

**VILLAGE OF BURR RIDGE PLAN COMMISSION/ZONING BOARD OF APPEALS**  
**MINUTES FOR REGULAR MEETING OF MAY 6, 2024**

**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.

Chairman Trzupek noted that Commissioner Parrella is requesting to attend remotely and provided the required notice. Commissioner Parrella stated the reason for attending remotely was due to an injury and resulting limited mobility.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Irwin to permit Commissioner Parrella to attend the meeting remotely.

**AYES:** 6 – Stratis, Irwin, Petrich, Broline, Morton, and Trzupek  
**NAYS:** 0 – None  
**ABSTAIN:** 1 – Parrella

**ROLL CALL** was noted as follows:

**PRESENT:** 7 – Irwin, Parrella, Petrich, Broline, Stratis, Morton, and Trzupek  
**ABSENT:** 0 – McCollian

Community Development Director Janine Farrell was present.

**II. APPROVAL OF PRIOR MEETING MINUTES – APRIL 15, 2024**

A **MOTION** was made by Commissioner Petrich and **SECONDED** by Commissioner Broline to approve the minutes of the April 15, 2024 meeting.

**ROLL CALL VOTE** was as follows:

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

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

**III. PUBLIC HEARINGS**

Chairman Trzupek introduced the public hearings on the agenda. Chairman Trzupek requested to swear in all those wishing to speak on such matters on the meeting agenda and a swearing in of such individuals was conducted.

- A. V-01-2023: 6301 S. County Line Rd. (Zaffar); Variations and Findings of Fact [REMANDED FROM OCTOBER 23, 2023 BOARD OF TRUSTEES & CONTINUED FROM NOVEMBER 6, 2023, JANUARY 15, & APRIL 1, 2024]**

Chairman Trzupke introduced the case and asked for a summary. Director Farrell noted the case had been continued numerous times. Director Farrell noted the four variation requests were for a deck, fence, and driveway gate. Director Farrell stated the variation request for a deck in the front yard had been approved and was no longer under consideration among the remaining requests. Director Farrell stated on April 1, 2024, the Plan Commission closed the public hearing and denied zoning case Z-15-2023, a request for a text amendment to section IV.I of the Zoning Ordinance to permit driveway gates on properties less than two acres in the area located on arterial roadways and to uphold the current driveway gate regulations. On April 1, 2024, the petitioners requested a continuation to May 6, 2024. Director Farrell noted the remaining variation requests were to permit a driveway gate on a parcel less than two acres in lot area, in the corner side yard, and 30 feet from the property line.

William Ryan, attorney for the owner of 6301 County Line Rd., reiterated the three remaining variation requests. Ryan discussed the requests and noted that they had hardships and a unique circumstance that warranted the variation requests to be granted. Ryan discussed safety concerns, arterial roads, increased traffic, and crime in the area.

Rey Zaffar, 6301 County Line Rd., stated the Board of Trustees did not hear the amendment for case Z-15-2023 because the motion at the Plan Commission was to leave the text amendment unchanged.

Commissioner Irwin stated the Commission had heard the request multiple times, and the request had not changed. Commissioner Irwin noted he did not support the variation request for the driveway gate. Commissioner Irwin noted the Commission considered amendments to the gate regulations and chose to uphold the current driveway gate regulations. Commissioner Irwin noted the Commissioners should not encourage residents to go to the Plan Commission with similar requests.

Commissioner Parrella agreed with Commissioner Irwin but appreciated the safety reasons for the request and did not object to the design of the gate.

Commissioner Petrich stated the Board of Trustees reviewed the request at the October 23rd meeting. Commissioner Petrich noted the Board was not in favor of the fence and believed the petitioners agreed to put in landscaping instead of the fence. Commissioner Petrich noted he was not in favor of the fence. Commissioner Petrich stated that the regulations did not impose a hardship but rather that the petitioner purchased a property with undesired features and shouldn't seek changes based on that argument.

