



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

**August 18, 2014
7:30 P.M.**

I. ROLL CALL

Greg Trzupek, Chairman

**Mike Stratis
Dehn Grunsten
Robert Grela
Luisa Hoch**

**Greg Scott
Mary Praxmarer
Prashant Sheth, Alternate**

II. APPROVAL OF PRIOR MEETING MINUTES

- A. July 21, 2014 Plan Commission Regular Meeting**

III. PUBLIC HEARINGS

- A. V-03-2014: 15W281 91st Street (Sedlacek); Variation and Findings of Fact, continued from July 21, 2014**

Requests a variation from Section IV.H.4 of the Burr Ridge Zoning Ordinance to permit the construction of an accessory building (a garage) 3 feet from the rear lot line rather than the required 10 feet and 3 feet from the west side lot line rather than the required 17 feet.

- B. Z-10-2014: 15W320 North Frontage Road (Vanderwerk); Text Amendment, Special Use, and Findings of Fact**

Requests an amendment to Section VIII.C.2 of the Burr Ridge Zoning Ordinance to add retail sales of fishing, hunting and firearms to the list of special uses in the B-2 Business District and for special use approval as per the amended B-2 District to approve retail sales of fishing, hunting and firearms in an existing building.

- C. Z-11-2014: 11411 German Church Road; Rezoning and Findings of Fact**

Consideration of rezoning a 4.6 acre parcel from the R-1 Single-Family Residence District to the R-2B Single-Family Residence District.

- D. Z-09-2014: Zoning Ordinance Text Amendment; Accessory Building Setbacks**

Consideration of an amendment to Section IV.H.4 of the Burr Ridge Zoning Ordinance increasing the required rear and side yard setbacks for larger accessory buildings in residential districts.

IV. CORRESPONDENCE

- A. Board Report – July 28, 2014 and August 11, 2014

V. OTHER CONSIDERATIONS

- A. **S-06-2014: 74-324 Burr Ridge Parkway (County Line Square); Sign Variation**
- B. **Z-07-2014: 60 Shore Drive (Forklift Exchange); Findings of Fact**
- C. **Z-08-2014: 11411 German Church Road (Malek); Findings of Fact**

VI. FUTURE SCHEDULED MEETINGS

- A. **September 15, 2014:** The filing deadline for this meeting is August 25, 2014.
- B. **October 6, 2014:** The filing deadline for this meeting is September 15, 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 August 25, 2014 Regular Meeting beginning at 7:00 P.M. Commissioner Sheth is the Plan Commission representative for the August 25, 2014 Board meeting.

PLAN COMMISSION/ZONING BOARD OF APPEALS

VILLAGE OF BURR RIDGE

MINUTES FOR REGULAR MEETING OF

JULY 21, 2014

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 – Stratis, Hoch, Grunsten, Praxmarer, Grela, Scott, and Trzupek

ABSENT: 1 – Sheth

Also present was Community Development Director Doug Pollock, Trustee Guy Franzese, and Trustee Diane Bolos.

2. APPROVAL OF PRIOR MEETING MINUTES

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Grunsten to approve minutes of the July 7, 2014 Plan Commission meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

3. PUBLIC HEARINGS

Chairman Trzupek asked all persons in attendance who may speak at any of the public hearings to stand and affirm to tell the truth. Chairman Trzupek affirmed all those who stood.

Chairman Trzupek suggested that the order of the public hearings be changed so that V-03-2014 be conducted first. The Plan Commission agreed by consensus.

B. V-03-2014: 15W281 91st Street (Sedlacek); Variation and Findings of Fact

Chairman Trzupek asked Mr. Pollock to provide a summary of this hearing.

Mr. Pollock summarized the request as follows: The petitioner seeks a variation to reduce the interior side yard and rear yard setbacks for a detached accessory building. The Zoning Ordinance requires a 17 foot side yard setback and a 10 foot rear yard setback in the R-2B District. The garage is a one story building and would be located at the southwest corner of the property. The petitioner proposes a 3 foot setback from the rear lot line and a 3 foot setback from the west side lot line.

Chairman Trzupek asked the petitioner if they had anything they would like to add.

Mr. Wesley Zaba, attorney for the property owner, said that the basis of the variation was the location of a septic tank and field on the property which prevents the building from being located in compliance with the requires setbacks. He added that the setbacks were consistent with the neighboring property

Chairman Trzupek asked for clarification on precise location of the septic system. The property owner, Mr. Sadlacek, said the drawing was not precise and the tank is actually located differently than is shown. He said the brick sidewalk shown on the plan has been removed.

Chairman Trzupek asked for questions and comments from the public.

Ms. Sherri Kissel, 9210 Forest Edge Lane, said the neighbors do not want a large building in the neighborhood that would be seen from the other yards. In response, Mr. Sadlacek said that the garage would be 22 x 22 feet which is only a two car garage.

Mr. Cortez Curtis, 10S601 Garfield, asked if the variation was only for this property or if it would apply to other properties in the neighborhood. Chairman Trzupek said the variation would be limited to this one property.

There being no further questions from the public, Chairman Trzupek asked for questions and comments from the Plan Commission.

Commissioner Stratis asked about the cost of relocating the septic system. Mr. Sadlacek said that connecting to the public sewer would cost \$25,000. Commissioner Stratis suggested the garage could be moved toward the house and reduce or eliminate the rear yard setback. Mr. Sadlacek said that he did not want it to get too close to the house.

Commissioner Hoch asked if a one car garage was an option as it may not require a variation. Mr. Sadlacek said that a one car garage would not give him sufficient storage area.

Commissioner Grunsten confirmed that the siding on the garage would match the house. She suggested a one car garage could be built with a separate shed. Mr. Sadlacek said he was concerned that the shed would have to be placed over the septic field.

Commissioner Praxmarer asked if there was any complaints or input from the neighbors immediately to the west. Mr. Pollock said he did not receive any inquiries from that neighbor.

Commissioner Grela stated that a standard garage in Chicago is 22 x 22 and that is for a much smaller lot. He said the proposed garage is not too big for this property. He said that the petitioner did not answer the question about the cost of relocating the septic and that from his experience he would anticipate the cost being about \$6,000 to \$9,000.

Commissioner Grela said that he believes a one car garage would diminish the value of the property as people expect to have two car garages. He said he does not see the setback affecting the neighbors and does not object to the size of the garage. He noted that the Zoning Ordinance requires that the driveway be replaced with a dustless, hard surface and that any approval of the variation would require a hard surfaced driveway.

Commissioner Scott asked if there was an easement for the driveway. The petitioner indicated there is an easement. He asked about moving the garage to the north to increase the rear yard setback. He said he has no problem with the size of the garage.

Chairman Grela said he is most concerned about the west side setback. He said he cannot support any variation without knowing the exact location of the septic system.

Commissioner Grela suggested the petitioner have the septic company mark the exact location of the septic system and that a plan to scale be submitted.

In summary, Chairman Trzupek suggested the public hearing be continued and that the petitioner provide the additional information requested.

At 8:22 p.m., a **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Hoch to continue this hearing to August 18, 2014.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A. Z-08-2014: 11411 German Church Road (Malek); Rezoning and Findings of Fact

Chairman Trzupek asked Mr. Pollock to provide a summary of this hearing.

Mr. Pollock summarized the request as follows: The subject property was annexed into the Village in 2013 along with other properties to the south. Upon annexation the default zoning is the R-1 District. The petitioner requests rezoning from the R-1 Single Family Residential District to the R-3 Single-Family Residential District. The petitioner has also filed a preliminary plat which is on this same agenda for discussion. The zoning of the property should be considered separately from the plat and the zoning should be considered based on surrounding zoning and development and based on the Comprehensive Plan.

Chairman Trzupek asked the petitioner to present their petition.

Mr. Bob Sodikoff introduced himself as the attorney for the property owner. Mr. Sodikoff noted that the property was a transition property between smaller lots to the east, west, and north and larger lots further west and south. He said that the lots on the other side of Buege Lane are less than 20,000 square feet. He said that the property owner originally discussed annexation into Willow Springs and developing the land with 9 to 11 lots and that upon annexation to Burr Ridge they have gone down to 7 lots.

In regards to the preliminary plat, Mr. Sodikoff said that there would be less stormwater runoff from the property after it is developed because they will construct a stormwater detention pond and control the release of stormwater downstream as required by the Village regulations.

Chairman Trzupek asked for questions and comments from the public.

Ms. Nancy Sanchez of Willow Springs said that there has been open dumping on the property that should be addressed before development. Mr. Sodikoff responded that the property owner was not aware of any dumping and that remediation would occur before development as may be necessary.

Mr. Mike McGrath said he was the Village Attorney for the Village of Willow Springs. He said that five Trustees and the Village President were in attendance from the Village of

Willow Springs. He described the history of boundary agreement discussion between the villages and he noted that this property drains into Willow Springs.

Mr. Alan Nowaczyk said he is the Mayor of Willow Springs. He said the zoning of the property should only be considered in context with the drainage issues. He said Willow Springs was asking for stormwater based on a 500 year flood. He said that Willow Springs is willing to share information and engineering plans for the property with Burr Ridge.

Mr. Sodikoff said that he discussed this with the Chairman of the Willow Springs Plan Commission who was concerned that Burr Ridge would allow more than 9 lots. Mr. Sodikoff said instead they are only asking for 7 lots.

Mr. William Huff, 7 Buege Lane, said he does not want smaller lots and smaller houses on his street. He was concerned that the R-3 zoning would diminish his property value.

Mr. Bill Gibson of Crescent Court in Willow Springs said that he is concerned about flooding in the area and on his property.

Chairman Trzupek said that since the primary interest from the audience was stormwater that the developer should describe the proposed plat and stormwater facilities.

Mr. Pollock said that the plat was on the agenda separately and if there was discussion on the plat, the Plan Commission needs to know that they cannot base their zoning decision on the plat or on the stormwater issues. He said the zoning recommendation should be based on surrounding zoning and development and the Comprehensive Plan.

Mr. Dustin Erickson said he was the civil engineer for the property owners. He described the plat of subdivision and the stormwater management facilities.

Chairman Trzupek asked if the plat illustrates how the property could be developed under the R-3 District. Mr. Erickson confirmed and said that the average lot size would be 20,000 square feet and that the Burr Ridge standards for stormwater were double the standards of the MWRD. In response to Chairman Trzupek, Mr. Erickson said that currently stormwater sheet drains overland to the east and south and into the Willow Springs neighborhood. He said the engineering plan proposes to direct all of that stormwater into a detention pond and release it downstream at a controlled rate.

Mr. Greg Strazzanti said he is a Trustee from Willow Springs and lives in the neighborhood. He described the current flooding problems.

Mr. Mark Lattner said he is a civil engineer employed by the Village of Willow Springs. He asked if the development would take some run off that currently flows north and direct it south. Mr. Erickson said that is correct but it would be captured by the detention pond and released at a controlled rate.

In response to Chairman Trzupek, Mr. Erickson said that 100 percent of the stormwater on the property would be directed to the pond and released at a controlled rate of flow.

Mr. Zed Francis, 8237 Greystone Court, said that he represents the Bridle Path Homeowners and they are concerned with R-3 zoning in the German Church Road corridor. He referenced the Comprehensive Plan which recommends that all new development be on lots of 30,000 square feet or more. He said R-3 does not seem to fit the area.

Ms. Christine Sudlek of Crescent Court in Willow Springs, said that surveyors were on her property claiming to be from the Village but they were not. She wondered how much impervious coverage would be on the lots. In response, Mr. Pollock explained the Burr Ridge zoning regulations for lot coverage.

Ms. Sudlek asked what would happen if there was a problem with the stormwater facilities after the development is completed. Mr. Pollock said that all stormwater facilities are required to be in easements. He said the easements require that if a facility fails the Village can require the property owners to fix it and if they fail to fix it the Village will fix and lien the properties.

Mr. Eric Hansen, 11 Buege Lane, said that the Comprehensive Plan recommends 30,000 square foot lots and he believes the R-3 District is not consistent with his lot and other Buege Lane lots which are 30,000 square feet or more.

Mr. Ramy Saif said he represented the petitioner. He acknowledged the concerns of the neighbors and describe the stormwater detention for the property. He concluded that this development would make the stormwater situation better for neighbors. He also said that Willow Springs had promised them 10 lots but then would not return their phone calls.

Mayor Novaczyk added that there has been no discussion of sight lines along German Church Road which was a major concern of Willow Springs. Mr. Pollock responded that the proposed zoning would require standard setbacks from German Church Road for all of the lots.

