

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF
NOVEMBER 20, 2017

I. 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 Vice Chair Broline.

ROLL CALL was noted as follows:

PRESENT: 5 – Stratis, Hoch, Scott, Praxmarer, and Broline

ABSENT: 2 – Grunsten, Trzupsek

Staff present were Village Administrator Doug Pollock and Assistant to the Village Administrator Evan Walter.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to approve the minutes of the November 6, 2017 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 4 – Stratis, Hoch, Praxmarer, Broline

NAYS: 0 – None

ABSTAIN: 1 – Scott

MOTION CARRIED by a vote of 4-0.

III. PUBLIC HEARINGS

Vice Chair Broline confirmed all those wishing to speak during the public hearings on the agenda for tonight's meeting.

Z-15-2017: 15W110 83rd Street and 8200 County Line Road (Olguin): Re-Zoning and Findings of Fact

As directed by Vice Chairman Broline, Mr. Walter described this request as follows: the petitioner is James Olguin, who is representing the property owner, and is requesting re-zoning for five contiguous parcels at the northwest corner of County Line Road and 83rd Street. The parcels are currently zoned R-2 Residential; the property owner is requesting that they be re-zoned to R-2B Residential. Lots zoned as R-2 Residential must have a minimum size of 2 acres, while lots zoned as R-2B Residential must have a minimum size of 30,000 square feet. The parcels currently have a total of four single-family residential homes. The petitioner intends to re-configure the parcels for the construction of one additional home. The lots in the new configuration will be in full compliance with the R-2B District and the Village Attorney has determined that the proposed reconfiguration is exempt from the Illinois Plat Act and, thus, the Burr Ridge Subdivision

Ordinance. However, the reconfiguration is subject to the proposed rezoning as some of the lots will be less than 2 acres (but more than the R-2B 30,000 square foot minimum).

James Olguin, petitioner, said that the goals of the property owner were to reconfigure the lot lines on the larger property to create one large property and several smaller properties fronting 83rd Street.

Dawn Kluchenek, 15W140 83rd Street, said that while she lives next to the subject property, she did not receive a notice for the public hearing. She asked about what the re-zoning meant for potential new buildings. Mr. Olguin said that one house would be built on the larger lot that would be created with the re-zoning and that no additional utilities would be necessary.

Joseph McLaughlin, 8565 Heather Drive, said he owned the property to the north of the petitioner's property that was zoned R-2. Mr. McLaughlin said he did not have a problem with the petitioner's desire to build a large estate home on his reconfigured property but did not want the parcels abutting his land to be re-zoned to R-2B.

Commissioner Scott asked what would become of the existing homes on the subject property. Mr. Olguin stated that several homes would eventually be torn down and new homes would be built at a later time that would be occupied by relatives of the property owner.

Commissioner Hoch asked if there was any way for the petitioner to accomplish their plan without any re-zoning. Mr. Olguin said they were planning to add an additional home on the property, but the lot closest to the corner of 83rd Street and County Line Road may be subdivided again at a later time.

Commissioner Stratis asked if the existing lots were all conforming. Mr. Walter confirmed that they were presently conforming with the R-2 District. Commissioner Stratis asked about the reasons for the request to re-zone. Mr. Olguin said that it was the petitioner's belief that the market was seeking denser zoning but that the subdivided lots on 83rd Street would be well over an acre in size.

Mr. Pollock suggested that an alternative could be to re-zone only the new lots created from the re-configuration fronting 83rd Street to R-2B while leaving the rest of the larger property as R-2 District.

Dr. Anton Fakhouri, 15W110 83rd Street, said he is seeking the re-zoning to build a large estate home on the property as well as create four lots for his children to be able to live at in the future. He said that his intention was not to sell the land but to live on it, and that the solution offered by Mr. Pollock was acceptable.

Commissioner Stratis said that he felt that re-zoning the entire property to R-2B Residential was inappropriate, and felt that large lots should be preserved by zoning wherever possible.

Commissioner Hoch agreed with Commissioner Stratis and said that larger lots should be preserved as they are essential to the character with Burr Ridge. She said that she would support the alternative proposed by staff if it helped the petitioner accomplish their goals.

Commissioner Praxmarer asked if the large home on County Line Road was to be removed. Dr. Fakhouri said that they planned to retain the house and have family live on the premises.

Commissioner Scott said he supported the alternative solution offered by Mr. Pollock as it maintained the zoning for larger lots on the most area possible while still allowing the petitioner to accomplish his goal.