Commissioner Broline stated the deck in the front yard was approved by the Plan Commission and Board of Trustees. Commissioner Broline noted the Board of Trustees asked the Plan Commission to review the driveway gate request, not reverse the recommendation.

Commissioner Stratis asked staff about the eight homes with a driveway gate. Director Farrell noted two of the gates were grandfathered in, predating the Villages incorporation,

and one received a variation in 2013. Commissioner Stratis agreed with the Commissioners and noted his view has not changed. Commissioner Stratis noted the absence of impact on other properties is not the criteria the Plan Commission uses for decision-making. Commissioner Stratis noted the importance of not basing decisions solely on individual circumstances. Commissioner Stratis agreed with the Board of Trustees' suggestion to add a berm with landscaping to utilize the full enjoyment of the property.

Commissioner Morton agreed with the Commissioners. Commissioner Morton asked staff if anything prevented the petitioners from enclosing the rear yard. Director Farrell stated the petitioners could enclose the rear yard with a fence.

Commissioner Petrich discussed the research prepared by staff regarding the properties with driveway gates.

Chairman Trzupke agreed with the Commissioners. Chairman Trzupke noted he was open to supporting a variation for a driveway gate on a parcel of two acres or more due to having sufficient frontage but would not support a driveway gate setback less than 30 feet from the property line.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to close the public hearing for V-01-2023.

**ROLL CALL VOTE** was as follows:

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

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

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Petrich to deny a variation request from case V-01-2023 to permit a fence in the corner side yard setback.

**ROLL CALL VOTE** was as follows:

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

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

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to deny a variation request from case V-01-2023 to permit a driveway gate within the minimum 30' corner side yard setback.

Commissioner Broline noted the Board of Trustees commented on the use of landscaping.

**ROLL CALL VOTE** was as follows:

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

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

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Morton to deny a variation request from case V-01-2023 to permit a driveway gate on a parcel less than 2 acres in lot area.

**ROLL CALL VOTE** was as follows:

**AYES:** 6 – Irwin, Morton, Parrella, Petrich, Broline, and Stratis  
**NAYS:** 1 – Trzupek

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

The petitioners requested the recommendation go to the Board of Trustees on June 10<sup>th</sup> due to a schedule conflict.

**B. V-02-2024: 15W627 89<sup>th</sup> Street (Eshghy); Variations and Findings of Fact  
[CONTINUED FROM MARCH 4, 2024]**

Chairman Trzupek introduced the case and asked for a summary. Director Farrell stated the case was a request for three variations regarding a patio, fence, and swimming pool within the corner side yard setback. Director Farrell noted the case was continued on March 4, 2024, and the Commission requested the petitioners submit an updated Plat of Survey clearly outlining the items apart from the variation request. Director Farrell noted staff reached out to the petitioner on April 22 and 26 requesting the updated documents but did not receive them.

The petitioner provided the Plan Commission with an updated site plan at the meeting.

Director Farrell noted the property was annexed into the Village in 2015 and was rezoned to R-2B Single Family Residential. Director Farrell stated the house was constructed in 2004 while the property was unincorporated and did not meet current Burr Ridge R-2B setback requirements. Director Farrell discussed the variation requests in detail. Director Farrell showed illustrations of the property and variation requests. Director Farrell noted staff included the variation request for the pool over the 40-foot setback to ensure all elements were addressed as part of the request. Director Farrell stated that the pool appeared to have been verified at the required 40-foot setback.

Chairman Trzupek noted the case was continued from March, and the Commission had requested an updated drawing. Chairman Trzupek stated concern regarding the petitioner providing the new site plan at the meeting, especially with a Commissioner attending the meeting remotely. Chairman Trzupek reiterated the variation requests and discussion from the March 4th Plan Commission meeting.

William Bakos, the petitioner's Engineer, apologized for the late arrival of the drawing. Bakos noted that the petitioner had not done any work to remove the existing patio and was willing to ensure that none of the elements protruded further beyond the lot line than the existing house. Bakos stated that they confirmed the location of the pool with a professional land surveyor and that the pool did not extend beyond the 40' setback line.

