

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF MAY 16, 2022**

**I. ROLL CALL**

The meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:00 p.m. at the Burr Ridge Police Department Training Room, 7700 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

**ROLL CALL** was noted as follows:

**PRESENT:** 7 – Petrich, Broline, Stratis, Morton, Parrella, McCollian, and Trzupek  
**ABSENT:** 1 - Irwin

Community Development Director Janine Farrell was also present.

**II. APPROVAL OF PRIOR MEETING MINUTES – MAY 2, 2022**

Commissioner Petrich corrected that Commissioner Morton was the individual who requested additional information be added about ADA and noise on page three of the minutes.

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Morton to approve the minutes of the May 2, 2022 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Petrich, Morton, Stratis, Broline, Trzupek, Parrella and McCollian  
**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. By a show of hands, Chairman Trzupek confirmed that the majority of the public present wished to comment on Z-15-2022. The Commission consented to amending the agenda to allow for that case to be presented first.

**Z-15-2022: 7950 Drew Avenue (Perino/Jarper Properties LLC); Special Use, PUD Amendment and Findings of Fact**

Request to consider a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18 in accordance with Section XIII of the Zoning Ordinance.

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that the petitioner is Tony Perino of Jarper Properties LLC. The property is zoned R-3 and was approved for a PUD

on September 10, 2018 in order to construct eight homes on 8.87 acres. The development was called the Cottages of Drew. As part of the approval, the petitioner was required to come back to the Commission and Village Board for final approval of engineering plans, landscaping plans, and building elevations. As the petitioner was developing these documents, the petitioner amended the plans to allow for three-car garages on six of the eight homes. This increase in garages resulted in a reduction of open space. The petitioner provided four building elevations, landscaping plans, final engineering plans, and the Final Plat of Subdivision. Mrs. Farrell noted decks and patios on the site plan extending beyond the limits of the residential lots. Staff recommends adding a condition to include deck/patio easements on the Final Plat of Subdivision, similar to the Savoy Club. This would allow the encroachment into the open space up to 12 ft. extending from the rear of the house. For the landscaping plans, a condition in 2018 required additional landscaping along the west side of the property which was provided on the updated 2022 plans. Staff had five recommendations for conditions should the Commission recommend approval.

Chairman Trzupsek confirmed the request before the Commission and reason for the public hearing was a major change to a PUD due to the increase in the garage space which resulted in a reduction of the open space. The petitioner is also requesting approval of the final engineering plans, landscaping plans, and building elevations.

Nick Patera, on behalf of the petitioner, did not have any additions to the presentation. Mr. Patera noted the site plan comparison from 2018 to 2022 and that there were only minor differences between the two. There are three car garages proposed for only six of the eight homes.

Chairman Trzupsek disclosed that his firm has worked with Mr. Patera's firm in the past but not on this project.

Robert Ferro, 7933 Hamilton, expressed concern about the pond to the west. Mr. Patera clarified it was a pre-treatment settlement basin or dry area. Mr. Ferro asked how much separation is provided to the west or if an easement is present. Mr. Ferro wanted to ensure that there was no change to the western side. Mr. Patera stated that just the structures shifted on the west, there were no other changes from 2018. Mr. Patera confirmed that there are trees proposed along the western side.

Mark Thoma, 7515 Drew, stated that although it is only a 0.94% decrease in open space, the developed area is only 2.7 acres which is substantial decrease for the small area. Mr. Thoma was concerned about the small spaces between the homes and the driveways and that 2/3 of the house is garage door which ruins the aesthetics. Mr. Thoma stated that the homes do not have side-loaded garages or a variety of styles.

Scott McGuire, 120 79<sup>th</sup> Street, was concerned about the existing flooding in the area and how the reduction in open space would further impact the flooding. Mr. McGuire asked if there would be any mitigation or other measures to address the issues. Mr. Patera confirmed that the stormwater detention was designed for over compensation by 20% and patios were always part of the original plans. Mr. Patera stated that they are aware of what is occurring in the area and that this over compensation should improve the issues.

Chairman Trzupsek asked about the detention ponds. Mr. Patera stated that there is one existing pond, but there is an additional pond to the east and a pre-treatment basin to the west. Chairman Trzupsek and Commissioner Stratis clarified with Mr. Patera that the wetland area will not be dredged or expanded, but the other two areas will overflow into the area.