Ms. Lisa Bethel, 8400 Pleasant View Lane in Willow Springs, asked if water from German Church Road would be diverted to the south. Mr. Erickson said that water on the north 40 feet of the property would be diverted to the detention pond as required by law.

Ms. Pam McHenry, 7 Buege Lane, said that the smaller lots would not conform to the larger lots on Buege Lane and would diminish her property value.

Mr. Tom Jelow, 8104 Pleasant View Lane in Willow Springs, said his street is a one lane street and he wanted to know how construction traffic would be managed. Mr. Sodikoff said they had not looked at that yet but that there were other ways to access the property other than Pleasant View Lane.

Mr. Tom Kaptur said he is the Chairman of the Willow Springs Plan Commission. He said the lots on the other side of Pleasant Lane are over 15,000 square feet. He said Willow Springs looked at this property but could not come up with an agreement with the property owner. He encouraged larger lots for the property and maybe less than 7 lots.

Mr. Refaat Abdel-Malak said he was one of the owners of the property. He said they originally wanted 12 lots on the property but have come down to 7 lots.

Mayor Novaczyk said that the lots on the west side of Buege Lane will have 150 feet of frontage so they will look bigger. Mr. McGrath added that there is also open space behind those lots which will make them look even bigger.

Ms. Sudlek said that more houses would mean more run off and she submitted a document to support her claim.

Mr. Sodikoff said he understands the problems with stormwater but that these problems are not caused by the property owners and were existing long before his clients purchased

the property. He suggested the stormwater problems should be addressed with the Village of Willow Springs.

Mr. Waaf Abdel-Malak said he was another owner of the property. He said for Willow Springs to try to get Burr Ridge to fix their problems was wrong. He said the residents should take these matters up with the Willow Springs Board and not ask the developer to fix their problems.

Ms. Annette Kaptor of Willow Springs said that the best arguments for this request came from Burr Ridge residents who want larger and fewer lots on the property.

Mr. Robert from 8407 Crescent Court in Willow Springs, presented photographs of flooding in the area.

Chairman Trzupek asked if there was anyone else in attendance who wanted to speak on this matter. There being none, he asked for questions and comments from the Commissioners.

Commissioner Scott asked if the developer looked at wider lots. Mr. Sodikoff said that in response to a recommendation from staff, they wanted to keep all of the lots fronting on Buege Lane rather than Pleasant View Lane. Also in response to Commissioner Scott, Mr. Sodikoff said that all stormwater would be detained on site and released at a controlled rate.

Commissioner Grela said that this property was an anomaly in that it was bounded by Willow Springs on three sides. He said the property was a poster child for transitional zoning with the smaller lots to the east and larger lots to the west. He said the law does not require the developer to fix the neighbors stormwater problem but only to ensure that stormwater on their property is properly controlled so it does not contribute to downstream problems. Mr. Grela said that based on the existing zoning and development in the area he does not object to the proposed R-3 zoning.

Commissioner Praxmarer said in general should we prefer more open space but that she is not sure about which zoning district is appropriate for this property.

Commissioner Grunsten said she would like to see the property developed with only five lots.

Commissioner Hoch asked how many lots may be possible with R-2B zoning. Commissioner Stratis said he estimated that six lots could be obtained under the R-2B District. Commissioner Hoch acknowledged the stormwater problems in the neighborhood but said this development would not make those problems worse.

Commissioner Stratis agreed that the stormwater problems existing in the neighborhood cannot be fixed by the proposed development nor should anyone expect the property to remain undeveloped because of existing stormwater problems. He asked if the Village could require more stormwater facilities than the code requires. Mr. Pollock said that because the property is already in the Village, the developer has the right to develop under existing stormwater regulations and the Village cannot require additional stormwater facilities.

Commissioner Stratis agreed that this was a transitional property but he said he thinks six lots would be appropriate and recommends R-2B zoning. He said he cannot support the R-3 zoning.

Chairman Trzupek said it is a transitional property but that the R-3 was too steep a drop off from the Burr Ridge properties in the area. He suggested the R-3 is not compatible with other lots on Buege Lane and he recommends the R-2B district for this property.

Mr. Sodikoff reiterated that there are smaller lots to the north, east and west and the R-3 District is the appropriate transitional zoning.

Chairman Trzupek asked Mr. Pollock if the Plan Commission is restricted to recommending or not recommending the R-3 District or if they could recommend another zoning district. Mr. Pollock responded that the legal notice was for the R-3 District and that a lower density district could be recommended but not a higher density district. He added that the R-2B District is a lower density district so the Plan Commission could recommend the R-2B District.

At 10:14 p.m., a **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Stratis to close the hearing for Z-08-2014.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

A **MOTION** was made by Commissioner Stratis and **SECONDED** by Commissioner Scott to recommend to the Board of Trustees that the property at 11411 German Church Road be rezoned to the R-2B District.

ROLL CALL VOTE was as follows:

AYES: 6 – Stratis, Scott, Hoch, Grunsten, Praxmarer, and Trzupek

NAYS: 1 – Grela

MOTION CARRIED by a vote of 6-1.

C. Z-09-2014: Zoning Ordinance Text Amendment; Accessory Building Setbacks

Chairman Trzupek asked Mr. Pollock to provide a summary of this hearing.

Mr. Pollock summarized the request as follows: In response to complaints from a resident regarding the construction of a large accessory building at the minimum rear yard setback line, the Village Board directed the Plan Commission to consider an amendment to the Zoning Ordinance that would increase the rear yard setback for larger accessory buildings. Currently, the rear yard setback for a detached accessory building is 10 feet in all districts regardless of the size of the building.

Mr. Pollock showed two tables that described the maximum size of accessory buildings in the various residential zoning districts. Mr. Pollock said the Plan Commission could establish a rear yard setback the same as the side yard setback, create a setback based solely on the size of the building, or do nothing.

Commissioner Grela asked if a new setback would apply to an addition to an accessory building. Mr. Pollock said any addition would have to comply with a new setback.

Chairman Trzupek asked Mr. Pollock if he had any idea how many buildings may be impacted by a change in the setback. Mr. Pollock said he was unsure but could try to make a determination using the Village's permit database.

Chairman Trzupek asked for public comments or questions.

Mrs. Conidi of 8107 Park Avenue spoke about an accessory building that is under construction at 15W241 81st Street. She referenced different documents from the Village web site one of which described the building as an accessory building and the other described it as accessory residential building. She wondered which one was correct. She also said that the web site Zillow lists this as two single-family homes and she said she believes the accessory building is a second home on the property. She said that the building is also causing flooding of other properties.

Chairman Trzupek asked Mrs. Conidi if a greater setback for the building would help the flooding. Mrs. Conidi said it would not help. Chairman Trzupek said that this public hearing is to discuss setbacks for future accessory buildings and would not impact any of the situations described.

Mr. Pollock said he would have an inspector visit the property to determine if the building that was permitted as an accessory building is being converted to a dwelling unit. Mr. Pollock said such a conversion would violate the Zoning Ordinance and would be stopped.

Mrs. Natalie Romeo, 8139 Kathryn Court, asked if there would ever be consideration to lowering the maximum size of a detached building. She said she would be in favor of increasing the setback including requiring a minimum separation from other buildings.

Commissioner Grela said he has not seen setbacks based on other buildings. Commissioner Stratis said that such a scheme would be unfair because the first to build would gain advantage of neighboring properties.

Commissioner Stratis said he does not see a compelling reason to change the setback but he is not opposed to changing the setback.

Commissioner Praxmarer said she sympathizes but is not sure if an increased setback would be beneficial.

Commissioner Hoch suggested that one solution would be for a resident to provide landscaping on their own property when a building is built next to them.

Commissioner Grela said he is not sure of the solution and suggested that the Commission take more time to consider this matter. Commissioner Scott agreed.

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Hoch to continue Z-09-2014 to the August 18, 2014 meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

4. CORRESPONDENCE

There were no questions or comments regarding the Board Report or the Building Report.

5. OTHER CONSIDERATIONS

A. Preliminary Plat of Subdivision: Burr Ridge Greens; 11411 German Church Road

Mr. Pollock suggested that since the rezoning of this property to the R-3 District was not approved that this plat be tabled to the August 18 meeting pending review of the zoning by the Plan Commission. Mr. Sodikoff said that the petitioner agrees that the plat should be continued.

A **MOTION** was made by Commissioner Grela and **SECONDED** by Commissioner Hoch to continue consideration of the Burr Ridge Greens Preliminary Plat of Subdivision to the August 18, 2014 meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

6. FUTURE SCHEDULED MEETINGS

Mr. Pollock said the next scheduled meeting is August 4, 2014 and there are no public hearings or other considerations scheduled for this meeting.

A **MOTION** was made by Commissioner Scott and **SECONDED** by Commissioner Praxmarer to cancel the August 4, 2014 meeting.

ROLL CALL VOTE was as follows:

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

NAYS: 0 – None

MOTION CARRIED by a vote of 7-0.

7. ADJOURNMENT

A **MOTION** was made by Commissioner Grunsten and **SECONDED** by Commissioner Stratis to **ADJOURN** the meeting at 11:14 p.m. **ALL MEMBERS VOTING AYE**, the meeting was adjourned at 11:14 p.m.

**Respectfully
Submitted:**

August 18, 2014

J. Douglas Pollock, AICP

Douglas Pollock

From: Wesley Zaba <wes@westmontattorneys.com>
Sent: Thursday, August 14, 2014 1:34 PM
To: Douglas Pollock
Subject: RE: Proposed Garage Variance - 15W281 91st Street, Burr Ridge, IL 60527

Mr. Pollock:

Pursuant to our conversation earlier today, we are requesting a continuance on the petition for variance related to the above-referenced property in order to allow the necessary research to be completed. Please confirm that you received this email and there are no issues with the requested continuance.

Thank you,

Wesley Zaba

Borla, North, & Associates, P.C.
6912 S. Main Street
Suite 200
Downers Grove, IL 60516
P: (630) 969-3903
F: (630) 969-3931

-----Original Message-----

From: Douglas Pollock [mailto:DPOLLOCK@BURR-RIDGE.GOV]
Sent: Friday, August 01, 2014 9:24 AM
To: Wesley Zaba
Subject: RE: Proposed Garage Variance - 15W281 91st Street, Burr Ridge, IL 60527

Wesley,

Following up from last week's meeting; I recommend that you provide the following information;

- A revised survey/site plan, drawn to scale, that shows the precise location of the septic field and the dimensions of the garage.
- A copy of the easement for the driveway.
- An indication of the survey/site plan that the driveway will be hardsurfaced.

The public hearing was continued to August 18. Please provide the above at your earliest convenience but no later than August 12. If you have any questions or concerns please let me know.

Doug Pollock, AICP
Community Development Director
Village of Burr Ridge, IL
(630) 654-8181, Ext. 3000
www.burr-ridge.gov
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**VILLAGE OF BURR RIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
STAFF REPORT AND SUMMARY**

V-03-2014; 15W181 91st Street (Sedlacek); Requests a variation from Section IV.H.4 of the Burr Ridge Zoning Ordinance to permit the construction of an accessory building (a garage) 3 feet from the rear lot line rather than the required 10 feet and 3 feet from the west side lot line rather than the required 17 feet.

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

Prepared By: Doug Pollock, AICP
Community Development Director

Date of Hearing: August 18, 2014, continued from July 21, 2014

SUMMARY

The public hearing for this petition was continued to August 18 to allow the petitioner to provide a more detailed survey and site plan indicating the exact size and location of the garage and the septic field and to provide a copy of the easement for the driveway. The revised site plan removes the request for a rear yard setback variation. The proposed setback is 10 feet which is the required minimum setback for a detached accessory building.

The petitioner seeks to reduce the interior side yard setback for the detached accessory building. The standard side yard setback in the R-2B District is 17 feet. However, staff failed to recall and report to the Plan Commission at the last meeting that there is a provision in the Zoning Ordinance to allow lots that are less than the required minimum lot width to have a reduced side yard setback. The minimum required side yard setback for such non-conforming lots is 10% of the lot width or 4 feet, whichever is greater. Thus, the required minimum side yard setback for the proposed accessory building is 8.3 feet rather than 17 feet. The variation requests a 3 foot side yard setback.

As previously noted, the existing gravel driveway is non-conforming relative to current Village code. Legally established non-conforming structures may remain but cannot be expanded unless they are made to conform to the current Zoning Ordinance. Thus, the gravel driveway would have to be hard-surfaced if it is to be extended to a new garage.