Chairman Trzupsek asked about the 5-foot dimension on the updated site plan. Bakos stated that the dimension was drawn to the creek's middle line and plotted using USGS data. Bakos noted they were trying to indicate an approximate distance they would maintain construction from. Chairman Trzupsek questions the requirements for building near the creek. Bakos stated he could consult engineering resources in the jurisdiction to verify. Bakos noted the previous plan proposed a retaining wall with drainage to capture any runoff from the new patio.

Chairman Trzupsek stated that the Commission wanted confirmation that the patio may be built in that location. Chairman Trzupsek suggested continuing the case.

Commissioner Stratis noted he was not at the March 4th Plan Commission meeting. Commissioner Stratis asked the petitioner why he built everything without a permit. The petitioner, Curtis Eshghy, noted the work was almost complete before the Village had posted a stop work order. Eshghy noted he hired a company to pull permits, and the company had confirmed the permits were ready. Eshghy noted that his construction company always received permits for their work. Commissioner Stratis asked if water was in the creek at all times. Backus stated the creek was dry every time he visited the site. Eshghy noted when rainfall occurred, water would flow through the creek. Commissioner Stratis stated he has a creek in his backyard and had to obtain six permits to put a footbridge across it. Commissioner Stratis noted the Commission should review whether the creek was in a floodplain or floodway with DuPage County, DNR, and the Army Corps of Engineers. Bakos noted there was an existing footbridge on the creek, which was closer to the home than the new improvements. Bakos noted they would look into the proximity of the patio and fence to the creek center line.

Commissioner Morton stated concern regarding the petitioner providing an updated site plan during the meeting and noted he did not have enough time to review and digest the updated information. Commissioner Morton noted he would not support moving forward and suggested a continuance. Commissioner Morton recognized the petitioners' willingness to address issues raised at the prior hearing but stated that the Commission wanted more information about the creek and relevant governing bodies. Commissioner Morton stated support for a 30-foot setback for the fence aligned with the house but believed it was premature to make any decisions until all outstanding questions were addressed.

Commissioner Petrich asked if any permits were submitted at this time. Director Farrell stated staff received the permits but could not sign off approval because the patio and fence were not meeting the setback regulations. Commissioner Petrich recalled there were discussions regarding the stormwater and drainage. Bakos stated he did not

remember a discussion regarding the stormwater but recalled a discussion regarding the creek. Commissioner Petrich asked the petitioner to return with a cross-section through the creek and wall.

Commissioner Parrella agreed with continuing the case until they could receive more information.

Commissioner Irwin asked about fence and patio setbacks drawn on the original plan. Director Farrell confirmed that the fence and patio setbacks were changed from 2 feet to 20 feet and 6 inches to align with the house, but a variance for the 20-foot setback was still needed. Backus discussed the updated site plan.

Chairman Trzupsek reiterated the variation requests. Chairman Trzupsek asked about the patio. Backus noted the patio was on the grade, and the retaining wall was just past the patio before the creek. Chairman Trzupsek requested more information on whether building the retaining wall 5 feet off the center line and the proximity from the patio to the creek were sufficient. Bakos noted he would provide more information at the next public hearing.

Director Farrell recalled from the last Plan Commission meeting that the creek was not a designated floodway or floodplain but rather a tributary and that the area just past it had been identified as a floodplain on FEMA maps. Director Farrell noted staff would verify the status of the creek.

The Commission discussed dates for a continuance. Bakos noted he would provide the requested information within a week.