Joanne Palmisano, 15W230 79<sup>th</sup> Street, stated that there are holes in the front yards along 79<sup>th</sup> Street and that the Village Engineer at the time promised that the home to her west would not cause drainage issues but that her property has ponding of water in the yard. Ms. Palmisano noted the repeated flooding along Drew. Ms. Palmisano said that the homes look like a city block while the other homes in the area have retained their open space and large lots.

Chairman Trzupsek clarified the previous 2018 approval in terms of detention and that the 2022 proposal is a decrease in open area and asked if the engineering was altered due to the increase in impervious surfaces. Mr. Patera stated that no changes in stormwater were made because the basins were already designed at 20% over. Mr. Patera confirmed that DuPage County will also be required to review the plans. Chairman Trzupsek confirmed with Mr. Patera that the new plans cut into the 20% over compensation.

Alice Krampits, 7515 Drew, questioned if the 20% was a requirement, then the stormwater needs to be adjusted to maintain the 20%.

Mrs. Farrell confirmed that the Stormwater Report revised in August 2021 stated that 30% more volume is being provided.

Chairman Trzupsek clarified that 30% is being provided which is over the 20% which the Village required. Mr. Patera confirmed that slightly less than 30% is being provided.

Ms. Krampits expressed concerns about drainage and questioned why three-car garages are being proposed. Mr. Perino stated that they received inquiries from interested parties who wanted three-car garages but that not every potential buyer would want a three-car garage. Ms. Krampits noted the lack of plantings between the homes and that the area is natural and wooded. Mr. Perino confirmed that there will be natural landscaping on the site. Ms. Krampits stated that the large garages detract from the appeal of the homes' facades.

Mr. McGuire asked what happens if the engineer is wrong and what recourse the residents in the area have. Chairman Trzupsek stated that the plans have been prepared by an engineer and reviewed by the Village and County engineers. Mr. McGuire questioned what the qualifications were of the engineers. Mr. Patera stated that the condition will not be made worse in the area with the development. Ms. Palmisano stated that the previous Village Engineer was not qualified and eleven homes drain to her back yard. Chairman Trzupsek stated that the development must take care of the water on the property and they are improving it by 20%.

There was discussion about the wetland to the north and that a detention pond will not be located in that area.

Ms. Krampits asked if the County reviewed the plans. Commissioner Stratis stated that final engineering has not been approved.

An unidentified member of the public asked if the pond to the west of the site would be impacted or altered. Mr. Patera confirmed they will not impact that pond.

Commissioner Stratis stated that the applicant will have three different engineers reviewing the plans who are all licensed and Professional Engineers (P.E.). Commissioner Stratis stated that the engineers all must follow the code and they cannot solve upstream flooding issues but can help downstream issues. Commissioner Stratis had a conversation with the applicant as to why three-car garages were not provided and may have been the impetus behind the amendment. Commissioner Stratis asked what would happen if only two-car garages were built and if the petitioner would have to come back for approval. Mrs. Farrell stated that the language in the request reads that six of the eight homes shall have the option to have a three-car garage so it leaves open a two-car possibility as well. Commissioner Stratis asked for clarification on the 0.94% since the open space is going from 88.5% to 84%. There was discussion to confirm the numbers and that 0.94% of 88.5% is slightly less than 84%. A decrease from 88.5% to 84% is actually a 5% decrease in the open space.

Mr. Perino stated that 1,500 sq. ft. of additional impervious is added to the site through the amendment. Chairman Trzupsek stated that equates to roughly half a home.

Commissioner Stratis questioned the fence removal condition. Mr. Patera stated that it was an error and no fences are to be installed on the retaining walls. Commissioner Stratis supported the elevations and the application but requested clarification on the impervious calculations.

Commissioner McCollian asked about the driveways. Mr. Perino confirmed they are cement with paver edges. Commissioner McCollian confirmed with the applicant that patios would be pavers and the decks are raised.

Commissioner Petrich reviewed the previous minutes and that the development went from nine homes to eight. Commissioner Petrich prefers either one less home in the development or less three-car options. Commissioner Petrich feels that the homes are tight in terms of spacing around the cul-de-sac and requested clarity on the drainage. One of the public benefits of the PUD was improved drainage and that the 20% requirement should be retained.

