



**REGULAR MEETING
VILLAGE OF BURR RIDGE
PLAN COMMISSION**

**February 3, 2014
7:30 P.M.**

I. ROLL CALL

Greg Trzupek, Chairman

**Mike Stratis
Dehn Grunsten
Robert Grela**

**Luisa Hoch
Greg Scott
Mary Praxmarer**

II. APPROVAL OF PRIOR MEETING MINUTES

A. December 16, 2013 Plan Commission Regular Meeting

III. PUBLIC HEARINGS

A. V-01-2014: 8426 Meadowbrook Drive (Kazimierz Leja); Variation and Findings of Fact

Requests a variation from Section IV.I.1 of the Burr Ridge Zoning Ordinance to permit a detached accessory building (garage) to be located in a side yard rather than in the rear yard. The proposed garage would be an expansion of the existing garage and would also replace an existing shed.

IV. CORRESPONDENCE

A. Board Report – January 13, 2014 and January 27, 2014

B. Building Report – December 2013

V. OTHER CONSIDERATIONS

A. PC-01-2014: Annual Zoning Ordinance Review

VI. FUTURE SCHEDULED MEETINGS

A. February 17, 2014: The filing deadline for this meeting was January 27, 2014. There are no public hearings scheduled for this meeting date.

B. March 3, 2014: The filing deadline for this meeting is February 10, 2014

VII. ADJOURNMENT

PLEASE NOTE: All recommendations from the Plan Commission are advisory and are submitted to the Mayor and Board of Trustees for review and final action. Any item being voted on at this Plan Commission meeting will be forwarded to the Mayor and Board of Trustees for consideration at their February 10, 2014 Regular Meeting beginning at 7:00 P.M. Commissioner Scott is the Plan Commission representative for the February 10, 2014 Board meeting.

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

DECEMBER 16, 2013

1. ROLL CALL

The Regular Meeting of the Plan Commission/Zoning Board of Appeals was called to order at 7:30 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: 7 – Cronin, Stratis, Grunsten, Scott, Grela, Praxmarer, and Trzupek

ABSENT: 1 – Hoch

Also present was Community Development Director Doug Pollock. In the audience were Trustees Bolos and Franzese

2. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Scott to approve minutes of the November 4, 2013 Plan Commission meeting.

ROLL CALL VOTE was as follows:

AYES: 5 – Grela, Scott, Grunsten, Praxmarer and Trzupek

NAYS: 0 – None

ABSTAIN: 2 – Cronin and Stratis

MOTION CARRIED by a vote of 5-0.

3. PUBLIC HEARINGS

There were no public hearings scheduled.

4. CORRESPONDENCE

There was no discussion regarding the Board Report.

5. OTHER CONSIDERATIONS

A. Preliminary Plat of Subdivision: McNaughton's 87th and Madison Subdivision

Chairman Trzupek asked Mr. Pollock to provide a review of this request.

Mr. Pollock reported that a developer has a contract to purchase the property at the southeast corner of 87th and Madison Streets and is seeking to subdivide the property into three residential lots with a separate lot for stormwater detention. Mr. Pollock said that the proposed subdivision complies with the Subdivision and Zoning Ordinances.

Mr. John Barry was present on behalf of McNaughton Development. Mr. Barry did not have anything to add at this time.

Chairman Trzupek noted that this was not a public hearing but asked if anyone was in the audience who wanted to speak on this matter. There was no one.

Chairman Trzupek asked the petitioner if a house that is consistent with other houses in Burr Ridge can be built on each lot without a zoning variation. Mr. Barry responded affirmatively. Chairman Trzupek asked for questions and comments from the Commissioners.

Commissioner Cronin asked about the orientation of the lots, whether additional street lights are proposed and if the detention pond would be dry or wet bottom.

Mr. Barry said that two lots will face Madison Street and two lots will face Polo Ridge Court. He said that no additional street lights are required and that the pond will have a wetlands bottom.

Commissioner Stratis asked what a wetland bottom pond is. Mr. Barry introduced Mr. Scott Scheiner his consulting engineer. Mr. Scheiner explained that DuPage County encourages a wetland bottom for filtration of stormwater. He said it is not required but it would be difficult to meet the County stormwater requirements for this property without a wetland bottom. In response to Commissioner Stratis, Mr. Scheiner added that the developer would establish a maintenance plan to ensure that the wetlands would be properly maintained. Mr. Pollock added that the Village ordinances requires that the developer create an escrow fund to provide resources for the homeowners to maintain the pond after the developer's responsibility is completed.

Commissioner Grunsten asked if there were other similar ponds in the area. Mr. Scheiner said that his firm had done one in Westmont.

Commissioner Scott said he had no questions.

Commissioner Grela asked if the bottom of the pond would be wet at all times. Mr. Scheiner explained that it would detain water longer than a traditional dry pond but would eventually become dry as water soaks into the ground. In response to Commissioner Grela, Mr. Scheiner explained that the developer would maintain the pond for at least two years and thereafter, the homeowners association would be responsible.

Commissioner Praxmarer confirmed that the homeowners association would be responsible for the long term maintenance of the subdivision pond and she asked for a description of grading of the properties.

In response to Chairman Trzupek, Mr. Scheiner said that the pond is similar to a bio swale and will have underdrains.

Chairman Trzupek asked if some of the detention will flow south from the property. Mr. Scheiner explained that the driveways have to be pitched to drain to the street and that stormwater for those two lots will then have to run in the gutter into the Polo Ridge storm system but that it will be minimal and within code.