Findings of Fact and Recommendation

The petitioner has submitted findings of fact which may be adopted if the Plan Commission is in agreement with those findings. The petitioner's findings state that there is no garage on the property and a garage is essential for the continued use of the property as a single-family residence. The findings further state that a hardship exists due to the location of septic field on the property and the cost of relocating the septic field. The petitioner's findings also note the location of other garages on adjacent property as evidence that the variation will not alter the character of the neighborhood.

This instrument was prepared by
and after recording return to:

Allan C. Alongi
Attorney at Law
Law Offices of Allan C. Alongi
3 Golf Avenue
Clarendon Hills, IL 60514

**RECIPROCAL DRIVEWAY
INGRESS AND EGRESS EASEMENT
GRANT DATED May 15, 2014**

This Reciprocal Driveway Ingress and Egress Easement Grant dated May 15, 2014 ("Easement") is entered into this day, by and between KENNETH and CYNTHIA RULE (Grantors) and GARY SEDLACEK (Grantee).

RECITALS:

WHEREAS, GARY SEDLACEK is the owner of Parcel 1 described below (the "Dominant Easement Parcel") and presently utilizes the driveway of the property described below as Parcel 2 (the "Servant Easement Parcel");

PARCEL 1:

THE WEST 83 1/2 FEET OF THE EAST 167 FEET OF THE NORTH 175 FEET OF THE FOLLOWING DESCRIBED TRACT: THE EAST 200 FEET, MEASURED AT RIGHT ANGLES WITH THE EAST LINE OF THAT PART OF LOT 7 OF THE ASSESSMENT DIVISION OF THE SOUTH HALF OF SECTION 1 AND 2 AND ALL OF SECTIONS 11 AND 12, LYING NORTH OF THE PROPERTY OF THE SANITARY DISTRICT OF CHICAGO, IN TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED AS FOLLOWS; BEGINNING AT A POINT IN THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY WHICH IS 345.7 FEET EAST OF THE NORTH AND SOUTH CENTER SECTION LINE OF SAID SECTION 1, MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH ALONG A LINE PARALLEL TO THE NORTH AND SOUTH CENTER SECTION LINE OF SAID SECTION 1, 167.49 FEET; THENCE NORTHEASTERLY 550.63 FEET TO A POINT WHICH IS 1515.38 FEET SOUTH OF THE EAST AND WEST CENTER SECTION LINE; THENCE SOUTH 197.33 FEET TO THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF SAID ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE OF RIGHT-OF-WAY TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

PIN: 10-01-401-004-0000

Commonly known as 15W281 91st Street, Burr Ridge, Illinois 60527.

WHEREAS, KENNETH AND CYNTHIA RULE own the parcel identified as "Parcel 2" in this Easement Grant and described as follows:

LOT 20 BOTH INCLUSIVE IN FOREST EDGE FINAL PLAT OF SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHEAST 1/4 OF SECTION 1, TOWNSHIP 37 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED JULY 25, 2002 AS DOCUMENT R2002-191671, IN DU PAGE COUNTY, ILLINOIS.

PIN: 10-01-401-026-0000

Commonly known as 15W287 91st Street, Burr Ridge, Illinois 60527

WHEREAS, the parties desire to make an Easement Grant in order to allow GARY SEDLACEK AND HIS SUCCESSORS to utilize the driveway ingress and egress of Parcel 2.

1. Nature of Easements and Rights Granted.

1.1 Easements Appurtenant. Each of the easements and rights granted or created herein is an appurtenance to the applicable Benefited Site, and none of such easements or rights may be transferred, assigned or encumbered except as an appurtenant to the applicable Benefited Site.

1.2 Nature and Effect of Easements. All of the easements, covenants, restrictions and provisions contained in this Agreement:

a. create equitable servitudes upon each of the Properties in favor of the other properties;

b. constitute covenants running with the land; and

c. shall bind every Person or entity having any fee, leasehold or other interest in any portion of either property at any time or from time to time, to the extent that such portion is affected or bound by the easement, covenant, restriction, or provision in question, or to the extent that such easement, covenant, restriction or provision is to be performed on such portion.

1.3 Transfer of Title. The acceptance of any transfer or conveyance of title from any Owner of all or any part of its interest in its property shall be deemed, without any further action by the grantor or the grantee, to:

a. require the grantee to agree not to use, occupy or allow any lessee or occupant of such property to use or occupy the property in any manner which would constitute a violation or breach of any of the easements and covenants contained herein; and

b. require the grantee to assume and agree to perform each and all of the obligations of the conveying party under this Agreement with respect to all (or the applicable portion of) such property which will be conveyed to such grantee.

1.4 Successors. The obligations set forth in this Section 6 shall be binding on any successors or assigns of the named parties.

2. Maintenance, Insurance and Taxes. The respective Owners of the Properties shall continue to be responsible for and pay or cause to be paid all maintenance, insurance and taxes, including, without limitation, real estate taxes and special assessments, applicable to such properties, regardless of the easements and interests granted or created by this Agreement.

3. Maintenance. The Driveway Improvements shall be maintained in a manner that preserves their appearance as an integral facility serving the Properties reasonably free of defects and serviceable to all Owners. The Owners shall share such reasonable expenses for maintenance of the Driveway Improvements based upon the following percentages: RULE Property – 50%; SEDLACEK Property – 50%. Within ten (10) days after delivery of a statement documenting reasonable maintenance costs incurred in accordance with this Section, the Owners shall reimburse the other Owner or Owners for their respective shares of Driveway Improvements maintenance expenses due in accordance with this Section. Each Owner shall be responsible for all maintenance associated with any objects or improvements (such as planters) owned by such Owner, and properly placed within the Easement Parcel, at the Owner's sole expense.

4. Damage to Driveway Improvements and Easement. Each Owner shall refrain from causing any damage to the Driveway Improvements and the easements described herein and shall immediately repair any such damage caused by Occupants or Permittees associated with an Owner, at such Owner's sole cost and expense. If an Owner fails to perform any such required repairs, the other Owner or Owners, upon ten (10) days' prior written notice to the non-performing Owner or Owners, may cause such repair work to be performed with a right of reimbursement for all sums reasonably necessary and properly expended to remedy such failure. Within ten (10) days after delivery of a statement documenting such reasonable repair costs incurred, the non-performing Owner or Owners shall reimburse the other Owner or Owners. If the non-performing Owner or Owners fail to pay any reimbursement due, the Owner or Owners who have incurred the repair costs shall have the immediate right to record a lien against any non-performing Owner's property benefited by this Agreement, in addition to all other rights and remedies permitted at law or in equity. The aforesaid lien shall be treated as a mechanic's lien pursuant to Illinois law.

5. Liability Insurance. Each Owner shall maintain a policy of general liability insurance ("Liability Insurance") with adequate single and combined liability limits in force at all times, insuring all activities, conditions, operation and usage on or about either Owners' property which is burdened by an easement pursuant to this Agreement. Such Liability Insurance shall be issued by insurance companies with a reliable general policyholder's rating and financial rating and qualified to do business in Illinois. Each Owner shall, upon request of the other, provide evidence to the other Owner of Liability Insurance coverage in accordance with this section.

6. Indemnification. To the extent not covered by the Owners' policies of Liability Insurance: (a) The Owner of the RULE Property shall defend, indemnify and hold the Owner of the SEDLACEK Property and their respective employees or agents harmless from any and all claims, demands, or liability arising from alleged acts or omissions by

the Owner of the RULE Property or its employees or agents, or the negligent maintenance, construction, or dangerous condition of the RULE Property improvements; (b) Owner of the SEDLACEK Property shall defend, indemnify and hold the Owners of the RULE Property and their employees or agents harmless from any and all claims, demands, or liability arising from alleged acts or omissions by the Owner of the SEDLACEK Property or its employees or agents, or the negligent maintenance, construction or dangerous condition of the SEDLACEK Property..

7. Notices. All notices, requests, demands, and other communications hereunder shall be in writing and shall be delivered in person or sent by registered or certified mail, postage prepaid, commercial overnight courier with written verification of receipt or by FAX. A notice shall be deemed given: (a) when delivered by personal delivery (as evidenced by the receipt); (b) two (2) business days after deposit in the mail if sent by registered or certified mail; (c) one (1) business day after having been sent by commercial overnight courier (as evidenced by the written verification of receipt); or (d) on the date of confirmation if FAXed. Notices shall be addressed as set forth below, but any addressee may change its address by written notice in accordance herewith.

Kenneth and Cynthia Rule
15W287 91st Street
Burr Ridge, IL 60527

Gary Sedlacek
15W281 91st Street
Burr Ridge, IL 60527

8. General Provisions.

8.1 Headings. The subject headings of the sections and paragraphs of this Agreement are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions.

8.2 Severability. If any term or provision of this Agreement shall, to any extent, be held invalid or unenforceable, the remaining terms and provisions of this Agreement shall not be affected thereby, but each remaining term and provision shall be valid and enforced to the fullest extent permitted by law.

8.3 Waiver. No waiver of any breach of any of the easements, covenants and/or agreements herein contained shall be construed as, or constitute, a waiver of any other breach or a waiver, acquiescence in or consent to any further or succeeding breach of the same or any other covenant and/or agreement.

8.4 Successors and Assigns. Each covenant and condition contained in this Agreement shall inure to the benefit of and be binding on the parties to this Agreement and their respective heirs, executors, administrators, personal representatives, successors and assigns, except as otherwise provided herein.

8.5 Recording. A fully executed counterpart of this Reciprocal Driveway Easement Agreement shall be recorded in the Office of the County Recorder of Cook County, Illinois.

8.6 Attorneys' Fees and Costs. If any legal action or any other proceeding is brought for the enforcement of this Agreement, or because of an alleged dispute, breach, default, or misrepresentation in connection with any of the provisions of this Agreement, the successful or prevailing party or parties shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which it or they may be entitled, including the fees and costs incurred in enforcing any judgment which may be obtained in said action.

8.7 Arbitration.

Arbitrable Claims. To the fullest extent permitted by law, all disputes between the Owners relating in any manner whatsoever to this Agreement ("Arbitrable Claims") shall be resolved by arbitration.

Procedure. Arbitration of Arbitrable Claims shall be in accordance with the Commercial Arbitration Rules of the American Arbitration Association, as amended from time to time ("AAA Rules"), as augmented in this Agreement. Arbitration shall be initiated as provided by the AAA Rules, although the written notice to the other party initiating arbitration shall also include a statement of the claim(s) asserted and the facts upon which the claim(s) are based. Arbitration shall be final and binding upon the parties and shall be the exclusive remedy for all Arbitrable Claims. Either party may bring an action in court to compel arbitration under this Agreement and to enforce an arbitration award. Otherwise, neither party shall initiate or prosecute any lawsuit or administrative action in any way related to any Arbitrable Claim. Notwithstanding the foregoing, either party may, at its option, seek injunctive relief. THE PARTIES HEREBY WAIVE ANY RIGHTS THEY MAY HAVE TO TRIAL BY JURY IN REGARD TO ARBITRABLE CLAIMS, INCLUDING, WITHOUT LIMITATION, ANY RIGHT TO TRIAL BY JURY AS TO THE MAKING, EXISTENCE, VALIDITY OR ENFORCEABILITY OF THE AGREEMENT TO ARBITRATE.

Arbitrator Selection and Authority. All disputes involving Arbitrable Claims shall be decided by a single arbitrator. The arbitrator shall be selected by mutual agreement of the parties within thirty (30) days of the effective date of the notice initiating the arbitration. If the parties cannot agree on an arbitrator, then the complaining party shall notify the AAA and request selection of an arbitrator in accordance with the AAA Rules. The arbitrator shall have authority to award equitable relief, damages, costs and attorneys fees to the same extent that, but not greater than, a court would have. The fees of the arbitrator shall be split between both parties equally. The arbitrator shall have exclusive authority to resolve all Arbitrable Claims, including, but not limited to, whether any particular claim is arbitrable and whether all or any part of this Agreement is void or unenforceable. The arbitrator shall be obligated to apply Illinois law.

8.8 Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Illinois.

NOW THEREFORE, in consideration of ten dollars (\$10.00) and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the following ingress and egress easement is made:

1. Recitals; Definitions. The foregoing recitals are hereby incorporated herein by this reference thereto as if the same were fully set forth herein. All capitalized terms used herein, which are not otherwise defined herein, shall have the meanings ascribed thereto in this Easement Grant.
2. Grant of Easement. The easement shall be for the purpose of ingress and egress to and from 91st Street from Parcel 1 and Parcel 2 on and over the driveway as marked on the survey dated 5/6/2014 and attached hereto and more fully described as running within the boundaries of the **EAST 33.0' OF THE NORTH 175.02' OF PARCE 2 AND THE EAST 8.0' OF PARCEL 1.**

IN WITNESS whereof Grantors and Grantee have hereunto set their hands and seals this 5 day of May, 2014.

