

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF FEBRUARY 18, 2019

I. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Village Hall, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

ROLL CALL was noted as follows:

PRESENT: 6 – Broline, Farrell, Hoch, Petrich, Stratis, and Trzupek

ABSENT: 2 – Praxmarer, Irwin

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

II. APPROVAL OF PRIOR MEETING MINUTES

Several edits to the draft minutes were suggested by Chairman Trzupek and Commissioner Petrich.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to approve the minutes of the January 21, 2019 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Petrich, Farrell, Broline, Stratis, and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

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-03-2019: 145 Tower Drive (De La Fuente); Variation and Findings of Fact

As directed by Chairman Trzupek, Mr. Walter described the request as follows: the petitioner is Ismael De La Fuente, representative of Creative Imports at 145 Tower Drive. The petitioner requests a variation from Section IV.I.36 of the Burr Ridge Zoning Ordinance to permit a dumpster without a trash enclosure on an annual, seasonal basis at the subject property. The petitioner states that the company requesting the variation is a clothing business, and requires additional trash capacity due to the business' busy season from January to March, with the majority of the waste generated being cardboard and packing material from clothing shipments. The dumpster would be placed on a below-grade loading ramp connected to the business' warehouse and would not block vehicular access at its potential location. The subject property is located directly to the south of Carriage Way subdivision, with the dumpster proposed to be located approximately 300 feet from the nearest residential unit. Three total businesses in the vicinity of the subject property objected to the petitioner's request.

Ismael De La Fuente, 145 Tower Drive, explained the business' needs and the purpose of the dumpster, stating that they were currently at their maximum capacity for the size of their dumpsters but also in the amount of times that their waste hauler would pick up their refuse.

Commissioner Hoch asked if the trash could be stored indoors. Mr. De La Fuente said that the amount of space indoors compared to the amount of trash generated by the business made indoor storage unsafe and unrealistic. Commissioner Hoch said she was unable to support an open dumpster on the site.

Commissioner Petrich said he was unable to support the request due to the visibility of the additional dumpster.

Commissioner Broline asked how this matter came to be before the Plan Commission. Mr. De La Fuente said that he contacted the Village to determine if the dumpster was permitted in the first place. Commissioner Broline asked if the company could operate safely without the dumpster. Mr. De La Fuente said the four smaller dumpsters on site can handle eight yards of waste, while the business generated 45 yards of waste, both weekly.

Commissioner Farrell said that she felt that there was no hardship related to the request and suggested either another provider or an alternate method of trash disposal.

Commissioner Stratis asked if the petitioner rented or owned their space. Mr. De La Fuente said that they owned their space. Commissioner Stratis asked how the tenants in the building were designated space for trash disposal. Mr. De La Fuente said that there was no set allocation for trash access, and that the parking lot was a designated common area.

Commissioner Hoch asked if the business could use a garbage compactor or shredder. Mr. De La Fuente said that the building was not large enough for a compactor, while Mr. Walter said that a shredder was worrisome in terms of the noise it would generate so close to a residential area.

Chairman Trzupsek asked if the dumpster observed on an aerial photo was enclosed. Mr. De La Fuente said that it was. Chairman Trzupsek asked if there was any option to contribute to an expansion to a shared dumpster. Mr. De La Fuente said that such an option was likely not feasible but would explore the option. Chairman Trzupsek said he could not support the petition.

Mr. Walter said that based on feedback from the Plan Commission, he requested that the petitioner withdraw the motion to be able to solve the problem offline. Mr. De La Fuente agreed, and withdrew the petition.

Z-26-2018: Zoning Ordinance Amendments; Text Amendments and Findings of Fact; continued from November 19, 2018 and January 21, 2019

As directed by Chairman Trzupsek, Mr. Walter said that staff had proposed the following items with feedback received:

- The total horizontal lot coverage of the first accessory buildings was proposed to be set at 3 or 5 percent and the second at 1 or 2 percent (a total of 4 or 7 percent). Each lot would be permitted to have two accessory buildings regardless of size. The Plan Commission generally agreed that the size of the lot rather than zoning was a more appropriate method to determine the permitted size of accessory buildings, but no consensus was reached regarding the proper ratio level.
- The permitted size and setbacks of accessory buildings would be based on the size of the lot and the proposed accessory building. Interior side and rear yard setbacks were based on a 1%

accessory building size-to-setback ratio, with both having a minimum setback of 10' regardless of lot or accessory building size. The Plan Commission generally agreed that the proposed setback revisions were appropriate.