Trustee Franzese asked about the maintenance of the pond and wetlands. Mr. Scheiner explained that the first three years were critical to establish the wetland plants and after that the plants have to be replaced as needed but that should not occur often. He also added that generally geese do not like wetland areas so that should not be a problem. In response to Trustee Franzese, Mr. Scheiner said that there is no reason why a homeowner would prefer to live next to the planned wetland pond but that is being planned because of the stormwater regulations. He added that lots adjacent to the pond will not be priced differently due to that proximity.

There being no more questions or comments, Chairman Trzupek asked for a motion.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Stratis to recommend approval to the Board of Trustees of the Preliminary Plat of Subdivision for McNaughton's 87th and Madison Subdivision subject to the following conditions:

- A. The Final Plat and Final Engineering Plans shall substantially comply with the submitted Preliminary Plat and Preliminary Engineering Plans.
- B. Application for a final plat of subdivision within one year after approval of the preliminary plat by the Board of Trustees.
- C. Payment of the required school impact fee in effect at the time of approval of the final plat of subdivision - estimated at this time to be \$23,572.
- D. Payment of the required park impact fee in effect at the time of approval of the final plat of subdivision – estimated at this time to be \$31,296.80.
- E. Approval by the Village Engineer of final engineering plans including an engineer's cost estimate for all required improvements.
- F. Payment of all outstanding reimbursable fees, including but not limited to legal, engineering, and forestry fees prior to recording of the final plat of subdivision.
- G. Sidewalks shall be constructed as recommended by the Pathway Commission and approved by the Village Board.

- H. Final Landscaping and Tree Preservation Plans shall be subject to the review and approval of the Community Development Director after consultation with the Village's consulting forester.

ROLL CALL VOTE was as follows:

AYES: 7 – Cronin, Stratis, Grela, Scott, Grunsten, Praxmarer and Trzupek

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

6. FUTURE SCHEDULED MEETINGS

Mr. Pollock reported that there is nothing scheduled for the January 6, 2014 meeting and the deadline for publishing legal notices has passed.

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Praxmarer to approve to cancel the January 6, 2014 meeting. The **MOTION** was unanimously approved by **VOICE VOTE** of the Plan Commission.

Commissioner Grela acknowledged that tonight was Commissioner Cronin's last meeting after 13 years of service as a Plan Commissioner. Commissioner Grela thanked Commissioner Cronin and noted that he had been dedicated and kind in his duties for the Plan Commission. Chairman Trzupek and the other Commissioners agreed. Commissioner Cronin responded that Burr Ridge is a good Village with a dedicated staff and thanked his fellow Commissioners.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Cronin and **SECONDED** by Commissioner Scott to **ADJOURN** the meeting at 8:22 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 8:22 p.m.

**Respectfully
Submitted:**

January 20, 2014

J. Douglas Pollock, AICP



VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission
Greg Trzupek, Chairman

FROM: Doug Pollock, AICP

DATE: January 30, 2014

RE: Board Report for February 3, 2014 Plan Commission Meeting

At its January 13, 2014 and January 27, 2014 meetings the following actions were taken by the Board of Trustees relative to matters forwarded from the Plan Commission.

McNaughton's 87th and Madison Subdivision: The Board concurred with the Plan Commission and directed staff to prepare an amendment to the Annexation Agreement approving this Preliminary Plat of Subdivision. The amendment to the Agreement is scheduled for a public hearing and Board review on February 10, 2014.



VILLAGE OF BURR RIDGE

MEMORANDUM

TO: Village of Burr Ridge Plan Commission
Greg Trzupek, Chairman

FROM: Doug Pollock, AICP
Community Development Director

DATE: January 30, 2014

RE: PC-01-2014; Annual Zoning Ordinance Review

Attached are summaries of all zoning actions considered by the Plan Commission in 2013. Staff is presenting this information for the annual Zoning Ordinance review. The annual zoning review is an opportunity to identify areas where the Zoning Ordinance may need to be updated to remain consistent with the Village's Comprehensive Plan, to keep up with property trends, to resolve conflicts, or address unintended consequences of zoning regulations.

Zoning Variations – 2013: There were 9 zoning variations approved in 2013 for residential properties with all but one being for accessory buildings and structures. One variation for a front yard fence was denied.

Zoning Petitions – 2013: The Plan Commission considered 22 petitions for rezoning, text amendments and/or special uses in 2013. Those petitions included 16 special use requests, 9 text amendments, and 1 rezoning.

Other Updates: During the course of each year, staff keeps track of issues that arise that may need to be addressed via an amendment to the Zoning Ordinance. For example, in 2012 staff reported that there were a large number of permit requests for outdoor kitchens. As a result, the Plan Commission recommended and the Board approved amendments to add specific regulations for outdoor kitchens. The purpose of providing the attached summary of zoning petitions is in part to identify trends or conflicts that may need to be revised to keep our Zoning Ordinance up to date; remembering that the primary purpose of the Zoning Ordinance is to implement the Village's land use policies and goals as iterated in the Comprehensive Plan.

Conclusion: Staff does not have any recommendations for potential amendments to the Zoning Ordinance. If the Plan Commission identifies any issues that may warrant further consideration, a request to the Board of Trustees for authorization to conduct a public hearing should be made.

