

**PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**VILLAGE OF BURR RIDGE**  
**MINUTES FOR REGULAR MEETING OF MAY 21, 2018**

**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 Police Station, 7700 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

**ROLL CALL** was noted as follows:

**PRESENT:** 5 – Praxmarer, Broline, Irwin, Hoch, and Trzupek

**ABSENT:** 0 – None

Staff present was 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 May 7, 2018 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 4 – Hoch, Praxmarer, Broline, and Trzupek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 4-0.

**III. PUBLIC HEARINGS**

Chairman Trzupek conducted the swearing in of all those wishing to speak during the public hearing on the agenda for the meeting.

**V-02-2018: 3 Morgan Court (Argyris); Variation and Findings of Fact**

As directed by Chairman Trzupek, Mr. Walter described this request as follows: the petitioner is George Argyris, property owner of 3 Morgan Court. The petitioner requests a variation from Section IV.J.1.a of the Burr Ridge Zoning Ordinance to permit a fence in excess of five feet tall. The petitioner is attempting to replace a fence around an existing pool. The Zoning Ordinance states that “fences in residential districts shall be not more than five feet in height measured from the ground level at the lowest grade level within five feet of either side of the fence”, while the 2012 International Pool and Spa Code (IPSC; which the Village has adopted) mandates that “all fences surrounding pools must be at least four feet in height”. A drainage easement is located in the rear yard of the property, in which the fence would be partially located. The grade surrounding the drainage easement is steep enough so that if the fence were built to a maximum height of five feet, it would be too short to comply with the IPSC when measured within five feet of the fence; thus, the petitioner requests a variation to permit a fence in excess of five feet tall.

Mr. Jain, 8920 Royal, inquired about the location of the fence, requesting that it be done in a manner that respects the neighborhood.

Elaine Milota, 8921 Royal Drive, requested that the fence be limited to metal greater than 50% open since it would be very visible from the passing traffic and neighborhood. Ms. Milota opposed allowing a wood fence in this area due to aesthetics as well as due to it being located in a drainage easement. Mr. Argyris said that he planned to install exactly such a fence anyway and had no problem with the request.

At 7:55 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Broline to close the public hearing.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Hoch, Broline, Irwin, Praxmarer, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to recommend that the Board of Trustees approve a fence variation to permit a fence taller than five feet at 3 Morgan Court, subject to the following conditions:

1. The fence height shall not exceed the necessary height required to comply with the International Pool and Spa Code's requirement of a 4-foot tall fence around a pool.
2. The fence shall be made of metal.
3. The dimensions of the fence shall be four inches of open space with slats not to exceed one-and-one-half-inches in width.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Hoch, Irwin, Broline, Praxmarer, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

**Z-12-2018: 11411 German Church Road (Green Park Construction); Re-Zoning and Findings of Fact**

**Z-13-2018: 8700 Buege Lane (Zdarsky); Re-Zoning upon Annexation and Findings of Fact**

As directed by Chairman Trzupsek, Mr. Walter described this request as follows: the report encompassed two separate petitions that were combined into a single report for ease of consideration. The petitioners for the subject properties at 11411 German Church Road (a.k.a. Malek property) and 8700 Buege Lane (a.k.a. Ruzicka property) are Green Park Construction, LLC, and Larry Zdarsky, respectively. The petitioners are requesting re-zoning for two parcels located on either side of Buege Lane at German Church Road. The parcel at 11411 German Church Road is currently zoned R-2B Residential; the property owner is requesting re-zoning to R-3 Residential. The parcel at 8700 Buege Lane is currently located within the Village of Willow Springs and is requesting re-zoning upon annexation to the R-3 Residential District. Lots zoned as R-2B Residential must be 30,000 square feet with a minimum width of 125', while lots zoned as R-3 Residential must be 20,000 square feet with a minimum width of 100'.

The petitioners' requests are filed as part of an intergovernmental agreement between the Village of Burr Ridge and the Village of Willow Springs, which has been approved by the Boards of both

municipalities. The agreement allows the property owners to petition the Village for re-zoning; if the re-zoning is approved, the annexations would be completed. The agreement contemplates transferring property from Burr Ridge to Willow Springs, and vice versa.

Dr. Rafeet Malek, 8512 Johnston Road, made a brief presentation on behalf of the petition Z-12-2018, describing the request as a re-zoning as part of an intergovernmental agreement.

Larry Zdarsky, 2632 Bern Court, made a brief presentation on behalf of the petition Z-13-2018, describing himself as a trustee of the property owner on Buege Lane. Mr. Zdarsky said that the property was located in Willow Springs and had already received approval for zoning and subdivision plat to build four, 20,000-square foot lots and homes in Willow Springs, and if Burr Ridge was able to annex their land as-is, they would do so.