Commissioner Broline no comments.

Commissioner Parrella wanted to retain the verbiage of providing the option for six of the homes having a the three-car garage.

Commission Morton is concerned about exacerbating the existing flooding conditions. Commissioner Morton confirmed with Mrs. Farrell that the Village Engineer has reviewed the plans and preliminarily confirmed the findings. Commissioner Morton would like to require that the 20% stormwater volume still be protected, understanding that the 30% will be impacted. Commissioner Morton was concerned about where guests would park. Commissioner Morton

asked if permeable pavers for driveways were evaluated. Commissioner Morton stated that with the ingress/egress to the site, the homes may not be highly visible from Drew and therefore he was not concerned about the three-car garages. Mr. Patera confirmed that with the curve in the road and the proposed landscaping, the fronts of the homes would not be visible from Drew. Mr. Patera noted the parallel parking spaces along the road for guest parking.

Chairman Trzupek noted that the parking between driveways has been eliminated. While Chairman Trzupek is not typically supportive of front-loaded garages, these will not be visible from Drew. Chairman Trzupek stated that in terms of the engineering, the flooding problems in the area will not be solved, but that the flow of water on the site will be slowed down by the restrictors. Mr. Patera confirmed that the basins will slow the flow and that the upstream watershed area is enormous. Chairman Trzupek requested that the percentage be confirmed for the stormwater volume or that the approval be conditioned.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner McCollian to close the public hearing for Z-15-2022.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, McCollian, Parrella, Morton, Broline, Petrich, and Trzupek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Parrella to recommend that the Board of Trustees approve a special use and PUD amendment request by Anthony Perino of Jarper Properties LLC for a major change and amendment to the Cottages of Drew PUD Ordinance #A-834-16-18, and approval of final engineering, landscaping plans, and building elevations, with Findings of Fact, subject to the following conditions:

1. Final plans shall substantially comply with the submitted site plans, landscape plans, and building elevations attached hereto as Exhibit A and subject to final engineering approval.
2. The Final Plat of Subdivision shall include Deck/Patio Easement Provisions to permit open decks/patios without roofs to extend no greater than 12 ft. from the rear exterior wall of the residence and shall not extend beyond the width of the residence.
3. The proposed fencing on the retaining walls shall be eliminated.
4. Tree planting in proximity to retaining walls shall be shifted to avoid concern over roots impacting wall stability.
5. The subdivision monument sign requires conditional sign approval by the Plan Commission and Village Board approval.
6. A minimum of 125% of stormwater volume detention shall be provided (25% increase in stormwater volume detention above requirements).
7. No more than six of the eight homes shall have three-car garages.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, Parrella, Morton, Broline, Petrich, Trzupek and McCollian

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

**Z-11-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact**

Request to consider text amendments to Section XIV.B of the Zoning Ordinance to create a definition for an attached garage.

Chairman Trzupek asked for a summary of the petition. Mrs. Farrell stated that there is no existing definition for an attached garage, but there are some definitions in the Zoning Ordinance which can help to draft a definition. Mrs. Farrell presented two definition options: (1) a garage attached to the dwelling by a party wall or an interior wall; (2) a garage attached to a dwelling by a roof. For the second definition, the Commission may wish to evaluate if living space should be required in the connecting roof space.

Chairman Trzupek asked for public comments. There were none.

Commissioner Morton asked for clarification on the term party wall. Chairman Trzupek and Mrs. Farrell clarified that it is a common parallel interior wall, where the wall of the house is also the wall of the residence. Commissioner Morton confirmed with Mrs. Farrell that the second option where the structures are connected by a roof is current Village practice. Commissioner Morton asked if there were examples of residences like this in the Village. Mrs. Farrell confirmed that there were but did not have specific addresses.

Commissioner Parrella did not have any questions or comments.

Commissioner Broline asked if square footage in the open area under the roof would be included. Mrs. Farrell stated that could also be clarified. The open and enclosed areas would constitute an attached garage and since the attached garage square footage is limited to a certain amount, both of those portions would count towards it.

Chairman Trzupek asked about floor area ratio (FAR). Mrs. Farrell clarified that up to 1,000 sq. ft. does not count towards FAR so any portion of the open and enclosed area that exceed 1,000 sq. ft. would count towards it.

