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May 16, 2024

**VIA U.S. MAIL AND CERTIFIED MAIL**

Chris D. Yamamoto  
315 Dundee Road  
Barrington Hills, IL 60010

**VILLAGE CODE VIOLATION CORRECTION NOTICE**

**Dear Property and Business Owner:**

This correspondence serves as the Village of Barrington Hills' (the "Village") Village Code Violation Correction Notice concerning the following unlawful condition(s) as to the property listed below:

**PIN Number:** 01-16-403-017

**Property Address:** 315 Dundee Road, Barrington Hills, IL 60010

**Condition(s):**

The Village has become aware of your advertisement on [www.littleduckyflowerfarm.com](http://www.littleduckyflowerfarm.com) for the business use of residential property located at 315 Dundee Road, Barrington Hills (the "Property"). As advertised, your on-site, outdoor, retail business use of the Property is strictly prohibited and must immediately cease.

Section 5-5-2 of the Village Code provides that "no building or zoning lot shall be devoted to any use other than a use permitted hereinafter in the zoning district in which such building or zoning lot shall be located." *Id.*

The Property is located in the Village's Residential District which permits single-family detached dwelling use. *Id.* Section 5-2-1 of the Village Code defines a "dwelling" as "[a] building ... designed or used exclusively for residential occupancy...".

Very limited business use of Property is authorized under the Village's Home Occupation regulations, under section 5-3-4 of the Village Code.

Your advertised business use of nearly the entire Property for a retail, outdoor, on-site flower-picking and special events operation is strictly prohibited under sections 5-2-1 and 5-3-4 of the Village Code. See Village Code Section 5-3-4 ("The floor area ratio (FAR) of the area of the building used for any such home occupation shall not exceed 0.01." and "[e]very home occupation shall be conducted wholly within either: a) a principal building or b) an accessory building, but not both" and "[t]here shall be no exterior



indications of the home occupation or exterior variations from the residential character of the principal building or accessory building containing the home occupation.”).

Please be advised that Illinois Courts have enforced the Village’s residential district regulations determining that general business use of residential property in the Village is strictly prohibited. *Wortham v. Vill. of Barrington Hills*, 2022 IL App (1st) 210888, 202 N.E.3d 987, *appeal denied*, 197 N.E.3d 1134 (Ill. 2022) (affirming fines in the amount of \$39,000.00 for business use of residential property in the Village for a short-term rental business); *LeCompte v. Zoning Bd. of Appeals for Vill. of Barrington Hills*, 2011 IL App (1st) 100423, 958 N.E.2d 1065 (Finding that large-scale commercial horse-boarding use of residential property in the Village is strictly prohibited).

The current on-site business use of the Property constitutes a violation of the Village Code and must immediately cease, but no later than fourteen (14) days after the date of this Notice. Specifically, you must cease allowing visitors to the Property in association with the prohibited outdoor flower-picking, flower purchasing and special events business operations. Under the Village Code, you are subject to a potential fine in the amount of \$2,500.00 per day for every day the Property is used for prohibited business purposes.

Although the current on-site business use of the Property is prohibited, the Property may continue to be used for farming and floriculture purposes under the Village Code.

Section 5-2-1 of the Village Code defines agriculture as:

**AGRICULTURE:** The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry including the breeding and raising of horses as an occupation and the necessary accessory uses for handling or storing the produce; provided, however that the operation of any such accessory uses shall be secondary to that of the normal agricultural activities.

Please contact the Village’s Building Department via phone 847-551-3003 or email [build@vbhil.gov](mailto:build@vbhil.gov) immediately to further discuss this matter or to schedule a follow-up inspection of the Property to verify Village Code compliance.

Respectfully,

*/s/ Donald Plodzien*

Building and Zoning Enforcement Officer  
Village of Barrington Hills