GRANTORS:

Kenneth Rule
KENNETH RULE

Cynthia Rule
CYNTHIA RULE

GRANTEE:

Gary V. Sedlacek
GARY SEDLACEK

STATE OF ILLINOIS)
) ss.
COUNTY OF DU PAGE)

The undersigned, a notary public in and for the above county and state, certifies that _____, known to me to be the same person whose name is subscribed as principal to the foregoing, appeared before me in person and acknowledged signing and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth (and certified to the correctness of the signature(s) of the agent(s)).

Dated: _____ (Seal)

Notary Public

STATE OF ILLINOIS)
) ss.
COUNTY OF DU PAGE)

The undersigned, a notary public in and for the above county and state, certifies that _____, known to me to be the same person whose name is subscribed as principal to the foregoing, appeared before me in person and acknowledged signing and delivering the instrument as the free and voluntary act of the principal, for the uses and purposes therein set forth (and certified to the correctness of the signature(s) of the agent(s)).

Dated: _____ (Seal)

Notary Public

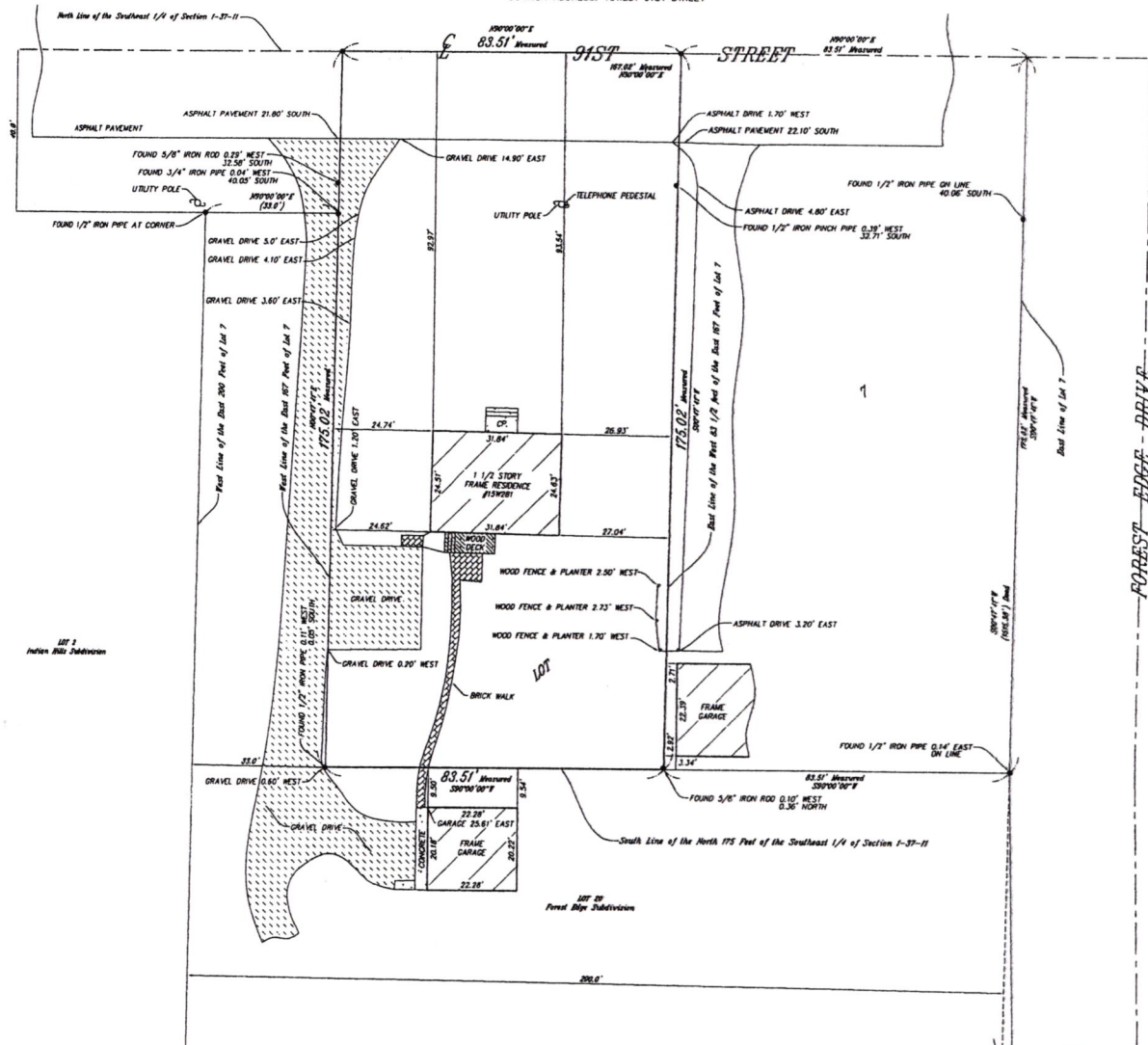
NELSON SURVEYORS, LLC
418 S. CASS AVENUE
WESTMONT, ILLINOIS 60559
NELSONSURVEYORS.LLC.COM
(815) 436-8520 OFFICE
(815) 436-8528 FAX

LEGEND

● MONUMENT FOUND
○ MONUMENT SET
(50.0') RECORD DIMENSION
PUE PUBLIC UTILITY EASEMENT
DE DRAINAGE EASEMENT
CP CONCRETE PORCH

THE WEST 83 1/2 FEET OF THE EAST 167 FEET OF THE NORTH 175 FEET OF THE FOLLOWING DESCRIBED TRACT: THE EAST 200 FEET, MEASURED AT RIGHT ANGLES WITH THE EAST LINE OF THAT PART OF LOT 7 OF ASSESSMENT DIVISION OF THE SOUTH HALF OF SECTION 1 AND 2 AND ALL OF SECTIONS 11 AND 12, LYING NORTH OF THE PROPERTY OF THE SANITARY DISTRICT OF CHICAGO, IN TOWNSHIP 31 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED AS FOLLOWS; BEGINNING AT A POINT IN THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF THE ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY WHICH IS 345.7 FEET EAST OF THE NORTH AND SOUTH CENTER SECTION LINE OF SAID SECTION 1, MEASURED AT RIGHT ANGLES THERETO; THENCE NORTH ALONG A LINE PARALLEL TO THE NORTH AND SOUTH CENTER SECTION LINE OF SAID SECTION 1, 167.49 FEET; THENCE NORTHEASTERLY 550.63 FEET TO A POINT WHICH IS 1565.38 FEET SOUTH OF THE EAST AND WEST CENTER SECTION LINE; THENCE SOUTH 197.33 FEET TO THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF SAID ATCHISON, TOPEKA AND SANTA FE RAILWAY COMPANY; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE OF RIGHT-OF-WAY TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS

COMMON ADDRESS: 15W281 91ST STREET



BASIS OF BEARINGS = THE NORTH LINE OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF SECTION 1-37-11 = N90°00'00"E (ASSUMED)

MY LICENSE EXPIRES NOVEMBER 30, 2014

STATE OF ILLINOIS) ss.
COUNTY OF DECATUR)

I, MICHAEL J. WELSON, AN ILLINOIS PROFESSIONAL LAND SURVEYOR,
DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED
ABOVE, AND THAT THE PLAT HEREON DRAWN IS A CORRECT REPRESENTATION
OF SAID SURVEY, ALL MEASUREMENTS BEING CONDUCTED TO THIS STANDARD
AT 68 DEGREES FAHRENHEIT.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS
MINIMUM STANDARDS FOR A BOUNDARY SURVEY.

PASTMONT, ILLINOIS MAY 6, 2014

ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 3093
PROFESSIONAL DESIGN FIRM LICENSE NO. 104.004830 EXPIRES 04/30/2015
FIELD WORK COMPLETED ON MAY 6, 2014

NOTES:

THIS COPY NOT FALD WITHOUT ENDORSED SEAL

ALL DISTANCES ARE IN FEET AND DECIMAL PARTS THEREOF.

BUILDING LINES AND EASEMENTS ARE SHOWN ONLY WHERE TEXT ARE SO INDICATED IN THIS MAP. COMPARE THE LOCAL DESCRIPTION.

BUILDING LINES, AND EASEMENTS AS SHOWN HEREON WITH YOUR DEED OR TITLE POLICY.

CONSULT THE LOCAL AUTHORITIES FOR ADDITIONAL SETBACK LINES AND RESTRICTIONS NOT SHOWN HEREON COMPARE ALL POINTS PRIOR TO CONSTRUCTION AND REPORT ANY DISCREPANCIES AT ONCE.

DO NOT ASSUME DISTANCES FROM SCALE MEASUREMENTS HAVE BEEN

PREPARED FOR: ALLAN ALONGI LAW	
DATE: MAY 6, 2014	
SCALE: 1"=20'	DRAWN BY: MJK
JOB# 14-65	FLD BK/PG: 81-74

TOTAL AREA 14,613.91 SQ. FEET

LEGEND

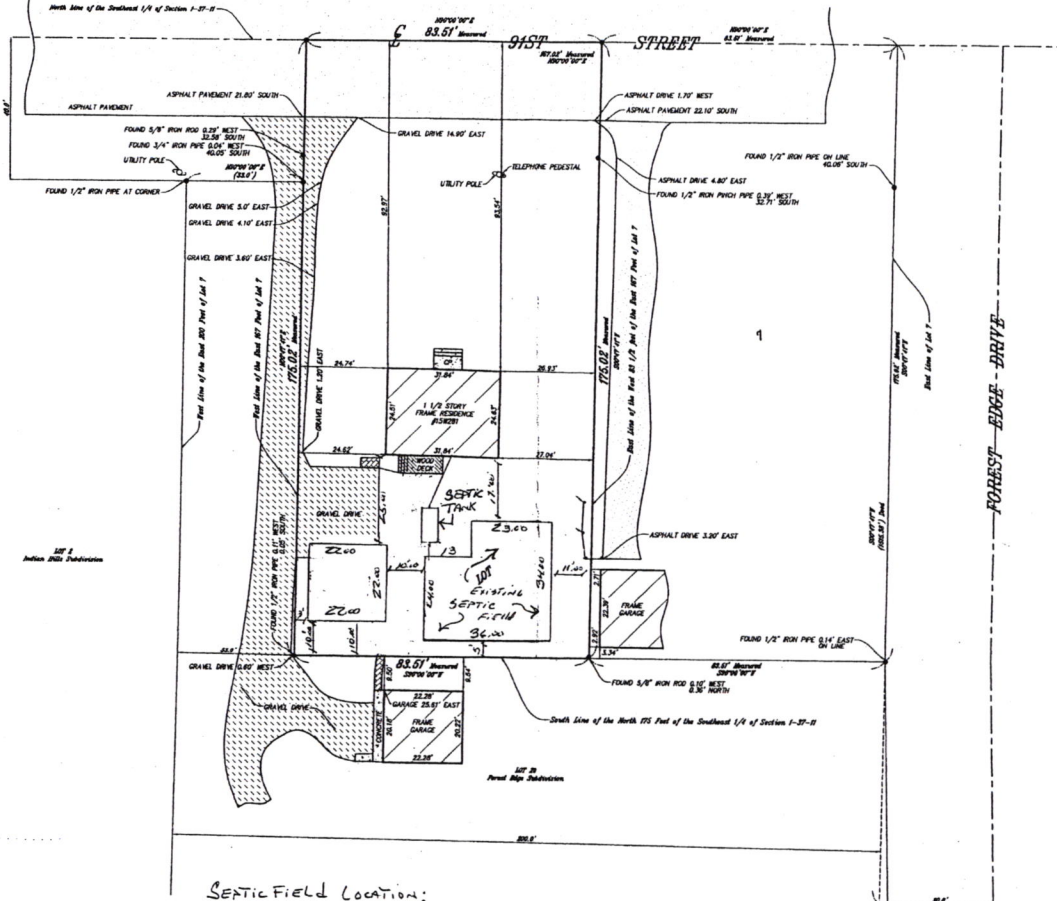
- MONUMENT FOUND
- MONUMENT SET
- (1/4") BOUND SURVEY
- PLC. PUBLIC UTILITY BASEMENT
- DE. DRAINAGE EASEMENT
- CT. CONCRETE CURB

NELSON SURVEYORS, LLC. PLAT OF SURVEY

NELSON SURVEYORS, LLC
418 S. CASS AVENUE
WESTMONT, ILLINOIS 60559
NELSONSURVEYORS@GMAIL.COM
(815) 436-8520 OFFICE
(815) 436-8528 FAX

THE WEST 83 1/2 FEET OF THE EAST 1/2 PART OF THE NORTH 1/2 PART OF THE FOLLOWING DESCRIBED TRACT: THE EAST 800 FEET, MEASURED AT RIGHT ANGLES WITH THE EAST LINE OF THAT PART OF LOT 9 OF ACCESSION DIVISION OF THE NORTH HALF OF SECTION 1 AND 2 AND ALL OF SECTIONS 11 AND 12, LITING NORTH OF THE PROPERTY OF THE SOUTHWEST DISTRICT OF CHICAGO, IN TOWNSHIP 37 NORTH, RANGE 12 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTHERLY OF THE NORTHERLY LINE OF A TRACT OF LAND DESCRIBED AS FOLLOWS: BEGINNING AT A POINT IN THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF THE AITCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY WHICH IS 345.9 FEET EAST OF THE NORTH AND SOUTH CENTER SECTION LINE OF SAID SECTION 1, 107.49 FEET; THENCE NORTHEASTERLY 55.63 FEET TO A POINT WHICH IS 1515.38 FEET SOUTH OF THE EAST AND WEST CENTER SECTION LINE; THENCE SOUTH 101.33 FEET TO THE NORTHERLY LINE OF THE RIGHT-OF-WAY OF SAID AITCHISON, TOPEKA AND SANTA FE RAILROAD COMPANY; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE OF RIGHT-OF-WAY TO THE PLACE OF BEGINNING, IN DUPAGE COUNTY, ILLINOIS.