Vice Chair Broline said he favored re-zoning the entire property R-2B as he felt it was consistent with the neighboring properties and the Comprehensive Plan. Commissioner Stratis felt R-2 should be considered as the appropriate zoning for the area, and pointed to several nearby R-2 Districts that were near the subject property.

At 8:51 p.m. a **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Praxmarer to close the public hearing.

ROLL CALL VOTE was as follows:

AYES: 5 – Stratis, Praxmarer, Hoch, Scott, and Broline

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to adopt the petitioner's findings of fact and recommend that the Board of Trustees approve a request for re-zoning from R-2 Single Family Residential to R-2B Single Family Residential on the proposed lots abutting 83rd Street south of the new larger lot to be created upon reconfiguration.

ROLL CALL VOTE was as follows:

AYES: 5 – Scott, Praxmarer, Stratis, Hoch, and Broline

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

V. OTHER CONSIDERATIONS

V-03-2017: 9S155 Madison Street (Piska); Variations and Findings of Fact; remanded from the Board of Trustees

As directed by Vice Chairman Broline, Mr. Walter described this request as follows: this petition was remanded to the Plan Commission at the request of the petitioner, who initially had a public hearing before the Plan Commission on November 6. The petitioner is Iwona Piska, property owner of 9S155 Madison Street. The petitioner requests a variation from Section IV.J of the Burr Ridge Zoning Ordinance to permit a fence that is less than 50 percent open.

Iwona Piska, 9S155 Madison Street, said that the revised petition was to obtain a solid fence on the southern property line of her lot to act as a barrier between her property and a business located across the street, which usually operates 24 hours per day.

Commissioner Stratis said that he did not support the petitioner's request as it appeared to be made without any hardship.

Commissioner Praxmarer asked how long the 24-hour business had been located across the street. Mr. Walter said that businesses in manufacturing districts are permitted to be open 24 hours per day but they were not aware of how long they had been operating at that location.

Commissioner Scott asked if the neighbor who supported the variation was present. Mr. Walter said that staff had not met the neighbor nor were they present.

Vice Chair Broline asked if the neighbor could corroborate the statement of the lights being intrusive from across the street. Mr. Walter said that the letter did not contain such information.

Alice Krampits, 7515 Drew, asked where the solid fence would be constructed. Ms. Piska said that the fence would be a solid, privacy fence on the southern property line only.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Stratis to recommend that the Board of Trustees deny the request for a variation from Section IV.J of the Burr Ridge Zoning Ordinance to permit fence that is less than 50 percent open at 9S155 Madison Street.

ROLL CALL VOTE was as follows:

AYES: 5 – Hoch, Stratis, Praxmarer, Scott, and Broline

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

PC-08-2017: Discussion of Short-Term Rentals in Residential Districts

As directed by Vice Chairman Broline, Mr. Walter described this consideration as follows: the purpose of this discussion was to inform the Plan Commission of the presence of short-term home rentals within the Village of Burr Ridge and to see if the Plan Commission wished to amend the language in the Zoning Ordinance to specifically regulate the presence of short-term rentals. Mr. Walter explained that if amendments were desired, the Plan Commission should request permission to hold a public hearing from the Board of Trustees.

Commissioner Praxmarer asked what other communities have done to regulate short-term rentals. Mr. Walter provided several examples of different approaches that other communities have taken.

Commissioner Scott said that he wanted to see short-term rentals continue to be prohibited in residential districts and at residential uses. Mr. Walter said that short-term rentals are presently prohibited, but that staff wanted to make the Plan Commission aware of this issue in the event that they wanted to permit it in a manner that was acceptable.

After some discussion, it was the consensus of the Plan Commission that no amendments to the Zoning Ordinance were appropriate at this time.

PC-09-2017: Approval of 2018 Plan Commission Calendar

Mr. Walter requested that the Plan Commission approve the 2018 Meeting Calendar. No discussion was held on the matter.

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to approve the 2018 Meeting Calendar for the Plan Commission.

ROLL CALL VOTE was as follows:

AYES: 5 – Scott, Praxmarer, Hoch, Stratis, and Broline

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

VI. FUTURE SCHEDULED MEETINGS

1. December 4, 2017

- Z-16-2017: a re-zoning of property at 15W110 87th Street.

2. December 18, 2017

- Mr. Walter requested that the Plan Commission cancel the scheduled meeting on December 18, 2017 due to a lack of business.

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to cancel the December 18, 2017 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – Scott, Praxmarer, Hoch, Stratis, and Broline

NAYS: 0 – None

MOTION CARRIED by a vote of 5-0.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Hoch to **ADJOURN** the meeting at 9:13 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:13 p.m.

Respectfully

Submitted:

Evan Walter, Assistant to the Village Administrator