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commissioner Stratis to continue the public hearing for case V-02-2024 to the May 20, 2024 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

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

**C. Z-06-2024: Zoning Ordinance Amendment for Warehouse and Warehousing (Village of Burr Ridge); Text Amendment and Findings of Fact**

Chairman Trzupsek introduced the case and asked for a summary. Director Farrell stated on April 8, 2024, the Board of Trustees directed the Plan Commission to hold a public hearing on potential Zoning Ordinance text amendments to clarify and define the “warehouse” and “warehousing” uses in the Light Industrial (L-I) and General Industrial (G-I) districts. Director Farrell noted four public comments were received and were included in the staff report packet. Director Farrell noted staff did not propose draft language for this first meeting, but rather staff prepared research regarding neighboring municipalities. Director Farrell discussed the current regulations for the Light Industrial

and General Industrial districts in the Village of Burr Ridge. Director Farrell highlighted neighboring municipality regulations and potential options for the Plan Commission to define and regulate warehouses and warehousing in the Village of Burr Ridge.

Chairman Trzupke noted the text amendment relates to the potential impact of warehousing on the CNH property. Chairman Trzupke noted there were concerns regarding differentiating between warehousing and distribution centers to avoid unintended expansions of use. Chairman Trzupke noted the goal of the text amendment was to define warehousing and clarify permitted uses more precisely within the Light Industrial district.

Commissioner Irwin raised a question regarding spot zoning in relation to considering a text amendment that affects one property.

Chairman Trzupke clarified that the discussion focused on establishing permitted uses for the Light Industrial and General Industrial districts, not for one specific property. Chairman Trzupke expressed concern about ensuring compliance with the existing properties, especially within High Grove.

Commissioner Irwin noted he was in favor of reviewing the permitted uses in the Light Industrial districts and amending them to better suit areas and prevent the proliferation of large warehouses. Commissioner Irwin suggested the Plan Commission consider eliminating other permitted uses within the Light Industrial district.

Commissioner Irwin and Chairman Trzupke discussed potential warehouse definitions.

Commissioner Parrella stated that warehousing has many definitions such as storing, shipping, receiving and a definition should be created.

Commissioner Petrich discussed warehousing versus a warehouse. Commissioner Petrich discussed distribution centers and motor freight terminals. Commissioner Petrich supported clarifying the uses and distinctions and potentially having motor freight terminals and distribution centers as separate definitions. Commissioner Petrich noted the focus should be on specifying the type of use rather than establishing a percentage of space. Commissioner Petrich asked about the zoning of SAIA Trucking Company. Commissioner Petrich raised a question regarding testing facilities and suggested that such uses should be special uses rather than permitted uses in the General Industrial district.

Director Farrell noted SAIA was located in an R-1 zoned district and was permitted through their annexation. Director Farrell stated if a new facility similar were to come to Burr Ridge, it would likely fall under the General Industrial District, specifically as a motor freight terminal. Director Farrell noted a motor freight terminal may not currently be permitted in the General Industrial district and would likely require special use approval. Director Farrell discussed the regulation listed under Section F.1.a in the Zoning Ordinance regulations.

Chairman Trzupke discussed the differences between the Light Industrial and General Industrial districts. Chairman Trzupke noted there was no specific mention of manufacturing as a permitted use in a General Industrial district, only establishments where the principal use was manufacturing, fabricating, or processing.

There was discussion regarding the special and permitted uses within the Light Industrial and General Industrial District.

Commissioner Broline stated that the initial research provided insight into clarifying the uses and definitions.

Commissioner Stratis reiterated the importance of clarity and specificity in defining permitted uses. Commissioner Stratis noted he preferred more detailed definitions. Commissioner Stratis suggested using percentages to determine whether a particular use, such as warehousing, was considered an accessory use. Commissioner Stratis noted the approach would provide clear regulations and reduce the need for staff to make those determinations. Commissioner Stratis stated that he has seen percentages of approximately 30% being used as a standard but was open to discussing other numbers as well. Commissioner Stratis suggested implementing black-and-white guidelines that staff can easily implement, to provide consistency for both applicants and staff.

Commissioner Petrich clarified his previous comment regarding percentages and used the differences between microchips and tractors as an example.