COMMON ADDRESS: 15N281 91ST STREET



SEPTIC FIELD LOCATION:
BY CARLS SEPTIC SERVICE, INC.
10 W. 335 S., FRONTAGE RD.
LEMONT, IL 60439
630-739-1495
KEVIN J. Dominick IL# 049-005739
Visit field 8-6-2014
EXISTING SYSTEM INSPECTED
8-5-2014
NO MALFUNCTIONS FOUND.



ILL. LICENSE EXPIRES NOVEMBER 30, 2014

STATE OF ILLINOIS
COUNTY OF DUPAGE

I, MICHAEL J. PETERSON, BEING AN ILLINOIS PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE PERSONALLY AND INDEPENDENTLY EXAMINED THE ABOVE PLAT OF SURVEY AND THAT THE SAME ACCURATELY REPRESENTS THE FIELD SURVEY AND THAT THE PLAT IS A CORRECT REPRESENTATION OF THE FIELD SURVEY AND THAT THE PLAT IS A CORRECT REPRESENTATION OF THE FIELD SURVEY AND THAT THE PLAT IS A CORRECT REPRESENTATION OF THE FIELD SURVEY.

THIS PROFESSIONAL SURVEYOR IS COMPETING TO THE EXTENT ALLOWED BY THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT.

PREPARED FOR: ALLAN ALONZI LAR
DATE: MAY 6, 2014
SCALE: 1"=20' DRAWN BY: MJK
JOB: 14-65 FOR 14670 81-74

TOTAL AREA 14,813.91 SQ. FEET

NOTES:
THIS SURVEY WAS FIELD SURVEYED BY CARLS SEPTIC SERVICE, INC. ON 8-6-2014. ALL MONUMENTS AND BOUNDARY MARKS WERE FOUND AND WERE IN GOOD CONDITION. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE ILLINOIS PROFESSIONAL LAND SURVEYOR ACT.



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

Z-10-2014; 15W320 North Frontage Road (Vanderwerk); Requests an amendment to Section VIII.C.2 of the Burr Ridge Zoning Ordinance to add retail sales of fishing, hunting and firearms to the list of special uses in the B-2 Business District and for special use approval as per the amended B-2 District to approve retail sales of fishing, hunting and firearms in an existing building.

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: August 18, 2014

GENERAL INFORMATION

Petitioner: Jerry Vanderwerk

Property Owner: Theodore Martin

Petitioner's Status: Potential Tenant

Land Use Plan: Recommends Commercial Uses

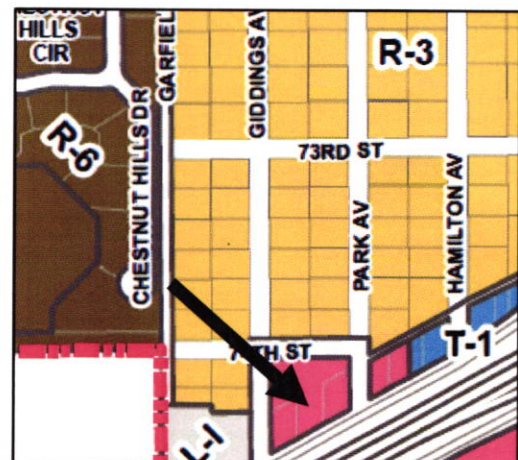


Existing Zoning: B2 General Business District

Existing Land Use: Commercial Buildings

Site Area: 2+ Acres

Subdivision: Babson Park



SUMMARY

The petitioner seeks to open a business in one of three buildings on the subject property. The business would occupy 1,000 square feet of the building known as 15W320 North Frontage Road. The proposed business is the retail sales of fishing, hunting and firearms. The business currently operates in a building adjacent to Burr Ridge and within unincorporated Du Page County (7545 Madison Street).

Compliance with the Comprehensive Plan

The Comprehensive Plan recommends commercial use of the subject property. The proposed use is a commercial use and the current zoning is consistent with the Comprehensive Plan.

Compliance with the Zoning Ordinance

The subject property is within the B-2 Business District. The B-2 District lists sporting goods as a permitted use but does not list firearm sales as a permitted or special use. It is staff's interpretation of the Zoning Ordinance that an amendment is necessary to add firearm sales to the list of permitted or special uses since it is not currently listed. Firearm sales are licensed and regulated in a different manner than are sporting goods and therefore, require a separate land use category in the Zoning Ordinance. As an example, a grocery store is a permitted use in Business Districts but a grocery store that sells package liquor must obtain a special use permit for the sale of package liquor.

Parking for this business is required at one space per 250 square feet of floor area. Thus, a total of four parking spaces, including one accessible parking space, is required. The submitted site plan indicates that five parking spaces will be provided. However, the parking lot does not meet current standards for setbacks (8 feet from the side lot line and 15 feet from the front lot line), perimeter landscaping, or perimeter curbing.

Compatibility with Surrounding Zoning and Development

The subject property is adjacent to a residential neighborhood to the north. The I-55 expressway borders the property to the south. Other businesses located within the same block include catalogue sales office at 15W308 North Frontage Road. That same building was previously occupied by an automobile powder coating business. The third building on the property is currently vacant of any business.

Other properties along this section of North Frontage Road include truck sales at 15W580 North Frontage Road, a truck terminal at 15W460 North Frontage Road, retail sales of construction equipment at 15W400 North Frontage Road, retail sales of security systems at 15W278 North Frontage Road, and a consultant office at 15W256 North Frontage Road.

Findings of Fact and Recommendations

The Zoning Ordinance currently does not list firearm sales as a permitted or special use in any zoning district. Based on other specialty retail uses, it would seem appropriate to classify firearm sales as a special use in either the B-2 Business District or the GI General Industrial District.

The petitioner has completed findings of fact for a special use to permit firearm sales in the B-2 District. If the Plan Commission is in agreement with those findings, they may be adopted.

As noted, the property has sufficient parking but the parking does not conform to current development standards for parking lots. It has been the practice of the Plan Commission to require that the parking lot be improved as a condition of the special use approval or that the special use approval be for a limited period of time with the anticipation of future improvement of the parking lot.

July 28, 2014

RE: 15W320 N. Frontage Rd.

We currently operate from 7545 S. Madison St. providing firearm safety & concealed carry training. We have trained 250+ residents from the local area Burr Ridge, Hinsdale, Oak Brook, Willowbrook, Darien, Willow Springs to name a few. We train those from Aurora, Decatur, and Watseka Danville as well as selling them our products.

We offer fishing, hunting, firearm supplies from our limited retail space and online sites.

Quite simply we have out grown our available space for retail. The training will remain at Madison St. location.

You have an unused structure we could return to a productive tax generating operation currently zoned B-2 which is the zoning sporting good sales required per your current codes.

The high visibility and easy access to Frontage Rd. will attract your locals who now travel to Lyons, Bolingbrook, and Lockport where the spending goes into other town's coffers.

155 travelers will not only stop and buy from us but spend money at others located in town.

Allow us to open per your current rules and everyone shall win.

Respectfully Submitted,

 7-28-14
Jm
Jerry VanDerwerff



FINDINGS OF FACT

FOR A SPECIAL USE PERMIT PURSUANT TO THE VILLAGE OF BURR RIDGE ZONING ORDINANCE

Section XII.K.7 of the Village of Burr Ridge Zoning Ordinance requires that the Plan Commission determine compliance with the following findings. In order for a special use to be approved, the petitioner must respond to and confirm each and every one of the following findings by indicating the facts supporting such findings.

- a. The use meets a public necessity or otherwise provides a service or opportunity that is not otherwise available within the Village and is of benefit to the Village and its residents.

A LOCAL SPORTING GOODS OUTLET FISHING/HUNTING
EQUIPMENT + SUPPLIES INCLUDING BUT NOT LIMITED TO
FIREARMS + AMMUNITION

NOTE 50% OF OUR CURRENT CLIENTS COME FROM BURR RIDGE WILLOWBROOK

- b. The establishment, maintenance, or operation of the special use will not be detrimental to, or endanger DARIEN the public health, safety, morals, comfort, or general welfare.

WE HAVE BEEN OPERATING IN BURR RIDGE ON MADISON ST
SINCE AUG 2013 THERE HAVE BEEN NO PROBLEMS NOR
THREATS TO PUBLIC SAFETY

- c. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

WE WILL RETURNING A CURRENTLY UNPRODUCTIVE SITE
INTO A TAX PRODUCING OPERATION IN BURR RIDGE BRINGING IN
\$ TO YOUR TOWN INSTEAD OF GOING TO LYON'S / LOCKPORT / LOMBARD

- d. The establishment of the special use will not impeded the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

LET'S BE HONEST THE MORE ATTRACTIONS YOUR TOWN OFFERS
OUTSIDERS BENEFITS ALL RETAILERS IN TOWN NOT JUST OUR
OPERATION CUSTOMERS WILL COME FROM ALL OVER TO ENJOY OUR
LOW PRICES AND THEN LEARN WHAT BURR RIDGE CAN OFFER THEIR
~~OFFER~~ OTHER NEEDS

- e. Adequate utilities, access roads, drainage and/ or necessary facilities have been or will be provided.

THE CURRENT SITE HAS ALL THE UTILITIES WE SHALL REQUIRE AS A EXISTING STRUCTURE WERE READY TO GO

- f. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

CURRENT ROADWAY ENTRANCES/EXITS ARE MORE THAN OUR TRAFFIC LOAD WILL REQUIRE

- g. The proposed special use is not contrary to the objectives of the Official Comprehensive Plan of the Village of Burr Ridge as amended.

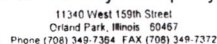
YOUR CURRENT PLAN RECOMMENDS COMMERCIAL USE(S)

- h. The special use shall, in other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified pursuant to the recommendations of the Plan Commission or, if applicable, the Zoning Board of Appeals.