Zoning Petitions - 2013

Village of Burr Ridge Plan Commission

Petition	Address	Petitioner	PC	BOT	Ordinance
Z 01 2013	16W251 South Frontage Rd	Paul Lyngso	2/18/2013	2/25/2013	A-834-02-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section X.F.2.e of the Burr Ridge Zoning Ordinance to allow a Health and Wellness Clinic, specifically, a business providing fitness training and instruction to small groups and individuals, in a GI General Industrial District.					
Z 02 2013	8335 County Line Rd	Jason Racine	2/28/2013	3/11/2013	A-834-04-13
<i>Request:</i> Special Use			Approval	Approved	
Requests Special Use for an Accessory Dwelling in an R-2 District for non-gratuitous guests, domestic servants, and extended family.					
Z 02 2013		Jason Racine	2/18/2013	3/11/2013	A-834-03-13
<i>Request:</i> Text Amendment			Approval	Approved	
Requests an amendment to the Zoning Ordinance to add Accessory Dwellings to the list of special uses in the R-2 Single-Family Residence District.					
Z 03 2013		Village of Burr Ridge	2/18/2013	5/13/2013	A-834-11-13
<i>Request:</i> Text Amendment			Approval	Approved	
Requests an amendment to Appendix VI of the Burr Ridge Zoning Ordinance regarding the permitted width of residential driveways.					
Z 04 2013	590 Village Center Dr	Wok N Fire Burr Ridge LLC	3/18/2013	4/22/2013	A-834-06-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section VIII.C.2.e of the Burr Ridge Zoning Ordinance to permit an outdoor dining area.					
Z 05 2013	16W231 South Frontage Rd	Shop Melee Inc.	4/15/2013	5/13/2013	A-834-12-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section X.F.2.m of the Burr Ridge Zoning Ordinance to permit accessory retail sales for a warehouse and distribution facility for used clothing and related household items.					
Z 06 2013		David A. Schulz	4/15/2013	5/13/2013	A-834-10-13
<i>Request:</i> Text Amendment			Approval	Approved	
Requests an amendment to Section IV.I and IV.J of said Zoning Ordinance to permit a limited number of solid masonry piers in a rear yard.					
Z 06 2013		David A. Schulz	4/15/2013	5/13/2013	A-834-10-13
<i>Request:</i> Text Amendment			Approval	Approved	
Requests an amendment to Section IV.H.22 of the Burr Ridge Zoning Ordinance to permit built-in gas grills and similar cooking facilities to be located less than 10 feet from a building provided they comply with applicable manufacturer's specifications for venting and enclosure					

Petition	Address	Petitioner	PC	BOT	Ordinance
Z 07 2013	118 Burr Ridge Pkwy	Ralph's Inc., dba La Cabanita	4/15/2013	4/22/2013	A-834-08-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section VIII.B.2.ff for a restaurant with alcoholic beverages sales and outdoor sidewalk seating.					
Z 08 2013	200 Burr Ridge Pkwy	Dao Sushi and Thai	6/3/2013	6/24/2013	A-834-16-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Sections VIII.B.2.x of the Burr Ridge Zoning Ordinance to allow for the expansion of an outdoor dining area for an existing restaurant.					
Z 09 2013	60 Shore Dr	Anita K. Muka	6/3/2013	6/24/2013	A-834-17-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section X.F.2.a of the Burr Ridge Zoning Ordinance for an automobile sales and Service business inside an existing building.					
Z 10 2013	15W308 North Frontage Rd	Richard Bryjak	6/3/2013	6/24/2013	A-834-18-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section VIII.C.2 of the Burr Ridge Zoning Ordinance to permit an automobile parts powder coating business to operate in the building at 15W308 North Frontage Road and with outside storage of a maximum of 5 vehicles.					
Z 11 2013		Dennis Lindell	7/1/2013	9/9/2013	A-834-26-13
<i>Request:</i> Text Amendment			Denial	Denied	
Requests an amendment to Section IV.J of the Burr Ridge Zoning Ordinance to allow for the construction of a 6 foot tall fence in the front yard, the corner side yard, and the interior side yard of a residential property					
Z 12 2013	15W150 South Frontage Rd	Rachit Dhingra	7/1/2013		
<i>Request:</i> Special Use			Denial	Withdrawn	
Requests special use approval as per Sections IX.D.2.d and IX.D.2.f of the Burr Ridge Zoning Ordinance for a Planned Unit Development consisting of two, five-story hotels. The PUD proposed an increase in building height and floor area ratio.					
Z 13 2013	8320 Madison St	Deanna Tyrapak for Soaring Eagle Academy	7/15/2013	8/12/2013	A-834-20-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approvals as per Section X.F.2.p and Section IV.J.2 of the Burr Ridge Zoning Ordinance for an outdoor play area for a school for developmentally disabled persons bounded by a 6 foot high wood privacy fence.					
Z 14 2013		Global Luxury Imports	7/15/2013	8/12/2013	A-834-22-13
<i>Request:</i> Text Amendment			Approval	Approved	
Requests an amendment to Section X.E.2 of the Burr Ridge Zoning Ordinance to add Automobile Sales and Service to the list of special uses in the LI Light Industrial District					
Z 14 2013	101 Tower Dr	101 Tower Drive LLC	7/15/2013	8/12/2013	A-834-23-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per the amended Section X.E.2 for an indoor Automobile Sales and Service business					

