

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

JULY 18, 2011

1. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:30 P.M. at the Village Hall, 7660 County Line Road, Burr Ridge, Illinois, by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 7– Cronin, Franzese, Bolos, Perri, Stratis, Grunsten, and Trzupek

ABSENT: 0 - None

Also present was Community Development Director Doug Pollock.

2. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to approve minutes of the June 20, 2011 Plan Commission Meeting.

ROLL CALL VOTE was as follows:

AYES: 5– Franzese, Stratis, Cronin, Perri, and Trzupek

NAYS: 0 – None

ABSTAIN: 2 – Bolos and Grunsten

MOTION CARRIED by a vote of 5-0.

3. PUBLIC HEARINGS

Chairman Trzupek confirmed all present who wished to give testimony at any of the public hearings on the agenda.

A. Z-16-2011; TEXT AMENDMENT – LOCATION OF GENERATORS

Chairman Trzupek asked Mr. Pollock to provide a summary of this public hearing.

Mr. Pollock described this petition as follows: The petitioner requests an amendment to the Zoning Ordinance to permit residential back-up generators in side yards rather than the current regulation that restricts generators to the area behind the rear wall of a house. The petitioner is a contractor for a home on Drew Avenue. The petitioner's findings indicated that generators create similar noise impacts as air conditioning units and, therefore, should be regulated the same location requirements. Air conditioning units are allowed adjacent to the side wall of a house with a 15 foot setback from the front façade

of the house. Mr. Pollock showed a graphic indicating the permitted locations for generators and for air conditioning units.

Chairman Trzupek asked the petitioner for comments.

The petitioner, Mr. Bob Sayad, said his electrical contractor was present and confirmed that the noise levels for a typical generator used for residential purposes was about 62 decibels. He said this is equal to or less than most all air conditioning units. He added that in many homes he builds a generator is better situated in a side yard due to the location of utilities and how residents use their back yards.

Chairman Trzupek asked for comments from the public.

Mr. Tom Busse, 7218 Fair Elm Avenue, said that his home cannot reasonably accommodate a generator in the rear yard due to its configuration. He said utilities are not easily accessible on the rear yard and that his ac unit is in the side yard. He added that new technology makes generators quieter than in the past and that they have no greater impact than an AC unit. He urged the Plan Commission to amend the Zoning Ordinance and allow generators in a side yard.

There being no further comments from the public, Chairman Trzupek asked for questions and comments from the Plan Commission.

Commissioner Cronin asked the petitioner about the particular generator for the property on Drew Avenue. Mr. Sayad explained that it would service 20 circuits and would be approximately 62" x 34". He said it would self-test once a week for less than 10 minutes during the day. He said the testing is done at a lower level and is not as loud as when the generator runs at full power.

Commissioner Franzese asked about the location of air conditioning units and screening of the generator at the house on Drew Avenue. Mr. Sayad said there were three units on each side of the house and that the AC units and the generator would be screened with six foot tall evergreens.

In response to Commissioner Bolos, Mr. Sayad said that there would only be one generator for the home on Drew Avenue and that it runs continuously when there is a power outage.

Commissioner Perri confirmed with the petitioner that the generator will only run when the power is off and once a week at low power for testing.

There being no other questions or comments from the public or from the Plan Commission, Chairman Trzupsek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Bolos and **SECONDED** by Commissioner Cronin to close the hearing for Z-16-2011.

ROLL CALL VOTE was as follows:

AYES: 7– Bolos, Cronin, Franzese, Perri, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Cronin to approve the Findings of Fact as presented by the petitioner and to recommend approval of a an amendment to Section IV.I.21 of the Burr Ridge Zoning Ordinance to permit residential back-up generators in side yards rather than the current regulation that restricts generators to the area behind the rear wall of a house with said amendment being as recommended in the staff report.

ROLL CALL VOTE was as follows:

AYES: 7– Franzese, Cronin, Bolos, Perri, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. Z-15-2011; Lake Ridge Club PUD Amendment

Chairman Trzupsek asked Mr. Pollock to provide a summary of this public hearing.

Mr. Pollock described the public hearing as follows: In response to a resident with a disability who required a stand-by generator, the Lake Ridge Club Homeowners Association recently amended its covenants to allow stand-by electrical generators. Due the unique configuration of the homes with private patios in the back and common space between homes, the homeowners believe that most if not all generators in this subdivision should be located to the side of the houses. Thus, the homeowners are seeking an amendment to the PUD to allow generators in side yards.

