

PLAN COMMISSION/ZONING BOARD OF APPEALS
VILLAGE OF BURR RIDGE
MINUTES FOR REGULAR MEETING OF MARCH 15, 2021

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.

Chairman Trzupek read aloud the following statement:

“As Chairman of the Village of Burr Ridge Plan Commission and Zoning Board of Appeals, I am advising you that I hereby declare that conducting an in-person meeting of the Burr Ridge Plan Commission/Zoning Board of Appeals on March 15, 2021 is neither practical nor prudent due to Governor Pritzker’s May 29, 2020 Declaration of a State of Emergency caused by the COVID-19 pandemic.”

ROLL CALL was noted as follows:

PRESENT: 8 – Broline, Petrich, Hoch, Irwin, Stratis, Farrell, Parella, and Trzupek

ABSENT: 0 – None

Village Planner Doug Pollock was also present.

II. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Broline to approve the minutes of the December 21, 2020 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 7 – Irwin, Broline, Hoch, Petrich, Farrell, Stratis and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

III. PUBLIC HEARINGS

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

Z-02-2021: Zoning Ordinance Text Amendment – Section IV.J.1 (Angelov); Permitted Location of Fences

Chairman Trzupsek asked for a summary of the petition. Mr. Pollock said that the petitioner is a resident who resides in the Oak Hill Subdivision on 95th Place. The resident desires to enclose his side and rear yard with a fence. The Zoning Ordinance does not permit a fence in the side yard. The petitioner is not seeking any other changes to the fence regulations other than the permitted location.

Chairman Trzupsek asked the petitioner for further comment.

Mr. Dimitri Angelov stated that he has windows and his garage on the side of his house and for security reasons, he would like to enclose the side yard. He said he does not want to extend the fence to the front yard.

Chairman Trzupsek asked for public comments.

Ms. Ellen Raymond stated that she does not want to see a change in the Ordinance that would allow side yard fences. She said it would change the character of the Village. She suggested that if this amendment proceeds, that more residents should be notified.

Mr. Angelov stated that he has video of children in the area trespassing on this property.

Ms. Alice Krampits stated that she has issues with the visual appearance of side yard fences and does not want the code to be changed to allow side yard fences. She said the current code has served the Village well. She suggested that plants could provide the separation some residents may want for their side yards.

Mr. Mark Thoma stated that he also objects to the proposed amendment.

Chairman Trzupsek asked for comments and questions from the Commissioners.

Commissioner Hoch stated that she is not in favor of the amendment. She said that the current regulations are appropriate for Burr Ridge.

Commissioner Irwin concurred with Commissioner Hoch. He said also that the petitioner failed to complete the findings of fact to support his petition.

Commissioner Parella suggested that there should be no change in the current regulations limiting fences to rear yards.

Commissioner Broline said that he thinks the amendment is too far beyond the current code and he does not support the amendment.

Commissioner Petrich added that he also opposes the amendment but is open to a hearing on the particular property that is owned by the petitioner.

Commissioner Farrell agreed with the other Commissioners except that she does not think the petitioner could meet the standards for a variation.

Commissioner Stratis said he agrees with the other Commissioners and also agrees that a variation would likely not be justified.

Chairman Trzupek agreed and added that a variation would not be likely.

There being no further comments, Chairman Trzupek asked for a motion to close the public hearing.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Hoch to close the public hearing for Z-02-2021.

ROLL CALL VOTE was as follows:

AYES: 7 – Broline, Hoch, Stratis, Irwin, Farrell, Petrich, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Broline and **SECONDED** by Commissioner Irwin to recommend that the Board of Trustees deny Z-02-2021. **ROLL CALL VOTE** was as follows:

AYES: 7 – Broline, Irwin, Stratis, Petrich, Hoch, Farrell, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

Z-03-2021: 78-80 Burr Ridge Parkway (Manderscheid); Special Use and Parking Variation

Chairman Trzupek asked for a summary of the petition. Mr. Pollock said that the petitioner operates a restaurant in the County Line Square Shopping Center and is requesting zoning approval to expand the restaurant into an adjoining tenant space. The current restaurant occupies approximately 3,000 square feet at 78 Burr Ridge Parkway. They are seeking to incorporate the 1,100 square feet of floor space at 80 Burr Ridge Parkway into their restaurant.

Mr. Pollock added that in order to expand the restaurant, special use approval is needed for a restaurant that serves alcoholic beverages and a parking variation is required as the shopping center does not have sufficient parking. Mr. Pollock referred to the staff report for more details regarding the parking and also referenced a table provided by staff that shows the hours of operation for each business in County Line Square, the required parking for each business. He said the table shows that based on the varying hours of operation there is always sufficient parking relative to the code requirement.

Chairman Trzupek asked the petitioner for further comment.

Mr. John Manderscheid said that the restaurant is open for breakfast and lunch, and he does not see that changing. He said they would serve alcoholic beverages on Saturdays and Sunday only.

Chairman Trzupke asked for public comments.

Ms. Alice Krampits asked about employee parking and asked when the busiest time is for the restaurant. Mr. Manderscheid said that employees are required to park in the back and that the busiest time is from 10 AM to 12 Noon.

Ms. Ellen Raymond said that she appreciates this business and is glad to see it doing well.

Chairman Trzupke asked for comments and questions from the Commissioners.

Commissioner Stratis said he has historically opposed parking variations in County Line Square but that this case is different because the restaurant is at the west end where parking is more available and based on the limited hours of operation for the restaurant.

Commissioner Farrell agreed with Commissioner Stratis and said she agrees that the hours of operation should be limited.

Commissioner Petrich asked if liquor could be served on Sunday mornings. Mr. Pollock said he was not sure, but the liquor license would address specific hours for serving of liquor.

Commissioner Broline said he has no problem with the parking variation based on the table provided by staff.

Commissioners Parella and Irwin both said they had no further comments.

Commissioner Hoch asked about the tent for the Capri restaurant and asked when that would end. Mr. Pollock said he was unsure but would find out.

Chairman Trzupke agreed with the other Commissioners.

There being no further comments, Chairman Trzupke asked for a motion to close the hearing.

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Irwin to close the public hearing for Z-03-2021.

ROLL CALL VOTE was as follows:

AYES: 7 – Hoch, Irwin, Broline, Stratis, Farrell, Petrich, and Trzupke

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Broline to recommend that the Board of Trustees approve Z-03-2021 subject to the following conditions:

1. The special use shall be limited to John Manderscheid and shall be null and void should Mr. Manderscheid no longer have ownership interest in the restaurant.
2. Hours of operation for the restaurant shall not exceed 6 AM to 2:30 PM.

ROLL CALL VOTE was as follows:

AYES: 7 – Stratis, Broline, Irwin, Petrich, Hoch, Farrell, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

IV. CORRESPONDENCE

There were no comments regarding the Board Report.

V. OTHER PETITIONS

There were no other Petitions on the agenda.

VI. PUBLIC COMMENT

There were no further public comments.

VII. FUTURE MEETINGS

Mr. Pollock said that there was no meeting scheduled for April 5 and that there was one hearing scheduled for April 19, 2021.

VII. ADJOURNMENT

A **MOTION** was made by Commissioner Hoch and **SECONDED** by Commissioner Petrich to adjourn the meeting at 7:58 pm.

ROLL CALL VOTE was as follows:

AYES: 8 – Hoch, Petrich, Farrell, Broline, Irwin, Stratis, Parella, and Trzupek
NAYS: 0 – None

MOTION CARRIED by a vote of 8-0.

Respectfully Submitted:

Doug Pollock, Planner