

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF DECEMBER 19, 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 Village Hall Board Room, 7660 County Line Road, Burr Ridge, Illinois by Chairman Trzupek.

**ROLL CALL** was noted as follows:

**PRESENT:** 7 – Irwin, McCollian, Petrich, Broline, Stratis, Morton, and Trzupek

**ABSENT:** 1 – Parrella

Community Development Director Janine Farrell was present.

**II. APPROVAL OF PRIOR MEETING MINUTES – DECEMBER 5, 2022**

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner McCollian to approve the minutes of the December 5, 2022 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0

**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.

**A. Z-24-2022: 311 Shore Dr. (DP Burr Ridge, LLC); Special Uses and Findings of Fact [CONTINUED FROM NOVEMBER 21 and DECEMBER 5, 2022]**

Chairman Trzupek introduced the case and asked for a summary. Director Farrell noted there are three separate special use requests for automobile and equipment service, outdoor storage, and a fence in a non-residential district. There have not been any changes to the business plan. Since the last meeting, a security plan was submitted, the Fire District was consulted and provided a letter, a revised landscape plan was submitted with additional landscaping at the entrance, a different fence is proposed, and information about two previous zoning cases was provided. The revised fence is in the same area as before within the side yard and remains 8' in height, but it is

now 50% open with flat pickets. Since the dumpster is now visible through the fence, screening is required. An additional condition was added that vehicle work is limited to the interior only.

Chairman Trzupek asked if the petitioner was present. Patrick Daly, the petitioner, introduced himself.

Chairman Trzupek asked for public comment. There was none.

Chairman Trzupek asked for Commissioner discussion.

Commissioner Morton did not recall demand for an open fence. The petitioner stated that it was the Village's requirement. Commissioner Morton asked if a 7 ft. fence would be permissible. The petitioner stated a 7 ft. fence is acceptable.

Commissioner Stratis supports a 7 ft. or 8 ft. fence and prefers the open top with flat pickets for security purposes in the industrial area.

Commissioner Broline believed there was no advantage to a bar on top of the fence and supports the proposal.

Commissioner Petrich asked why the whole area needs to be fenced. The petitioner replied that they want to restrict customers to the work area where cars and trucks are moving and there is battery storage. Commissioner Petrich asked why an alternate location within an entirely enclosed building wasn't selected. Commissioner Petrich supports an 8 ft. fence and flat picket top but struggled with the outdoor storage.

Commissioner McCollian confirmed with the petitioner that employees will work until midnight and that bay doors are only open for moving cars.

Commissioner Irwin struggled with the height and amount of fence and questioned why the employees need to park in the fenced-in area. Commissioner Irwin confirmed with the petitioner that vehicles and compromised batteries will be stored outside.

Chairman Trzupek agreed with Commissioner Irwin's concerns about the extent of the fence and the employees parking in the fenced-in area. Chairman Trzupek preferred the open fence at 7 or 8 ft. and supported employees outside of the fenced area to reduce the amount of area fenced.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to close the public hearing for Z-24-2022.

**ROLL CALL VOTE** was as follows:

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

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

Chairman Trzupsek confirmed with Director Farrell that the location of the fence could be conditioned as part of the approval.

Commissioner Stratis confirmed with the petitioner that the location of the fence was due to the placement of the loading dock where deliveries will occur, and cars will be brought in and out of the building. The petitioner explained that the movement of cars occurs during the night shifts and there is a need to secure that area. The batteries that are compromised need to be isolated and stored outdoors which also needs to be protected inside the fence.

Commissioner Petrich requested an additional condition be added so the special use applies only to Tesla and that approval did not include sales.

Commissioner Broline, Chairman Trzupsek, and Commissioner Morton discussed a previous zoning case pertaining to truck sales and approvals related to the fence. Director Farrell explained that once the special use expires, the fence would need to be removed or the petitioner would need to apply for a new special use for a fence. The Commissioners noted that should the fence receive approval tonight, the request may come back in the future if Tesla no longer operates at the site.

Commissioner Irwin and the petitioner discussed the ramp and the new opening in the rear of the building to allow for circulation of vehicles.

Commissioner Petrich and Chairman Trzupsek noted this is a unique location and set of circumstances which pertain only to this property and request.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Petrich to recommend approval of Z-24-2022, requests for special uses for (1) automobile and equipment service and (2) outdoor storage pursuant to Zoning Ordinance section X.F.2; and a special use for (3) a fence in a non-residential district pursuant to Zoning Ordinance section IV.J., with Findings of Fact, and with the following conditions:

1. The special uses are limited to Tesla Motors, Inc.
2. The development shall substantially comply with the submitted plans, attached as Exhibit A.
3. The fence is permitted to be up to 7' in height, within the side yard, and with the flat picket top as depicted on the plans attached as Exhibit A.
4. Vehicle repair work shall be confined to the interior of the building only.
5. Only the sale of parts is permitted. There shall be no sales of vehicles from the premises.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Stratis, Petrich, McCollian, Broline, Morton, and Trzupsek  
**NAYS:** 1 – Irwin

**MOTION CARRIED** by a vote of 6-1.

**V. CORRESPONDENCE**

**A. Board Reports**

There were no comments on the Board Report.

**B. Building Reports**

Commissioner Petrich confirmed with Director Farrell that the properties on Drew with detached structures were sheds and garages.

**VI. OTHER CONSIDERATIONS**

There were no other considerations. Commissioner Broline stated that the Commission is conscientious about not creating precedent. Director Farrell and Chairman Trzupek stated that special uses should be evaluated on the specific use and individual basis.

**VII. PUBLIC COMMENT**

There were no other public comments.

**VIII. FUTURE MEETINGS**

Director Farrell noted that the Shirley Ryan AbilityLab, the cell tower antennae at the Village Center, and the annual zoning review will be on the January 16<sup>th</sup> agenda. Chairman Trzupek stated that he will not be able to attend the meeting.

**IX. ADJOURNMENT**

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to adjourn the meeting at 7:35 p.m.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

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

Respectfully Submitted:



Janine Farrell, AICP  
Community Development Director