Commissioner Morton noted that "warehouse" may refer to the physical structure, while "warehousing" encompasses the activities conducted within that structure. Commissioner Morton reiterated the need to focus on defining appropriate uses and limitations for Light Industrial districts. Commissioner Morton raised concern about potential noise and vibration issues stemming from manufacturing activities like fabricating, processing, and assembly when the activities occur adjacent to residential areas. Commissioner Morton discussed the potential impacts of warehousing activities, including truck traffic, noise, and vibrations. Commissioner Morton suggested exploring measures to mitigate these impacts, such as enclosing truck docks or implementing sound-dampening technologies. Commissioner Morton agreed with the concerns raised by other Commissioners.

Director Farrell noted at the beginning of the Zoning Ordinance for Manufacturing Districts, there was a section that strictly prohibits specific uses that have noxious fumes, loud vibrations, slaughterhouses, etc. Director Farrell noted there was a Zoning Ordinance section for performance standards.

Chairman Trzupke summarized the Commissioner's discussion.

Chairman Trzupke discussed the importance of clarifying the distinction between warehousing as an activity and a warehouse as a physical structure, ensuring that warehousing is ancillary or accessory to manufacturing, and considering implementing a



percentage-based limitation on warehousing space within the Light Industrial district, developing a clear definition of what constitutes a warehouse, and considering aspects of truck traffic and truck docks.

Director Farrell summarized the main points of the Commission's discussion to guide staff in preparing draft language for the next meeting. Director Farrell noted the Commission discussed clarifying and defining warehousing as an ancillary or accessory activity to manufacturing, with the percentage of warehousing space to be determined; defining warehouse and considering aspects of distribution centers and potentially grouping distribution centers with motor freight terminals; consider classifying motor freight terminals as a special use within the General Industrial district, with distribution centers listed separately, and clarify the definition of a manufacturing establishment.

Commissioner Broline discussed the complexity of logistic questions, for example, moving and storing. Commissioner Broline discussed the evolution of manufacturing processes, noting the shift from traditional warehouses to specialized environments like clean rooms for electronics and chip manufacturing.

Commissioner Irwin asked if Burr Ridge had a prohibited use section similar to Oakbrook.

Director Farrell reiterated the Zoning Ordinance had a prohibited use section. Director Farrell presented the Prohibited Uses section from the Zoning Ordinance.

Commissioner Petrich stated concern about some of the permitted uses in the General Industrial District, specifically pilot plants for experimentation and research laboratories. Commissioner Petrich questioned why uses were permitted uses rather than a special use.

Director Farrell confirmed that a business's use is identified through the permit process to ensure compliance with all Zoning Ordinance regulations. Director Farrell noted the Plan Commission would need to ask the Board for direction to hold a public hearing for a text amendment regarding research laboratories.

A **MOTION** was made by Commissioner Morton and **SECONDED** by Commissioner Petrich to continue the public hearing for case Z-06-2024 to the May 20, 2024 Plan Commission meeting.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

#### **IV. CORRESPONDENCE**

Chairman Trzupsek asked about the Board report regarding property 15W765 80th St, and why the petitioner received approval for a fence less than 50% open.

Director Farrell noted there was significant discussion regarding the fence variation request at the Village Board meeting. Director Farrell noted Commissioner Straits was the Plan Commission representative and was present at the meeting. Director Farrell stated the Board of Trustees had a split vote, permitting the fence less than 50% open but denying the fence in the front side yard area.

Commissioner Morton asked if there was discussion to clarify the term grandfathered in relation to permitting the fence.

Commissioner Stratis stated the Village Board felt the school traffic to the corner side yard of the petitioner's property created the hardship.

Director Farrell stated the previous fence on the property was 50% open, but the location of the fence was legally non-conforming. Director Farrell confirmed the Plan Commission and Village Board unanimously approved the fence on 80th Street within the corner side yard setback but unanimously denied the request for a fence in the front yard, closest to Madison Street.

