

**PLAN COMMISSION/ZONING BOARD OF APPEALS**

**VILLAGE OF BURR RIDGE**

**MINUTES FOR REGULAR MEETING OF**

**JULY 16, 2012**

**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 Cronin and **SECONDED** by Commissioner Bolos to approve minutes of the June 4, 2012 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

ABSTAIN: 2 – Stratis and Grunsten

MOTION CARRIED by a vote of 5-0.

**3. PUBLIC HEARINGS**

Chairman Trzupek confirmed all present who wished to give testimony at the public hearing and introduced the public hearing as follows.

Chairman Trzupek said that the petitioner for Z-16-2012 has asked for a continuance and that this request will be considered first.

**A. Z-16-2012: 108 Burr Ridge Parkway (Chase); Special Use, Variation, and Text Amendment**

Chairman Trzupek announced that the petitioner has asked for a continuance to the August 6, 2012 meeting.

Mr. Bernard Citron was present on behalf of the petitioner. Mr. Citron said that the petitioner was preparing a traffic study related to the drive through facility and the traffic

study was not yet completed. He stated that was the reason for the request for continuance and that he expected the study to be completed before August 6.

There was no one else present for the public hearing.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Stratis to continue the public hearing for Z-16-2012 to August 6, 2012.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

**B. Z-14-2012: 16W535 South Frontage Road (Burr Ridge Car Care); 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 owns and operates an automobile service and repair facility and would like to be able to display one car for sale on the property.

Chairman Trzupek asked about the automobile rental facility that was granted special use approval in 2011. Mr. Pollock said that the auto rental business was operating and that there were no complaints or issues with this business.

In response to Chairman Trzupek, Mr. Bruce Kania said that he is the owner of the business. He said that he occasionally has a car for sale and would like to display it on the property with a for sale sign. He said there would be no banners, pennants or flashy lights but instead just a simple for sale sign. He said he occasionally has more than one car available for sale but he would advertise only one at a time.

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

Commissioner Cronin asked how old the cars are. Mr. Kania said they are usually three to five years old. Mr. Kania said one of his primary customers is parents buying a first car for a son or daughter.

Commissioner Franzese asked if cars would be displayed any other place on the property other than what is shown on the site plan. Mr. Kania said they would not be displayed any other place and they would definitely not be in the public right of way.

Commissioner Bolos said she has no problems with what is being requested.

In response to Commissioner Perri, Mr. Kania said he does not sell collector cars and that all cars are detailed before they are put up for sale.

Commissioner Stratis said he did not have any questions.

Commissioner Grunsten said that she likes the way this business is run and is confident that the automobile sales will be conducted in a professional manner.

Chairman Trzupsek asked if there were any questions about the sign variation. There were none.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Bolos to close the public hearing for Z-14-2012.

ROLL CALL VOTE was as follows:

AYES: 7 – Cronin, Bolos, 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 Bolos to adopt the petitioner's findings of fact for Z-14-2012 and to recommend that the Board of Trustees approve a special use for automobile sales subject to the following conditions:

- a. There shall be no more than one car for sale on display in the parking lot at any given time.
- b. There shall be no flags, balloons or similar attention getting devices used in relation to the car sales.

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 the correspondence.

#### **5. OTHER CONSIDERATIONS**

##### **A. S-04-2012: 16W535 South Frontage Road (Burr Ridge Car Care); Sign Variation**

Chairman Trzupsek said that this item was related to the special use approval for automobile sales. He said the petitioner is seeking a sign variation to allow a for sale in the automobile for sale on the property. There being no further questions or comments, Chairman Trzupsek asked for a motion.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Cronin to recommend that the Board of Trustees approve a sign variation to allow a “For Sale” sign in the window of a car for sale subject to the sign being inside the car and not exceeding 4 square feet in area.

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. S-05-2012: 108 Burr Ridge Parkway (Chase); Sign Variations**

Chairman Trzupsek said that this request should also be continued to August 6 as it is related to the public hearing previously continued.

A **MOTION** was made by Commissioner Bolos and **SECONDED** by Commissioner Perri to continue S-05-2012 to the August 6, 2012 meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

**C. PC-03-2012: Zoning Ordinance Text Amendment – Backyard Chickens**

Chairman Trzupsek asked Mr. Pollock to describe this matter.