Petition	Address	Petitioner	PC	BOT	Ordinance
Z 15 2013	16W260 83rd St	Tower Communications Expert, LLC	8/5/2013	8/12/2013	A-834-21-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section X.F.2.j of the Burr Ridge Zoning Ordinance for the outside storage of a maximum of 10 business trucks and utility trailers behind the building.					
Z 16 2013	16W020 79th St	International Motor Group, LLC	8/5/2013		
<i>Request:</i> Special Use			Withdrawal	Withdrawn	
Requests special use approval as per Section X.F.2.a for an automobile and truck and equipment sales, rental, and service business with outside storage of vehicles for sale.					
Z 17 2013	116 - 118 Burr Ridge Pkwy	LaCabanita	9/16/2013	10/14/2013	A-834-28-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Sections VIII.B.2.ff and VIII.B.2.y of the Burr Ridge Zoning Ordinance for a restaurant with live entertainment, sales of alcoholic beverages and with an outdoor dining area.					
Z 18 2013	7055 High Grove Blvd	Three Fish LLC (Goldfish Swim School)	10/7/2013	10/28/2013	A-834-30-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per the amended Section X.E.2 to approve an indoor private swimming school					
Z 18 2013		Three Fish LLC (Goldfish Swim School)	10/7/2013	10/28/2013	A-834-29-13
<i>Request:</i> Text Amendment			Approval	Approved	
Requests amendment to Section X.E.2 of the Burr Ridge Zoning Ordinance to add "Indoor Private Athletic Training and Practice Facility", or a similar listing as determined appropriate, to the list of special uses in the LI Light Industrial District					
Z 19 2013		Village of Burr Ridge	10/7/2013	11/25/2013	A-834-37-13
<i>Request:</i> Text Amendment			Approval	Approved	
An amendment to Section X.F.2 of the Burr Ridge Zoning Ordinance to add medical cannabis dispensing facilities to the list of special uses in the GI General Industrial District.					
Z 20 2013	11680 German Church Rd	Village of Burr Ridge	10/21/2013	11/11/2013	A-834-31-13
<i>Request:</i> Rezoning			Approval	Approved	
Rezoning the 12-Acre, Village owned pump station property from the R-1 Single-Family Residence District to the R-2A Single-Family Residence District					
Z 21 2013	7660 County Line Rd	Village of Burr Ridge	10/21/2013	11/11/2013	A-834-34-13
<i>Request:</i> Text Amendment			Approval	Approved	
An amendment to Section IV.Y.1.b of the Burr Ridge Zoning Ordinance to permit residential driveways accessing front loaded, three car garages to be 30 feet wide rather than the maximum of 24 feet as permitted for all other residential driveways.					
Z 22 2013	15W455 79th St	St. Marks Coptic Church	11/4/2013	11/25/2013	A-834-35-13
<i>Request:</i> Special Use			Approval	Approved	
Requests special use approval as per Section VI.F.2.k of the Burr Ridge Zoning Ordinance for the construction of a building addition to a church, the expansion of the parking lot, and with an outdoor playground, outdoor classroom and outdoor kitchen and gazebo					

Zoning Variations - 2013

Village of Burr Ridge Plan Commission

Petition	Address	Petitioner	PC	BOT	Ordinance
V 01 2013	6545 County Line Rd	Bob and Betty Becker	2/18/2013	4/22/2013	A-834-07-13
<i>Variation Type:</i> Accessory Buildings			Approval	Approved	
Requests variation from Section IV.H.8 of said Zoning Ordinance to permit an accessory building (a garage) to exceed the maximum height of 15 feet.					
V 01 2013	6545 County Line Rd	Bob and Betty Becker	2/18/2013	4/22/2013	A-834-07-13
<i>Variation Type:</i> Accessory Buildings			Approval	Approved	
Requests variations from Section IV.G.2 of the Burr Ridge Zoning Ordinance to permit a driveway across the rear lot line of a through lot (i.e. a driveway for access to Shady Lane) and a variation from Section IV.H.8 of said Zoning Ordinance to permit an accessory building (a garage) to exceed the maximum height of 15 feet.					
V 01 2013	6545 County Line Rd	Bob and Betty Becker	2/18/2013	4/22/2013	A-834-07-13
<i>Variation Type:</i> Driveway Width or Setb			Approval	Approved	
Requests variation from Section IV.G.2 of the Burr Ridge Zoning Ordinance to permit a driveway across the rear lot line of a through lot (i.e. a driveway for access to Shady Lane)					
V 02 2013	7920 Wolf Rd	Tony Lainovic	4/15/2013	5/13/2013	A-834-09-13
<i>Variation Type:</i> Building Setback(s)			Approval	Approved	
Requests a variation from Section VI.D.7 of the Burr Ridge Zoning Ordinance to permit an addition to a house with a setback from the corner side lot line (Wolf Road) of 14.5 feet rather than the required setback of 40 feet					
V 03 2013	8611 Crest Ct	David A. Schulz	6/3/2013	6/24/2013	A-834-19-13
<i>Variation Type:</i> Fences & Walls			Approval	Approved	
Requests a variation from Section IV.J.1 of the Burr Ridge Zoning Ordinance to permit a fence that exceeds the maximum permitted height of 5 feet.					
V 04 2013	8426 Meadowbrook Dr	Kazimierz Leja	9/16/2013		A-834-27-13
<i>Variation Type:</i> Building Setback(s)			Approval	Approved	
Requests a variation from Section VI.E.a of the Burr Ridge Zoning Ordinance to permit a second floor addition to an existing house while maintaining a 12 foot side yard setback rather than the required 17 foot side yard setback.					
V 05 2013	11349 71st ST	Joseph Tomborski	10/7/2013	11/11/2013	A-834-32-13
<i>Variation Type:</i> Accessory Structures			Approval	Approved	
Requests a variation from Sections IV.H.4 and VI.F.7 of the Burr Ridge Zoning Ordinance to permit a detached garage to be located 17 feet from the corner side (i.e. west) lot line rather than the requirement that a detached garage be located a minimum of 30 feet from a corner side lot line.					
V 06 2013	2 Carriage Pl	Robert Werr & Mary Slaga	10/21/2013	11/11/2013	A-834-33-13
<i>Variation Type:</i> Fences & Walls			Approval	Approved	
Requests for a variation from Section IV.I.34 of the Burr Ridge Zoning Ordinance to permit the replacement and expansion of a patio and patio seat wall located less than 10 feet from the interior side (south) lot line rather than the requirement that patios and patio seat walls be located a minimum of 10 feet from an interior side lot line					