## **V. OTHER CONSIDERATIONS**

### **A. PC-01-2024: Annual Zoning Review**

Chairman Trzupke introduced the case and asked for a summary. Director Farrell stated staff sought clarification from the Annual Zoning Review. Director Farrell noted the six potential text amendments that were identified in the Annual Zoning Ordinance Review. Director Farrell stated staff had not received any issues regarding the recently amended definition of family, and the Plan Commission may consider removing it from the list if they decide further review is not necessary. Director Farrell noted the definition was previously changed to limit the number of unrelated persons living together. Director Farrell stated the four items that required clarification and discussed the current regulations for the outdoor storage of vehicles and equipment, decibel level regulations for swimming pool equipment, tree removal regulations, and the lot consolidation process. Director Farrell noted the direction was unclear to staff on how the Plan Commission was anticipating the regulations to deviate from the current regulations. Director Farrell noted the tree removal regulations were in the municipal code, and the lot consolidation process was complex and involved the County.

Director Farrell reiterated staff had not received any issues or enforcement actions regarding the definition of family.

There was Commissioner discussion regarding the review of the definition of family.

Director Farrell noted staff sought clarification direction regarding the outdoor storage of vehicles and equipment, decibel level regulations for swimming pool equipment, tree removal regulations, and the lot consolidation process. Director Farrell reiterated the direction was unclear to staff on how the Plan Commission was anticipating the regulations to deviate from the current regulations.

Commissioner Irwin noted outdoor storage of vehicles and equipment arose in the context of residents asking for variations to permit outdoor storage, which often required fencing. Commissioner Irwin noted some Commissioners did not support the requests but approved most of the outdoor storage requests. Commissioner Irwin suggested reviewing outdoor storage generally to determine if it should be continued or discontinued.

Chairman Trzuppek suggested reviewing the approved variations for outdoor storage and fences to create regulations with precise requirements such as location, size, and type of fence.

There was Commissioner discussion regarding outdoor storage.

Commissioner Broline noted outdoor storage was similar to warehousing.

Director Farrell noted overnight outdoor storage of commercial vehicles was monitored by the Police Department.

Commissioner Irwin suggested reviewing how many times the Plan Commission has approved or denied the requests, as well as why.

Director Farrell proposed that outdoor storage become a research component for staff to gather information on previous requests. Director Farrell noted the research would be provided to the Plan Commission for review, potentially making outdoor storage an item on next year's annual zoning review.

Commissioner Petrich questioned the status of decibel levels related to swimming pool equipment pads and generators, questioning if there were any issues, complaints, and details about the inspection process. Commissioner Petrich suggested that if no complaints had been received, the matter might be more suited for research.

Chairman Trzuppek discussed the Noise Ordinance and decibel levels.

Director Farrell clarified the process for measuring decibel levels, the permit process, and complaints. Director Farrell noted if complaints were received, staff would inform the Plan Commission accordingly.

Commissioner Morton stated concern regarding the accuracy of decibel testing for generators and pool equipment. Commissioner Morton noted the testing protocols used by manufacturers are often not reproducible in residential settings, where there are different acoustics due to nearby surfaces. Commissioner Morton noted measuring decibel levels at the required distance might be challenging. Commissioner Morton proposed addressing noise concerns through a complaint-based approach.

Commissioner Irwin stated concerns regarding concerns about property owners being allowed to remove any amount of trees once they obtain a building permit.

Director Farrell discussed the current regulations regarding tree removal on properties with building permits. Director Farrell noted that within the buildable area, defined by setbacks, property owners are allowed to remove trees without limitation with a building permit. Director Farrell stated if five or more trees are to be removed, a tree survey is required to identify those trees. Director Farrell stated that replanting the trees may be required in some circumstances, such as with Parkway trees. Director Farrell noted staff has discussed clarifying tree regulations and penalties for removing more than five trees with Public Works and the Village Arborist. Director Farrell stated she could advise Public Works and Village Arborist of the Commission's concerns but noted changes to the Municipal Code went straight to the Board.

Commissioner Petrich stated a resident with an R-1 zoned property could remove any amount of trees within the buildable area and noted it did not appear to align with the Village of Burr Ridge. Commissioner Petrich noted tree removal had a significant impact on the environment and residents' views.

