

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

FEBRUARY 20, 2012

1. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:35 P.M. at the Village Hall, 7660 County Line Road, Burr Ridge, Illinois, by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 5 – Franzese, Perri, Stratis, Grunsten, and Trzupek

ABSENT: 2 – Cronin and Bolos

Also present was Community Development Director Doug Pollock.

2. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Franzese noted that on Z-02-2012, on page 3 of the minutes, he abstained from voting. Mr. Pollock said that he would correct the minutes.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Perri to approve minutes of the February 6, 2012 Plan Commission Meeting subject to the change as noted above.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

ABSTAIN: 1- Stratis

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 and introduced the public hearings as follows.

A. V-01-2012: 26 Ambriance! Drive (Platinum Pool); Variation

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

Mr. Pollock described the public hearing as follows: The petitioner is in the process of constructing a back yard spa, patio and outdoor kitchen. The original permit plans showed the pool equipment in a side yard. After review by staff, the contractor moved

the proposed location of the pool equipment to the rear yard to comply with the Zoning Ordinance. Subsequently, the contractor for the homeowner filed this petition seeking a variation to place the equipment in the side yard rather than in the rear yard.

Chairman Trzupek asked the petitioner for comments. The petitioner was represented by Mr. Mike Higgins of Platinum Pool Care, Inc., the contractor for the homeowner. Mr. Higgins said that the unique shape of the lot and how the house is situated on the lot creates a hardship in the placement of the equipment. He said that the homeowners association and the immediate neighbor support the granting of the variation.

Chairman Trzupek asked if there was anyone in attendance who wanted to speak to this request. There was no one.

Chairman Trzupek asked for questions and comments from the Plan Commission.

Chairman Trzupek asked if the hardship is created by the size of the patio which limits the placement of the pool equipment. He also asked about the noise created by the equipment and whether it was covered.

In response, Mr. Higgins said that the pool equipment creates a similar noise level as an air conditioning unit and that it is only covered by landscaping.

Chairman Trzupek referenced the emails from the neighbor and from the homeowners association which the Plan Commission received at tonight's public hearing.

Commissioner Franzese asked for clarification on the location of the pool equipment. Mr. Higgins presented a more detailed drawing that he said was prepared at the request of the homeowners association. Mr. Higgins said that the revised plan shows more detail for the landscaping. Commissioner Franzese noted that the letter from the HOA implies that the equipment would have to be next to the pond if it were placed in compliance with the code. He said that was a bit misleading as it could be anywhere in the back yard.

In response to Commissioner Franzese, Mr. Higgins said that the 4 x 10 foot pool equipment pad would be 11 feet from the side lot line in its required location.

Commissioner Perri asked about the sight lines from the neighboring properties. In response, Mr. Pollock showed an aerial photo of the area. Commissioner Perri acknowledged that the preferred location may be better but he said there does not appear to be anything unique about this property that creates a hardship.

Commissioner Stratis said he struggled in reviewing this request because he agrees that this may be a better location and he knows the neighbors support the variation but there does not appear to be any hardship.

Commissioner Grunsten asked if there were any specific regulations about the location of pool equipment. Mr. Pollock said the regulations pertain to pools only and there is

nothing specific about pool equipment. He said that pools are restricted to the rear yard and that as a result; all pool equipment has been required to be located in the rear yard.

Mr. Pollock stated that the written staff report provides information pertaining to the location of air conditioning units and generators. He said the regulations permit ac units and generators in a side yard provided they are at least 15 feet from the front of the house and that generators are limited to 28 square feet in area.

Chairman Trzupsek said that he agrees with the other Commissioners and asked if it would be appropriate to consider a text amendment that would treat pool equipment like ac units or generators.

Commissioner Franzese asked how and how often the pool equipment would be serviced. In response, Mr. Higgins said that normal maintenance would typically be every other month and would consist of replacing filters. Commissioner Franzese added that he thinks this is different from ac units and generators because the mechanical equipment is exposed and not inside a box.

Chairman Trzupsek said there were several options to be considered. He said the Commission could close the hearing and vote on a recommendation to the Board of Trustees. He said that based on comments he has heard at the hearing, the recommendation would likely be to deny the variation. He said the other options would be to continue the public hearing to allow the petitioner to revise the plans or to continue the public hearing with the intent of conducting a public hearing for a text amendment.

Mr. Pollock said that a text amendment hearing could be held with the annual zoning update hearing which is anticipated to be done on March 19, 2012. Mr. Pollock recommended that the variation hearing be continued to March 19 and that the Commission also hold a public hearing at that time to consider a text amendment.

There being no further questions or comments, Chairman Trzupsek asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Perri to continue the hearing for V-01-2012 to March 19, 2012.

ROLL CALL VOTE was as follows:

AYES: 5 – Franzese, Perri, Stratis, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

4. CORRESPONDENCE

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

5. OTHER CONSIDERATIONS

A. PC-01-2012; Annual Zoning Ordinance Update

Chairman Trzuppek asked Mr. Pollock to provide an overview of this consideration.

Mr. Pollock referenced the staff report which provided a summary of all zoning and variation hearings from 2011. He said there were no issues from those hearings that would lead staff to recommend any changes to the Zoning Ordinance.

Mr. Pollock added that there are a few issues that have come up at the staff level. He said that a resident inquired about the height of ornamental light standards and suggested that the 6 foot height was too low. The resident presented evidence that most ornamental light poles in the Village were 7 feet or taller.

Mr. Pollock said also that staff has seen a number of permits in the last two years for outdoor kitchens. He said there is not specific listing for outdoor kitchens but that staff has classified these structures as outdoor fireplaces which are permitted in a rear yard but there is no height limit for an outdoor fireplace. He suggested that outdoor kitchens be added to the list of permitted accessory structures and that a height limit be added.

Mr. Pollock said a resident complained about portable gas generators and about parking on the street for a home occupation. He said that there are no zoning regulations for portable generators as they would be similar to lawn mowers and leaf blowers and not a structure that would be regulated by the Zoning Ordinance. In regards to parking, Mr. Pollock said it is possible to add a regulation requiring an employee of a home occupation to park on the property but it would be difficult to enforce if public parking is allowed on the street.

Finally, Mr. Pollock added that an amendment regarding the location of pool equipment be included in the zoning update as per the discussion earlier tonight.

Commissioner Stratis said that he did the research for ornamental lights and discovered that almost all in his neighborhood are more than 6 feet tall. He said he found one that was 6 feet tall and it looked odd because the light was right at eye level.

Mr. Pollock said that it is staff's recommendation that the Plan Commission request authorization to hold a public hearing to consider amendments pertaining to the permitted height of ornamental lights, adding outdoor kitchens to the list of permitted accessory structures, and the location of pool equipment.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Stratis to request authorization from the Board of Trustees to conduct a public hearing to

consider amendments to the Zoning Ordinance pertaining to the permitted height of ornamental lights, adding outdoor kitchens to the list of permitted accessory structures, and the location of pool equipment.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

6. FUTURE SCHEDULED MEETINGS

Mr. Pollock reported that there were no public hearings scheduled for the March 5, 2012 meeting.

A **MOTION** was made by Commissioner Perri and **SECONDED** by Commissioner Grunsten to cancel the March 5, 2012 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

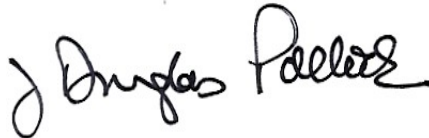
NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Perri and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 8:45 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:45 p.m.

Respectfully Submitted:



J. Douglas Pollock, AICP

March 19, 2012