<i>Petition</i>	<i>Address</i>	<i>Petitioner</i>	<i>PC</i>	<i>BOT</i>	<i>Ordinance</i>
Z 02 2013	8335 County Line Rd	Jason Racine	2/18/2013	3/11/2013	A-834-05-13
<i>Variation Type:</i> Building Height			Approval	Approved	
Requests a variation to permit an accessory building to exceed the maximum permitted height. Requests 26 feet rather than permitted 22.5 feet.					
Z 11 2013	6501 County Line Rd	Dennis Lindell	7/1/2013	9/9/2013	A-834-25-13
<i>Variation Type:</i> Fences & Walls			Denial	Denied	
Requests a variation to Section IV.J of the Burr Ridge Zoning Ordinance to allow for the construction of a 6 foot tall fence in the front yard, the corner side yard, and the interior side yard of an existing residential property					
Z 14 2013	101 Tower Dr	101 Tower Drive LLC	7/15/2013	8/12/2013	A-834-24-13
<i>Variation Type:</i> Parking & Landscaping			Approval	Approved	
Requests a variation from Section XI.C.8 of said Zoning Ordinance to permit parking in a front buildable area (between the building and Tower Drive).					
Z 22 2013	15W455 79th St	St. Mark Coptic Church	11/4/2013	11/25/2013	A-834-36-13
<i>Variation Type:</i> Parking & Landscaping			Approval	Approved	
Requests a variation from Section XI.C.11.a(2)(a) of said Zoning Ordinance to allow a limited number of parking spaces to encroach into the required 30 foot setback from the west property line.					
Z 22 2013	15W455 79th St	St. Mark Coptic Church	11/4/2013	11/25/2013	A-834-36-13
<i>Variation Type:</i> Building Height			Approval	Approved	
Requests a variation from Section VI.F.5.b of said Zoning Ordinance to allow sections of the building addition to exceed the 45 foot maximum permitted height for non-residential uses					
Z 22 2013	15W455 79th St	St. Mark Coptic Church	11/4/2013	11/25/2013	A-834-36-13
<i>Variation Type:</i> Parking & Landscaping			Approval	Approved	
Requests a variation from Section XI.C.8.a of said Zoning Ordinance to allow parking to be located in a front buildable area rather than in the side or rear buildable area of the lot					



**VILLAGE OF BURR RIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT AND SUMMARY**

V-01-2014; 8426 Meadowbrook Drive (Leja); Requests a variation from Section IV.I.1 of the Burr Ridge Zoning Ordinance to permit a detached accessory building (garage) to be located in a side and front yard rather than in the rear yard. The proposed garage would be an expansion of the existing garage and would also replace an existing shed.

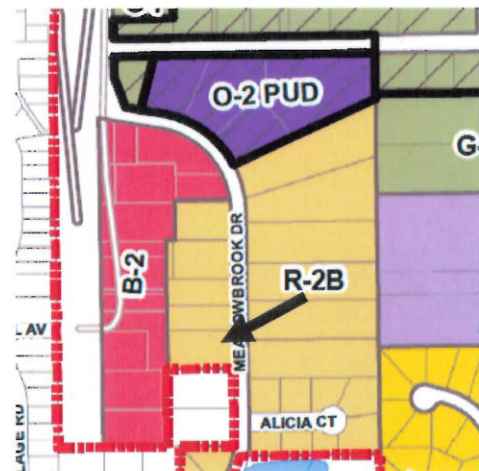
Prepared For: Village of Burr Ridge Plan Commission / Zoning Board of Appeals
Greg Trzupek, Chairman

Prepared By: Doug Pollock, AICP
Community Development Director

Date of Hearing: February 3, 2014

GENERAL INFORMATION

Petitioner: Kazimierz Leja
Property Owner: Kazimierz Leja
Petitioner's Status: Property Owner
Land Use Plan: Recommends Single-Family Residential Use



Existing Zoning: R-2B Single-Family Residence
Existing Land Use: Single-Family Residence
Site Area: 49,470 square feet
Subdivision: Hinsdale Meadow Brook Farms



SUMMARY

The petitioner is in the process of constructing an addition to a home. A permit was issued for the addition in 2013 after approval of a side yard setback variation by the Zoning Board of Appeals and the Board of Trustees. At this time, the property owner would like to add to an existing detached garage. The garage is located in a side and front yard and the Zoning Ordinance requires that all detached buildings be located in the rear yard.

The location of the existing garage is legally non-conforming. Section IV.I.1 of the Zoning Ordinance requires that all detached accessory buildings be located behind the principal building (the house). The existing garage may remain as it currently exists but the Zoning Ordinances does not allow for the expansion of a non-conforming building.

The garage is located 85 feet from the front lot line while the house is 98 feet from the front lot line. The addition would be on the backside of the garage. The garage doors would face to the side toward the house (not toward the street). The garage would have a pitched roof and is shown in the submitted elevation with brick siding. The total area of the garage would be approximately 1,250 square feet.

Findings of Fact and Recommendation

As noted, a variation was granted for an addition to the existing house. In that particular case, the house was legally non-conforming as to the side yard setback. The addition to the house maintained the non-conforming side yard setback (from the north lot line) and the Zoning Board determined that requiring compliance with the setback would create a hardship in that the home would have to be removed or the addition would have to be setback further from the existing side of the house thus creating an odd configuration of the house.

