OF THE EAST 150 15 FEET AS MEASURED ALONG THE EAST AND NORTH LINES RESPECTIVELY OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 12, TOWNSHIP 42 NORTH, RANGE 9, EAST OF THE THIRD PRINCIPAL MERIDIAN IN COOK COUNTY, ILLINOIS

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED TRACT

BEGINNING AT THE NORTHEAST CORNER OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 12, THENCE SOUTH 0 DEGREES 07 MINUTES 09 SECONDS WEST, ALONG THE EAST LINE OF THE SOUTHWEST 1/4 NORTHWEST 1/4 OF SAID SECTION 12, A DISTANCE OF 217 22 FEET TO THE SOUTH LINE OF THE NORTH 217 FEET OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTH WEST 1/4 OF THE SAID NORTHWEST 1/4, THENCE SOUTH 87 DEGREES 32 MINUTES 37 SECONDS WEST, ALONG SAID SOUTH LINE, 77 13 FEET, THENCE NORTH 02 DEGREES 01 MINUTES 59 SECONDS EAST, 217 87 FEET TO THE NORTH LINE OF THE SOUTH 3/4 OF THE EAST 1/2 OF THE SOUTHWEST 1/4 OF SAID NORTHWEST 1/4, THENCE NORTH 87 DEGREES 32 MINUTES 37 SECONDS EAST, ALONG SAID NORTH LINE, 69 85 FEET TO SAID POINT OF BEGINNING

SURVEYORS CERTIFICATION:

To: VILLAGE OF BARRINGTON

I HEREBY CERTIFY THAT THIS SURVEY AND THE PLAT SHOWN HEREON MEET THE ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY

BRADLEY A. STROHL DATE JULY 08, 2025
PROFESSIONAL LAND SURVEYOR NO. 3686
MY LICENSE EXPIRES 11/30/2026
KIMLEY-HORN AND ASSOCIATES, INC.
4201 WINFIELD ROAD, SUITE 600
WARRENVILLE, IL 60555
Ph. 331-209-0478
BRAD.STROHL@KIMLEY-HORN.COM

3686 PROFESSIONAL LAND SURVEYOR STATE OF ILLINOIS

HATCH LEGEND

- ASPHALT PAVEMENT AREA
- CONCRETE AREA
- BUILDING OUTLINE
- SAND
- PROPOSED EASEMENT

VICINITY MAP

N.T.S.

LINE TYPE LEGEND

- OVERHEAD ELEC. LINE
- WOOD FENCE
- METAL FENCE
- STORM SEWER LINE
- SANITARY SEWER LINE

SYMBOL LEGEND

☼	LIGHT POLE	⊙	UTILITY POLE
⊸	SIGN POST	⋈	WATER VALVE
ⓢ	STORM MANHOLE	ⓦ	WATER SERVICE
○	BOLLARD	▥	STORM INLET
☎	TELEPHONE BOX	♿	HANDICAPPED PARKING
ⓦ	WATER VALVE VAULT	🔥	FIRE HYDRANT
○	FOUND IRON PIPE/SPIKE	Ⓢ	SAN. SEWER MANHOLE

No.	DATE	REVISION DESCRIPTION
2	07/08/25	Revised Boundary for Tract 2
1	06/30/25	Edited Sanitary Sewer to Fix Errors

Kimley»Horn
4201 Winfield Road Ste 600
Warrenville, Illinois 60555
Tel. No. (630) 487-5550
DESIGN FIRM # 184000213-0008
www.kimley-horn.com

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1"=20'	AJ	BAS	06/20/2025	268586007	1 OF 1

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