Tom Jedlo, 8414 Pleasantview Avenue, provided history regarding development and engineering in the area. He primarily opposed the petitioner's requests on the grounds that they would create too much development and negatively impact the residents downstream.

Robert Bordak, 11500 German Church Road, said that he was concerned about density in the area, and that additional homes creates additional stormwater impact.

Bill Hough, 7 Buege Lane, said that his primary concern was the impact of development on the wetland that partially occupies his property. He sought assurances that any development would be correctly engineered and not create increased impact on his property.

Eric Hansen, 11 Buege Lane, supported the proposal based on the concept of orderly development occurring in the area. He noted that the petitioners will be responsible for managing the stormwater impact they create and was not worried about these issues.

Tom Riedehs, 11500 87<sup>th</sup> Street, supported the proposal based on the need to get the residents of Burr Ridge on Buege Lane commonly aligned with the ownership of the road, and felt that it would promote more coherent development.

Thomas Ames, 8417 Crescent Court, said that as a professional property appraiser, a lack of conformity on Buege Lane will negatively impact property values, which neither Village nor any resident desires, and supported the petition on the basis of promoting orderly development.

Commissioner Hoch said she was uncomfortable with the petitions for re-zoning at this time, stating that the Plan Commission had recently rejected a similar proposal by Dr. Malek.

Commissioner Broline asked how engineering would be managed by either property, considering the comments by several residents. Staff explained that the stormwater had already been approved by MWRD on the Z-13-2018 subject property but that a stormwater outlot would be created to manage the stormwater on the southern portion of the Z-12-2018 subject property.

Commissioner Praxmarer asked the petitioners what their plans were for the property. Mr. Zdarsky said he planned to sell land directly to buyers and build no homes himself, while Dr. Malek said he would be acting as a developer of the property.

Chairman Trzuppek asked staff is this consideration is purely a request for re-zoning, and that subdivision plats are not under consideration at the current time. Mr. Pollock confirmed this. Mr. Pollock said that the Z-13-2018 subject property had been granted several variations by Willow Springs and that there may be a need to consider those at a future public hearing, but advised the

Plan Commission to consider the request as if there was existing development on the property as occurs in many other petitions for annexation.

Commissioner Praxmarer asked about the setbacks of the subject properties. Mr. Walter provided these to the Plan Commission. Mr. Pollock said that it was against State law for conditions to be placed on the plat as part of an approval process.

The Plan Commission debated the merits of both petitions for several minutes.

At 9:40 p.m. a **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to close the public hearing.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Hoch, Praxmarer, Broline, Grunsten, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Praxmarer to recommend that the Board of Trustees approve a request to re-zone the subject property at 11411 German Church Road from R-2B to R-3 Residential.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Broline, Praxmarer, Hoch, Irwin, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Praxmarer to recommend that the Board of Trustees approve a request to re-zone the subject property at 8700 Buege Lane to R-3 Residential upon annexation.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Broline, Praxmarer, Hoch, Irwin, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

#### **IV. CORRESPONDENCE**

#### **V. OTHER CONSIDERATIONS**

##### **Consideration of Changing the Start Times of Plan Commission Meetings**

A **MOTION** was made by Commissioner Praxmarer and **SECONDED** by Commissioner Hoch to change the start of future Plan Commission meetings from 7:30pm to 7:00pm.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Praxmarer, Hoch, Broline, Irwin, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

## **VI. FUTURE SCHEDULED MEETINGS**

### **June 4, 2018**

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Praxmarer to cancel the June 4, 2018 regular meeting of the Plan Commission due to a lack of business.

**ROLL CALL VOTE** was as follows:

**AYES:** 5 – Hoch, Praxmarer, Broline, Irwin, and Trzupsek

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 5-0.

### **June 18, 2018**

**A. Z-14-2018: 50-326 Burr Ridge Parkway (Garber); PUD, Text Amendment, Special Uses, and Findings of Fact**

Requests special use approval pursuant to Section VIII.C.2.jj of the Burr Ridge Zoning Ordinance for a Planned Unit Development in a B-1 Business District.

**B. Z-15-2018: 15W455 79<sup>th</sup> Street (St. Mark Coptic Church); Special Use and Findings of Fact**

Requests special use approval pursuant to Section VI.H.2.1 of the Burr Ridge Zoning Ordinance to permit off-site commercial parking in a residential district.

**C. Z-16-2018: 16W231 South Frontage Road (Gain); Special Use and Findings of Fact**

Requests special use approval pursuant to Section X.F.2.a of the Burr Ridge Zoning Ordinance to permit an automobile service use in a G-I General Industrial District.

## **VII. ADJOURNMENT**

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to **ADJOURN** the meeting at 9:45 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 9:45 p.m.

**Respectfully**

**Submitted:**

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Evan Walter, Assistant to the Village Administrator