WE ARE CLASSIFIED AS A SPORTING GOODS OPERATION BY THE IRS YOUR CURRENT CODE ALLOWS SPORTING GOODS STORES IN B-2 WHICH THIS SITE IS ZONED ~~AS~~. QUITE FRANKLY WE DO NOT KNOW WHY OUR OPERATION REQUIRES THIS ADDITIONAL EXPENSE \$650.00 AS YOUR CITY/CODE'S ALREADY APPROVE OUR TYPE OF OPERATION HOWEVER WILL ~~WILL~~ COMPLY WITH YOUR REQUEST FOR A HEARING
(Please transcribe or attach additional pages as necessary)

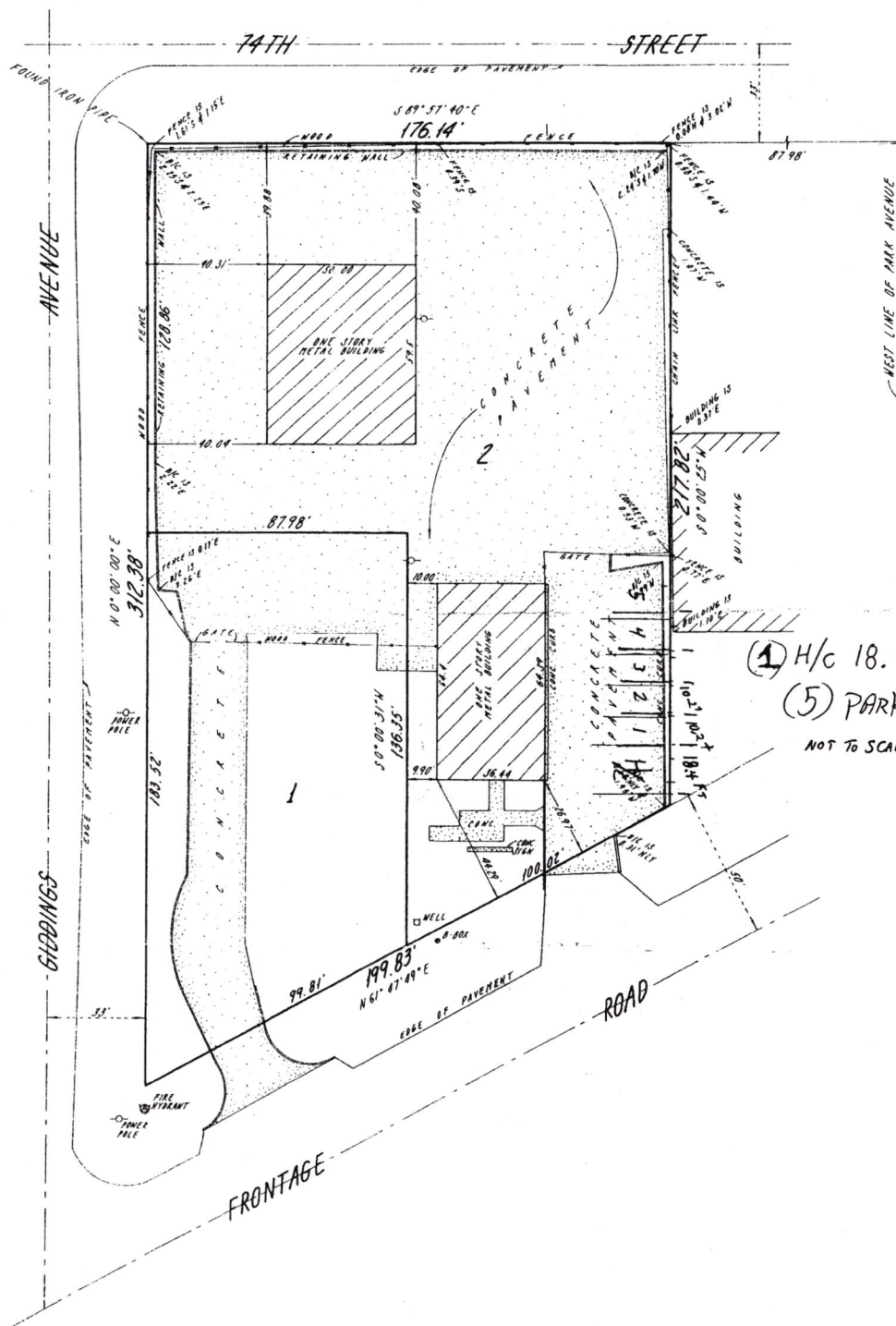
SEE ATTACHED NAICS CODE DESCRIPTION CODE #451110 Page # 2

BASS PRO SHOPS/CABELA'S ETC ARE ALSO UNDER THIS CODE CLASS



OF

LOTS 1 AND 2 IN MARTIN RESUBDIVISION OF LOTS 1, 4, 5, 6 AND 7 IN BLOCK 14 IN BABSON PARK SECOND ADDITION, BEING A SUBDIVISION OF THAT PART OF THE WEST 1/2 OF THE NORTHEAST 1/4 OF SECTION 25, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, LYING NORTH OF THE CENTER LINE OF JOLIET ROAD, ACCORDING TO THE PLAT THEREOF RECORDED NOVEMBER 24, 1926 AS DOCUMENT NO. 225519, IN DuPAGE COUNTY, ILLINOIS.



(1) H/C 18.4 FT +
(5) PARK 10.2 FT
NOT TO SCALE.

STATE OF ILLINOIS)
COUNTY OF COOK) S.S.

I, THOMAS J. CESAL, AN ILLINOIS PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMAL PARTS THEREOF, CORRECTED TO 68 DEGREES FAHRENHEIT.

DATED THIS 24TH DAY OF FEBRUARY, 1998

SCALE: 1 INCH EQUALS 30 FEET
ORDERED BY: EUGENE MARTIN
ORDER NO.: 9A-1707-1 & 2



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

**Z-11-2014; 11411 German Church Road (Community Development Department);
Consideration of rezoning from the R-1 District to the R-2B Single-Family Residence District.**

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: August 18, 2014

GENERAL INFORMATION

Petitioner: Community Development Department

Property Owner: Refaat and Waffa Abdel-Malek LLC

Petitioner's Status: Village Staff

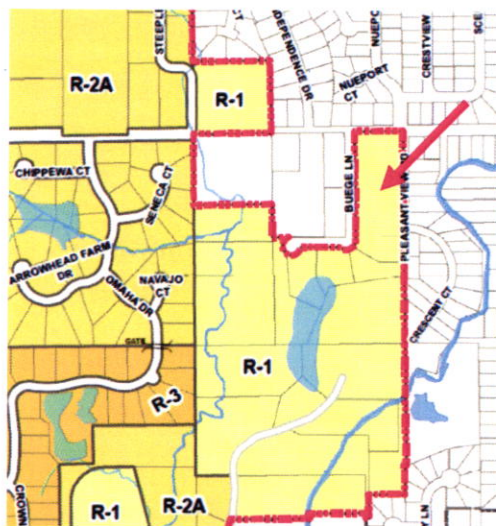
Land Use Plan: Recommends Single Family Residential

Existing Zoning: R-1 Single Family Residence District

Existing Land Use: 1, single-family residence

Site Area: 5 Acres

Subdivision: None



SUMMARY

At its July 21, 2014 meeting, Plan Commission considered a request by the property owner to rezone the five acre property at the southeast corner of Buege Lane and German Church Road from the R-1 District to the R-3 District. This property was annexed into the Village in December of 2013 along with 42 acres of land to the south. The Plan Commission did not recommend the R-3 District and instead recommended that the property should be rezoned to the R-2B District. The Board of Trustees concurred and the petitioner withdrew the request. Subsequently, the Board directed staff and the Plan Commission to hold a public hearing to consider the R-2B District.

Compliance with the Comprehensive Plan

The 1999 Comprehensive Plan recommends single-family residential zoning and land use for the subject property. The Plan also states: *It is proposed that the predominantly single family developments be maintained and encouraged, with limited expansion of, appropriately located, non-single family residential developments. The existing general pattern of housing types and low densities should be maintained, consistent with the underlying zoning. Future residential developments should be encouraged to have lot sizes of 30,000 square feet or larger.*

Compatibility with Surrounding Zoning and Development

The subject property was annexed into the Village in 2013 along with an additional 42 acres located to the south. This property and the rest of this area have not been rezoned since annexation. As a result, all of the existing Burr Ridge zoning adjacent to this property is the R-1 District which requires a minimum lot size of 5 acres.

Approximately 33 of the 47 acres annexed in 2013 access from Oak Knoll Drive via 87th Street. It is anticipated that those properties will be zoned R-2A (minimum lot size of 40,000 square feet) consistent with the existing R-2A zoning of the other Oak Knoll properties and consistent with existing lot sizes which all exceed one acre. There is also a five acre parcel in this area that access from a private drive via Pleasant Lane in Willow Springs. It is anticipated that staff will be bringing forward a rezoning petition for the area in the near future.

The remaining 9 acres of land in this area that was annexed in 2013 access from Buege Lane. The subject property contains 5 of those 9 acres. The remaining four acres consist of four lots that range from approximately 30,000 square feet to 40,000 square feet in area.

The area adjacent to this property to the north, east and west is in the Village of Willow Springs and is within the Willow Springs R-1 District. It is staff's understanding that the property on the west side of Buege Lane has been approved for four lots at 20,000 square feet per lot. The property to the east on Pleasant Lane consists of varying lot sizes but generally all of those lots are less than 20,000 square feet. Likewise, the subdivision on the north side of German Church Road consists of lots that are less than 20,000 square feet.

Findings of Fact and Recommendations

Attached are findings of fact in support of the rezoning to the R-2B District and those findings may be adopted if the Plan Commission is in agreement with those findings.



FINDINGS OF FACT
FOR A MAP AMENDMENT PURSUANT TO THE
VILLAGE OF BURR RIDGE ZONING ORDINANCE

Z-11-2014; 11411 German Church Road

The Plan Commission recommends rezoning of the subject property from the R-1 District to the R-2B District. As per Section XII.J.3 of the Zoning Ordinance and based on testimony and evidence submitted for the public hearing, the Plan Commission adopts the following findings in support of its recommendation:

- a. Existing uses of property within the general area of the property in question.

Adjacent lots that are in Burr Ridge are a minimum of 30,000 square feet or more. The R-2B District requires a minimum lot size of 30,000 square feet which is consistent with these existing Burr Ridge properties.

- b. The zoning classification(s) of property within the general area of the property in question.

The adjacent Burr Ridge zoning is currently R-1 but given the existing lot sizes, it is anticipated that the maximum density zoning of the adjacent properties in Burr Ridge would be R-2A or R-2B.

- c. The suitability of the property in question to the uses permitted under the existing zoning classification.

There are no unique conditions to the property that are not found in other R-2B Districts. The property is suitable for development under the R-2B District.

- d. The trend of development, if any, in the general area of the property in question, including changes, if any, which have taken place in its present zoning classification; and

Newer development in the area includes the Arrowhead Farm Subdivision and the Bridle Path Subdivision which are within the R-2A and R-2B Districts, respectively.

- e. The impact upon the objectives of the Official Comprehensive Plan of the Village of Burr Ridge, as amended.

The Burr Ridge Comprehensive Plan encourages new residential development to have lot sizes of 30,000 square feet or more. The proposed R-2B District is consistent with the Comprehensive Plan.

August 18, 2014

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



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

Z-09-2014; Zoning Ordinance Text Amendment; Consideration of an amendment to Section IV.H of the Burr Ridge Zoning Ordinance to consider modification to the required setbacks for accessory residential buildings.

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: August 18, 2014, continued from July 21, 2014

SUMMARY

The Plan Commission continued the public hearing for this text amendment for further consideration and information to be provided by staff. The Plan Commission asked staff to research the number of larger accessory buildings that may be impacted by if the required rear yard setback was increased. Below is a table listing accessory residential buildings that exceed 1,000 square feet. This list is based on existing Village records and may not be complete. However, staff is confident that this list includes most if not all larger accessory buildings.

**Detached Accessory Buildings Exceeding 1000 square feet
Residential Districts From 1999 – Present**

Permit Number	Date Issued	Description	Address
10-054	9/29/2010	Pool House	8000 Drew Ave
13-041	8/21/2013	Garage	15W241 81st St.
13-060	6/25/2013	Detached Garage	8335 County Line Rd
13-161	9/24/2013	Detached Garage	6545 County Line Rd

Also attached are site plans that show the location of each of these four buildings. All of these buildings, except the one at 15W241 81st Street, have substantial setbacks from the rear lot line far exceeding the minimum 10 foot requirement.

Recommendation

The Plan Commission discussed several alternatives at the last meeting. One alternative was to leave the minimum 10 foot rear yard setback without any changes. It appears, however, that the setback could be changed without impacting more than one building (the building at 15W241 81st Street). Another alternative is to require a rear yard setback equal to the side yard setback for any building exceeding 1,000 square feet. Such an amendment would require rear yard setbacks for accessory buildings as follows:

<u>Zoning:</u>	<u>Minimum Lot Area</u>	<u>Proposed Rear Yard Setback</u>
R-1	5 Acres	20 feet
R-2	2 Acres	20 feet
R-2A	40,000 square feet	15 feet
R-2B	30,000 square feet	17 feet
R-3	20,000 square feet	10 feet

Further direction from the Plan Commission is requested.

The following tables were provided in the staff report for the July 21, 2014 meeting.