Mr. Pollock described the request as follows: Staff received a letter from a resident asking the Village to consider an amendment to the Zoning Ordinance that would allow the keeping of chickens on all single-family residential properties in the Village. The current regulations limit any type of livestock to properties that are 5 acres or more. Mr. Pollock added that the Plan Commission is not being asked to decide whether to approve such an amendment but instead is being asked to request authorization to hold a public hearing to further discuss the matter.

Mr. Pollock said that he has done some research and determined that other Village’s have adopted regulations permitting the keeping of backyard chickens. Some of the more common restrictions include limiting the number of chickens and prohibiting roosters.

Chairman Trzupsek asked if anyone in the audience wanted to speak on this matter.

Mr. Chris Herringshaw, 8150 Steepleside Drive, said that he requested the Village consider this matter. He said he has a property that is 1.5 acres and he would like to raise chickens to have fresh eggs for his family. He said he grew up in rural Michigan and understands how to raise and keep chickens.

Commissioner Cronin asked what happens when a chicken dies and if the chickens would be used in any way for retail sales. Mr. Herringshaw said that he would take the carcass to a vet for disposal. He also said the chickens and eggs would be for his family only and would not be sold.

Commissioner Cronin said that there are chickens behind his house at the Hanson Center and he has not noticed any problems with noise or smells from the chickens.

Commissioner Franzese said he would save his questions for the public hearing.

Commissioner Bolos said she thinks she would not want chickens next door to her. She said she would be worried about smells and about attracting predators such as coyotes and raccoons.

Mr. Herringshaw noted the difference between a large chicken farm and the keeping of 4 to 6 chickens in a back yard. He said that 10 chickens produce half the waste material as one, 40 pound dog.

Commissioner Bolos asked how the chicken coops are kept clean and how predators are kept away.

Mr. Herringshaw said that it is important not to leave left over food lying in the coop and to raise food dishes above the ground to keep rodents away. He said that the chickens are kept in an enclosed area only and he would use a heavy gauge wire enclosure and not traditional chicken wire.

Commissioner Perri said that he is concerned that it would be difficult to regulate the types and quality of enclosures.

Commissioner Stratis said he does not have a problem with it particularly on larger lots provided proper regulations are established. He suggested a minimum of one acre.

Commissioner Grunsten agreed with Commissioner Stratis. She said people are going toward more organic foods and raising their own food. She said she would favor conducting a public hearing.

Chairman Trzupke asked if there are laws regulating slaughtering of animals. Mr. Pollock said he did not know.

Mr. Herringshaw said that each chicken needs about 3 square feet of enclosed area for roosting and that four chickens would need about 60 square feet of open area.

Chairman Trzupke said he would be in favor of holding a public hearing. He asked if roosters would be included. In response, Mr. Herringshaw said he would not want roosters as they make too much noise.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Perri to request authorization from the Board of Trustees to hold a public hearing to consider an amendment to the Zoning Ordinance regulating the keeping of chickens in residential districts.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

**D. PC-05-2012: Zoning Ordinance Text Amendment – Outdoor Kitchens**

As directed by Chairman Trzupsek, Mr. Pollock described this request as follows: The Village amended the Zoning Ordinance earlier this year to allow outdoor fireplaces and built-in grills but restricted the size to 20 square feet in area. Several permit applications have been filed requesting larger outdoor kitchens that include masonry structures with a countertop, a sink, refrigerator and storage areas. The 20 square foot restriction does not permit all of these features that are commonly desired by residents.

In regards to the draft regulations prepared by staff, Chairman Trzupsek asked about the height restrictions and chimneys for a wood burning stove. Mr. Pollock said he would look at that and modify the draft regulations accordingly.

Commissioner Grunsten said that she favors further consideration. She said residents are building more and more outdoor kitchens. The rest of the Commissioners indicated their agreement.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Bolos to request authorization from the Board of Trustees to hold a public hearing to consider an amendment to the Zoning Ordinance regulating outdoor kitchens in residential districts.

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.

**E. S-02-2012: Sidewalk Signs in Retail Business Districts**

Chairman Trzupsek asked Mr. Pollock to summarize this consideration.

Mr. Pollock said that the Plan Commission previously recommended an amendment to the Sign Ordinance to regulate portable sidewalk signs in retail districts. He said the regulations included a requirement for conditional sign approval among other regulations. Mr. Pollock said that the Board was concerned about requiring conditional sign approval and that the Board wanted to be sure that changeable copy signs could be used, particularly for restaurants who like to advertise daily specials.