Mr. Pollock added that if the text amendment proposed in the previous public hearing is approved by the Board of Trustees, that this PUD amendment would not be necessary. He suggested that the Plan Commission proceed with the hearing and a recommendation so that the Village Board may have all of the options available to them.

Chairman Trzupsek asked the petitioner for comments.

The Lake Ridge Club Homeowners Association was represented by Mr. Michael Kelling. Mr. Kelling stated that the covenants did not allow generators but in response to a resident's need, the association amended the covenants to allow generators with strict rules for approval by the Association, for location, and for appearance.

Mr. Kelling said he agreed with the text amendment and with staff's recommendations with his only concern being the landscape screening. He said that the areas between homes are already heavily landscaped and adding more landscaping may be difficult. In response, Mr. Pollock said that they would take into consideration the existing landscaping when approving a plan for a generator.

There being no one else in attendance to speak at this hearing, Chairman Trzupek asked the Plan Commission for questions and comments.

Chairman Trzupek asked the petitioner what is unique about the subdivision that would justify allowing generators in side yards. Mr. Kelling said that the layout of the homes is such that the rear yards are more visible than the side yards. He said placing generators in the rear yards would not only make them more visible from other homes but also interfere with the patios that are integral part of this PUD.

Commissioner Grunsten said she sees the logic of having generators in a side yard at Lake Ridge Club given the layout of the subdivision.

In response to Commissioner Stratis, Mr. Kelling said that the amendment to the covenants requires notice to adjacent property owners before a generator may be installed. Commissioner Stratis said this is important so that generators are not located too close to a bedroom window.

Commissioner Perri asked if all of the floor plans were the same for the houses and if the Association would make sure that generators are not placed too close to bedroom windows. Mr. Kelling said the floor plans were not the same and that they would be sensitive to locating the generators where they will least interfere with neighbors.

Commissioner Bolos asked if the current generator request was for disabled residents only. Mr. Kelling said the initial request was for that purpose but other residents may request generators.

Commissioner Franzese said he had no other questions but he said that the screening requirements should be the same for Lake Ridge Club as it is for all other properties.

Commissioner Cronin said he agreed with Commissioner Franzese regarding the screening.

Chairman Trzupek said he did not have any further questions.

There being no further questions from the Plan Commission, Chairman Trzupek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Franzese to close the hearing for Z-15-2011.

ROLL CALL VOTE was as follows:

AYES: 7– Cronin, Franzese, Bolos, Perri, Stratis, Grunsten, and Trzupek
NAYS: 0 – None
MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Bolos and **SECONDED** by Commissioner Cronin to approve the Findings of Fact as presented by the petitioner and to recommend approval of an amendment to the Lake Ridge Club Planned Unit Development to establish regulations for the location and screening of back-up generators in side and rear yards as recommended by staff.

ROLL CALL VOTE was as follows:

AYES: 7– Bolos, Cronin, Franzese, Perri, Stratis, Grunsten, and Trzupek
NAYS: 0 – None
MOTION CARRIED by a vote of 7-0.

C. Z-17-2011: 280 Shore Drive (Suburban Life); Special Use

Chairman Trzupek asked Mr. Pollock to provide a summary of this public hearing.

Mr. Pollock described the public hearing as follows: The petitioner seeks to occupy the building at 280 Shore Drive and to use the building as a regional office and for the distribution of newspapers. Both uses are permitted under the existing zoning but the property owner would also like to store up to 12 delivery vans in the parking lot. A photograph of the delivery vans and a plat of survey showing the location of the parked vans (in the southwest corner of the property) were shown on the screen.

Chairman Trzupek asked the petitioner for comments.

Mr. Don Stamper was present representing the petitioner. Mr. Stamper said that Suburban Life Newspapers were moving their distribution facilities to Burr Ridge and have up to 12 vans that they use for delivery.

Chairman Trzupek asked what time of day the vans are used. Mr. Stamper said that on the three publication days each week the vans leave the property at 3 AM and usually return around 11 AM. He said the vans may be used occasionally at other times but this is the only scheduled times for use of the vans.

There being no one from the public to speak at this hearing, Chairman Trzupek asked the Plan Commission for questions and comments.

In response to Commissioner Cronin, Mr. Stamper said he was the Director of Operations for Suburban Life Newspapers. He said they have a printing and distribution facility in Hodgkins and would like to move the distribution only to Burr Ridge. He also described existing fencing and lighting in the vicinity of the parking area.