Maximum permitted floor area for detached accessory buildings by zoning district:

<u>Zoning:</u>	<u>Minimum Lot Area</u>	<u>First Accessory Building</u>	<u>Second Accessory Building</u>
R-1	5 Acres	3,000 square feet	3,000 square feet
R-2	2 Acres	2,500 square feet	2,500 square feet
R-2A	40,000 square feet	0.0475 (4.75%) FAR & 2,500 square feet maximum	750 square feet
R-2B	30,000 square feet	0.0475 (4.75%) FAR & 2,500 square feet maximum	750 square feet
R-3	20,000 square feet	Combined area not to exceed 3.75% of lot area and 1,500 square feet; minimum permitted floor area of 750 square feet for non-conforming lots less than 20,000 square feet.	

Examples of how the above regulations would apply to various lot sizes in various districts:

<u>Zoning:</u>	<u>Actual Lot Area</u>	<u>First Accessory Building</u>	<u>Second Accessory Building</u>
R-2A or R-2B	60,000 square feet	2,500 square feet (maximum)	750 square feet
R-2A or R-2B	45,000 square feet	2,137.5 square feet (40,000 x 4.75%)	750 square feet
R-2A or R-2B	40,000 square feet	1,900 square feet	750 square feet
R-2A or R-2B	35,000 square feet	1,662.50 square feet	750 square feet
R-2A or R-2B	30,000 square feet	1,425 square feet	750 square feet
R-2A or R-2B	20,000 square feet	950 square feet	750 square feet
R-3	30,000 square feet	1,125 square feet in 1 building or split between 2 buildings (30,000 x 3.75%).	
R-3	20,000 square feet	750 square feet in 1 building or split between 2 buildings (20,000 x 3.75%).	
R-3	15,000	750 square feet in 1 building or split between 2 buildings (Minimum regardless of lot size).	

8000 Drew

LOT 13 IN STONEHEDGE ESTATES OF PART OF THE NORTH HALF OF SECTION 36, TOWNSHIP 38 NORTH, RANGE 11 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED APRIL 13, 1961 AS DOCUMENT R67-3032, IN DuPAGE COUNTY, ILLINOIS

Lot 5 in Korinek's Owners Assessment Plot



Village Water Service Specifications:

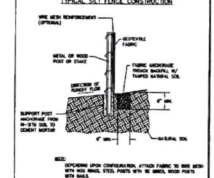
WATER SERVICE CONNECTION, 1-1/2" A.F.

DISCUSSION: The work shall consist of furnishing and installing new water service to all existing water users from the new water main to a new buffer box to be located in the right-of-way and terminate with a buffer box at the property line.

New wire service lines shall include a representative voltage, 10-foot-wide air clearance above conductors, vertical connecting wires, a new handhole (HDB) cut-off step, ground conductors with step clamping post, buried line hots, copper wire service lines.

Licensed plumbing contractor is required to perform tap of water main and connection of proposed 1.5" water service line. Copy of Illinois Plumbing License must be submitted to Village prior to scheduling inspection of proposed water service line installation.

TYPICAL EST. EDGE CONSTRUCTION



NOTE: PER VILLAGE ORDINANCE, INSTALL WOOD SNOW FENCE AROUND THE ENTIRE PERIMETER OF THE WORK AREA ON THE LOT (OPENING FOR CONSTRUCTION ENTRANCE ONLY). SEE SNOW FENCE DETAIL HEREON.

DRINKING REQUIREMENTS
WIDTH = 22" MAX
SLOPE = 12% MAX.

10' Minimum
Separation Between
Sanitary & Water Service

[illegible]

State of Illinois } 2.1

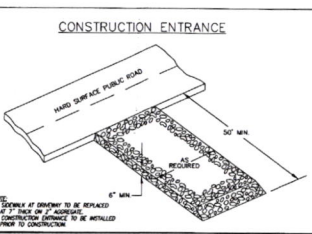
THIS PROFESSIONAL SERVICE CONFORMS TO CURRENT ILLINOIS MINIMUM
STANDARDS FOR A BOUNDARY SURVEY THAT I, SEAN T. JORDON, AN
ILLINOIS PROFESSIONAL LAND SURVEYOR, HAVE AND SURVEYED UNDER MY
SUPERVISION THE PROPERTY DESCRIBED IN THE ABOVE CAPTION AS SHOWN
BY THE ANNEDED PLAT WHICH IS A REPRESENTATION OF SAID SURVEY.

Done under my hand and seal at Lombard, Illinois, this 10th day of
April A.D. 2010.



Ryan T. Kitch
Illinois Professional Land Surveyor No. 30-0002
My License Expires November 30, 2010.

This survey and plot of survey are well suited for unskilled harvester and chain sawmen.



GRAPHIC SCALE



10)	06.14.2010	RETRACT LINES SHOWN
8.)	05.21.2010	POOLHOUSE SAN & WATER SERV REV
9.)	05.12.2010	POOLHOUSE SAN & WATER SERV
7.)	04.16.2010	PROPOSED POOLHOUSE
6.)	02.16.2010	ADD LANDSCAPE PLAN FEATURES
5.)	10.20.2009	MOVE BUILDING 20' WEST PER CLIENT
4.)	10.10.2009	ADD SHALE AT S.E. CORNER OF SITE
3.)	06.17.2009	PER VILLAGE REVIEW & COMMENT
2.)	06.07.2009	PER VILLAGE REVIEW & COMMENT
1.)	06.23.2009	ADD PROPOSED BUILDING
No.	Date	Revision Description

[illegible]

Prepared For:
Meridian REM



GLEN D. KRISCH LAND SURVEYOR, Inc.
PROFESSIONAL DESIGN FIRM LICENSE No. 184-004233
1718 South Finley Road • Lombard, IL 60148 • Phone: 630.827.5589
Fax: 630.827.3094
SURVEYING - CONSULTING - CONSTRUCTION LAYOUT
Roads, Rail, and more.

PLAT OF SURVEY OF

13-04D + 041
15 W241 81st Sec

SPOT SURVEY

RECEIVED
JAN 26 2014
OFFICE OF BUREAU RECORDS

SCALE: 1" = 10'
BASIS OF BEARING - ASSUMED

BASES OF BEARING - ASSUMED

APPROVED
VILLAGE OF BURR RIDGE
DATE 1-15-14
BY Doreen Medeiros

1-13-77
Long Beach

CONTROL BENCHMARK:
VILLAGE OF BLISS ROOF CONTROL MONUMENT: BM #108
SET MONUMENT LOCATED AT THE NORTHWEST CORNER OF THE
SOUTH FRONTAGE ROAD AND 75TH STREET.
ELEVATION: 799.33

SURVEYORS CERTIFICATE
STATE OF ILLINOIS)
SS

DATED THIS 23rd DAY OF December A.D. 2012
Black & S. Harris
 ILLINOIS PROFESSIONAL LAND SURVEYOR NO. 33-2387
 MY LICENSE EXPIRES 11-30-2014

MY LICENSE EXPIRES/RENEWS 11-30-2014

INTECH CONSULTANTS, INC.
ENGINEERS / SURVEYORS
1969 UNIVERSITY LANE, SUITE D USLE, ILLINOIS
TEL: (630) 964-5656 FAX: (630) 964-4555
E-MAIL: CAD@INTECHCONSULTANTS.COM

REVISED: 12-23-13
PREPARED: 10-2-13

ILLINOIS REGISTRATION No. 184-00104
SHEET No. 1 of 1 JOB No.: 6701

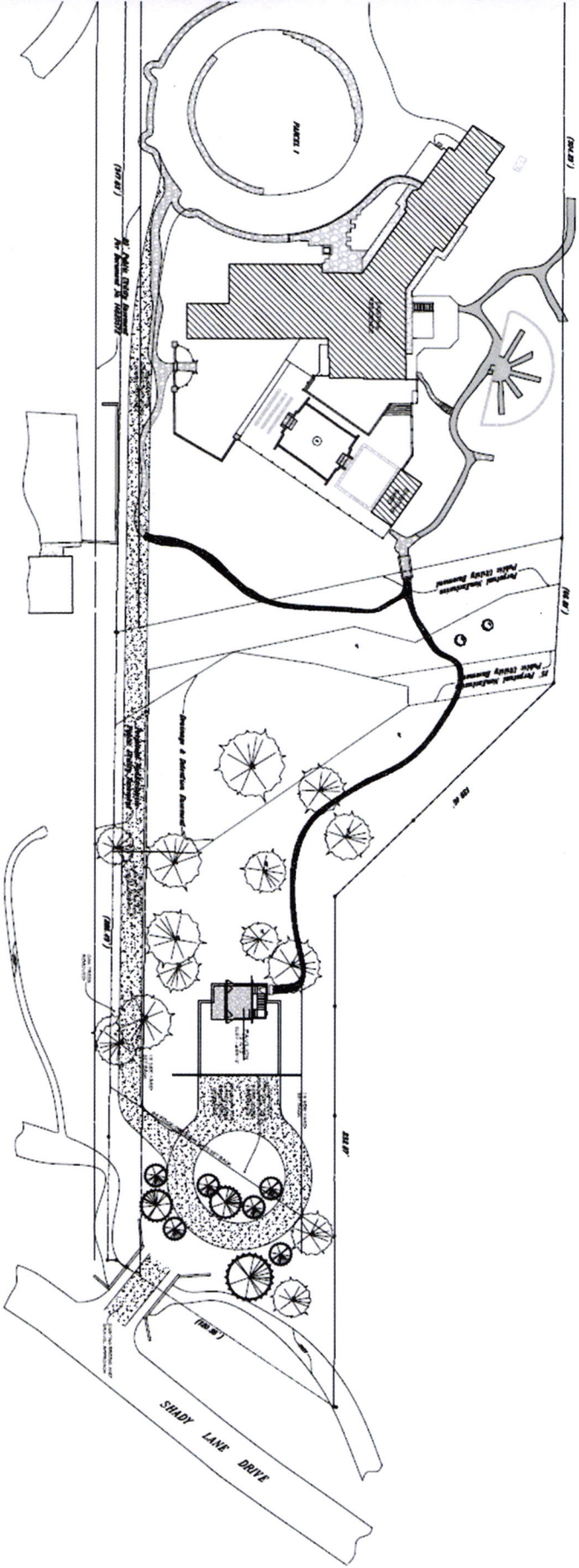
241 875

AVENUE

51

11





THE BECKER RESIDENCE
 6545 SOUTH COUNTY LINE ROAD
 BARRIDGE, IL

DRIVENAY
 DRIVENAY GATEPLAN
 PERCURENT ZONING
 03.12.18



VILLAGE OF BURR RIDGE

MEMORANDUM

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

FROM: Doug Pollock, AICP

DATE: August 14, 2014

RE: Board Report for August 18, 2014 Plan Commission Meeting

At its July 28 and August 11, 2014 meetings the following actions were taken by the Board of Trustees relative to matters forwarded from the Plan Commission.

Z-06-2014: 15W150 South Frontage Road and 15W211 75th Street (Anthem Memory Care); The Board approved Ordinances granting special use approval and variations for this development.

Z-07-2014: 60 Shore Drive (Forklift Exchange); The petitioner withdrew the request for outside display and revised the front yard parking prior to Board consideration. In regards to the special use for equipment sales, the Board approved an Ordinance approving the special use. The Board also approved an Ordinance approving the variation for front yard parking based on the revised plan. *Subsequent to Board approval, staff has been informed by the petitioner that they were unable to come to terms with the property owner and will not open their business at this location.*

S-04-2014: 15W150 South Frontage Road (Anthem Memory Care); The Board approved an Ordinance granting this sign variation.

S-05-2014: 60 Shore Drive (Forklift Exchange); Sign Variation; The Board approved an Ordinance granting this sign variation

Z-08-2014: 11411 German Church Road (Malek); The Board of Trustees concurred with the Plan Commission and was prepared to deny the request for rezoning to the R-3 District. However, the petitioner withdrew the request prior to a Board vote. The Board then directed staff and the Plan Commission to hold a public hearing to consider the R-2B District for this property.



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

S-06-2014; 74-324 Burr Ridge Parkway (County Line Square); Requests a variation from Section 55.06 of the Burr Ridge Sign Ordinance to permit blade signs for each tenant space in County Line Square.