The proposed variation is similar to the 2013 variation in that it represents an expansion of a legally non-conforming building. The existing garage is located in the side and front buildable area of the lot. However, the question for the Zoning Board is whether it is a hardship to force the property owner to remove an *accessory* building to bring it into conformance with the Zoning Ordinance. As noted, in the 2013 variation, it was determined that forcing the removal of a principal building was a hardship. The 2013 variation, however, does not necessarily set a precedent as it applied to a principal building (the house).

The petitioner has provided findings of fact which the Zoning Board of Appeals may adopt if the ZBA is in agreement with those findings. If the Zoning Board agrees with those findings, a positive recommendation may be forwarded to the Board of Trustees along with any conditions deemed appropriate (for example, a condition requiring a brick façade as per the submitted building elevation). If the Zoning Board is not in agreement with those findings, staff should be directed to prepare findings in support of a recommendation to deny this variation.

Per, BURR RIDGE ZONING ORDINANCE SECTION IV R-2B GENERAL REGULATIONS, SECTION I.1, detached building accessory to permitted residential uses are permitted in the rear buildable area. The existing home on the property has a 2 car detached garage (building accessory) in the side buildable lot and another accessory building (shed) next to it. It is requested that a variation be approved in order to allow expansion of the detached garage into the area now occupied by the shed. The existing garage will remain as is currently but it will be expanded.

The following zoning ordinances are also applicable and will continue to the met:

Per, BURR RIDGE ZONING ORDINANCE SECTION VI.E R-2B SINGLE-FAMILY RESIDENCE DISTRICT, SECTION 7.a.(1), the interior side yard shall be 17 feet, front yard shall be 40 feet and rear yard shall be 55 feet. After completion of the expansion, all setbacks will continue to meet the zoning requirements outlined above.

Per, BURR RIDGE ZONING ORDINANCE SECTION IV R-2B GENERAL REGULATIONS, SECTION H.10.c.(ii), a maximum floor area for a detached building accessory is 4.75% FAR. Based on the dimensions of the lot (49,470 sqft) an accessory building size of 2350 sq. ft. at a maximum is allowed. The proposed expansion would result in a total accessory building size of less than 1500 sq ft. Hence, with the expansion the garage will continue to meet the zoning requirements.

Per, BURR RIDGE ZONING ORDINANCE SECTION IV R-2B GENERAL REGULATIONS, SECTION H.10.c.(ii), Accessory buildings shall be separated by at least 10 feet from the principal building and from all other accessory buildings on the lot. The distance between the principal building and the accessory building (garage) will continue to be conforming. The remaining accessory building (shed) is currently not conforming since it is less than 10 feet from the garage. The shed will be demolished as part of the proposed garage expansion.

a. The garage is currently non-conforming since it is located in the side buildable area versus the rear buildable area. In order to expand the garage and meet the zoning requirements, the existing garage and shed would need to be completely demolished and a new garage would need to be built in the rear buildable area of the lot. This will require a significant investment due to the demolition effort, re-build of the garage and the expansion of the driveway by another 50 feet. Additionally, due to the size of the lot (very wide) and placement of the home on the side of the lot, the proposed rear location will not be visually appealing. This zoning regulation is a general regulation applicable to all Burr Ridge homes not just to this zoning district. The Meadowbrook Farms subdivision is atypical in that the lots are much wider and deeper than other subdivisions in the village and the neighborhood overall has many non-conforming characteristics stemming from being built prior to Burr Ridge incorporation. The present home is about 3000 sq ft, a home of this size normally accommodates a larger garage than is existing. In addition the remodeled garage will benefit the overall appeal of the home and will be an asset to the neighborhood. If strict letter of the regulations were to be carried out, the proposed improvement will be economically not feasible and the proposed improvement will not be completed leaving the existing garage and shed as is.

b. As previously stated, the home at this lot is about 3000 sq ft which is normally accompanied by a 3+ car garage. The existing garage is smaller 2 car garage with a shed on the side. Due to the size of the home and maintenance requirements associated with a lot of this size, additional garage space is needed (most likely the reason why the previous owner added the non-conforming shed). The existing shed is in a distressed condition hence it needs to be torn down or rebuilt.

c. The Meadowbrook Farms subdivision is atypical in that the lots are much wider and the neighborhood overall has many non-conforming characteristics stemming from being built prior to Burr Ridge incorporation. Most homes have attached garages and one home does have a non-conforming detached garage next to the primary residence.

d. The purpose of the variation is to accommodate the home on the lot with a correspondingly sized garage as well increase the overall appeal of the home and the neighborhood. There is no economic benefit to replacement of the existing garage and shed with a completely new garage in an alternate location, without approval of the variation.

e. This home and garage were built in 1946 prior to incorporation into Burr Ridge. Some of the homes in the subdivision are still unincorporated. I have just recently (June 2013) purchased this distressed property. I did not know that it was non-conforming prior to the purchase. Since I wish to live at this home for a long time, I wanted to improve the appeal and size of the garage to match the home. However, if the entire garage and shed need to be completely relocated and re-built, it is not economically logical or feasible to complete the improvement as detailed.

f. The granting of the variation will not be detrimental to public welfare or the neighborhood.

g. The garage will continue to be in the same location as currently except that it will be expanded (no expansion to the front of the lot). The neighborhood has mostly attached side garages with one home with what appears to be a detached garage on the side of the primary residence (as in this situation). The single story and 2-story homes in the neighborhood include both Burr Ridge and incorporated homes. Hence, the garage expansion will not change the character of the neighborhood and the garage will continue to be consistent with the surrounding homes.

h. The proposed change will not alter light or air to the adjacent property or increase danger of fire or increase congestion on public streets (it will continue to serve the single family home on the lot). It will not impact drainage since the expansion will only include expansion of the existing slab foundation.

i. The proposed garage expansion will be consistent with the official comprehensive plan of the village of Burr Ridge and other village development codes.