Commissioner Stratis asked if the regulations applied to subdivisions. Commissioner Stratis discussed a neighboring property.

Director Farrell confirmed the regulations apply to any property within the Village of Burr Ridge.

Commissioner Irwin agreed with Commissioner Petrich and Commissioner Stratis. Commissioner Irwin suggested reviewing the tree removal regulations within the buildable area. Commissioner Irwin stated that if it was not necessary to remove a tree, it should be included in the five-tree maximum regulation.

Commissioner Morton stated concern regarding the current five-tree limit for tree removal and noted it lacked consideration for lot size. Commissioner Morton suggested a modulating scale and considering the lot size and the number of trees on the lot.

Commissioner Irwin agreed with Commissioner Morton.

Commissioner Petrich discussed a neighboring property that removed many trees.

Chairman Trzupek suggested researching other neighboring municipalities' regulations.

Director Farrell reiterated she would advise Public Works and the Village Arborist of the Commission's concerns. Director Farrell stated staff have discussed similar concerns.

Commissioner Petrich discussed swimming pools and tree removal.

Chairman Trzupsek stated that staff could propose a recommendation to restrict tree removal within a buildable area.

Director Farrell stated staff would conduct research similar as to the outdoor storage and view the neighboring municipalities regulations. Director Farrell reiterated the Plan Commission could not amend the Municipal Code, but the Plan Commission could make suggestion or recommendation for the Public Works Department and Village Arborist.

Commissioner Irwin questioned the process to amend the Municipal Code.

Director Farrell noted the amendments went to the Board of Trustees.

Commissioner Broline questioned the rationale behind determining the number of trees allowed on a property and whether it was regulated by the Municipal Code or the Comprehensive Plan.

Director Farrell noted the Comprehensive Plan did not have quantifiable regulations.

Commissioner Stratis noted regulating tree removal was complex. Commissioner Stratis supported staff researching municipalities, with numerous trees, such as Lake Forest, Highland Park, Barrington, and Mettawa.

Director Farrell discussed the current process for lot consolidations and noted the County was involved.

Commissioner Petrich discussed a case where a resident bought two R-3 zoned lots adjacent to each other and consolidated the lots to build a single-family residence.

Director Farrell noted that lot consolidations must be within the same subdivision and comply with the Zoning Ordinance and HOA regulations.

Commissioner Irwin questioned if that should be permitted within the Village of Burr Ridge. Commissioner Irwin noted it may disrupt the character of the neighborhood.

The Commissioners discussed lot consolidation.

Director Farrell stated one consideration to prohibit lot consolidation for development purposes would be to impose a maximum lot size, however, the feasibility of implementing such a measure would be difficult.

Chairman Trzupsek discussed maximum bulk and size regulations regarding single-family residences.

Director Farrell discussed potential language and direction. Director Farrell stated concern regarding staff enacting regulations to limit maximum lot sizes, considering various factors such as house size, neighboring properties, and zoning districts.

The Commissioners discussed the lot consolidation process, unintended consequences of regulations that could potentially encourage lot subdivisions, and the negative impact such developments could have on the neighborhood's character. Director Farrell stated the lot consolidation process and noted the Plan Commission may wish to look into proposing a maximum lot size for the residential zoning districts.

**B. PC-08-2024: DuPage County Text Amendments**

Director Farrell discussed the upcoming text amendments in DuPage County and noted the first public hearing was scheduled for May 14th. Director Farrell noted the text amendments include various changes, such as an increase in garage size for private vehicles, allowance of video gaming as an accessory to different types of restaurants and taverns, and the introduction of definitions for small and large truck stops. Director Farrell stated there were proposed text amendments to fence regulations regarding height, proximity to lot lines, and non-conforming lots. Director Farrell stated the proposed video gaming regulations may warrant comments from the Plan Commission to the County. Director Farrell highlighted that staff brought attention to the video gaming changes, recognizing their potential importance for further discussion with the Village Administrator and the Mayor.