Commissioner Broline could foresee that living space will be created above the open area under the roof which could cause issues. Commissioner Broline asked why there were problems with attached garages. Chairman Trzupek clarified that detached garages are not permitted in the side buildable areas whereas an attached garage would be allowed.

Commissioner Petrich expressed concern about building accessory structures in the side buildable area and if the attached garages exceeded the maximum size permitted. Commissioner Petrich

stated that the fronts of homes with large, attached garages connected by a roof may impact neighbors due to their proximity and retaining walls to address the grade changes.

Commissioner McCollian did not like the word party wall and preferred common wall to be used in the proposed definition. Mrs. Farrell clarified that the term was used since the Zoning Ordinance has an existing definition for it.

Commissioner Stratis supported either option but preferred the second option with a roof. Commissioner Stratis did not support living space required in the connecting roof area and agreed to use the term common wall.

Chairman Trzupsek noted the Panico petition and that it could almost fit into the first definition since "wall" is used, and a third dimension needs to be added. Chairman Trzupsek did not believe that occupiable space should be required in the roofed area.

Commissioner Stratis asked about surrounding municipalities. Mrs. Farrell confirmed that the surrounding municipalities did not define an attached garage.

Commissioner Broline suggested that the area between the garage and the house under the roof should be included in the FAR which furthers the point it is attached.

Mrs. Farrell recommended that she bring back revisions reflecting that the Commission supports the connection by a roof and that the open space under the roof should count towards FAR.

Commissioner Stratis recommended that staff review ordinances in Lake Forest, Bannockburn, and Lincolnshire or communities with larger lots which can accommodate those types of houses.

Commissioner Petrich recommended that staff review homes in the area that were built in this style. Commissioner Petrich wanted to ensure that the Commission was careful in the consideration of the definition since these may impact neighbors and additional accessory space is created in the side area when it should be in the rear.

A **MOTION** was made by Commissioner Parrella and **SECONDED** by Commissioner Morton to continue the public hearing for Z-11-2022 until June 20, 2022.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Parrella, Morton, Stratis, Broline, Petrich, Trzupsek, and McCollian

**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

**Z-13-2022/S-01-2022: Sign Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact**

Request to consider text amendments to Section 55.09.E of the Sign Ordinance to clarify regulations pertaining to right-of-way signs.

Chairman Trzupsek asked for a summary of the petition. Mrs. Farrell stated the text amendments are in relation to temporary signs, specifically right-of-way signs. A temporary sign is defined as “any sign constructed in accordance with the provisions of this Ordinance for a period not to exceed thirty (30) days.” Mrs. Farrell reviewed the existing regulations for the right-of-way signs and noted some difficulties with enforcement since the signs require written consent by the property owner and there are outdated code enforcement procedures. For the revisions, the provision that the sign must be on private property in the non-commercial signs was eliminated since it is already stipulated earlier in the section. Mrs. Farrell reviewed the proposed regulations which eliminate the signs from being placed in the right-of-way and that they must be located on private property within a certain distance from the road and the structure on the property. The proposed regulations have eliminated the outdated code enforcement process.

Chairman Trzupsek clarified that currently, signs are allowed in the right-of-way as long as they adhere to the stipulations in the Ordinance. The proposal states that signs cannot be in the right-of-way but must be on private property with that person’s permission.

Alice Krampits stated that she is not opposed to garage sale signs in the right-of-way and at a setback of 20 ft., they would not be visible. IDOT requires a line of site at 25 ft. Ms. Krampits is opposed to the proposed amendments.

Commissioner Stratis supports the amendment. Commissioner Stratis is concerned that the person on the sign would be fined even if they were unaware that the sign was put up. Commissioner Stratis does not want to see signs on utility poles.

Commissioner McCollian supports the proposal and would like to see people held accountable. Commissioner McCollian confirmed with staff that only one non-commercial sign message would be permitted per property.

Commissioner Petrich did not have issues with temporary signs that might stay up for a weekend like an open house but did support the amendment overall.

Commissioner Broline questioned political signs and the ability to remove them from the property. Commissioner Broline stated that real estate agents may push back against the regulations and that property owners are restricted if they are not allowed to put up garage sale signs.