Chairman Trzupek noted that one of the concerns of the Plan Commission was that the signs have a minimum quality and a consistent appearance within any one shopping center.

Commissioner Franzese said that he does not like the plastic A-frame signs that were shown in the pictures from County Line Square. He said he would like the regulations to prohibit those signs or some other means for the Village to prohibit those types of signs.

Commissioner Grunsten agreed and described the plastic A-frame signs as being very down-market.

Commissioner Perri said that the signs as they exist now lack a consistent appearance and a consistent level of quality. Mr. Pollock responded that the Board seemed to favor allowing greater diversity so that each store may create its own identity.

Commissioner Grunsten suggested a variety of sign types would be okay but there has to be minimum standards for quality.

Commissioner Franzese asked if there was a consensus to prohibit the plastic A-frame signs. The Commission indicated unanimous agreement.

Commissioner Stratis suggested a regulation requiring that all of the signs be either metal or wood. He also thought it would be good to require shopping center owners to make a presentation to the Village of all types of sign structures that they propose to use.

Chairman Trzupek agreed that the shopping center owners should be required to show the Village all sign structure types that they would like to use and then they would be limited to those signs presented to and approved by the Village.

Commissioner Franzese asked about the changeable copy signs. He said that he is okay with the chalk board type signs but that he would not want to allow the plastic letter signs as have been used by the County Wine Merchants in County Line Square and he does not want signs where the proprietor writes a message with a marker on a sign not designed for that purpose.

Mr. Pollock summarized that the Plan Commission agrees with the draft regulations except that the signs should be subject to conditional sign approval, that the plastic A-frame signs should be prohibited, and that the changeable copy signs should not include plastic letters or messages written on signs not designed for changeable copy.

There being general agreement with these changes, Chairman Trzupek asked for a motion.

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Grunsten to recommend to the Board of Trustees approval of an amendment to the Sign

Ordinance as per the draft regulations prepared in the staff report and with the changes outlined herein – with the modified draft regulations being as follows:

**55.02 Definitions**

**T. *Portable Sidewalk Sign:*** *A sign made of a rigid material (i.e. not a banner, placard or pennant), not attached to the ground or a building, and easily carried and moved by one person.*

**55.06 Business District Signs**

**B. *Conditional Signs***

**8. *Portable Sidewalk Signs:***

- a. *The sign structure shall not exceed 4 feet in height and 9 square feet in area.*
- b. *The sign copy shall not exceed 4.5 square feet in area.*
- c. *One sign per storefront is permitted. Additional signs may be used for shopping center event signs provided the total number of signs in a shopping center does not exceed one per storefront.*
- d. *Storefront signs shall only be displayed during business hours and shall be removed at any time the business is not open.*
- e. *The sign shall not interfere with any pedestrian area or block necessary sight lines for pedestrians or vehicles. Under no circumstances shall a sign cause the sidewalk to be less than 4 feet in usable width.*
- f. *Sign shall be of sufficient weight or design to prevent its movement in the wind.*
- g. *Changeable copy on the sign shall be permitted provided the sign is designed to accommodate changeable copy (for example, chalk board signs). Changeable copy signs using individual plastic letters are generally discouraged.*
- h. *The sign structure shall be metal or wood. Plastic A-frame signs are not permitted.*

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.



**F. PC-04-2012: Recommendation to Appoint Vice Chair for One Year Term**

Commissioner Franzese said that he would volunteer to continue to serve as the Vice Chair. He noted that during the last year he did not need to act as Chair as Chairman Trzupsek did not miss any meetings.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Bolos to recommend that the Board of Trustees appoint Commissioner Guy Franzese as Vice Chairman of the Plan Commission for a one year term ending on June 9, 2013. The **MOTION CARRIED** by a unanimous voice vote of the Commission.

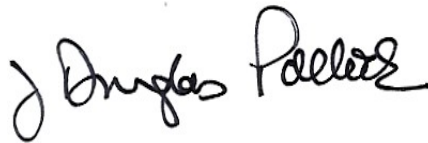
**6. FUTURE SCHEDULED MEETINGS**

Chairman Trzupsek noted that the next meeting is scheduled for August 6, 2012 and that due to the Board room remodeling, it will likely be held at the Police Station.

**7. ADJOURNMENT**

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Bolos to **ADJOURN** the meeting at 8:55 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:55 p.m.

Respectfully Submitted:



---

J. Douglas Pollock, AICP

August 6, 2012