- The Plan Commission generally agreed that accessory buildings should be limited to a maximum size of 6,000 square feet regardless of lot size.
- Amending the permitted height of larger accessory buildings was not desired.
- A Plan Commissioner proposed allowing property owners the ability to access the sum of their permitted accessory building sizes instead of segregating across two buildings. Additional analysis has been provided and will be discussed later in this report (Exhibit B).
- Additional analysis of recently issued permits was desired to determine what sizes of accessory buildings were being constructed across the Village. Additional analysis has been provided and will be discussed later in this report (Exhibit A).

Mr. Walter said that the following regulations are proposed to remain in place unchanged:

- The combined horizontal area of all accessory buildings, structures, and uses shall not exceed 30 percent of the area to the rear of the principal building.
- The combined horizontal area of all accessory buildings shall not exceed 60% of the horizontal floor area of the principal building.
- Accessory buildings shall be separated by at least 10 feet from the principal building and from all other accessory buildings on a lot.

Mr. Walter then provided additional analysis to the Plan Commission based on previous requests for information. Mr. Walter then asked the Plan Commission the following questions, requesting direction on each:

- Does the Plan Commission wish to have a ratio-based method of determining the permitted size of accessory buildings for all lots in the Village?
- Are reductions in accessory building sizes on any lots desired?
- Does the Plan Commission wish to address the issue of building size only on large lots while incorporating other amendments, such as setback requirements? If so, what is the definition of a large lot?

At this time, Chairman Trzupsek asked for public comment.

Mark Thoma, 7515 Drew, provided a handout to the Plan Commission documenting that while the Zoning Ordinance provides for a maximum square footage in terms of a raw value, buildings are also limited by floor area ratio. Mr. Thoma said that he felt that the Zoning Ordinance was appropriate as is. Mr. Thoma asked about a scenario in which a property owner built an accessory building based on a 5-acre lot size, but then subdivided the lot, causing the accessory building to become too large based on the newly-sized lot. Mr. Pollock said that all accessory buildings are considered as part of the Village's subdivision review process, and if non-conformities were discovered during said process, they would need to be reduced or eliminated in full to comply. Mr. Thoma said that the Village should consider calculating the lot size based on buildable area rather than on the entire lot size, taking into account flood and wet plains. Commissioner Stratis said he opposed this concept as it was too difficult to memorialize.

Alice Krampits, 7515 Drew, said that wholesale revisions were not appropriate, as well as said that density remained a primary issue within the Village.

Chairman Trzupsek said he did not support the concept of a fully ratio-based method for determining the appropriate size of accessory buildings but felt that he could support ratios being one factor.

Commissioner Farrell said that she supported the concept of larger lots having larger accessory buildings, especially considering that a property owner was permitted by right to have horses but not allow them to care for said horses by right. Commissioner Farrell said that she continued to support allowing property owners to combine the maximum amount of square footage if desired.

Commissioner Broline asked why staff proposed limiting properties to two accessory buildings. Mr. Walter said that almost all lots in the Village are currently limited to two accessory buildings except for properties over 5 acres in size.

Commissioner Petrich said he supported keeping the Zoning Ordinance as-is, except for allowing those with large lots to have larger accessory buildings, factoring in for additional setback requirements.

Commissioner Hoch said she would support allowing increases in accessory building sizes for larger lots.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to continue the public hearing to March 4, 2019.

ROLL CALL VOTE was as follows:

AYES: 6 – Hoch, Petrich, Broline, Farrell, Stratis, and Trzupsek

NAYS: 0 – None

MOTION CARRIED by a vote of 6-0.

IV. CORRESPONDENCE

V. OTHER CONSIDERATIONS

VI. PUBLIC COMMENT

VII. FUTURE SCHEDULED MEETINGS

March 4, 2019

V-05-2019: 15W455 79th Street (St. Mark Coptic Church); Variation and Findings of Fact

- Requests a dumpster located in the front yard of a non-residential property in lieu of adjacent to the rear wall of the principal building as required by the Zoning Ordinance.

March 18, 2019

V-06-2019: 7875 Wolf Road (Mihailovic); Variation and Findings of Fact

- Requests a variation from Section VI.D.7 of the Burr Ridge Zoning Ordinance to permit a front yard setback of 40 feet rather than the permitted 50 feet to accommodate a new single-family residential home in the R-2A Residential District.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Farrell and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 8:40 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:40 p.m.

**Respectfully
Submitted:**

EVAN B WALTER

Evan Walter, Assistant to the Village Administrator