PLAT OF SURVEY

LEGAL DESCRIPTION:
LOT 27 (EXCEPT THE WEST 290 FEET THEREOF) IN HINSDALE MEADOWBROOK FARMS, BEING A SUBDIVISION OF THE WEST HALF OF THE SOUTHEAST QUARTER OF SECTION 35, TOWNSHIP 38 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPTING THE SOUTH 175.0 FEET OF THE WEST 350.0 FEET, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 25, 1952, AS DOCUMENT 650073 AND CERTIFICATE OF CORRECTION FILED JUNE 3, 1952, AS DOCUMENT 653220, IN DUPAGE COUNTY, ILLINOIS.

PIN : 09-35-400-012-0000

Commonly Known as: 8426 MEADOWBROOK DR,
BURR RIDGE, IL 60527

STATE OF ILLINOIS)
COUNTY OF KANE) S.S.

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A CORRECT REPRESENTATION OF A SURVEY PERFORMED AT AND UNDER MY DIRECTION. THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. ALL DIMENSIONS SHOWN ARE IN FEET AND DECIMAL PARTS THEREOF.

GIVEN UNDER MY HAND AND SEAL THIS 15TH DAY OF JULY, A.D. 2013.

K. Blando

KRZYSZTOF BLANDO
ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3705
LICENSE EXPIRES 1/1/14

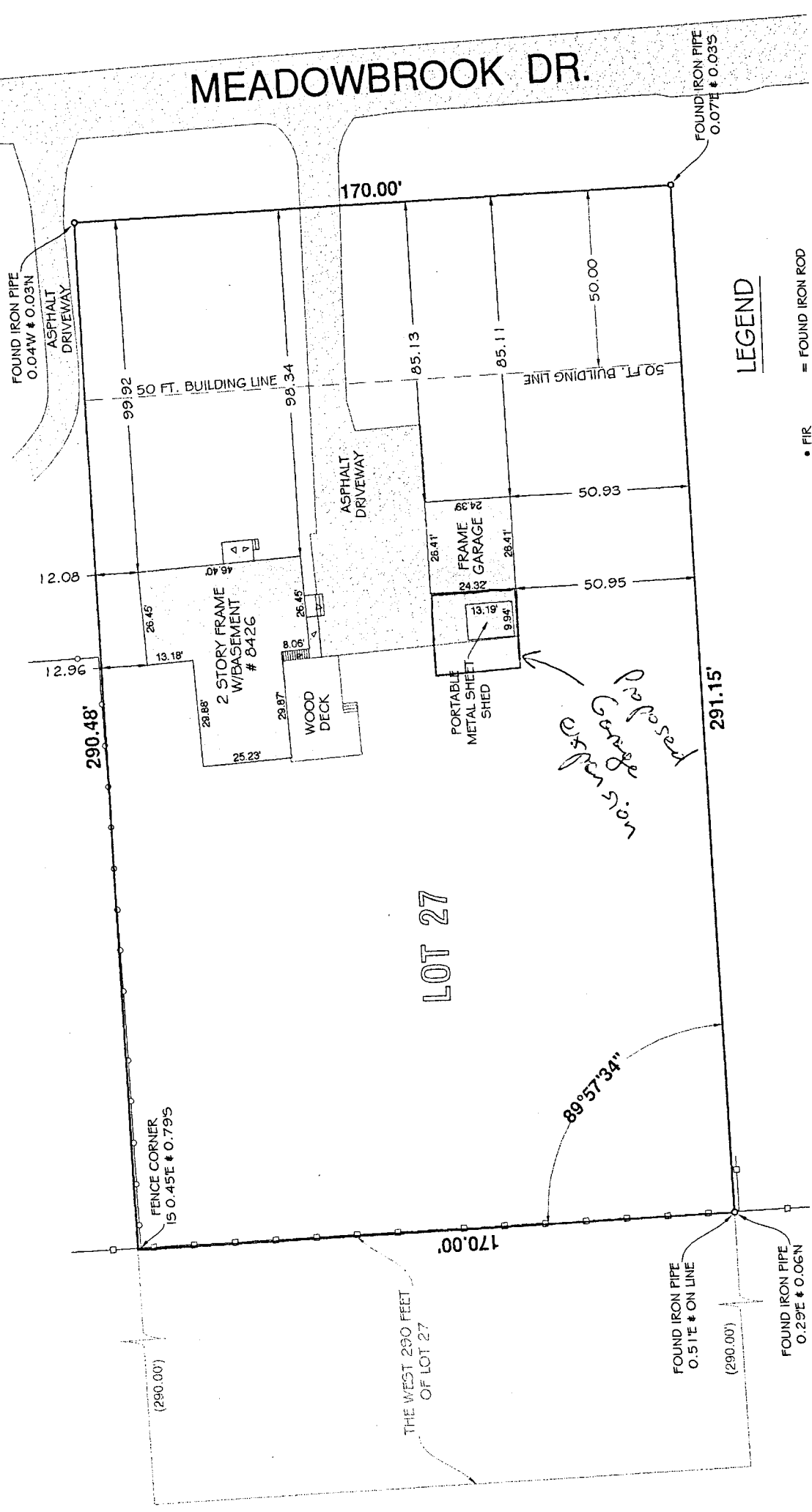
ORDER NO.	2013/056
DRAWN BY	CP
CHECKED	KB
APPROVED	KB
FIELD DATE	07/13/13
SCALE	1" = 40'

