

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

DECEMBER 3, 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 Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois, by Chairman Trzupsek.

ROLL CALL was noted as follows:

PRESENT: 6 – Cronin, Franzese, Bolos, Stratis, Grunsten, and Trzupsek

ABSENT: 0 - None

Also present was Community Development Director Doug Pollock.

2. APPROVAL OF PRIOR MEETING MINUTES

Commissioner Franzese noted that on page 6 the minutes should reflect that his motion to recommend approval of the Chase Bank special use should state that the four parking spaces to be removed will be land banked. Mr. Pollock said he would make that change.

A **MOTION** was made by Commissioner Bolos and **SECONDED** by Commissioner Cronin to approve minutes of the November 19, 2012 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Bolos, Cronin, Franzese, Grunsten, Stratis, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

3. PUBLIC HEARINGS

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

A. V-05-2012: 15W241 81st Street (Paulan); Variation

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

Mr. Pollock summarized the hearing as follows: The petitioner requests a variation from the Zoning Ordinance to permit an addition to a house with a rear yard setback of 54 feet rather than the required 60 feet. The petitioner recently purchased the home and plans to

remodel the home and construct an addition. The home is currently built at the rear yard setback and the addition would encroach up to six feet into the required rear yard setback.

Chairman Trzupke asked the petitioner for their presentation.

Mr. Ken Paulan said that he currently lives in Burr Ridge on Walredon Avenue. He said he wants to make the home more suitable for large family gatherings by constructing an addition onto the side and rear of the house. He said the intent is to preserve the existing topography of the site and the existing trees. He said he would like to keep the property in its current condition but the floor area of the home is too small for a 2.5 acre property. He said if the addition does not work, the house would likely be torn down and a new home constructed in the middle of the property with a disruption of the topography and the trees. Mr. Paulan presented photographs of the property and a revised site plan showing a slightly different addition with a 6 foot variation rather than a 5 foot variation with a fireplace encroachment.

There being no one else in the audience to speak to this matter, Chairman Trzupke asked for questions and comments from the Plan Commission.

Commissioner Cronin asked about the existing setback and what is behind the property. Mr. Paulan said that the proposed addition would be 54 feet from the rear lot line, that there is a house on the adjacent property to the rear, and that the separation between his addition and this existing house would be more than 100 feet.

Mr. Paulan said that to meet the setback, he would have to reduce the size of the addition to a 17 foot deep room which would be too narrow.

Commissioner Cronin noted that the problem is the hallway and the added depth from the hallway. Mr. Paulan agreed but said that the hallway is critical to the floor plan. He said without the hallway, the master bedroom and the garage would open directly into the family room.

Commissioner Franzese asked about the existing floor area. Mr. Paulan said that the existing house is about 2,800 square feet and the addition would make the house almost 5,000 square feet. Mr. Paulan said that without the setback variation, the addition would be too narrow for functional use.

In response to Commissioner Bolos, Mr. Paulan said that the variation and the addition would have no impact on drainage and that one of the reasons for the variation was to avoid an existing swale in the property.

Commissioner Bolos said she thought the addition and the variation would not do any harm but she was concerned about precedent.

Mr. Pollock said that all variation requests should be judged on whether there is something unique about a property and that if the variation is based on unique conditions of the property, there would not be a precedent.

Commissioner Stratis said that he thinks the property is unique due to its size, topography, and trees. He asked if staff heard from the neighbors adjacent to the rear lot line. Mr. Pollock said they called and asked questions but did not express any objection.

Commissioner Grunsten agreed with Commissioner Stratis.

Chairman Trzupsek said he agrees as well and believes the topography is unique and justifies the variation.

Mr. Paulan said the property is unusual due to the topography. He said the previous owner chose to build the home at the back of the property to preserve the ravine that runs through the middle of the property. He said that it makes sense to preserve this original intent.

Commissioner Cronin said he agrees but is challenged to find a hardship.

In response to Commissioner Franzese, Mr. Pollock said the required rear yard setback for the property adjacent to the rear lot line is 50 feet.

There being no more questions or comments from the other Commissioners or from the petitioner, Chairman Trzupsek asked for a motion to close the hearing.

A MOTION was made by Commissioner Bolos and SECONDED by Commissioner Stratis to close the hearing for V-05-2012.

ROLL CALL VOTE was as follows:

AYES: 6 – Bolos, Stratis, Cronin, Franzese, Grunsten, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

Commissioner Stratis stated that he would prefer that the variation be limited as much as possible and, therefore, would prefer the original plan with a maximum five foot encroachment which included the fireplace.

Chairman Trzupsek agreed and said that some of the hardship is self-imposed and he would support the original plan.