Commissioner Parrella supported signs in the right-of-way like estate sales, open houses, and garage sales but with limitations on the duration and that they should not be allowed on utility poles.

Commissioner Morton would like to find a way to still permit garage sale or lost dog signs but with limitations. Commissioner Morton confirmed with staff that signs which violate the provisions are picked-up by staff and stored until they retrieved by the owner or disposed of.



Commissioner Morton questioned First Amendment rights. Mrs. Farrell stated that the Sign Ordinance has been updated to be content neutral. Commissioner Morton would still like to keep other temporary signs like garage sales.

Chairman Trzupke supports no signs in the right-of-way but that setback 20 ft. is a little too far. Chairman Trzupke understood that the Ordinance must be content neutral. Chairman Trzupke was concerned about limiting the number of political signs.

Commissioner Stratis stated that since there are public utilities in the right-of-way, other communities prohibit right-of-way signs. Staff is policing this so determining which messages are ok to keep or not is challenging. Commissioner Stratis supported placing signs up to the sidewalk or right-of-way line.

Ms. Krampits stated that she is the I&M Canal representative for Burr Ridge. The Rendezvous event signs are important to put up for directional purposes for a weekend only and must go within the right-of-way.

Chairman Trzupke summarized that the consensus is to prohibit right-of-way signs but with considerations like requiring a permit. Mrs. Farrell restated the discussion: that 20 ft. setback is too far, leave the utility pole provision in, have a weekend only sign which requires a permit and a deposit, and limit the amount of weekends permitted per year.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner McCollian to continue the public hearing for Z-13-2022/S-01-2022 to June 20, 2022.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, McCollian, Morton, Broline, Parrella, Petrich, and Trzupke  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

## **V. CORRESPONDENCE**

### **A. Board Reports** May 9, 2022

Commissioner Broline asked about the Thorntons gas station. Mrs. Farrell is waiting on the amended petition for 24-hour operation. The petition would still go forward to the Board which would then remand it back to the Commission for a new public hearing with new notices sent.

Commissioner Petrich asked about the hours of operation text amendment and if the text amendment would be applicable to all special uses and PUDs. Mrs. Farrell stated that the draft language has a provision which states that it is applicable to

all PUDs and those restaurants with special uses. Other text amendments would require similar language.

**B. Building Reports**  
None

**VI. OTHER CONSIDERATIONS**

**VII. PUBLIC COMMENT**

**VIII. FUTURE MEETINGS**

**May 23, 2022 Board of Trustees**

Commissioner Irwin is the scheduled representative.

**June 6, 2022 Plan Commission**

**Z-08-2022: Zoning Ordinance Amendments (Village of Burr Ridge); Text Amendment and Findings of Fact [CONTINUED FROM APRIL 18, 2022]**

Request to consider text amendments to Sections VIII.A, VIII.B, VIII.C, and XIV.B of the Zoning Ordinance to define "live entertainment" and permit "live entertainment" as accessory to certain uses in the Business Districts.

**Z-12-2022:** Consideration of text amendments regarding commercial vehicles in residential zoning districts.

**June 13, 2022 Board of Trustees**

Commissioner Parrella is the scheduled representative.

**June 20, 2022 Plan Commission**

**Z-14-2022:** Consideration of text amendments regarding short-term rentals.

**June 27, 2022 Board of Trustees**

Commissioner Petrich is the scheduled representative.

**July 4, 2022 Plan Commission – MEETING IS CANCELLED DUE TO HOLIDAY**

**July 11, 2022 Board of Trustees**

No Commissioners are scheduled. A volunteer may be needed.

**July 18, 2022 Plan Commission**

No cases scheduled at this time. The deadline for newspaper publication is July 1, 2022.

**July 25, 2022 Board of Trustees**

Commissioner Broline is the scheduled representative.

**IX. ADJOURNMENT**

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Morton to adjourn the meeting at 9:06 pm.

**ROLL CALL VOTE** was as follows:

**AYES:** 7 – Stratis, Morton, Petrich, Broline, Parrella, McCollian, and Trzupsek  
**NAYS:** 0 – None

**MOTION CARRIED** by a vote of 7-0.

Respectfully Submitted:

  
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Janine Farrell, AICP  
Community Development Director