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 Meeting: August 18, 2014

GENERAL INFORMATION

Applicant: Robert Garber on behalf of Tuesday Morning

Property Owner: Reegs Properties, LP

Petitioner's Status: Property Owner

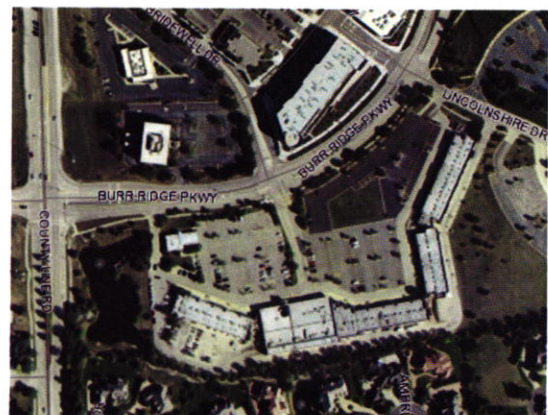
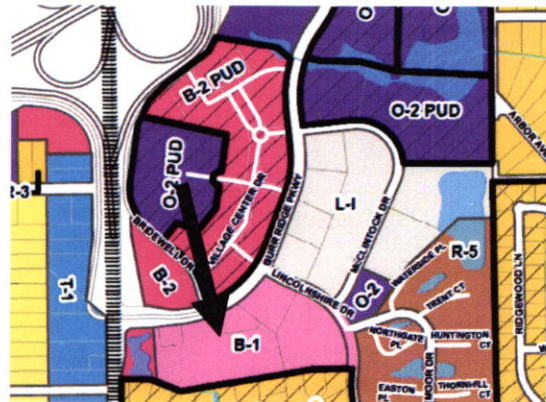
Land Use Plan: Recommends Commercial Retail and Restaurant Uses

Existing Zoning: B1 General Business District

Existing Land Use: Retail Shopping Center

Site Area: 7.2 Acres

Subdivision: County Line Square Shopping Center



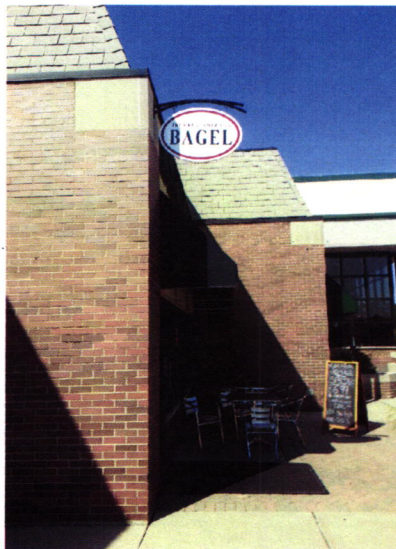
SUMMARY

The owner of the County Line Square shopping center is requesting a variation from the Sign Ordinance to add blade signs to the permitted signs for County Line Square. A blade sign is a small sign mounted perpendicular to the building façade and identifying the name of the tenant. Tenants in the Burr Ridge Village Center are permitted (and required by the landlord) to have a blade sign. The Village Center blade signs are mounted approximately 8 feet above the sidewalk and cannot exceed 6 square feet in area with a 3.3 foot extension from the building.

This petition was filed in response to a violation notice sent to the property owner. The owner has erected two of the blade signs in County Line Square. Below are photographs of the two County Line Square blade signs and an example of a blade sign from the Village Center.



County Line Square



County Line Square



Village Center

In addition to the ground mounted sign for the shopping center, the Sign Ordinance allows two types of signs for tenants in County Line Square. Those signs include:

- The principal signs permitted are wall signs for individual tenants. The tenant wall signs in County Line Square are subject to a 1988 sign variation which allowed additional signs and sign area above the maximum permitted by the Sign Ordinance. Each tenant is permitted a single or double row of individual letters not exceeding 15 inches in height for a single row and 18 inches in height for a double row. The total length of each sign cannot exceed 16 feet.
- The Sign Ordinance permits window signs in a Business District that cover up to 40% of a window.

The signs currently permitted by the Sign Ordinance in a Business District are consistent with the sign packages previously approved for County Line Square and for the Burr Ridge Village Center with one exception. The Planned Unit Development regulations for the Burr Ridge Village Center also permit a blade sign for each tenant space. The concept of blade signs was introduced to the

Village when the Village Center was planned and has not been considered for County Line Square until this time.

Recommendations

Blade signs are defined by their placement perpendicular to the building façade, below the sign frieze of a building façade, and orientated toward pedestrian and vehicular traffic passing in front of a store. Blade signs are generally not visible from adjacent streets or property and as a result, do not contribute to sign clutter. By all accounts, the blade signs permitted for the Village Center have been received well by the public and are a positive complement to the streetscape.

Based on the above and to be consistent within all Business Districts, ***staff recommends approval of an amendment to the Sign Ordinance*** to add blade signs as a conditional sign in all Business Districts as follows:

Section 55.02 Definitions; add the following definition:

GG. **Blade Sign;** A sign attached perpendicular to the front façade of a store for the primary purpose of identifying the storefront from an adjacent sidewalk.

Section 55.06 Business Districts; B. Conditional Signs; add the following conditional sign:

9. **Shopping Center Blade Sign:** One blade sign may be allowed per tenant storefront in a shopping center. A blade sign does not require a permit but must comply with the following:

- a. One blade sign may be allowed for each tenant storefront.
- b. Formed plastic, injection molded plastic, and internally illuminated panels are prohibited.
- c. A minimum clearance of 7'-8" is required between the sidewalk and the bottom of the sign.
- d. The maximum allowed horizontal projection is 3'-3" from the storefront.
- e. The maximum allowed area is 6 square feet.
- f. The maximum allowed depth of the sign panel shall be 6".
- g. Blade signs shall not be illuminated.

If the Plan Commission recommends the above amendment to the Sign Ordinance, the petitioner's request for blade signs can then be considered as a conditional sign request rather than a sign variation. Although staff does not object to the concept of blade signs for County Line Square, there are several issues that the Plan Commission would need to address:

1. As with the wall signs in County Line Square, should all blade signs in County Line Square be of the same materials, and design? The Village Center has different storefront designs, different wall signs, and different blade signs.

2. Shall approval be considered to allow a blade sign for each storefront or be limited to the two stores that are the primary reason for this request?
3. What is the appropriate height for blade signs in County Line Square? The existing blade signs are mounted above the canopy at the same height as the wall signs. Typically, blade signs are below the wall signs. However, because of the relative short height of the County Line Square storefront windows and the existing canopies, blade signs mounted below the wall signs would not be as visible.

Inv



Signs Now

1548 Ogden Ave.
Downers Grove, IL 60515
ph. (630) 515-1085
fax (630) 515-1087

Proofs Due 12/19/2013 12:00:00AM

Project Due: 12/16/2013 4:00:00PM

reated Date: 12/16/2013 3:32:45PM
Entered By: Matt Blackmar
Email: info@signsnowdownersgrove.com
Phone: (630) 515-1087

repared For: Garber Construction
Contact: Mike Garber
Address:
Email: mgarber10@aol.com
Phone: (312) 259-5225
Fax:

Description: HANGING BLADE SIGN - The Great American Bagel

	Product	Font	Qty	Sides	Height	Width	Unit Cost	Install	Item Total
1	Misc. Architectural	*	1	1	1	1	224.5000	\$0.00	\$224.50
	Color: Burgundy / White / Black on White Description: digital print with laminate (all exterior grade) applied to a 1" thick PVC oval face 24"h x36"w x 1"d Text: The Great American Bagel								
2	Miscellaneous Frames	*	1	1	8	1	175.0000	\$0.00	\$175.00
	Color: Description: 40" Arch Hanging Blade Sign Bracket Modern Pattern / Black Powder Coat Finish								
3	Misc Hardware	*	1	1	1	1	15.0000	\$0.00	\$15.00
	Color: Description: with 2 top black eye hooks to hang from wall bracket SPRAY PAINTED BLACK								
4	Shipping	*	1	1	1	1	25.0000	\$0.00	\$25.00
	Color: Description: from bracket mfr								
5	Installation	*	1	1	1	1	150.0000	\$0.00	\$150.00
	Color: Description:								

ATTN: Mike Garber
Garber Construction

Payment due upon completion of order.

Received/Accepted By:

/ /

Stand Out in a Crowded World

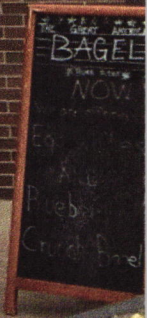


104

STORE HOURS

Monday	6:00	7:00
Tuesday	6:00	7:00
Wednesday	6:00	7:00
Thursday	6:00	7:00
Friday	6:00	7:00
Saturday	6:00	7:00
Sunday	6:00	7:00

FLIP







BRANDYS

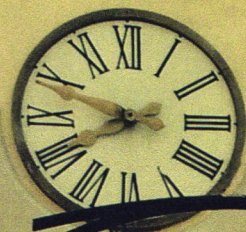
BRANDYS

124

10-6
M. T. A
Thu
Sat
Addition

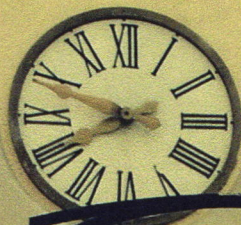
Design S

BRANDYS



BRANDY'S







FINDINGS OF FACT
FOR THE DENIAL OF A SPECIAL USE PERMIT
PURSUANT TO THE VILLAGE OF BURR RIDGE
ZONING ORDINANCE

Z-07-2014; 60 Shore Drive

The petitioner requests an amendment to Section X.F.2.k of the Zoning Ordinance to permit outside display of product in a front yard. As per Section XII.K.7 of the Zoning Ordinance and based on testimony and evidence submitted for the public hearing, the Plan Commission adopts the following findings in support of its recommendation to deny the aforesaid petition:

- a. The special use will not be injurious to the uses and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish or impair property values within the neighborhood in which it is to be located.

Outside display or storage of products is not permitted in any Burr Ridge zoning district and is not generally characteristic of the immediate area. The only outdoor display or storage that has been authorized by the Village in a Manufacturing District has been limited to the area behind or to the side of the principal building and not within a front yard. Allowing display of products in the front yard of a building may justify further requests for outside display or storage which would be detrimental to the appearance and desirability of the immediate area.

- d. The establishment of the special use will impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

The area has developed over time with the prohibition of front yard display or storage. Allowing front yard display on the subject property may impede the normal and orderly development of surrounding properties by encouraging incompatible uses in this area.

August 18, 2014

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



FINDINGS OF FACT
**FOR THE DENIAL OF A VARIATION PURSUANT TO
THE VILLAGE OF BURR RIDGE ZONING ORDINANCE**

Z-07-2014; 60 Shore Drive

The petitioner requests a variation from Section XI.C.8 of the Zoning Ordinance to permit parking between the building and a street. As per Section XIII.H.3 of the Zoning Ordinance and based on testimony and evidence submitted for the public hearing, the Plan Commission adopts the following findings in support of its recommendation to deny the aforesaid petition:

- a. There was a particular hardship to the owner due to the physical surroundings, shape, or topographical conditions of the specific property involved, if the strict letter of the regulations were to be carried out.

The petitioner failed to show that the additional parking with a six parking spaces in the front buildable area and with a drive wrapped around the south and east sides of the buildings was necessary to relieve any particular hardship due to any physical conditions of the property.

- b. The property in question can yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the zoning district in which it is located.

The property has been used in the past without parking on the south side of the building and without the driveway extending around the front buildable area on the south and east sides of the building. No reason was provided that the building cannot continue to be used without this variation.

August 18, 2014

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals



FINDINGS OF FACT
**FOR THE DENIAL OF A MAP AMENDMENT PURSUANT
TO THE VILLAGE OF BURR RIDGE ZONING
ORDINANCE**

Z-08-2014; 11411 German Church Road

The petitioner requests rezoning of the subject property from the R-1 District to the R-3 District. As per Section XII.J.3 of the Zoning Ordinance and based on testimony and evidence submitted for the public hearing, the Plan Commission adopts the following findings in support of its recommendation to consider rezoning the property to the R-2B District rather than the requested R-3 District:

- a. Existing uses of property within the general area of the property in question.

Adjacent lots that are in Burr Ridge are a minimum of 30,000 square feet or more. The R-3 District permits higher density lots which is not consistent with the adjacent Burr Ridge lots or other Burr Ridge lots in the immediate area.

- b. The zoning classification(s) of property within the general area of the property in question.

Although the property is bounded by higher density zoning in the Village of Willow Springs, the adjacent Burr Ridge zoning is currently a lower density and even if rezoned to a district that matches the current lot sizes, those adjacent Burr Ridge properties would still be a lower density district than the proposed R-3 District.

- c. The impact upon the objectives of the Official Comprehensive Plan of the Village of Burr Ridge, as amended.

The Burr Ridge Comprehensive Plan encourages new residential development to have lot sizes of 30,000 square feet or more. The proposed R-3 District is not consistent with the Comprehensive Plan.

August 18, 2014

Greg Trzupek, Chairman
Plan Commission/Zoning Board of Appeals