In response to Commissioner Bolos, Mr. Paulan said that he would prefer the revised plan with the six foot encroachment. He said the original plan was quickly drawn by the architect to meet the filing deadline. He said he did not want to place the fireplace on the south wall because he wanted to preserve the view of the rear yard.

As a compromise, Chairman Trzupsek suggested that the variation be for a uniform 5 foot encroachment which would be less than the revised plan but more than the original plan. Mr. Paulan said he appreciates that and agreed.

A MOTION was made by Commissioner Bolos and SECONDED by Commissioner Franzese to accept the findings of fact as prepared by the petitioner and to recommend to the Board of Trustees approval of V-05-2012 subject to the variation being limited to a maximum encroachment into the rear yard setback of 5 feet in an approximate configuration as shown on the revised plan dated December 1, 2012.

ROLL CALL VOTE was as follows:

AYES: 6 – Bolos, Franzese, Cronin, Stratis, Grunsten, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

4. CORRESPONDENCE

There was no discussion regarding the correspondence.

5. OTHER CONSIDERATIONS

A. PC-08-2012; Fallingwater Homeowners Association; Conditional Fence Approval for a Subdivision Fence

Chairman Trzupek asked Mr. Pollock to describe this request.

Mr. Pollock described the request as follows: The Fallingwater Homeowners Association is requesting approval of a subdivision fence. All subdivision fences require review by the Plan Commission and approval by the Board of Trustees. The proposed fence is located on Fallingwater Drive East adjacent to Citizens Park. It is within an outlot owned by the Homeowners Association. Its purpose is to prevent foot traffic between the public park and the private gated subdivision. The fence would extend approximately 300 feet. It is an aluminum fence and would be 6 feet tall.

Mr. Pollock added: subdivision fences are only allowed where subdivision lots abut arterial streets. However, subdivision fences have been historically approved for all perimeter lot lines within the gated subdivisions in Burr Ridge. Subdivision fences are limited to six feet in height, are required to be masonry, wrought iron or similar materials, and must be at least 50% open. The proposed fence complies with these requirements.

Chairman Trzupek asked for comments from the applicant.

Ms. Jean Cary said that she is the property manager for the Fallingwater Homeowners Association. She said she is available to answer questions.

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

Chairman Trzupek asked why they wanted the fence. Ms. Cary said that kids from the park come into the subdivision and it has caused problems for the residents.

Commissioner Grunsten said she understands the impact of the park and the need for a fence.

Commissioner Stratis asked if the lot on which the fence is to be located is owned by the Association and if the lot to the east is fenced. Ms. Cary said that the lot is owned by the Association and the lot to the east is not fenced. She said that fence ends at a creek and wooded area where it is more difficult for people to walk through.

In response to Commissioner Bolos, Ms. Cary said there would be no gate in the fence.

Commissioner Franzese asked if there is a fence on the east side of the park and confirmed that the fence is aluminum. Ms. Cary also said that the Association has authorized the property owner to the east of the park to construct fence but they have declined.

Commissioner Cronin confirmed that the fence stops at a creek at its east end.

Chairman Trzupek asked about the Subdivision Ordinance requirement that a fence be at the perimeter of a subdivision on an arterial street. Mr. Pollock said that for gated subdivisions, the Village has allowed fencing in other locations besides adjacent to a street.

There being no further questions, Chairman Trzupek asked for a motion.

A MOTION was made by Commissioner Franzese and **SECONDED** by Commissioner Bolos to recommend that the Board of Trustees approve the conditional fence as requested by PC-08-2012 subject to the following conditions:

1. Compliance with the submitted fence plans including the location of the fence, the aluminum materials and the height of the fence;
2. Maintenance of the fence by the homeowners association.

ROLL CALL VOTE was as follows:

AYES: 6 – Franzese, Bolos, Cronin, Stratis, Grunsten, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

FUTURE SCHEDULED MEETINGS

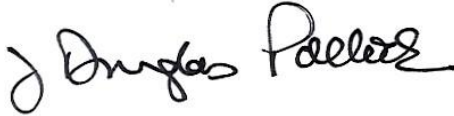
Chairman Trzupek noted that there were no public hearings or other business scheduled for December 17, 2012.

A MOTION was made by Commissioner Grunsten and **SECONDED** by Commissioner Bolos to cancel the December 17, 2012 meeting. The MOTION was approved by a unanimous voice vote.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Franzese and **SECONDED** by Commissioner Bolos to **ADJOURN** the meeting at 08:20 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:20 p.m.

Respectfully Submitted:



J. Douglas Pollock, AICP

February 18, 2013