Prepared for:
KAZIMIERZ J. LEJA
8706 W. SUMMERDALE AVE.
CHICAGO, IL 60656

Prepared by:
ACORN CONSULTANTS LTD.
1340 GIESE ROAD
BATAVIA, ILLINOIS 60510
TEL: (630) 391-1215
kblando@comcast.net

LOT 28

TOTAL AREA = ±49438 SQ. FT. (1.14 ACRE)



LEGEND

- FIR = FOUND IRON ROD
- FIP = FOUND IRON PIPE
- ✱ FCC = FOUND CUT CROSS
- = BOUNDARY OF SURVEYED PARCEL
- - - = BUILDING LINE
- - - = EASEMENT
- - - = CHAIN LINK FENCE
- - - = WROUGHT OR STOCKADE FENCE
- [] = WOOD DECK & STAIRS
- [] = CONCRETE
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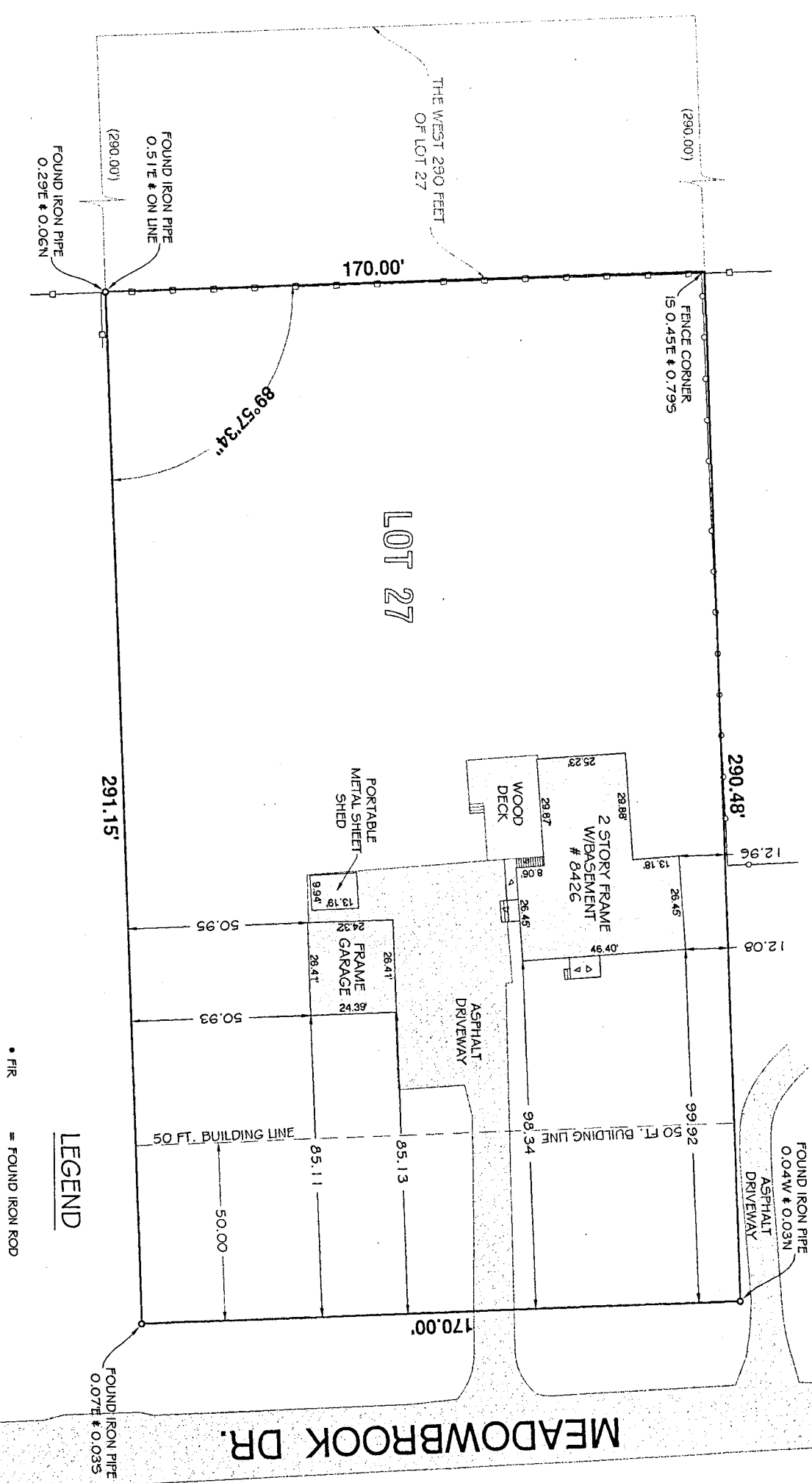
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- NO INDEPENDENT SEARCH FOR EASEMENTS, BUILDING LINES AND OTHER RESTRICTIONS HAS BEEN MADE. THEREFORE, THERE MAY BE ADDITIONAL FACTS AND/OR SERVITUDE EFFECTING THIS PROPERTY WHICH ARE NOT SHOWN ON THIS SURVEY. FOR BUILDING LINE AND OTHER RESTRICTION NOT SHOWN HEREON REFER TO YOUR DEED, ABSTRACT, TITLE POLICY, CONTRACTS AND LOCAL BUILDING AND ZONING ORDINANCES.
- THE SURVEYOR EXPRESSES NO OPINION AS TO THE ACCURACY OF THE UNDERGROUND UTILITIES WHEN NOT READILY VISIBLE FROM THE SURFACE. IT IS RECOMMENDED THAT THE APPROPRIATE GOVERNMENTAL AGENCY, MUNICIPALITY AND/OR UTILITY COMPANY BE CONTACTED FOR VERIFICATION.

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