Commissioner Petrich noted the potential video gaming text amendment could lead to a proliferation of such establishments. Commissioner Petrich discussed the proposed video gaming amendments.

Commissioner Broline questioned areas in DuPage County where incorporation could absorb existing regulations. Commissioner Broline discussed Route 83 and unincorporated residential homes near Route 83.

Commissioner Irwin discussed the proposed video gaming amendments. Commissioner Irwin stated the proposed text amendment language would permit automobile service stations, convenience stores, restaurants, and truck stops to have video gaming if they met the requirements. Commissioner Irwin noted he did not support the proliferation of video gaming throughout DuPage County.

Director Farrell noted staff interpreted the proposed text amendment as expanding the regulations of video gaming to various establishments, including restaurant establishments, gas stations, and convenience stores within Light Industrial districts. Director Farrell noted staff would submit comments from the Plan Commission to DuPage County regarding concerns about video gaming and fence regulations.

Commissioner Petrich asked about the definition of video gaming terminals and gambling.

Commissioner Irwin noted the definition of permitted gambling.

Commissioner Broline discussed an area south of 91st Street and 83 on the west side, which is in unincorporated DuPage but near Burr Ridge. Commissioner Broline noted that the small strip centers in that area make it a prime location for gaming establishments.

## **VI. PUBLIC COMMENT**

Biljana Bulakovska,, a civil structural engineer and board member for Carriage Way, stated concern regarding the Light Industrial property adjacent to Carriage Way. Bulakovska discussed garbage containers and truck traffic disturbances from noise and lights constantly. Bulakovska noted she had reached out to the Village Administrator. Bulakovska stated loading docks should not face the residential properties and discussed landscaping and fences. Bulakovska stated the zoning regulations should protect the residents.

Director Farrell noted staff had received the emails sent by Bulakovska. Director Farrell noted staff have investigated the property and some of the properties have come into compliance while some other issues are not violations of existing codes. Director Farrell discussed the status of the properties, trash dumpsters, and permits.

Chairman Trzupsek and Director Farrell discussed landscape regulations. Director Farrell noted the Plan Commission had no zoning action to pursue. Director Farrell reiterated the Village Administrator and Mayor were aware of the matter.

The Commission, Director Farrell, and Bulakovska discussed the properties and businesses near Carriage Way and on Tower Drive, and the Planned Unit Development process regarding landscaping plans. Director Farrell noted staff would need to consult with the Village Attorney regarding retroactively applying a landscaping regulation for an existing development.

Mary Bradley, resident of Carriage Way, discussed the CNH property and industrial developments in the area. Bradley discussed the impact of such development on the community, particularly on Carriage Way. Bradley stated the importance of forethought in an industrial-zoned development to avoid negative impacts on surrounding residential districts. Bradley provided the Commissioners with illustrations. Bradley discussed the zoning of the CNH property to the Comprehensive Plan and truck traffic.

Chairman Trzupsek discussed CNH and the need for concise regulations for the Light Industrial districts.

Bulakovska discussed truck traffic and landscaping. Chairman Trzupsek discussed the CNH proposed traffic study from the April 15th Plan Commission meeting.

**VII. FUTURE MEETINGS**

Director Farrell stated Commissioner Irwin was the scheduled Plan Commission representative for the May 13<sup>th</sup> Village Board meeting. Director Farrell stated the agenda items for the June 3<sup>rd</sup> Plan Commission meeting.

Commissioner Petrich noted the Plan Commission requested information for Z-10-2023 and Z-12-2023.

Chairman Trzupsek asked staff to provide potential outdoor dining enclosures for the Z-03-2024 staff report packet.

Director Farrell noted staff had not received any updated information from Jonny Cabs or Capri Express.

**VIII. ADJOURNMENT**

A **MOTION** was made by Commissioner Irwin and **SECONDED** by Commission Parella to adjourn the meeting at 9:30 p.m.

**ROLL CALL VOTE** was as follows:

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

**NAYS:** 0 – None

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

Respectfully Submitted:

  
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Ella Stern  
Planner