Commissioner Franzese asked if the vans used gasoline or diesel fuel. Mr. Stamper said the vans were all fueled by gasoline.

Commissioner Bolos asked if there was sufficient parking for employees. Mr. Stamper said that there was sufficient parking.

Commissioner Perri asked if there were back up beepers on the vans. Mr. Stamper said there were no back up beepers.

There being no further questions from the Plan Commission, Chairman Trzupsek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Franzese to close the hearing for Z-17-2011.

ROLL CALL VOTE was as follows:

AYES: 7– Cronin, Franzese, Bolos, Perri, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Bolos to approve the Findings of Fact as presented by the petitioner and to recommend special use approval as per Section X.F.2.i of the Burr Ridge Zoning Ordinance to permit the outside overnight storage of delivery vans subject to the following conditions:

1. Outside storage shall be limited to a maximum of 12 vehicles consisting of cargo vans as shown on the submitted photograph.
2. The outside storage of vehicles shall be limited to the area designated on the submitted site plan.
3. The special use approval shall be limited to the petitioner and shall not be transferable to other tenants or other businesses that may occupy the property. The special use shall become null and void at such time that the petitioner no longer occupies the property.

ROLL CALL VOTE was as follows:

AYES: 7– Franzese, Bolos, Cronin, Perri, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

4. CORRESPONDENCE

There was no discussion regarding any of the correspondence on the agenda.

5. OTHER CONSIDERATIONS

A. S-05-2011: Lake Ridge Club; Subdivision Entryway Sign

Chairman Trzupek asked Mr. Pollock to provide a summary of this request.

Mr. Pollock described the request as follows: Tartan Ridge Subdivision, located at 55th Street and Woodview Road, is a subdivision of townhomes with private streets. The homeowners association is seeking approval to replace an existing cedar monument sign with a new stone sign. All subdivision entryway signs require conditional sign approval and this sign also requires a height variation. The sign face is less than the permitted 4 feet but the stone pier that supports the sign is 5 feet tall.

There being no questions or comments regarding the sign, Chairman Trzupek asked for a motion.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Cronin to recommend approval of conditional sign request as per Section 55.04.B.1 of the Sign Ordinance and a sign variation as per Section 55.04.B.1 to replace an existing subdivision sign and with a maximum height of 5 feet rather than the maximum permitted height of 4 feet subject to compliance with the submitted plans.

ROLL CALL VOTE was as follows:

AYES: 7— Franzese, Cronin, Bolos, Perri, Stratis, Grunsten, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

B. PC-06-2011: 15W506 63rd Street (Stratis); Zoning Interpretation

Chairman Trzupek asked Mr. Pollock to provide a summary of this request.

Mr. Pollock described the request as follows: The owner of the property at 15W506 63rd Street is requesting an interpretation of the Zoning Ordinance relative to fence location. The subject property extends from 62nd Street approximately 620 feet north. At the north end of the property, the side lot lines abut the dead end of the 63rd Street right-of-way. The owner seeks to enclose the rear yard of the property with a fence. A zoning interpretation is requested to determine where a fence may be located relative to that portion of the rear yard and side lot lines that abut the 63rd Street right-of-way.

Mr. Pollock said that the lot lines cannot be clearly defined by the definitions in the Zoning Ordinance and that is why an interpretation is required. He said that the portions

of the lot lines that abut 62nd Street could be defined as side lot lines or as rear lot lines but that they do not meet either definition.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Bolos to interpret the Zoning Ordinance to define the lot lines abutting 63rd Street as interior side lot lines.

ROLL CALL VOTE was as follows:

AYES: 6– Franzese, Bolos, Cronin, Perri, Grunsten, and Trzupek
NAYS: 0 – None
ABSTAIN: 1- Stratis
MOTION CARRIED by a vote of 6-0.

6. FUTURE SCHEDULED MEETINGS

Chairman Trzupek said there were no public hearings scheduled for August 1, 2011. Mr. Pollock added that he would be on vacation on August 15 and asks that this meeting be cancelled.

A **MOTION** was made by Commissioner Perri and **SECONDED** by Commissioner Grunsten to cancel the August 1, 2011 and August 15, 2011 meetings.

ROLL CALL VOTE was as follows:

AYES: 7– Perri, Grunsten, Cronin, Franzese, Bolos, Stratis, and Trzupek
NAYS: 0 – None
MOTION CARRIED by a vote of 7-0.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Perri and **SECONDED** by Commissioner Cronin to **ADJOURN** the meeting at 9:17 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:17 p.m.

Respectfully Submitted:

